

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1456	Buckworth	2/12/98	T	Amber Clairmont/Gold National Award/ FFA Floriculture Career Development Event
H139-1457	Buckworth	2/12/98	T	Brandy Shahan/Gold National Award/ FFA Floriculture Career Development Event
H139-1458	Buckworth	2/12/98	T	Kacie Rash/Gold National Award/ FFA Floriculture Career Development Event
H139-1459	Buckworth	2/12/98	T	Ashley Peebles/Gold National Award/ FFA Floriculture Career Development Event
H139-1460	Buckworth	2/12/98	T	Matt Dowling/Caesar Rodney High/Gold Key Award/Artwork/State Scholastic Competition
H139-1461	Buckworth	2/12/98	T	Zaynah Shabo/Caesar Rodney High/All-State Orchestra/Violin
H139-1462	Buckworth	2/12/98	T	Teri Montefusco/Caesar Rodney High/All-State Senior Concert Band
H139-1463	Buckworth	2/12/98	T	Andre Hutchins/Caesar Rodney High/All-State Jazz Band & All-State Senior Concert Band
H139-1464	Buckworth	2/12/98	T	Andy Rosenfeld/ Caesar Rodney High/All-State Jazz Band & All-State Senior Concert Band
H139-1465	Buckworth	2/12/98	T	Brian Bunnell/Caesar Rodney High/All-State Jazz Band
H139-1466	Buckworth	2/12/98	T	Julie Finley-O'Connor/Assistant Coach/Caesar Rodney High Star Academic Challenge Team/State Champions
H139-1467	Buckworth	2/12/98	T	Melinda Marsh/Coach/Caesar Rodney High Star Academic Challenge Team/State Champions

## #HOUSE TRIBUTE ANNOUNCEMENT #111

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1468	Buckworth	2/12/98	T	Andy Rosenfeld/Captain/Caesar Rodney High Star Academic Challenge Team/State Champions
H139-1469	Buckworth	2/12/98	T	Chris Chrzanowski/Caesar Rodney High Star Academic Challenge Team Member/State Champions
H139-1470	Buckworth	2/12/98	T	Derek Benham/Caesar Rodney High Star Academic Challenge Team Member/State Champions
H139-1471	Ewing	2/20/98	T	Dr. Michael Metzler/Distinguished Service/Sussex Countians
H139-1472	Ewing	2/20/98	T	Dr. Christian E. Brandt/Distinguished Service/Sussex Countians
H139-1473	Capano	2/20/98	T	Catherine Ford/Distinguished Finalist/ Prudential Spirit of Community Awards
H139-1474	Capano	2/09/98	T	Danuta & Joseph Godek/50th Wedding Anniversary
H139-1475	VanSant	2/07/98	T	Mary & Joseph DiAngelo/50th Wedding Anniversary
H139-1476	Wagner	2/13/98	M	Walter J. Cech
H139-1477	Gilligan	2/22/98	T	Olive J. Firth/80th Birthday
H139-1478	Wagner	2/16/98	T	Devin Scanlon/Lower Delaware Gridiron Club Exceptional Athlete Scholarship
H139-1479	Wagner	2/20/98	T	Chief Master Sergeant Victor Hamm, Jr./ Retirement/30 Years/U.S.A.F.
H139-1480	Carey	2/27/98	T	Michael Rogers/Milford Elks Student of the Year Award

## HOUSE TRIBUTE ANNOUNCEMENT #112

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1481	Carey	2/27/98	T	Renee Marshall/Milford Elks Student of the Year Award

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1482	Carey	2/27/98	T	Andre Henson/Milford Elks Teenager of the Year Award
H139-1483	Carey	2/27/98	T	Cpl. Geoffrey David/Milford Elks Policeman of the Year Award
H139-1484	Carey	2/27/98	T	Samuel Blackston/Milford Elks Fireman of the Year Award
H139-1485	Carey	2/27/98	T	Honorable Randy Holland/Milford Elks Good Neighbor of the Year Award
H139-1486	Carey	2/27/98	T	William J. Cabbage/Milford Elks Senior Citizen of the Year Award
H139-1487	Smith	2/24/98	T	Marvin Corothers & The People of Knollwood/Established Community Center
H139-1488	Fallon	2/27/98	T	Teresa West/Contributions/Community
H139-1489	Fallon	2/23/98	T	Larry & Donna Hollis/Overcoming Illness
H139-1490	Fallon	3/21/98	T	James Osborne/Eagle Scout
H139-1491	Fallon	2/18/98	T	John Hollis/Pat Knight Award for Outstanding Community Service
H139-1492	Maroney	2/26/98	T	Sister Jeanne Cashman, OSU/ cosponsors: DiPinto, Cloutier
H139-1493	Roy	2/25/98	T	Msgr. Reese Award Recipient
H139-1494	Roy	2/25/98	T	Ralph Woodrow/Contributions/Kiwanis Club of Red Clay Valley cosponsor: D. Ennis
H139-1494	Roy	2/25/98	T	Paul Woodward//Contributions/Kiwanis Club of Red Clay Valley cosponsor: D. Ennis

## HOUSE TRIBUTE ANNOUNCEMENT #113

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1495	Roy	2/25/98	T	Kiwanis Club of Red Clay Valley/45th Anniversary cosponsor: D. Ennis
H139-1496	Buckworth	2/19/98	T	Ralph Landolfi/Silver Medals/XI World Transplant Games cosponsor: oberle
H139-1497	West	3/07/98	T	Jared Curtis King/Eagle Scout
H139-1498	D. Ennis	2/25/98	T	Berlin Symphony Orchestra/Grand Opera House Performance
H139-1499	Roy	3/01/98	T	Christopher Williams/Eagle Scout
H139-1500	B. Ennis	3/18/98	T	Elmer Gove/70th Birthday
H139-1501	Capano	2/01/98	M	Kaye Cook
H139-1502	Capano	2/16/98	T	Irene Long/98 Red Clay Teacher of the Year
H139-1503	Fallon	3/03/98	T	Angeline Howard/80th Birthday
H139-1504	Davis	2/21/98	T	Jeffrey Sterrett/Christiana Volunteer Fire Co. Member of the Year for 1997
H139-1505	Fallon	2/26/98	T	Warren Allen/Donation/Warren & Charles Allen, Jr. Community Center
H139-1506	Fallon	2/26/98	T	Charles Allen, Jr./Donation/Warren & Charles Allen, Jr. Community Center
H139-1507	D. Ennis	2/25/98	T	Joseph Silverstein/Guest Conductor/Berlin Symphony Orchestra/Grand Opera House
H139-1508	Maroney	2/27/98	T	William Duncan, MD/Medical Society Alliance Honoree cosponsor: DiPinto

## HOUSE TRIBUTE ANNOUNCEMENT #114

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1509	Brady	2/07/98	T	Katherine & Emilio Aiello, Sr./50th Wedding Anniversary
H139-1510	Lee	3/01/98	T	John L. Chandler, III/Eagle Scout
H139-1511	D. Ennis	2/25/98	T	Derek Han/Featured Pianist/Berlin Symphony Orchestra/Grand Opera House

H139-1512	Carey	1/30/98	T	Preston & Dorothy King/45th Wedding Anniversary
H139-1513	Scott	3/22/98	T	Reverend Adrian T. Arnold/Installation/Central Baptist Church
H139-1514	Scott	2/27/98	T	Cynthia Ferguson/Youth Intervention Specialist/Outstanding Community Service
H139-1515	Spence	3/01/98	T	Honorable Al O. Plant, Sr./Lifetime Achievement Award Recipient
cosponsors: All House Members				
H139-1516	Spence	2/27/98	T	Mary Murray/Employee of the Month/Cavaliers of Delaware
H139-1517	Fallon	3/03/98	T	Danny Short/Congratulations/New Mayor of Seaford
H139-1518	Fallon	3/03/98	T	Norman Poole/Contributions to Community
H139-1519	Spence	3/02/98	T	Jimmy Gambacorta/President/Gambacorta Buick/98 Time Magazine Quality Dealer Award
H139-1520	Maroney	3/21/98	T	Robin Karol-Eng/Leadership/Board of Trustees Wilmington Montessori School
H139-1521	DiPinto	3/31/98	T	Delaware State Bar Association/75th Anniversary
cosponsors: DiLiberto & All House Members				

## HOUSE TRIBUTE ANNOUNCEMENT #115

DATE: March 17, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1522	Carey	4/20/98	T	Milford New Century Club/100th Anniversary
cosponsor: All Sussex County Legislators				
H139-1523	DiPinto	3/04/98	T	Sojourner's Place/7th Anniversary
H139-1524	Cloutier	2/19/98	M	Arthur Carota
H139-1525	Quillen	3/13/98	T	Anthony Jordan/American Legion National Commander/Visit to Delaware
H139-1526	Smith	3/06/98	T	Marietta Dantonio/Delaware Art Educator of the Year
cosponsor: Welch				
H139-1527	Gilligan	2/28/98 T		Justin Jackson/State Wrestling Champion/160# Weight Class
H139-1528	Gilligan	2/28/98	T	Brian Santoro/State Wrestling Champion/171# Weight Class
cosponsor: Roy				
H139-1529	Gilligan	2/28/98	T	Pete Santoro/State Wrestling Champion/189# Weight Class
cosponsor: Roy				
H139-1530	Price	3/06/98	T	Meehris McGlaughlin/Outstanding Performance/Emergency Dispatcher
H139-1531	West	1/14/98	T	Mr. & Mrs. James Dunham/68th Wedding Anniversary
H139-1532	B. Ennis	4/29/98	T	Eric Simpson/Eagle Scout
H139-1533	Cathcart	3/13/98	T	Nicholas Fisher/Eagle Scout
H139-1534	B. Ennis	3/07/98	T	Bernard Peck/Outstanding Service/Odd Fellows Lodge/Church/Community
H139-1535	DiPinto	5/29/98	T	Clare & Neil Burgess/5th Wedding Anniversary
H139-1536	Oberle	4/10/98	T	Helen Amoroso/80th Birthday

T - Tribute

M - Memoriam

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 425 before the House for consideration.

HB 425 - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence.

Representative Wagner introduced and brought HA 1 to HB 425 before the House for consideration.

Representative Wagner made comments.

HA 1 was adopted by voice vote.

The roll call on HB 425 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Davis, Roy - 3.

Therefore, having received a constitutional majority, HB 425 w/HA 1 was sent to the Senate for concurrence.

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

Representative Scott requested that HB 415 be stricken.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis brought SB 156 w/SA 1, sponsored by Senators Henry, Blevins, Marshall, Sokola, Vaughn, Venables, Connor & Sorenson & Representatives Davis, Ewing, Fallon & Maroney, before the House for consideration.

SB 156 - An Act to Amend Title 18 of the Delaware Code Relating to Child Immunizations.

Representative D. Ennis made comments.

Representative D. Ennis moved to place SB 156 w/SA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 430, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 430 - An Act to Amend Title 10 of the Delaware Code Relating to the Court's Authority to Tax Expert Witness Fees as Court Costs.

Representative Wagner made comments.

The roll call on HB 430 was taken and revealed:

YES: 38.

ABSENT: Representatives Roy, Smith, Spence - 3.

Therefore, having received a constitutional majority, HB 430 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 437, jointly sponsored by Representatives Buckworth, Capano, Cloutier, Davis, Ewing, Maier, Smith, Spence & Stone, before the House for consideration.

HB 437 - An Act to Amend Title 4 of the Delaware Code Relating to Offenses Relating to Certain Persons. (2/3 bill)

Representatives Wagner, B. Ennis & Wagner made comments.

Representative Wagner requested and was granted the privilege of the floor for John Brady, House Attorney.

Representatives B. Ennis, Houghton & Wagner made comments.

Representative Wagner requested and was granted the privilege of the floor for John Brady, House Attorney.

Representatives Houghton, Scott, DiLiberto, Brady, Houghton, Wagner, Price, Wagner, B. Ennis, Price & Wagner made comments.

Representative Wagner moved to place HB 437 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Welch deferred to Representative Price.

Mr. Acting Speaker Oberle made comments.

Representative Plant requested and was granted personal privilege of the floor to make a comment.

Representative Price introduced HB 504, jointly sponsored by Representative Quillen.

HB 504 - An Act to Amend Title 4 of the Delaware Code Regarding the Delaware Alcoholic Beverage Control Commission License Application Process, and Denials, Suspensions, or Revocations of Licenses.

Mr. Acting Speaker assigned HB 504 to the Policy Analysis & Government Accountability Committee.

Representative Price made comments.

Representative Welch introduced HB 506, jointly sponsored by Senator Sokola & Representatives Spence, Smith, Capano, DiPinto, D. Ennis, Fallon, Carey, Cathcart, Lofink, Maier, Maroney, Quillen, Reynolds, Wagner, Ulbrich, Brady, DiLiberto, B. Ennis, Gilligan, Keeley, Price & Schroeder & Senators Blevins, Henry, McDowell, Venables, Bair, Connor, Sorenson & Still.

HB 506 - An Act to Amend Title 14 of the Delaware Code Relating to Student Volunteerism.

Mr. Acting Speaker assigned HB 506 to the Education Committee.

Representative Welch introduced HB 508, jointly sponsored by Representatives Spence & B. Ennis & Senator Cook & Representatives Smith, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, Ewing, Fallon, Lee, Quillen, Stone, Wagner & Keeley & Senators Sharp, Voshell, McDowell, Adams, Blevins, Bunting, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 508 - An Act to Amend Title 28 of the Delaware Code Relating to Bingo Licensing and Fees.

Mr. Acting Speaker assigned HB 508 to the House Administration Committee.

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

11th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 18, 1998

Mr. Acting Speaker Welch called the House to order at 2:17 p.m.  
The Assistant Chief Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed: SCR 49 & SCR 51.  
March 17, 1998

The Honorable Terry R. Spence  
Delaware House of Representatives  
Legislative Hall  
Dover, Delaware 19901  
Dear Speaker Spence:

Please excuse my absence from Session on Thursday, March 19, 1998, as I will be out of town on business.

Thank you.

Sincerely,  
V. George Carey  
State Representative  
36th District

VGC:jcw

Representative Smith deferred to Representative Ulbrich.

Representative Fallon requested that HCR 52 be stricken.

Representative Ulbrich introduced HB 503, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Keeley & Price & Senators Bunting, Sokola, Reed & Still.

HB 503 - An Act to Amend Chapter 38, Title 31 of the Delaware Code Regarding the Foster Child Review Act and Chapter 101, Title 29 of the Delaware Code Regarding the Administrative Procedures Act. (2/3 bill)

Mr. Acting Speaker assigned HB 503 to the Policy Analysis & Government Accountability Committee.

Representative Smith introduced HB 510, sponsored by Representatives Welch & VanSant & Senators McDowell, Bunting & Bonini & Representatives Spence, Smith, Wagner, Maier, Buckworth, Stone & B. Ennis.

HB 510 - An Act to Amend Subchapter II of Chapter 5 and Subchapter I of Chapter 23 of Title 11 of the Delaware Code Relating to Offenses Against Persons and Search Warrants. (2/3 bill)

Mr. Acting Speaker assigned HB 510 to the Judiciary Committee.

Representative Wagner made an announcement.

The Majority Leader moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Mack, Oberle - 2.

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

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

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

The following prefiled legislation was introduced:

HS 1 for HB 432 - WAGNER, SCHROEDER & SENATOR SHARP; REPRESENTATIVES SPENCE, SMITH, WELCH, BUCKWORTH, CATHCART, CAPANO, CLOUTIER, EWING, LOFINK, STONE - JUD: An Act to Amend Title 10 of the Delaware Code Relating to the Prosecution of Adults and the Presentation of Delinquency Matters in the Family Court.

HB 505 - OBERLE & SENATOR HENRY - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act. (2/3 bill)

HB 509 - WELCH, WAGNER, VANSANT & SENATORS COOK & MCDOWELL - H/ADM: An Act to Amend Title 11 of the Delaware Code Relating to the Use of a Firearm During the Commission of a Felony.

HR 24 - PLANT, CLOUTIER, KEELEY, PRICE - HEALTH & HUM DEV: Relating to Sanitation and Health of Delaware Residents.

HA 3 to HB 59 - WAGNER - APPRO: Placed with the bill.

HA 1 to HB 439 - WAGNER - ED: Placed with the bill.

**SCR 49 - MCBRIDE & REPRESENTATIVE WAGNER - POL ANAL & GOV ACCT:** Requesting the Division of Professional Regulations Publish and Disseminate a Newsletter to All Operators Licensed by the Board of Cosmetology and Barbering Informing Them of Any Changes in Regulations and Other Significant Issues Relating to the Various Disciplines Regulated by the Board of Cosmetology and Barbering; Such Newsletter to be Published No Less Than Biannually.

**SCR 51 - MCBRIDE & REPRESENTATIVE WAGNER - POL ANAL & GOV ACCT:** Requesting the State Board of Cosmetology and Barbering to Update and Modernize Its Procedures Manual.

The Chief Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable Jeffrey G. Mack  
SUBJECT: Absence from Session  
DATE: March 18, 1998

Something has come up and I will be unable to attend session on Wednesday, March 18, 1998.

Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House  
JGM/grp

MEMORANDUM

DATE: March 18, 1998  
TO: Representative Terry R. Spence  
Speaker of the House  
FROM: Representative George Robert Quillen  
RE: Absent From Session

I shall be absent from session on this date, 19 March. I will be out of state. Thank you.

GRQ:dsm

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced HA 1 to HB 438. HA 1 to HB 438 was placed with the bill.

Representative Smith made an announcement.

Representative Smith deferred to Representative Carey.

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

Representative Smith requested and was granted the privilege of the floor for Bill Montgomery, Director, Division of Research who introduced Lisa Richardson, intern in the Office of Economic Development.

Representative Gilligan made a comment.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto requested and was granted the privilege of the floor for Dr. Susan Shoemaker, Chair, Delaware Humanities Forum. A living history re-enactment of the drawing of the Mason-Dixon Line was performed.

Representative Smith made comments.

Henry Hirschbiel, Executive Director, Delaware Humanities Forum, addressed the House.

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

Representatives Lee & Cathcart requested that they be marked present.

The House reconvened at 5:37 p.m. with Representative Davis as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence requested that he be marked present.

Representative Smith introduced and brought SCR 53, jointly sponsored by Senator Sharp on behalf of All Senators & Representative Spence on behalf of All Representatives, before the House for consideration.

Mr. Speaker Spence resumed the Chair.

SCR 53 - Honoring the Four Outstanding Delawareans - Sen. Nancy W. Cook, Beatrice Simonds, the Late Rep. Henrietta R. Johnson and Renee G. O'Leary - Whose Names Are Being Added to the Rolls of the Hall of Fame for Delaware Women on the 18th Day of March, 1998.

Representatives Smith & Gilligan made comments.

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

SCR 53 was adopted by voice vote and returned to the Senate.

Representative Smith deferred to Representative Capano.

Representatives Capano, Smith, Gilligan, Capano, Gilligan & Smith made comments.

Representative Capano introduced **HB 513**, jointly sponsored by Representatives Spence, Smith, Welch, Buckworth, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Maroney, Petrilli, Quillen, Roy, Stone & Ulbrich & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still & cosponsored by Representative Wagner.

**HB 513** - An Act to Amend Title 30 of the Delaware Code With Regard to Personal Income Tax.  
Mr. Speaker assigned **HB 513** to the Revenue & Finance Committee.

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

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

P/S: **HB 458** - 1F,6M; **HB 476** - 6M; **HB 478** - 6M.

JUD: **HB 464** - 1F,5M; **HB 471** - 6M; **HB 479** - 2F,4M; **HB 480** - 6M; **HB 483** - 7M; **HB 488** - 5M;  
**HB 490** - 2F,5M; **HB 510** - 6M.

HOUSING & COM AFF: **SB 203** - 3F,2M.

APPRO: **SB 177 w/SA 1** - 3F,3M.

ED: **HB 405** - 1F,9M.

R & F: **HB 447** - 4F,4M; **HB 449** - 6F,2M; **HB 450** - 1F,5M,2U.

The Majority Leader moved to recess to the call of the Chair at 5:45 p.m.

12th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 19, 1998

Mr. Speaker Spence called the House to order at 2:20 p.m.

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

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

TRANS: **HB 234** - 6M.

The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the current legislative day. The House reconvened at 2:22 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Buckworth, Carey, Quillen - 3.

A prayer was offered by Reverend Tony Maczynski, staff member.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 440** - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, CAPANO, CAREY, FALLON, LEE, LOFINK, MARONEY, PETRILLI, PRICE, QUILLEN, STONE, B. ENNIS, HOUGHTON, PLANT, VANSANT, WEST; SENATORS BAIR, HAUGE, REED, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Relating to Department of Education Professional Staff.

**HS 1 for HB 441** - WAGNER & SCHROEDER & SENATOR SHARP; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, D. ENNIS, EWING, LEE, PETRILLI, STONE, ULBRICH, B. ENNIS, KEELEY, PRICE, SCOTT - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Prosecution of Criminal and Traffic Cases in the Justice of the Peace Court of the State of Delaware.

**HB 507** - EWING & SENATOR ADAMS - H/ADM: An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Change the Date for the Filing for Candidacy in the Town and to Change the Date for the General Election. (2/3 bill)

**HB 511** - CAREY, BOULDEN, BUCKWORTH, CAPANO, CAULK, CLOUTIER, B. ENNIS, EWING, LOFINK, SCHROEDER, WEST & SENATORS BUNTING & VOSHELL - NAT RES: An Act to Amend Chapter 5, Title 7, of the Delaware Code Relating to Hunting Licenses for Nonresidents.

**HB 512** - OBERLE & SENATOR ADAMS - AG: An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to Harness Racing.

**HA 1 to HB 442** - WAGNER - POL ANAL & GOV ACCT: Placed with the bill

**HA 1 to HB 452** - WAGNER - P/S: Placed with the bill.

**HA 1 to HB 457** - WAGNER - P/S: Placed with the bill.

**HA 1 to HB 510** - WELCH - READY LIST: Placed with the bill.

**SCR 54** - MARSHALL & REPRESENTATIVE DIPINTO; SENATORS HENRY, MCDOWELL; REPRESENTATIVES KEELEY, PLANT, SCOTT, WILLIAMS - P/S: Urgently Requesting That Leading

Wilmington City Officials Fulfill Their Commitment to Identify Suitable Sites and to Open Neighborhood Police Stations by June of 1998.

**SCR 55 - MCBRIDE; REPRESENTATIVE WAGNER - HEALTH & HUM DEV:** Requesting the Department of Health and Social Services to Revise and Update All Forms Used in Conducting Sanitary Inspections.

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

Mr. Speaker assigned **HB 405, HB 447 & HB 449** to the Appropriations Committee.

Mr. Speaker reassigned **HB 509** to the Judiciary Committee.

Representative Smith made an announcement.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **SCR 53, SCR 54 & SCR 55.**

March 19, 1998

The Honorable Terry R. Spence  
Delaware House of Representatives  
Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

Please excuse my absence from Session on Thursday, March 19, 1998, as I will not be able to attend.

Thank you.

Sincerely,  
Gerald A. Buckworth  
State Representative  
34th District

GAB:jcw

HOUSE TRIBUTE ANNOUNCEMENT #116

DATE: March 19, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1537	D. Ennis	3/19/98	T	Amer Fazlibegovic/Welcome to Delaware
H139-1538	D. Ennis	3/19/98	T	Rajko Radovic/Welcome to Delaware
H139-1539	D. Ennis	3/19/98	T	Ivo Luzanski/Welcome to Delaware
H139-1540	D. Ennis	3/19/98	T	Ivan Milinkovic/Welcome to Delaware
H139-1541	D. Ennis	3/19/98	T	Ivica Cvjetkovic/Welcome to Delaware
H139-1542	D. Ennis	3/19/98	T	Mirzet Ribic/Welcome to Delaware
H139-1543	D. Ennis	3/19/98	T	Vito Rakic/Welcome to Delaware
H139-1544	D. Ennis	3/19/98	T	Ostoja Kremenovic/Welcome to Delaware
H139-1545	D. Ennis	3/19/98	T	Zeljko Sain/Welcome to Delaware
H139-1546	D. Ennis	3/19/98	T	Dzemaludin Mutapcic/Welcome to Delaware
H139-1547	D. Ennis	3/19/98	T	Nihad Imamovic/Welcome to Delaware
H139-1548	D. Ennis	3/19/98	T	Fuad Cerkez/Welcome to Delaware
H139-1549	DiPinto	3/04/98	M	Eleanor G. Ozier
H139-1550	DiPinto	3/04/98	M	Dr. Robert Simons
cosponsors: Capano, Maier, Petrilli, Roy, Gilligan, Scott, VanSant, Williams				
H139-1551	Maroney	3/07/98	T	Doctors David & Ethel Platt/ J. Thompson Brown Award Recipients
H139-1552	Wagner	3/14/98	T	Cheryl Giangreco & Peter Scacheri/ Marriage
H139-1553	Fallon	3/17/98	T	Nanticoke Senior Center/27th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #117

DATE: March 19, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1554	Smith	3/10/98	T	Jessica Sidler/Bronze Medallion/Prudential Spirit of Community Award
H139-1555	Cathcart	3/07/98	T	Terry Schoeffler/Port Penn Volunteer Fire Co. '97 Fireman of theYear
H139-1556	Ulbrich	3/10/98	T	St. Mark's High '97-'98 Girls Swimming & Diving Champions/5th Year
cosponsor: Maier				

H139-1557	Ulbrich	3/10/98	T	St. Mark's High '97-'98 Mock Trial Team/Competition Win
	cosponsor: Maier			
H139-1558	Ulbrich	3/27/98	T	Alice & John Craig/50th Wedding Anniversary
H139-1559	Roy	2/14/98	T	M. Elizabeth & Richard Hudson, Sr./50th Wedding Anniversary
H139-1560	Roy	2/07/98	T	Jeanne & William Ayers/50th Wedding Anniversary
H139-1561	B. Ennis	3/28/98	T	Marvin Knox/50th Birthday
H139-1562	Carey	3/20/98	T	Chief Richard Carmean/Retirement/24 Years/Milford Police Department
H139-1563	Carey	5/15/98	T	Milford Senior Center, Inc./25th Anniversary
H139-1564	Welch	3/28/98	T	John Boland, III/Eagle Scout
H139-1565	Carey	4/04/98	T	Brian Bennett/Eagle Scout
H139-1566	Fallon	3/06/98	M	Kathlyn H. Marvel
H139-1567	Keeley	3/19/98	T	Joseph Wyszynski/100th Birthday
	cosponsor: Gilligan			

## HOUSE TRIBUTE ANNOUNCEMENT #118

DATE: March 19, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1568	Wagner	4/26/98	T	R.G. Moore, Jr., Pastor/Union Missionary Baptist Church/7th Anniversary
H139-1569	Maroney	3/12/98	T	Raggatha Calentine/'98 DE Tomorrow Award
H139-1570	Maroney	3/12/98	T	Honorable Thomas Carper/'98 DE Tomorrow Award
H139-1571	Maroney	3/12/98	T	Zeneca Inc./'98 DE Tomorrow Award
H139-1572	Maroney	3/16/98	T	Dr. Jaime Rivera/Wallace M. Johnson Award/New Castle County Chamber of Commerce
H139-1573	Maroney	3/18/98	T	Beatrice "Bea" Simonds/Hall of Fame/Delaware Women for 1998
H139-1574	Maroney	3/18/98	T	Renee O'Leary/Hall of Fame/Delaware Women for 1998
H139-1575	Maroney	3/18/98	T	Henrietta Johnson/Hall of Fame/Delaware Women for 1998
H139-1576	Stone	3/18/98	T	Honorable Nancy Cook/Hall of Fame/Delaware Womenfor 1998
H139-1577	Spence	2/21/98	T	Christiana Fire Co./77th Anniversary/Ladies Auxiliary/76th Anniversary
H139-1578	Fallon	3/09/98	T	Pearl Floyd/100th Birthday
H139-1579	Stone	3/12/98	T	Jack Tarburton/'98 Distinguished Citizen Award/Boy Scouts of America
H139-1580	Smith	3/17/98	T	Christopher Council, No. 3182 Knights of Columbus/50th Anniversary
	cosponsor: Brady			
H139-1581	Quillen	4/01/98	T	Lower Delaware Parkinson's Support Group/National Parkinson's Month

## HOUSE TRIBUTE ANNOUNCEMENT #119

DATE: March 19, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1582	Scott	3/12/98	T	Frauline Trotter/Outstanding Community Service
H139-1583	Wagner	4/18/98	T	Jamie Blaylock & Michael Pate/Marriage
H139-1584	Fallon	3/07/98	T	Anna M. Lovelace/101st Birthday
H139-1585	Fallon	3/11/98	T	Marion Collins/100th Birthday
H139-1586	Lofink	3/17/98	T	Lindalee Thompson/'97 Charlotte Frances Napier Memorial Award Recipient
H139-1587	DiLiberto	3/19/98	T	Lisa Strong/Outstanding Service/Youth Sports Coordinator/West YMCA

H139-1588	Price	3/16/98	T	Southern District Maintenance Force/DOT /Outstanding Work/February Nor'easters
H139-1589	Price	3/16/98	T	Millville Vol. Fire Co./Outstanding Assistance/February Nor'easters
H139-1590	Price	3/16/98	T	Indian River Volunteer Fire Co./Outstanding Assistance/February Nor'easters
H139-1591	Price	3/16/98	T	Bethany Beach Vol. Fire Co./Outstanding Assistance/February Nor'easters
H139-1592	Price	3/19/98	T	Honorable George Collins/Sussex County Councilman/Service to Residents
H139-1593	Carey	3/24/98	T	Southern States Milford Cooperative, Inc./ 50th Anniversary
H139-1594	Carey	4/07/98	T	Playtex Apparel, Inc./Kent-Sussex Industries/'98 Partnership Award
H139-1595	Carey	4/07/98	T	Kraft Foods, Inc./Kent-Sussex Industries/'98 Business Award

T - Tribute

M - Memoriam

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted personal privilege of the floor to present House Tributes to visitors from Bosnia-Herzegovina who were introduced by name for the record.

Representatives Welch, Stone, Williams, Gilligan & Lofink requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:40 p.m.

Representative Lofink requested that he be marked present.

The House reconvened at 5:51 p.m.

Representative Smith deferred to Representative Caulk.

Mr. Speaker assigned HB 510 to the Appropriations Committee.

Representatives Cathcart & Mack requested that they be marked present.

Mack, Quillen, Price, Schroeder & West, before the House for consideration.

HR 32 - Establishing the Week of March 16, 1998 as National Agricultural Week in Delaware.

HR 32 was adopted by voice vote.

Representative Caulk made comments.

Representative Wagner made an announcement.

Mr. Speaker reassigned HB 458 to the Public Safety Committee.

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

P/S: HB 493 - 4M.

Representative Smith requested that action on SB 185 be Deferred to a Day Certain, Tuesday, March 24, 1998.

Representative Brady requested that he be marked present.

Representative Roy brought HB 479, jointly sponsored by Representatives Welch, Cloutier & DiLiberto & Senators Vaughn, Amick & Hauge, before the House for consideration.

HB 479 - An Act to Amend Title 10 of the Delaware Code Relating to Wrongful Death Actions.

Representative Roy made comments.

The roll call on HB 479 was taken and revealed:

YES: 34.

ABSENT: Representatives Buckworth, Capano, Carey, B. Ennis, Fallon, Price, Quillen - 7.

Therefore, having received a constitutional majority, HB 479 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested that HB 94 be stricken.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 203, jointly sponsored by Senator Cook & Representative B. Ennis & Senators Adams, Vaughn, Voshell & Bonini & Representatives Buckworth, Caulk, Quillen, Wagner & Welch, before the House for consideration.

SB 203 - An Act to Amend Title 9 of the Delaware Code Relating to Public Hearings on Petitions to Establish Garbage Collection Districts.

Representative Stone made comments.

The roll call on SB 203 was taken and revealed:

YES: 34.

ABSENT: Representatives Buckworth, Capano, Carey, B. Ennis, Fallon, Price, Quillen - 7.

Therefore, having received a constitutional majority, SB 203 returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 471, jointly sponsored by Representatives Spence & Carey, before the House for consideration.

HB 471 - An Act to Amend Title 10 of the Delaware Code Relating to Commissioners of the Courts.

Representative Wagner introduced and brought HA 1 to HB 471 before the House for consideration.

Representative Wagner made comments.

HA 1 was adopted by voice vote.

Representatives Davis and Wagner made comments.

The roll call on HB 471 w/HA 1 was taken and revealed:

YES: 33.

NOT VOTING: Representative Maroney - 1.

ABSENT: Representatives Buckworth, Capano, Carey, B. Ennis, Fallon, Price, Quillen - 7.

Therefore, having received a constitutional majority, HB 471 w/HA 1 was sent to the Senate for concurrence.

Representatives Lofink and Reynolds made announcements.

Representative Gilligan made comments.

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

The Majority Whip moved to recess to the call of the Chair at 6:18 p.m.

13th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 24, 1998

Mr. Speaker Spence called the House to order at 2:18 p.m.

Representatives Carey, Buckworth & Quillen requested that they be marked present for the current Legislative Day.

Representative Stone introduced HB 525, jointly sponsored by Representatives Oberle & Petrilli & Senator Sharp & Representatives Spence, Welch, Boulden, Cathcart, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Roy, Ulbrich, Wagner, Gilligan, VanSant, Brady, B. Ennis, Price, Schroeder & West & Senator Still & cosponsored by Representative Caulk.

HB 525 - An Act to Amend Titles 9, 22 and 30 Relating to Taxation of Real Property and the Uses of the Proceeds Therefrom. (2/3 bill)

Mr. Speaker assigned HB 525 to the Housing & Community Affairs Committee.

Representative Stone made an announcement.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 244 w/SA 1, SB 242 & SB 255.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 514 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, DAVIS, D. ENNIS, EWING, LOFINK, MACK, PETRILLI, STONE, ULBRICH, GILLIGAN, VANSANT, B. ENNIS, HOUGHTON, PRICE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence, Penalty.

HB 515 - ROY, MAIER, OBERLE; SENATORS BLEVINS, SOKOLA - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.

HB 516 - DAVIS & SENATOR HENRY - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Rules of the Road.

HB 517 - MAIER & SENATOR BLEVINS - HEALTH & HUM DEV: An Act to Amend Title 29 of the Delaware Code Relating to Establishing the Division of State Service Centers and an Advisory Council on State Service Centers.

HB 518 - MAIER & SENATOR BLEVINS - HOUSING & COM AFF: An Act to Amend Title 31 of the Delaware Code Relating to Emergency and Disaster Assistance.

HB 519 - MAIER & SENATOR BLEVINS - POL ANAL & GOV ACCT: An Act to Amend Title 29 of the Delaware Code Relating to the Council on Volunteer Services.

HA 1 to HB 437 - WAGNER - L.O.T.: Placed with the bill.

HA 1 to HB 458 - WAGNER - P/S: Placed with the bill.

HA 1 to HB 483 - DIPINTO - READY LIST: Placed with the bill.

SB 242 - MARSHALL & REPRESENTATIVES WELCH, OBERLE, SCOTT - LABOR: An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Wage Provisions in Public Construction Contracts.

SB 244 w/SA 1 - MARSHALL & REPRESENTATIVES WELCH, OBERLE, SCOTT - LABOR: An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

SB 255 - ADAMS & REPRESENTATIVE D. ENNIS; SENATORS SHARP, SOKOLA & SORENSON; REPRESENTATIVES KEELEY, STONE, DIPINTO, CAPANO, HOUGHTON, FALLON & BRADY - ECON DEV, B & I: An Act to Amend Titles 5,6,8 and 12 of the Delaware Code Relating to the Definitions, Powers, Supervision, Regulation and Fiduciary Obligations of Banks and Other Financial Institutions. (2/3 bill)

HA 1 to HA 5 to SB 185 - DAVIS - AGENDA: Placed with the bill.

Representatives Keeley & Capano requested that they be marked present.

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

Representative Maier requested that she be marked present.

Mr. Speaker Spence made an announcement.

Representatives Smith & Roy made comments.

Representative Plant requested that he be marked present.

Representative Plant requested and was granted the privilege of the floor to make comments.

Representatives Maroney & Ewing requested that they be marked present.

Representative Oberle and Mr. Speaker Spence made comments.

The Chief Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #120

DATE: March 24, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1596	Carey	4/07/98	T	Kelly Foods Corporation/Kent-Sussex Industries/'98 Business Award
H139-1597	Carey	4/07/98	T	Avian Aquatics/Kent-Sussex Industries/'98 Business Award
H139-1598	Carey	4/07/98	T	O.I.S. Townsend Data Center/Kent-Sussex Industries '98 Business Award
H139-1599	Carey	4/07/98	T	Trinity Transport, Inc./Kent-Sussex Industries '98 Business Award
H139-1600	Carey	4/07/98	T	Procter & Gamble Dover Wipes Co./Kent-Sussex Industries '98 Business Award
H139-1601	Carey	4/07/98	T	Baltimore Aircoil Co., Inc./Kent-Sussex Industries '98 Business Award
H139-1602	Carey	4/07/98	T	Milford Bowling Lanes, Inc./Kent-Sussex Industries '98 Business Award
H139-1603	Carey	4/07/98	T	McDonald's Family Restaurant #11185/Kent-Sussex Industries '98 Business Award
H139-1604	Smith	3/22/98	T	Michael Lang/Eagle Scout
H139-1605	Capano	3/13/98	T	Betty-Ann & Edward Steen/50th Wedding Anniversary
H139-1606	Fallon	5/09/98	T	Mary Boggs/75th Birthday
H139-1607	Fallon	3/17/98	T	Ron Dickerson/Retirement/25 Years/Seaford High Head Coach/Blue Jay Football Team
H139-1608	Spence	3/17/98	T	Ten Janeka/President/DE AFL-CIO
H139-1609	Carey	4/03/98	T	Captain & Mrs. Randall Langloss/Establish First State Bicycle Motocross Race Track

## T - Tribute

Representative Ulbrich requested that she be marked present.

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

POL ANAL & GOV ACCT: HB 469 - 3M; HB 477 - 1F,2M; HB 484 - 2F,1M; SB 224 - 1F,2M.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier introduced the Brandywine High School Championship Basketball Team.

Representative Smith requested and was granted the privilege of the floor for Joe Rapcznski, Basketball Coach, Brandywine High School.

Representatives Gilligan, Williams, Spence, Fallon & Reynolds made comments.

Coach Rapcznski presented a gift to Representative Smith.

The basketball team members, coaches and managers announced their names for the record.

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

Representative Smith introduced and brought SCR 57, jointly sponsored by Senator Bair &

Representative Cloutier & Senators Sorenson & Hauge & Representatives Maroney, Brady & D. Ennis, before the House for consideration.

SCR 57 - Congratulating Brandywine High School Basketball Team and Its Coaches on Winning the State Basketball Championship on Saturday, March 14, 1998 at the Bob Carpenter Center in Newark, Delaware.

SCR 57 was adopted by voice vote and returned to the Senate.

The Majority Leader moved to recess for caucus at 2:53 p.m.

The House reconvened at 5:29 p.m. with Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on

HB 524. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Ewing introduced and brought HB 524, jointly sponsored by Senator Adams, before the House for consideration.

HB 524 - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", and Providing for the Levy of a Real Estate Transfer Tax Not to Exceed One Percent of the Purchase Price. (2/3 bill)

Representatives Ewing, Davis, Lee & Ewing made comments.

The roll call on HB 524 was taken and revealed:

YES: 39.

ABSENT: Representatives Ulbrich, West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 524 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift HB 437 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Wagner brought HB 437, jointly sponsored by Representatives Buckworth, Capano, Cloutier, Davis, Ewing, Maier, Smith, Spence & Stone, before the House for consideration.

HB 437 - An Act to Amend Title 4 of the Delaware Code Relating to Offenses Relating to Certain Persons. (2/3 bill)

Representative Wagner brought HA 1 to HB 437 before the House for consideration.

Representative Wagner made comments.

HA 1 was adopted by voice vote.

The roll call on HB 437 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Ulbrich, West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 437 w/HA 1 was sent to the Senate for concurrence.

The Chief Clerk read the following communications into the record:

## MEMORANDUM

TO: Speaker Terry Spence  
 FROM: Representative Richard Davis  
 DATE: March 24, 1998  
 RE: Absence from Session

Please excuse my absence from Session on March 25 and March 26, 1998, as I will be out of state on a business trip. Thank you.

cc: JoAnn Hedrick, Chief Clerk

March 24, 1998

Speaker of the House Terry R. Spence  
House of Representatives  
Dover, DE 19901

Dear Representative Spence:

Due to a family emergency, I must leave town immediately and will not be present for the Legislative Session on Wednesday, March 25 nor Thursday, March 26, 1998.

Thank you.

Sincerely,  
Stephanie A. Ulbrich  
Representative  
25th District

SAU/cmb

Representative Fallon introduced a guest.

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 185 w/SA 1, jointly sponsored by Senators Blevins & Voshell & Representative Petrilli & Senators McDowell, Henry, Bair & Reed & Representatives D. Ennis, Scott, Williams, Keeley, Plant, Spence, Buckworth, Maier, Ulbrich & DiPinto, before the House for consideration.

SB 185 - An Act to Amend Title 11 Relating to Deadly Weapons. (F/N)

Representative Capano moved to place SB 185 w/SA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 480, jointly sponsored by Representatives Welch & Wagner, before the House for consideration.

HB 480 - An Act to Amend Title 11 of the Delaware Code Relating to Assault in the Second Degree.

Representatives Lee, Oberle & Ewing made comments.

Representative Ewing requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives Ewing, Lee & Davis made comments.

Mr. Acting Speaker Welch granted the privilege of the floor to John Brady, House Attorney.

Representatives Davis, Ewing & Houghton made comments.

The roll call on HB 480 was taken and revealed:

YES: 37.

ABSENT: Representatives Petrilli, Ulbrich, West - 3.

Therefore, having received a constitutional majority, HB 480 was sent to the Senate for concurrence.

Representative Roy made an announcement.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced HB 522, jointly sponsored by Representatives Maier & Welch & Senator Connor & Representatives Spence, Smith, Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Gilligan, VanSant, Brady, B. Ennis, Plant, Schroeder & West & Senators Bonini & Hauge.

HB 522 - An Act to Amend Title 13 and Title 16 of the Delaware Code Relating to Adoptees' Access to Certain Information.

Mr. Acting Speaker assigned HB 522 to Health & Human Development Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner made an announcement.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds made comments.

Representative Reynolds presented a House Tribute to Representative Lofink.

Representatives D. Ennis & Lofink made comments.

Representative Smith deferred to Representative Keeley.

Representative Keeley was granted personal privilege of the floor for an announcement.

The Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #121

DATE: March 24, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1610	Carey	4/03/98	T	Major & Mrs. Robert Materna/Establish First State Bicycle Motocross Race Track
H139-1611	Fallon	3/11/98	M	Joshua Hare
H139-1612	Fallon	3/17/98	T	Kristin Irwin/Seaford High/Delaware '98 All-State Indoor Track and Field Team
H139-1613	Fallon	3/14/98	T	Beverly Kemp/Outstanding Ambulance Attendant/Blades Volunteer Fire Co.
H139-1614	Fallon	3/14/98	T	Paula Chaffinch/Most Ambulance Runs/Blades Volunteer Fire Co.
H139-1615	Fallon	3/14/98	T	Randy Walls/Fireman of the Year/Blades Volunteer Fire Co.
H139-1616	Quillen	3/17/98	T	Elizabeth Dawson/Department of Agriculture '97 Outstanding Employee of Year
H139-1617	Carey	3/17/98	T	Dr. Janel D. Starling/1998 National Distinguished Principal for Delaware
H139-1618	Brady	3/09/98	M	Anna M. Loughney
H139-1619	B. Ennis	3/13/98	M	John S. Smith
H139-1620	Cathcart	3/21/98	T	Arun Gandhi/Celebrating the M.K. Gandhi Institute for Nonviolence/Achievements
H139-1621	Smith cosponsor: Welch	4/09/98	T	Appomattox Camp No. 2 Sons of Union Veterans of Civil War/100th Anniversary
H139-1622	Mack	3/19/98	T	The Cast of Oliver/Success
H139-1623	Mack cosponsor: Reynolds	3/19/98	T	Melissa Zebley/State Champions/Girls Basketball/William Penn High

## HOUSE TRIBUTE ANNOUNCEMENT #122

DATE: March 24, 1998

The following tributes and memoriamis have been issued through the office of the Chief Clerk of the

House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1624	Mack cosponsor: Reynolds	3/19/98	T	Tanya Egan/State Champions/Girls Basketball/William Penn High
H139-1625	Mack cosponsor: Reynolds	3/19/98	T	Dereka Henry/State Champions/Girls Basketball/William Penn High
H139-1626	Mack cosponsor: Reynolds	3/19/98	T	Charmaine Davis/State Champions/Girls Basketball/William Penn High
H139-1627	Mack cosponsor: Reynolds	3/19/98	T	Sharon Smith/State Champions/Girls Basketball/William Penn High
H139-1628	Mack cosponsor: Reynolds	3/19/98	T	Doritha Skinner/State Champions/Girls Basketball/William Penn High
H139-1629	Mack cosponsor: Reynolds	3/19/98	T	Tija Hopkins/State Champions/Girls Basketball/William Penn High
H139-1630	Mack cosponsor: Reynolds	3/19/98	T	Michelle Whalen/State Champions/Girls Basketball/William Penn High
H139-1631	Mack cosponsor: Reynolds	3/19/98	T	Shavonne Burke/State Champions/Girls Basketball/William Penn High
H139-1631	Mack cosponsor: Reynolds	3/19/98	T	Leigh Ann McDonough/State Champions/Girls Basketball/William Penn High
H139-1632	Mack cosponsor: Reynolds	3/19/98	T	Sarah Reinbold/State Champions/Girls Basketball/William Penn High
H139-1633	Mack cosponsor: Reynolds	3/19/98	T	Shivonne Augustine/State Champions /Girls Basketball/William Penn High
H139-1634	Mack cosponsor: Reynolds	3/19/98	T	Kristin Lentelle/State Champions/Girls Basketball/William Penn High
H139-1635	Mack cosponsor: Reynolds	3/19/98	T	Chuck Bartles/State Champions/Girls Basketball Coach/William Penn High

T - Tribute

M - Memoriam

Representative Capano made an announcement.

Representative DiLiberto made comments.

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

14th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 25, 1998

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:26 p.m.

Representative Ewing made an announcement.

Representative Spence introduced Members of Parliament & Ministers of Finance, Republic of Georgia, Russia and made comments.

Representative Smith introduced **HB 526**, cosponsored by Senators McDowell & McBride.

Mr. Speaker Spence introduced a guest.

**HB 526** - An Act to Amend Title 14 of the Delaware Code Relating to School Boards of Reorganized School Districts.

Mr. Speaker assigned **HB 526** to the Education Committee.

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

BUS/CORP/COM: **HB 453** - 6M.

APPRO: **HB 510** - 5M.

The Majority Leader moved to adjourn at 2:30 p.m., thereby ending the current legislative day. The House reconvened at 2:31 p.m.

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Cathcart, Davis, Mack, Ulbrich, West - 5.

A prayer was offered by Representative Shirley A. Price, Thirty-Eighth Representative District.

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

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

Mr. Speaker Spence and Representative Buckworth made comments.

The following prefiled legislation was introduced:

**HB 520** - WAGNER & SENATOR BLEVINS; REPRESENTATIVES SMITH, CAPANO, DIPINTO, MAIER, PETRILLI, STONE, ULBRICH, GILLIGAN, VANSANT, BRADY, DILIBERTO, HOUGHTON, KEELEY, PLANT, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS COOK, MCDOWELL - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Nonresident Pharmacies.

**HB 521** - SPENCE & SCOTT & SENATORS BLEVINS & BAIR; REPRESENTATIVES BOULDEN, CATHCART, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, OBERLE, REYNOLDS, ROY, STONE, WAGNER, GILLIGAN, VANSANT, BRADY, HOUGHTON, KEELEY, PLANT, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS AMICK, BONINI, REED, SORENSON, STILL - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances. (2/3 bill)

**HB 523** - EWING & WELCH - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Obedience to Traffic Laws.

**HA 2 to HB 510** - WELCH - READY LIST: Placed with the bill.

**SB 226 w/SA 1,2,3,4 & 5** - BLEVINS & SORENSON; REPRESENTATIVE CAPANO; SENATORS BUNTING, COOK, HENRY, MARSHALL, SOKOLA, VOSHELL, BAIR, CONNOR & REED; REPRESENTATIVES EWING, MAIER, OBERLE, SPENCE, STONE, WAGNER, DILIBERTO, GILLIGAN, KEELEY & PRICE - JUD: An Act to Amend Titles 10, 11, and 13 of the Delaware Code Relating to Certain Crimes. (F/N)

**SB 245** - MARSHALL & REPRESENTATIVES WELCH, OBERLE & SCOTT - LABOR: An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Wage Provisions in Public Construction Contracts.

**SB 253** - ADAMS & REPRESENTATIVE WEST - H/ADM: An Act to Amend an Act, Being Chapter 276, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Indebtedness Limitation of the Town Council of the Town of Georgetown. (2/3 bill)

**SB 278** - ADAMS & REPRESENTATIVE EWING - H/ADM: An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Change the Date Upon Which the Annual Budget Should be Submitted. (2/3 bill)

**HA 10 to SB 185** - CAPANO - L.O.T.: Placed with the bill.

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

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

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 245, SB 226 w/SA 1,2,3,4 & 5, SB 253 & SB 278.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable Jeffrey G. Mack  
SUBJECT: Absence from Session  
DATE: March 25, 1998

Something has come up and I will be unable to attend session on Wednesday, March 25, 1998.  
Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House

JGM/grp

MEMORANDUM

DATE: March 25, 1998  
TO: WHOM IT MAY CONCERN  
FROM: Rep. Charles P. West

Due to personal reasons I will be unable to attend session today.

Representative Williams requested that he be marked present.

Representative Lee made an announcement.

Representatives Maroney & Boulden requested that they be marked present.

Representative Smith made an announcement.

Representative Smith deferred to Representative Fallon.

Representative Fallon made an announcement.

Representative Smith deferred to Representative D. Ennis.

Representatives Roy & D. Ennis presented House Tributes to Kiwanis Club Charter Members from Red Clay Valley on the occasion of the 45th Anniversary.

Representative D. Ennis made comments.

Representative D. Ennis deferred to Representative Roy.

Representative Roy made comments.

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

Representatives Gilligan, DiPinto & D. Ennis requested and were granted personal privilege of the floor to make comments.

The Majority Leader moved to recess for committee meetings at 2:50 p.m.

The House reconvened at 4:20 p.m.

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

H/ADM: HB 431 - 3F; HB 492 - 3F; HB 507 - 3F; SB 234 - 3F.

The Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #123

DATE: March 25, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1636	Mack	3/19/98	T	Lori Minka/Assistant Coach/State Champions /Girls Basketball/William Penn High
	cosponsor: Reynolds			
H139-1637	Mack	3/19/98	T	Scott Mosier/Assistant Coach/State Champions /Girls Basketball/William Penn High
	cosponsor: Reynolds			
H139-1638	Mack	3/19/98	T	Jim Wilson/Assistant Coach/State Champions /Girls Basketball/William Penn High
	cosponsor: Reynolds			
H139-1639	Mack	3/19/98	T	Courtney Neale/Assistant Coach/State Champions /Girls Basketball/William Penn High
H139-1640	Mack	3/19/98	T	Rhonda Clifton/Assistant Coach/State Champions /Girls Basketball/William Penn High
	cosponsor: Reynolds			
H139-1641	Mack	3/19/98	T	Laura Moliken/Assistant Coach/State Champions /Girls Basketball/William Penn High
	cosponsor: Reynolds			
H139-1642	Wagner	4/18/98	T	Janet DaPrato & Sean DuPhily/Marriage
H139-1643	Stone	3/21/98	T	Catherine Klapps & Peter Malmberg/ Marriage
H139-1644	Mack	4/02/98	T	Jack & Dot Weaver/50th Wedding Anniversary

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1645	Spence on Behalf of All House Members	4/02/98	T	The Mancus Foundation/50th Anniversary
H139-1646	Fallon	3/20/98	T	Mary Ellen Phillips, RN/Employee of the Year '97/Seaford Center Genesis Eldercare
H139-1647	Fallon	3/16/98	T	David Ruff/President/Blades Volunteer Fire Co./4 Years
H139-1648	Fallon	3/16/98	T	Mellie Woodruff/Ed.d./Wilmington College
H139-1649	Fallon	3/20/98	T	Steve & Judy Schwartz/Establish Park/Seaford Community

## HOUSE TRIBUTE ANNOUNCEMENT #124

DATE: March 25, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1650	VanSant cosponsor: Gilligan	3/18/98	T	Patricia Baldwin/Heroic Efforts/Aid to DelTech Instructor
H139-1651	VanSant cosponsor: Gilligan	3/18/98	T	Alicia D. Collins-Charles/Heroic Efforts/Aid to DelTech Instructor
H139-1652	VanSant cosponsor: Gilligan	3/18/98	T	Barbara Hojnicky/Heroic Efforts/Aid to DelTech Instructor
H139-1653	Gilligan cosponsor: VanSant	3/18/98	T	Sharon McCready/Heroic Efforts/Aid to DelTech Instructor
H139-1654	VanSant	5/29/98	T	Theresa & Louis Marioni/50th Wedding Anniversary
H139-1655	VanSant	9/05/98	T	Dorothy & Marion Szweczyk/50th Wedding Anniversary
H139-1656	Ewing cosponsor: Welch	3/31/98	T	W. Edward Sellers/73rd Birthday
H139-1657	Oberle	5/09/98	T	Filipino Heritage & Arts Museum/Second Annual Youth Conference
H139-1658	DiLiberto	1/31/98	T	Jane & Thomas Fowler/50th Wedding Anniversary
H139-1659	Mack cosponsor: Reynolds	3/19/98	T	Alex Boyce/William Penn High/'98 All-State Indoor Track & Field Team
H139-1660	Mack cosponsor: Reynolds	3/19/98	T	Genelle Fletcher/William Penn High '98 All-State Indoor Track & Field Team
H139-1661	Mack cosponsor: Reynolds	3/19/98	T	Edith Lewis/William Penn High/'98 All-State Indoor Track & Field Team
H139-1662	Mack cosponsor: Reynolds	3/19/98	T	Chris White/William Penn High/'98 All-State Indoor Track & Field Team

T - Tribute

Representative DiPinto introduced & brought HR 51, jointly sponsored by Representatives Capano, Maier, Petrilli, Roy, Gilligan, VanSant, Scott & Williams, before the House for consideration.

HR 51 - Honoring the Exceptional Contributions, Leadership and Vision of the Late Dr. Robert R. Simons in the Five Years He Served as the Superintendent of the Red Clay School District.

Representative DiPinto made comments.

HR 51 was adopted by voice vote.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 532. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HB 532, jointly sponsored by Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Blevins, Cook, McBride, Venables, Bonini & Hauge, before the House for consideration.

HB 532 - An Act to Provide a Supplemental Appropriation to the Department of Administrative Services and Authorizing the Secretary of Administrative Services to Enter Into a Contract for the Purchase of Property to Become the Site of the New Castle County Courthouse.

Representative Roy made comments.

The roll call on HB 532 was taken and revealed:

YES: 33.

ABSENT: Representatives Cathcart, Caulk, Davis, Lofink, Mack, Ulbrich, VanSant, West - 8.

Therefore, having received a constitutional majority, HB 532 was sent to the Senate for concurrence. Representatives Brady, Oberle, Reynolds & Stone requested that they be marked present during the roll call.

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

Representative Petrilli requested and was granted personal privilege of the floor to make comments. Representatives Reynolds & DiLiberto made announcements.

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

ECON DEV, B & I: SB 255 - 7M.

NAT RES: HB 511 - 2F,2M.

The Majority Leader moved to recess to the call of the Chair at 4:35 p.m.

15th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 26, 1998

Mr. Speaker Spence called the House to order at 2:16 p.m.

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

JUD: HB 454 - 5M; HB 496 - 2M,3U; HB 497 - 2M,3U; HB 495 - 5M.

TRANS: SJR 3 - 1F,5M.

LABOR: HB 466 - 4M,2U; HCR 38 - 6M.

LAND USE & INFRA: HB 394 - 6M; HB 396 - 5M.

HEALTH & HUM DEV: HR 24 - 5F,3M; HB 486 - 1F,6M.

HOUSING & COM AFF: HB 525 - 4M,3U.

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

The Majority Leader moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Davis, Scott, Ulbrich - 3.

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

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

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

The following prefiled legislation was introduced:

HB 527 - WELCH, SPENCE, BUCKWORTH, CAPANO, CAREY, MAIER, STONE, BRADY, B. ENNIS, PRICE, WEST; SENATORS MCDOWELL, VENABLES, SOKOLA - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Requirement of Insurance for Motor Vehicles and Penalties.

HB 528 - WELCH & SENATOR MCDOWELL - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

HB 529 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES SPENCE, SMITH, WELCH, CAPANO, CLOUTIER, DIPINTO, D. ENNIS, FALLON, LOFINK, MACK, MARONEY, REYNOLDS, ROY, ULBRICH, HOUGHTON, PRICE; SENATORS BONINI, AMICK, CONNOR, HAUGE, STILL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Administrative Penalties for Speeding.

HB 531 - MARONEY, SPENCE, DAVIS, D. ENNIS, EWING, LEE, LOFINK, PETRILLI, ROY, ULBRICH, GILLIGAN, PLANT, SCHROEDER, WEST, WILLIAMS, KEELEY; SENATORS BLEVINS, HENRY, MCDOWELL, BAIR, CONNOR, REED, SORENSON - HEALTH & HUM DEV: An Act to Amend Chapter 2 of Title 16 of the Delaware Code Relating to Early Intervention Services for Infants and Toddlers.

HB 534 - WELCH, DILIBERTO & SENATOR AMICK - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Jury Compensation and Reimbursement.

HB 535 - SCHROEDER & SENATORS BUNTING & VOSHALL - TRANS: An Act Designating and Naming the Portion of Delaware Route 1 Commencing at the Nassau Bridge and Terminating at Seashore State Park as the "Charles Mills Boulevard".

HB 537 - CAPANO & REPRESENTATIVE GILLIGAN - AG: An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Thoroughbred Racing Commission.

Representative Cloutier requested that he be marked present.

Representative Carey introduced guests.

Representative D. Ennis requested that he be marked present.

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

Representative DiLiberto requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence introduced guests.

Representative DiPinto requested that he be marked present.

Representative Maroney introduced HB 533, jointly sponsored by Representative Ulbrich.

HB 533 - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

Mr. Speaker assigned HB 533 to Revenue & Finance Committee.

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

The House reconvened at 4:36 p.m. with Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 476, jointly sponsored by Representative Oberle & Senator Sharp & Representatives Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Petrilli, Quillen, Reynolds, Roy, Wagner, Gilligan, VanSant, B. Ennis, Houghton, Keeley, Price, Scott, West & Williams, before the House for consideration.

HB 476 - An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer Bill of Rights.

Representative Spence introduced and brought HA 1 to HB 476 before the House for consideration.

Representative Spence made a comment.

HA 1 was adopted by voice vote.

Representative Spence made comments.

The roll call on HB 476 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Davis, Scott, Ulbrich - 3.

Therefore, having received a constitutional majority, HB 476 w/HA 1 was sent to the Senate for concurrence.

Representatives Brady, B. Ennis, Mack, Oberle, Reynolds, Schroeder & Williams requested that they be marked present during the roll call.

Representative Smith deferred to Representative Lofink.

Mr. Speaker Spence resumed the Chair.

Representative Lofink introduced and brought HR 53, jointly sponsored by Representatives Gilligan & West on Behalf of All Representatives, before the House for consideration.

HR 53 - Honoring Representative Bruce Reynolds on His 50th Birthday on March 27, 1998.

WHEREAS, our 50th birthday is a special day, a day to count our many gifts and to reflect back on the highlights of our life; and

WHEREAS on his most recent birthdays, Representative Reynolds has been honored with the following gifts: a Newark football jersey, a Newark football helmet, a picture of himself, a mini commode, a Salesianum State Championship football jacket and a napkin dispenser; and

WHEREAS in March of 1995 Representative Reynolds was honored by House Resolution Number 14 on the occasion of the 30th anniversary of his scoring 32 points for William Penn in a basketball game against Wilmington High School, a game which William Penn lost; and

WHEREAS in 1996 Representative Reynolds was the primary sponsor of legislation to name belemnite as the State fossil, a status which he now approaches; and

WHEREAS on March 27th 1997 (his 49th birthday), Representative Reynolds declared for the record he only had two regrets in life "not having gone to Salesianum and not being Italian"; and

WHEREAS in the Spring of 1997, Representative Reynolds' picture appeared on the presidential place mats of a popular Delaware restaurant; and

WHEREAS the fall of 1997 saw Coach Bruce Reynolds lose his 60th football game as a coach (the equivalent of six consecutive winless seasons); and

WHEREAS in January of 1998, Representative Reynolds appeared at Legislative Hall dressed as a cat in a top hat; and

WHEREAS Representative Reynolds in his role as a legislator, teacher, coach, friend, leader and mentor has provided all of us with many lighthearted moments crowded with laughter.

NOW THEREFORE,

BE IT RESOLVED that each of us in his or her own unique way wishes Representative Reynolds a happy, happy 50th birthday with every good wish for many more.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Representative Reynolds post haste.

Musical entertainment was provided by a quartet from Dover High School Band.

Representatives Lofink & Gilligan made comments.

HR 53 was adopted by voice vote.

Representatives Wagner, Reynolds, B. Ennis, Mack & Ewing made comments.

Representative Smith introduced guests.

Representative Petrilli made a comment.

Representative Smith deferred to Representative Mack.

Representative Mack introduced HJR 24, jointly sponsored by Senator Connor.

HJR 24 - Encouraging Delaware's United States Congressional Delegation to Compel the U.S. Army Corps of Engineers to Develop a Plan and Timeline for the Preservation and Rehabilitation of the "Ice Piers" in New Castle Harbor of the Delaware River.

Mr. Speaker assigned HJR 24 to Environmental Management Committee.

Representative Smith brought HCR 28 w/HA 1 & 2 & SA 1 & 2, jointly sponsored by Representative Spence, Oberle & Senators Sharp & McBride & Representatives Welch, Buckworth, Capano, Maroney, Maier, Ulbrich & Wagner & Senators Bair & Connor, before the House for concurrence on SA 1 & 2.

HCR 28 - Re-Establishing a Joint Task Force to Review Home Builder Practices and Regulation in Delaware.

Representative Smith made comments.

HCR 28 w/HA 1 & 2 & SA 1 & 2 was adopted by voice vote.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 453 before the House for consideration.

HB 453 - An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

Mr. Speaker Spence appointed Representative Petrilli as Acting Speaker.

Representative DiLiberto made comments.

The roll call on HB 453 was taken and revealed:

YES: 34.

ABSENT: Representatives Davis, Oberle, Scott, Smith, Spence, Ulbrich, Wagner - 7.

Therefore, having received a constitutional majority, HB 453 was sent to the Senate for concurrence.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted personal privilege of the floor to make a comment.

Representative D. Ennis brought SB 255, jointly sponsored by Senators Adams, Sharp, Sokola & Sorenson & Representatives Keeley, Stone, DiPinto, Capano, Houghton, Fallon & Brady, before the House for consideration.

SB 255 - An Act to Amend Titles 5, 6, 8 and 12 of the Delaware Code Relating to the Definitions, Powers, Supervision, Regulation and Fiduciary Obligations of Banks and Other Financial Institutions. (2/3 bill)

Representative D. Ennis made comments.

The roll call on SB 255 was taken and revealed:

YES: 34.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Davis, Roy, Scott, Smith, Spence, Ulbrich - 6.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 255 was returned to the Senate.

Representative Welch deferred to Representative Ewing.

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

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 326, jointly sponsored by Representatives Spence, Smith & VanSant & Senators Blevins & Sokola, before the House for consideration.

HB 326 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representative Roy made comments.

The roll call on HB 326 was taken and revealed:

YES: 25.

NO: Representatives Brady, Carey, Caulk, Lee, Mack, Maier, Price, Reynolds, West - 9.

NOT VOTING: Representatives Buckworth, Ewing, Fallon, Keeley - 4.

ABSENT: Representatives Davis, Scott, Ulbrich - 3.

Therefore, having received a constitutional majority, HB 326 was sent to the Senate for concurrence.

Representative Quillen requested that HB 406 be stricken.

Representative Smith introduced a guest.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier introduced HB 542, jointly sponsored by Representatives Spence, Cathcart, DiPinto, Fallon & Petrilli.

HB 542 - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries. (3/4 bill)

Representative Cloutier made a comment.

Mr. Acting Speaker assigned HB 542 to the Revenue & Finance Committee.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 525, jointly sponsored by Representatives Oberle & Petrilli & Senator Sharp & Representatives Spence, Welch, Boulden, Cathcart, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Roy, Ulbrich, Wagner, Gilligan, VanSant, Brady, B. Ennis, Price, Schroeder & West & Senator Still & cosponsored by Representative Caulk, before the House for consideration.

HB 525 - An Act to Amend Titles 9, 22 and 30 Relating to the Taxation of Real Property and the Uses of the Proceeds Therefrom. (2/3 bill)

Representative Stone made comments.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HA 1 to HB 525. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto introduced and brought HA 1 to HB 525, jointly sponsored by Representatives Carey, Caulk & Cathcart, before the House for consideration.

Representatives DiPinto, Caulk, Gilligan, DiPinto & Stone made comments.

HA 1 was adopted by voice vote.

Representative Capano introduced and brought HA 2 to HB 525 before the House for consideration.

Representative Capano & Stone made comments.

HA 2 was adopted by voice vote.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HA 3 to HB 525. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto introduced and brought HA 3 to HB 525 before the House for consideration.

Representatives DiPinto, Stone, DiPinto, Wagner, Gilligan, DiPinto, Roy, DiPinto, Roy, Stone, Schroeder, Williams, Lee & DiPinto made comments.

HA 3 to HB 525 was defeated by voice vote.

Representatives DiPinto, D. Ennis, Caulk & Stone made comments.

The roll call on HB 525 w/HA 1 & 2 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Davis, Scott, Ulbrich - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 525 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee introduced HB 538, jointly sponsored by Representatives B. Ennis & Senator Cook & Representatives Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Wagner, Gilligan, VanSant, DiLiberto, Houghton, Keeley, Plant, Price, Schroeder, Scott, West & Williams & Senators Voshell, Blevins, Bunting, Sokola, Vaughn, Venables, Bonini, Connor & Still.

HB 538 - An Act to Amend Title 16 of the Delaware Code Relating to the State Fire Prevention Commission.

Representative Lee made comments.

Mr. Acting Speaker assigned HB 538 to Public Safety Committee.

Representative Cathcart introduced HB 544, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton & Price & Senators McDowell, Vaughn, Voshell, Connor & Still & cosponsored by Representatives VanSant & Gilligan.

HB 544 - An Act Concerning 3 Delaware Laws, Chapter 78 and the Chesapeake and Delaware Canal, Authorizing the United States of America to Transfer the Old St. Georges Bridge to an Appropriate Private Entity for Its Rehabilitation and Operation, Under Terms and Conditions Acceptable to the State.

Mr. Acting Speaker assigned HB 544 to the Land Use & Infrastructure Committee.

Representative Smith made an announcement.

Mr. Speaker Spence resumed the chair.

Mr. Speaker declared a recess at 6:05 p.m.

The House reconvened at 6:20 p.m.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 532, HCR 28 w/HA 1 & 2 & SA 1 & 2, HB 372 & HB 463 w/SA 8.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 463 w/SA 8, jointly sponsored by Representatives Spence, Smith, Welch, Gilligan, VanSant & Capano & cosponsored by Representatives, Mack, Scott & B. Ennis, before the House for concurrence on SA 8.

HB 463 - An Act to Amend Titles 3 and 29 of the Delaware Code and the Laws of Delaware Relating to the Video Lottery and Harness Racing.

Representative Oberle made comments.

Representative Oberle deferred to Representative Gilligan.

Representatives Gilligan & Oberle made comments.

Representative D. Ennis announced that he will not be voting on HB 463 w/SA 8 because of a possible conflict of interest.

Representatives DiPinto, Oberle, DiPinto, Smith, DiPinto & Oberle made comments.

The roll call on HB 463 w/SA 8 was taken and revealed:

YES: 34.

NO: Representative Maier - 1.

NOT VOTING: Representative D. Ennis - 1.

ABSENT: Representatives Boulden, Buckworth, Davis, Scott, Ulbrich - 5.

Therefore, having received a constitutional majority, HB 463 w/SA 8 was sent to the Governor.

The Majority Leader moved to recess to the call of the Chair at 6:30 p.m.

16th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 31, 1998

Mr. Speaker Spence called the House to order at 2:22 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 288 w/SA 1 & 2 & HB 524.

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

The Majority Leader moved to adjourn at 2:24 p.m., thereby ending the current legislative day. The House reconvened at 2:25 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Keeley - 1.

Representative Smith made an announcement.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

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

The following prefiled legislation was introduced:

HB 536 - B. ENNIS & REPRESENTATIVE SPENCE & SENATOR VAUGHN;

REPRESENTATIVES BRADY, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LEE, PLANT, SCOTT, VANSANT, WELCH, WEST, WILLIAMS - HEALTH & HUM DEV: An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances.

HB 540 - ROY & SENATORS SOKOLA & AMICK - BUS/CORP/COM: An Act to Amend Section 5, Title 4 of the Delaware Code Relating to Alcoholic Beverage Licensing.

HB 541 - LEE & SENATOR VAUGHN - CORR: An Act to Amend Title 11 Relating to Wiretapping and Electronic Surveillance.

HB 543 - DILIBERTO & REPRESENTATIVES ROY, BOULDEN, BRADY, CAPANO, CAREY, CATHCART, CAULK, DIPINTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LOFINK, MAIER, MARONEY, OBERLE, PRICE, SCHROEDER, SCOTT, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS, SPENCE; SENATORS BONINI, STILL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Public Notice of Tier Three Sex Offenders.

HA 1 to HS 1 for HB 432 - WAGNER - JUD: Placed with the bill.

HA 1 to HB 493 - SCOTT, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LOFINK, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE - READY LIST: Placed with the bill.

HA 3 to HB 510 - WELCH - READY LIST: Placed with the bill.

SB 288 w/SA 1 & 2 - SOKOLA & REPRESENTATIVE MAIER; SENATORS BLEVINS, BUNTING, MARSHALL, SHARP, VOSHALL, CONNOR, HAUGE, REED, SORENSON & STILL; REPRESENTATIVES DAVIS, GILLIGAN, ROY & SPENCE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Drivers Licenses and Motorcycle Licenses. (2/3 bill)(F/N)

The Chief Clerk read the following communications into the record:

March 27, 1998

LEGISLATIVE ADVISORY #32

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/26/98 - HB 463 aab SA 8.

March 31, 1998

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: Helene M. Keeley  
Representative - 5th District  
RE: Absence from Session

I will be absent from session on Tuesday, March 31, due to business. Thank you.  
Representatives West, Cloutier & D. Ennis requested that they be marked present.  
Representative DiLiberto requested that HB 490 be stricken.  
Representative DiLiberto made an announcement.  
Representative Gilligan requested and was granted personal privilege of the floor to make comments.  
Representatives DiPinto & Fallon requested that they be marked present.  
The Majority Leader moved to recess for caucus at 2:32 p.m.  
The House reconvened at 4:45 p.m.  
Representative Ewing made an announcement.  
Representative Smith deferred to Representative Oberle.  
Representative Oberle brought HB 26, jointly sponsored by Senator Marshall, before the House for consideration.

HB 26 - An Act to Amend Title 29 of the Delaware Code Relating to Medical Coverage in Public Works Contracts.

Representative Oberle moved to place HB 26 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Smith brought SB 137, sponsored by Senator Marshall & Representative Oberle, before the House for consideration.

SB 137 - An Act to Amend Chapter 7, Title 19 of the Delaware Code, Relating to Replacement Workers.

Representative Smith moved to place SB 137 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 464, jointly sponsored by Representative VanSant, before the House for consideration.

HB 464 - An Act to Amend Title 6 of the Delaware Code Relating to Sales of Goods.

Representative Oberle made comments.

The roll call on HB 464 was taken and revealed:

YES: 35.

NOT VOTING: Representatives Capano, Smith, Williams - 3.

ABSENT: Representatives Gilligan, Keeley, Roy - 3.

Therefore, having received a constitutional majority, HB 464 was sent to the Senate for concurrence.

Representatives Brady, Caulk, Mack, Oberle, Reynolds, Williams, Stone & Cathcart requested that they be marked present during the roll call.

Representative Oberle requested and was granted personal privilege of the floor to make a comment.

Representative Smith deferred to Representative Capano.

Representative Capano made an announcement.

The Members sang Happy Birthday to Representative DiPinto.

Representative Smith deferred to Representative Carey.

Representative Carey brought HB 511, jointly sponsored by Representatives Boulden, Buckworth, Capano, Caulk, Cloutier, B. Ennis, Ewing, Lofink, Schroeder & West & Senators Bunting & Voshell, before the House for consideration.

HB 511 - An Act to Amend Chapter 5, Title 7, of the Delaware Code Relating to Hunting Licenses for Nonresidents.

Representatives Carey, DiLiberto, Carey, West & Carey made comments.

The roll call on HB 511 was taken and revealed:

YES: 37.

NOT VOTING: Representative West - 1.

ABSENT: Representatives D. Ennis, Gilligan, Keeley - 3.

Therefore, having received a constitutional majority, HB 511 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing requested that HB 431 be stricken.

Representative Ewing brought HB 507, jointly sponsored by Senator Adams, before the House for consideration.

HB 507 - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Change the Date for the Filing for Candidacy in the Town and to Change the Date for the General Election. (2/3 bill)

Representative Ewing made a comment.

The roll call on HB 507 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Gilligan, Keeley - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 507 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Plant.

Representative Plant brought HR 24, cosponsored by Representatives Cloutier, Price & Keeley, before the House for consideration.

HR 24 - Relating to Sanitation and Health of Delaware Residents.

Representatives Plant, Cloutier, Davis, Plant, Williams, Davis & Plant made comments.

HR 24 was adopted by voice vote.

Representative Welch deferred to Representative Maroney.

Representative Maroney brought HB 484, jointly sponsored by Representatives DiPinto, Stone, Houghton & West & Senators Cook, McBride, Vaughn & Sorenson, before the House for consideration.

HB 484 - An Act to Amend Title 24 of the Delaware Code Relating to Pharmacy.

Representative Maroney made comments.

The roll call on HB 484 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Gilligan, Keeley - 3.

Therefore, having received a constitutional majority, HB 484 was sent to the Senate for concurrence.

Mr. Speaker Spence requested that HJR 15 & HJR 16 be stricken.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought SJR 3, sponsored by Senators Connor, Hauge, Bair, Reed, Sorenson, Still & Bonini & Representatives Capano, Oberle, Ewing, Stone, West, Fallon, Carey, Maier, Lee, Davis, Wagner, Welch, DiPinto, Ulbrich, Mack, Banning & Price & cosponsored by Representatives Spence, Brady, Buckworth, Cathcart & VanSant, before the House for consideration.

SJR 3 - Designating U.S. Route 13 from Dover to the Pennsylvania State Line as a Blue Star Memorial Highway.

Representatives Boulden, Brady, B. Ennis & Boulden made comments.

The roll call on SJR 3 was taken and revealed:

YES: 37.

ABSENT: Representatives DiPinto, D. Ennis, Gilligan, Keeley - 4.

Therefore, having received a constitutional majority, SJR 3 was returned to the Senate.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #125

DATE: March 31, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1663	Mack	3/19/98	T	Dana Fletcher/William Penn High /98 All-State Indoor Track & Field
	cosponsor: Reynolds			
H139-1664	Mack	3/19/98	T	Rod Lambert/'98 Girls Coach of Year/ William Penn High/Indoor Track & Field
	cosponsor: Reynolds			
H139-1665	Mack	3/19/98	T	Tasha Century/William Penn High /98 All-State Indoor Track & Field
	cosponsor: Reynolds			
H139-1666	Mack	3/19/98	T	Regina Century/William Penn High /98 All-State Indoor Track & Field
	cosponsor: Reynolds			
H139-1667	Lee	3/28/98	T	William & Grace Phillips/50th Wedding Anniversary
H139-1668	D. Ennis	3/25/98	T	Lali Suliauri/U.S.I.A. International Visitor/ Welcome to Delaware
H139-1669	D. Ennis	3/25/98	T	Irma Narimanishvili/U.S.I.A. International Visitor/Welcome to Delaware

Number	Sponsor	Presentation Date	Type	Description
H139-1670	D. Ennis	3/25/98	T	Irina Lomia/U.S.I.A. International Visitor/Welcome to Delaware
H139-1671	D. Ennis	3/25/98	T	Naira Kirimlishvili/U.S.I.A. International Visitor/Welcome to Delaware
H139-1672	D. Ennis	3/25/98	T	Koba Dzadzamia/U.S.I.A. International Visitor/Welcome to Delaware
H139-1673	D. Ennis	3/25/98	T	Koba Dzadzamia/U.S.I.A. International Visitor/Welcome to Delaware
H139-1674	D. Ennis	3/25/98	T	Besik Lagvilava/U.S.I.A. International Visitor/Welcome to Delaware
H139-1675	D. Ennis	3/25/98	T	Iliia Kalandze/U.S.I.A. International Visitor/Welcome to Delaware

## HOUSE TRIBUTE ANNOUNCEMENT #126

DATE: March 31, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1676	D. Ennis	3/25/98	T	Nodar Ulumberashvili/U.S.I.A. International Visitor/Welcome to Delaware
H139-1677	D. Ennis	3/25/98	T	Vasil Gigolashvili/U.S.I.A. International Visitor/Welcome to Delaware
H139-1678	Ulbrich	3/23/98	T	Ronald Gardner/Mayor of Newark/25 Years of Dedicated Service
H139-1679	Stone	3/17/98	T	Gregory Zerke/40th Birthday
H139-1680	Ewing	3/28/98	T	Donna Reynolds, RN/Retirement/25 Years/ Public Health Family Planning Program
H139-1681	Ulbrich	3/17/98	T	Vincent & Donna Lofink/25th Wedding Anniversary
H139-1682	Wagner	3/19/98	M	Wanda Forney
H139-1683	Wagner	3/21/98	T	Lenora Gray/96th Birthday
H139-1684	Fallon	3/31/98	T	Catherine Medford/Publication of Book
H139-1685	D. Ennis	3/16/98	T	Marie & Alfred Wolenski/50th Wedding Anniversary
H139-1686	Carey	3/28/98	T	Thomas Wall/55 Year Award/Carlisle Fire Company
H139-1687	Carey	3/28/98	T	Duane Fox, Jr./Past Fire Chief/'95-'97/ Honored by Carlisle Fire Company
H139-1688	Carey	3/28/98	T	Leslie Armour/Carlisle Fire Company's Fireman of the Year

T - Tribute

M - Memoriam

The Chief Clerk read the following communication into the record:

MEMORANDUM

TO: Terry R. Spence  
Speaker of the House

FROM: Representative Bruce C. Reynolds

DATE: March 31, 1998

RE: Attendance for Session

I will not be in attendance for legislative session on April 1, 1998 and April 2, 1998. I will be out of state on personal business.

Thank you for your attention to this matter.

BCR/tr

The Majority Leader moved to recess to the call of the Chair at 5:21 p.m.

17th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 1, 1998

Mr. Speaker Spence called the House to order at 2:11 p.m.

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

POL ANAL & GOV ACCT: SCR 51 - 3M.

NAT RES: HB 376 - 5M.

ENV. MAN: HJR 24 - 1F,6M.

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

LABOR: HB 466 - 5M,1U.

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

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Cloutier, Reynolds - 2.

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

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

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

The following prefiled legislation was introduced:

HB 539 - DIPINTO & SENATOR MCBRIDE; REPRESENTATIVES SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, WAGNER, B. ENNIS, DILIBERTO, SCHROEDER; SENATORS VOSHELL, MCDOWELL, BUNTING, BAIR, AMICK, CONNOR, HAUGE, REED, SORENSON, STILL - R & F: An Act to Amend Chapter 11 and Chapter 20 of Title 30 of the Delaware Code Relating to Historic Preservation Tax Credit.

HB 545 - B. ENNIS & SENATOR BUNTING; REPRESENTATIVES BRADY, CAREY, CATHCART, DILIBERTO, D. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, PLANT, PRICE, SCHROEDER, WAGNER, WILLIAMS, SPENCE; SENATOR VAUGHN - H/ADM: An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

HB 546 - SPENCE & SENATOR MCBRIDE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Specific License Plates.

HB 550 - PRICE, CAREY, CLOUTIER, CAULK, KEELEY, MAIER, PLANT, PRICE, WAGNER, SPENCE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence.

HB 551 - BUCKWORTH & WELCH & HOUGHTON; SENATOR VAUGHN - BUS/CORP/COM - An Act to Amend Title 4, Delaware Code, Relating to Alcoholic Beverage Control Commission Application Procedural Requirements.

HA 1 to HB 194 - BRADY, CAPANO, DIPINTO, D. ENNIS, FALLON, HOUGHTON, KEELEY, SCOTT, STONE - R & F: Placed with the bill.

SB 61 - SHARP & REPRESENTATIVE SPENCE - ED: An Act to Amend Title 14 of the Delaware Code Relating to Education Regulations and Legislation.

SB 243 - MARSHALL & REPRESENTATIVES WELCH, OBERLE & SCOTT - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Fraud Overpayments.

SB 285 - VOSHELL & REPRESENTATIVE QUILLEN - H/ADM: 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 Contracts, Meetings and Elections. (2/3 bill)

Representative Smith deferred to Representative Price.

Representative Price requested and was granted the privilege of the floor to present a House Tribute to Georgianna Calabrese, President, AARP South Coastal Delaware Chapter #5226.

Representatives DiPinto & Maroney requested that they be marked present.

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

Representatives Ewing, Maroney & Gilligan made comments.

Representatives D. Ennis & Oberle requested that they be marked present.

Representative Fallon made comments.

Representatives Plant, Lee & Schroeder requested that they be marked present.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 285, SB 243 & SB 61.

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

FROM: Representative Cloutier

DATE: April 1, 1998

MEMORANDUM RE: Absence from Session

Due to a prior appointment, Representative Cloutier will be absent from session on Wednesday, April 1, 1998.

PDC/cms

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 5:03 p.m.

Representatives Mack, Cathcart, Keeley, Ulbrich, West, Brady & Stone requested that they be marked present.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis requested that action on HCR 38 be deferred to a Day Certain, Thursday, April 9, 1998.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 477, jointly sponsored by Representatives Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Petrilli, Quillen, Ulbrich, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West & Williams & Senators Adams, Bunting, Henry, Vaughn, Bair, Amick, Connor & Reed, before the House for consideration.

HB 477 - An Act to Amend Title 29 of the Delaware Code Relating to Residency Requirements for Cabinet Secretaries.

Representatives Stone & DiLiberto made comments.

Representative Stone requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives DiLiberto, Oberle, Wagner & Williams made comments.

The roll call on HB 477 was taken and revealed:

YES: 34.

NO: Representatives Davis, Mack, Maroney, Oberle, Petrilli - 5.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 477 was sent to the Senate for concurrence.

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

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Mack.

Representative Mack brought HJR 24, jointly sponsored by Senator Connor, before the House for consideration.

HJR 24 - Encouraging Delaware's United States Congressional Delegation to Compel the U.S. Army Corps of Engineers to Develop a Plan and Time-Line for the Preservation and Rehabilitation of the "Ice Piers" in New Castle Harbor of the Delaware River.

Representative Mack made comments.

The roll call on HJR 24 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Reynolds - 3.

Therefore, having received a constitutional majority, HJR 24 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 486, jointly sponsored by Senator Cook & Representatives Brady, Buckworth, Cathcart, Caulk, Davis, Ewing, D. Ennis, Gilligan, Houghton, Keeley, Lee, Maier, Maroney, Plant, Price, Quillen, Scott, VanSant, Wagner, West, Williams & Spence & Senators Vaughn & Blevins, before the House for consideration.

HB 486 - An Act to Amend Chapter 98, Title 16 of the Delaware Code, Relating to Initial Training of Paramedics Employed by a County Pursuant to This Chapter.

Representative B. Ennis made comments.

The roll call on HB 486 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 486 was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representatives Oberle, Gilligan & Petrilli made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 224, sponsored by Senators McBride, Amick & Voshell & Representatives Cloutier, VanSant & Spence, before the House for consideration.

SB 224 - An Act to Amend Chapter 28, Title 24, Delaware Code, Relating to Professional Engineers.

Representatives Ulbrich & D. Ennis made comments.

The roll call on SB 224 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, SB 224 was returned to the Senate.

Representative Smith deferred to Representative West.

Representative West brought HB 488, jointly sponsored by Representatives Ewing, Carey, Caulk, Fallon, Lee, Price, Quillen & Schroeder & Senators Adams, Bunting & Voshell, before the House for consideration.

HB 488 - An Act to Amend Title 10 of the Delaware Code Relating to the Issuance of Search Warrants to Code Enforcement Constables.

Representatives Ewing & Gilligan made comments.

The roll call on HB 488 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 488 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 492, jointly sponsored by Senator Bunting, before the House for consideration.

HB 492 - An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro", to Delete the Limitation on the Annual Appropriation for a Pension and Health and Welfare Plan from Section 30(41). (2/3 bill)

The roll call on HB 492 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 492 was sent to the Senate for concurrence.

The following prefiled Consent Calendar #13 was introduced:

HR 52 - MAIER & SPENCE ON BEHALF OF ALL REPRESENTATIVES - Recognizing April 1998 as Child Abuse Prevention Month in Delaware.

HCR 60 - PETRILLI & SENATOR SOKOLA - Urging the Congress of the United States to Enact Legislation Allowing Waivers for States to Design and Implement Alternatives to Social Security.

Consent Calendar #13 was adopted by voice vote and HCR 60 was sent to the Senate for concurrence.

Representative Maier 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 5:39 p.m.

18th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 2, 1998

Mr. Speaker Spence called the House to order at 2:00 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: HB 37 w/HA 2 & SA 2.

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

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

The Chief Clerk called the roll.

Members Present: 32.

Members Absent: Representatives Cathcart, Lofink, Mack, Oberle, Petrilli, Reynolds, Roy, Stone, Wagner - 9.

A prayer was offered by Reverend Bill Kidwell, Pastor, Church of Christ, Smyrna.

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

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

The following prefiled legislation was introduced:

HB 547 - WAGNER & SPENCE & SENATOR SHARP; REPRESENTATIVES SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CATHCART, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, PETRILLI, REYNOLDS, STONE, ULBRICH, GILLIGAN, VANSANT, BRADY, DILBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, WEST, WILLIAMS - HEALTH & HUM DEV: An Act to Amend Title 13, Delaware Code, Relating to Marriage Licenses.

HB 548 - WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Title 25 of the Delaware Code Relating to Conveyance of Real Estate Between Spouses.

HB 549 - WILLIAMS, BRADY, BUCKWORTH, D. ENNIS, EWING, KEELEY, LEE, LOFINK, OBERLE, PLANT, SMITH, VANSANT, WAGNER, WEST, SPENCE; SENATORS MARSHALL, MCDOWELL - P/S: An Act to Amend Title 11 of the Delaware Code Relating to the Possession of a Handgun by a Juvenile.

HB 552 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, KEELEY, PRICE, SCOTT; SENATORS BUNTING, SOKOLA, REED & STILL - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

HB 553 - PLANT - LABOR: An Act to Amend Chapter 11, Title 19 of the Delaware Code Relating to Wage Payment and Collection. (2/3 bill)

HB 554 - EWING & SENATOR BUNTING - BUS/CORP/COM: An Act to Amend Title 24, Chapter 23, of the Delaware Code Relating to Pawnbrokers and Junk Dealers.

HB 555 - PLANT - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

HB 556 - OBERLE & STONE & SENATOR SHARP - ECON DEV, B & I: An Act to Amend Chapter 68, Title 18 of the Delaware Code Relating to Health Care Malpractice Insurance and Litigation.

HB 564 - PETRILLI, SPENCE, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, EWING, FALLON, LOFINK, QUILLEN, WAGNER, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATOR BUNTING - R & F: An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

HA 4 to HB 175 - STONE - ECON DEV, B & I: Placed with the bill.

HA 1 to HB 424 - SPENCE - READY LIST: Placed with the bill.

Representative Scott requested that he be marked present.

The Chief Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable Jeffrey G. Mack  
SUBJECT: Absence from Session  
DATE: April 2, 1998

Something has come up and I will be unable to attend session on Thursday, April 2, 1998.

Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House

JGM/grp

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable William A. Oberle, Jr.  
SUBJECT: Absence from Session  
DATE: April 2, 1998

Due to legislative business, I will be unable to attend session on Thursday, April 2, 1998.

Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House

WAO/grp

MEMORANDUM

TO: Terry R. Spence  
Speaker of the House  
FROM: Representative Vincent A. Lofink  
DATE: April 2, 1998  
RE: Attendance for Session

I will not be in attendance for legislative session on April 2, 1998 due to personal reasons.

Thank you for your attention in this matter.

Representative Quillen requested and was granted the privilege of the floor to make comments.

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

The House reconvened at 4:20 p.m.

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

R & F: HB 373 - 5M.

HEALTH & HUM DEV: HB 248 - 7M; HB 515 - 6M; HB 521 - 1F,7M; HB 531 - 1F,7M.

P/S: HB 505 - 3M,3U; HB 516 - 6M; SB 288 w/SA 1 & 2 - 6M.

Representatives Boulden, Williams, Fallon, B. Ennis & Gilligan requested that they be marked present.

Mr. Speaker assigned SB 288 w/SA 1 & 2 to the Appropriations Committee.

Representative Maier made an announcement.

Representative Maier introduced HB 558, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell & Connor & Representative Spence.

HB 558 - An Act to Amend Title 11 of the Delaware Code Relating to a Hearsay Exception for Infirm Adults and Patients and Residents of Nursing Homes and Related Facilities.

Mr. Speaker assigned HB 558 to the Judiciary Committee.

Representative Maier introduced HB 557, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell & Connor & Representative Spence.

HB 557 - An Act to Amend Title 31 of the Delaware Code Relating to Adult Protective Services. (2/3 bill)

Mr. Speaker assigned HB 557 to the Health & Human Development Committee.

Representative Maier introduced HB 559, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell & Connor & Representative Spence.

HB 559 - An Act to Amend Title 16 of the Delaware Code Relating to Reporting of Abuse or Neglect in Nursing Homes and Similar Facilities. (2/3 bill)

Mr. Speaker assigned HB 559 to the Health & Human Development Committee.

Representative Maier made an announcement.

Mr. Speaker reassigned HB 558 to the Health & Human Development Committee.

Representative Scott introduced HB 560, jointly sponsored by Senators Marshall & Blevins & Representatives Maier & Lofink & Senators Henry, McDowell & Connor & Representative Spence.

HB 560 - 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. (2/3 bill)

Mr. Speaker assigned HB 560 to the Health & Human Development Committee.

The Majority Leader moved to recess to the call of the Chair at 4:32 p.m.

19th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 7, 1998

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

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

ECON DEV, B & I: HB 501 - 6M.

CORR: HB 541 - 5M.

H/ADM: SB 237 - 4M; SB 253 - 5M; SB 278 - 5M; SB 285 - 5M.

POL ANAL & GOV ACCT: HB 503- 3F,1M; HB 519 - 4M; HB 520 - 1F,3M.

Representatives Roy, Stone, Petrilli & Wagner requested that they be marked present for the current Legislative Day.

Representative Maier introduced HB 566, jointly sponsored by Senator Blevins & Representatives Smith, Welch, Cloutier, Davis, D. Ennis, Fallon, Maroney, Reynolds, Spence, Keeley, Ulbrich & Price & Senators McDowell, Connor & Sorenson.

HB 566 - An Act to Amend Title 16 of the Delaware Code Relating to Mandatory Testing and Counseling of Pregnant Women for Human Immunodeficiency Virus (HIV) Infection.

Mr. Acting Speaker assigned HB 566 to the Health & Human Development Committee.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 173 w/SA 1, 2 & 3, SB 286, SB 293 w/SA 1, SB 298, HB 188 w/HA 1, SCR 52, HB 235 & HB 341 w/HA 1.

April 1, 1998

LEGISLATIVE ADVISORY #33

Governor Thomas R. Carper signed the following legislation on the dates indicated: 3/30/98 - SB 255, 4/01/98 - SB 203, HB 532, HB 372 & HB 524.

Mr. Speaker Spence resumed the Chair.

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

The following prefiled legislation was introduced:

April 2, 1998

HR 54 - WELCH - RULES: Amending House Resolution No. 27 Relating to the Permanent Rules of the House of Representatives of the 139th General Assembly of the State of Delaware.

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

The following prefiled legislation was introduced:

HS 1 for HB 312 - APPRO: An Act to Amend Title 14 of the Delaware Code Relating to Education Benefits for Active Members of the Delaware National Guard.

HB 561 - SCOTT, PLANT, WEST; SENATORS HENRY, MARSHALL - LABOR: An Act to Amend Chapter 7, Title 19 of the Delaware Code Relating to Employment.

HB 562 - SCOTT, BRADY, CAPANO, MAIER, PLANT, WEST; SENATORS HENRY, MARSHALL - TELECOM & ELEC UTIL DEREG: An Act to Amend Title 26 of the Delaware Code Relating to Telephones.

**HB 563** - SCOTT, BUCKWORTH, CAREY, B. ENNIS, EWING, FALLON, HOUGHTON, PLANT, PRICE, ULBRICH, VANSANT, WEST, SPENCE, KEELEY; SENATORS BUNTING, HENRY, MARSHALL - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Domestic Violence.

**HA 1 to HB 519** - ULBRICH - POL ANAL & GOV ACCT: Placed with the bill.

**HA 1 to HB 549** - SCOTT - P/S: Placed with the bill.

**SB 173 w/SA 1, 2 & 3** - BLEVINS & REPRESENTATIVE MAIER; SENATORS HENRY, MCDOWELL, SOKOLA, BAIR, SORENSON; REPRESENTATIVES CAPANO, ROY, PRICE - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Fluoridation of Water Supplies.

**SB 286** - BLEVINS; REPRESENTATIVE WAGNER - HEALTH & HUM DEV: An Act to Amend 71 Laws of Delaware, Chapter 12 Relating to Sunsetting Provisions of the Pharmacy Access Act.

**SB 293 w/SA 1** - HENRY & REPRESENTATIVE EWING - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Definitions and Classifications of Drivers Licenses and Permits.

**SB 298** - HENRY & REPRESENTATIVE EWING - P/S: An Act to Amend Title 11 of the Delaware State Code Relating to Offenses Against Persons.

The Chief Clerk called the roll.

Members Present: 41.

Representative Lee made comments.

The House observed a moment of silence in memory of Harvey Gregg and Orville Hill at the request of Representative Lee.

A prayer was offered by Representative Richard F. Davis, Twenty-Sixth Representative District.

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

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

The Chief Clerk read the following communication into the record:

April 7, 1998

The Honorable Terry R. Spence  
Speaker of the House  
House of Representatives  
Legislative Hall  
Dover, DE 19901

Re: Absence from session

Dear Speaker Spence:

On Wednesday, April 8th I will not be attending session due to the birth of our third child.

Thank you for consideration of my request.

Sincerely,  
Wayne A. Smith  
House Majority Leader  
7th District Representative

WAS/jm

Representative Boulden requested that he be marked present.

Representative West introduced guests.

Representative West requested and was granted the privilege of the floor for Miss Delaware, Alison White.

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

The House reconvened at 5:28 p.m. with Representative Oberle as Acting Speaker.

Representatives Buckworth, Ewing, Mack, Welch & Plant requested that they be marked present.

Representative Williams requested and was granted the privilege of the floor to present a House Tribute to Detective Liam Sullivan, Wilmington Police Department.

Representative Williams introduced guests.

Representatives Keeley, Oberle, Spence, Scott & Williams made comments.

Representatives Cathcart, D. Ennis & Lofink requested that they be marked present.

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

Representative Smith deferred to Representative Cloutier.

Representative Cloutier brought **HB 394**, jointly sponsored by Senator Sokola & Representatives Spence & Gilligan & Senators Bair, Sorenson, Amick & Connor, before the House for consideration.

**HB 394** - An Act to Amend Title 29 of the Delaware Code Relating to the Advisory Panel on Intergovernmental Planning and Coordination.

Representative Cloutier made comments.

The roll call on **HB 394** was taken and revealed:

YES: 40.

ABSENT: Representative Capano - 1.

Therefore, having received a constitutional majority, **HB 394** was sent to the Senate for concurrence.

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

Representative Smith brought SB 237, sponsored by Senator Venables & Representative Fallon, before the House for consideration.

SB 237 - An Act to Amend Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford." (2/3 bill)

Representative Smith made comments.

The roll call on SB 237 was taken and revealed:

YES: 35.

NO: Representatives DiLiberto, Oberle, Williams - 3.

NOT VOTING: Representatives Keeley, VanSant - 2.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 237 was returned to the Senate.

Representative Welch deferred to Representative Capano.

Representative Capano brought HB 501, jointly sponsored by Senator McBride & Representatives VanSant, Mack, Houghton, Davis, DiPinto & B. Ennis & Senator Connor, before the House for consideration.

HB 501 - An Act to Amend Title 18 of the Delaware Code Relating to Insurance Fraud.

Representative Capano made comments.

The roll call on HB 501 was taken and revealed:

YES: 38.

NOT VOTING: Representatives DiLiberto, Fallon, Mr. Acting Speaker Oberle - 3.

Therefore, having received a constitutional majority, HB 501 was sent to the Senate for concurrence.

Representative Welch brought SB 234, sponsored by Senator Bunting & Representative Price, before the House for consideration

SB 234 - An Act to Amend Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Fenwick Island, Delaware" to Clarify When Appeals of Tax Assessments May be Made. (2/3 bill)

Representative Welch deferred to Representative Price.

Representative Price made a comment.

The roll call on SB 234 was taken and revealed:

YES: 40.

ABSENT: Representative DiLiberto - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 234 was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 428, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Keeley & Price & Senators Bunting, Sokola, Reed & Still, before the House for consideration.

HB 428 - An Act to Amend Chapter 36, Title 24 of the Delaware Code Relating to Geology and Title 29 of the Delaware Code.

Representative Ulbrich made comments.

The roll call on HB 428 was taken and revealed:

YES: 40.

ABSENT: Representative DiLiberto - 1.

Therefore, having received a constitutional majority, HB 428 was sent to the Senate for concurrence.

Representative Smith made an announcement.

The Majority Leader moved to recess for caucus at 5:57 p.m.

The House reconvened at 6:34 p.m.

Mr. Speaker Spence resumed the Chair.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 309.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, G. Robert Quillen, do hereby request that my name be removed as Co-Sponsor of HB 306.

Date: April 7, 1998.

Signed: G. Robert Quillen.

MEMORANDUM

TO: Terry R. Spence  
Speaker of the House

FROM: Representative Jeffrey G. Mack

DATE: April 7, 1998

RE: Attendance for Session

I will not be in attendance for legislative session on April 8, 1998 due to personal business.

Thank you for your attention to this matter.

Mr. Speaker reassigned HB 562 to the Business/Corporations/Commerce Committee.

Representative Smith deferred to Representative Mack.

Representative Mack introduced HB 569, jointly sponsored by Senator McBride & Representatives DiPinto, D. Ennis & B. Ennis

HB 569 - An Act to Amend Title 7 of the Delaware Code Relating to Extremely Hazardous Substances Risk Management Act.

Mr. Speaker assigned HB 569 to the Environmental Management Committee.

The Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #127

DATE: April 7, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1689	Quillen	4/1/98	T	Sgt. Anthony Brown/Promotion/United States Army
H139-1690	Carey	3/28/98	T	Barry Fry/Past President/Carlisle Fire Co./Outstanding Contributions
H139-1691	D. Ennis	3/25/98	T	Mendy Jokhia/U.S.I.A. International Visitor/Welcome to Delaware
H139-1692	Williams	3/25/98	M	Camar Collins
H139-1693	Williams	3/25/98	M	Charles Bellak
H139-1694	Brady	4/01/98	T	James Boulanger/Retirement/Administrative Office of the Courts/18 Years Service
H139-1695	Fallon	3/19/98	M	Donald Jacobs
H139-1696	Gilligan	3/26/98	T	Patricia Peterson/Wal-Mart Teacher of Year
H139-1697	VanSant	3/28/98	T	William Walton, Sr./President Emeritus/Elsmere Fire Co./Outstanding Contributions
H139-1698	VanSant	3/28/98	T	Dennis Godek/'97 Member of the Year/Elsmere Fire Co./Outstanding Contributions
H139-1699	VanSant	3/28/98	T	Verna Jones/'97 Ladies Auxiliary Member of the Year/Elsmere Fire Co.
H139-1700	Roy	3/26/98	T	Thomas Shopa/'97 Public Service Award/American Institue of C.P.A.'s
H139-1701	Fallon	3/28/98	M	William Griffith
H139-1702	Mack	3/31/98	T	Mike Macey/Salesianum High Senior/Independent Schools Wrestling Champion

HOUSE TRIBUTE ANNOUNCEMENT #128

DATE: April 7, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1703	Mack	3/31/98	T	Jerry Lamey/Hodgson High Wrestling Coach/Division II Coach of the Year
H139-1704	Spence	3/05/98	T	Robert Appleby/Recipient/Lammot DuPont, Jr. Memorial Award/American Red Cross
H139-1705	Capano	3/30/98	T	Honorable Philip Corrozi/Recipient/'98 Governor's Awards for Arts
H139-1706	Spence	3/30/98	T	Hercules Inc./Keith Elliott, Chairman/Recipient/'98 Governor's Awards for the Arts
H139-1707	Roy	3/30/98	T	The Brandywiners/Ruth Harden, President/Recipient/'98 Governor's Awards for the Arts
H139-1708	Plant	3/30/98	T	Ed Loper/Recipient/'98 Governor's Awards for the Arts
H139-1709	Spence	3/30/98	T	Helen Sloan/Recipient/'98 Governor's Awards for the Arts
H139-1710	Williams	3/30/98	T	Cleveland Morris/Recipient/'98 Governor's Awards for the Arts
H139-1711	Fallon	3/07/98	T	Gina Smith/Outstanding Community Service

Number	Sponsor	Presentation Date	Type	Description
H139-1712	Fallon	3/07/98	T	Rosalyn Heyward/Outstanding Community Service
H139-1713	Fallon	3/07/98	T	Shirley Kilgo/Outstanding Community Service
H139-1714	Fallon	3/07/98	T	Louise Maxfield Roberts/Outstanding Community Service
H139-1715	Fallon	3/07/98	T	Novella Roach Pinder/Outstanding Community Service

## HOUSE TRIBUTE ANNOUNCEMENT #129

DATE: April 7, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1716	Fallon	3/07/98	T	Jetuan Sample-Palmer/Outstanding Community Service
H139-1717	Fallon	3/07/98	T	Dolores Slatcher/Outstanding Community Service
H139-1718	Fallon	4/14/98	T	Seaford BPW/45th Anniversary
H139-1719	West	4/19/98	T	Reverend Ervin Williams/Retirement/35 Years/Dickinson Chapel
H139-1720	Quillen	4/01/98	T	Ember Mumaw/1st & 2nd Place/VFW Voice of Democracy
H139-1721	Wagner	3/28/98	M	Bessie McDowell
H139-1722	Wagner	3/30/98	M	Sandra Keller
cosponsor: Stone				
H139-1723	Price	4/01/98	T	AARP South Coastal DE Chapter/Welcome to Members & President
H139-1724	Gilligan	3/26/98	M	Ethel Mae Cooper
H139-1725	Spence	4/02/98	T	Jenifer Callahan/'98 Governor's Youth Volunteer Award Recipient
H139-1726	Mack	4/05/98	T	Larry Koczak/Retirement/32 Years Dedicated & Humanitarian Service to Community
H139-1727	Oberle	4/26/98	T	Col. William Smith/'98 Camp Honoree/ Years of Service/State & Country
H139-1728	Welch	3/17/98	T	Morgan Cook/Birth/March 16, 1998
cosponsors: Wagner & All Kent County Legislators				
H139-1729	Welch	3/23/98	T	Jarrett A. Cook/Birth/March 22, 1998

T - Tribute

M - Memoriam

Representative Wagner made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:38 p.m.

20th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 8, 1998

Mr. Speaker Spence called the House to order at 2:22 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 294, HB 156 w/HA 1,2,3,4,6 and SA 1.

The Majority Whip moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Buckworth, Mack, Smith - 3.

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

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

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

The following prefiled legislation was introduced:

HS 1 for HB 234 - DAVIS & SENATOR SHARP - TRANS: An Act to Amend Title 17 of the

Delaware Code Relating to Control of the Rights-of-Way in the Unincorporated Areas of the State, Including the Control of Signs and Other Commercial Activities Within the Rights-of-Way.

HB 565 - WILLIAMS, BRADY, BUCKWORTH, CLOUTIER, DIPINTO, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LOFINK, MAIER, PLANT, VANSANT, WEST, SPENCE; SENATORS MARSHALL, MCDOWELL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Offense of Reckless Endangering. (2/3 bill)

HB 567 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES MAIER, KEELEY & SCOTT - POL ANAL & GOV ACCT: An Act to Amend Chapter 26, Title 24 of the Delaware Code Relating to Physical Therapy.

HB 570 - ROY & PETRILLI & SENATOR ADAMS; REPRESENTATIVE CAPANO - TELECOM & ELEC UTIL DEREG: An Act Amending the Provisions of Titles 22 and 26 of the Delaware Code Relating to the Restructuring and Regulation of Public Utilities Supplying Electricity to Retail Customers in the State.

HA 5 to HB 175 - MARONEY - ECON DEV, B & I: Placed with the bill.

HA 2 to HB 194 - MARONEY - R & F: Placed with the bill.

HA 1 to HB 443 - CLOUTIER - ED: Placed with the bill.

HA 4 to HB 510 - WELCH - AGENDA: Placed with the bill.

HA 1 to HB 531 - MARONEY - READY LIST: Placed with the bill.

HR 57 - MAIER & PRICE - HEALTH & HUM DEV: Re-Authorizing a Residential Treatment Program Site Selection Task Force to Investigate Laws and Regulations Affecting Availability of Sites for Residential Treatment Facilities, Recommend Such Facility Distribution and Locations, and Proposing Legislation Necessary to Allow Such Facilities.

SB 294 w/SA 1 - VAUGHN - ED: An Act to Amend Title 14 of the Delaware Code Relating to School Property.

SB 309 - VAUGHN & SHARP; REPRESENTATIVES LEE & SPENCE - CORR: An Act Relating to Authorizing, Empowering and Directing the Secretary of Administrative Services to Promptly Enter Into a Contract or Contracts for the Construction and Expansion of Correctional Facilities at the Delaware Correction Center.

HA 1 to SB 288 - CAREY, CAPANO - APPRO: Placed with the bill.

Representatives Price & DiPinto requested that they be marked present.

Mr. Speaker reassigned HB 570 to the Business/Corporations/Commerce Committee at the request of Representative Roy.

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

Mr. Speaker Spence made an announcement.

Representatives Ewing, Welch, Oberle, Fallon & Ewing made comments.

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

Representative Keeley & Mr. Speaker Spence made comments.

Representative Oberle introduced & brought HR 55, sponsored on Behalf of All Representatives, before the House for consideration.

HR 55 - Honoring Mr. Leon deValinger Jr., by Commemorating the Completion of Another Segment of the Historical Preservation Project with Which He is Credited Beginning So Many Years Ago.

WHEREAS, the Delaware Public Archives is nearing completion of another stage of a historically significant project; and

WHEREAS, on this occasion we are reminded of Leon deValinger, Jr., the gentleman whose endeavors began the restoration process of important Delaware chronicles some 37 years ago; and

WHEREAS, Mr. deValinger, Jr. served with distinction as our official State Archivist for nearly 42 years; and

WHEREAS, states around the nation regard Delaware's program with high regard for its orderly and resourceful conception and development; and

WHEREAS, though Mr. Leon deValinger, Jr. retired from State service in 1971, he is revered by colleagues and very much a part of the daily operation at the Hall of Records, a building that bears his name; and

WHEREAS, the last ten years have provided Mr. Leon deValinger, Jr. with a more relaxed, though no less interested, view of this endeavor which he so adroitly orchestrated; and

WHEREAS, the appreciation of every citizen in the great State of Delaware is owed to the person so fundamentally responsible for preserving our history with such expertise, we should honor his lifetime of dedication to protecting our heritage.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 139th General Assembly of the State of Delaware, that we do hereby commend Mr. Leon deValinger, Jr. for his lifetime of achievement and contribution to Delaware's history.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be forwarded to Mr. Leon deValinger, Jr. at 100 Rodney Road, Dover, DE 19901.

Representatives Oberle & D. Ennis made comments.

Representative Oberle requested and was granted the privilege of the floor for Leon deValinger.

Representative Petrilli requested that he be marked present.

Representative DiPinto made comments.

Mr. Speaker Spence presented a gift to Mr. deValinger, Jr.

HR 55 was adopted by voice vote.

Representative Oberle made a comment.

Representative Welch & Mr. Speaker Spence made announcements.

The Majority Whip moved to recess for committee meetings at 2:45 p.m.

The House reconvened at 4:41 p.m.

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

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

HEALTH & HUM DEV: HB 517 - 6M; HB 481 - 8M; HB 547 - 8M; SCR 55 - 8M.

P/S: HB 458 - 1F,7M; HB 527 - 6M; HB 529 - 4M,1U; HB 538 - 1F,5M; HB 549 - 6M; HB 550 - 4M,2U.

ED: SB 61 - 7M.

JUD: HB 499 - 5M; HB 534 - 1F,5M; HB 543 - 1F,5M; SB 226 - 6M.

Representative Cathcart requested that he be marked present.

Representative Fallon made an announcement.

The following prefiled Consent Calendar #14 was introduced:

HR 56 - WELCH, SPENCE, SMITH, GILLIGAN & VANSANT ON BEHALF OF ALL

REPRESENTATIVES - Commending the Delaware Congressional Delegation for Its Work in Support of the Taxpayer Relief Act of 1997 and Encouraging Them to Continue Efforts Relating to True Tax Simplification.

SCR 52 - BAIR, SHARP, AMICK, VOSHELL, MCDOWELL ON BEHALF OF ALL SENATORS;

REPRESENTATIVES SPENCE, GILLIGAN, SMITH, WELCH, VANSANT, BOULDEN, PETRILLI ON BEHALF OF ALL REPRESENTATIVES - Extending Sincere Congratulations to Two Respected Former State Lawmakers, the Honorable Representative Ada Leigh Soles and the Honorable Senator James P. Neal, in Recognition of the Dedication of the New Delaware Library Conference and Technology Education Center in Their Honor.

Consent Calendar #14 was adopted by voice vote and SCR 52 was returned to the Senate.

Representative Welch made an announcement.

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

21st LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 9, 1998

Mr. Speaker Spence called the House to order at 2:40 p.m.

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

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

APPRO: HB 427 - 1F,3M; SB 288 - 3F,1M.

LAND USE & INFRA: HB 395 - 8M.

Mr. Speaker assigned HB 458 to the Public Safety Committee.

Representative D. Ennis introduced and brought HCR 61, jointly sponsored by Senator McDowell, before the House for consideration.

HCR 61 - Commending Dorothy M. Morris of New Castle County, Delaware, on Her Fifty Years of Dedicated Service as a Member of the Ladies Auxiliary of Brandywine Hundred Fire Company Number 1.

Representative D. Ennis made a comment.

HCR 61 was adopted by voice vote and sent to the Senate for concurrence.

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

Representative Smith made comments.

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

The Majority Leader moved to adjourn at 2:48 p.m., thereby ending the current legislative day. The House reconvened at 2:49 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Roy - 1.

The House observed a moment of silence in memory of Michael Ferguson at the request of Speaker Spence.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

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

The following prefiled legislation was introduced:

HB 494 - OBERLE & ROY; SENATORS VOSHALL & SHARP - P/S: An Act to Amend Title 21, Delaware Code Relating to Street Rods.

HB 568 - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, CAREY, CATHCART, CLOUTIER, DAVIS, LOFINK, MAIER, MARONEY, PETRILLI, ROY, ULBRICH, BRADY, B. ENNIS, KEELEY, PRICE, SCHROEDER; SENATORS BAIR, AMICK, BONINI, REED, STILL, SORENSON - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products.

HB 571 - EWING & SENATOR VAUGHN - P/S: An Act to Amend Title 11 of the Delaware Code Relating to HIV Testing in Assault or Related Offenses Against Law Enforcement Officers.

HB 573 - WAGNER - P/S: An Act to Amend Section 2118 of Title 21 of the Delaware Code Relating to Proof of Motor Vehicle Insurance for Out-of-State Vehicles.

HB 574 - WAGNER - JUD: An Act to Amend Section 927 of Title 10 Relating to the Jurisdiction of Family Court.

HB 575 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES D. ENNIS, PETRILLI, ROY & STONE - ED: An Act to Amend Title 14 of the Delaware Code Relating to Establishing a Unit for Technicians to Support Technology in the Schools.

HB 576 - SCHROEDER & WAGNER & BUCKWORTH - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to the Registration of Deaths.

HB 578 - WELCH, SPENCE, OBERLE, LEE, GILLIGAN, CATHCART, BUCKWORTH, WAGNER & SENATORS MCDOWELL, SOKOLA, BONINI - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

HA 1 to HB 550 - PRICE - READY LIST: Placed with the bill.

SB 289 - SHARP & REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Exemptions From Execution.

Mr. Speaker assigned HB 538, HB 549, SB 226 & HB 395 to the Appropriations Committee.

Representatives West & Maroney requested that they be marked present.

Representatives Price & Carey requested and were granted personal privilege of the floor to present a House Tribute to the Stevenson Family.

Representative Buckworth requested that HB 451 be stricken.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 289, HB 479 & HB 277.

All Members of the House of Representatives

Thank you so very much for the beautiful flowers and your many kind words due to the recent passing of my step-father.

Your thoughtfulness is truly appreciated.

Stephanie Ulbrich

The Majority Whip moved to recess for caucus at 2:57 p.m.

The House reconvened at 5:30 p.m.

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

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

Representatives Reynolds, Gilligan & Lofink made comments.

Representative Smith moved to suspend the rules which interfere with action on SB 309. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Smith brought SB 309, sponsored by Senators Vaughn & Sharp & Representatives Lee & Spence, before the House for consideration.

SB 309 - An Act Relating to Authorizing, Empowering and Directing the Secretary of Administrative Services to Promptly Enter Into a Contract or Contracts for the Construction and Expansion of Correctional Facilities at the Delaware Correctional Center.

Representative Smith introduced and brought HA 1 to SB 309 before the House for consideration.

Representative Smith made comments.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan requested and was granted the privilege of the floor for Vincent P. Meconi, Secretary, Department of Administrative Services.

Representatives Gilligan & Smith made comments.

Representative Petrilli rose on a point of order. Mr. Speaker concurred.  
 Representatives Gilligan, Smith & Cathcart made comments.  
 Representative DiLiberto rose on a point of order. Mr. Speaker concurred.  
 Representatives Cathcart, Smith, Petrilli, Gilligan & Smith made comments.  
 Representative Oberle introduced and brought HA 1 to HA 1 to SB 309 before the House for consideration.

The Majority Leader moved to recess for caucus at 6:28 p.m.

The House reconvened at 6:43 p.m.

Representative Smith made comments.

Representative Smith deferred to Representative Oberle.

Representatives Smith & Oberle made comments.

HA 1 to HA 1 was adopted by voice vote. HA 1 w/HA 1 was adopted by voice vote.

Representative Smith requested and was granted the privilege of the floor for John Brady, House Attorney.

Representatives Smith, Petrilli, Smith & Wagner made comments.

The roll call on SB 309 w/HA 1 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, Caulk, Ewing, Roy - 4.

Therefore, having received a constitutional majority, SB 309 w/HA 1 w/HA 1 was returned to the Senate for concurrence on HA 1 w/HA 1.

Representative Williams introduced and brought SCR 61, jointly sponsored by Senator McDowell, before the House for consideration.

SCR 61 - Urgently Requesting the Red Clay School District to Discontinue Use of the Bus Stop at Monroe Street and Concord Avenue in Wilmington and to Either Restore the Bus Stop at 24th and Monroe Streets or Develop a Safe Alternative Location.

Representative Williams made a comment.

SCR 61 was adopted by voice vote and returned to the Senate.

Representative Welch deferred to Representative Lee.

Representative Lee introduced and brought HR 58, sponsored on Behalf of All Representatives, before the House for consideration.

HR 58 - Honoring the Men and Women of This State Who Staff the 911 Centers and Celebrating the Week of April 12th to April 18th as 911 Tele-Communicator Week.

Representative Lee made comments.

HR 58 was adopted by voice vote.

Representative Smith deferred to Representative Davis.

Representatives Keeley & Gilligan made comments.

Mr. Speaker Spence made an announcement.

Representative Davis introduced HB 572, jointly sponsored by Representative Mack & Senator Sokola & Representatives Carey, DiPinto, Lofink, Oberle, Petrilli, Quillen, Price & Schroeder & Senators Voshell, Bunting, Venables, Amick, Reed & Sorenson & cosponsored by Senator Connor.

HB 572 - An Act to Amend Title 7 of the Delaware Code Relating to Debris Disposal Remediation. (3/5 bill)

Mr. Speaker assigned HB 572 to the Environmental Management Committee.

Representative Smith deferred to Representative Welch.

Representative Welch presented House Tributes to Representative Smith.

Representative Smith & Mr. Speaker Spence made comments.

The Majority Leader moved to recess to the call of the Chair at 7:01 p.m.

22nd LEGISLATIVE DAY  
 139th GENERAL ASSEMBLY  
 Second Session  
 April 28, 1998

Mr. Speaker Spence called the House to order at 2:29 p.m.

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

HOUSING & COM AFF: HB 518 - 5F,2M.

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

The Majority Leader moved to adjourn at 2:30 p.m., thereby ending the current legislative day. The House reconvened at 2:31 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Richard F. Davis, Twenty-Sixth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 395 - LOFINK, SENATOR BUNTING - APPRO - An Act to Amend Chapter 91 of Title 29 of the Delaware Code Relating to State Planning.

HS 1 for HB 504 - PRICE, QUILLEN - POL. ANAL. & GOV. ACCT. - An Act to Amend Title 4 of the Delaware Code Regarding the Delaware Alcoholic Beverage Control Commission License Application Process, and Denials, Suspensions, or Revocations of Licenses.

HB 577 - WAGNER - JUD. - An Act to Amend Title 11 of the Delaware Code Relating to Payment of Fines and Costs.

HA 1 to HB 512 - OBERLE - AG - Placed with the Bill.

SB 297 - VOSHELL; REPRESENTATIVE CAREY - HOUSING & COM AFF. - An Act to Authorize and Approve the Transfer of Certain Real Property in Sussex County, Formerly Known as The Broadkill School. (3/4 bill)

SCR 60 - MARSHALL; REPRESENTATIVE SCOTT; SENATORS AMICK, REED & SORENSON; REPRESENTATIVES BOULDEN, OBERLE, ULBRICH & DILIBERTO - LAND USE & INFRA. - Requesting the Delaware Stadium Corporation to Commission Suitable Permanent Memorials to Commemorate the Accomplishments of Victor Gazaway "Vic" Willis and William Aloysius "Bill" McGowan, Two Delawareans who have Recently Been Inducted into the National Baseball Hall of Fame.

Representative Stone requested that she be marked present.

The Chief Clerk read the following communication into the record:

April 8, 1998

Ms. JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
State of Delaware  
Legislative Hall  
Dover, Delaware 19903

Dear JoAnn:

Thank you for sending me a copy of House Concurrent Resolution 41, urging the Delaware Congressional delegation to continue to work to keep the old St. Georges Bridge open. As you may know, the closing of the bridge has been delayed.

It always has been my contention that the federal government's ownership of the C&D Canal presents the federal government with full responsibility to provide 'good and sufficient' crossings over the canal.

The delegation continues to work with the Governor in an effort to convince the Clinton Administration to repair and maintain the old St. Georges Bridge based on the analysis that it makes long-term economic sense to do so. As you know, currently, the state and the U.S. Army Corp of Engineers are discussing a proposal by Delaware company, HardCore, to buy and help maintain the bridge.

Sincerely,  
William V. Roth, Jr.  
U.S. Senate

WVR/aam

Representative Williams requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence made comments.

Representative Scott requested that he be marked present.

Representative Capano requested and was granted personal privilege of the floor to introduce guests who announced their names for the record.

Representatives West, Quillen, Lee & Cathcart requested that they be marked present.

Representative Wagner and Mr. Speaker Spence made announcements.

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

Representatives Oberle & Smith made comments.

Representative Ulbrich requested that she be marked present.

Mr. Speaker Spence made an announcement.

Representative Ulbrich requested and was granted personal privilege of the floor to make comments.

Representative Ulbrich was granted personal privilege of the floor to make comments.

The House observed a moment of silence for the Puglisi Family at the request of Representative Ulbrich.

The Majority Leader moved to recess for caucus at 2:40 p.m.

The House reconvened at 4:28 p.m.

Representative Mack requested that he be marked present.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 59, SCR 61, SB 297, SCR 60, HB 488, HB 492, HB 507, HB 511, HCR 61 & HJR 24.

April 13, 1998

LEGISLATIVE ADVISORY #34

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/9/98 - SJR 3, SB 224 & HB 188 aab HA 1.

April 21, 1998

LEGISLATIVE ADVISORY #35

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/20/98 - HB 341 aab HA 1, HB 488, HB 277, HB 235, HB 479, SB 234, SB 237, HB 492, HB 507 & HB 511.

Representatives Maier, Petrilli, Brady & B. Ennis requested that they be marked present.

Representative Smith deferred to Representative Buckworth.

The House observed a moment of silence in memory of former Representative Harvey P. Fifer at the request of Representative Buckworth.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced guests.

Representative Caulk requested and was granted privilege of the floor for Connie Larimore, Delaware State Chair of the Farm Bureau Women's Committee; Erica Fearn, Area Director, American Farm Bureau and Teresa Fehrenbecker, Assistant Director of Special Programs, American Farm Bureau.

Representative Caulk & Mr. Speaker Spence made comments.

Representative Reynolds requested that he be marked present.

Representatives Reynolds requested and was granted personal privilege of the floor to make comments.

Representative Oberle made comments.

Representative D. Ennis requested that he be marked present.

Representatives Williams & Schroeder made comments.

Representative Smith deferred to Representative West.

Representative West brought HB 376 jointly sponsored by Representatives Keeley, Banning, Plant & VanSant, before the House for consideration.

HB 376 - An Act to Amend Chapter 5, Subchapter 1, Title 7, Delaware Code Relating to the Permit Fee for Killing Deer. (F/N)

The roll call on HB 376 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, DiPinto, Ulbrich - 3.

Therefore, having received a constitutional majority, HB 376 was sent to the Senate for concurrence.

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

Representative Boulden introduced guests.

Representative Smith brought HB 37 w/HA 2 & SA 2, jointly sponsored by Representative Wagner & Senator Voshell & Representatives Boulden, Capano, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Maier, Ulbrich, Welch, DiLiberto, Houghton, Price & West & Senator Still, before the House for concurrence on SA 2.

HB 37 - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to Public Schools; and Providing for the Suspension of, Non-Renewal of, or Refusal to Issue a Driver's License to a Person Who Has Been Expelled From School. (F/N)

Representative Smith made comments.

The roll call on HB 37 w/HA 2 & SA 2 was taken and revealed:

YES: 33.

NO: Representatives Brady, Keeley, Williams - 3.

ABSENT: Representatives Caulk, DiPinto, B. Ennis, D. Ennis, Ulbrich - 5.

Therefore, having received a constitutional majority, HB 37 w/HA 2 & SA 2 was sent to the Governor.

Representative Smith deferred to Representative Quillen.

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

The Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #130

DATE: April 28, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1730	Houghton	4/04/98	T	Tina Stanley/60 Years/Holloway Terrace Fire Co. Ladies Auxiliary
	cosponsor: Scott			

H139-1731	Houghton	4/04/98	T	Elsie Wenkie/60 Years/Holloway Terrace Fire Co. Ladies Auxiliary
	cosponsor:	Scott		
H139-1732	Houghton	4/04/98	T	John V. Ryan/70 Years/Holloway Terrace Fire Company
	cosponsors:	All Members of the House		
H139-1733	Houghton	4/04/98	T	Porky Logan/54 Years/Holloway Terrace Fire Company
	cosponsor:	Scott		
H139-1734	Spence	5/03/98	T	Derrick Anderson/Eagle Scout
H139-1735	Spence	3/31/98	T	Lowell Groundland/DSBA Distinguished Government Service Award
H139-1736	Spence	3/31/98	T	Honorable Wayne Smith/ DSBA Distinguished Government Service Award
	cosponsors:	All Members of the House		
H139-1737	Scott	4/02/98	T	David Bostrom/Outstanding Community Service
H139-1738	Roy	3/14/98	T	Phyllis & John McVaugh, Jr./50th Wedding Anniversary
H139-1739	VanSant	3/27/98	T	Marjorie & Samuel Frankel/50th Wedding Anniversary
H139-1740	Gilligan	3/27/98	T	Edward & Marian Breitenbach/50th Wedding Anniversary
H139-1741	Buckworth	4/04/98	T	Theodore W. Ressler/Benjamin F. Burton Humanitarian Award
H139-1742	Buckworth	4/02/98	T	Harry N. Rigby/Retirement/17 Years/Head Wrestling Coach/Dover High School

## HOUSE TRIBUTE ANNOUNCEMENT #131

DATE: April 28, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1743	Wagner	3/28/98	M	Howard C. Stevenson
H139-1744	Buckworth	4/03/98	T	Dave Williams/80th Birthday
H139-1745	Fallon	5/02/98	T	Juanita Hardin/90th Birthday
H139-1746	Fallon	3/31/98	M	James W. Freeborn
H139-1747	Williams	4/07/98	T	Detective Liam Sullivan/Awards/National Police Organizations Competition
H139-1748	Scott	4/30/98	T	Marguerite Comegys/26 Years/CoreStates Bank
H139-1749	Price	5/02/98	T	Camp Barnes/50th Anniversary
H139-1750	Fallon	3/27/98	M	Pandora E. "Penny" Theofiles
H139-1751	Buckworth	4/08/98	T	Parliamentary Procedure Team/Caesar Rodney High/1st Place/State Convention
H139-1752	Buckworth	4/08/98	T	Matt Minear/Caesar Rodney High/ WBOC-TV Honor Roll Athlete
H139-1753	Buckworth	4/08/98	T	Janavor Weatherspoon/Caesar Rodney High/ All-State /All Conference Basketball Teams
H139-1754	Buckworth	4/08/98	T	Caesar Rodney High Floriculture Team/1st Place/ '98 State Competition
H139-1755	Buckworth	5/04/98	T	Brian Holleger/Caesar Rodney High TV Crew Teacher/Superstar TV in Education Award
H139-1756	Buckworth	5/04/98	T	Matthew Snouffer/Caesar Rodney High TV Crew Teacher/Superstar TV in Education Award

## HOUSE TRIBUTE ANNOUNCEMENT #132

DATE: April 28, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1757	Buckworth	5/04/98	T	Tommie Oseland/Caesar Rodney High TV Crew Teacher/Superstar TV in Education Award
H139-1758	Buckworth	5/04/98	T	Kenneth Kassing/Caesar Rodney High TV Crew Teacher/Superstar TV in Education Award
H139-1759	Buckworth	5/04/98	T	Kristen Houghtaling/Caesar Rodney High TV Crew Teacher/Superstar TV in Education Award

H139-1760	Buckworth	5/04/98	T	Kenneth Bryant/C.R. High TV Crew Teacher/Superstar in Ed. Awd.
H139-1761	Stone	5/06/98	T	Bethel Chang/'98 De Mother of Year/
H139-1762	D. Ennis	4/08/98	T	Alfred & Theresa Papili/50th Wedding Anniversary
H139-1763	Boulden	4/03/98	T	Fay & Norman Whittle/50th Wedding Anniversary
H139-1764	Gilligan	3/28/98	T	Calvin & Florence Carl/50th Wedding Anniversary
H139-1765	Gilligan	4/03/98	T	Patrick & Mary Ramone/50th Wedding Anniversary
H139-1766	Brady	4/03/98	T	Irene T. & John A. Hynes/50th Wedding Anniversary
H139-1767	Quillen	4/06/98	T	Linda Petrovich/DE Tech Nomination/'98 All-USA Academic Team
H139-1768	Quillen	4/06/98	T	Debra Rivard/DE Tech Nomination/'98 All-USA Academic Team
H139-1769	Price	3/26/98	T	Clayton Stevenson/Birth
	cosponsor: Carey			

## HOUSE TRIBUTE ANNOUNCEMENT #133

DATE: April 28, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1770	Smith	4/9/98	T	Benjamin Chase Smith/Birth/4/8/98
	cosponsors: All House Members			
H139-1771	Maier	4/02/98	T	Z-Club/St. Mark's High/'98 Governor's Youth Volunteer Service Awardees
H139/1772	D. Ennis	5/01/98	T	Lowell Groundland/Retire/Director/Administrative Office of Courts
H139-1773	Spence	4/15/98	T	John DiEleuterio/Promotion/Lieutenant Colonel/National Guard
H139-1774	Williams	4/08/98	T	Julia Marion-Moody/Outstanding Com. Service
H139-1775	VanSant	4/03/98	T	Stella & Edward Krone/50th Wedding Anniversary
H139-1776	Scott	4/06/98	M	Sheila J. Spencer
H139-1777	Wagner	4/06/98	M	Dr. Gary Lynn Houpt
H139-1778	Fallon	3/28/98	M	Vernon Layton
H139-1779	Welch	4/09/98	M	Michael C. Ferguson
	cosponsors: All House Members			
H139-1780	Wagner	4/09/98	M	Virginia Lee Monroe Dennis
H139-1781	B. Ennis	4/20/98	T	Dorothy G. Downs/Governor's Forestry Advisory Council/18 Years
H139-1782	B. Ennis	4/18/98	T	Edward A. Hohman, Jr./Retire/21 Yrs. /Department of Corrections
H139-1783	Boulden	4/23/98	T	Donald Sharpe/Pioneers of Preservation Award

T - Tribute

M - Memoriam

Representative Smith brought the 2/3 Consent Agenda before the House for consideration.

**SB 253** - ADAMS; REPRESENTATIVE WEST - An Act to Amend an Act, Being Chapter 276, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Indebtedness Limitation of the Town Council of the Town of Georgetown. (2/3 bill)

**SB 278** - ADAMS; REPRESENTATIVE EWING - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Change the Date Upon Which the Annual Budget Should be Submitted. (2/3 bill)

**SB 285** - VOSHALL; REPRESENTATIVE QUILLEN - 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 Contracts, Meetings and Elections. (2/3 bill)

Representative Oberle made comments.

Representative Smith moved to place the 2/3 Consent Agenda on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 531, jointly sponsored by Representatives Spence, Davis, D. Ennis, Ewing, Lee, Lofink, Petrilli, Roy, Ulbrich, Gilligan, Plant, Schroeder, West & Williams & Senators Blevins, Henry, McDowell, Bair, Connor, Reed & Sorenson & cosponsored by Representative Keeley, before the House for consideration.

HB 531 - An Act to Amend Chapter 2 of Title 16 of the Delaware Code Relating to Early Intervention Services for Infants and Toddlers.

Representative Maroney made comments.

Representative Maroney brought HA 1 to HB 531 before the House for consideration.

Representative Maroney made comments.

HA 1 was adopted by voice vote.

Representatives Maroney & Brady made comments.

The roll call on HB 531 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 531 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith made an announcement.

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

POL ANAL & GOV ACCT: HB 442 - 5M; HS 1 for HB 504 - 1F,4M; HB 567 - 5M.

The Majority Leader moved to recess to the call of the Chair at 5:03 p.m.

23rd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 29, 1998

The Majority Whip called the House to order at 2:30 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 209, SCR 62 & HB 317 w/HA 1.

The Majority Leader moved to adjourn at 2:31 p.m., thereby ending the current legislative day. The House reconvened at 2:32 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Cloutier, Petrilli - 2.

A prayer was offered by Reverend Tony Maczynski, Staff Member.

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

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

The following prefiled legislation was introduced:

HB 582 - DILIBERTO, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, PETRILLI, PLANT, PRICE, SCHROEDER, SCOTT, SMITH, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS, SPENCE; SENATORS BUNTING, BONINI, MCDOWELL, SOKOLA, VENABLES, VOSHELL - H/ADM: An Act Proposing an Amendment to Article III, § 10 of the Delaware Constitution of 1897, as Amended, Relating to a Residency Requirement for the Secretary of State. (2/3 bill)

HB 583 - WEST, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DAVIS, DIPINTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MARONEY, PETRILLI, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, SMITH, VANSANT, WELCH, WILLIAMS, SPENCE; SENATORS BUNTING, MARSHALL, VENABLES, VOSHELL - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to the Hunting of Snow Geese.

HB 584 - WEST, BUCKWORTH, CAPANO, CAREY, EWING, KEELEY, PETRILLI, PLANT, SCHROEDER, SCOTT, WILLIAMS, SPENCE; SENATORS BUNTING, MARSHALL, VENABLES - AG: An Act Authorizing the Payment of Compensation to Delaware Farmers for Loss or Destruction of Crops Due to Snow Geese. (3/4 bill)

HB 585 - WEST & PRICE & SENATOR BUNTING; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CLOUTIER, CATHCART, CAULK, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, MACK, PLANT, REYNOLDS, SCHROEDER, SCOTT, VANSANT,

WAGNER, WILLIAMS - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Jury Service.

HCR 62 - SCHROEDER & PRICE & CAREY & SENATORS BUNTING & VOSHELL - NAT RES: Creating a Task Force for Purposes of Identifying and Evaluating Economically Efficient and Environmentally Prudent Approaches to Replenishing the Eroding Beaches Along Delaware's Coastline.

HA 1 to HB 293 - WEST - AGENDA: Placed with the bill.

HA 1 to HB 527 - WELCH - READY LIST: Placed with the bill.

HA 2 to HB 550 - PRICE - READY LIST: Placed with the bill.

SB 209 - AMICK & REPRESENTATIVE BOULDEN - BUS/CORP/COM: An Act to Amend Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

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

Representative Ewing made comments.

Representatives Williams & Reynolds requested that they be marked present.

The Majority Leader moved to recess for committee meetings at 2:40 p.m.

The House reconvened at 5:22 p.m. with Representative Oberle as Acting Speaker.

Representatives Spence, Buckworth, Mack, Roy, Cathcart, DiPinto, Lofink, VanSant, Brady & Boulden requested that they be marked present.

The following prefiled Consent Calendar #15 was introduced:

HR 60 - SMITH - Memorializing the Passing of Marvin S. Gilman, Business Leader and Humanitarian.

HCR 63 - ROY & SENATOR SOKOLA - Endorsing the Delaware Parent Teacher Association and Its May 1-2, 1998 Convention and Urging Community Involvement Therein.

HCR 65 - REYNOLDS ON BEHALF OF ALL REPRESENTATIVES; SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Recognizing Delaware Technical and Community College in Celebrating National Community College Month.

HCR 66 - REYNOLDS & SENATOR SOKOLA ON BEHALF OF ALL REPRESENTATIVES AND SENATORS - Recognizing National Teacher Day, May 5, 1998, and Commending Delaware Teachers for Their Dedication in Performing the Significant Role of Educating Generations of Delawareans.

HCR 67 - ROY, WAGNER & WEST & SENATORS STILL, SOKOLA & BUNTING ON BEHALF OF ALL REPRESENTATIVES AND SENATORS - Commending the Recipients and Nominees of the 1998 Delaware Award for Excellence and Commitment in State Service.

SCR 59 - SORENSON & REPRESENTATIVE CAPANO; SENATORS BAIR, BLEVINS, COOK, HENRY, MCDOWELL ON BEHALF OF ALL SENATORS; REPRESENTATIVES CLOUTIER, PLANT, ROY, WILLIAMS ON BEHALF OF ALL REPRESENTATIVES - Commending the Deserving Recipients of the 1998 Governor's Award for the Arts.

SCR 62 - CONNOR & VOSHELL ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES - Recognizing the Week of April 20 Through April 24, 1998, as Professional Secretaries' Week in Delaware, and Paying Tribute to These Invaluable Heroes of the Workplace.

Representative Smith moved to place Consent Calendar #15 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative B. Ennis requested that he be marked present.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker reassigned HB 487 to the Revenue & Finance Committee.

Representative Welch introduced HB 589.

HB 589 - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance for Per Diem and Contractual Employees of the Delaware General Assembly.

Mr. Speaker assigned HB 589 to the Appropriations Committee.

Representative Smith moved to lift Consent Calendar #15 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith brought Consent Calendar #15 before the House for consideration.

HR 60 - SMITH - Memorializing the Passing of Marvin S. Gilman, Business Leader and Humanitarian.

HCR 63 - ROY & SENATOR SOKOLA - Endorsing the Delaware Parent Teacher Association and Its May 1-2, 1998 Convention and Urging Community Involvement Therein.

HCR 65 - REYNOLDS ON BEHALF OF ALL REPRESENTATIVES; SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Recognizing Delaware Technical and Community College in Celebrating National Community College Month.

HCR 66 - REYNOLDS & SENATOR SOKOLA ON BEHALF OF ALL REPRESENTATIVES AND SENATORS - Recognizing National Teacher Day, May 5, 1998, and Commending Delaware Teachers for Their Dedication in Performing the Significant Role of Educating Generations of Delawareans.

HCR 67 - ROY, WAGNER & WEST & SENATORS STILL, SOKOLA & BUNTING ON BEHALF OF ALL REPRESENTATIVES AND SENATORS - Commending the Recipients and Nominees of the 1998 Delaware Award for Excellence and Commitment in State Service.

SCR 59 - SORENSON & REPRESENTATIVE CAPANO; SENATORS BAIR, BLEVINS, COOK, HENRY, MCDOWELL ON BEHALF OF ALL SENATORS; REPRESENTATIVES CLOUTIER, PLANT, ROY, WILLIAMS ON BEHALF OF ALL REPRESENTATIVES - Commending the Deserving Recipients of the 1998 Governor's Award for the Arts.

SCR 62 - CONNOR & VOSHELL ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES - Recognizing the Week of April 20 Through April 24, 1998, as Professional Secretaries' Week in Delaware, and Paying Tribute to These Invaluable Heroes of the Workplace.

Representative Roy introduced HCR 64, jointly sponsored by Senator Sokola.

HCR 64 - Requesting the Department of Transportation and the Wilmington Metropolitan Planning Authority Schedule Public Meetings and Workshops on Dates When the General Assembly is Not in Session.

HCR 64 was placed on Consent Calendar #15.

Consent Calendar #15 was adopted by voice vote and HCR 63, HCR 64, HCR 65, HCR 66 & HCR 67 were sent to the Senate for concurrence and SCR 59 & SCR 62 were returned to the Senate.

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

R & F: HB 485 - 3F,5M; HB 500 - 5F,1M; HB 539 - 6F.

P/S: HB 494 - 5M; HB 571 - 5M; HB 573 - 5M; SB 293 w/SA 1 - 5M; SB 298 - 5M; SCR 54 - 5M.

JUD: HS 1/HB 432 - 5M; HB 498 - 5M,1U; HB 509 - 6M; HB 548 - 6M; HB 563 - 5M; HB 565 - 6M; HB 568 - 6M; HB 574 - 6M.

H/ADM: HB 460 - 3F; HB 545 - 2F,1M.

APPRO: HB 549 - 4F,1U; HS 1/HB 395 - 1F,5M; SB 226 - 6M.

LABOR: HB 552 - 5M; SB 242 - 5M; SB 243 - 5M; SB 244 - 5M; SB 245 - 5M.

JUD: HS 1/HB 441 - 5M; SB 289 - 5M.

Mr. Speaker assigned HB 569, HS 1 for HB 432, HS 1 to HB 441, HB 485 & HB 509 to the Appropriations Committee.

The Chief Clerk read the following communication into the record:

TO: Chief Clerk Joanne Hedrick  
FROM: Representative Philip Cloutier  
DATE: April 29, 1998  
MEMORANDUM RE: Absence for Session

I will be absent from Legislative Session on Wednesday, April 29 and Thursday, April 30, 1997.

Thank you.

PDC/cms

cc: Speaker Spence

Representative Gilligan requested that he be marked present.

The Majority Leader moved to recess to the call of the Chair at 5:33 p.m.

24th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
April 30, 1998

Mr. Speaker Spence called the House to order at 2:25 p.m.

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

HEALTH & HUM DEV: SB 173 - 1F,5M; SB 286 - 5M.

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

The Majority Leader moved to adjourn at 2:26 p.m., thereby ending the current legislative day. The House reconvened at 2:27 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Cloutier - 1.

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

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

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

The following prefiled legislation was introduced:

HB 579 - SPENCE & OBERLE & BUCKWORTH & SENATOR SHARP; REPRESENTATIVES SMITH, WELCH, CAPANO, CAREY, DAVIS, DIPINTO, LEE, MAIER, ROY, STONE, ULBRICH, WAGNER, BRADY, B. ENNIS, GILLIGAN, VANSANT, HOUGHTON, KEELEY, PRICE, SCHROEDER, WEST; SENATORS BAIR, AMICK, BONINI, CONNOR, SORENSON, STILL - ED: An Act to Amend Title 14 of the Delaware Code Relating to Reporting of School Crimes.

HB 586 - GILLIGAN, BUCKWORTH, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, KEELEY, PLANT, QUILLEN, ULBRICH, VANSANT, WAGNER, WILLIAMS, SPENCE; SENATOR VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Penalties for Failure to Obtain Business Licenses. (3/5 bill)

HB 587 - DAVIS & ULBRICH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, EWING, FALLON, LEE, MACK, MAIER, REYNOLDS - ED: An Act to Amend Title 14 of the Delaware Code Relating to Student Proficiency in Core Curriculum Areas.

HB 590 - WAGNER - ED: An Act to Amend Title 14 of the Delaware Code Relating to Expenditures of Division II Appropriations.

HA 1 to HB 460 - BRADY - READY LIST: Placed with the bill.

HA 1 to HB 534 - WELCH - READY LIST: Placed with the bill.

HA 1 to HB 575 - WAGNER - ED: Placed with the bill.

HA 1 to HA 10 to SB 185 - AGENDA: Placed with the bill.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 588. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Roy introduced and brought HB 588, jointly sponsored by Representative Wagner & Senators Blevins & Sharp, before the House for consideration.

HB 588 - An Act to Amend to Authorize and Approve the Transfer of Certain Real Property in the City of Wilmington. (3/4 bill)

Representative Welch requested that he be marked present.

Representative Roy moved to place HB 588 on the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

Representatives Williams & Fallon requested that they be marked present.

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

Representative DiPinto requested that he be marked present.

Mr. Speaker reassigned HB 589 to the House Administration Committee.

Representative B. Ennis requested that he be marked present.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #134

DATE: April 30, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1784	Boulden	4/23/98 T		Dorothy Miller/Pioneers of Preservation Award Recipient
H139-1785	B. Ennis	4/19/98 T		20th Century Club/Smyrna/Centennial Celebration
H139-1786	Welch	4/18/98 T		Anthony & Jacqueline Suvie/Renewal of Wedding Vows/45 Years
H139-1787	Quillen	4/18/98	T	Roland Neeman/50 Years Service/Felton Community Fire Co., Inc.
H139-1788	Carey & Fallon	4/24/98	T	Jack Owens/ Induction/DelTech
H139-1789	West	5/08/98	T	Employee Hall of Fame/William Carter/Earning Ph.D./Government & Education
H139-1790	VanSant	4/03/98	T	M. Ann & James Ammerman/50th Wedding Anniversary
H139-1791	Houghton	4/17/98	T	Helen & Charles Surowiec/50th Wedding Anniversary
H139-1792	Capano	4/07/98	M	Marvin S. Gilman
H139-1793	Capano	4/10/98	T	Marie & Michael Marcocci, Sr./50th Wedding Anniversary
H139-1794	Quillen	4/30/98	T	Frank Melvin/Chief of Police/Harrington/Retirement/10 Years
H139-1795	Williams	4/19/98	M	Lillian L. Jackson

#### HOUSE TRIBUTE ANNOUNCEMENT #135

DATE: April 30, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1796	Spence	4/24/98	T	John Naudain/Search Effort and Discovery of Missing Ingleside Care Center Patient
H139-1797	Ewing	4/24/98	T	Jack Lewis/Recipient of Arts & Humanities Lifetime Achievement Award
	cosponsors: Carey, Schroeder, Price Fallon, Lee, West			
H139-1798	Roy	4/10/98	T	Virginia & Harlan Virtue/50th Wedding Anniversary
H139-1799	Fallon	5/30/98	T	Pastor William Ross/Valued Service to Congregation and Community
H139-1800	Fallon	4/08/98	M	Elsie Beatrice Messick Short
H139-1801	Wagner	4/21/98	M	George P. Durney
H139-1802	Stone	4/26/98	T	Marvin Bachrad/Induction into Harness Tracks of America Hall of Fame
H139-1803	Wagner	4/30/98	T	John Reardon/Retirement/31 Years/State
H139-1804	Oberle	6/14/97	T	Filipino Heritage & Arts Museum/First Annual Filipino-American Youth Conference
H139-1805	Lofink	4/11/98	T	Samuel F. Hayden/Birth
	cosponsors: All Representatives			
H139-1806	Roy	4/28/98	T	John Fry/State Winner/10th Annual Delaware Geography Bee
H139-1807	Fallon	4/28/98	T	Johnny Nichols/Seaford Hawks/Induction Into Eastern Shore Baseball Hall of Fame
H139-1808	Fallon	4/28/98	T	Ira Barnes/Seaford Hawks/Induction Into Eastern Shore Baseball Hall of Fame

T - Tribute

M - Memoriam

Representative Smith made an announcement.

Representative Buckworth requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:38 p.m.

Representatives Mack, Boulden & Capano requested that they be marked present.

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

HEALTH & HUM DEV: HB 558 - 6M; HB 559 - 6M.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift HB 588 from the Speaker's table. The motion was seconded by

Representative Petrilli and adopted by voice vote.

Representative Roy brought HB 588, jointly sponsored by Representative Wagner & Senators Blevins & Sharp, before the House for consideration.

HB 588 - An Act to Amend to Authorize and Approve the Transfer of Certain Real Property in the City of Wilmington. (3/4 bill)

Representatives Roy, Gilligan, Roy & Houghton made comments.

The roll call on HB 588 was taken and revealed:

YES: 36.

NOT VOTING: Representatives Brady, Caulk - 2.

ABSENT: Representatives Cloutier, D. Ennis, Reynolds - 3.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 588 was sent to the Senate for concurrence.

Representatives Brady, Lee, Schroeder, Stone & West requested that they be marked present during the roll call.

Representative Smith made an announcement.

Representative Smith deferred to Representative Cathcart.

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

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 156 w/HA 2 w/HA 1, HA 3, 4 & 6 & SA 1, jointly sponsored by Representative Maier & Senator Blevins & Representatives Spence, Buckworth, Reynolds, Gilligan, Banning, DiLiberto, B. Ennis, Plant & Price & Senators McDowell, Henry, Bair & Sorenson, before the House for concurrence on SA 1.

HB 156 - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance. (F/N)

Representatives Maroney, Brady, DiPinto, Speaker Spence & Maroney made comments.

The roll call on HB 156 w/HA 2 w/HA 1, HA 3, 4 & 6 & SA 1 was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 156 w/HA 2 w/HA 1, HA 3, 4 & 6 & SA 1 was sent to the Governor.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 288 w/SA 1 & 2, sponsored by Senator Sokola & Representative Maier & Senators Blevins, Bunting, Marshall, Sharp, Voshell, Connor, Hauge, Reed, Sorenson & Still & Representatives Davis, Gilligan, Roy & Spence, before the House for consideration.

SB 288 - An Act to Amend Title 21 of the Delaware Code Relating to Drivers Licenses and Motorcycle Licenses. (2/3 bill) (F/N)

Representative Carey brought HA 1 to SB 288, jointly sponsored by Representative Capano, before the House for consideration.

Representatives Carey, Gilligan, Carey, Oberle, West & Maier made comments.

HA 1 was defeated by voice vote.

Representative Ewing deferred to Representative Maier.

Representative Maier deferred to Representative Cathcart.

Representative Cathcart introduced and brought HA 2 to SB 288 before the House for consideration.

Representatives Cathcart, Oberle, Cathcart, Oberle, Davis, Cathcart, Oberle, Davis, Cathcart, Oberle, Carey, Cathcart & Maier made comments.

HA 2 was defeated by voice vote.

Representative Maier introduced and brought HA 3 to SB 288, jointly sponsored by Representative Spence, before the House for consideration.

Representatives Maier, Gilligan, D. Ennis & Ulbrich made comments.

HA 3 was adopted by voice vote.

Representative Maier deferred to Representative Schroeder.

Representative Schroeder introduced and brought HA 4 to SB 288, jointly sponsored by Representative Gilligan, before the House for consideration.

Representatives Schroeder, Lee, Davis, Schroeder, Gilligan, Davis, Keeley & Maier made comments.

HA 4 was adopted by voice vote.

Representatives Capano, Caulk, Maier, Caulk & Maier made comments.

Representative Maier requested and was granted the privilege of the floor for Trish Roberts, Director, State Office of Highway Safety.

Representatives Caulk, Lee, Brady, Maier, Carey & Oberle made comments.

Representative Reynolds requested that he be marked present.

Representative Wagner made comments.

Representative Maier requested and was granted the privilege of the floor for Art Ericson, Chief of Driver Services, Division of Motor Vehicles.

Representatives Wagner, Ewing, Caulk & Davis made comments.

Mr. Speaker Spence granted the privilege of the floor to Jamie Tobin, Senior at William Penn High School.

Representatives Gilligan, Reynolds, Speaker Spence & Maier made comments.

Representative Maier requested and was granted the privilege of the floor for Susan Vavala, parent of fatal auto accident victim.

The roll call on SB 288 w/SA 1 & 2 & HA 3 & 4 was taken and revealed:

YES: 37.

NOT VOTING: Representatives Carey, Caulk, B. Ennis - 3.

ABSENT: Representative Cloutier - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 288 w/SA 1 & 2 & HA 3 & 4 was returned to the Senate for concurrence on HA 3 & 4.

Representative Smith made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Scott requested that HB 413 & HB 493 be stricken.

Representative Wagner brought HB 520, jointly sponsored by Senator Blevins & Representatives Smith, Capano, DiPinto, Maier, Petrilli, Stone, Ulbrich, Gilligan, VanSant, Brady, DiLiberto, Houghton, Keeley, Plant, Schroeder, Scott, West & Williams & Senators Cook & McDowell, before the House for consideration.

HB 520 - An Act to Amend Title 24 of the Delaware Code Relating to Nonresident Pharmacies.

Representative Wagner introduced and brought HA 1 to HB 520 before the House for consideration.

Representatives Wagner, Davis & Wagner made comments.

HA 1 was adopted by voice vote.

Representatives D. Ennis & Wagner made comments.

The roll call on HB 520 w/HA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Capano, Cloutier, DiPinto, Maroney, Roy - 5.

Therefore, having received a constitutional majority, HB 520 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 547, jointly sponsored by Representative Spence & Senator Sharp & Representatives Smith, Welch, Boulden, Buckworth, Capano, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Reynolds, Stone, Ulbrich, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, West & Williams, before the House for consideration.

HB 547 - An Act to Amend Title 13, Delaware Code, Relating to Marriage Licenses.

Representative Wagner made comments.

The roll call on HB 547 was taken and revealed:

YES: 34.

ABSENT: Representatives Capano, Cloutier, DiPinto, B. Ennis, Gilligan, Maroney, Roy - 7.

Therefore, having received a constitutional majority, HB 547 was sent to the Senate for concurrence. The Majority Leader moved to recess to the call of the Chair at 6:13 p.m.

25th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
May 5, 1998

Mr. Speaker Spence called the House to order at 2:20 p.m.

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

AG: HB 512 - 5M; HB 537 - 5M; HB 584 - 4M,1U.

Representative Buckworth introduced HB 580, jointly sponsored by Representative Maroney & Senator McBride & Representatives Spence, Carey, Cloutier, Ewing, Oberle, Lee & DiLiberto & Senators McDowell, Blevins, Bair & Bonini.

HB 580 - An Act to Amend Titles 16 and 21, Delaware Code, Relating to Organ and Tissue Procurement, also to be Known as the Gift of Life Initiative, and Creating a Voluntary Organ and Tissue Awareness Trust Fund.

Mr. Speaker assigned HB 580 to the Health & Human Development Committee.

Representative Buckworth made an announcement.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HS 1 for HB 570 - ROY & PETRILLI & SENATOR ADAMS; REPRESENTATIVES CAPANO, CAREY, MACK, STONE, B. ENNIS, SCHROEDER; SENATORS VAUGHN, VOSHALL, VENABLES, CONNOR, STILL - BUS/CORP/COM: An Act Amending the Provisions of Titles 22 and 26 of the Delaware Code Relating to the Restructuring and Regulation of Public Utilities Supplying Electricity to Retail Customers in the State.

HB 591 - CAPANO & SENATOR VOSHALL; REPRESENTATIVES CAREY, CATHCART, DIPINTO, FALLON, LEE, LOFINK, ROY, STONE, ULBRICH; SENATORS BAIR, AMICK, SORENSON - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Delaware Tax Credits.

HB 592 - PRICE & SENATOR VOSHALL; REPRESENTATIVES B. ENNIS, EWING, FALLON, GILLIGAN, MAIER, PLANT, SCHROEDER, VANSANT, WEST - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

HB 593 - EWING, CATHCART, D. ENNIS; SENATORS ADAMS, VAUGHN - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for the Chief Clerk of the House of Representatives and the Secretary of the Senate.

**HB 594** - CAULK, CAREY, MACK, QUILLEN, PRICE, SCHROEDER, WEST; SENATORS ADAMS, BUNTING, COOK, VENABLES, REED, STILL - AG: An Act to Amend Title 7 of the Delaware Code Relating to Forestry and Establishing an Urban and Community Forestry Program.

**HA 1 to HB 429** - ULBRICH - AGENDA: Placed with the bill.

**HA 1 to HB 494** - OBERLE - AGENDA: Placed with the bill.

**HA 1 to HB 502** - CAPANO - R & F: Placed with the bill.

**HA 1 to HB 521** - DAVIS - AGENDA: Placed with the bill.

**SB 141** - VAUGHN; REPRESENTATIVE LEE - JUD: An Act to Amend Chapter 88, Title 10 of the Delaware Code Relating to In Forma Pauperis Actions.

**SB 319** - ADAMS & REPRESENTATIVE EWING - H/ADM: An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", by Repealing a Provision Relating to Special Elections Upon the Death or Resignation of a Town Commissioner. (2/3 bill)

**SB 323** - VENABLES & REPRESENTATIVE LEE - H/ADM: An Act to Amend Chapter 288, Volume 64 Laws of Delaware as Amended, the Charter of the Town of Laurel, With Regard to the Procedures and Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness, Notes, Bonds or Other Obligations. (2/3 bill)

**SB 324** - VENABLES & REPRESENTATIVE LEE - H/ADM: An Act to Amend Chapter 137, Volume 61 Laws of Delaware, as Amended, the Charter of the Town of Delmar, as Amended, With Regard to the Procedures and Limits for Authorizing General Obligation Bonds. (2/3 bill)

**HA 1 to SB 226** - CAPANO - AGENDA: Placed with the bill.

Representative Petrilli introduced **HB 596**, jointly sponsored by Representative Price & Senators Bunting & Sokola.

**HB 596** - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Mr. Speaker assigned **HB 596** to the Business/Corporations/Commerce Committee.

Representatives Petrilli & Fallon made announcements.

Representative Gilligan requested and was granted personal privilege of the floor to make a comment.

Representatives Roy & Capano requested that they be marked present.

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

Representatives Williams & Schroeder requested that they be marked present.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 63, SCR 65, SCR 66, HCR 63, HCR 66, HCR 67, SB 141, SB 319, SB 323 & SB 324.

The Majority Leader moved to recess for caucus at 2:33 p.m.

The House reconvened at 4:40 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 283, SB 308 w/SA 1 & SB 317 w/SA 1.

Representative Mack requested that he be marked present.

Representative Smith deferred to Representative Price.

Representative Price requested that **HB 550** be stricken.

Representative Smith moved to lift the 2/3 Consent Agenda from the Speaker's table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Smith brought the 2/3 Consent Agenda before the House for consideration.

**SB 253** - ADAMS; REPRESENTATIVE WEST - An Act to Amend an Act, Being Chapter 276, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Indebtedness Limitation of the Town Council of the Town of Georgetown. (2/3 bill)

**SB 278** - ADAMS; REPRESENTATIVE EWING - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Change the Date Upon Which the Annual Budget Should be Submitted. (2/3 bill)

**SB 285** - VOSHELL; REPRESENTATIVE QUILLEN - 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 Contracts, Meetings and Elections. (2/3 bill)

Representative Smith made a comment.

Representatives Brady, Lofink Boulden & D. Ennis requested that they be marked present.

The roll call on the 2/3 Consent Agenda was taken and revealed:

YES: 38.

ABSENT: Representatives B. Ennis, Mack, Oberle - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 253, SB 278 & SB 285 was returned to the Senate.

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

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 521, jointly sponsored by Representative Scott & Senators Blevins & Bair & Representatives Boulden, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Reynolds, Roy, Stone, Wagner, Gilligan, VanSant, Brady, Houghton, Keeley, Plant, Schroeder, Scott, West & Williams & Senators Amick, Bonini, Reed, Sorenson & Still, before the House for consideration.

HB 521 - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances. (2/3 bill)

Representative Spence deferred to Representative Davis.

Representative Davis brought HA 1 to HB 521 before the House for consideration.

Representatives Davis, Spence & Ewing made comments.

HA 1 was adopted by voice vote.

Representatives Spence & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Rhoslyn L. Bishoff.

Representative Keeley made comments.

The roll call on HB 521 w/HA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Maroney - 1.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 521 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought HB 427, jointly sponsored by Representatives Spence, Smith, Capano, Buckworth, Mack, Maier, DiPinto, Price, Roy, Brady & VanSant & Senators Blevins & Sorenson, before the House for consideration.

HB 427 - An Act to Amend Title 16 of the Delaware Code Relating to Water Utilities, Water Systems, Water Quality, Penalties, and Enforcement. (F/N)

Representative Price introduced and brought HA 1 to HB 427 before the House for consideration.

Representative Price made a comment.

HA 1 was adopted by voice vote.

Representatives Cathcart & West made comments.

The roll call on HB 427 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 427 w/HA 1 was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 543, jointly sponsored by Representatives Roy, Boulden, Brady, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lofink, Maier, Maroney, Oberle, Price, Schroeder, Scott, Ulbrich, VanSant, Wagner, Welch, West, Williams & Spence & Senators Bonini & Still, before the House for consideration.

HB 543 - An Act to Amend Title 11 of the Delaware Code Relating to Public Notice of Tier Three Sex Offenders. (F/N)

Representative DiLiberto made comments.

The roll call on HB 543 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 543 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Plant.

Representative Plant moved to lift HB 360 from the Speaker's table. The motion was seconded by Representative DiLiberto and adopted by voice vote.

Representative Plant brought HB 360 before the House for consideration.

HB 360 - An Act to Amend Title 4 of the Delaware Code Relating to the Sale of Alcoholic Liquors.

Representative Plant requested that HA 1 to HB 360 be stricken.

Representative Plant introduced and brought HA 2 to HB 360, jointly sponsored by Representatives Scott & Petrilli, before the House for consideration.

Representatives Plant & Davis made comments.

Representative Plant requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representative Davis made comments.

HA 2 was adopted by voice vote.

Representatives Plant, Davis, Maier & Plant made comments.

Representative Maier requested and was granted the privilege of the floor for David Thomas representing the Department of Public Safety.

Representatives Maier, Oberle, Petrilli, Scott, Stone, Plant, Stone, Plant, Petrilli, Stone, Scott & Ulbrich.

Representative Plant requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Ulbrich, VanSant, Petrilli, VanSant & Scott made comments.

The roll call on HB 360 w/HA 2 was taken and revealed:

YES: 27.

NO: Representatives Caulk, Cloutier, Davis, Maier, Quillen, Ulbrich, VanSant, Mr. Acting Speaker Welch - 8.

NOT VOTING: Representatives Brady, DiLiberto, B. Ennis - 3.

ABSENT: Representatives Capano, Mack, Roy - 3.

Therefore, having received a constitutional majority, HB 360 w/HA 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 429, jointly sponsored by Senator Blevins Representatives Capano, Maier, Keeley & Price & Senators Bunting, Sokola, Reed & Still, before the House for consideration.

HB 429 - An Act to Amend Chapter 20, Title 24 of the Delaware Code Relating to Occupational Therapy. (2/3 bill)

Mr. Speaker Spence resumed the Chair.

Representative Ulbrich brought HA 1 to HB 429 before the House for consideration.

Representatives Ulbrich & DiPinto made comments.

HA 1 was adopted by voice vote.

Representative Ulbrich made a comment.

The roll call on HB 429 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Petrilli - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 429 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 226 w/SA 1,2,3,4 & 5, jointly sponsored by Senators Blevins, Sorenson, Bunting, Cook, Henry, Marshall, Sokola, Voshell, Bair, Connor & Reed & Representatives Ewing, Maier, Oberle, Spence, Stone, Wagner, DiLiberto, Gilligan, Keeley & Price, before the House for consideration.

SB 226 - An Act to Amend Titles 10, 11, and 13 of the Delaware Code Relating to Certain Crimes.

(F/N)

Representative Capano brought HA 1 to SB 226 before the House for consideration.

Representative Capano requested that HA 1 be stricken.

Representative Capano introduced and brought HA 2 to SB 226 before the House for consideration.

Representative Capano made a comment.

HA 2 was adopted by voice vote.

Representative Capano made comments.

The roll call on SB 226 w/SA 1,2,3,4 & 5 & HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, SB 226 w/SA 1,2,3,4 & 5 & HA 2 was returned to the Senate for concurrence on HA 2.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 373, jointly sponsored by Senator Bunting & cosponsored by Representative Fallon, before the House for consideration.

HB 373 - An Act to Amend Title 30 of the Delaware Code Relating to Collection of Debts Owed to Certain State Agencies.

Representative Ulbrich made a comment.

The roll call on HB 373 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Mack - 2.

Therefore, having received a constitutional majority, HB 373 was sent to the Senate for concurrence. Representative Smith deferred to Representative Davis.

Representative Davis brought HB 516, jointly sponsored by Senator Henry, before the House for consideration.

HB 516 - An Act to Amend Title 21 of the Delaware Code Relating to the Rules of the Road. Representative Davis made comments.

Mr. Speaker Spence declared a recess to repair the tape recorder at 5:55 p.m.

The House reconvened at 5:57 p.m.

Representatives Davis & Gilligan made comments.

The roll call on HB 516 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, D. Ennis, Mack - 3.

Therefore, having received a constitutional majority, HB 516 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 293, jointly sponsored by Representatives Banning, Buckworth, Brady, B. Ennis, Caulk, Lofink, Plant, Reynolds, Scott, Spence, VanSant, Welch & Williams, before the House for consideration.

HB 293 - An Act to Amend Title 3 of the Delaware Code Relating to the Acquisition of Agricultural Lands Preservation Easements.

Representative West brought HA 1 to HB 293 before the House for consideration. HA 1 was adopted by voice vote.

Representative Caulk introduced and brought HA 2 to HB 293, jointly sponsored by Representatives Carey & Lee, before the House for consideration.

Representatives Caulk & Price made comments.

HA 2 was adopted by voice vote.

The roll call on HB 293 w/HA 1 & 2 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, D. Ennis, Mack - 3.

Therefore, having received a constitutional majority, HB 293 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 494, jointly sponsored by Representative Roy & Senators Voshell & Sharp, before the House for consideration.

HB 494 - An Act to Amend Title 21, Delaware Code Relating to Street Rods. (2/3 bill)

Representative Oberle brought HA 1 to HB 494 before the House for consideration. Representative Oberle made a comment. HA 1 was adopted by voice vote.

Representatives Oberle & B. Ennis made comments.

The roll call on HB 494 w/HA 1 was taken and revealed:

YES: 36.

NO: Representative Reynolds - 1.

ABSENT: Representatives DiPinto, D. Ennis, Mack, Quillen - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 494 w/HA 1 was sent to the Senate for concurrence.

Representative Maier requested that HB 481 be stricken.

Representative Reynolds made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

26th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
May 6, 1998

Mr. Speaker Spence called the House to order at 2:15 p.m.

Mr. Speaker assigned HB 306 to the Judiciary Committee.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative DiLiberto - 1.

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

Carrie Aiken, Miss Delaware National Teen, led those present in a pledge of allegiance to the American Flag.

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

Representative Maier introduced guests.

The following prefiled legislation was introduced:

HB 595 - SCOTT & SENATOR MARSHALL; REPRESENTATIVES DIPINTO, KEELEY, PLANT; SENATOR HENRY - BUS/CORP/COM: An Act to Amend Chapter 9 of Title 26 Relating to Public Utilities.

HB 597 - WELCH, SPENCE & SMITH; SENATORS MCDOWELL & VENABLES - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Child Labor.

HB 598 - WELCH, SPENCE & SMITH; SENATORS MCDOWELL & VENABLES - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Interference With the Department of Labor in Its Duty to Uphold Child Labor Laws.

HB 600 - WELCH, SPENCE & SMITH; SENATORS MCDOWELL & VENABLES - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Discharging or Discriminating Against an Employee.

HB 601 - ROY & SENATORS SOKOLA & AMICK - BUS/CORP/COM: An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Beverage Licensing.

HB 602 - CAREY & WELCH; SENATORS VOSHELL & AMICK - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

HA 1 to HB 397 - SPENCE; SENATOR VOSHELL - LAND USE & INFRA: Placed with the bill.

HA 1 to HS 1 for HB 504 - PRICE & QUILLEN - AGENDA: Placed with the bill.

HA 2 to HB 549 - WILLIAMS - READY LIST: Placed with the bill.

HA 1 to HB 561 - SCOTT - LABOR: Placed with the bill.

HA 1 to HB 571 - EWING - READY LIST: Placed with the bill.

HR 62 - WELCH - RULES: Placed with the bill.

SB 283 - SHARP - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to a Registered Nurse's Authority to Make a Pronouncement of Death.

SB 308 w/SA 1 - SHARP - JUD: An Act to Amend Chapter 38, Title 12 of the Delaware Code Relating to Business Trusts. (3/5 bill)

SB 317 w/SA 1 - HENRY & REPRESENTATIVE EWING - P/S: An Act to Amend Title 21, of the Delaware Code Relating to Liens on Motor Vehicles.

HA 1 to SB 244 - WELCH - READY LIST: Placed with the bill.

HA 1 to SB 298 - EWING - READY LIST: Placed with the bill.

Representatives Maier, Smith, Maroney, D. Ennis, DiPinto, Fallon & Spence made comments.

Representative Gilligan requested that he be marked present.

Representative Gilligan requested and was granted the privilege of the floor to make comments.

Representative Ewing made comments.

Representative Capano requested that she be marked present.

Representatives Capano & Gilligan made comments.

Representatives Davis, Plant & Scott requested that they be marked present.

Representative Scott made comments.

Representatives Boulden & Houghton requested that they be marked present.

Representative Ulbrich made comments.

Representative Wagner requested and was granted personal privilege of the floor to make comments.

Representative Wagner presented flowers to Representative Jane Maroney who had announced her retirement.

Representative Smith deferred to Representative Stone.

Representative Stone requested and was granted the privilege of the floor for Patricia Rodriguez representing American Mothers, Inc., Delaware Chapter and Bethel Chang, 1998 Mother of the Year.

Representative Stone presented a House Tribute to Bethel Chang.

Representative Stone requested and was granted the privilege of the floor for Pamela Denham, 1998 Delaware Mother of Young Children.

Representative Wagner presented a House Tribute to Pamela Denham.

Representative Stone presented House Tributes to Rotary Group Study Exchange Team Members from Argentina.

Representative D. Ennis made comments.

Representative Oberle requested that he be marked present.

Representative Williams requested and was granted personal privilege of the floor to make comments.

Representatives Carey & Cathcart requested that they be marked present.

The Majority Leader moved to recess for committee meetings at 2:55 p.m.

The House reconvened at 4:45 p.m.

Mr. Speaker assigned HB 66 to the House Administration Committee.

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

Mr. Speaker Spence & Representative Ewing made comments.

Representatives VanSant, Brady & Mack requested that they be marked present.

The following prefiled Consent Calendar #16 was introduced:

HR 61 - BUCKWORTH & EWING - Recognizing Thursday, May 7, 1998 as the 47th Annual National Day of Prayer in Delaware.

HR 63 - SPENCE, SMITH, WELCH, GILLIGAN, VANSANT ON BEHALF OF ALL REPRESENTATIVES - Recognizing and Honoring All Mothers in Delaware.

HCR 68 - REYNOLDS & SENATOR SOKOLA - Commending the Students Selected as the Secretary of Education's Scholars of 1998.

HCR 69 - EWING & SENATOR VENABLES; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAULK, DAVIS, FALLON, LEE, LOFINK, BRADY, B. ENNIS, PLANT, PRICE, WEST - Recognizing and Memorializing the Ten Commandments as the Moral Underpinning of Our State Government, Its Law and Our Authority as Representatives of the People of Delaware.

HCR 70 - B. ENNIS & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, CAREY, D. ENNIS, EWING, OBERLE, QUILLEN, HOUGHTON, WEST; SENATORS MCDOWELL, SOKOLA, AMICK, CONNOR, REED - Proclaiming the Month of May 1998 as "Motorcycle Awareness Month" and Requesting the Governor to Issue a Proclamation Declaring Same.

SCR 63 - SHARP, BLEVINS, COOK, MARSHALL, MCDOWELL, VENABLES, VOSHELL, BAIR & BONINI; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, DAVIS, DIPINTO, EWING, FALLON, LOFINK, MARONEY, PETRILLI, QUILLEN, REYNOLDS, GILLIGAN, B. ENNIS, PLANT, SCHROEDER, SCOTT, VANSANT, WEST & WILLIAMS - Reaffirming Delaware's Commitment to Managing and Providing Renewable Recreation, With Significant Economic Benefits, Through Sport Hunting and Fishing.

SCR 65 - SOKOLA ON BEHALF OF ALL SENATORS AND REPRESENTATIVE REYNOLDS ON BEHALF OF ALL REPRESENTATIVES - Recognizing Delaware Technical and Community College in Celebrating National Community College Month.

SCR 66 - MCBRIDE & BONINI ON BEHALF OF ALL SENATORS AND REPRESENTATIVE BUCKWORTH ON BEHALF OF ALL REPRESENTATIVES - Commending Bertha Pusey of the Domestic Advocacy Center, Worthy Recipient of the 1998 Outstanding Volunteer Award for Victims' Rights Week.

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

Consent Calendar #16 was adopted by voice vote and HCR 68, HCR 69 & HCR 70 were sent to the Senate for concurrence and SCR 63, SCR 65 & SCR 66 were returned to the Senate.

Representative Smith deferred to Representative Mack.

Representatives Mack & Petrilli made announcements.

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

JUD: HB 577 - 5M; HB 585 - 5M.

HOUSING & COM AFF: HB 468 - 6M; SB 297 - 7M.

NAT RES: HB 583 - 4M; HCR 62 - 4M.

H/ADM: SB 319 - 3M; SB 323 - 3M; SB 324 - 3M.

Mr. Speaker Spence & Representative Smith made announcements.

Representative Lofink requested that he be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

27th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
May 7, 1998 & May 8, 1998  
Joint Session

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m.

Representative Smith introduced and brought SCR 68, jointly sponsored by Senator McDowell & Representative Spence on Behalf of All Senators and All Representatives, before the House for consideration.

SCR 68 - Honoring Delaware's Nonprofit Organizations and Observing May 6, 1998, as "Delaware Nonprofit Day."

SCR 68 was adopted by voice vote and returned to the Senate.

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

APPRO: HS 1/HB 432 - 3M,2U.

ED: HB 381 - 7M; HB 438 - 7M.

R & F: HB 591 - 2F,5M.

ENV MAN: HB 572 - 3M,2U.

HEALTH & HUM DEV: HB 536 - 6M; HB 576 - 6M; HB 580 - 2F,4M.

BUS/CORP/COM: HS 1/HB 407 - 1F,8M; HB 551 - 9M; HB 554 - 9M; HB 562 - 9M; HS 1/HB 570 - 10M; HB 596 - 6F,3M; SB 209 - 8M.

Mr. Acting Speaker assigned HB 381 to the Appropriations Committee.

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

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

The Chief Clerk called the roll.

Members Present: 41.

Representative Caulk requested that he be marked present.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

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

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HCR 68.

May 7, 1998

TO: Terry R. Spence, Speaker of the House

FROM: Representative William A. Oberle, Jr.

SUBJECT: Absence from Session

Due to a prior commitment, I am unable to attend session on Friday, May 8, 1998.

WAO,Jr:jsy

May 7, 1998

DATE: May 7, 1998

TO: Speaker Terry R. Spence

FROM: Rep. "Biff" Lee

SUBJECT: Joint Session

I will be unable to attend the Joint Session of the General Assembly, on Friday, May 8, 1998, due to a prior out-of-town commitment.

Representative Smith moved to suspend the rules which interfere with allowing Thomas R. Carper, Governor of the State of Delaware, to attend the House session and join Acting Speaker Oberle on the podium to hear the State of the Judiciary address by the Honorable E. Norman Veasey, Chief Justice. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith welcomed Thomas R. Carper, Governor of the State of Delaware, to the House Chamber.

Mr. Acting Speaker Oberle introduced guests.

Mr. Acting Speaker Oberle introduced members of the Judiciary.

Mr. Acting Speaker Oberle introduced Members of the Senate.

Mr. Acting Speaker Oberle introduced Attorney General M. Jane Brady.

Representative Buckworth requested and was granted the privilege of the floor for Stephany Iverson, Caesar Rodney High School freshman, who sang in recognition of National Day of Prayer.

Representative Buckworth introduced the Iverson Family and presented a House Tribute to Stephany.

Mr. Acting Speaker Oberle introduced guests.

Representative D. Ennis made a comment.

Mr. Acting Speaker Oberle granted the privilege of the floor to Chief Justice of the Supreme Court, E. Norman Veasey, to deliver the State of the Judiciary Address.

Thank you, Mr. Speaker. Governor Carper, Senator Bair. Members of the House, Members of the Senate, Members of the Judiciary, Attorney General Brady, Stephany and her family if they're still here and citizens of the State of Delaware. I am Norman Veasey and I have the high honor to be the Chief Justice of the Supreme Court of Delaware and I have the high honor to speak to you today on the State of the Judiciary which is excellent and I think many people have concluded and it's been said here in this Chamber and elsewhere that we have one of the best judiciaries if not the best judiciaries in the nation. And I think that our gratitude for that begins with the delegates to the 1897 convention who met here in Dover from late 1896 to mid-1897 and developed our Constitution, the centennial of which we celebrated last year.

Those courageous delegates did many things but one thing they did was establish a judicial selection system for Delaware which you all know about: 12 year terms, appointment by the Governor, confirmation by the Senate and a bipartisan judiciary. And that latter feature is unique in this country.

At the same time, the Constitution authorized a corporation law and shortly after the Constitution was adopted the corporation statute was adopted. And the confluence of the judicial selection system and the corporation law have greatly benefitted Delaware ever since.

In the past six years that I've had the honor to serve as Chief Justice of Delaware and a member of the Conference of Chief Justices, I have had the opportunity to compare judicial selection systems around the country and, without denigrating any of my colleagues in the Conference of Chief Justice, I think that our system for selecting judges is perhaps the most stable in the nation.

Delaware's experience of depoliticizing the judiciary tends to attract people of high quality and people of scholarship who want to serve as judges and who want to serve the citizens and to do a fair job.

That's the central reason, I think, why Delaware has 300,000 corporations, why we have half of the Fortune 500, why we have half of the New York stock exchange. It's that reason, it is the outstanding work of this General Assembly in passing over the years progressive legislation and it is also true because of the outstanding service of the Secretary of State's office. I see the Secretary of State is here and other members of the cabinet and I appreciate their being here. The Secretary of State has done an outstanding job in servicing the corporation of the State of Delaware.

We need no more impressive testimony of what you all have done and what the judiciary has done to enhance the State of Delaware than some of the proxy statements that corporations have used to tell their stockholders that they ought to vote to reincorporate in Delaware.

Hewlett-Packard, one of the largest companies in the United States, just reincorporated in Delaware and they told their stockholders earlier this year the following: The prominence and predictability of Delaware corporate law provides a reliable foundation on which the company's corporate governance decisions can be based and the company believes shareholders will benefit from the responsiveness of the Delaware corporate law to their needs.

Both the legislature and the courts have demonstrated an ability and a willingness to act quickly and effectively to meet changing business needs. The Delaware courts have developed considerable expertise in dealing with corporate issues and a substantial body of case law. Shareholders will benefit from the well-established principals of corporate governance.

But it's not only in corporation and business litigation that the Delaware judiciary excels. Our courts have the capability to handle expertly the cases where most Delaware citizens experience our courts: family disputes, criminal prosecutions, accident cases, employment disputes to name a few.

In some of these areas our court procedures work extremely well and in others they need study and improvement and aggressive steps are underway to address those needs.

For example, a young mother fighting for custody of her child and child support from an irresponsible father or an elderly gentleman who's a victim of crime are not particularly interested in the fact that the Delaware courts are, to some large extent, responsible for producing about 20% of the state's revenue because of the corporation law.

What these citizens expect and what these citizens deserve is a fair and effective judiciary and that's a matter of immediate concern to me and my colleagues in the judiciary. It's the job of the judicial branch to build trust and confidence in the judiciary at all levels and in all cases.

We have to strive to address the four areas that are set out in the nationally recognized Trial Court Performance Standards: access to justice, timeliness and efficiency; equality, fairness and integrity and independence and accountability.

Because of our excellent judicial selection process and the expertise and the work ethic of our judicial officers and staff and the extraordinary cooperation among the three branches of government, we should be the best in the nation in all of these areas. We're not yet at that destination but it's our goal to be a model for the nation in judicial administration over the next few years.

Now one handicap that our citizens have suffered under is the overcrowded and antiquated courthouse facilities.

We know that courthouse facilities, particularly in New Castle County, are antiquated and overcrowded and unsafe and our citizens have suffered from that. Now, however, there is a light at the end of the tunnel thanks to you. Thanks to the wisdom and the foresight and the courage of the Governor and the Members of the General Assembly, we have every expectation that a new state-of-the-art courthouse in New Castle County will soon become a reality.

I don't take that for granted. That was a lot of work a lot of discussion and it hasn't happened yet. But we have every hope that it will happen and I want to thank you on behalf of the judiciary for what you've done so far to step up to the plate. We're deeply grateful to the Members of the General Assembly and to the Governor for your support.

It's a Delaware tradition that the three branches pull together with mutual respect and interdependence when it comes to the service of the judicial branch to the citizens of Delaware. It is important that this courthouse project move forward rapidly so that it's completed by the advent of the millenium. It should be not only a modern and safe facility needed to address what is necessary at the beginning of the new century but it needs to be designed to last well into the century for the inevitable future needs. This is the very responsible approach that's being taken by the executive committee that you set up in last year's Bond Bill. They're moving forward with the expert help of Judicial Planning Associates and their colleagues who are already well underway in documenting these needs and what needs to be done.

And I believe that all three branches of government also have the courage and have the wisdom to give serious consideration, and I don't take that for granted either, to acquire the property on the Circle in

Georgetown that has recently become available. It is undeniable, I think, that this property is vitally needed for our nationally respected Court of Chancery to take it from conducting judicial business in unsatisfactory conditions to dignified facilities befitting the national importance of the work of that court and the importance to the citizens of Delaware.

It is not for the convenience of judges that these courthouses are necessary. It is for the convenience, comfort and safety of our citizens whether they be victims or jurors or witnesses or litigants or staff or whoever they happen to be. This is why we appreciate very much the serious consideration being given by the General Assembly to these new facilities.

There's another light at the end of the tunnel and that has to do with technology. We strive to be one of the most modern systems in the Country. Delaware's a microcosm in many ways and we're a laboratory. We should be the best. We're small enough and we're good enough to be the very best in judicial administration.

We have not always had the best and most businesslike approach to technology. We have burdensome and highly complex cases and we have to find the best possible way to handle it.

We are very fortunate in Delaware now that we have a technology and management expert as the new head of our director of the Administrative Office of the Courts and I'd like to introduce him to you. He's Larry Webster. He's right over here and I think many of you have met Larry. Larry comes to us directly from the National Center for State Courts where he was executive director of court technology programs. He went around the county and around the world serving state courts to make them modern. He has already analyzed the Delaware Court situation which he did last year and we are in process of implementing many of his recommendations.

But beyond his technology expertise, Larry is a broad-gauged leader who will assist the Chief Justice and the judiciary in designing and implementing the finest available improvements and innovations throughout the system.

We're embarking on the most exciting chapter in the history of the Delaware judiciary. These improvements and the advanced facilities the legislative and executive branches have provided and are providing will help us make a difference in the lives of citizens.

Excellence in judicial management calls for vision, creativity and analysis in working out ways to deal with the complexity of litigation not just the mere numbers but the complexity is getting more and more complex every day.

My objective in the next six years that I have as Chief Justice, and it is 6 years I hope, God willing, is to make every progressive administrative enhancement of the judicial branch as a whole while maintaining appropriate autonomy of trial courts my goal and improving the excellent quality of our judicial decisions and efficient case management.

It is only when a court system is functioning well and understood and trusted by the citizens that it has the necessary respect of the citizens. Courts do not have taxing power or law making power that you do. Courts do not have executive power and police power that the executive branch has.

Courts have to rely on trust and confidence of the citizens and trust and confidence of you, the other two branches of government. That requires information being given from the courts and it requires the courts to be sensitive to the input of the citizens and the General Assembly.

We're already embarking on a very progressive program of education but with the help of the private community, the bar and the educational community, we are intensifying our efforts to build trust and confidence through public education.

We hope it'll be one of the most comprehensive in the country given Delaware's size. The State of Florida has a huge system going. I think we can't match them because they're 15 times the size of us in population but we can match their creativity and we can match their ideas and we can again become a laboratory for the nation.

By the advent of the year 2004 when my term as Chief Justice will expire, we will have seen enormous changes including an entirely new world of technology and court management protocols. We've already seen dramatic changes. We are not going to do business as usual and I know we're not, we don't plan to. We're going to make great progress.

We have a lot of items that are currently underway and time and space do not permit me to develop all those in detail for you. But let me just name a few. We have expanding videoconferencing capability, we have improved our nationally attractive business court procedures, we have innovative drug courts which are working well in Delaware, domestic violence initiatives are well underway, the truancy court in the Justice of Peace Court is working well. We work everyday to enhance victim's rights. We have strategic planning initiatives that are already well in progress. We're developing new internal operating procedures for the Family Court. We're using a broad-based blue ribbon committee also to develop systems and protocols for determining the need for additional judicial officers to handle our burgeoning caseload. We're modernizing our jury procedures. We're using mediation and arbitration increasingly as ways to resolve disputes instead of having to go to court.

We're using systematic methods of educating people who want to represent themselves in court through videos and other educational methods because that's becoming more and more a phenomenon of the present and will be in the future.

We have racial, ethnic and gender sensitivity programs to improve fairness in our courts in all respects. We have more sophisticated every day interpreting programs.

We are also a model for the nation, and we're going to be better, in the area of ethics and professionalism of lawyers all around the country.

Well, these are some of the initiatives that the judicial branch is doing on its own. There are improvements beyond these that need the help of the General Assembly and the Governor and thanks to the support of the Governor and the General Assembly and the City of Wilmington, the Municipal Court is already a part of the State system and we celebrated that the other day. That's a great accomplishment and it's now integrated with the Court of Common Pleas and the Justice of the Peace Courts and that's going forward.

We hope the General Assembly will consider favorable treatment of our budget, our capitol and operating budget request, will authorize two new judges for the Superior Court and will favorably consider the second leg of a Constitutional amendment making the Family court and the Court of Common Pleas constitutional Courts.

This is just 15 minutes of my vision and the judiciary's vision for where we need to go in Delaware but most of all for a better tomorrow we need your help and we thank you very much for the help you've given to us in the past.

Acting Speaker Oberle thanked the Chief Justice for his remarks and delivered a message of greeting from Speaker Spence.

Mr. Acting Speaker Oberle introduced Cabinet Officials.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 4:48 p.m. with Representative Petrilli as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representatives Spence, Mack, Cloutier & Schroeder requested that they be marked present.

Representative Roy introduced HB 607, jointly sponsored by Representative Capano & Senator Blevins.

HB 607 - An Act to Make a Supplemental Appropriation to the Department of Finance to Fund, in Advance, Certain Obligations of the Diamond State Port Corporation.

Mr. Acting Speaker assigned HB 607 to the Bond Bill Committee.

Representative Smith deferred to Representative Maroney.

Representative Maroney introduced Members of Public Allies who announced their names and organizations for the record.

Representatives Maroney & D. Ennis made comments.

Representatives Maier, Boulden & Brady requested that they be marked present.

Representative Quillen introduced HB 608, jointly sponsored by Representative Caulk.

HB 608 - An Act to Amend Title 29 of the Delaware Code Relating to the State Lottery Fund.

Mr. Acting Speaker assigned HB 608 to the Revenue & Finance Committee.

Representative Roy introduced & brought HCR 71, jointly sponsored by Senator Sorenson, before the House for consideration.

HCR 71 - Proclaiming May 12, 1998, as Chronic Fatigue Syndrome Awareness Day in the State of Delaware.

HCR 71 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith introduced and brought SCR 64, jointly sponsored by Senators Sharp, Voshell, McDowell, Bair & Amick & Representatives Spence, Welch, Gilligan & VanSant, before the House for consideration.

SCR 64 - Providing That a Joint Session of the Senate and House of Representatives be Convened on the Eighth Day of May, 1998, for the Purpose of Receiving an Address by the Honorable William Jefferson Clinton, President of the United States.

Representative Smith made comments.

SCR 64 was adopted by voice vote and returned to the Senate.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted personal privilege of the floor to present a House Tribute to Lowell Groundland and made comments.

Representative Welch deferred to Representative Roy.

Representative Roy brought HB 515, jointly sponsored by Representatives Maier & Oberle & Senators Blevins & Sokola, before the House for consideration.

HB 515 - An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.

Representative Roy made comments.

The roll call on HB 515 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Williams - 2.

Therefore, having received a constitutional majority, HB 515 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced HB 609, jointly sponsored by Senator Bunting & Representatives Carey, Mack, Quillen, Price, Schroeder & West & Senators Adams, Bunting, Cook, Venables, Reed & Still.

HB 609 - An Act to Amend Chapter 81, Title 10, Delaware Code Relating to Nuisance Actions

Resulting from Agricultural Operations.

Mr. Acting Speaker assigned HB 609 to the Agriculture Committee.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 517, jointly sponsored by Senator Blevins, before the House for consideration.

HB 517 - An Act to Amend Title 29 of the Delaware Code Relating to Establishing the Division of State Service Centers and an Advisory Council on State Service Centers.

Representative Maier made comments.

The roll call on HB 517 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, D. Ennis, Williams - 3.

Therefore, having received a constitutional majority, HB 517 was sent to the Senate for concurrence.

Representative Maier brought HB 518, jointly sponsored by Senator Blevins, before the House for consideration.

HB 518 - An Act to Amend Title 31 of the Delaware Code Relating to Emergency and Disaster Assistance.

Representatives Maier, Wagner, Maier, Davis & Wagner made comments.

Representative Maier requested and was granted the privilege of the floor for Ann Farley, Director, Division of State Service Centers, Department of Health and Social Services.

Representatives Wagner, Keeley & Maier made comments.

The roll call on HB 518 was taken and revealed:

YES: 40.

NOT VOTING: Representative Brady - 1.

Therefore, having received a constitutional majority, HB 518 was sent to the Senate for concurrence.

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

Representative Maier brought HB 519, jointly sponsored by Senator Blevins, before the House for consideration.

HB 519 - An Act to Amend Title 29 of the Delaware Code Relating to the Council on Volunteer Services.

Representative Ulbrich brought HA 1 to HB 519 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

Representative Maier made comments.

The roll call on HB 519 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Cloutier - 1.

Therefore, having received a constitutional majority, HB 519 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley introduced HB 603, jointly sponsored by Representatives Brady, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Petrilli, Plant, Price, Quillen, Roy, Schroeder & Spence & Senators Amick, Blevins, Bunting, Connor, Cook, Henry, Marshall, McDowell, Sokola, Still, Vaughn & Venables.

HB 603 - An Act to Amend Title 29 Relating to the Procurement of Material and Nonprofessional Services by Organizations Receiving Grant-In-Aid.

Mr. Acting Speaker assigned HB 603 to the Appropriations Committee.

Representative Smith brought the 2/3 Consent Agenda before the House for consideration.

SB 324 - VENABLES; REPRESENTATIVE LEE - An Act to Amend Chapter 137, Volume 61 Laws of Delaware, as Amended, the Charter of the Town of Delmar, as Amended, With Regard to the Procedures and Limits for Authorizing General Obligation Bonds. (2/3 bill)

**SB 323 - VENABLES; REPRESENTATIVE LEE** - An Act to Amend Chapter 288, Volume 64 Laws of Delaware as Amended, the Charter of the Town of Laurel, With Regard to the Procedures and Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness, Notes, Bonds or Other Obligations. (2/3 bill)

**SB 319 - ADAMS; REPRESENTATIVE EWING** - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", by Repealing a Provision Relating to Special Elections Upon the Death or Resignation of a Town Commissioner. (2/3 bill)

The roll call on the 2/3 Consent Agenda was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 324, SB 323 & SB 319** were returned to the Senate.

Representative Smith deferred to Representative Welch.

Representative Welch brought **HB 527**, jointly sponsored by Representatives Spence, Buckworth, Capano, Carey, Maier, Stone, Brady, B. Ennis, Price & West & Senators McDowell, Venables & Sokola, before the House for consideration.

**HB 527** - An Act to Amend Title 21 of the Delaware Code Relating to Requirement of Insurance for Motor Vehicles and Penalties.

Representative Welch brought **HA 1 to HB 527** before the House for consideration.

Representative Welch made a comment.

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

Representative Welch made comments.

The roll call on **HB 527 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 527 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 545**, jointly sponsored by Senator Bunting & Representatives Brady, Carey, Cathcart, DiLiberto, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Plant, Price, Schroeder, Wagner, Williams & Spence & Senator Vaughn, before the House for consideration.

**HB 545** - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

Representatives B. Ennis & Davis made comments.

The roll call on **HB 545** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 545** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone introduced and brought **HCR 72**, jointly sponsored by Representative Wagner & Senator Still & cosponsored by Representative Spence, before the House for consideration.

**HCR 72** - Recognizing Saturday, May 9, 1998, as "Stamp Out Hunger" Day, and Honoring the Dover Post Office for Its Participation in the One Day Food Drive.

Representative Stone made a comment.

**HCR 72** was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 478**, jointly sponsored by All Representatives & Senators Adams, Amick, Bair, Blevins, Bunting, Connor, Cook, Marshall, Reed, Sokola, Sorenson & Voshell, before the House for consideration.

**HB 478** - An Act to Amend Chapter 41 and Chapter 70 of Title 21 of the Delaware Code Relating to the Enforcement of Handicapped Persons' Parking Areas and Fire Lanes. (F/N)

Representative Gilligan deferred to Representative Davis.

Representative Davis introduced and brought **HA 1 to HB 478** before the House for consideration.

Representatives Davis & Gilligan made comments.

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

Representatives Gilligan, Davis, Smith, Maroney & Lee made comments.

The roll call on **HB 478 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 478 w/HA 1** was sent to the Senate for concurrence.

Representatives Cloutier & Ulbrich made announcements.

The Chief Clerk read the following communications into the record:

MEMORANDUM

TO: Terry R. Spence  
Speaker of the House

FROM: Representative Jeffrey G. Mack

DATE: May 7, 1998

RE: Absence from Session

I will not be in attendance for legislative session on May 8, 1998 due to my daytime job.

Thank you for your attention to this matter.

JGM/tr

May 7, 1998

The Honorable Terry R. Spence

Speaker of the House

The Honorable Thomas B. Sharp

President Pro Tempore

Dear Mr. Speaker and Mr. President:

We regret to inform you that we will not be able to attend the joint session of the legislature scheduled for this Friday, May 8th due to previous work commitments.

Unfortunately, the fact that this special session is being held on a non-session day combined with the demands of my work schedule make attendance impossible.

We thank you for your attention to this matter and regret that we will not be a part of the historic presidential visit.

Very truly yours,

Rep. Richard F. Davis

Rep. Joseph Petrilli

Rep. Bruce Reynolds

jm

MEMORANDUM

To: The Honorable Terry R. Spence  
Speaker of the House

From: Al O. Plant, Sr.

State Representative, 2nd District

Date: May 7, 1998

I will be unable to attend the Special Session of the Legislature on Friday, May 8, 1998, due to a previous commitment. I am sorry that I will miss this visit of my fellow Razorback, but hopefully will be seeing him in the near future with the help of Senator Biden.

Thank you.

MEMORANDUM

To: The Honorable Terry R. Spence  
Speaker of the House

From: David D. Brady, 8th District

State Representative

Date: May 7, 1998

I will be unable to attend the Special Session of the Legislature on Friday, May 8, 1998, due to work commitments.

Thank you.

MEMORANDUM

To: The Honorable Terry R. Spence  
Speaker of the House

From: Arthur L. Scott, 3rd District

State Representative

Date: May 7, 1998

I will be unable to attend the Special Session of the Legislature on Friday, May 8, 1998, due to a prior commitment.

Thank you.

The Senate wishes to inform the House that it has passed: SCR 64, SCR 68 & HB 588.

Representative Price requested that action on HS 1 for HB 504 be deferred to a Day Certain, Tuesday, June 2, 1998.

Representative Gilligan made an announcement.

Mr. Speaker Spence resumed the Chair.

The Majority Leader moved to recess to the Joint Session at 6:02 p.m.

Joint Session  
Senate Chamber  
May 8, 1998

Pursuant to SCR 64, the Lieutenant Governor called the Joint Session to order at 12:32 p.m. General Assembly Members and their guests had been seated before the Joint Session was convened.

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

Senator Voshell moved that Bernard J. Brady, the Secretary of the Senate and JoAnn Hedrick, the Chief Clerk of the House act as secretaries of the Joint Session. There was no objection.

Senator Voshell moved that two committees of four be appointed to escort the Governor of the State of Delaware and the President of the United States to the Joint Session. There was no objection.

The Lieutenant Governor appointed Senator Harris B. McDowell, III, (spokesperson) and Senator Myrna L. Bair; Representative Robert F. Gilligan & Representative Charles W. Welch to escort the Governor to the Senate Chamber.

The Lieutenant Governor introduced the Honorable E. Norman Veasey, Chief Justice of the Supreme Court of Delaware and the members of the Delaware Judiciary, statewide elected officials and members of the Governor's Cabinet. They were admitted.

The Sergeant-at-Arms announced the arrival of the escort party with Thomas R. Carper, Governor of Delaware. They were admitted.

At 12:35 p.m. Senator McDowell introduced the Honorable Governor Thomas R. Carper to the Joint Session.

The Lieutenant Governor welcomed the Governor and invited him to take his place on the rostrum.

The Sergeant-at-Arms announced the arrival of the escort party with William Jefferson Clinton, 42nd President of the United States. They were admitted.

Senator Sharp introduced President Clinton and made welcoming remarks.

The Lieutenant Governor invited the President to join her on the podium and recognized Governor Carper for purposes of introducing President Clinton.

The Governor introduced President Clinton.

Thank you, Governor. I took good notes -- no children on a child care waiting list, all poor four-year-olds in Head Start, every classroom wired. I'll be saying that now every time I go to another city or another state -- I'll be saying, if Delaware can do it, why can't you. And I thank you.

I want to thank the Governor, and Senator Sharp, Speaker Spence, Lt. Governor Minner, the members of the legislature, the judiciary, the state officials who are here; former governors Peterson and Tribbitt, and other distinguished citizens of this state; Mr. Mayor. I'm delighted to be joined today by the Secretary of Defense, who is going with me to Dover Air Base when we finish here to thank our airmen and women there for their distinguished service, and who has also been a leader in education, because the Department of Defense-run schools all over the world for American children -- by our wonderful Secretary of Education, Dick Riley; by Mickey Ibarra, the Director of our Office of Inter-governmental Affairs; and others. We are all delighted to be here.

And I'd like to say a special word of appreciation to Congressman Castle for coming up here with me. He's an old friend of mine. We worked together on welfare reform more than a decade ago now. I have been trying to decide, when Mike and Tom changed jobs, which one really got the promotion.

I am delighted to be the first President ever to speak here. The others did not know what they were missing. I love your Capitol Building. I like the feel of your legislature. I like the size of your legislature. I wonder if it would take a constitutional amendment to reduce Congress to this size. It's a wonderful idea.

And I like the fact that the first state in the nation is leading in doing the nation's first business of educating our children. I've come here to talk about that work, why it is -- in the states and in many communities around the country, and must be in Washington the work of both Republicans and Democrats -- why it must be a national crusade to give our children the world's best education.

We have a history of putting nation above party when the nation's security and future are at issue. We did it for 50 years, which is why the Cold War turned out the way it did. The tradition was deeply honored by Secretary Cohen, who left a distinguished career in the United States Senate as a Republican Senator from Maine to join our administration, and he is performing well for the American people as Secretary of Defense.

It is a tradition embodied by your Senators, Bill Roth and Joe Biden, who led the recent stunningly successful effort to expand NATO to include Hungary, Poland and the Czech Republic. And you should be very proud of both of them.

And I have seen it, having had the opportunity to work for years now with Mike Castle and Tom Carper when they were in those in succession, on welfare reform, on child care, on the education of our children. And you can be very proud of both of them.

And Delaware, maybe because it's a small state and maybe because I came from a small state and was often ridiculed for it in national politics -- my experience is that maybe because we're smaller, people learn to

treat each other as people. They learn to listen to people on opposite sides of the aisle. They learn that they don't have all the answers and that everybody's got a valuable perspective, and that in the end, we all have to get together and do something that moves our country or our state or our community forward. And for all of that, I am very grateful to the State of Delaware.

Thomas Jefferson once said of your state that, "Delaware is like a diamond; small, but having within it inherent value." If he were today, here, giving this speech, he might say, being as he was a modern thinker, Delaware is like a silicon chip -- small, but having within it enormous inherent value; namely, the power to shape the future.

You have always looked to the future, from the time you did become the first state to ratify the Constitution. It was the beginning of many firsts: Delaware was the first state to produce a transatlantic iron steamship. Then there was the first commercial telephone call between an airplane and a moving car, 100 years later. Some of us would probably like it if telephone calls on airplanes and cars were not possible. All the way to the remarkable innovations now being dreamed up in the Dupont Labs.

All of this is dramatically changing the world. The Chairman of the Federal Reserve, Alan Greenspan, came by the White House for one of our periodic meetings a few days ago, and we were talking about this incredible economy. And he said, you know, we really are living in an economy of ideas. He said, there is a measure of a nation's output in wealth compared to its physical output, the literal physical density of all the goods that are produced. He said, the measure is more skewed now than ever before. There is hardly any increase in the mass of what we're producing, but the wealth of what we're producing is exploding. Why? Because ideas are driving the increase in the wealth of the nation.

Today we learned that our unemployment rate has dropped to 4.3 percent, the lowest since 1970. That is particularly impressive in light of the fact that inflation now is the lowest in more than 30 years, home ownership is at an all-time high, the welfare rolls are the lowest in 27 years, the crime rate is the lowest in 24 years.

Our social fabric is mending. We saw that teen pregnancy had had a substantial drop for the second years in a row, something I know that the Governor has been passionately committed to. Our leadership in the world is still unrivaled, although we seem sometimes to be in some doubt about it here at home.

In Delaware our unemployment is all the way down to 3.4 percent. You've had tens of thousands of new jobs, twice the rate of new business growth as five years ago.

The thing I would like to say about all this is, no one can claim full responsibility for it. There was not a totally coordinated strategy, but it did not happen by accident. America has been on the same page, from our strategy in Washington to balance the budget, invest in our people, and expand trade -- to the entrepreneurs, to the scientists and technicians, to the teachers in our schools and the people who run our business, and the folks who work in our factories. We have been on the same page. Good things don't happen by accident, even when millions -- even hundreds of millions of people are responsible.

And we must be on the same page when it comes to education. Before I get into what I want to say about education, I want to make a point I tried to make in the State of the Union. I've had a lot of people -- people who are primarily political people, good people, but people who normally think about things in political terms -- say to me, well, you know, why don't you just relax and start playing golf three times a week. I mean, you've got low unemployment, low inflation, people are suspicious of government, why don't -- just don't do much and everybody will be happy. There is an answer to that. And the answer is that might be a decent prescription for a static time, but in a dynamic time, where things are changing very rapidly, the fact that things are good in the moment does not guarantee they will be good five months or five years from now, because they're changing. So you have to keep working to stay ahead of the curve. And those of us in public life have to work no less than entrepreneurs do.

If you go to Silicon Valley, you don't see anybody out there sort of laying down on the job just because the stock prices are high, because they know how dynamic the world is. And there is a second answer, which is that we still have some very profound challenges that, if left unmet, will come back to haunt us in the 21st century. What are they? I can only tell you what I think they are. I think, first of all, in Washington we have to reform our major programs of social cohesion -- Social Security and Medicare -- for the needs of the 21st century and for the reality that the baby boomers are going to retire and when they do, there will only be about two people working for every one person drawing Social Security. The present systems are unsustainable as they are. We have to change them, consistent with our values and the real facts.

Two, we have to prove that you can grow the economy without destroying the environment. And we have to convince people in developing countries that they can and to embrace new technologies to do that.

Just a few days ago I was out in California at a low-income/moderate-income housing development which is cutting by 40 percent the energy usage on low-income housing, using solar panels that are now those big, heavy things you've seen on the roof, but that look just like ordinary shingles -- using windows that keep over half the heat in the wintertime and over half the heat out in the summertime and still let more light in, and other basic things like that. We have to prove that we can make environmental preservation and economic growth go hand in hand.

The third thing we've got to do is to bring the spark of enterprise to poor inner-city communities and rural communities, including Native American ones that haven't felt it. The fourth thing we have to do is to prove that we can live together as one America in an increasingly diverse society. The fifth thing we have to do, I would argue, is to prove that we can lead the world after the Cold War in a consistent, firm way toward peace and prosperity and freedom and democracy.

But none of that will matter if we don't save our children. And that's what I want to talk about today -- only one aspect of it, but in some ways the most important one. And Delaware, again, is leading the nation. So I may be preaching to the choir, but that's not all bad. I'll polish the sermon and see if I do better in other places.

The condition of education in America and the importance of it and the impact it's going to have on all our futures, as well as all our children, demands action from all of us, in Washington, in state capitals, in communities all across the country. Many of our greatest challenges don't fall under the authority of Washington, nor should they. I have supported giving states more authority in the area of welfare reform and in many other areas. Secretary Riley has cut by two-thirds the burden of regulations coming out of federal education aid.

We started two new programs, Goals 2000 and School-to-Work, without a single new federal regulation.

The federal government can't do all this. Some of our major challenges don't even fall primarily under state government, nor should they. The power and the responsibility of America to meet the challenges of the 21st century rests with all levels of government and with all sectors of society. Sometimes more with the private sector; sometimes more with its most fundamental unit, the American family. And that is as it should be.

But just because responsibility and power are dispersed doesn't mean that we don't all have to ask ourselves, what power do we have to have a positive impact; what is our responsibility? And then we have to move, because a revolution in education will not occur by accident anymore than the revolution in the American economy has occurred by accident, even though there will be millions of people working on it and we may not all be calling each other on the phone every day.

Yesterday I talked to mayors from all over the country, I received their report on what they think should be done. Their agenda is very much like yours and very much like mine.

I suppose that I've spent more time on education than any other thing in my 20 years and more in public life now. Nearly 10 years ago, when I was a governor of my state, I stayed up almost all night down at the University of Virginia at President Bush's Education Summit, working with Republican governors to write goals for education for the year 2000. It was clear then, it was clear way back in 1983, when the Nation At Risk report was issued., and it is certainly clear today, that if we are going to prepare our children for the 21st century we cannot hope to do it unless we can say with a straight face, we are giving them the best education in the world. Not just a few of them, but all of them.

And we can all say, well, we can't be responsible for every teacher, we can't be responsible for every principal, we can't be responsible for every home, we can't be responsible for every unmotivated child. That's all true, but we can play the odds. Secretary Cohen runs, arguably, the most effective organization in the entire United States -- not every soldier, not every airman, not every Marine, not every sailor is a stunning success, but they've got a pretty good system. And it didn't happen by accident. And we should take that as our responsibility.

It seems to me the keys are high expectations, high standards, and high performance, fueled by more opportunity, more accountability, and more choice. Secretary Riley and I have worked at this for more than five years. In one area, we have been especially successful and widely supportive across partisan lines and in states and local communities. We've opened the doors to higher education wider than ever before.

The Balanced Budget Act I signed last year represented the greatest expansion of college opportunity since the G.I. Bill was passed 50 years ago, with college tuition tax credits, including the \$1500 a year HOPE Scholarship for the first two years of college, education IRAs, expanded Pell Grants, deductibility of interest on student loans, 300,000 more work-study slots, another 100,000 young people earning education credits by serving in the national service program, AmeriCorps, and lifetime learning credits for adults who have to go back to school.

All of these things together mean that any American who is willing to study and work hard can get an education in college, and that is very important. It will change the face and the future of America. We learned in the 1990 Census that Americans, younger American workers who were high school dropouts, high school graduates or who had less than two years of post-high school education, were likely to get jobs where their incomes went down over time compared to inflation. Those that had at least two years of post-high school training were likely to get and keep jobs where their incomes went up. So that was fundamentally important, and we can all be proud of it. And many states have done more to try to give scholarships and make college more affordable, and that's important.

The Senate just this week -- and I want to compliment them -- passed 91-7 what I have called "the G.I. Bill for Workers" -- it basically consolidates this incredible tangle of federal training programs into a skills grant, so that if a person is unemployed or underemployed and eligible, you just get basically the skills grant and then you decide where to take it. Since nearly every American lives within driving distance of a community college or some other very efficient institution, we no longer need the federal government micromanaging the definition of all these training programs, and we don't need anybody in the way of it.

Now, we have some provision, particularly that the governors wanted who live in rural areas - who have lots of people in rural areas that may not have readily available services, but this is very important. And we've got to resolve the differences now in the House and the Senate bill and pass it. This is a huge thing. And the Congress can be proud of it and the country can be proud of it.

But with all that said and done, I don't think there is a person here who would dispute the following two statements: We have the best system of higher education in the world. We do not have the best system of elementary and secondary education in the world. You don't have to criticize your favorite teacher, you can honor the PTA leaders and the school board members -- no one believes it's the best in the world. And until it is, we can't rest. That is the bottom line.

The budget that I have presented, which is a balanced budget, has the biggest commitment in history from the federal government to K through 12 education. But we all know that's less than 10 percent of the total. Still, I think it's important that the national government focus on results, because things don't happen by accident. I think we should focus on high standards, real accountability, more choice, and, finally, I'd like to say a word about safe schools, because that is a problem in some parts of our country.

First, there's no substitute for standards. I want to compliment Delaware for what you're doing. This week, 3rd, 5th, 8th and 10th graders all over the state are participating in your new assessment process to see how well they're doing in reading, writing, and math. And you're going to add other subjects, the Governor told me, in the next couple of years. You also have done something that may give us a key to how to solve the national issue, which is that about a quarter of your exam questions are apparently taken from the National Assessment of Education Progress, which is a national test most states participate in, but by definition, it's only given to a representative sample of students, not all students. I compliment you on that. I think that is a brilliant reform.

And I think it's important that we find a way to have national standards and exams at least in the basics. It is very important -- Secretary Riley and I were talking on the way out, he was talking about South Carolina still have quite an old state test. We had some old state tests when I was Governor of Arkansas. Our kids just knocked the top off of them -- the same test we'd been giving for years. And then when we took a national test that was current, we didn't do so well. So without in any way undermining local control of the schools or the constitutional responsibility of the states for education, we need to have a set of national standards, and an accountability system which tell us all honestly how we're doing.

We're working hard now with an independent nonpartisan board -- the acronym known to all the education experts in the audience is the NAGB Board. We've got Republicans and Democrats on the board and people -- I don't even have any idea what their political affiliation is -- all of whom are simply committed to educational excellence. And we want to find ways to coordinate with the states and the state tests to avoid unnecessary costs and burdens. You may have found a way to do it in Delaware, by having a test that is both rooted in your state standards and encompassing national questions. But it's a very good start.

The second thing we have to do, and I understand the Governor said you were debating that, that may be tougher, is figure out what the accountability system is. Now, a lot of these questions should definitely be decided by people at the state and the local level. But let me, first of all, say that no test is worth a flip unless there is some consequences -- not just negative ones, but positive ones; not just what you do to the students, but what the rest of us have to do for the education system based on the consequences of the test.

We have to start by demanding accountability from the students, and I strongly believe that we should end the practice of so-called social promotion everywhere in the country. (Applause.) For many years there was a current theory in America that, well, it hurt a child's self-esteem too much to be held back and the child could maybe pick it up next year. And besides that, children do learn at different paces. That is absolutely true, especially in the early years, the dramatically different learning patterns of children in the early years.

Then sooner or later, somehow, parents figured out that one reason kids dropped out of school in the 9th or 10th grade is because the material was going over their heads, it didn't mean anything to them, so why should they sit around, because they weren't able to do the work. And then even the kids figured out that being 20 years old and not being able to fill out an employment application and not being able to even read your high school diploma was far more destructive of self-esteem than spending another year in some grade along the way.

Then, school districts began to figure out that they didn't necessarily have to hold people back if they had proper after-school help and a little help in the summer -- where a lot of kids having learning problems forget huge chunks of what they learned the year before.

So we're now kind of coming to grips with this. I have often talked about the Chicago system; probably had the most widely-condemned school system in the country because they had a strike every year whether they needed it or not, for one thing, and because they weren't producing results. Now, the Chicago summer school system -- they've ended social promotion, you have to go to summer school if you fail the test and you want to go on to the next grade -- their summer school is the fifth biggest school district in America. The summer school. They have thousands of children going to school after school so many hours that thousands of them actually take three hot meals a day in the schools, in an inner-city environment where they're safe, they're not getting in trouble and nobody's hurting them.

Now, if a place that has those kinds of challenges can take them on, everywhere in America can take them on. I've asked Congress to pass what we call education opportunity zone legislation, that will basically give extra resources to schools in poor communities if they will insist on high standards in social promotion, demand performance from students and teachers, and actually support the kids that are in trouble and give them the extra help they need. I hope Congress will pass it.

Again, I say, in many ways we're following your lead. And I urge you to have a big, vigorous debate on this -- what are the consequences of this exam. And I wouldn't presume to tell you what to do, but I can make two observations based on 20 years of working, and hours and hours and hours spent in classrooms listening to teachers and watching things unfold.

One is, nobody will take your system seriously unless there are consequences. Two is, if there are consequences, whatever you decide they are, they cannot be exclusively negative ones, they must also be positive ones, because you have to believe that -- in order to believe in democracy, you have to believe that almost everybody can learn almost everything they need to know to make this country run right, which means almost everybody in the world can succeed in school. And if they're not, it's probably not entirely their fault. So there should be consequences -- some of them should be negative, but there must be positive ones as well. And I wish you well and I can assure you the rest of us are going to be watching.

The next thing I think we have to do is to develop and demand accountability and performance from teachers, but also support them. I had the great pleasure this week -- or last week -- of hosting the Teachers of the Year at the White House. And that's one of the happiest days of the year. You'll never find 50 more upbeat people than the teachers that are selected Teachers of the Year. And you talk to these people, and you can't imagine that there's ever been a problem in American education.

The man who was named National Teacher of the Year is a teacher from Virginia who teaches history and social studies and who makes his kids role-play. So they play ancient Athenians and Spartans debating the Greek wars. They play Jefferson and Adams debating each other about fundamental questions of what the real nation of the Union that we all belong to is. I mean, it was exhilarating.

Those are the kind of teachers that we wish all our children had all the time. And I think we need to do more to reward teachers who strive for excellence. One of the things that we can do at the national level that I hope you will support, that Tom and Mike's former colleague, Governor Jim Hunt, has worked his whole career on, is to support the master teacher program, the National Board for Professional Teacher Certification. It's a completely voluntary thing which qualifies teachers based on, number one, their complete academic preparation for the course they're teaching; and, number two, their success in teaching; and thirdly, I might add, their ability to help other teachers improve their teaching skills.

Now, today there are only a few hundred master teachers in America. My balanced budget contains enough funds to certify 100,000 master teachers. When we get one of these teachers in every school building in America -- every school building in America -- going to the teachers' lounge, going to the faculty meetings, talking to the principals, it will change the culture of education in America. Every other profession in the country just about has national board certification. And believe me, this is a good thing that is a worthy investment.

Finally, let me say, I because that if teachers don't measure up after getting all the support and help they need, there ought to be a swift process -- fair, but swift; it should not be endless -- to resolve the matter in a satisfactory way. Because you're not doing anybody any favors -- no one -- fundamentally, nobody is happy doing something they're not good at. You can never make me believe anybody is really happy when they know deep down inside they're not doing the job. So there has to be some system that is perfectly fair to every teacher, but doesn't take from now to kingdom come to resolve the matter in a way that allows the education system to go forward.

Now, I also think as we demand responsibility for results from the schools, we have to give the tools they need to the students and the teachers. I've said that, and I will say it again. Let me just mention one or two things. First, smaller class sizes. Children in some classes in America are in classes that are so big and crowded, there is no way any teacher I don't care how good he or she is -- can deal with all the challenges that are presented where classes are so big where the students are barely known by name to the teacher, much less the particular circumstances of their lives. Given the fact that so many kids have so many troubles today, it's very, very important. In classrooms like this, teachers are often forced to teach to the middle, leaving both the best kids and the most troubled kids behind.

The Department of Education and Secretary Riley today are releasing a report on class size and learning, basically reaffirming what Hillary and I have long believed. We adopted very rigorous class sizes for our state 15 years ago. When class sizes go down enough, learning goes up -- that's what the report shows -- especially in the early years. And when children come from disadvantaged backgrounds, small classes can make an even greater difference.

Let me just give you a few examples from the study. In Tennessee, test scores were consistently higher among students that were in classes of fewer than 20 students. These children kept the edge even when they moved into larger classes in their later years of schooling. From Wisconsin, North Carolina, and classrooms across the country, other studies confirmed the same findings.

Governor Carper and many of you here today are trying to reduce class size. I just want to encourage you and tell you that I have presented to the Congress a plan to do the same thing, which would not in any way conflict with what you're doing, but will enable you to get some funds to support it.

Today, I'm sending legislation to Congress cosponsored by Senators Murray and Kennedy and Congressman Clay that will make class size reduction a national goal and if enacted, would help school districts to hire another 100,000 teachers, which is about the number necessary, properly distributed across the country, to give us average class size of 18 in the first three grades.

It would also require the new teachers to pass competency exams to make sure they have the training and preparation they need. Many states now require this anyway.

The second thing I'd like to say is Delaware may be the only state now where every classroom is wired -- but every classroom should be wired. You remember, I'm sure, a few years ago, the Vice President and I went to San Francisco and got with a lot of people from the big computer companies and said that we wanted to try to wire every classroom and library by the Year 2000. And we are making great headway. We've got more than twice as many classrooms and libraries wired today as we did just three and half years ago when we did that. We have in the budget now funds to continue this urgent national priority. I hope that will pass.

But, finally, let me say, believe it or not, we've got an enormous percentage of the school buildings in this country are ill-equipped to take the wiring because they're so old. We have cities in this country with average school buildings -- average school buildings -- over 65 years old and in terrible shape. I was in a small, growing district in Florida the other day where there were not one, not five, but 17 trailers outside the main school building there for the kids.

Now, when you come to work here every day in this Capitol it makes you feel good, doesn't it? It's a beautiful building and you've obviously put a lot of funds into restoring it, and it makes you feel good. It says you're important -- it matters to be a member of the Delaware legislature. One of the ways you know without anybody telling you is you come into this nice building and it's important. And if grown-ups are affected by their surroundings, children are even more so.

What does it say to an inner-city kid from a poor family if they go to a school building every day and one of the whole floors is closed because for want of repair? What does it say about how important those children are if every day they walk through the front door and they look up and see three or four broken windows? What does it say if the blackboard is only half there because it's been cracked? What about the kids in the crowded school districts?

You know, the first year or two, if you show up and there are a lot of house trailers, it's kind of exciting because it means you've got a growing district and a lot of stuff going on. After five or six years, it means things aren't getting better. It's a very different message. And the important thing is not whether the buildings are old or not; it is whether they are safe, clean, light, whether they send the message that this is a place where learning can occur and this is a place where children are important.

Now, I think education is a part of the national infrastructure. That's why I wanted the federal government to help places who need it. Wire all the classrooms and libraries. And I have proposed for the first time that we help with the infrastructure needs of school districts -- again, not in any way that would conflict with what any state or local school district is doing, but instead to reinforce it.

This budget contains funds that would help us to modernize 5,000 schools and build 1,000 new ones. It would be a very good start on the incredible infrastructure needs of America's schools. And for people who say it doesn't matter, just think how you feel when you come through these doors every day. It does matter, and I hope we can pass it.

The third thing I'd like to emphasize very briefly is that we need greater choice in our schools. We do need more competition. You mentioned the Charter School of Wilmington, Governor, and other charter schools in your state. When I was elected President in 1992, there was only one charter school in the entire country -- public schools that tailor their programs to meet the needs and demands of their customers -- the students and their parents. Since then, I've done everything I could to support them.

Today, there are 800 charter schools, 32 of our 50 states authorize them. Just last week in an overwhelming bipartisan vote, California voted in the legislature to create another 100 charter schools a year in our largest state. That's great, great news -- 100 a year. They had 150 cap, I think, on the whole state. They

blew off the cap and said, this is working -- and I've been in some of them out there, they are working -- we want 100 a year.

Now, my goal is to have 3,000 by the year 2000 in the whole country, and I have presented a budget to Congress which would give communities around the country any start-up funds they need to do this. It's not so easy to do if you've never thought about it and never done the work and if you come from a place with limited resources. So I did present some money in the budget to do that. But I hope you will support that.

Delaware has been at the forefront of the charter school movement. It is a good, good thing to do, along with having statewide public school choice plans. And I applaud you for yours.

The fourth thing I'd like to talk just a little about is school safety. You know, it's pretty hard to learn if you feel insecure. One of the main reasons that I supported the school uniform movement, not as a mandatory thing but when people needed it, was that I thought it would make our schools safer. And I've been around the country and seen a lot of schools that had terrible discipline problems. And we're worried about the safety of the kids going to and from school. And in every case where they had a terrible problem and adopted a uniform policy, it made a big difference. We want to do more to ensure our children's safety. We want to make sure that our children are exposed to teachers and team leaders, not drug dealers and gang leaders.

There are a lot of things we can do. Let me just mention one thing. We are trying in this budget to give states and communities more funds to support even wider and more extensive after-school programs, not only because they're important educationally -- which they are, and that's their primary mission -- but because almost all kids get in trouble after school lets out and before the folks get home from work. A huge percentage of juvenile crime is committed between 3:00 p.m. and 6:00 p.m. or 7:00 p.m. And if we can have extensive after school programs, we can make our children safer and our schools safer. Let me also --(applause)-- even one hand is good on that.

Today, the Department of Education is releasing a report which also shows we're doing a better job as a country in detecting guns in the schools. That's really good -- that's the good news. The bad news is there are a lot of guns in the schools -- and other weapons. In 1997, more than 6,000 students were expelled for bringing firearms to school. But I think that means we must continue and bear down on this policy of zero tolerance for guns in our schools.

And again, it works to prevent problems. The Superintendent of the Alexandria, Virginia, schools -- which, by the way, is now the most diverse school district in America -- Fairfax County has kids from 180 different racial and ethnic groups, speaking over 100 native languages. But because they have a rigorous zero tolerance program, they have cut suspendable offenses over the past couple of years by more than 40 percent. It works. And we can have those results all over the country.

But let me say, going back to an issue you're debating, Secretary Riley asked all these school security experts what they thought we could do as a people, not just the federal government, to make the schools safer. And they said, interestingly enough, one of the most important things we could do is to create the smallest possible classes in the early grades, because the kids with problems would be found by the teachers. And then the teachers and the families and the counselors could work together to try to prevent these kids from getting in trouble in the first place. I thought it was a stunning thing, amazing.

So Delaware is leading the nation, and the nation must follow. And we must, Republicans and Democrats together, all Americans, make a commitment to a revolution in standards and accountability, in choice and safety, based on high expectations, accountability, and performance. It will take all of our commitment to do the job, but the challenge must be met because America can't become what it ought to be if we don't.

We can do this. This is not rocket science. This is an affair of the mind which most of us can comprehend. Fundamentally, it is also an affair of the heart. We know -- we know -- that the best days of this country are still ahead. You may be the oldest state, but you still want to have the longest future. And the only way we can do it is with this.

Thank you very much.

The Lieutenant Governor thanked the Governor and President.

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

The Secretary of the Senate announced that he and the Chief Clerk of the House had compared their respective Journals and found that they agree.

Senator Voshell moved that the Joint Session be adjourned and the two Houses separate to reconvene in their respective Chambers on Tuesday, May 12, 1998.

The Joint Session was adjourned at 1:40 p.m.

Mr. Acting Speaker Welch called the House to order at 2:14 p.m.  
The Chief Clerk read the following communications into the record:  
MEMORANDUM

DATE: 7 May 1998  
TO: Representative Terry R. Spence  
Speaker of the House  
FROM: Representative George Robert Quillen  
RE: Absent From Session

I shall be absent from session on this date, 14 May. Thank you.

GRQ:dsm

May 6, 1998

LEGISLATIVE ADVISORY #36

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/6/98: HJR 24, HB 317 aab HA 1 & HB 37 aab HA 2 & SA 2.

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

HEALTH & HUM DEV: HB 566 - 6M.

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

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 530 - CAPANO & SENATOR COOK - R & F: An Act to Amend Title 55 of the Delaware Code Relating to Taxation of Public Utilities. (3/5 bill)

HB 599 - WELCH & SENATOR MARSHALL; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, CAULK, EWING, LEE, MAIER, QUILLEN, WAGNER, GILLIGAN, KEELEY, PLANT, WEST, WILLIAMS; SENATORS MCDOWELL & MCBRIDE - H/ADM: An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

HB 604 - SCOTT, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LOFINK, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Required Information for Driver's Licenses.

HB 605 - CAPANO; SENATOR COOK - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

HB 606 - DAVIS & CLOUTIER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, FALLON - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Endangering the Welfare of a Child.

HCN 73 - LEE, DAVIS, B. ENNIS & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS SHARP, VOSHELL, MCDOWELL, ADAMS, BLEVINS, BUNTING, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES, BAIR, AMICK, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - APPRO: A Resolution to Establish as Part of the Grant-In-Aid Program the Volunteer Fire Company Insurance Rebate Equalization Fund.

HA 2 to HB 215 - KEELEY - AGENDA: Placed with the bill.

Representative Ulbrich requested that she be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Wagner was granted personal privilege of the floor to introduce a guest.

Representative Capano requested that HB 498 & HB 537 be stricken.

Representative Smith introduced HB 613.

HB 613 - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

Mr. Speaker assigned HB 613 to Economic Development, Banking & Insurance

Committee.

Representative Smith deferred to Representative Fallon.

Representative Fallon made an announcement.

Representative Wagner requested that action on HB 442 be Deferred to a Day Certain, Tuesday, June 2,

1998.

Representative Smith deferred to Representative Oberle.  
Representative Oberle brought HB 505, jointly sponsored by Senator Henry, before the House for consideration.

HB 505 - An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act.

Representatives Williams, Stone, Schroeder, D. Ennis & Carey requested that they be marked present.  
Representative Oberle introduced and brought HA 1 to HB 505 before the House for consideration.  
Representative Oberle made a comment.

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

Representatives Gilligan & Oberle made comments.

HA 1 was adopted by voice vote.

Representative Oberle introduced and brought HA 2 to HB 505 before the House for consideration.

Representatives Oberle & D. Ennis made comments.

HA 2 was adopted by voice vote.

Representative Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Ward Burton, Nascar Winston Cup Driver.

Representative Oberle made comments.

Speaker Spence presented a House Tribute and a gift to Ward Burton.

Representatives Oberle, Gilligan, Oberle, Wagner, West, Oberle, West, Ulbrich, Oberle, DiLiberto, Capano, Houghton, Lee, Boulden, Ewing & Oberle made comments.

Representative Ewing requested and was granted the privilege of the floor for Captain Aaron Chaffinch, representing the Delaware State Police.

Representatives Ewing, Cloutier, Carey, Ewing & Oberle made comments.

Representative Maier requested that she be marked present.

Representatives Maier, Keeley & Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Dr. Glen Tinkoff, Director, Trauma Unit, Christiana Care Health Services.

Representative Reynolds requested that he be marked present.

Representatives Reynolds, West & Oberle made comments.

The roll call on HB 505 w/HA 1 & 2 was taken and revealed:

YES: 23.

NO: Representatives Brady, Buckworth, Carey, Caulk, Cloutier, Ewing, Houghton, Lee, Maier, Quillen, Scott, Wagner, Welch, West - 14.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Cathcart, B. Ennis, Price - 3.

Therefore, having received a constitutional majority, HB 505 w/HA 1 & 2 was sent to the Senate for concurrence.

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

The Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #136

DATE: May 12, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1809	Fallon	4/28/98	T	Linda Vincent/DE Dental Hygiene Education Program/Outstanding Community Service Award
H139-1810	Fallon	4/16/98	T	Bea Derickson/Volunteer of the Year /Nanticoke Memorial Hospital
H139-1811	Fallon	4/28/98	T	Judy Slacum/Dedicated Service
H139-1812	Buckworth	4/29/98	M	Harvey Fifer
H139-1813	Buckworth	4/30/98	T	Andrew Rosenfeld/Caesar Rodney High/ 1998 Merit Scholarship Finalist
H139-1814	Buckworth	4/30/98	T	Matt Dowling/Caesar Rodney High/ 1st Place Gold Key Award in Printing
H139-1815	Buckworth	4/30/98	T	Jennie Slentz/Caesar Rodney High/Champion Vocalist/National Choir Competition

Number	Sponsor	Presentation Date	Type	Description
H139-1816	Buckworth	4/30/98	T	Caesar Rodney High/State Finalist/ Blue Ribbon Schools Program
H139-1817	Price	6/20/98	T	Bethany Beach Volunteer Fire Co./50th Anniversary
H139-1818	Gilligan	5/16/98	T	Town of Newport/125th Anniversary
H139-1819	West	5/05/98	T	Ruth Chandler/'98 Delaware Award for Excellence in State Service
H139-1820	Wagner	5/05/98	T	Jon McDowell/'98 Delaware Award for Excellence in State Service
H139-1821	Roy	5/05/98	T	Loretta Sarro/'98 Delaware Award for Excellence in State Service
H139-1822	Reynolds	5/12/98	T	Susan Cicala/Outstanding Service/Youth in Sports Programs 6th Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #137

DATE: May 12, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1823	Fallon	4/28/98	T	Dr. Jim Rupp/Lifetime Commitment to Care Award/Nanticoke Memorial Hospital
H139-1824	Fallon	4/28/98	T	Thomas Lankford/Outstanding Grower/ Delmarva Poultry Industry, Inc.
H139-1825	Wagner	4/28/98	T	Harvey Fenimore/Contributions /Teacher, Author & Citizen
H139-1826	Fallon	4/24/98	T	Dorothy Clark/90th Birthday
H139-1827	Gilligan	4/15/98	M	C. Vernon LeCompte
cosponsor: B. Ennis				
H139-1828	Wagner	4/25/98	M	Ellen Howard Harneson
H139-1829	Quillen	5/01/98	T	John & Regina Groff/50th Wedding Anniversary
H139-1830	Maier	4/30/98	T	Amy Magness/Home Builder of the Year Award/HBA/DE
H139-1831	Maroney	4/20/98	T	Leah Roedel/Pioneer of Preservation Honoree
H139-1832	Fallon	4/15/98	M	Frances Hudson Blocker
H139-1833	Quillen	5/04/98	T	James L. Webb/Dedicated Service
H139-1834	Brady	4/22/98	M	Clare A. Stewart, Jr.
cosponsor: Smith				
H139-1835	B. Ennis	5/03/98	T	Don Amadeo/President/Del-Mar-Va Volunteer Firemen's Association '97-'98
H139-1836	VanSant	4/24/98	T	Lillian & Francis Singles, Sr./50th Wedding Anniversary

T - Tribute

M - Memoriam

Representative Price requested that she be marked present.

The Majority Leader moved to recess for caucus at 3:40 p.m.

The House reconvened at 5:13 p.m.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 315, SB 300, SCR 67, HCR 65, HCR 70

& SB 238.

## MEMORANDUM

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

FROM: Representative Dave Ennis

DATE: May 12, 1998

RE: Absence from Session

Because of a scheduling conflict, I will be unable to attend Session tomorrow, Wednesday, May 13, 1998.

DHE/dlc

cc: JoAnn Hedrick, Chief Clerk

MEMORANDUM

TO: Terry R. Spence  
 Speaker of the House  
 FROM: Representative Jeffrey G. Mack  
 DATE: May 12, 1998  
 RE: Attendance for Session

I will not be in attendance for legislative session on May 13, 1998, due to personal business.  
 Thank you for your attention to this matter.

JGM/tr

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

AG: HB 594 - 5M; HB 609 - 5M.

Representative Smith deferred to Representative Roy.

Representative Roy requested that action on HS 1 for HB 570 be Deferred to a Day Certain, Tuesday, June 2, 1998.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 289, jointly sponsored by Senator Sharp, before the House for consideration.

SB 289 - An Act to Amend Title 10 of the Delaware Code Relating to Exemptions From Execution.

Representative Wagner made a comment.

The roll call on SB 289 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Mack, Maroney, Smith - 4.

Therefore, having received a constitutional majority, SB 289 was returned to the Senate.

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

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 548, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 548 - An Act to Amend Title 25 of the Delaware Code Relating to Conveyance of Real Estate Between Spouses.

Representative Wagner made a comment.

The roll call on HB 548 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Mack - 2.

Therefore, having received a constitutional majority, HB 548 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 574 before the House for consideration.

HB 574 - An Act to Amend Section 927 of Title 10 Relating to the Jurisdiction of Family Court.

Representative Wagner made comments.

The roll call on HB 574 was taken and revealed:

YES: 38.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives D. Ennis, Mack - 2.

Therefore, having received a constitutional majority, HB 574 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich made a comment.

Representative Ulbrich brought HB 503, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Keeley & Price & Senators Bunting, Sokola, Reed & Still, before the House for consideration.

HB 503 - An Act to Amend Chapter 38, Title 31 of the Delaware Code Regarding the Foster Child Review Act and Chapter 101, Title 29 of the Delaware Code Regarding the Administrative Procedures Act. (2/3 bill)

Representative Ulbrich made comments.

The roll call on HB 503 was taken and revealed:

YES: 36.

ABSENT: Representatives Davis, DiPinto, D. Ennis, Mack, Smith - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 503 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought HB 567, jointly sponsored by Senator Blevins & Representatives Maier, Keeley & Scott, before the House for consideration.

HB 567 - An Act to Amend Chapter 26, Title 24 of the Delaware Code Relating to Physical Therapy.

Representative Ulbrich made comments.

The roll call on HB 567 was taken and revealed:

YES: 36.

ABSENT: Representatives Davis, DiPinto, D. Ennis, Mack, Smith - 5.

Therefore, having received a constitutional majority, HB 567 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought HB 552, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Keeley, Price & Scott & Senators Bunting, Sokola, Reed & Still, before the House for consideration.

HB 552 - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

Representative Ulbrich made comments.

The roll call on HB 552 was taken and revealed:

YES: 36.

ABSENT: Representatives Davis, DiPinto, D. Ennis, Mack, Smith - 5.

Therefore, having received a constitutional majority, HB 552 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Keeley.

Representative Keeley moved to lift HB 215 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Keeley brought HB 215, jointly sponsored by Representatives Banning, Buckworth, D. Ennis, Houghton, Maier, Maroney, Price, Wagner, West & Spence & Senators Blevins, Marshall & McDowell, before the House for consideration.

HB 215 - An Act to Amend Chapter 48, Title 21 of the Delaware Code Relating to Child Restraint in Motor Vehicles. (2/3 bill)

Representative Keeley requested that HA 1 to HB 215 be stricken.

Representative Keeley brought HA 2 to HB 215 before the House for consideration.

Representatives Keeley, Wagner & Keeley made comments.

HA 2 was adopted by voice vote.

The roll call on HB 215 w/HA 2 was taken and revealed:

YES: 31.

NO: Representatives Caulk, Lee, Welch - 3.

NOT VOTING: Representatives Brady, Capano - 2.

ABSENT: Representatives Davis, DiPinto, D. Ennis, Mack, Smith - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 215 w/HA 2 was sent to the Senate for concurrence.

Representative Welch brought HB 534, jointly sponsored by Representative DiLiberto & Senator Amick, before the House for consideration.

HB 534 - An Act to Amend Title 10 of the Delaware Code Relating to Jury Compensation and Reimbursement.

Representative Welch made a comment.

Representative Welch brought HA 1 to HB 534 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Welch made a comment.

The roll call on HB 534 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Mack - 2.

Therefore, having received a constitutional majority, HB 534 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

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

Representative Welch introduced HB 615, jointly sponsored by Senator Voshell & cosponsored by Representative Keeley.

HB 615 - An Act to Amend Chapter 63, Title 21 of the Delaware Code Relating to the Sale of Motor Vehicles.

Mr. Speaker assigned HB 615 to the Public Safety Committee.

Representative Price made an announcement.

Representative Welch introduced HR 64, jointly sponsored by Representatives Spence & Smith.

HR 64 - Establishing the Child Protection Review Task Force to Review the Child Protective Services Being Offered by the State of Delaware and All Recommendations Being Offered to Improve These Services and to Make Recommendations Thereon to the House of Representatives.

HR 64 was placed on Consent Calendar #17 for May 13, 1998.

Representative Quillen requested that **SB 315** be given it's first reading.  
**SB 315** - VENABLES; REPRESENTATIVE CAPANO; SENATORS BUNTING, VOSHELL;  
 REPRESENTATIVES BUCKWORTH, EWING; SENATORS ADAMS, VAUGHN, BONINI;  
 REPRESENTATIVES CAREY, STONE - An Act to Amend Title 7 of the Delaware Code Relating to the  
 Practice of Falconry.

Representative Quillen made an announcement.

Mr. Speaker assigned **SB 315** to the Natural Resources Committee.

The Majority Leader moved to recess to the call of the Chair at 5:58 p.m.

29th LEGISLATIVE DAY  
 139th GENERAL ASSEMBLY  
 Second Session  
 May 13, 1998

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

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

POL ANAL & GOV ACCT: **SB 283** - 4M.

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

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives D. Ennis, Gilligan, Mack, Petrilli, Reynolds - 5.

Representative Scott requested that **HB 560** be stricken.

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

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

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

The following prefiled legislation was introduced:

**HB 610** - FALLON & WELCH & SENATORS VENABLES & BUNTING; REPRESENTATIVES EWING, LOFINK, QUILLEN - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 611** - FALLON & WELCH & SENATORS VENABLES & BUNTING; REPRESENTATIVES CATHCART, EWING, LOFINK, QUILLEN - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 612** - WELCH & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, DIPINTO, D. ENNIS, QUILLEN, ROY, VANSANT, B. ENNIS, WILLIAMS; SENATORS MCDOWELL, SORENSON - BUS/CORP/COM: An Act to Amend Title 4, Delaware Code Relating to Authorized Employees in Retail Liquor Establishments.

**HB 614** - OBERLE & SENATOR SOKOLA - ED: An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Qualified Tuition Savings Program.

**HB 616** - CAULK & SENATOR BUNTING; REPRESENTATIVES CAREY, MACK, QUILLEN, PRICE, SCHROEDER, WEST; SENATORS ADAMS, COOK, VENABLES, REED & STILL - AG: An Act to Amend Title 3 of the Delaware Code Relating to Regulation of Sale and Use of Pesticides and Devices.

**HB 617** - LEE & SENATOR BUNTING - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Fireworks.

**HB 618** - CAREY & SENATOR BUNTING; REPRESENTATIVES CAULK, LEE, MACK, QUILLEN, PRICE, SCHROEDER, WEST; SENATORS ADAMS, COOK, VENABLES, REED, STILL - ENV MAN: An Act to Amend Title 29 of the Delaware Code Regarding the Hazardous Materials Transportation Act of 1979.

**HA 2 to HB 397** - SPENCE - LAND USE & INFRA: Placed with the bill.

**HA 2 to HB 438** - WAGNER - ED: Placed with the bill.

**HA 1 to HB 466** - OBERLE - READY LIST: Placed with the bill.

**HA 2 to HB 466** - OBERLE - READY LIST: Placed with the bill.

**HA 1 to HB 529** - WAGNER - AGENDA: Placed with the bill.

**HA 1 to HB 562** - SCOTT - BUS/CORP/COM: Placed with the bill.

**SB 238** - SOKOLA, BLEVINS, HAUGE; REPRESENTATIVE ROY - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Smoking Restrictions.

**SB 300** - COOK & REPRESENTATIVE DAVIS - APPRO: An Act to Amend Title 29 of the Delaware Code Relating to Libraries.

**SB 302** - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL, HENRY & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to

Amend an Act to Amend Title 29 of the Delaware Code to Establish the Division of Long-Term Care Consumer Protection. (F/N)

**SB 304 w/SA 1** - MARSHALL & BLEVINS & REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS HENRY, MCDOWELL, CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code, Relating to Patient's Rights.

**SB 305 w/SA 1** - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 16, of the Delaware Code Relating to the Office of Long-Term Care Ombudsperson.

**SB 307 w/SA 1** - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend an Act to Amend Title 29, Chapter 79 of the Delaware Code to Establish the Delaware Nursing Home Residents Quality Assurance Commission.

Representative Carey requested that he be marked present.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: **SB 302 w/SA 1, SB 304 w/SA 1, SB 305 w/SA 1 & SB 307 w/SA 1.**

Representatives Lee, Fallon & Ulbrich requested that they be marked present.

Representatives Smith & Oberle made announcements.

The Majority Leader moved to recess for committee meetings at 2:14 p.m.

The House reconvened at 4:15 p.m.

Mr. Speaker Spence resumed the Chair.

Representatives Cathcart, Plant & Wagner requested that they be marked present.

Representative Carey introduced a guest.

Representatives Stone, Boulden, VanSant, Williams & B. Ennis requested that they be marked present.

Mr. Speaker Spence made an announcement.

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

Representative Smith & Mr. Speaker Spence made announcements.

The following prefiled **Consent Calendar #17** was introduced:

**HR 64** - WELCH, SPENCE & SMITH - Establishing the Child Protection Review Task Force to Review the Child Protective Services Being Offered by the State of Delaware and All Recommendations Being Offered to Improve These Services and to Make Recommendations Thereon to the House of Representatives.

**HR 65** - SPENCE ON BEHALF OF ALL REPRESENTATIVES - Recognizing the Lorelton Retirement Community for Its Annual Older Americans Month Celebration on May 20, 1998.

**HCR 76** - ROY & SENATOR SOKOLA - Welcoming Christiana Care On Its Inaugural Year as Sponsor of the Christiana Care Pro Cycling Event.

**SCR 67** - BAIR & REPRESENTATIVE SMITH; SENATORS HAUGE, SORENSON, CONNOR, VENABLES; REPRESENTATIVES MARONEY, CLOUTIER, BRADY, D. ENNIS, ROY, SCOTT - Extending a Warm Welcome to the Students From Joe Polowski High School of Torgau, Germany.

**Consent Calendar #17** was adopted by voice vote and **HCR 76** was sent to the Senate for concurrence and **SCR 67** was returned to the Senate.

Mr. Speaker Spence made an announcement.

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

NAT RES: **SB 315** - 5M,1U.

JUD: **SB 141** - 5M; **SB 308 w/SA 1** - 5M.

P/S: **HB 154** - 4M,1U; **HB 523** - 5M; **HB 592** - 5M; **HB 593** - 5M; **SB 317 w/SA 1** - 5M.

R/F: **HB 487** - 1F,6M; **HB 513** - 5F,2M; **HB 533** - 1F,6M; **HB 605** - 7M.

ED: **HB 506** - 6M.

Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:22 p.m.

30th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
May 14, 1998

Mr. Acting Speaker Welch called the House to order at 2:25 p.m.

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

TRANS: **HS 1/HB 234** - 7M; **HB 535** - 6M.

HEALTH & HUM DEV: **HB 522** - 7M; **HB 602** - 7M.

LAND USE & INFRA: **HB 397** - 6M; **HB 544** - 7M; **HB 482** - 8M.

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

ED: **HB 506** - 1F,5M.

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

The Chief Clerk read the following communication into the record:

May 13, 1998

The Honorable Terry R. Spence

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Terry:

On Thursday, May 14, 1998, I will be going to Wellsley, Mass. for the college graduation ceremonies for my son, Louis. This is a very important personal day for me.

Please excuse me from my Legislative responsibilities for today. Thank you.

Sincerely,

Deborah H. Capano

Representative

12th District

DHC/cmb

The following prefiled legislation was introduced:

**HB 621** - CAPANO & SENATOR COOK - R & F: An Act to Amend Chapter 55, Title 30 of the Delaware Code Relating to Taxation of Public Utilities. (3/5 bill)

The Majority Leader moved to adjourn at 2:27 p.m., thereby ending the current legislative day. The House reconvened at 2:28 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Capano, Quillen - 2.

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

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

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

The following prefiled legislation was introduced:

**HS 1 to HB 591** - CAPANO & SENATOR VOSHALL; REPRESENTATIVES CAREY, CATHCART, DIPINTO, D. ENNIS, FALLON, LEE, LOFINK, ROY, STONE, ULBRICH, GILLIGAN, BRADY, HOUGHTON, KEELEY; SENATORS BAIR, AMICK & SORENSON - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Delaware Tax Credits.

**HB 619** - PRICE & SENATOR BUNTING; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CLOUTIER, CAULK, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, MARONEY, PETRILLI, PLANT, QUILLEN, SCHROEDER, SCOTT, SMITH, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS, SPENCE - P/S: An Act to Amend Chapter 21 of Title 29 Relating to the Governor's Authority to Proclaim Special Days.

**HB 620** - WELCH - HOUSING & COM AFF: An Act to Amend Title 9, Delaware Code, Relating to Garbage Collections in Unincorporated Areas of Kent County.

**HB 622** - WELCH & WAGNER & DAVIS & WEST & SENATORS COOK & BONINI; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WILLIAMS - APPRO: An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HB 623** - BUCKWORTH, WELCH, WAGNER, DAVIS & WEST & SENATORS COOK & BONINI; REPRESENTATIVES SPENCE, BOULDEN, CAPANO, CAREY, CAULK, CLOUTIER, CATHCART, DIPINTO, D. ENNIS, FALLON, LEE, LOFINK, MACK, MARONEY, OBERLE, PETRILLI, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WILLIAMS - APPRO: An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the Eligibility of Pensions of the State Employees' Pension Plan.

**HB 624** - LEE & SENATOR VAUGHN - CORR: An Act to Amend Chapter 1, Title 13 of the Delaware Code Relating to Marriage.

**HB 625** - ROY & SENATOR SORENSON - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to Zoning.

**HB 627** - WAGNER & SENATOR BLEVINS - JUD: An Act to Amend Title 11 of the Delaware Code to Witnesses to Certain Crimes.

HB 628 - LEE, WELCH & SENATORS MCDOWELL & VAUGHN - JUD: An Act to Amend Title 11 of the Delaware Code Relating to General Provisions Concerning Offenses.

HA 1 to HB 563 - SCOTT - AGENDA: Placed with the bill.

Mr. Acting Speaker assigned HB 487 & SB 173 to the Appropriations Committee.

The Chief Clerk read the following communication into the record:

The Family of Marvin S. Gilman thanks you for your kindness and sympathy which has meant so very much and will always be remembered  
Dear Wayne, Debbie and Members of the State of Delaware House of Representatives,  
Thank you so much for the House of Representatives Memoriam and Resolution in tribute to Marvin.  
He would have been honored by your remembrance of him and your condolences brought warmth and comfort to our hearts. We appreciate your thoughtfulness. Peace.

Warmly,

Muriel, Martha and Peter

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

Representative DiLiberto requested and was granted personal privilege of the floor to introduce several of his constituents and present House certificates to them.

Representative Smith requested and was granted personal privilege of the floor to introduce a guest and make comments.

Representative Smith requested and was granted the privilege of the floor for Richard Moe, President, National Trust for Historic Preservation.

Mr. Acting Speaker Welch made comments.

Representative Reynolds requested that he be marked present.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli introduced HB 630.

HB 630 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors Licenses and Taxes.

Mr. Acting Speaker assigned HB 630 to the Business/Corporations/Commerce Committee.

Representative Ulbrich requested that she be marked present.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #138

DATE: May 14, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1837	Brady	5/12/98	T	Edwin J. Mears/69th Birthday
H139-1838	Capano	5/01/98	T	Michele Rollins/Dedication of Atrium/ Named for Her/Goldey-Beacom College
	cosponsor: Maier			
H139-1839	Price	5/02/98	T	Gus Gentile/Dedicated Service
H139-1840	Maier	5/01/98	T	George Knotts/Heroism/Rescue of Mary Minken from Fire in Home
H139-1841	Maier	5/01/98	T	Keith Rudy/Heroism/Rescue of Mary Minken from Fire in Home
H139-1842	Ewing	4/30/98	T	Erica Godwin/Winner/National Tourism Student Art Competition
H139-1843	Ewing	4/30/98	T	Denise Drejka/Winner/National Tourism Student Art Competition
H139-1844	VanSant	5/08/98	T	Paul Connor/Retirement/DELDOT/ 31+ Years
H139-1845	Stone	5/06/98	T	Daniel Romero/Rotary International Group Study Exchange Program Visit
H139-1846	Stone	5/06/98	T	Mercedes Manavella/Rotary International Group Study Exchange Program Visit
H139-1847	Stone	5/06/98	T	Rosana Engler/Rotary International Group Study Exchange Program Visit
H139-1848	Stone	5/06/98	T	Bibiana Braica/Rotary International Group Study Exchange Program Visit
H139-1849	Stone	5/06/98	T	Juan Carlos Palacio/Rotary International Group Study Exchange Program Visit
H139-1850	Wagner	5/06/98	T	Pamela Denham/1998 Delaware Young Mother
	cosponsor: Stone			

## HOUSE TRIBUTE ANNOUNCEMENT #139

DATE: May 14, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1851	Fallon	6/03/98	T	Michael Hitchens/Graduation/Polytech Adult School
H139-1852	Buckworth cosponsor: Stone	6/05/98	T	Lucille Jones/Retirement/31 Years/ Caesar Rodney School District
H139-1853	Buckworth	5/08/98	T	William Dawson/Retirement/20 Years/Board of Directors/1st National Bank of Wyoming
H139-1854	Cathcart cosponsor: Buckworth	5/09/98	T	Jeanne Buckworth/Outstanding Volunteer Service/15 Years/Delaware Hospice, Inc.
H139-1855	DiPinto cosponsor: Capano	5/01/98	T	Angeline & Joseph Pala/50th Wedding Anniversary
H139-1856	D. Ennis	5/16/98	T	William Salom/Honorary Doctor of Humanities Degree/Wesley College
H139-1857	DiLiberto	5/19/98	T	Stacey Raughley/Newark Lions Club /Teenager of the Year Award
H139-1858	Boulden	5/19/98	T	Krissy Wallace/Newark Lions Club /Teenager of the Year Award
H139-1859	Schroeder	5/20/98	T	Glenn Nathan/Public Service Recognition Week
H139-1860	Schroeder	5/20/98	T	George Smith/Mayor of Lewes/Public Service Recognition Week.
H139-1861	Ewing cosponsor: Schroeder	5/20/98	T	Corporal Lewis Briggs/Public Service Recognition Week
H139-1862	Schroeder	5/20/98	T	Heather Sheridan/Public Service Recognition Week
H139-1863	Fallon	4/27/98	M	Albert Horton

## HOUSE TRIBUTE ANNOUNCEMENT #140

DATE: May 14, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1864	Fallon	4/27/98	M	Charles "Chic" Krams
H139-1865	Buckworth	5/07/98	T	Stephanie Iverson/Caesar Rodney High/ Singing Performance/National Prayer Day
H139-1866	Gilligan	5/01/98	T	Joseph & Thelma Sewell/50th Wedding Anniversary
H139-1867	Roy	6/06/98	T	Daniel Richards/Eagle Scout
H139-1868	Cloutier	5/19/98	T	Sister Marie Lourdes Vanston, IHM/ 10+ Years Service/Catholic Schools
H139-1869	Williams	5/07/98	T	Katie Metzelaar/Youth in City Government Winner
H139-1870	Gilligan cosponsor: Roy	5/07/98	T	A.D. Sulecki/Named Gatorade Basketball Player of the Year
H139-1871	Gilligan cosponsor: Cloutier	5/07/98	T	Reggie Okosa/Named Gatorade Basketball Player of the Year
H139-1872	Ulbrich	5/09/98	T	Robert Dean/Eagle Scout
H139-1873	Scott cosponsor: Plant	5/07/98	T	Charles Smith/Wilmington Housing Authority/Outstanding Community Service
H139-1874	Maroney	5/07/98	T	Esther Clark, Esq./Retirement/Professor /Widener University School of Law
H139-1875	Maroney	5/07/98	T	Arthur Frakt, Esq./Retirement/Dean & Professor/Widener University School of Law
H139-1876	Fallon	5/23/98	T	Glen Lovelace, Sr./80th Birthday
H139-1877	Fallon	5/20/98	T	Alan Fletcher/Retirement/Chief Custodian/ Seaford Central Elementary School

T - Tribute

## M - Memoriam

Representative Smith deferred to Representative Reynolds.

Representative Reynolds introduced & brought HCR 74, jointly sponsored by Representative Mack & Senator Sokola on Behalf of All Representatives and Senators, before the House for consideration.

HCR 74 - Commending Harry Kutch for Being Selected Delaware State Teacher of the Year for 1998.

Representative Reynolds made comments.

Representative Brady requested that he be marked present.

The Teachers of the Year from each school district announced their names for the record and made comments.

Representative Reynolds introduced a guest.

Representative Reynolds requested and was granted the privilege of the floor for the 1998 Teacher of the Year, Harry Kutch.

HCR 74 was adopted by voice vote and sent to the Senate for concurrence.

Representative Reynolds deferred to Representative Mack.

Representative Mack made comments.

Representatives Mack, VanSant & Gilligan requested that they be marked present.

Representatives Cloutier & Caulk requested that they be marked present.

The Majority Leader moved to recess for caucus at 3:20 p.m.

The House reconvened at 5:04 p.m.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 341, HCR 74, SB 301 & SB 336.

Representatives Cloutier & Caulk requested that they be marked present.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 529, jointly sponsored by Senator Voshell & Representatives Spence, Smith, Welch, Capano, Cloutier, DiPinto, D. Ennis, Fallon, Lofink, Mack, Maroney, Reynolds, Roy, Ulbrich, Houghton & Price & Senators Bonini, Amick, Connor, Hauge & Still, before the House for consideration.

HB 529 - An Act to Amend Title 21 of the Delaware Code Relating to Administrative Penalties for Speeding.

Representative Wagner brought HA 1 to HB 529 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 529 w/HA 1 was taken and revealed:

YES: 34.

ABSENT: Representatives Capano, Carey, Maroney, Petrilli, Quillen, Roy, Schroeder - 7.

Therefore, having received a constitutional majority, HB 529 w/HA 1 was sent to the Senate for concurrence.

Representatives Boulden, D. Ennis, Lofink, Spence & Stone requested that they be marked present during the roll call.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on HCR 77. The motion was properly seconded and adopted by voice vote.

Representative Spence introduced and brought HCR 77, jointly sponsored by Representative D. Ennis & Senator McDowell & Representatives Welch, DiPinto, Oberle, VanSant, Keeley, Plant, Scott & Williams & Senators Voshell, Marshall, Henry, Bair & Amick, before the House for consideration.

HCR 77 - Commending the Success of the Job Corps Program and Encouraging the United States Department of Labor to Establish a Job Corps Facility in Wilmington, Delaware.

Representative Spence made comments.

Representative Spence deferred to Representative D. Ennis.

Representatives D. Ennis, Plant, Williams, Keeley & Spence made comments.

HCR 77 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with action on HB 544. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Cathcart brought HB 544, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton & Price & Senators McDowell, Vaughn, Voshell, Connor & Still & cosponsored by Representatives Gilligan & VanSant, before the House for consideration.

HB 544 - An Act Concerning 3 Delaware Laws, Chapter 78 and the Chesapeake and Delaware Canal, Authorizing the United States of America to Transfer the Old St. Georges Bridge to An Appropriate Private Entity for Its Rehabilitation and Operation, Under Terms and Conditions Acceptable to the State.

Representatives Cathcart, B. Ennis, D. Ennis, Cathcart & Mack made comments.

Representative Cathcart introduced guests.

The roll call on HB 544 was taken and revealed:

YES: 35.

ABSENT: Representatives Capano, Carey, Maroney, Quillen, Roy, Schroeder - 6.

Therefore, having received a constitutional majority, HB 544 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Mack.

Representative Mack brought HB 569, jointly sponsored by Senator McBride & Representatives

DiPinto, D. Ennis & B. Ennis, before the House for consideration.

HB 569 - An Act to Amend Title 7 of the Delaware Code Relating to Extremely Hazardous Substances Risk Management Act.

Representative Mack made comments.

Representative Mack requested and was granted the privilege of the floor for Robert A. Barrish, Accidental Release Prevention Manager, Department of Natural Resources and Environmental Control.

Representatives Mack, Reynolds, D. Ennis, DiPinto, B. Ennis, D. Ennis & Mack made comments.

The roll call on HB 569 was taken and revealed:

YES: 33.

ABSENT: Representatives Capano, Carey, Cloutier, Maroney, Quillen, Roy, Schroeder, Spence - 8.

Therefore, having received a constitutional majority, HB 569 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Scott.

Representative Scott deferred to Representative DiLiberto.

Representative DiLiberto introduced a guest and made an announcement.

Representative Scott brought HB 563, jointly sponsored by Representatives Buckworth, Carey, B.

Ennis, Ewing, Fallon, Houghton, Plant, Price, Ulbrich, VanSant, West & Spence & Senators Bunting, Henry & Marshall & cosponsored by Representative Keeley, before the House for consideration.

HB 563 - An Act to Amend Title 10 of the Delaware Code Relating to Domestic Violence.

Representative Scott brought HA 1 to HB 563 before the House for consideration.

Representative Scott made a comment.

HA 1 was adopted by voice vote.

Representative Scott made comments.

The roll call on HB 563 w/HA 1 was taken and revealed:

YES: 32.

NOT VOTING: Representative Cloutier - 1.

ABSENT: Representatives Capano, Carey, D. Ennis, Maroney, Quillen, Roy, Schroeder, Spence - 8.

Therefore, having received a constitutional majority, HB 563 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that HB 627 be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 559, jointly sponsored by Senators Marshall & Blevins &

Representatives Lofink & Scott & Senators McDowell & Connor & Representative Spence, before the House for consideration.

HB 559 - An Act to Amend Title 16 of the Delaware Code Relating to Reporting of Abuse or Neglect in Nursing Homes and Similar Facilities. (2/3 bill)

- Representatives Maier & Wagner made comments.

Representative Maier requested and was granted the privilege of the floor for Timothy Barron, Deputy Attorney General prosecuting crimes against elders.

Representative Wagner made comments.

The roll call on HB 559 was taken and revealed:

YES: 32.

ABSENT: Representatives Capano, Carey, D. Ennis, Maroney, Quillen, Roy, Schroeder, Scott, Spence - 9.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 559 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli brought HB 596, jointly sponsored by Representative Price & Senators Bunting & Sokola, before the House for consideration.

HB 596 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.  
Representative Petrilli introduced and brought HA 1 to HB 596 before the House for consideration.  
Representative Petrilli made comments.

HA 1 was adopted by voice vote.

Representative Petrilli made comments.

The roll call on HB 596 w/HA 1 was taken and revealed:

YES: 32.

ABSENT: Representatives Capano, Carey, D. Ennis, Maroney, Quillen, Roy, Schroeder, Scott,  
Spence - 9.

Therefore, having received a constitutional majority, HB 596 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 283, sponsored by Senator Sharp, before the House for consideration.

SB 283 - An Act to Amend Title 24 of the Delaware Code Relating to a Registered Nurse's Authority to Make a Pronouncement of Death.

Representatives Ulbrich & Ewing made comments.

Representative Ulbrich requested and was granted the privilege of the floor for Elaine Gilgenast, Clinical Coordinator, Methodist Country House.

Representatives Ewing, B. Ennis, Fallon, Reynolds & West made comments.

The roll call on SB 283 was taken and revealed:

YES: 32.

ABSENT: Representatives Capano, Carey, D. Ennis, Maroney, Quillen, Roy, Schroeder, Scott,  
Spence - 9.

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

Representative Smith brought HB 506, jointly sponsored by Senator Sokola & Representatives Spence, Welch, Capano, DiPinto, D. Ennis, Fallon, Carey, Cathcart, Lofink, Maier, Maroney, Quillen, Reynolds, Wagner, Ulbrich, Brady, DiLiberto, B. Ennis, Gilligan, Keeley, Price & Schroeder & Senators Blevins, Henry, McDowell, Venables, Bair, Connor, Sorenson & Still, before the House for consideration.

HB 506 - An Act to Amend Title 14 of the Delaware Code Relating to Student Volunteerism.

Representatives Smith, Gilligan & Fallon made comments.

The roll call on HB 506 was taken and revealed:

YES: 32.

ABSENT: Representatives Capano, Carey, D. Ennis, Maroney, Quillen, Roy, Schroeder, Scott,  
Spence - 9.

Therefore, having received a constitutional majority, HB 506 was sent to the Senate for concurrence.

Mr. Acting Speaker Welch made an announcement.

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

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought SCR 70, jointly sponsored by Senator McDowell & Representative Quillen, before the House for consideration.

SCR 70 - Urging Delaware's Attorney General to File a Notice of Its Intent to File a Brief Amicus Curiae in Support of the Environmental Protection Agency's (EPA) National Low Emission Vehicle (NLEV) Program.

Representative DiPinto made comments.

SCR 70 was adopted by voice vote and returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that action on HB 466 be Deferred to a Day Certain, Tuesday, June 2,  
1998.

Representative Smith made comments.

Representative Smith introduced HB 581, sponsored by Representatives Spence, Welch, Ewing & Oberle & Senator McDowell & Representatives Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Maroney, Petrilli, Roy, Stone, Ulbrich, Wagner, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, VanSant, West & Williams & Senators Sharp, Adams, McBride, McDowell, Vaughn & Bonini.

HB 581 - An Act Making a Supplemental Appropriation to Provide Funds for Municipalities, Cities, Counties, Towns and State Police, to Use to Hire Additional Police Officers, Provide for Certain Technologies, and Establishing Requirements Therefor. (3/4 bill) s

Mr. Acting Speaker assigned HB 581 to the Appropriations Committee.

Representative Smith made comments.

Representative Smith introduced & brought HCR 75, sponsored by Representative Spence on Behalf of All Members of the House & Senator Sokola on Behalf of All Members of the Senate, before the House for consideration.

HCR 75 - Honoring the Celebration of Israel's 50th Year of Independence, and Designating May 14, 1998, as "Israel Independence Day" in Delaware.

HCR 75 was adopted by voice vote and sent to the Senate for concurrence.

Representative Cloutier requested and was granted personal privilege of the floor to make comments.

Representative Smith & Mr. Acting Speaker Welch made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:23 p.m.

31st LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 2, 1998

Mr. Speaker Spence resumed the Chair.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 321 w/SA 1 & 2, SCR 69 & SCR 70  
May 13, 1998

LEGISLATIVE ADVISORY #37

Governor Thomas R. Carper signed the following legislation on the dates indicated: 5/7/98 - HB 588, 5/13/98 - SB 319.

May 14, 1998

LEGISLATIVE ADVISORY #38

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/14/98 - HB 156 aab HA 2 aab HA 1 to HA 2; HA 3.4 & 6 & SA 1.

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

The Chief Clerk called the roll.

Members Present: 41.

Representative Caulk made an announcement.

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

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

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

The following out-of-session prefiled legislation was introduced:

Reassignment of House Bill introduced May 14, 1998

HB 625 - ROY; SENATOR SORENSON - LAND USE & INFRA.: An Act to Amend Title 9 of the Delaware Code Relating to Zoning.

HB 626 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CAULK, EWING, GILLIGAN, HOUGHTON, KEELEY, LEE, PLANT, PRICE, SCOTT, ULBRICH, VANSANT, WEST, WILLIAMS - BUS/CORP/COM: An Act to Amend Title 5 of the Delaware Code Relating to the Retail Installment Sale of Motor Vehicles.

HB 629 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, REED - POL ANAL & GOV ACCT: An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to the Board of Funeral Services and Title 29 of the Delaware Code.

HB 631 - WAGNER & SENATOR BLEVINS - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Witnesses and Evidence.

HB 632 - WAGNER & SENATOR VOSHALL - ECON DEV, B & I: An Act to Amend Title 18, Delaware Code, Relating to Uninsured Vehicle Coverage.

HB 633 - STONE & SENATOR SOKOLA; REPRESENTATIVES CAPANO, DIPINTO, D. ENNIS, FALLON, BRADY, HOUGHTON, KEELEY, PLANT, SCOTT; SENATORS VOSHALL, VENABLES, AMICK, STILL - HOUSING & COM AFF: An Act to Amend Titles 29 and 31 of the Delaware Code Relating to the Delaware State Housing Authority.

HB 634 - PRICE & REPRESENTATIVES OBERLE, BRADY, DILIBERTO, B. ENNIS, FALLON, HOUGHTON, KEELEY, PLANT, SCHROEDER, SCOTT, WEST, WILLIAMS, ULBRICH; SENATORS ADAMS, HENRY, MARSHALL, SOKOLA, VAUGHN - ED: An Act to Amend Title 29 of the Delaware Code Relating to Expenditures for Minor Capitol Improvements.

HB 635 - PRICE & REPRESENTATIVE OBERLE & SENATOR BUNTING - ED: An Act to Amend Title 29 of the Delaware Code Relating to School Construction and Capital Improvements.

HB 636 - SCHROEDER, CAREY; SENATORS BUNTING, VOSHELL - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Recreational Gill Nets. (2/3 bill)

SB 301 - VAUGHN; REPRESENTATIVE LEE - CORR: An Act to Amend Title 11, Chapter 65, Section 6535 Relating to Discipline.

SB 321 w/SA 1 & 2 - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Abuse, Neglect, Mistreatment or Financial Exploitation of Patients or Residents.

SB 336 - ADAMS & REPRESENTATIVE WAGNER; SENATORS SHARP, VENABLES, BUNTING, VOSHELL, COOK & VAUGHN - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Superior Court. (F/N)

SB 341 - MARSHALL & REPRESENTATIVE MAIER; SENATOR BLEVINS; REPRESENTATIVES LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 31 of the Delaware Code Relating to Adult Protective Services. (2/3 bill)

The following prefiled legislation was introduced:

Reassignment of House Bill introduced May 14, 1998 (Correction to May 26, 1998 out-of-session prefile)

HB 625 - ROY, SORENSON - LAND USE & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to Zoning.

HB 637 - CAULK & SENATOR BUNTING; REPRESENTATIVES CAREY, MACK, QUILLEN, PRICE, SCHROEDER, WEST; SENATORS ADAMS, BUNTING, COOK, VENABLES, REED - AG: An Act to Amend Title 3 of the Delaware Code Relating to the Northeast Interstate Dairy Compact.

HB 638 - D. ENNIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Small Employer Health Insurance and Pre-Existing Conditions.

HB 639 - D. ENNIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Authorization of Insurers and General Requirements.

HB 640 - D. ENNIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Charging of Fees for Materials Filed With the Department.

HB 641 - DIPINTO & SENATOR MCDOWELL - H/ADM: An Act Relating to the Waiver of Statutory Provisions of Title 13 of the Delaware Code Concerning the Solemnization of Marriages.

HB 642 - WELCH - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HA 1 to HB 201 - SPENCE - APPRO: Placed with the bill.

HA 2 to HB 442 - WAGNER - AGENDA: Placed with the bill.

HA 1 to HB 558 - MAIER - AGENDA: Placed with the bill.

HA 1 to HB 580 - BUCKWORTH - AGENDA: Placed with the bill.

HA 1 to HB 602 - CAREY - READY LIST: Placed with the bill.

HA 1 to HB 609 - CAULK - AGENDA: Placed with the bill.

HA 1 to HB 613 - SMITH - ECON DEV, B & I: Placed with the bill.

Representatives Maroney, Welch, Buckworth, Davis & Lee requested that they be marked present.

Representatives Ewing & Buckworth made comments.

Representative Maier requested that she be marked present.

Representative Wagner made an announcement.

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

Representative Caulk requested and was granted personal privilege of the floor to make comments.

Representative Fallon made an announcement.

Representative Plant requested and was granted personal privilege of the floor to make comments.

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

Plant:

May 19, 1998

Representative Plant:

United States Department of the Interior

Honorable Al Plant

Delaware State House of Representatives

Legislative Hall

Dover, Delaware 19903

Dear Representative Plant:

This letter is in reference to your complaint of pattern and practice employment discrimination, filed with the U.S. Department of the Interior against the Delaware Department of Natural Resources and Environmental

Control (DDNREC. Their investigation concluded that the DNREC maintained inadequate personnel records and lacked sufficient safeguards in their merit hiring procedures.

The Service conducted an extensive analysis of the documentation provided by the DDNREC, including a demographic analysis of the workforce. The demographic analysis was later updated to include 1997 data. Our office concluded that significant under-representations exist for different minority groups, especially African-Americans and Hispanics, in key occupations and the overall workforce.

Subsequently, our office met with the DDNREC on-site on January 22, 1998, and May 4, 1998, to discuss the EEOC findings, and the cited under-representations. At these meetings, the DDNREC indicated that they had improved their recordkeeping and tightened their merit hiring procedures. The DDNREC agreed in principle to a written, signed Action Plan to address and correct the cited severe under-representations.

Thank you for your patience in bearing with this extensive investigative process.

Sincerely,

Jerome M. Butler, Ph.D.

Chief, Office for Human Resources

Representative Plant, Mr. Speaker Spence, Representatives Smith, Plant, Williams & Scott made comments.

Representatives Bouden, Lofink & D. Ennis requested that they be marked present.

Representative D. Ennis requested and was granted personal privilege of the floor to make comments.

Representative Davis requested that he be marked present.

Representative West made comments.

Representative Gilligan requested that he be marked present.

Representatives Fallon & Carey made comments.

The Reading Clerk read the following communications into the record:

May 19, 1998

LEGISLATIVE ADVISORY #39

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/19/98 - SB 289, SB 253, SB 278, SB 285, SB 323 & SB 324.

May 26, 1998

LEGISLATIVE ADVISORY #40

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/22/98 - SB 288 aab SA 1 & 2 & HA 3 & 4.

MEMORANDUM

TO: Bernard J. Brady  
Secretary of the Senate

FROM: JoAnn M. Hedrick  
Chief Clerk of the House

DATE: May 5, 1998

RE: HB 148

At the request of the prime sponsor, Representative Ulbrich, I write to ask that you return HB 148 to the House.

Thank you for your anticipated cooperation.

JMH/grp

To: Senator Robert I. Marshall  
Chair, Revenue and Taxation Committee

From: Bernard J. Brady  
Secretary of the Senate

Date: May 13, 1998

Subject: House Bill #148

As Chair of the Revenue and Taxation committee, attached please find a copy of a memo from the Chief Clerk of the House requesting the return of House Bill #148 currently in your committee.

Thank you.

MEMO TO: Bernard Brady  
Secretary of the Senate

FROM: Senator Robert I. Marshall

DATE: May 13, 1998

RE: HB 148

Per the request of Representative Ulbrich, sponsor, I herewith return HB 148.

MEMORANDUM

TO: JoAnn Hedrick  
Chief Clerk of the House

FROM: Bernard J. Brady  
 Secretary of the Senate  
 DATE: May 14, 1998  
 SUBJECT: House Bill #148

Pursuant to your memorandum of May 5, 1998, attached please find the original of House Bill #148 being returned to your chamber.

Thank you.

Representative Petrilli requested that he be marked present.

Mr. Speaker assigned HB 584 to Appropriations Committee.

Representative Welch deferred to Representative Price.

Representative Price introduced HS 2 for HB 504, jointly sponsored by Representative Quillen.

HB 504 - An Act to Amend Title 4 of the Delaware Code Regarding the Delaware Alcoholic Beverage Control Commission License Application Process, and Denials, Suspensions, or Revocations of Licenses.

Mr. Speaker assigned HS 2 for HB 504 to the Business/Corporations/Commerce Committee.

Representative Price made an announcement.

The Majority Whip moved to recess for caucus at 3:13 p.m.

The House reconvened at 5:42 p.m.

Mr. Speaker assigned HB 513 to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 442, jointly sponsored by Representative Scott & Senator Blevins & Representatives Stone, Keeley & Houghton, before the House for consideration.

HB 442 - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Cosmetology and Barbering, and Complaints Regarding Nail Salons.

Representative Wagner brought HA 1 to HB 442 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Wagner brought HA 2 to HB 442 before the House for consideration.

Representative Wagner made a comment.

HA 2 was adopted by voice vote.

Representative Wagner made comments.

Mr. Speaker Spence appointed Representative Petrilli as Acting Speaker.

The roll call on HB 442 w/HA 1 & 2 was taken and revealed:

YES: 36.

ABSENT: Representatives Mack, Maroney, Reynolds, Smith, Spence - 5.

Therefore, having received a constitutional majority, HB 442 w/HA 1 & 2 was sent to the Senate for concurrence.

Representatives Oberle, Cloutier & Brady requested that they be marked present during the roll call.

Representative Welch deferred to Representative Roy.

Representative Roy brought HS 1 for HB 570, jointly sponsored by Representative Petrilli & Senator Adams & Representatives Capano, Carey, Mack, Stone, B. Ennis & Schroeder & Senators Vaughn, Voshell, Venables, Connor & Still, before the House for consideration.

HB 570 - An Act Amending the Provisions of Titles 22 and 26 of the Delaware Code Relating to the Restructuring and Regulation of Public Utilities Supplying Electricity to Retail Customers in the State.

Representatives Roy & Oberle made comments.

Representative Roy moved to place HS 1 for HB 570 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Welch deferred to Representative Williams.

Representative Williams requested that action on HB 549 be Deferred to a Day Certain, Tuesday, June 9, 1998.

Representative Welch deferred to Representative Caulk.

Representative Caulk brought HB 609, jointly sponsored by Senator Bunting & Representatives Carey, Mack, Quillen, Price, Schroeder & West & Senators Adams, Bunting, Cook, Venables, Reed & Still, before the House for consideration.

HB 609 - An Act to Amend Chapter 81, Title 10, Delaware Code Relating to Nuisance Actions Resulting From Agricultural Operations.

Representative Caulk brought HA 1 to HB 609 before the House for consideration.

Representative Caulk made a comment.

HA 1 was adopted by voice vote.

Representative Caulk made comments.

The roll call on HB 609 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Spence - 2.

Therefore, having received a constitutional majority, HB 609 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 566, jointly sponsored by Senator Blevins & Representatives Spence, Smith, Welch, Cloutier, Davis, D. Ennis, Fallon, Maroney, Reynolds, Ulbrich, Keeley & Price & Senators McDowell, Connor & Sorenson, before the House for consideration.

HB 566 - An Act to Amend Title 16 of the Delaware Code Relating to Mandatory Testing and Counseling of Pregnant Women for Human Immunodeficiency Virus (HIV) Infection.

Representatives Maier, Oberle, Maroney & Maier made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Gregg Sylvester, Secretary, Department of Health and Social Services.

Representatives Maroney, Caulk, Wagner & Davis made comments.

The roll call on HB 566 was taken and revealed:

YES: 36.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives Lofink, Mack, Oberle, Spence - 4.

Therefore, having received a constitutional majority, HB 566 was sent to the Senate for concurrence.

Representative Smith introduced guests.

Representative D. Ennis made a comment.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Brady.

Representative Brady brought HB 460, jointly sponsored by Representatives Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Keeley, Mack, Plant, Price, Quillen, Schroeder, Scott, VanSant, Wagner, West, Williams & Spence & Senators Bunting, Vaughn & Venables & cosponsored by Representative Oberle, before the House for consideration.

HB 460 - An Act to Amend Title 1 of the Delaware Code Relating to Legal Holidays.

Representative Brady made a comment.

Representative Brady brought HA 1 to HB 460 before the House for consideration.

Representative Brady made a comment.

HA 1 was adopted by voice vote.

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

The roll call on HB 460 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 460 w/HA 1 was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #141

DATE: June 2, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1878	Fallon	5/20/98	T	Bob King/Retirement/Visiting Teacher/Seaford School District
H139-1879	Fallon	5/20/98	T	Raymond Jones/Retirement/Teacher/West Seaford Elementary School
H139-1880	Fallon	5/20/98	T	Kay Johnson/Retirement/Teacher/Seaford Kindergarten
H139-1881	Fallon	5/20/98	T	Valerie Jefferson/Retirement/Teacher/Seaford Middle School
H139-1882	Fallon	5/20/98	T	Ellen Sirman/Retirement/Teacher/West Seaford Elementary School
H139-1883	Fallon	5/20/98	T	Virginia Breasure/Retirement/Librarian/Frederick Douglas Intermediate School
H139-1884	Fallon	5/11/98	T	Reverend Kari Jones/Graduation/Wesley Theological Seminary
H139-1885	Scott	6/06/98	T	Layton Home/106th Anniversary
H139-1886	Maier	5/06/98	T	Carrie Aiken/Miss Delaware National Teen-Ager 1998 Senior Division

H139-1887	Smith	5/20/98	T	Charlotte Shedd/Sydney Steel Award /Outstanding Community Service
H139-1888	Spence cosponsor: Smith	5/19/98	T	Debora Jones/Volunteer Award/ Delaware Safety Council
H139-1889	Spence cosponsor: Smith	5/19/98	T	Martha Shipe/Excellence Award/ Delaware Safety Council
H139-1890	Stone cosponsor: Carey	5/12/98	T	Donna Hutchins/Agriculture in the Classroom Teacher for 1998

## HOUSE TRIBUTE ANNOUNCEMENT #142

DATE: June 2, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1891	Gilligan	5/16/98	T	Michael Saggione/Minquas Fire Co. #1/ Fireman of the Year
H139-1892	Gilligan	5/16/98	T	M. David Douglas/ Minquas Fire Co. #1/ Fireman of the Year
H139-1893	Fallon	5/19/98	T	MBNA America/Funding "Best Friends" Program
H139-1894	Spence & Oberle cosponsors: All House Members	5/12/98	T	Ward Burton/Nascar Driver/ Commitment to Highway Safety
H139-1895	D. Ennis	5/14/98	T	William Sturm/Dedication To Preserving Naval History of the United States
H139-1896	D. Ennis	5/14/98	T	Jens Larsen/Dedication To Preserving Naval History of the United States
H139-1897	D. Ennis	5/14/98	T	Gerald Shaw/Dedication To Preserving Naval History of the United States
H139-1898	Wagner	5/04/98	M	David Prettyman
H139-1899	Spence	5/16/98	T	Charles Adams/Governor/Capital District/Kiwanis International
H139-1900	Welch cosponsor: Wagner	5/20/98	T	Reverend Gregory Howe/Retirement/ Rector/Christ Episcopal Church/32 Years
H139-1901	Buckworth	6/12/98	T	Dr. William Bach/Retirement/Superintendent Caesar Rodney School District/9 Years
H139-1902	Buckworth	5/27/98	T	Barbara Bordley/Retirement/Teacher /Caesar Rodney School District/42 Years
H139-1903	Caulk	6/13/98	T	Justin Konesey/Eagle Scout

## HOUSE TRIBUTE ANNOUNCEMENT #143

DATE: June 2, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1904	Capano	5/06/98	M	George Barnhill
H139-1905	Oberle	4/05/98	M	Kathleen Maroney Wolf
H139-1906	DiLiberto	2/06/98	M	Alexander Bourque, Jr.
H139-1907	Schroeder	5/31/98	T	Eric Mills/Eagle Scout
H139-1908	Fallon	6/11/98	T	Kiwanis Club/Seaford/75th Anniversary
H139-1909	Maier	8/26/98	T	Lieutenant Barry Beck/Retirement/ 27½ Years/Delaware State Police
H139-1910	Oberle cosponsors: All House Members	5/24/98	T	United Auto Workers 435/50 Years of Community Service
H139-1911	Spence cosponsor: Smith	5/20/98	T	Lorelton Retirement Community/Annual Celebration of Older Americans Month
H139-1912	Maier	5/19/98	T	Red Clay Education Association/DSEA Cutting Edge Local Award
H139-1913	Maier	5/19/98	T	Red Clay Paraprofessionals Association/ Second DSEA Cutting Edge Award
H139-1914	Buckworth	5/27/98	T	Margaret Lingo/50 Years of Membership/ Rising Sun Community Club
H139-1915	Buckworth	5/27/98	T	Virginia Metz/50 Years of Membership/ Rising Sun Community Club

H139-1916	Buckworth	5/27/98	T	Hazel Short/50 Years of Membership/ Rising Sun Community Club
H139-1917	Buckworth	5/27/98	T	Clara Fifer/50 Years of Membership/ Rising Sun Community Club

## HOUSE TRIBUTE ANNOUNCEMENT #144

DATE: June 2, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1918	D. Ennis	5/14/98	T	The Argentina Delegation/Welcome to Delaware
H139-1919	Ulbrich	5/15/98	T	Karen Derrickson/Outstanding Environmental Educator of 1998
H139-1920	Price cosponsor: Carey	5/24/98	T	Corporal Patricia Temple/Outstanding Service to the People She Serves
H139-1921	Price	4/23/98	T	Eleanor & Edward Grace/50th Wedding Anniversary
H139-1922	Price	5/14/98	T	Lord Baltimore Elementary School/President's Award/Chamber of Commerce Program
H139-1923	Price	4/24/98	T	Town of Selbyville/EPA Waste Management Award of Excellence Recipient
H139-1924	Caulk	5/14/98	M	Sherman Stevenson
H139-1925	Brady	5/17/98	T	Susan T. Gleich/Principal/Contributions /Maple Lane School & Community
H139-1926	Spence	5/16/98	M	Roger Hudson
H139-1927	Fallon	5/17/98	T	Carol Higgins/Graduation/Delaware State University/Early Education Degree
H139-1928	Mack	5/19/98	T	Nick Sullivan/Otis Chapman Trophy Recipient/Outstanding Senior Wrestler
H139-1929	Mack	6/06/98	T	Harry Kutch/Delaware 1998 Teacher of the Year
H139-1930	Mack	5/31/98	T	Christ Episcopal Church/150th Year

T - Tribute

M - Memoriam

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative D. Ennis.

Mr. Speaker Spence introduced a guest.

Representative D. Ennis introduced HB 647.

HB 647 - An Act to Amend Title 18 of the Delaware Code Relating to the Conversion of a Mutual Insurer to a Stock Insurer.

Mr. Speaker assigned HB 647 to Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli made an announcement.

Representative Petrilli introduced HB 650, jointly sponsored by Representative Oberle & Senators McDowell, Henry & McBride.

HB 650 - An Act to Amend Title 18 of the Delaware Code Relating to General Limitations.

Mr. Speaker assigned HB 650 to the Judiciary Committee.

Representative Capano made an announcement.

Representative Fallon introduced HB 645, jointly sponsored by Representatives DiPinto & Schroeder & Senators Bunting & Still & Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West & Williams & Senators Adams, Venables, Voshell, Bair, Bonini, Connor, Hauge, Reed & Sorenson.

HB 645 - An Act to Amend Title 30 of the Delaware Code Relating to Lodging Tax Collection.

Mr. Speaker assigned HB 645 to the Revenue & Finance Committee.

Representative Wagner made an announcement.

Representative Ulbrich requested that HB 148 be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier made an announcement.

Representative Maier introduced HB 649, jointly sponsored by Representative Oberle & Senator McDowell & Representatives Capano, Ulbrich & Wagner & Senators Sharp, Blevins, Cook, Henry & Sorenson.

HB 649 - An Act to Amend Title 13 of the Delaware Code Relating to Termination of Parental Rights. Mr. Speaker assigned HB 649 to the Health & Human Development Committee.

Representative Roy moved to lift HS 1 for HB 570 from the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Roy brought HS 1 for HB 570, jointly sponsored by Representative Petrilli & Senator Adams & Representatives Capano, Carey, Mack, Stone, B. Ennis & Schroeder & Senators Vaughn, Voshell, Venables, Connor & Still, before the House for consideration.

HB 570 - An Act Amending the Provisions of Titles 22 and 26 of the Delaware Code Relating to the Restructuring and Regulation of Public Utilities Supplying Electricity to Retail Customers in the State.

Representative Roy introduced and brought HA 1 to HS 1 for HB 570 before the House for consideration.

Representative Roy made comments.

HA 1 was adopted by voice vote.

Representative Roy deferred to Representative Oberle.

Representatives Oberle & Roy made comments.

Representative Roy requested and was granted the privilege of the floor for Paul Gerritsen, representing Connectiv/Delmarva Power.

Representative Oberle made a comment.

Representative Oberle introduced and brought HA 2 to HS 1 for HB 570 before the House for consideration.

Representatives Oberle & Roy made comments.

HA 2 was adopted by voice vote.

Representatives Oberle & Roy made comments.

Representative VanSant requested and was granted the privilege of the floor for Bruce Burcat, Executive Director, Public Service Commission.

Representatives Keeley, Roy, West, Roy, Cloutier, B. Ennis, VanSant, Roy & B. Ennis made comments.

Representative Roy requested and was granted the privilege of the floor for Paul Gerritsen, representing Connectiv/Delmarva Power.

Representative Keeley made comments.

The roll call on HS 1 for HB 570 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Williams - 2.

Therefore, having received a constitutional majority, HS 1 for HB 570 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Mr. Speaker reassigned HB 618 to the Natural Resources Committee.

Representative Stone introduced HB 651, jointly sponsored by Representative Ulbrich & Senator Blevins.

HB 651 - An Act to Amend Chapter 29 of Title 24 of the Delaware Code Relating to Real Estate Appraisers.

Mr. Speaker assigned HB 651 to the Housing & Community Affairs Committee.

Representatives Stone, Davis & Quillen made announcements.

Representative Buckworth requested that action on HB 580 be Deferred to a Day Certain, Tuesday, June 9, 1998.

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

R & F: HS 1 to HB 591 - 5F; HB 621 - 5M.

H/ADM: HB 582 - 4M.

Representative Lee requested that HCR 73 be stricken.

The Majority Leader moved to recess to the call of the Chair at 7:18 p.m.

32nd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 3, 1998

Mr. Acting Speaker Welch called the House to order at 2:20 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **SB 328, SB 362, SS 1 for SB 314, HB 478 w/HA 1, SB 303 w/SA 3, SB 322 w/SA 1 & 2 & SB 342 w/SA 2 & 3.**

Representative Fallon introduced **HCR 83**, jointly sponsored by Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Stone, Ulbrich, Wagner, Gilligan, B. Ennis, Houghton, Plant, Price & West & Senator Voshell.

**HCR 83** - Requesting the State Division of Revenue Conduct a Study of Lodging Tax Issues.

Mr. Acting Speaker assigned **HCR 83** to the Revenue & Finance Committee.

Representative Fallon introduced guests.

Representative Fallon introduced **HCR 82**, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Stone, Ulbrich, Wagner, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, VanSant, West & Williams & Senator Voshell.

**HCR 82** - Asking the State and County Tourism Agencies to Form a Cooperative Plan for Conducting Tourism-Related Marketing, Promotion, and Research.

Mr. Acting Speaker assigned **HCR 82** to the Economic Development, Banking & Insurance Committee.

The Majority Leader moved to adjourn at 2:27 p.m., thereby ending the current legislative day. The House reconvened at 2:28 p.m.

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Boulden, Lofink, Mack, Petrilli - 4.

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

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

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

The following prefiled legislation was introduced:

**HB 643** - WELCH - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Animals Other Than Dogs.

**HB 644** - WAGNER - ED: An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

**HB 646** - WAGNER - ED: An Act to Amend Title 14 of the Delaware Code Relating to General Provisions.

**HB 653** - WELCH - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Vehicle Accidents Resulting in Physical Injury, Serious Physical Injury or Death to Any Person, and Penalties.

**HB 654** - MAIER & SENATOR SHARP - APPRO: An Act to Amend Chapter 55, Title 29 of the Delaware Code, Relating to Survivor's Eligibility for Pension Benefits.

**HB 655** - STONE - HOUSING & COM AFF: An Act to Amend Title 24 of the Delaware Code Relating to the Regulation of Real Estate Appraisers.

**HCR 80** - LEE, DAVIS, B. ENNIS & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS SHARP, VOSHELL, MCDOWELL, ADAMS, BLEVINS, BUNTING, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES, BAIR, AMICK, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - APPRO: A Resolution to Establish as Part of the Grant-In-Aid Program the Volunteer Fire Company Insurance Rebate Equalization Fund.

**HA 1 to HB 495** - WAGNER - READY LIST: Placed with the bill.

**HA 1 to HS 2 for HB 504** - PRICE & QUILLEN - BUS/CORP/COM: Placed with the bill.

**HA 1 to HB 541** - DILIBERTO - READY LIST: Placed with the bill.

**HA 1 to HB 551** - BUCKWORTH - READY LIST: Placed with the bill.

**SB 303 w/SA 3** - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS HENRY, MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Quality in Hiring of Employees of Nursing Homes and Similar Facilities. (F/N)

**SS 1 for SB 314** - VOSHELL, SHARP, ADAMS & VAUGHN; REPRESENTATIVE SCOTT - ECON DEV, B & I: An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

**SB 322 w/SA 1 & 2** - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of Nursing Facilities and Similar Facilities. (3/5 bill)

SB 328 - VOSHELL & REPRESENTATIVES QUILLEN, CAREY & WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Jurisdiction of Criminal Cases in the Justice of the Peace Court of the State of Delaware.

SB 342 w/SA 2 & 3 - MARSHALL & REPRESENTATIVE SCOTT; SENATOR BLEVINS; REPRESENTATIVES MAIER, LOFINK; SENATORS HENRY, MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: 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. (2/3 bill)

SB 362 - MCDOWELL, MARSHALL & HENRY; REPRESENTATIVES SCOTT, WILLIAMS, KEELEY, PLANT, DIPINTO & HOUGHTON - JUD: An Act to Amend Title 11 and 25 of the Delaware Code Relating to Property Liens.

The Reading Clerk read the following communication into the record:

June 3, 1998

Speaker Terry Spence  
House of Representatives  
Legislative Hall  
Dover, DE 19901

Dear Speaker Spence:

Due to personal matters I will not be in attendance today, June 3, 1998.

Sincerely,  
Vincent A. Lofink  
State Representative  
27th District

Representative Smith deferred to Representative Roy.

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

Representative Roy requested and was granted the privilege of the floor for Alan Sokolow, Director, Eastern Office, Council of State Governments.

Representative Roy made an announcement.

Representatives Williams, Plant, Oberle, Ulbrich & Stone requested that they be marked present.

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

The House reconvened at 5:00 p.m. with Representative Davis as Acting Speaker.

Representatives Spence & Keeley requested that they be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Brady requested that he be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #145

DATE: June 3, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1931	Mack	4/25/98	T	Councilman & Mrs. Pat Marinelli/ 56th Wedding Anniversary
H139-1932	Mack	5/20/98	T	Theresa & Henry Gambacorta/40th Wedding Anniversary
H139-1933	Wagner	5/23/98	T	Jennifer Iovino & John Wunderlich /Marriage
H139-1934	Wagner	5/23/98	T	Stephanie Gaulin & Jeremy Bushweller/Marriage
H139-1935	Wagner	5/23/98	T	Jennifer Coughenour & Lloyd Cornell/Marriage
H139-1936	Fallon	5/19/98	T	State Federation of Women's Clubs/100th Anniversary
H139-1937	B. Ennis	5/10/98	M	Ethel V. Craig
H139-1938	Fallon	5/06/98	M	Kenneth Furnish
H139-1939	Carey	6/02/98	T	Arnold Coverdale/KSI/'97 Employee of the First Quarter
H139-1940	Carey	6/02/98	T	Hannah Megee/KSI/'97 Employee of the Second Quarter
H139-1941	Carey	6/02/98	T	Catherine Swierczewski/KSI/'97 Employee of the Third Quarter
H139-1942	Carey	6/02/98	T	Robert Seward/KSI/'97 Employee of the Year

Number	Sponsor	Presentation Date	Type	Description
H139-1943	Carey	6/02/98	T	Mark Ardecki/KSI/97 Staff Employee of the Year

HOUSE TRIBUTE ANNOUNCEMENT #146

DATE: June 3, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1944	Carey	6/02/98	T	John Stanley/KSI/97 Staff Employee of the Year
H139-1945	Carey	6/02/98	T	Mark Frey/KSI/Appreciation Award
H139-1946	DiLiberto	5/31/98	T	Andrew Hetzler/Bachelor of Music/ University of Delaware
H139-1947	Mack	6/03/98	T	Delaware City Fire Co. Ladies Auxiliary /40th Anniversary
H139-1948	Maroney	5/26/98	T	Kathleen Desimone/Jane Maroney Award Recipient/Community Involvement
H139-1949	Carey	5/30/98	T	Andrew Jones/Eagle Scout
H139-1950	Fallon	6/12/98	T	Sarah Thrash/Retirement/Seaford Librarian
H139-1951	Fallon	5/20/98	T	Bonnie VanTine/'98 Teacher of the Year/Seaford School District
H139-1952	Fallon	5/30/98	T	Judy Cropper/Retirement/Seaford School District
H139-1953	Fallon	5/20/98	T	Joan Bryan/Secretary/Retirement/ Seaford School District
H139-1954	Fallon	5/20/98	T	Anna Mortimer/Paraprofessional/ /Retirement/Seaford School District
H139-1955	Fallon	5/20/98	T	Lucretia Richards/Food Services /Retirement/Seaford School District
H139-1956	Ewing	6/03/98	T	John Mervine/70th Birthday

T - Tribute

M - Memoriam

Representative Cloutier requested that he be marked present.

Representative Welch moved to suspend the rules which interfere with introduction of and action on Consent Calendar #18. The motion was properly seconded and adopted by voice vote.

The following prefiled Consent Calendar #18 was introduced:

HR 66 - CAULK ON BEHALF OF ALL REPRESENTATIVES - Memorializing Mr. Sherman G. Stevenson, Jr. by Commemorating His Widespread and Significant Contributions in the Delaware Agriculture Community and Mourning His Death on May 14, 1998.

HCR 78 - EWING & SENATOR VENABLES; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAULK, DAVIS, FALLON, LEE, LOFINK, BRADY, B. ENNIS, PLANT, PRICE, WEST - Recognizing and Memorializing the Ten Commandments as the Moral Underpinning of Our State Government, Its Law and Our Authority as Representatives of the People of Delaware.

HCR 79 - B. ENNIS, WELCH; SENATORS COOK & VAUGHN; ON BEHALF OF ALL REPRESENTATIVES & SENATORS - Thanking Florence M. Legates for Her Many Years of Dedicated Service to the Citizens of Delaware and Extending Best Wishes to Her as She Retires From Her Position as Instructor at the Delaware State Fire School.

HCR 81 - B. ENNIS; SENATOR VAUGHN - Commending the Burn Foundation on Its Twenty-Fifth Anniversary, and Extending to It Bountiful Success in Its Future Endeavors.

SCR 54 - MARSHALL; REPRESENTATIVE DIPINTO; SENATOR MCDOWELL; REPRESENTATIVES PLANT, WILLIAMS; SENATOR HENRY; REPRESENTATIVES KEELEY, SCOTT - Urgently Requesting That Leading Wilmington City Officials Fulfill Their Commitment to Identify Suitable Sites and to Open Neighborhood Police Stations by June of 1998.

SCR 60 - MARSHALL; REPRESENTATIVE SCOTT; SENATOR REED; REPRESENTATIVES BOULDEN, ULBRICH; SENATORS AMICK, SORENSON; REPRESENTATIVES OBERLE, DILIBERTO - Requesting the Delaware Stadium Corporation to Commission Suitable Permanent Memorials to Commemorate the Accomplishments of Victor Gazaway "Vic" Willis and William Aloysius "Bill" McGowan, Two Delawareans Who Have Recently Been Inducted Into the National Baseball Hall of Fame.

SCR 69 - BAIR, BLEVINS, MCDOWELL & REPRESENTATIVES MAIER, MARONEY; SENATORS HENRY MARSHALL, REED, SORENSON; REPRESENTATIVES BOULDEN, CLOUTIER, OBERLE, REYNOLDS, ULBRICH, DILIBERTO, KEELEY, PRICE, SCHROEDER - Extending

Congratulations to Thomas Eichler, Secretary of the Department of Services for Children, Youth and Their Families, Winner of One of the Prestigious 1998 National Public Service Awards Sponsored Annually by the American Society for Public Administration.

Representative Stone introduced HR 67, sponsored on Behalf of All Members of the House of Representatives.

HR 67 - Expressing Sincere Appreciation to Edward J. Bennett for His Leadership and Service as Chair of the Delaware Health Care Commission on the Occasion of His Resignation as Chair On May 8, 1998.

HR 67 was placed on Consent Calendar #18.

Consent Calendar #18 was adopted by voice vote and HCR 78, HCR 79 & HCR 81 were sent to the Senate for concurrence & SCR 54, SCR 60 & SCR 69 were returned to the Senate.

Representative Welch deferred to Representative DiPinto.

Representative D. Ennis requested that he be marked present.

Representative DiPinto introduced HB 659, jointly sponsored by Representatives Davis & Smith & Senators Bunting & Still & Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West & Williams & Senators Bair, Amick, Bonini, Connor, Reed & Sorenson.

HB 659 - An Act to Amend Title 14 of the Delaware Code by Adding a New Chapter 3 Relating to Establishment of a School Property Tax Reduction Program and Amending Chapter 75, Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

Mr. Speaker assigned HB 659 to the Revenue & Finance Committee.

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

Representative D. Ennis made comments regarding HR 67.

At the request of Representative Brady, the House observed a moment of silence for United States Senator Barry Goldwater.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable Jeffrey G. Mack  
SUBJECT: Absence from Session  
DATE: June 3, 1998

Due to personal business, I will be unable to attend session on Wednesday, June 3, 1998.

Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House

JGM/grp

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

NAT RES: HB 337 - 4M; HB 618 - 4M.

P/S: HB 604 - 4M,1U; HB 619 - 5M.

CORR: HB 624 - 5M; SB 301 - 5M.

JUD: HB 289 - 5M; HB 628 - 5M; HB 631 - 5M.

HOUSING & COM AFF: HB 633 - 1F,5M; HB 651 - 6M.

HEALTH & HUM DEV: HB 617 - 6M; SB 153 - 6M; SB 238 - 6M.

ED: HB 354 - 7M; HB 443 - 3F,3M; HB 575 - 1F,5M.

APPRO: HB 295 - 5M; HB 348 - 5M,1U; HB 487 - 6M; HB 603 - 6M; HCR 80 - 6F; SB 173 w/SA 1,2 & 3 - 1F,5M; SB 300 - 1F,5M.

Mr. Speaker assigned SB 336 to the Appropriations Committee.

The Majority Whip moved to recess to the call of the Chair at 5:17 p.m.

33rd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 4, 1998

Mr. Speaker Spence called the House to order at 2:35 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 330 w/SA 1, SB 332, HB 531 w/HA 1, HB 517 w/SA 1, HB 518 & HB 515.

Mr. Speaker reassigned HS 2 to HB 504 to the Policy Analysis & Government Accountability Committee.

Representative Ulbrich made an announcement.

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

HEALTH & HUM DEV: HB 649 - 6M.

Representatives Boulden & Petrilli requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:37 p.m., thereby ending the current legislative day. The House reconvened at 2:38 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Cloutier - 1.

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

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

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

The following prefiled legislation was introduced:

HB 648 - SPENCE, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS VOSHELL, MCDOWELL, ADAMS, BLEVINS, BUNTING, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES, AMICK, BONINI, CONNOR, SORENSON, STILL - P/S: An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police/Firefighters Pension Plans.

HB 652 - WAGNER & DAVIS & SENATOR COOK; REPRESENTATIVES BUCKWORTH, DIPINTO, MAIER, MARONEY, QUILLEN, BRADY, HOUGHTON, WEST; SENATORS HENRY, MCBRIDE, VAUGHN, BONINI, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Providing for the Joinder of the State of Delaware in an Interstate Compact Agreement for Education.

HB 656 - MAIER, BOULDEN, CAPANO, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MAIER, PETRILLI, STONE, ULBRICH, GILLIGAN, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Delaware Tax Credits.

HB 660 - WEST - LABOR: An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

HA 1 to HB 295 - MARONEY - READY LIST: Placed with the bill.

HA 1 to HB 354 - MAIER - READY LIST: Placed with the bill.

HA 1 to HB 578 - WELCH - LABOR: Placed with the bill.

HA 1 to HB 583 - CONSENT AGENDA A: Placed with the bill.

SB 330 w/SA 1 - VAUGHN; REPRESENTATIVE LEE - CORR: An Act to Amend Title 11, Delaware Code Relating to Protection of Records.

SB 332 - VAUGHN; REPRESENTATIVE LEE - CORR: An Act to Amend Title 11, Delaware Code Relating to Outside Education of Inmates.

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

Representative B. Ennis requested that he be marked present.

Representative Keeley requested that HB 417 be stricken.

Representative Buckworth requested that he be marked present.

Representative Smith introduced HB 661, jointly sponsored by Senator McBride & Representatives Welch, Carey, Cathcart, Caulk, DiPinto, Ewing, Maroney & Wagner.

HB 661 - An Act to Amend Title 9 of the Delaware Code Relating to Garbage Collection in Unincorporated Areas of New Castle County, Kent County and Sussex County.

Mr. Speaker assigned HB 661 to the House Administration Committee.

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

Mr. Speaker assigned HB 354, HB 438, HB 443 & HB 575 to the Appropriations Committee.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich introduced and brought SCR 72, jointly sponsored by Senators Reed & Sorenson & Representative Maier, before the House for consideration.

SCR 72 - Commending the 1997-98 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America, Wishing Each of Them a Successful Future, and Hoping That They Continue to Live by the Ideals of Scouting.

Representative Ulbrich made comments.

Each Eagle Scout announced his name and hometown for the record.

SCR 72 was adopted by voice vote and returned to the Senate.

Mr. Speaker Spence made a comment.

Representative Plant requested that he be marked present.

Representative Ulbrich requested and was granted personal privilege of the floor to make a comment.

Representative Reynolds requested and was granted personal privilege of the floor to make comments.

Representative Cathcart made comments.

Representative Quillen requested and was granted personal privilege of the floor to make comments.

Representative Fallon made comments.

Representative Quillen requested and was granted the privilege of the floor for Terry Lynn Warren, Member, Future Farmers of America; Jamie Fiske, State President, Business Professionals of America; Melissa Stevenson, Historian, Distributive Education Clubs of America; Brian Keuski, President, Technology Students of America; Abby Porter, State Treasurer, Vocational Industrial Clubs of America.

Representative Quillen introduced and brought SCR 71, sponsored by Senators Sharp, Voshell, McDowell, Bair & Amick on Behalf of All Senators & Representatives Spence, Smith, Welch, Gilligan & VanSant on Behalf of All Representatives, before the House for consideration.

SCR 71 - Extending Sincere Thanks to the Vocational 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 Smith and Mr. Speaker Spence made comments.

SCR 71 was adopted by voice vote and returned to the Senate.

Representatives Capano, Schroeder & Mack requested that they be marked present.

Representative Williams introduced HB 662, jointly sponsored by Senator Blevins & Representatives Houghton, Reynolds, Scott & Welch & cosponsored by Representative Keeley.

HB 662 - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the Violent Crimes Compensation Board.

Mr. Speaker assigned HB 662 to the Judiciary Committee.

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

Representative Smith made an announcement.

Mr. Speaker reassigned HB 662 to the Labor Committee.

The Majority Leader moved to recess for caucus at 3:14 p.m.

The House reconvened at 5:50 p.m. with Representative Roy as Acting Speaker.

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

BUS/CORP/COM: HB 595 - 1F,6M; HB 601 - 7M; HB 612 - 7M; HB 630 - 2F,4M.

POL ANAL & GOV ACCT: HS 2/HB 504 - 1F,3M; HB 629 - 4F.

NAT RES: HB 636 - 4M.

JUD: HB 606 - 5M.

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

JUD: SB 336 - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 71, SCR 72, HB 442 w/HA 1 & 2, HB 567, HB 428 w/SA 1, SB 345 & HB 521 w/HA 1 & SA 1.

Representative Welch deferred to Representative Oberle.

Representative Oberle requested and was granted personal privilege of the floor to make comments regarding HB 466.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 573 before the House for consideration.

HB 573 - An Act to Amend Section 2118 of Title 21 of the Delaware Code Relating to Proof of Motor Vehicle Insurance for Out-of-State Vehicles.

Representatives Brady, DiPinto, D. Ennis & Stone requested that they be marked present.

Representative Wagner introduced and brought HA 1 to HB 573 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representatives Wagner, West & Welch made comments.

The roll call on HB 573 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Spence - 2.

Therefore, having received a constitutional majority, HB 573 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Maier.

Representative Maier brought HB 558, jointly sponsored by Senators Marshall & Blevins &

Representatives Lofink & Scott & Senators McDowell & Connor & Representative Spence, before the House for consideration.

HB 558 - An Act to Amend Title 11 of the Delaware Code Relating to a Hearsay Exception for Infirm Adults and Patients and Residents of Nursing Homes and Related Facilities.

Representative Maier brought HA 1 to HB 558 before the House for consideration.

Representative Maier made a comment.

HA 1 was adopted by voice vote.

Representative Maier introduced and brought HA 2 to HB 558 before the House for consideration. Representative Maier made a comment.

HA 2 was adopted by voice vote.

Representative Maier made a comment.

The roll call on HB 558 w/HA 1 & 2 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Smith, Spence - 3.

Therefore, having received a constitutional majority, HB 558 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative DiLiberto.

Representative DiLiberto brought HS 1 for HB 407, jointly sponsored by Representatives B. Ennis, Plant, Price, Smith, VanSant, Welch & Spence & Senator Sharp, before the House for consideration.

HB 407 - An Act to Amend Title 4 of the Delaware Code, as Amended, Relating to Alcoholic Liquors. (2/3 bill)

Representative DiLiberto made comments.

The roll call on HS 1 for HB 407 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 407 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Williams

Representative Williams brought HB 565, jointly sponsored by Representatives Brady, Buckworth, Cloutier, DiPinto, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Maier, Plant, VanSant, West & Spence & Senators Marshall & McDowell, before the House for consideration.

HB 565 - An Act to Amend Title 11 of the Delaware Code Relating to the Offense of Reckless Endangering. (2/3 bill)

Representatives Williams, Davis, Williams, VanSant & Davis made comments.

Representative Williams requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives Davis, Stone, Boulden, VanSant, Welch, Williams, VanSant, Welch, DiPinto, Plant, Boulden, Williams, Ewing, Williams, West & Welch made comments.

The roll call on HB 565 was taken and revealed:

YES: 39.

NOT VOTING: Representative Davis - 1.

ABSENT: Representative Cloutier - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 565 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Cathcart.

Representative Cathcart presented a House Tribute to Lawrence Webber, House Sergeant-at-Arms.

Representative Oberle made comments.

Representative Welch deferred to Representative Davis.

Representative Davis requested that action on HS 1 for HB 234 be Deferred to a Day Certain, Tuesday, June 9, 1998.

Representative Welch deferred to Representative Lee.

Representative Lee brought HCR 80, jointly sponsored by Representatives Davis, & B. Ennis & Senator Cook & All Representatives & All Senators, before the House for consideration.

HCR 80 - A Resolution to Establish as Part of the Grant-In-Aid Program the Volunteer Fire Company Insurance Rebate Equalization Fund.

Representatives Lee, Davis & B. Ennis made comments.

HCR 80 was adopted by voice vote and sent to the Senate for concurrence.

Representative Welch deferred to Representative Schroeder.

Representative Schroeder requested that action on HB 396 be Deferred to a Day Certain, Tuesday, June 9, 1998.

Representative Welch made an announcement.

Representative Welch deferred to Representative Buckworth.

Representative Buckworth introduced HA 2 to HB 580. HA 2 was placed with the bill.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis introduced HB 665, jointly sponsored by Representatives Spence, Smith & Cloutier & Senators McDowell & Hauge & Representatives Maroney, & Brady & Senators Bair & Sorenson.

HB 665 - An Act to Provide a Supplemental Appropriation to Delaware Emergency Management Agency (DEMA) Relating to Storm Damage. (3/4 bill)

Mr. Acting Speaker assigned **HB 665** to the House Administration Committee.

Representative Welch introduced **HB 664**, sponsored by Representative Smith & Senator Adams & Representatives Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Lee, Quillen & Gilligan & Senators Voshell, Bonini, Reed & Still.

**HB 664** - An Act to Amend Title 21 of the Delaware Code Relating to the Requirement of Insurance for Motor Vehicles and Providing for a Motor Vehicle Insurance Choice Act.

Mr. Acting Speaker assigned **HB 664** to the Economic Development, Banking & Insurance Committee. Representative Welch deferred to Representative Capano.

Representative Capano brought **HB 605**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 605** - An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

Representative Capano made comments.

The roll call on **HB 605** was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Smith - 3.

Therefore, having received a constitutional majority, **HB 605** was sent to the Senate for concurrence.

Representative Welch deferred to Representative Spence.

Representative Spence brought **HB 521 w/HA 1 & SA 1**, jointly sponsored by Representative Scott & Senators Blevins & Bair & Representatives Boulden, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Reynolds, Roy, Stone, Wagner, Gilligan, VanSant, Brady, Houghton, Keeley, Plant, Schroeder, Scott, West & Williams & Senators Amick, Bonini, Reed, Sorenson & Still, before the House for concurrence on **SA 1**.

**HB 521** - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances. (2/3 bill)

Representatives Spence, Keeley, Spence, Ewing, Spence & Davis made comments.

The roll call on **HB 521 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Smith - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 521 w/HA 1 & SA 1** was sent to the Governor.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought **SB 286**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 286** - An Act to Amend 71 Laws of Delaware, Chapter 12 Relating to Sunsetting Provisions of the Pharmacy Access Act.

Representative Wagner made a comment.

The roll call on **SB 286** was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Petrilli - 2.

Therefore, having received a constitutional majority, **SB 286** was returned to the Senate.

Representative Welch deferred to Representative Caulk.

Representative Caulk brought **HB 522**, jointly sponsored by Representatives Maier & Welch & Senator Connor & Representatives Spence, Smith, Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Gilligan, VanSant, Brady, B. Ennis, Plant, Schroeder & West & Senators Bonini, Connor & Hauge, before the House for consideration.

**HB 522** - An Act to Amend Title 13 and Title 16 of the Delaware Code Relating to Adoptees' Access to Certain Information.

Representative Caulk introduced and brought **HA 1 to HB 522** before the House for consideration

Representative Caulk made comments.

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

Representative Caulk made comments.

The roll call on **HB 522 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Petrilli - 2.

Therefore, having received a constitutional majority, **HB 522 w/HA 1** was sent to the Senate for concurrence.

Representative Keeley made a comment regarding **HB 521**.

Representative Smith introduced **HB 668**, jointly sponsored by Representative Cloutier & Senator Sharp.

**HB 668** - An Act to Amend Title 9 and Title 14 of the Delaware Code Relating to Counties and School Taxes.

Mr. Acting Speaker assigned HB 668 to the Land Use & Infrastructure Committee.

Representative Smith brought HB 428 w/SA 1, sponsored by Representative Ulbrich & Senator Blevins & Representatives Capano, Maier, Keeley & Price & Senators Bunting, Sokola, Reed & Still, before the House for concurrence on SA 1.

HB 428 - An Act to Amend Chapter 36, Title 24 of the Delaware Code Relating to Geology and Title 29 of the Delaware Code.

Representative Smith made a comment.

The roll call on HB 428 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Quillen - 3.

Therefore, having received a constitutional majority, HB 428 w/SA 1 was sent to the Governor.

Representative Smith brought HB 517 w/SA 1, sponsored by Representative Maier & Senator Blevins, before the House for concurrence on SA 1.

HB 517 - An Act to Amend Title 29 of the Delaware Code Relating to Establishing the Division of State Service Centers and an Advisory Council on State Service Centers.

Representative Smith made a comment.

The roll call on HB 517 w/SA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Cloutier, DiPinto, Petrilli, Quillen 4.

Therefore, having received a constitutional majority, HB 517 w/SA 1 was sent to the Governor.

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

R & F: HB 645 - 6F.

H/ADM: HB 641 - 3M.

Mr. Speaker Spence resumed the Chair.

Representative Smith introduced HB 666, jointly sponsored by Representative Cloutier & Senator Sharp.

HB 666 - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Mr. Speaker assigned HB 666 to the Land Use & Infrastructure Committee.

The Majority Leader moved to recess to the call of the Chair at 7:26 p.m.

34th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 9, 1998

Mr. Speaker Spence called the House to order at 2:29 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HCR 75, HCR 79, HCR 81, SB 98 w/SA 1 & 2, HB 429 w/HA 1, HB 503 & HB 547.

Mr. Speaker assigned HS 1 to HB 591 & HB 645 to the Appropriations Committee.

The Majority Whip moved to adjourn at 2:30 p.m., thereby ending the current legislative day. The House reconvened at 2:31 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Ewing - 1.

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

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

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

The following prefiled legislation was introduced:

HB 657 - SCHROEDER, CAREY, PRICE, QUILLEN; SENATORS BUNTING, VOSHELL - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to the Reporting Requirements for Holders of Commercial Shellfishing Licenses and Permits.

HB 658 - WEST, BRADY, BUCKWORTH, B. ENNIS, EWING, HOUGHTON, PLANT, PRICE; SENATORS VAUGHN, VENABLES - LABOR: An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

HB 663 - BOULDEN, SCHROEDER & ULBRICH, SPENCE, SMITH, BUCKWORTH, CATHCART, CAULK, CLOUTIER, DAVIS, DILIBERTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, DIPINTO, PETRILLI, QUILLEN, REYNOLDS, STONE, WAGNER, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCOTT, VANSANT, WEST, WILLIAMS; SENATORS VOSHELL, BUNTING, AMICK, BONINI, CONNOR, SORENSON - ED: An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Education and School Construction.

HB 667 - GILLIGAN & REPRESENTATIVE CAPANO - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

HB 669 - BOULDEN & SENATOR VOSHELL - TRANS: An Act to Amend Title 30 of the Delaware Code Pertaining to the Sale or Delivery of Dyed Diesel Fuel. (2/3 bill)

HB 670 - WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Section 1133, Title 30 of the Delaware Code Relating to the Income Taxation of Exempt Associations, Trusts and Organizations.

HB 671 - D. ENNIS, QUILLEN, REYNOLDS, WAGNER; SENATORS MARSHALL & MCBRIDE, VAUGHN - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Optometry.

HB 672 - EWING, WELCH, BUCKWORTH, CAREY, DAVIS - HEALTH & HUM DEV: An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

HB 674 - ULBRICH & SENATOR SOKOLA; REPRESENTATIVES SPENCE, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, LOFINK, MAIER, MARONEY, REYNOLDS, STONE, WAGNER, GILLIGAN, VANSANT, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCOTT, WILLIAMS; SENATORS BAIR, AMICK, BONINI, CONNOR, REED, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Relating to Driver Education.

HB 681 - DAVIS; SENATOR COOK - APPRO: An Act to Amend Title 26, Chapter 1 of the Delaware Code Relating to the Recovery of Expenses by the Public Service Commission. (3/5 bill)

HA 1 to HB 154 - KEELEY - AGENDA I: Placed with the bill.

HA 1 to HB 487 - WEST - READY LIST: Placed with the bill.

HA 2 to HS 2 to HB 504 - PRICE & QUILLEN - READY LIST: Placed with the bill.

HA 1 to HB 631 - WAGNER - READY LIST: Placed with the bill.

HA 1 to HB 633 - CAPANO, DIPINTO, D. ENNIS, FALLON, STONE, HOUGHTON - AGENDA I: Placed with the bill.

HA 1 to HB 649 - MAIER - AGENDA I: Placed with the bill.

SB 98 w/SA 1 & 2 - MCBRIDE & HENRY & CONNOR & REPRESENTATIVES MACK, HOUGHTON & SCOTT - NAT RES: An Act to Amend Chapter 70, Title 7 of the Delaware Code Relating to the Coastal Zone Act.

SB 345 - VAUGHN & REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes.

The Reading Clerk read the following communication into the record:

M E M O R A N D U M

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

FROM: Representative J. Benjamin Ewing, Jr.

DATE: June 9, 1998

RE: Absence From Session

Because of personal business, I will be unable to attend Session today, Tuesday, June 9, 1998.

JBEjr/dlc

cc: JoAnn Hedrick  
Chief Clerk

Representative Ulbrich requested that she be marked present.

Representative Williams requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

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

Representative Williams made a comment.

Representative Plant requested and was granted personal privilege of the floor to make comments.

Representatives VanSant & Plant made comments.

Representatives Roy, Plant & VanSant made comments.

Representative Capano introduced a guest.

Representatives DiPinto & D. Ennis requested that they be marked present.

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

Representatives West, Maroney & Mack requested that they be marked present.

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

Representatives Fallon & Carey made comments.

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

The House reconvened at 5:35 p.m. with Representative Oberle as Acting Speaker.

Mr. Acting Speaker Oberle requested that he be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Terry R. Spence  
Speaker of the House  
FROM: Rep. Richard A. DiLiberto  
RE: Absence from Session  
DATE: June 9, 1998

Please excuse my absence from session on Wednesday, June 10. I must be in New Castle County at a previously scheduled hearing. Thank you.

Representatives Petrilli & Cloutier requested that they be marked present.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 580, jointly sponsored by Representative Maroney & Senator McBride & Representatives Spence, Carey, Cloutier, Ewing, Oberle, Lee & DiLiberto & Senators McDowell, Blevins, Bair & Bonini, before the House for consideration.

HB 580 - An Act to Amend Titles 16 and 21, Delaware Code, Relating to Organ and Tissue Procurement, Also to be Known as the Gift of Life Initiative, and Creating a Voluntary Organ and Tissue Awareness Trust Fund.

Representative Buckworth requested that HA 1 to HB 580 be stricken.

Representative Buckworth brought HA 2 to HB 580 before the House for consideration.

Representatives Buckworth & Davis made comments.

Representative Buckworth requested and was granted the privilege of the floor for Kevin Sparkman, Community Relations Director, Delaware Valley Transplant Program.

Mr. Speaker Spence resumed the Chair.

Representatives Davis, Buckworth, Mr. Speaker Spence & Representative Plant made comments.

Representative Buckworth moved to place HA 2 to HB 580 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Buckworth moved to place HB 580 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Welch deferred to Representative Williams.

Representative Williams requested that action on HB 549 be Deferred to a Day Certain, Tuesday, June 16, 1998.

Representatives Boulden & Stone requested that they be marked present.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis moved to lift SB 156 w/SA 1 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis brought SB 156 w/SA 1, sponsored by Senators Henry, Blevins, Marshall, Sokola, Vaughn, Venables, Connor & Sorenson & Representatives Davis, Ewing, Fallon & Maroney, before the House for consideration.

SB 156 - An Act to Amend Title 18 of the Delaware Code Relating to Child Immunizations.

Representative D. Ennis deferred to Representative Maroney.

Representative Maroney made comments.

The roll call on SB 156 w/SA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives Ewing, Mack, Smith - 3.

Therefore, having received a constitutional majority, SB 156 w/SA 1 was returned to the Senate.

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

Representative Welch deferred to Representative Davis.

Representative Davis brought HS 1 for HB 234, jointly sponsored by Senator Sharp, before the House for consideration.

HB 234 - An Act to Amend Title 17 of the Delaware Code Relating to Control of the Rights-of-Way in the Unincorporated Areas of the State, Including the Control of Signs and Other Commercial Activities Within the Rights-of-Way.

Representatives Davis & Gilligan made comments.

Representative Davis requested and was granted the privilege of the floor for Frederick Shrank, Deputy Attorney General.

Representatives Gilligan, Davis, Gilligan, Roy, DiPinto, Keeley, Scott, DiLiberto, B. Ennis, Davis, B. Ennis & Davis made comments.

The roll call on HS 1 for HB 234 was taken and revealed:

YES: 31.

NO: Representatives Brady, Scott, Williams - 3.

NOT VOTING: Representatives B. Ennis, Keeley - 2.

ABSENT: Representatives Ewing, Mack, Roy, Smith, West - 5.

Therefore, having received a constitutional majority, HS 1 for HB 234 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Buckworth.

Representative Buckworth moved to lift HB 580 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Buckworth brought HB 580, jointly sponsored by Representatives Maroney, Spence, Cloutier, Oberle & DiLiberto & Senators Blevins, Bonini & McBride & Representatives Carey, Ewing & Lee & Senators McDowell & Bair, before the House for consideration.

HB 580 - An Act to Amend Titles 16 and 21, Delaware Code, Relating to Organ and Tissue Procurement, Also to be Known as the Gift of Life Initiative, and Creating a Voluntary Organ and Tissue Awareness Trust Fund.

Representative Buckworth moved to lift HA 2 to HB 580 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote. Representative Buckworth brought HA 2 to HB 580 before the House for consideration. Representative Buckworth introduced and brought HA 1 to HA 2 to HB 580 before the House for consideration. Representative Buckworth made a comment. HA 1 to HA 2 was adopted by voice vote. HA 2 w/HA 1 was adopted by voice vote.

Representatives Buckworth, Davis, Buckworth, D. Ennis & Davis made comments.

Representative Buckworth requested and was granted the privilege of the floor for Kevin Sparkman, Community Relations Director, Delaware Valley Transplant Program.

Representative Davis made a comment.

The roll call on HB 580 w/HA 2 w/HA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Ewing, Mack, Roy, Smith, West - 5.

Therefore, having received a constitutional majority, HB 580 w/HA 2 w/HA 1 was sent to the Senate for concurrence.

Representative Buckworth introduced guests.

Mr. Speaker Spence made comments.

Representative Wagner requested that action on HB 289 be Deferred to a Day Certain, Tuesday, June 30, 1998.

Representative Lofink introduced HB 684, jointly sponsored by Senator Amick.

HB 684 - An Act to Amend Chapter 22, Title 25 of the Delaware Code Relating to Unit Properties; and Clarifying the Separation of Certain Rights, Duties and Functions Between the Condominium Council and the Developer.

Mr. Speaker assigned HB 684 to the Housing & Community Affairs Committee.

Representative Welch deferred to Representative Maier.

Representative Maier made an announcement.

Representative Maier introduced HB 686, jointly sponsored by Representative Spence & Senators Bair & McDowell & Representatives Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Petrilli, Reynolds, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton, Keeley, Plant, Price & Williams & Senators Henry, Sokola, Connor & Sorenson.

HB 686 - An Act to Amend Titles 11, 16, and 29 of the Delaware Code Relating to the Creation of the Office of Child Advocate.

Mr. Speaker assigned HB 686 to the Health & Human Development Committee.

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

LABOR: HB 662 - 5F.

HOUSE RULES: HR 54 - 4F,2M; HR 62 - 1F,4M,1U.

The Majority Whip moved to recess to the call of the Chair at 6:41 p.m.

35th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 10, 1998

Mr. Speaker Spence called the House to order at 2:35 p.m.

Mr. Speaker reassigned SB 98 & HB 618 to the Environmental Management Committee.

Mr. Speaker reassigned HCR 82 & HCR 83 to the Tourism Committee.

Mr. Speaker reassigned HB 667 to the Gaming & Pari-Mutuels Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 250.

## HOUSE TRIBUTE ANNOUNCEMENT #147

DATE: June 9, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1957	Roy	4/24/98	T	Eugenia & Harry Temple/50th Wedding Anniversary
H139-1958	Wagner	6/05/98	T	Megan McNamara & Philip Williams/Marriage
H139-1959	Wagner	2/14/98	T	Gail Quimby & Jim Ulp/Marriage
H139-1960	Wagner	6/10/98	T	Marge Locke/Retirement/31 Years/ Capitol School District
H139-1961	Buckworth	5/25/98	T	Gerald Phillips/Recipient/Military Awards/Service in Korea
H139-1962	Wagner	6/27/98	T	Victoria Maximo & Rodger Smith, III /Marriage
H139-1963	Wagner	6/07/98	T	Arlene Girgis & William Benton, II /Marriage
H139-1964	Wagner	6/02/98	T	Tiffany Harrison & Mikell Reed/ Marriage
H139-1965	Smith	6/30/98	T	James Rauhe/Retirement/40 Years Service in Education/Brandywine District
H139-1966	Maroney	6/30/98	T	Joanne McLaughlin/20 Years Service/Brandywine School District
H139-1967	Brady cosponsor: Cloutier	6/02/98	T	Robert Kasey, Jr./Contributions/ Children of Maple Lane Elementary
H139-1968	DiLiberto	5/24/98	M	Nicholas Joseph Lombardi
H139-1969	Scott cosponsor: Houghton	5/30/98	T	Senator Robert Marshall/Outstanding Work in Healthcare

## HOUSE TRIBUTE ANNOUNCEMENT #148

DATE: June 9, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1970	Ewing	6/03/98	T	Staff of NCCU Christiana Care Hospital/Competent Care
H139-1971	West	6/02/98	T	George Bethard/'98 Teacher of the Year/Indian River School District
H139-1972	West	5/30/98	T	Steve Botchie/Coach/Indian River Softball /'98 State Champions
H139-1973	West	5/30/98	T	Indian River High School Softball Team/'98 State Championship
H139-1974	Wagner cosponsors: All Kent County Representatives	6/20/98	T	Elizabeth W. Murphey School, Inc./75th Anniversary
H139-1975	Buckworth	6/26/98	T	James Paige/Retirement/Assistant Superintendent/Caesar Rodney/42 Years
H139-1976	Buckworth	6/26/98	T	Kenneth Roberts/Retirement/Director of Special Education/Caesar Rodney/36 Years
H139-1977	Wagner cosponsor: Quillen	6/02/98	T	Connie Manning/Retirement/30 Years/ Capitol School District
H139-1978	Scott	6/15/98	T	Major Hairston/Retirement/Christina School District/Outstanding Educator
H139-1979	Fallon	5/10/98	M	Evelyn Ellen Waller
H139-1980	Fallon	5/08/98	M	Dennis J. Corcoran
H139-1981	Maroney	6/01/98	T	J. Bruce Bredin/84th Birthday
H139-1982	Quillen cosponsor: Ewing	6/03/98	T	Mary Hering Bimbrauer/100th Birthday
H139-1983	Fallon	5/18/98	M	Harold Charles Weitzen

## HOUSE TRIBUTE ANNOUNCEMENT #149

DATE: June 9, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1984	Fallon	5/16/98	M	Edward H. Lynch, Jr.
H139-1985	Oberle	6/08/98	T	Christina Sutton/Graduation/Sterck School for Hearing Impaired
H139-1986	Oberle	6/08/98	T	Heather Smythe/Graduation/Sterck School for Hearing Impaired
H139-1987	Oberle	6/08/98	T	Lauren Shea/Graduation/Sterck School for Hearing Impaired
H139-1988	Oberle	6/08/98	T	Nicholas Mantyla/Graduation/Sterck School for Hearing Impaired
H139-1989	Oberle	6/08/98	T	Mary Donnelly/Graduation/Sterck School for Hearing Impaired
H139-1990	Oberle	6/08/98	T	Stephen DePetro/Graduation/Sterck School for Hearing Impaired
H139-1991	Oberle	6/08/98	T	Crystal DePetro/Graduation/Sterck School for Hearing Impaired
H139-1992	Oberle	6/08/98	T	Charlene Church/Graduation/Sterck School for Hearing Impaired
H139-1993	Wagner	5/31/98	M	Teresa Messick
H139-1994	Williams	6/08/98	T	Harlan Park Civic Association/ Outstanding Community Service
H139-1995	Williams	6/08/98	T	9th Ward Civic Association/ Outstanding Community Service
H139-1996	Williams	6/08/98	T	Triangle Civic Association/ Outstanding Community Service

## HOUSE TRIBUTE ANNOUNCEMENT #150

DATE: June 9, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1997	Williams	6/08/98	T	Forty Acres Civic Association/ Outstanding Community Service
H139-1998	Capano	5/28/98	T	Edward Hojnicky, Jr./Promotion to Captain/Wilmington Fire Department
H139-1999	cosponsor: Mack Williams	6/08/98	T	DE Avenue Civic Association/ Outstanding Community Service
H139-2000	Williams	6/08/98	T	Brandywine Village Civic Association/ Outstanding Community Service
H139-2001	VanSant	5/30/98	T	Jeannette Hufnal/WJBR '98 Senior of the Year Award
H139-2002	Maier	6/07/98	T	Donna Guretsky/17 Years/Ebenezer United Methodist Church/1st Grade Teacher
H139-2003	Maier	6/07/98	T	Sherri Hodgson/17 Years/Ebenezer United Methodist Church/1st Grade Teacher
H139-2004	Fallon	6/06/98	T	John Hollis/Distinguished Educator Contributions/Sussex Boys & Girls Club
H139-2005	cosponsors: Lee, Ewing Reynolds	6/03/98	T	Nathan Eaton/Eagle Scout
H139-2006	cosponsors: Cathcart, Mack Smith	6/04/98	T	Wayne Starkey/Relief Efforts/ Residents of Kollwood/May 31st Storm
H139-2007	Smith	6/04/98	T	Philip Facciolo/State of Delaware/History Day Competition Senior Division Winner
H139-2008	Smith	6/04/98	T	Justin Murray/Scholastic & Athletic Performance
H139-2009	Gilligan	6/05/98	T	William & Regina Brainard, Sr./ 50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #151

DATE: June 9, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2010	Cathcart	6/01/98	T	Lawrence & Susie Webber/30th Wedding Anniversary
H139-2011	Welch	6/06/98	T	Melissa Potter & James Quillen/Marriage
H139-2012	Welch	6/06/98	T	Chauntel Smith/Graduation/Class of '98/Dover High School
H139-2013	Maroney	6/05/98	T	Mary Beth Kenney/Graduation/Class of '98/First State School
H139-2014	Maroney	6/05/98	T	Maria Claudio/Graduation/Class of '98/First State School
H139-2015	Welch	6/07/98	T	Larry Mannering/Graduation/Class of '98/Lake Forest High School
H139-2016	Welch	6/05/98	T	Timothy Suvie-Peace/Graduation /Class of '98/Salesianum School
H139-2017	Buckworth	6/08/98	T	Joanne Freed/Retirement/Nellie Hughes Stokes Elementary School./26 Years
H139-2018	Buckworth	6/08/98	T	Barbara McDonald/Retirement/Nellie Hughes Stokes Elementary/29 Years
H139-2019	Buckworth	6/08/98	T	M. Sue Lemmons/Retirement/Nellie Hughes Stokes Elementary/18 Years
H139-2020	Buckworth	6/08/98	T	Jean Wothers/Retirement/Nellie Hughes Stokes Elementary/27 Years
H139-2021	Brady	6/07/98	T	Larry Lambert, Jr./Accomplishments
H139-2022	Maroney	5/26/98	T	Brian LaRue/Eagle Scout

T - Tribute

M - Memoriam

Representative Capano made an announcement.

The Majority Leader moved to adjourn at 2:39 p.m., thereby ending the current legislative day. The House reconvened at 2:40 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives DiLiberto, Ewing - 2.

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

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 646** - WAGNER & SENATORS BLEVINS & VOSHELL; REPRESENTATIVES WELCH, BOULDEN, CAPANO, ULBRICH; SENATOR BONINI - ED: An Act to Amend Title 14 of the Delaware Code Relating to General Provisions.

**HB 673** - OBERLE & SENATOR MARSHALL - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

**HB 675** - WAGNER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, WELCH, BOULDEN, BUCKWORTH, DIPINTO, D. ENNIS, EWING, MAIER, REYNOLDS, STONE, ULBRICH, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, WEST; SENATORS BAIR, AMICK, BONINI, CONNOR - ED: An Act to Amend Title 14 of the Delaware Code Relating to Education and State Appropriations.

**HB 676** - PRICE & SENATOR SHARP; REPRESENTATIVES BRADY, CAREY, DILIBERTO, EWING, HOUGHTON, KEELEY, LEE, QUILLEN, ULBRICH, WAGNER - BUS/CORP/COM: An Act to Amend Title 29 of the Delaware Code Relating to the Practice of Telemarketing and Providing for the Creation and Maintenance of a Published Do-Not-Call List. (3/5 bill)

**HB 677** - SCHROEDER & PRICE & SENATOR BUNTING - R & F: An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax.

**HB 678** - VANSANT, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, OBERLE, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, STONE, ULBRICH, VANSANT, WAGNER, WEST, WILLIAMS - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Jury Service.

**HB 679** - SCHROEDER, BRADY, CAREY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, VANSANT, WEST; SENATORS ADAMS, BUNTING, COOK, HAUGE, VAUGHN -

ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Payment by Health Insurance Carriers.

HB 680 - BRADY, OBERLE, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, CATHCART, CAULK, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, MACK, MAIER, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, SMITH, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS; SENATORS AMICK, BLEVINS, HAUGE, HENRY, VAUGHN - TRANS: An Act to Amend Title 2, Chapter 13, of the Delaware Code Relating to Insurance Coverage for the Delaware Transit Corporation.

HB 682 - OBERLE, WELCH, SPENCE, REYNOLDS, MACK, LOFINK & HOUGHTON; SENATORS MARSHALL, MCDOWELL - LABOR: An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

HB 683 - OBERLE & SENATOR SHARP - ED: An Act to Amend Title 14 of the Delaware Code Relating to Parental Responsibilities for Education. (2/3 bill)

HB 685 - CAREY & QUILLEN & SENATOR VOSHELL - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Dogs Running at Large.

HB 687 - BOULDEN & SENATOR VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Pertaining to Motor Fuel Licensing. (3/5 bill)

HB 688 - BOULDEN & SENATOR VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Pertaining to the International Fuel Tax Agreement.

HB 689 - WAGNER & SENATOR VAUGHN - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Tax Relief for Exempt Associations, Trusts, and Organizations.

HA 2 to HB 154 - KEELEY - AGENDA I: Placed with the bill.

HA 6 to HB 175 - MARONEY - ECON DEV, B & I: Placed with the bill.

HA 1 to HB 284 - KEELEY - HOUSING & COM AFF: Placed with the bill.

HA 2 to HB 512 - OBERLE - AGENDA I: Placed with the bill.

HA 2 to HB 551 - BUCKWORTH - AGENDA: Placed with the bill.

HA 1 to HB 572 - VANSANT & DIPINTO - AGENDA: Placed with the bill.

HA 2 to HB 578 - WELCH - LABOR: Placed with the bill.

HA 1 to HB 619 - PRICE - READY LIST: Placed with the bill.

SS 1 for SB 250 - SOKOLA & REPRESENTATIVE GILLIGAN & SENATORS HAUGE, BLEVINS, BUNTING, COOK, MCDOWELL, VAUGHN, VOSHELL, AMICK, BAIR, BONINI, CONNOR, REED & SORENSON; REPRESENTATIVES SPENCE, REYNOLDS, BOULDEN, DAVIS, EWING, MAIER, STONE, SCHROEDER & VANSANT - ED: An Act to Amend Title 14 of the Delaware Code Relating to Public Education. (F/N)

HA 1 to SS 1 for SB 250 - WAGNER - ED: Placed with the bill.

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

Representative Roy deferred to Representative Oberle.

Representative Oberle requested and was granted personal privilege of the floor to introduce a guest and make comments.

Mr. Speaker Spence granted the privilege of the floor to former Representative John McKay.

Representative DiPinto requested that he be marked present.

Representative Fallon made comments.

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

Representative Scott requested that action on HB 595 be Deferred to a Day Certain, Thursday, June 18, 1998.

The Majority Leader moved to recess for committee meetings at 2:55 p.m.

The House reconvened at 4:58 p.m.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #152

DATE: June 10, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2023	Brady	5/21/98	T	Sara Ogle/90th Birthday
	cosponsor: DiPinto			
H139-2024	Fallon	6/06/98	T	Bertha Conaway/102nd Birthday
H139-2025	Buckworth	6/09/98	T	Arthur Cahall/Retirement/28 Years/Teacher Caesar Rodney High School
H139-2026	Buckworth	6/05/98	T	Coach David Hanzlik/Caesar Rodney High Golf Team/Henlopen Conference State Champions

Number	Sponsor	Presentation Date	Type	Description
H139-2027	Buckworth	6/05/98	T	Dean Leaf/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2028	Buckworth	6/05/98	T	Anthony Konrad/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2029	Buckworth	6/05/98	T	Dan Andrade/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2030	Buckworth	6/05/98	T	Mike Giles/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2031	Buckworth	6/05/98	T	Chris Noll/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2032	Buckworth	6/05/98	T	Matt Andrade/Caesar Rodney High Golf Team/Henlopen Conference State Champions
H139-2033	Quillen	6/06/98	T	Loyal Order of the Moose/Harrington Lodge No. 543/50th Anniversary
H139-2034	Scott	6/08/98	T	Leon & Kitty Treut/50th Wedding Anniversary
H139-2035	Quillen	5/27/98	T	Ronald Gumienny/Retirement/31 Years /Teacher/Lake Forest School District

## HOUSE TRIBUTE ANNOUNCEMENT #153

DATE: June 10, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2036	Caulk	5/27/98	T	Betty Wyatt/1998/Teacher of the Year/Lake Forest School District
H139-2037	Quillen	5/27/98	T	Delores Collins/Retirement/12 Years/Secretary/Lake Forest School District
H139-2038	West	5/27/98	T	Shirley Biron/Retirement/12 Years/Financial Secretary/Lake Forest Schools
H139-2039	Quillen	5/27/98	T	Jane Everline/Retirement/30 Years/Paraprofessional/Lake Forest Schools
H139-2040	Quillen	5/27/98	T	Joyce Bush/Retire/10 Years/Paraprofessional/Lake Forest Schools
H139-2041	Quillen	5/27/98	T	Rosamond Pierce/Retirement/12 Years/Paraprofessional/Lake Forest Schools
H139-2042	Quillen	5/27/98	T	Barbara Hanson/Retirement/27 Years/Paraprofessional/Lake Forest Schools
H139-2043	Fallon	5/27/98	T	Ethel Ellingsworth/Retirement/31 Years/Teacher/Lake Forest School District
H139-2044	Caulk	5/27/98	T	Janice Caldwell/Retirement/41 Years/Teacher/Lake Forest School District
H139-2045	Stone	5/27/98	T	Etta Moyer/Retirement/27 Years/Teacher/Lake Forest School District
H139-2046	Fallon	6/09/98	T	Christopher Breeding/Mayor's Right Choice Award Recipient
H139-2047	Fallon	6/09/98	T	Jeremy Barnes/Cadet Commander./Navy Junior Reserve Officer Training Corps
H139-2048	Fallon	6/09/98	T	Corporal Gary Morris/97 Investigator of the Year Award/Delaware Crime Stoppers

T - Tribute

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

Representative Smith introduced SCR 74, sponsored by Senators Bair, Blevins & McDowell & Representative Maroney & Senators Amick, Connor, Henry, Reed & Sorenson & Representatives Gilligan, Keeley, Maier, Price & Ulbrich.

SCR 74 - Commending the Employees of the Division of Child Mental Health Services and Its Network of Service Providers for Attaining Accreditation by the Joint Commission on Accreditation of Healthcare Organizations.

SCR 74 was placed on Consent Calendar #19.

The following prefiled Consent Calendar #19 was introduced:

HR 54 - WELCH - Amending House Resolution No. 27 Relating to the Permanent Rules of the House of Representatives of the 139th General Assembly of the State of Delaware.

HR 62 - WELCH - Amending House Resolution No. 27 Relating to the Permanent Rules of the House of Representatives and Requests for Subpoenas.

HR 68 - B. ENNIS, PRICE, BRADY, GILLIGAN, HOUGHTON, KEELEY, PLANT, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, QUILLEN, REYNOLDS, ROY, SMITH, SPENCE, STONE, ULBRICH, WAGNER, WELCH - Providing for the Establishment of an Advisory Committee to Ascertain Alternative Methods of Funding the Delaware Motorcycle Rider Education Program, Created by an Act of the General Assembly in 1985 and to Report Its Findings and Recommendations to the General Assembly.

HR 69 - REYNOLDS - Requesting That the Delaware Business Community Work With Public Schools in Monitoring and Encouraging Working Students' Achievement and Attendance in School.

HR 70 - OBERLE ON BEHALF OF ALL REPRESENTATIVES - Congratulating Newark Resident Peter Mitchell Upon Being Named Father of the Year by the National Multiple Sclerosis Society.

HR 71 - SMITH ON BEHALF OF ALL REPRESENTATIVES - Memorializing Senator Barry Morris Goldwater by Commemorating His Extensive and Meaningful Contributions to the United States of America as a United States Senator and Presidential Candidate, and Mourning His Death on May 29, 1998.

HCR 84 - WELCH & SENATOR BUNTING - Urging the United States Postal Service to Issue a Commemorative Postage Stamp to Honor the United States Submarine Force on Its 100th Anniversary.

HCR 85 - CAREY & CAULK & QUILLEN & SENATORS VENABLES & VOSHELL; REPRESENTATIVE LEE; SENATORS ADAMS, BUNTING, BAIR - Requesting the U.S. Fish and Wildlife Service to Modify Restrictions Governing the Harvest of Greater Snow Geese on the Atlantic Flyway.

Consent Calendar #19 was adopted by voice vote and HCR 84 & HCR 85 were sent to the Senate for concurrence and SCR 74 was returned to the Senate.

Representative Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Julian Taplin, Director, Division of Child Mental Health Services.

Representatives Brady, B. Ennis, Gilligan & Stone requested that they be marked present.

Representative Welch deferred to Representative West.

Representative West introduced HB 693, jointly sponsored by Senator Bunting.

HB 693 - An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro", to Authorize the Issuance of Revenue Bonds. (2/3 bill)

Mr. Speaker assigned HB 693 to the House Administration Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 74.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as Co-Sponsor of HB 664.

Date: 6/10/98.

Signed: Terry R. Spence.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Philip D. Cloutier, do hereby request that my name be removed as Co-Sponsor of HB 664.

Date: 6/10/98.

Signed: Philip D. Cloutier.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as Co-Sponsor of HB 650.

Date: 6/10/98.

Signed: Terry R. Spence.

MEMORANDUM

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

FROM: Representative J. Benjamin Ewing, Jr.

DATE: June 10, 1998

RE: Absence from Session

Because of personal business, I will be unable to attend Session today, Wednesday, June 10, 1998.

JBEjr/dlc

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

NAT RES: HB 657 - 1F,4M.

P/S: HB 615 - 1F,5M; HB 648 - 6M.

CORR: SB 330 w/SA 1 - 6M; SB 332 - 6M.

JUD: HB 650 - 6M; SB 328 - 5M.

LABOR: HB 578 - 3F,3M; HB 600 - 2F,4M; HB 673 - 6M; HB 682 - 5M.

H/ADM: HB 71 - 4M; HB 589 - 1F,3M; HB 661 - 1F,2M.

Mr. Speaker Spence made an announcement.

The Majority Whip moved to recess to the call of the Chair at 5:14 p.m.

36th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 11, 1998

Mr. Acting Speaker Roy called the House to order at 2:25 p.m.

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

ED: HB 634 - 8M; HB 635 - 8M; HB 644 - 7M; HS 1 for HB 646 - 7M; HB 652 - 7M; HB 663 - 1F,6M.

HEALTH & HUM DEV: HB 686 - 7M; SB 302 w/SA 1 - 3F,5M; SB 303 w/SA 3 - 7M; SB 304 w/SA 1 - 7M; SB 305 w/SA 1 - 7M.

ECON DEV, B & I: HB 638 - 8M; HB 639 - 8M; HB 647 - 8M.

LAND USE & INFRA: HB 625 - 7M; HB 666 - 4M,2U; HB 668 - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 210 w/SA 1, SB 344, SS 1 to SB 277, SB 371, SB 327, SB 359 w/SA 1, SB 360, SB 361, SB 354, SB 371, SB 260 w/SA 1, HB 559 & SCR 75.

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

Mr. Acting Speaker assigned HB 686, HB 663, SB 302 & SB 303 to the Appropriations Committee.

Mr. Speaker Spence resumed the Chair.

The Majority Leader moved to adjourn at 2:29 p.m., thereby ending the current legislative day. The House reconvened at 2:30 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative D. Ennis - 1.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

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

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

The following prefiled legislation was introduced:

HB 690 - WAGNER & CAPANO & KEELEY & SENATOR BONINI; REPRESENTATIVES QUILLEN, VANSANT - JUD: An Act to Amend Title 13 of the Delaware Code Relating to Hearings in Uncontested Divorces by Amending Title 13, Section 1517(a) of the Delaware Code.

HB 691 - WAGNER & SENATOR BONINI; REPRESENTATIVES DILIBERTO, KEELEY - JUD: An Act to Repeal Section 730, Title 13 of the Delaware Code Relating to the Requirement of an Affidavit in Certain Custody Proceedings.

HB 692 - ROY - ED: An Act to Amend Title 14 of the Delaware Code Relating to School Board Referendums.

HB 694 - SPENCE & SENATOR SHARP - R & F: An Act to Amend Title 30, Delaware Code Relating to Retail and Wholesale Merchants' License Requirements and Taxes.

HA 1 to HS 1 to HB 395 - DAVIS - AGENDA: Placed with the bill.

HA 2 to HB 443 - REYNOLDS & CLOUTIER - APPRO: Placed with the bill.

HA 2 to HB 633 - STONE - AGENDA I: Placed with the bill.

SB 210 w/SA 2 - SOKOLA & REPRESENTATIVE OBERLE - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code to Make Certain Provisions of Title 18 Consistent With the Provisions of Del. C. §6854.

SB 260 w/SA 1 - MCBRIDE; REPRESENTATIVE WAGNER - POL ANAL & GOV ACCT: An Act to Amend Title 24, Delaware Code Relating to the Power of the Board of Cosmetology and Barbering to Ban the Use of Dangerous Chemicals by Licensees Under Its Regulation.

SS 1 for SB 277 - VAUGHN & REPRESENTATIVE SMITH - H/ADM: An Act Proposing an Amendment to Article V, Section 6 of the Delaware Constitution of 1897 Relating to Certificates of Election and Ballots. (2/3 bill)

SB 327 - VAUGHN & VOSHELL; REPRESENTATIVE BUCKWORTH - NAT RES: An Act to Amend Title 23 of the Delaware Code Relating to Silver Lake in New Castle County.

SB 344 - VAUGHN & REPRESENTATIVES D. ENNIS, SCOTT - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Annual Financial Statements Filed by Insurers.

SB 354 - BLEVINS & REPRESENTATIVE MAIER; SENATORS HENRY & BAIR; REPRESENTATIVES MARONEY, SPENCE, PLANT & SCOTT - POL ANAL & GOV ACCT: An Act to Amend Title 24 Regarding Nursing.

SB 359 w/SA 1 - VAUGHN & REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Chapter 17 of Title 18 of the Delaware Code Relating to the Licensing of Insurance Agents.

SB 360 - VAUGHN & REPRESENTATIVES D. ENNIS, SCOTT - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code, Relating to Agents, Brokers, Consultants and Adjusters.

SB 361 - VAUGHN & REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code, Relating to Fees and Taxes.

SB 371 - ADAMS & REPRESENTATIVE D. ENNIS; SENATORS SOKOLA, SHARP & SORENSON; REPRESENTATIVES STONE, CAPANO, DIPINTO, FALLON, BRADY, HOUGHTON, KEELEY & SCOTT - JUD: An Act to Amend Title 12, Delaware Code, Relating to Qualified Dispositions in Trust.

The Reading Clerk read the following communication into the record:

M E M O R A N D U M

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

FROM: Representative David Ennis

DATE: June 11, 1998

RE: Absence From Session

I will be unable to attend Session today, Thursday, June 11, 1998, as I will be out of town on business.

DHE/dlc

cc: JoAnn Hedrick, Chief Clerk

Representative Welch introduced HB 696.

HB 696 - An Act to Amend Title 7 of the Delaware Code Relating to Domestic Animals.

Mr. Speaker assigned HB 696 to the Natural Resources Committee.

Representative Wagner announced that she wishes to withdraw the deferral of HB 289 to a day certain.

HB 289 was placed on the Ready List at her request.

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

Representative Schroeder introduced HB 698.

HB 698 - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

Mr. Speaker assigned HB 698 to the Education Committee.

The Majority Leader moved to recess for caucus at 2:37 p.m.

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

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

TOURISM - HCR 82 - 4F,6M; HCR 83 - 5F,5M.

NAT RES: HB 685 - 6M.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought HS 1 for HB 395, jointly sponsored by Senator Bunting, before the House for consideration.

HB 395 - An Act to Amend Chapter 91 of Title 29 of the Delaware Code Relating to State Planning.

(F/N)

Representative Lofink made comments.

Representative Davis requested that he be marked present.

Representative Davis brought HA 1 to HS 1 for HB 395 before the House for consideration.

Representative Davis made comments.

HA 1 was adopted by voice vote.

Representatives Reynolds, B. Ennis, Brady, Mack, Ulbrich & Boulden requested that they be marked present.

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

YES: 38.

ABSENT: Representatives D. Ennis, Spence, Williams - 3.

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

Representatives Maroney, Oberle, Stone & Cloutier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought HB 396, jointly sponsored by Senator Voshell & Representatives Spence, Gilligan & Brady & Senators Bair & Sorenson, before the House for consideration.

HB 396 - An Act to Amend Title 22 of the Delaware Code Relating to Municipal Planning.

Representative Schroeder made comments.

The roll call on HB 396 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Spence, Williams - 3.

Therefore, having received a constitutional majority, HB 396 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 533, jointly sponsored by Representative Maroney, before the House for consideration.

HB 533 - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (F/N)

Representative Reynolds was granted personal privilege of the floor to introduce a guest.

Representative Ulbrich introduced and brought HA 1 to HB 533 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

Representative Ulbrich made a comment.

The roll call on HB 533 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Spence, Williams - 3.

Therefore, having received a constitutional majority, HB 533 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda A before the House for consideration.

HB 496 - CAPANO; SENATOR VAUGHN; REPRESENTATIVES BRADY, CLOUTIER, HOUGHTON, LOFINK, MARONEY, PRICE, ROY; SENATORS SORENSON, BONINI; REPRESENTATIVES BOULDEN, CATHCART, DAVIS, KEELEY, MAIER, PETRILLI, REYNOLDS, SCHROEDER; SENATORS AMICK, BAIR - An Act to Amend Title 11 of the Delaware Code Relating to Sale and Distribution of Tobacco Products to Minors.

HB 497 - CAPANO; SENATOR VAUGHN; REPRESENTATIVES BRADY, CLOUTIER, HOUGHTON, LOFINK, MARONEY, PRICE; SENATORS SORENSON, BONINI; REPRESENTATIVES BOULDEN, CATHCART, DAVIS, KEELEY, MAIER, PETRILLI, REYNOLDS, SCHROEDER; SENATORS AMICK, BAIR - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

HB 568 - CAPANO; SENATOR VAUGHN; REPRESENTATIVES CAREY, CLOUTIER, LOFINK, MARONEY, ROY, BRADY, KEELEY, SCHROEDER; SENATORS AMICK, REED, SORENSON; REPRESENTATIVES BOULDEN, CATHCART, DAVIS, MAIER, PETRILLI, ULBRICH, B. ENNIS, PRICE; SENATORS BAIR, BONINI, STILL - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products.

HB 535 - SCHROEDER; SENATORS BUNTING, VOSHELL - An Act Designating and Naming the Portion of Delaware Route 1 Commencing at the Nassau Bridge and Terminating at Seashore State Park as the "Charles Mills Boulevard".

HB 523 - EWING, WELCH - An Act to Amend Title 21 of the Delaware Code Relating to Obedience to Traffic Laws.

HB 554 - EWING; SENATOR BUNTING - An Act to Amend Title 24, Chapter 23, of the Delaware Code Relating to Pawnbrokers and Junk Dealers.

HB 536 - B. ENNIS, SPENCE, BRADY, EWING, HOUGHTON, LEE, SCOTT, WELCH, WILLIAMS; SENATOR VAUGHN; REPRESENTATIVES D. ENNIS, GILLIGAN, KEELEY, PLANT, VANSANT, WEST - An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances.

HB 576 - SCHROEDER, WAGNER, BUCKWORTH - An Act to Amend Title 16 of the Delaware Code Relating to the Registration of Deaths.

Representative Smith requested that HB 496, HB 497, HB 568, HB 523 & HB 536 be removed from Consent Agenda A.

The roll call on Consent Agenda A was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Williams - 2.

Therefore, having received a constitutional majority, HB 535, HB 554 & HB 576 were sent to the Senate for concurrence.

Representative Smith brought Consent Agenda B before the House for consideration.

HB 592 - PRICE; SENATOR VOSHELL; REPRESENTATIVES GILLIGAN, PLANT, VANSANT, B. ENNIS, FALLON, MAIER, SCHROEDER, WEST - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

**HB 593** - EWING, CATHCART; SENATOR ADAMS; REPRESENTATIVE D. ENNIS; SENATOR VAUGHN - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for the Chief Clerk of the House of Representatives and the Secretary of the Senate.

**HB 594** - CAULK, CAREY, QUILLEN, SCHROEDER; SENATORS ADAMS, COOK, REED; REPRESENTATIVES MACK, PRICE, WEST; SENATORS BUNTING, VENABLES, STILL - An Act to Amend Title 7 of the Delaware Code Relating to Forestry and Establishing an Urban and Community Forestry Program.

**HCR 62** - SCHROEDER, PRICE; SENATOR BUNTING; REPRESENTATIVE CAREY; SENATOR VOSHELL - Creating a Task Force for Purposes of Identifying and Evaluating Economically Efficient and Environmentally Prudent Approaches to Replenishing the Eroding Beaches Along Delaware's Coastline.

**SB 209** - AMICK; REPRESENTATIVE BOULDEN; SENATOR STILL; REPRESENTATIVE FALLON - An Act to Amend Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

**SB 242** - MARSHALL; REPRESENTATIVES SCOTT, OBERLE - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Wage Provisions in Public Construction Contracts.

**SB 243** - MARSHALL; REPRESENTATIVES WELCH, SCOTT, OBERLE - An Act to Amend Title 19 of the Delaware Code Relating to Fraud Overpayments.

**SB 245** - MARSHALL; REPRESENTATIVES WELCH, SCOTT, OBERLE - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Wage Provisions in Public Construction Contracts.

**SCR 55** - MCBRIDE; REPRESENTATIVE WAGNER - Requesting the Department of Health and Social Services to Revise and Update All Forms Used in Conducting Sanitary Inspections.

Representative Smith requested that **HB 593 & SB 209** be removed from Consent Agenda B.

The roll call on Consent Agenda B was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Williams - 2.

Therefore, having received a constitutional majority, **HB 592, HB 594 & HCR 62** were sent to the Senate for concurrence and **SB 242, SB 243, SB 245 & SCR 55** were returned to the Senate.

Representative Smith brought Consent Agenda C before the House for consideration.

**HB 603** - KEELEY, BRADY, CAREY, DIPINTO, EWING, PETRILLI, PRICE, ROY, SPENCE; SENATORS BLEVINS, CONNOR, HENRY, SOKOLA, VAUGHN, MCDOWELL; REPRESENTATIVES BUCKWORTH, CATHCART, D. ENNIS, FALLON, PLANT, QUILLEN, SCHROEDER; SENATORS AMICK, BUNTING, COOK, MARSHALL, STILL, VENABLES - An Act to Amend Title 29 Relating to the Procurement of Material and Nonprofessional Services by Organizations Receiving Grant-In-Aid.

**HB 617** - LEE; SENATOR BUNTING - An Act to Amend Title 16 of the Delaware Code Relating to Fireworks.

**HB 624** - LEE; SENATOR VAUGHN - An Act to Amend Chapter 1, Title 13 of the Delaware Code Relating to Marriage.

**HB 628** - LEE, WELCH; SENATORS VAUGHN, MCDOWELL - An Act to Amend Title 11 of the Delaware Code Relating to General Provisions Concerning Offenses.

**HB 651** - STONE, ULBRICH; SENATOR BLEVINS - An Act to Amend Chapter 29 of Title 24 of the Delaware Code Relating to Real Estate Appraisers.

**SB 301** - VAUGHN; REPRESENTATIVE LEE - An Act to Amend Title 11, Chapter 65, Section 6535 Relating to Discipline.

**HB 348** - WEST; SENATOR ADAMS - An Act Authorizing and Directing the Board of Pension Trustees to Grant Myrtle A. Thomas Credited Service Pursuant to Chapter 55, Title 29 of the Delaware Code for Service With the Sussex County Council From July 19, 1976 Through April 15, 1985; and Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware to Fund Such Credited Service.

**HB 604** - SCOTT, BOULDEN, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, GILLIGAN, KEELEY, PETRILLI, PRICE, REYNOLDS, WAGNER, WILLIAMS, BRADY, CAPANO, CATHCART, DILIBERTO, B. ENNIS, EWING, HOUGHTON, LOFINK, PLANT, QUILLEN, VANSANT, WEST, SPENCE - An Act to Amend Title 21 of the Delaware Code Relating to Required Information for Driver's Licenses.

Representative Smith requested that **HB 348 & HB 604** be removed from Consent Agenda C.

The roll call on Consent Agenda C was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Williams - 2.

Therefore, having received a constitutional majority, **HB 603, HB 617, HB 624, HB 628 & HB 651** were sent to the Senate for concurrence & **SB 301** was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 512**, jointly sponsored by Senator Adams, before the House for consideration.

HB 512 - An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to Harness Racing.

Representative Oberle requested that HA 1 to HB 512 be stricken.

Representative Oberle brought HA 2 to HB 512 before the House for consideration.

Representative Oberle made a comment.

HA 2 was adopted by voice vote.

Representatives Oberle & Davis made comments.

The roll call on HB 512 w/HA 2 was taken and revealed:

YES: 34.

ABSENT: Representatives D. Ennis, Gilligan, Reynolds, Smith, Spence, VanSant, Williams - 7.

Therefore, having received a constitutional majority, HB 512 w/HA 2 was sent to the Senate for concurrence.

Representative Oberle requested and was granted personal privilege of the floor to make comments.

Representative Welch deferred to Representative Stone.

Representative Stone brought HB 633, jointly sponsored by Senator Sokola & Representatives Capano, DiPinto, D. Ennis, Fallon, Brady, Houghton, Keeley, Plant & Scott & Senators Voshell, Venables, Amick & Still, before the House for consideration.

HB 633 - An Act to Amend Titles 29 and 31 of the Delaware Code Relating to the Delaware State Housing Authority.

Representative Stone deferred to Representative Capano.

Representative Capano brought HA 1 to HB 633, jointly sponsored by Representatives DiPinto, D. Ennis, Fallon, Stone & Houghton, before the House for consideration.

Representative Capano made comments.

HA 1 was adopted by voice vote.

Representative Stone brought HA 2 to HB 633 before the House for consideration.

Representative Stone made comments.

HA 2 was adopted by voice vote.

Representatives Stone, DiPinto & Ewing made comments.

Representative Ewing requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives Ewing, West & Stone made comments.

The roll call on HB 633 w/HA 1 & 2 was taken and revealed:

YES: 33.

ABSENT: Representatives D. Ennis, Gilligan, Mack, Reynolds, Smith, Spence, VanSant, Williams - 8.

Therefore, having received a constitutional majority, HB 633 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Petrilli.

Representative Petrilli brought HB 630 before the House for consideration.

HB 630 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors Licenses and Taxes. (3/5 bill)

Representative Petrilli made comments.

Representative Petrilli introduced and brought HA 1 to HB 630 before the House for consideration.

Representative Petrilli made comments.

HA 1 was adopted by voice vote.

Representatives Petrilli, Davis, Maier, Petrilli, Maier, Oberle, Petrilli, Oberle, Petrilli, Stone, Oberle & DiPinto made comments.

The roll call on HB 630 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Williams - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 630 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 649, jointly sponsored by Representative Oberle & Senator McDowell & Representatives Capano, Ulbrich & Wagner & Senators Sharp, Blevins, Cook, Henry, & Sorenson, before the House for consideration.

HB 649 - An Act to Amend Title 13 of the Delaware Code Relating to Termination of Parental Rights.

Representative Maier brought HA 1 to HB 649 before the House for consideration.

Representative Maier made a comment.

HA 1 was adopted by voice vote.

Representative Maier introduced and brought HA 2 to HB 649 before the House for consideration.

Representative Maier made comments.

HA 2 was adopted by voice vote.

Representative Maier introduced and brought HA 3 to HB 649 before the House for consideration.

Representative Maier made a comment.

HA 3 was adopted by voice vote.

Representatives Maier & Davis made comments.

Representative Maier requested and was granted the privilege of the floor for Katherine Way, Director, Division of Family Services.

Representatives Davis, Cloutier & Oberle made comments.

The roll call on HB 649 w/HA 1,2 & 3 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Williams, Spence - 3.

Therefore, having received a constitutional majority, HB 649 w/HA 1,2 & 3 was sent to the Senate for concurrence.

Representative Cloutier requested that action on HB 666 & HB 668 be Deferred to a Day Certain, Thursday, June 18, 1998.

Representative Smith deferred to Representative Wagner

Representative Wagner brought HB 577 before the House for consideration.

Mr. Speaker Spence resumed the Chair.

HB 577 - An Act to Amend Title 11 of the Delaware Code Relating to Payment of Fines and Costs.

Representative Wagner made comments.

The roll call on HB 577 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Gilligan, Petrilli, Williams - 4.

Therefore, having received a constitutional majority, HB 577 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

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

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

Representative B. Ennis introduced HB 697, jointly sponsored by Senator Vaughn.

HB 697 - An Act to Amend Title 16 of the Delaware Code Relating to Ambulance Service.

Mr. Speaker assigned HB 697 to the Health & Human Development Committee.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 551, jointly sponsored by Representatives Welch & Houghton & Senator Vaughn, before the House for consideration.

HB 551 - An Act to Amend Title 4, Delaware Code, Relating to Alcoholic Beverage Control Commission Application Procedural Requirements.

Representative Buckworth brought HA 1 to HB 551 before the House for consideration.

Representative Buckworth made a comment.

HA 1 was adopted by voice vote.

Representative Buckworth requested that HA 2 to HB 551 be stricken.

Representatives Buckworth and Oberle made comments.

Representative Buckworth requested and was granted the privilege of the floor for Jeffrey M. Taschner, Policy Adviser, Department of Public Safety.

Representatives Oberle, DiPinto, Oberle & Price made comments.

The roll call on HB 551 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Gilligan, Williams - 3.

Therefore, having received a constitutional majority, HB 551 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price brought HS 2 for HB 504, jointly sponsored by Representative Quillen, before the House for consideration.

HB 504 - An Act to Amend Title 4 of the Delaware Code Regarding the Delaware Alcoholic Beverage Control Commission License Application Process, and Denials, Suspensions, or Revocations of Licenses.

Representative Price requested that HA 1 be stricken.

Representative Price brought HA 2 to HS 2 for HB 504, jointly sponsored by Representative Quillen, before the House for consideration.

Representative Price made comments.

HA 2 was adopted by voice vote.

Mr. Speaker Spence introduced a guest.

Representative Price introduced and brought HA 3 to HS 2 for HB 504 before the House for consideration.

Representatives Price, Davis & Price made comments.

HA 3 was adopted by voice vote.

Representative Price made comments.

The roll call on HS 2 for HB 504 w/HA 2 & 3 was taken and revealed:

YES: 35.

NOT VOTING: Representatives Brady, Roy - 2.

ABSENT: Representatives Caulk, D. Ennis, Gilligan, Williams - 4.

Therefore, having received a constitutional majority, HS 2 for HB 504 w/HA 2 & 3 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 297, sponsored by Senator Voshell & Representative Carey, before the House for consideration.

SB 297 - An Act to Authorize and Approve the Transfer of Certain Real Property in Sussex County, Formerly Known as the Broadkill School. (3/4 bill)(F/N)

Representative Stone deferred to Representative Carey.

Representative Carey made a comment.

The roll call on SB 297 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Cloutier, D. Ennis, Gilligan, Williams - 5.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 297 was returned to the Senate.

Representative Smith deferred to Representative Carey.

Representative Carey brought HB 602, jointly sponsored by Representative Welch & Senators Voshell & Amick, before the House for consideration.

HB 602 - An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

Representative Carey brought HA 1 to HB 602 before the House for consideration.

Representative Carey made a comment.

HA 1 was adopted by voice vote.

The roll call on HB 602 w/HA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, D. Ennis, Gilligan, Plant, Williams - 5.

Therefore, having received a constitutional majority, HB 602 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 583, jointly sponsored by Representatives Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Maroney, Petrilli, Plant, Price, Quillen, Schroeder, Scott, Smith, VanSant, Welch, Williams & Spence & Senators Bunting, Marshall, Venables & Voshell, before the House for consideration.

HB 583 - An Act to Amend Title 7 of the Delaware Code Relating to the Hunting of Snow Geese.

Representative West brought HA 1 to HB 583 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Oberle, West, Schroeder & West made comments.

The roll call on HB 583 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, D. Ennis, Gilligan, Williams - 4.

Therefore, having received a constitutional majority, HB 583 w/HA 1 was sent to the Senate for concurrence.

Representative Lee requested that action on HB 541 be Deferred to a Day Certain, Tuesday, June 16, 1998.

Representative Welch requested that HB 643 be stricken.

Representative Smith deferred to Representative Plant.

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #154

DATE: June 11, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2049	Fallon	6/09/98	T	Craig Wearden/Seaford High Boys' Tennis Coach/Coach of the Year
H139-2050	Fallon	6/09/98	T	Craig Trefney/Assistance to Visually Impaired Students/Seaford Schools
H139-2051	Fallon	6/09/98	T	Katie Fleetwood/1998 Miss Seaford
H139-2052	Wagner	6/09/98	T	Mary Pyott/Retirement/15 Years/ Capitol School District
H139-2053	Welch	6/09/98	T	Mary Scott/Retirement/Superintendent/ Smyrna Schools/32 Years of Service
H139-2054	Smith	6/09/98	T	George Bailey/Retirement/George & Lynch, Inc./26 Years of Service
H139-2055	Lee	6/09/98	T	Jerome Burton/Retirement/George & Lynch, Inc./41 Years of Service
H139-2056	Cloutier	9/23/98	T	Charles Welch/Distinguished Honoree /OCI's Annual Founders Award Dinner
H139-2057	Buckworth	7/01/98	T	Dr. Jack Nichols/Associate Secretary of Education/Retirement/27 Years
H139-2058	Price	6/17/98	T	Bill Evans/District Lion of the Year
H139-2059	Gilligan	6/25/98	T	Alma Brittingham/25 Years of Dedicated Service
H139-2060	Buckworth	6/09/98	T	Polytech High School's Envirothon Team & Coach/1st Place /Delaware Envirothon
H139-2061	Carey	6/09/98	T	Ellery Parker/Retirement/George & Lynch, Inc./34 Years of Service

## HOUSE TRIBUTE ANNOUNCEMENT #155

DATE: June 11, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2062	Quillen	6/09/98	T	Susan Welch/Harrington Business & Professional Women/'98 Young Careerist
H139-2063	Schroeder	6/10/98	T	Chris Keller/Cape Henlopen High/ State LaCrosse Championship Team
H139-2064	Schroeder	6/10/98	T	Logan Short/Cape Henlopen High/ State LaCrosse Championship Team
H139-2065	Schroeder	6/10/98	T	Kyle Archer/Cape Henlopen High/ State LaCrosse Championship Team
H139-2066	Schroeder	6/10/98	T	Bill Brennan/Cape Henlopen High/ State LaCrosse Championship Team
H139-2067	Schroeder	6/10/98	T	Malik Lopez/Cape Henlopen High/ State LaCrosse Championship Team
H139-2068	Schroeder	6/10/98	T	Joe Cahill/Cape Henlopen High/ State LaCrosse Championship Team
H139-2069	Schroeder	6/10/98	T	Josh Wyatt/Cape Henlopen High/ State LaCrosse Championship Team
H139-2070	Schroeder	6/10/98	T	Zack Palmer/Cape Henlopen High/ State LaCrosse Championship Team
H139-2071	Schroeder	6/10/98	T	Bill Lingo/Cape Henlopen High/ State LaCrosse Championship Team
H139-2072	Schroeder	6/10/98	T	Josh Lowe/Cape Henlopen High/ State LaCrosse Championship Team
H139-2073	Schroeder	6/10/98	T	Matt Martin/Cape Henlopen High State LaCrosse Championship Team
H139-2074	Schroeder	6/10/98	T	Jamie Pratt/Cape Henlopen High/ State LaCrosse Championship Team

## HOUSE TRIBUTE ANNOUNCEMENT #156

DATE: June 11, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2075	Schroeder	6/10/98	T	Dan Hamer/Cape Henlopen High/ State LaCrosse Championship Team
H139-2076	Schroeder	6/10/98	T	David Steele/Cape Henlopen High/ State LaCrosse Championship Team
H139-2077	Schroeder	6/10/98	T	Jim Derrick/Cape Henlopen High/ State LaCrosse Championship Team
H139-2078	Schroeder	6/10/98	T	Ed Savarese/Cape Henlopen High/ State LaCrosse Championship Team
H139-2079	Schroeder	6/10/98	T	Robert Wolfgang/Cape Henlopen High State LaCrosse Championship Team
H139-2080	Schroeder	6/10/98	T	Derrick Quillen/Cape Henlopen High State LaCrosse Championship Team
H139-2081	Schroeder	6/10/98	T	Scott Steele/Cape Henlopen High/ State LaCrosse Championship Team
H139-2082	Schroeder	6/10/98	T	Matt Lambrose/Cape Henlopen High /State LaCrosse Championship Team
H139-2083	Schroeder	6/10/98	T	Jim Carpenter/Cape Henlopen High /State LaCrosse Championship Team
H139-2084	Schroeder	6/10/98	T	Cory Mahoney/Cape Henlopen High /State LaCrosse Championship Team
H139-2085	Schroeder	6/10/98	T	Brett Williams/Cape Henlopen High /State LaCrosse Championship Team
H139-2086	Schroeder	6/10/98	T	Matt Hall/Cape Henlopen High/ State LaCrosse Championship Team
H139-2087	Schroeder	6/10/98	T	Alex Hense/Cape Henlopen High/ State LaCrosse Championship Team

T - Tribute

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

TRANS: HB 669 - 7M.

R & F: HB 687 - 6M; HB 688 - 6M; HB 502 - 1F,4M.

AG: HB 616 - 5M; HB 637 - 5M.

HOUSING & COM AFF: HB 655 - 7M.

H/ADM: HB 693 - 4M.

The Majority Leader moved to recess to the call of the Chair at 7:41 p.m.

37th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 16, 1998

Mr. Acting Speaker Quillen called the House to order at 2:30 p.m.

Representative Wagner introduced HA 1 to HB 470. HA 1 was placed with the bill.

The Majority Leader moved to adjourn at 2:33 p.m., thereby ending the current legislative day. The House reconvened at 2:34 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Cloutier, Reynolds - 2.

A prayer was offered by Representative Al O. Plant, Sr., Second Representative District.

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

Mr. Acting Speaker introduced a guest.

Representative Roy requested that he be marked present.

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

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

Representative Price requested and was granted personal privilege of the floor to present House Tributes to the 1998 Indian River School District Girl's Softball State Championship Team Members who announced their names and positions for the record. Their Coach, Stephen Botchie addressed the House.

Representatives West, Smith, Gilligan, Fallon, Lee & Ewing made comments.

Representative West presented a gift to each member of the team.

Representatives DiPinto, Mack, Maier & Davis requested that they be marked present.  
 Representative Plant requested and was granted personal privilege of the floor to make comments.  
 Representatives Smith & Gilligan made comments.  
 Representative West requested and was granted the privilege of the floor to make comments.  
 Representative Oberle requested that he be marked present.

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

The following prefiled legislation was introduced:

HB 695 - QUILLEN - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Shellfish.

HB 699 - PETRILLI - JUD: An Act to Amend Title 13, Delaware Code Relating to Alimony.

HB 700 - CLOUTIER - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to the Collection of Delinquent Taxes.

HB 701 - OBERLE & SENATOR MCBRIDE - JUD: An Act to Amend Chapter 25, Title 29 of the Delaware Code, Relating to Consumer Protection.

HB 702 - LEE & SENATOR VAUGHN - CORR: An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Assault in a Detention Facility.

HB 703 - ULBRICH - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Regarding the Medical Practices Act.

HB 704 - MAIER, PETRILLI & SENATOR SOKOLA; REPRESENTATIVES CAPANO, CAREY - BUS/CORP/COM: An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

HB 705 - WAGNER - JUD: An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

HB 706 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders.

HB 707 - EWING - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to the Collection of Delinquent Taxes.

HA 2 to HB 562 - SCOTT - AGENDA I: Placed with the bill.

HA 2 to HB 572 - VANSANT & REPRESENTATIVE DIPINTO - AGENDA: Placed with the bill.

HA 3 to HB 578 - WELCH - READY LIST: Placed with the bill.

HA 1 to HB 625 - CLOUTIER - AGENDA II: Placed with the bill.

HA 1 to HB 626 - B. ENNIS - BUS/CORP/COM: Placed with the bill.

HA 1 to HB 663 - BOULDEN - AGENDA II: Placed with the bill.

HA 1 to HB 668 - CLOUTIER - DEFERRED: Placed with the bill.

HA 2 to HB 668 - CLOUTIER - DEFERRED: Placed with the bill.

SB 266 - MCBRIDE; REPRESENTATIVE WAGNER - POL ANAL & GOV ACCT: An Act to Amend Chapter 51, Title 24, Delaware Code Relating to License Reciprocity for Cosmetologists, Barbers, Nail Technicians and Electrologists.

SB 311 - SHARP - JUD: An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

SB 312 - SHARP & REPRESENTATIVE WAGNER - JUD: An Act to Amend an Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 320 - SHARP - JUD: An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

SB 348 - SHARP & REPRESENTATIVE PETRILLI; SENATOR VAUGHN; REPRESENTATIVES CAPANO, WAGNER, SPENCE, PLANT, EWING & ROY - JUD: An Act to Amend Title 12 of the Delaware Code Relating to the Establishment of the Delaware Careplan Trust Act.

SB 352 w/SA 1 - COOK & REPRESENTATIVE DAVIS - H/ADM: An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Heritage Commission.

SB 353 - COOK; REPRESENTATIVE DAVIS; SENATOR VAUGHN; REPRESENTATIVE OBERLE - JUD: An Act to Amend Title 29 of the Delaware Code Relating to Pension Plans.

SB 355 - COOK; REPRESENTATIVE DAVIS; SENATOR VAUGHN; REPRESENTATIVE OBERLE - JUD: An Act to Amend Title 29 of the Delaware Code Related to Pensions for Members of the State Judiciary.

SB 356 - COOK; REPRESENTATIVE DAVIS; SENATOR VAUGHN; REPRESENTATIVE OBERLE; SENATOR SORENSON - JUD: An Act to Amend Titles 11, 29 and 16, Delaware Code, Relating to Attachment and Assignment of Pension Plan Benefits.

SB 363 w/SA 1 - VOSHELL & BAIR, BLEVINS, BUNTING, COOK, HENRY, MCDOWELL, MARSHALL, SOKOLA, AMICK, BONINI, CONNOR, HAUGE, REED, SORENSON & STILL; REPRESENTATIVES CAPANO, CAREY, FALLON, MAIER, MARONEY, STONE, ULBRICH,

WAGNER, GILLIGAN, KEELEY, PRICE, SCHROEDER & WEST - JUD: An Act Proposing an Amendment to the Delaware Constitution of 1897, as Amended, Relating to Making the Constitution Gender Neutral. (2/3 bill)

SB 367 w/SA 1 - MCBRIDE & REPRESENTATIVE WAGNER; SENATORS BLEVINS, HENRY, BAIR, CONNOR, REED, SORENSON; REPRESENTATIVES DIPINTO, STONE, KEELEY, PRICE - POL ANAL & GOV ACCT: An Act to Amend Chapter 51, Title 24, of the Delaware Code Relating to the Board of Cosmetology and Barbering, Its Composition, Procedures, Rules and Regulations and Other Issues Related to Cosmetology, Barbering, Nail Technology and Electrology.

SB 370 w/SA 1 - BLEVINS, REED; REPRESENTATIVE ULBRICH - NAT RES: An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to the Establishment of a Retail Dog Dealer License; the Humane Handling, Care and Treatment of Dogs; and Generally Relating to Dogs. (3/5 bill)

SB 378 - BLEVINS & REPRESENTATIVE SMITH - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

HA 1 to SB 153 - DIPINTO - AGENDA: Placed with the bill.

HA 2 to SB 153 - DIPINTO - AGENDA: Placed with the bill.

HA 2 to SB 298 - B. ENNIS - AGENDA II: Placed with the bill.

Representative Maier requested and was granted personal privilege of the floor to make comments and introduce a guest.

Representatives Maroney & Ewing made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 311, SB 312, SB 320, SB 348, SB 367 w/SA 1, SB 355, SB 370 w/SA 1, SB 356, SB 352 w/SA 1, HCR 84, HCR 85, SB 266, SB 363 w/SA 1, SB 378, SB 353 & HB 486.

June 11, 1998

LEGISLATIVE ADVISORY #41

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/10/98 - SB 283 & HB 518. 6/11/98 - SB 226 aab SA 1,2,3,4 & 5 & HA 2, HB 531 aab HA 1 & HB 478 aab HA 1.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Liane Sorenson, do hereby request that my name be removed as Co-Sponsor of HB 650.

Date: June 11, 1998.

Signed: Liane Sorenson.

MEMORANDUM

TO: House Speaker Spence  
Chief Clerk Joanne Hedrick  
FROM: Representative Philip D. Cloutier  
DATE: June 16, 1998  
MEMORANDUM RE: Absence from Session  
Today, Tuesday, June 16, 1998, I will be absent from session.  
Thank you.  
PDC/cms

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House  
FROM: The Honorable Bruce C. Reynolds  
SUBJECT: Absence from Session  
DATE: June 16, 1998

Due to personal business, I will be unable to attend session on Tuesday, June 16, 1998.

Thank you for your attention to this matter.

cc: JoAnn M. Hedrick  
Chief Clerk of the House  
BCR/grp

The Majority Leader moved to recess for caucus at 3:00 p.m.

The House reconvened at 4:20 p.m. with Representative Welch as Acting Speaker.

Representative D. Ennis requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SS 1 to SB 220, HB 269, HB 480 & HB 545.

MEMORANDUM

DATE: June 15, 1998  
TO: JoAnn Hedrick, Chief Clerk of the House  
FROM: Senator John Still  
RE: Removal From Co-Sponsorship of HB 637

This is to respectfully request that my name be removed as a Co-sponsor of HOUSE BILL NO. 637 of the 139th General Assembly (RELATING TO THE NORTHEAST INTERSTATE DAIRY COMPACT.)

Thank you.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 541, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 541 - An Act to Amend Title 11 Relating to Wiretapping and Electronic Surveillance.

Representative Lee made comments.

Representative Spence requested that he be marked present.

Representative Lee requested and was granted the privilege of the floor for Joann Muraglia, Account Executive, Bell Atlantic.

Representative Lee made a comment.

Mr. Speaker Spence resumed the Chair.

Representative Lee deferred to Representative DiLiberto.

Representative DiLiberto brought HA 1 to HB 541 before the House for consideration.

Representatives DiLiberto & Lee made comments.

HA 1 was adopted by voice vote.

Representative Ewing made a comment.

Representative Lee requested and was granted the privilege of the floor for Carl Danberg, Deputy Principal Assistant, Office of the Commissioner, Department of Correction.

Representatives Ewing, B. Ennis & Plant made comments.

The roll call on HB 541 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Oberle, Reynolds - 3.

Therefore, having received a constitutional majority, HB 541 w/HA 1 was sent to the Senate for concurrence. Representatives Brady, Petrilli, Schroeder & Stone requested that they be marked present during the roll call.

Mr. Speaker Spence and Representative Smith introduced guests.

Representative Smith deferred to Representative Boulden.

Representative Boulden moved to suspend the rules which interfere with action on HB 663. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Boulden brought HB 663, jointly sponsored by Representatives Schroeder, Ulbrich, Spence, Smith, Buckworth, Cathcart, Caulk, Cloutier, Davis, DiLiberto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Scott, VanSant, West & Williams & Senators Voshell, Bunting, Amick, Bonini, Connor & Sorenson & cosponsored by Representative DiPinto, before the House for consideration.

HB 663 - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Education and School Construction. (F/N)

Representative Boulden made a comment.

Representative Boulden brought HA 1 to HB 663 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 663 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 663 w/HA 1 was sent to the Senate for concurrence.

Representative Smith requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence made comments.

Representative Smith brought Consent Agenda D, which requires a two-thirds vote, before the House for consideration.

HB 601 - ROY; SENATORS SOKOLA, AMICK - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Beverage Licensing.

HB 606 - DAVIS, CLOUTIER, SPENCE; SENATOR MCDOWELL; REPRESENTATIVE FALLON - An Act to Make a Supplemental Appropriation to the Department of Finance to Fund, in Advance, Certain Obligations of the Diamond State Port Corporations.

HB 612 - WELCH & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, DIPINTO, D. ENNIS, QUILLEN, ROY, VANSANT, B. ENNIS, WILLIAMS; SENATORS MCDOWELL, SORENSON -

An Act to Amend Title 4, Delaware Code Relating to Authorized Employees in Retail Liquor Establishments.  
HB 629 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, REED - An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to the Board of Funeral Services and Title 29 of the Delaware Code.

HB 636 - SCHROEDER, CAREY; SENATORS BUNTING, VOSHALL - An Act to Amend Title 7 of the Delaware Code Relating to Recreational Gill Nets. (2/3 bill)

HB 641 - DIPINTO & SENATOR MCDOWELL - An Act Relating to the Waiver of Statutory Provisions of Title 13 of the Delaware Code Concerning the Solemnization of Marriages.

HB 647 - D. ENNIS - An Act to Amend Title 18 of the Delaware Code Relating to the Conversion of a Mutual Insurer to a Stock Insurer.

The roll call on Consent Agenda D was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 601, HB 606, HB 612, HB 629, HB 636, HB 641 & HB 647 were sent to the Senate for concurrence.

Representative Smith brought Consent Agenda E before the House for consideration.

HB 600 - WELCH, SPENCE & SMITH; SENATORS MCDOWELL & VENABLES - An Act to Amend Title 19 of the Delaware Code Relating to Discharging or Discriminating Against an Employee.

HB 639 - D. ENNIS & SENATOR VAUGHN - An Act to Amend Title 18 of the Delaware Code Relating to Authorization of Insurers and General Requirements.

HB 648 - SPENCE, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS VOSHALL, MCDOWELL, ADAMS, BLEVINS, BUNTING, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES, AMICK, BONINI, CONNOR, SORENSON, STILL - An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police/Firefighters Pension Plans.

HB 657 - SCHROEDER, CAREY, PRICE, QUILLEN; SENATORS BUNTING, VOSHALL - An Act to Amend Title 7 of the Delaware Code Relating to the Reporting Requirements for Holders of Commercial Shellfishing Licenses and Permits.

HB 673 - OBERLE & SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

HB 655 - STONE - An Act to Amend Title 24 of the Delaware Code Relating to the Regulation of Real Estate Appraisers.

Representative Smith requested that HB 600 be removed from Consent Agenda E.

Representative Oberle requested that HB 673 be removed from Consent Agenda E.

The roll call on Consent Agenda E was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 639, HB 648, HB 657 & HB 655 were sent to the Senate for concurrence.

Representative Plant made a comment.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 600, jointly sponsored by Representatives Spence & Smith & Senators McDowell & Venables, before the House for consideration.

HB 600 - An Act to Amend Title 19 of the Delaware Code Relating to Discharging or Discriminating Against an Employee.

Representative Welch introduced and brought HA 1 to HB 600 before the House for consideration.

Representative Welch made comments.

HA 1 was adopted by voice vote.

Representatives Welch, Scott, Welch & D. Ennis made comments.

The roll call on HB 600 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier, Reynolds - 2.

Therefore, having received a constitutional majority, HB 600 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Williams.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Williams brought HB 549, jointly sponsored by Representatives Brady, Buckworth, D. Ennis, Ewing, Keeley, Lee, Lofink, Oberle, Plant, Smith, VanSant, Wagner, West & Spence & Senators Marshall & McDowell, before the House for consideration.

HB 549 - An Act to Amend Title 11 of the Delaware Code Relating to the Possession of a Handgun by a Juvenile. (F/N)

Representative Scott brought HA 1 to HB 549 before the House for consideration.

Representatives Scott & Williams made comments.

Representative Scott requested and was granted the privilege of the floor for Steven Wood, Deputy Attorney General.

Representatives Scott, Gilligan, Williams, Scott, Plant, Scott & Williams made comments.

HA 1 was defeated by voice vote.

Representative Williams brought HA 2 to HB 549 before the House for consideration.

Representative Williams made a comment.

HA 2 was adopted by voice vote.

Representative Williams introduced and brought HA 3 to HB 549 before the House for consideration.

Representatives Williams & Maier made comments.

HA 3 was adopted by voice vote.

Representatives Boulden & Keeley made comments.

The roll call on HB 549 w/HA 2 & 3 was taken and revealed:

YES: 35.

NO: Representative Scott - 1.

ABSENT: Representatives Cloutier, DiPinto, Mack, Petrilli, Reynolds - 5.

Therefore, having received a constitutional majority, HB 549 w/HA 2 & 3 was sent to the Senate for concurrence.

Representative Williams made comments.

Representatives Spence, Wagner, Quillen & D. Ennis made announcements.

Representative Ewing requested that HB 523 be stricken.

Representative D. Ennis introduced HCR 86, jointly sponsored by Senator Blevins & Representatives Capano, DiPinto, Fallon, Stone, Brady, Houghton, Keeley & Scott & Senator Vaughn.

HCR 86 - Directing the Delaware Health Care Commission to Establish an Ad Hoc Task Force to Review the Unique Hardships Encountered by Delawareans With Diabetes and Report on Its Findings and Recommendations for Addressing the Problems.

Mr. Acting Speaker assigned HCR 86 to the Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Davis.

Representative Davis brought HB 572, jointly sponsored by Representative Mack & Senator Sokola & Representatives Carey, DiPinto, Lofink, Oberle, Petrilli, Quillen, Price & Schroeder & Senators Voshell, Bunting, Venables, Amick, Reed & Sorenson & cosponsored by Senator Connor, before the House for consideration.

HB 572 - An Act to Amend Title 7 of the Delaware Code Relating to Debris Disposal Remediation. (3/5 bill)

Representative Davis made comments.

Representative VanSant requested that HA 1 to HB 572 be stricken.

Representative VanSant brought HA 2 to HB 572, jointly sponsored by Representative DiPinto, before the House for consideration.

Representative VanSant made comments.

Representative VanSant requested and was granted the privilege of the floor for William Lower, Environmental Director, Harvey & Harvey, Inc.

Representatives VanSant & Davis made comments.

Representative Quillen requested and was granted the privilege of the floor for Pasquale Canzano, Chief Operating Officer, Delaware Solid Waste Authority.

Representatives Gilligan & DiPinto made comments.

Mr. Speaker Spence resumed the Chair.

Representatives B. Ennis & Capano made comments.

HA 2 was adopted by voice vote.

Representative Capano requested and was granted the privilege of the floor for E. Thomas Harvey, District Vice-President of USA Waste.

Representatives Capano, Davis, DiPinto, VanSant, Boulden, Ulbrich, Davis, Caulk, Davis, DiPinto & Carey made comments.

The roll call on HB 572 w/HA 2 was taken and revealed:

YES: Representatives Davis, Maier, Oberle, Scott - 4.

NO: 23.

NOT VOTING: Representatives DiLiberto, DiPinto, Maroney, Petrilli, Plant, Price, Roy, Schroeder, Smith, Spence - 10.

ABSENT: Representatives Cathcart, Cloutier, Mack, Reynolds - 4.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, HB 572 w/HA 2 was declared defeated.

Representative Welch deferred to Representative Roy.

Representative Roy requested that HB 692 be stricken.

Representative Ulbrich requested and was granted personal privilege of the floor to make comments.

Representative Ewing made an announcement.

Representative Roy introduced HB 711.

HB 711 - An Act to Amend Title 14 of the Delaware Code Relating to School District Elections and Referenda.

Mr. Speaker assigned HB 711 to the Education Committee.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich introduced HB 713, jointly sponsored by Representative Welch & Senators Adams & Marshall.

HB 713 - An Act to Amend Title 19 of the Delaware Code Relating to the Composition of Members of the Industrial Accident Board.

Mr. Speaker assigned HB 713 to the Labor Committee.

Representative Smith deferred to Representative DiPinto.

Representative Roy made an announcement.

Representative DiPinto introduced HCR 88, jointly sponsored by Senator Bunting & Representatives Capano, Carey, Ewing, Gilligan, Keeley, Lee, Maroney, Plant, Quillen, Stone, Ulbrich & Wagner & Senators Adams, Bair, Bonini, Connor, Henry, Marshall, Reed, Sorenson, Still & Voshell.

HCR 88 - Supporting a Supplementary Appropriation to the Delaware Community Foundation to Be Held as Permanent Unrestricted Endowment and Conditions Therefore.

Mr. Speaker assigned HCR 88 to the Appropriations Committee.

Representative Smith deferred to Representative West.

Representative West introduced HB 710, jointly sponsored by Representative Wagner.

HB 710 - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Motor Vehicle

Insurance.

Mr. Speaker assigned HB 710 to the Public Safety Committee.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 673, jointly sponsored by Senator Marshall, before the House for consideration.

HB 673 - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

Representative Oberle made comments.

The roll call on HB 673 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, HB 673 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 631, jointly sponsored by Senator Blevins, before the House for consideration.

HB 631 - An Act to Amend Title 11 of the Delaware Code Relating to Witnesses and Evidence.

Representative Wagner brought HA 1 to HB 631 before the House for consideration. HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 631 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, HB 631 w/HA 1 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 652. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner brought HB 652, jointly sponsored by Representative Davis & Senator Cook & Representatives Buckworth, DiPinto, Maier, Maroney, Quillen, Brady, Houghton & West & Senators Henry, McBride, Vaughn, Bonini & Sorenson, before the House for consideration.

HB 652 - An Act to Amend Title 14 of the Delaware Code Providing for the Joinder of the State of Delaware in an Interstate Compact Agreement for Education. (F/N)

Representative Wagner made comments.

The roll call on HB 652 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, HB 652 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier made an announcement.

Representative Maier brought SB 238, sponsored by Senators Sokola, Blevins & Hauge & Representative Roy, before the House for consideration.

SB 238 - An Act to Amend Title 16 of the Delaware Code Relating to Smoking Restrictions.

Representative Maier made a comment.

The roll call on SB 238 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, SB 238 was returned to the Senate.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 615, jointly sponsored by Senator Voshell & cosponsored by Representative Keeley, before the House for consideration.

HB 615 - An Act to Amend Chapter 63, Title 21 of the Delaware Code Relating to the Sale of Motor Vehicles.

Representative Welch introduced and brought HA 1 to HB 615 before the House for consideration.

Representative Welch made comments.

HA 1 was adopted by voice vote.

Representatives Welch, D. Ennis, B. Ennis & Welch made comments.

The roll call on HB 615 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, HB 615 w/HA 1 was sent to the Senate for concurrence.

Representatives Smith and Davis made announcements.

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

POL ANAL & GOV ACCT: SB 260 w/SA 1 - 2F,3M; SB 354 - 5M.

NAT RES: SB 327 - 2F,3M,1U.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #157

DATE: June 16, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2088	Schroeder	6/10/98	T	Steve Aubrey/Head Coach/Cape Henlopen High/State LaCrosse Championship Team
H139-2089	Schroeder	6/10/98	T	Shawn Williams/Assistant Coach/Cape Henlopen High/State LaCross Championship Team
H139-2090	Schroeder	6/10/98	T	Mark D'Ambrogio/Assistant Coach/Cape Henlopen High/State LaCross Championship Team
H139-2091	Schroeder	6/10/98	T	Tim Mahoney/Assistant Coach/Cape Henlopen High/State LaCross Championship Team
H139-2092	Ulbrich	6/10/98	T	Julia Rose Uniatowski/Valedictorian/Class of '98/Paul M. Hodgson Vo-Tech School
H139-2093	Ulbrich	6/10/98	T	Stephanie Paige Ogburn/Valedictorian/Class of '98/Glasgow High School
H139-2094	Price	5/29/98	T	Janet & Donald Hopper/50th Wedding Anniversary
H139-2095	cosponsor: Mack Mack	5/22/98	T	Beatrice & Charles Colatrisano/50th Wedding Anniversary
H139-2096	Schroeder	5/18/98	T	Catherine & Charles Pyle/60th Wedding Anniversary
H139-2097	Gilligan	5/28/98	T	Curtis & Sally Futty/60th Wedding Anniversary
H139-2098	Gilligan	5/08/98	T	Harry & Dorothea Banack/50th Wedding Anniversary

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2099	Gilligan	5/28/98	T	Joseph & Ceslaa Sawicki/60th Wedding Anniversary
H139-2100	Gilligan	5/23/98	T	Herman & Betty Ann Clough/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #158

DATE: June 16, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2101	VanSant	6/03/98	T	William Godding/80th Birthday
H139-2102	Stone	6/16/98	T	Michael Carey/40th Birthday
	cosponsor: Wagner			
H139-2103	Reynolds	6/10/98	T	Michael LaHoda/Teacher/William Penn /Team/1st Place/98 Stock Market Game
	cosponsor: Mack			
H139-2104	Reynolds	6/10/98	T	Dr. David Campbell/Superintendent/Colonial School District/98 Leadership Award
	cosponsor: Mack			
H139-2105	Scott	6/14/98	T	Marva Richardson/Outstanding Community Service
H139-2106	Scott	6/14/98	T	Claude Kellam/Outstanding Community Service
H139-2107	Maier	6/16/98	T	Kelly Jarrett/16th Birthday
	cosponsors: DiPinto, Ulbrich			
H139-2108	Wagner	11/08/98	T	Amber McMahan & Honorable R. Thomas Wagner, Jr./Marriage
H139-2109	Price	6/16/98	T	Stephen Botchie/Head Coach/Indian River High/State Softball Champions
	cosponsor: West			
H139-2110	Price	6/16/98	T	Mary Jane McGee/Assistant Coach/Indian River High/State Softball Champions
	cosponsor: West			
H139-2111	Price	6/16/98	T	Mark Brown/Assistant Coach/Indian River High/State Softball Champions
	cosponsor: West			
H139-2112	Price	6/16/98	T	Stephanie Hitchens/Assistant Coach/Indian River High/State Softball Champions
	cosponsor: West			
H139-2113	Price	6/16/98	T	Christie McHale/Indian River High/State Softball Champions
	cosponsor: West			

## HOUSE TRIBUTE ANNOUNCEMENT #159

DATE: June 16, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-2114	Price	6/16/98	T	Melissa Adams/Indian River High/State Softball Champions
	cosponsor: West			
H139-2115	Price	6/16/98	T	Shawn Browne/Indian River High/State Softball Champions
	cosponsor: West			
H139-2116	Price	6/16/98	T	Shannon Simons/Indian River High/State Softball Champions
	cosponsor: West			
H139-2117	Price	6/16/98	T	Stephanie Tietmeyer/Indian River High/State Softball Champions
	cosponsor: West			
H139-2118	Price	6/16/98	T	Stacy Campbell/Indian River High/State Softball Champions
	cosponsor: West			
H139-2119	Price	6/16/98	T	Tricia Temple/Indian River High/State Softball Champions
	cosponsor: West			
H139-2120	Price	6/16/98	T	Sarah Lyons/Indian River High/State Softball Champions
	cosponsor: West			
H139-2121	Price	6/16/98	T	Keri Page/Indian River High/State Softball Champions
	cosponsor: West			
H139-2122	Price	6/16/98	T	Angela Robinson/Indian River High/State Softball Champions
	cosponsor: West			
H139-2123	Price	6/16/98	T	Kate Oliver/Indian River High/State Softball Champions
	cosponsor: West			
H139-2124	Price	6/16/98	T	Cara Deldeo/Indian River High/State Softball Champions
	cosponsor: West			

Number	Sponsor	Presentation Date	Type	Description
H139-2125	Price	6/16/98	T	Samantha Wilkinson/Indian River High/State Softball Champions

T - Tribute

M - Memoriam

Mr. Speaker reassigned SB 371 to the Economic Development, Banking & Insurance Committee. The Majority Leader moved to recess to the call of the Chair at 7:10 p.m.

38th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 17, 1998

Mr. Acting Speaker Oberle called the House to order at 2:25 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 388, HB 378 w/HA 1 & HB 569.

Representative Smith introduced HJR 25, jointly sponsored by Representative Oberle & Senators Sharp & Bair & Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott & West.

HJR 25 - Requesting the Department of Education to Conduct a Complete Examination of Programs for Disruptive Pupils, Alternative Schools, and Student Discipline Programs, Including Prevention Programs, and Recommend Ways to Improve and Expand Such Programs.

Mr. Acting Speaker assigned HJR 25 to the Education Committee.

Representative Smith introduced HB 718, sponsored by Representative Stone & Senator Bunting & Representative DiPinto & Senator Bonini.

HB 718 - An Act to Amend Title 25 of the Delaware Code Relating to the Rental of Lots in Manufactured Housing Communities.

Mr. Acting Speaker assigned HB 718 to the Housing & Community Affairs Committee.

The Majority Leader moved to adjourn at 2:29 p.m., thereby ending the current legislative day. The House reconvened at 2:30 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Cloutier, D. Ennis, Lofink - 3.

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

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

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

The following prefiled legislation was introduced:

HB 708 - DILIBERTO - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Cruelty to Animals. (2/3 bill)

HB 709 - DILIBERTO, BOULDEN, BRADY, CAREY, CATHCART, CAULK, B. ENNIS, D. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LOFINK, OBERLE, PLANT, QUILLEN, SCOTT, STONE, ULBRICH, VANSANT, WAGNER, WEST, WILLIAMS; SENATORS AMICK, BAIR, HENRY, MARSHALL, MCDOWELL, SOKOLA, SORENSON - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 712 - WAGNER - JUD: An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

HB 714 - EWING - HOUSING & COM AFF: An Act to Amend Title 9, Chapter 69, of the Delaware Code Relating to the Power of the Board of Adjustment of Sussex County, to Hear Variances.

HB 715 - SMITH & SENATOR HENRY - H/ADM: An Act to Amend Title 20 of the Delaware Code Relating to the Delaware Emergency Management Agency (DEMA) and Providing for the Establishment of the DEMA Assistance and Relief Fund (the Fund).

HB 716 - SMITH & SENATOR BUNTING - H/ADM: An Act to Amend Title 1 of the Delaware Code Relating to Legal Holidays.

HA 1 to HB 635 - PRICE & OBERLE - READY LIST: Placed with the bill.

HA 1 to HB 666 - CLOUTIER - DEFERRED: Placed with the bill.

HA 3 to HB 668 - DAVIS - DEFERRED: Placed with the bill.

HA 1 to HB 706 - ROY & SENATOR SHARP - JUD: Placed with the bill.

HR 72 - SCOTT, CAPANO, MAIER, PLANT, QUILLEN, ROY, WAGNER, WELCH, SPENCE - ED: Requesting the Secretary of the Department of Education to Conduct a Study of School District Boundaries.

**HR 73** - PLANT - ECON DEV, B & I: Requesting the Delaware Insurance Commissioner to Study Ways of Alleviating the Hardship to Delaware Residents Whose Insurance Coverage is Terminated.

**SS 1 to SB 220** - VAUGHN - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Insurance Guaranty Act.

**SB 388** - SOKOLA & REPRESENTATIVES BOULDEN, SCHROEDER & ULBRICH; SENATORS ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCDOWELL, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, SORENSON & STILL; REPRESENTATIVES DAVIS, MAIER, OBERLE, SPENCE, GILLIGAN & VANSANT - ED: An Act to Amend Title 14 of the Delaware Code Relating to Public Education.

**HA 2 to SS 1 for SB 250** - SMITH - ED: Placed with the bill.

**HA 3 to SS 1 for SB 250** - DAVIS & ULBRICH - ED: Placed with the bill.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: House Speaker Spence

FROM: Representative Philip D. Cloutier

DATE: June 17, 1998

MEMORANDUM RE: Absence from Session

Today, Wednesday, June 17, 1998, I will be absent from session.

Thank you.

PDC/cms

Representatives Buckworth & Boulden requested that they be marked present.

Representative Wagner requested and was granted personal privilege of the floor to make comments.

The House observed a moment of silence in memory of Mark Hironimus at the request of Representative Wagner.

Representative Stone made an announcement.

Representative Caulk requested that he be marked present.

Representatives Capano & Roy made comments.

Representative Capano requested and was granted the privilege of the floor for Jody Kelly, Miss Delaware, 1998.

Representative Caulk made comments.

Mr. Acting Speaker Oberle introduced R. Thomas Wagner, State Auditor and the Girls' State Auditor, Stephanie Dunbar.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested and was granted the privilege of the floor to present House Tributes to four outstanding Hispanic students.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #160

DATE: June 17, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2126	Houghton	6/15/98	T	William Bell/Retirement/30 Years Service /New Castle County Communications Center
H139-2127	Ewing	6/11/98	T	Tim Creazzo/Heroic Efforts/ Saved Life of Drowning Child
H139-2128	Oberle	6/12/98	T	Centennial Celebration of Philippines Independence
H139-2129	Maier	5/08/98	T	Bethany Hall-Long/U of D Excellence in Teaching Award
H139-2130	Ewing	6/11/98	T	Blake Hershelman/Sussex Central High /Who's Who/American High School Students
H139-2131	Wagner	6/20/98	T	Michael McGlynn & Janice Banche/Marriage
H139-2132	Wagner	6/20/98	T	Christine Rock & Brian Talley/Marriage cosponsor: Stone
H139-2133	Stone	6/20/98	T	Dionne Daisey & Evan Williford/Marriage
H139-2134	Fallon	6/24/98	T	Martha Cook/Graduation/Oldest Member/Quest for Knowledge
H139-2135	Fallon	6/24/98	T	Muriel Hann/Graduation/Quest for Knowledge
H139-2136	Fallon	6/24/98	T	Ernestine Fischer/Graduation /Quest for Knowledge

Number	Sponsor	Presentation Date	Type	Description
H139-2137	Fallon	6/24/98	T	Geneva Bowden/Graduation/Quest for Knowledge
H139-2138	Fallon	6/24/98	T	Mary Christopher/Graduation/Quest for Knowledge

## T - Tribute

Representative Spence requested that he be marked present.

Representatives Capano & Smith made announcements.

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

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

Representative Roy requested that HB 2 & HB 213 be stricken.

Representative Gilligan requested that he be marked present and made comments.

The Majority Leader moved to recess for committee meetings at 2:51 p.m.

The House reconvened at 5:01 p.m.

Mr. Speaker Spence resumed the chair.

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

BUS/CORP/COM: HB 626 - 6M,2U.

NAT RES: HB 695 - 1F,3M; HB 696 - 1F,3M.

JUD: HB 670 - 8M; HB 678 - 7M; HB 690 - 8M; HB 691 - 8M; HB 706 - 6M; HB 708 - 7M; SB 320 - 7M; SB 356 - 5M; SB 311 - 8M; SB 312 - 8M; SB 345 - 8M; SB 348 - 8M; SB 353 - 8M; SB 355 - 8M.

P/S: HB 710 - 7M.

LABOR: HB 660 - 5M; HB 713 - 2F,3M.

Representative Cathcart requested that he be marked present.

The following prefiled Consent Calendar #20 was introduced:

HR 74 - BOULDEN, ULBRICH, MAIER, OBERLE, PETRILLI & DILIBERTO - Recognizing Mayor Ronald L. Gardner for Twenty-Nine Years of Dedicated Public Service to the Newark Community.

HCR 87 - DAVIS, OBERLE; SENATORS SHARP, REED - Extending Congratulations to the "84 DSB Kickers Soccer Team", for Their Winning Achievements, Including the Privilege to Travel to Holland This Summer to be Trained by Dutch Coaches; and Their Invitation to Play in the Portsmouth Royal Mail Cup Tournament in England.

SCR 75 - MARSHALL & REPRESENTATIVE MAIER; SENATORS BLEVINS, MCDOWELL & CONNOR; REPRESENTATIVES LOFINK, SPENCE & SCOTT - 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.

Consent Calendar #20 was adopted by voice vote and HCR 87 was sent to the Senate for concurrence & SCR 75 was returned to the Senate.

Representative Davis requested that he be marked present and requested and was granted personal privilege of the floor to make an announcement.

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

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

ENV. MAN: HB 618 - 5M; SB 98 - 5M.

Mr. Speaker Spence introduced a guest.

The Majority Whip moved to recess to the call of the Chair at 5:09 p.m.

39th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 18, 1998

Mr. Acting Speaker Oberle called the House to order at 2:30 p.m.

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

ENV MAN: SB 98 - 3M,2U.

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

ED: HB 614 - 6M; HB 674 - 1F,6M; SS 1/SB 250 - 8M; SB 294 w/SA 1 - 6M.

R & F: HB 694 - 5M; 709 - 6M.

ECON DEV, B & I: HB 632 - 3M,2U; HB 640 - 6M; SS 1/SB 314 - 7M; SB 344 - 5M; SB 360 - 5M;

SB 361 - 5M.

Representatives Lofink & D. Ennis requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 76 & HS 1 for HB 234.

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

Representative Welch moved to suspend the rules which interfere with introduction of and action on HJR 26. The motion was properly seconded and adopted by voice vote.

Representative Welch introduced & brought HJR 26, sponsored by Representative Spence on Behalf of All Members of the House & Senator Sharp on Behalf of All Members of the Senate, before the House for consideration.

HJR 26 - Recognizing June 24, 1998, as Law Enforcement Appreciation and Support Day.

Representative Welch moved to place HJR 26 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

The following prefiled legislation was introduced:

HB 720 - DIPINTO - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.

The Majority Whip moved to adjourn at 2:35 p.m., thereby ending the current legislative day. The House reconvened at 2:36 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 717 - ULBRICH; SENATORS BLEVINS, REED - BUS/CORP/COM: An Act to Amend Title 6, Delaware Code Creating a Delaware Pet Warrant Law.

HB 719 - DAVIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Service Contracts.

HA 2 to HB 625 - CLOUTIER - AGENDA II: Placed with the bill.

HA 1 to HB 632 - WAGNER - ECON DEV, B & I: Placed with the bill.

HA 1 to HB 664 - SMITH - ECON DEV, B & I: Placed with the bill.

HA 4 to SS 1 for SB 250 - SMITH - READY LIST: Placed with the bill.

Mr. Acting Speaker Oberle introduced a guest.

Representatives Lee & Welch requested and were granted personal privilege of the floor to introduce guests.

Representative Roy requested that he be marked present.

Representative Reynolds made comments.

Representative Gilligan requested that he be marked present.

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

Representative Roy & Mr. Acting Speaker Oberle made comments.

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

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich presented a House Tribute to Stephanie Ogburn, Valedictorian Glasgow High School, Class of 1998.

Representative Mack requested and was granted personal privilege of the floor to make comments.

Representatives Reynolds & Gilligan made comments.

Representatives Cathcart, West, Boulden & Houghton requested that they be marked present.

Representative Welch made an announcement.

Representative Welch deferred to Representative Stone.

Representative Stone introduced guests.

Representative Cathcart requested and was granted personal privilege of the floor to make comments.

Representative West made comments.

Representative DiPinto requested that he be marked present.

Representatives Reynolds & West made comments.

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

The Majority Whip moved to recess for caucus at 2:55 p.m.

The House reconvened at 6:18 p.m. with Representative Welch 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 346, SS 1 for SB 36, SB 337 w/SA 1, HB 641, HB 605, HB 519 w/HA 1, HS 1 for HB 407, SS 1 for SB 194 w/SA 1, HB 211 w/HA 1.3 & 4 & SA 1, HB 287 w/SA 1, HJR 19 w/HA 1 & 2 & SA 2, SB 372, SB 380, HB 565 w/SA 1 & 2, SB 350, SB 385, SB 392 & HB 596 w/HA 1.

June 17, 1998

LEGISLATIVE ADVISORY #42

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/16/98 - HB 515.

HB 547 & HB 517 aab SA 1. 6/17/98 - HB 567, HB 559, HB 429 aab HA 1, SB 156 aab SA 1, HB 521 aab HA 1 & SA 1, HB 503, SB 286, HB 428 aab SA 1 & HB 442 aab HA 1 & 2.

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

ECON DEV, B & I: HCR 86 - 8F; SB 210 w/SA 1 - 5M; SB 359 w/SA 1 - 5M.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier requested that he be marked present.

Representative Cloutier brought HB 668, jointly sponsored by Senator Sharp & Representative Smith, before the House for consideration.

HB 668 - An Act to Amend Title 9 and Title 14 of the Delaware Code Relating to Counties and School Taxes.

Representative Cloutier brought HA 1 to HB 668 before the House for consideration.

Representative Cloutier made a comment.

HA 1 was adopted by voice vote.

Representative Cloutier brought HA 2 to HB 668 before the House for consideration.

Representative Cloutier made a comment.

HA 2 was adopted by voice vote.

Representative Cloutier deferred to Representative Davis.

Representative Davis requested that he be marked present.

Representative Davis brought HA 3 to HB 668 before the House for consideration.

Representative Davis made comments.

Representative Davis introduced & brought HA 1 to HA 3 to HB 668 before the House for consideration.

Representatives Brady & Spence requested that they be marked present.

HA 1 to HA 3 was adopted by voice vote. HA 3 w/HA 1 was adopted by voice vote.

Representative Davis introduced and brought HA 4 to HB 668 before the House for consideration.

Representative Davis made comments.

HA 4 was adopted by voice vote.

Representative Cathcart introduced guests.

Representative Cathcart introduced and brought HA 5 to HB 668 before the House for consideration.

Representatives Cathcart & Cloutier made comments.

HA 5 was adopted by voice vote.

Representative Smith requested that he be marked present.

Representative Cloutier introduced and brought HA 6 to HB 668 before the House for consideration.

Representative Cloutier made a comment.

HA 6 was adopted by voice vote.

Representative Maroney introduced and brought HA 7 to HB 668 before the House for consideration.

Representatives Maroney, Cloutier, Davis & Maroney made comments.

Representative Maroney requested that HA 7 be stricken.

Representatives Cloutier & West made comments.

The roll call on HB 668 w/HA 1,2 & 3 w/HA 1 & HA 4,5 & 6 was taken and revealed:

YES: 39.

NOT VOTING: Representative Price - 1.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority, HB 668 w/HA 1,2 & 3 w/HA 1 & HA 4,5 & 6 was sent to the Senate for concurrence.

Representative Maier requested that she be marked present during the roll call.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 397, jointly sponsored by Senators Voshell & Bair & Representatives Gilligan & Brady & Senators Still, Reed, Sorenson & Connor, before the House for consideration.

HB 397 - An Act to Amend Title 9 of the Delaware Code Relating to County and Municipal Planning and Zoning Coordination.

Representative Spence requested that HA 1 & 2 to HB 397 be stricken.

Representative Spence introduced and brought HA 3 to HB 397 before the House for consideration.

Representative Spence made comments.

HA 3 was adopted by voice vote.

Representative Spence made comments.

Representative Spence requested and was granted the privilege of the floor for David Hugg, Director, Office of State Planning Coordination.

Representatives Spence & Cathcart made comments.

The roll call on HB 397 w/HA 3 was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, Davis, DiPinto, Houghton, West - 5.

Therefore, having received a constitutional majority, HB 397 w/HA 3 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Mr. Speaker Spence resumed the Chair.

Representative Lee brought SB 330 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 330 - An Act to Amend Title 11, Delaware Code Relating to Protection of Records.

Representative Lee made a comment.

The roll call on SB 330 w/SA 1 was taken and revealed:

YES: 34.

ABSENT: Representatives Buckworth, Cathcart, Davis, DiPinto, Houghton, Maroney, West - 7.

Therefore, having received a constitutional majority, SB 330 w/SA 1 was returned to the Senate.

Representative Smith made an announcement.

Representative Welch introduced HB 722, jointly sponsored by Senator Blevins.

HB 722 - An Act to Amend Title 19 of the Delaware Code Relating to Finality of Awards.

Mr. Speaker assigned HB 722 to the Labor Committee.

Representative Smith introduced HB 723, jointly sponsored by Representative Davis.

HB 723 - An Act to Amend Title 14 of the Delaware Code Relating to Private Schools Reports to the Department of Education.

Mr. Speaker assigned HB 723 to the Education Committee.

Representative Smith introduced HB 724, sponsored by Representatives Spence, Maier & Plant.

HB 724 - An Act to Amend Title 4 of the Delaware Code Relating to Regulatory Provisions.

Mr. Speaker assigned HB 724 to the Business/Corporations/Commerce Committee.

Representative Smith introduced HB 725, sponsored by Representatives Spence & Quillen.

HB 725 - An Act to Amend Title 14 of the Delaware Code Relating to School Uniforms.

Mr. Speaker assigned HB 725 to the Education Committee.

Representative B. Ennis introduced HB 727, jointly sponsored by Representative Petrilli & Senator Vaughn & Representatives Brady, Buckworth, Carey, Caulk, Ewing, Gilligan, Houghton, Keeley, Lee, Plant, Price, Scott, Ulbrich, VanSant, West & Williams.

HB 727 - An Act to Amend Title 5 of the Delaware Code Relating to the Authority of the State Bank Commissioner.

Mr. Speaker assigned HB 727 to the Business/Corporations/Commerce Committee.

Representative Caulk introduced HB 729, jointly sponsored by Representatives Ewing, Lee, West, Price & Schroeder & Senators Bunting, Vaughn & Venables & Representatives Welch, Capano, Carey, Fallon, Stone, Ulbrich, Wagner, B. Ennis & Plant & Senators Bonini & Still.

HB 729 - An Act to Amend Title 17 of the Delaware Code Relating to Highways.

Mr. Speaker assigned HB 729 to the Land Use & Infrastructure Committee.

Representative Smith introduced HR 75, sponsored by Representative Spence & cosponsored by Representative Lofink.

HR 75 - Creating a Speaker of the House Task Force to Study Delaware's Driving Under the Influence Laws and Make Recommendations to the General Assembly on Increasing the Effectiveness and Fairness of the Appropriate Code.

Mr. Speaker assigned HR 75 to the House Administration Committee.

Representative Cloutier, Mr. Speaker Spence & Representative Keeley made comments.

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

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 536, jointly sponsored by Representative Spence & Senator Vaughn & Representatives Brady, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lee, Plant, Scott, VanSant, Welch, West & Williams, before the House for consideration.

HB 536 - An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances. (F/N)

Representative B. Ennis introduced and brought HA 1 to HB 536 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

Representative B. Ennis made comments.

The roll call on HB 536 w/HA 1 was taken and revealed:

YES: 33.

ABSENT: Representatives Boulden, Buckworth, Davis, DiPinto, Houghton, Maroney, Oberle, West - 8.

Therefore, having received a constitutional majority, HB 536 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 593, jointly sponsored by Representatives Cathcart & D. Ennis & Senators Adams & Vaughn, before the House for consideration.

HB 593 - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for the Chief Clerk of the House of Representatives and the Secretary of the Senate.

Representative Ewing made a comment.

The roll call on HB 593 was taken and revealed:

YES: 35.

ABSENT: Representatives Buckworth, Davis, DiPinto, Houghton, Maroney, West - 6.

Therefore, having received a constitutional majority, HB 593 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on HB 694. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Spence brought HB 694, jointly sponsored by Senator Sharp, before the House for consideration.

HB 694 - An Act to Amend Title 30, Delaware Code Relating to Retail and Wholesale Merchants' License Requirements and Taxes.

Representatives Spence, Quillen & Stone made comments.

Representative Spence requested and was granted the privilege of the floor for Robert Rausch, Vice-President of Finance, Zeneca Pharmaceuticals.

Representatives Stone & Spence made comments.

The roll call on HB 694 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 694 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 659. The motion was seconded by Representative Smith and adopted by voice vote.

Representative DiPinto introduced & brought HS 1 for HB 659, jointly sponsored by Representative Mack & Senator Bunting & Representatives Davis & Smith & Senator Still & All Representatives & Senators Bair, Amick, Bonini, Connor, Reed & Sorenson, before the House for consideration.

HB 659 - An Act to Amend Title 14 of the Delaware Code by Adding a New Chapter 3 Relating to Establishment of a School Property Tax Reduction Program and Amending Chapter 75, Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

Representative DiPinto moved to place HS 1 for HB 659 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted without objection.

The Majority Leader moved to recess for caucus at 7:40 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 8:15 p.m.

Representative Welch deferred to Representative Cloutier.

Representative Cloutier brought HB 666, jointly sponsored by Senator Sharp & Representative Smith, before the House for consideration.

HB 666 - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Cloutier made an announcement.

Representative Cloutier brought HA 1 to HB 666 before the House for consideration. Representative D. Ennis introduced and brought HA 1 to HA 1 to HB 666 before the House for consideration.

Representatives D. Ennis & Cloutier made comments.

HA 1 to HA 1 was adopted by voice vote. HA 1 w/HA 1 was adopted by voice vote.

Representative Cloutier moved to place HB 666 w/HA 1 w/HA 1 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Capano.

Having voted on the prevailing side, Representative Capano moved to restore HB 572 w/HA 2. The motion was seconded by Representative Welch and adopted by voice vote.

HB 572 - An Act to Amend Title 7 of the Delaware Code Relating to Debris Disposal Remediation.

Representative Davis introduced and brought HA 3 to HB 572 before the House for consideration.

Representatives Davis, Oberle, Ulbrich, Gilligan & Mack made comments.

HA 3 was adopted by voice vote.

The roll call on HB 572 w/HA 2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 572 w/HA 2 & 3 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 674, jointly sponsored by Senator Sokola & Representatives Spence, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Gilligan, VanSant, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott & Williams & Senators Bair, Amick, Bonini, Connor, Reed & Sorenson, before the House for consideration.

HB 674 - An Act to Amend Title 14 of the Delaware Code Relating to Driver Education.

Representatives Ulbrich & Keeley made comments.

The roll call on HB 674 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 674 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with action on HB 513. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Capano brought HB 513, jointly sponsored by Representatives Spence, Smith, Welch, Buckworth, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Maroney, Petrilli, Quillen, Roy, Stone & Ulbrich & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still & cosponsored by Representative Wagner, before the House for consideration.

HB 513 - An Act to Amend Title 30 of the Delaware Code With Regard to Personal Income Tax. (F/N)

Representative Capano made comments.

The roll call on HB 513 was taken and revealed:

YES: 41.

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

Representative Smith deferred to Representative Caulk.

Representative Caulk moved to suspend the rules which interfere with action on HB 447. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Caulk brought HB 447, jointly sponsored by Representatives Capano, Spence, Smith, Welch, Boulden, Buckworth, Carey, Cathcart, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich & Wagner & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still & cosponsored by Representatives Mack, Houghton, Schroeder, DiLiberto, Brady, Price, VanSant & Scott, before the House for consideration.

HB 447- An Act to Amend Title 30 of the Delaware Code Relating to Inheritance Taxes. (F/N)

Representatives Caulk, Stone & Brady made comments.

The roll call on HB 447 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 447 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 502, jointly sponsored by Representatives Boulden & Spence & cosponsored by Representatives Roy, Ewing, Price, Schroeder, Wagner, Petrilli, Maier, Caulk, West, Maroney, Mack, Brady, Buckworth, Lofink, Lee, DiLiberto, Houghton & D. Ennis, before the House for consideration.

HB 502 - An Act to Amend Title 30 of the Delaware Code Relating to Taxable Income Exclusions.

(F/N)

Representative Oberle deferred to Representative Capano.

Representative Capano brought HA 1 to HB 502 before the House for consideration.

Representative Capano moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle made an announcement.

Representative Oberle introduced and brought HA 2 to HB 502 before the House for consideration.

Representatives Oberle, Gilligan, Oberle, Roy, Fallon, DiPinto, Gilligan, Davis & Oberle made comments.

HA 2 was adopted by voice vote.

Representatives Schroeder & Oberle made comments.

The roll call on HB 502 w/HA 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 502 w/HA 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch moved to suspend the rules which interfere with action on HB 63. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch brought HB 63, jointly sponsored by Representative West & Senator McBride & Representatives Spence, Boulden, Buckworth, Carey, Caulk, D. Ennis, Ewing, Lofink, Petrilli, Banning, Brady, Plant & Price & Senators Bunting & Bonini & cosponsored by Representatives Wagner, Lee & Schroeder, before the House for consideration.

HB 63 - An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan. (F/N)

Representatives Welch, Davis, Wagner, Welch, Gilligan, West, Gilligan, Wagner & Welch made comments.

The roll call on HB 63 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 63 was sent to the Senate for concurrence.

Representative Welch deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with lifting HS 1 to HB 659 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought HS 1 to HB 659, jointly sponsored by Senator Bunting & Representatives Davis & Smith & Senator Still & All Representatives & Senators Bair, Amick, Bonini, Connor, Reed & Sorenson, before the House for consideration.

HB 659 - An Act to Amend Title 14 of the Delaware Code by Adding a New Chapter 3 Relating to Establishment of a School Property Tax Reduction Program and Amending Chapter 75, Title 29 of the Delaware Code Relating to School Construction Capital Improvements. (F/N)

Representative DiPinto introduced and brought HA 1 to HS 1 to HB 659 before the House for consideration.

Representative DiPinto made comments.

HA 1 was adopted by voice vote.

Representative DiPinto made comments.

Representative DiLiberto introduced and brought HA 2 to HS 1 to HB 659 before the House for consideration.

Representatives DiLiberto, DiPinto, Gilligan & DiPinto made comments.

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

Representatives Gilligan, DiPinto, Gilligan, DiPinto, Gilligan, DiPinto, Smith, Petrilli, Gilligan, Smith, Gilligan & Petrilli made comments.

Representative B. Ennis introduced and brought HA 3 to HS 1 to HB 659 before the House for consideration.

Representative B. Ennis made comments.

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

The roll call on HS 1 to HB 659 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HS 1 to HB 659 w/HA 1 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 HJR 25. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HJR 25, jointly sponsored by Senator Sharp & Representatives Spence, Welch, Buckworth, Carey, Caulk, DiPinto, Fallon, Lofink, Maier, Petrilli, Reynolds, Stone, Wagner, VanSant, DiLiberto, Houghton, Plant, Schroeder & West & Senator Bair & Representatives Smith, Boulden, Capano, Cathcart, Davis, Ewing, Lee, Mack, Maroney, Quillen, Roy, Ulbrich, Gilligan, Brady, B. Ennis, Keeley, Price & Scott, before the House for consideration.

HJR 25 - Requesting the Department of Education to Conduct a Complete Examination of Programs for Disruptive Pupils, Alternative Schools, and Student Discipline Programs, Including Prevention Programs, and Recommend Ways to Improve and Expand Such Programs.

Representative Oberle made comments.

The roll call on HJR 25 was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Petrilli, Reynolds - 3.

Therefore, having received a constitutional majority, HJR 25 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative West made comments.

Representative Smith deferred to Representative Maroney.

Representative Maroney introduced & brought HCR 82, jointly sponsored by Representatives Capano, Fallon, Maier, Ulbrich, Wagner, Stone, Keeley & Price on Behalf of All Representatives & Senators Bair, Reed, Sorenson, Blevins, Cook & Henry on Behalf of All Senators, before the House for consideration.

HCR 82 - Recognizing Sunday, June 21, 1998 as Father's Day in Delaware.

Representative Maroney made comments.

HCR 82 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith introduced and brought SCR 76, jointly sponsored by Senator Voshell on Behalf of All Senators & Representative Quillen on Behalf of All Representatives, before the House for consideration.

SCR 76 - Extending a Warm Welcome to the Young Women Participating in the 1998 Delaware Girls' State, Commending Them for Their Interest in and Devotion to Delaware State Government, and Commending the Ladies Auxiliary of the American Legion for Their Sponsorship of This Outstanding Program.

Mr. Speaker Spence resumed the Chair.

SCR 76 was adopted by voice vote and returned to the Senate.

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

TRANS: HB 680 - 1F,5M.

POL ANAL & GOV ACCT: HB 671 - 5M; HB 703 - 5M.

H/ADM: HB 508 - 1F,2M; SS 1/SB 277 - 3M.

JUD: HB 705 - 7M.

HEALTH & HUM DEV: HB 697 - 5M.

The Majority Leader moved to recess to the call of the Chair at 10:03 p.m.

40th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 23, 1998

Mr. Speaker Spence called the House to order at 2:30 p.m.

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

BUS/CORP/COM: HB 727 - 2F,4M.

The following prefiled legislation was introduced:

HB 730 - WELCH & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, FALLON, LEE, QUILLEN, VANSANT, BRADY, B. ENNIS, HOUGHTON, PLANT, PRICE, SCHROEDER, WEST; SENATORS ADAMS, VENABLES, VOSHELL, COOK, STILL - BUS/CORP/COM: An Act to Amend Title 12 and Title 26 of the Delaware Code, Relating to Cooperative Electric Utilities.

HB 734 - WEST & SENATOR BUNTING - H/ADM: An Act to Amend Chapter 401, Volume 61, Laws of Delaware Entitled "An Act to Reincorporate the Town of Frankford" by Permitting It to Accept Grants or Loans From Federal, State, or Interstate Agencies. (2/3 bill)

The Majority Leader moved to adjourn at 2:31 p.m., thereby ending the current legislative day. The House reconvened at 2:32 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Charles P. West, Forty-First Representative District.

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

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

The following prefiled legislation was introduced:

HB 721 - OBERLE & SPENCE, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, WAGNER, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS; SENATOR MCBRIDE - R & F: An Act to Amend Title 14 of the Delaware Code Relating to Local School Taxes. (3/4 bill)

HB 726 - SMITH & SENATORS SOKOLA & STILL - ED: An Act to Amend Title 14 of the Delaware Code Relating to Student Detention, Suspension, or Placement in an Alternative Education Program.

HB 728 - SMITH & STONE - APPRO: An Act to Amend Title 29 of the Delaware Code Relating to Limitations on Revenue and Appropriations.

HB 731 - OBERLE & SENATOR ADAMS - AG: An Act to Amend Title 28, Delaware Code Relating to the Delaware Standardbred Development Fund.

HB 732 - ULBRICH - H/ADM: An Act to Amend Title 23 of the Delaware Code Relating to Pilots on the Bay and River Delaware.

**HB 733** - LEE, SCHROEDER; SENATORS VAUGHN, BUNTING, AMICK - CORR: An Act to Amend Title 11 of the Delaware Code Relating to the Boot Camp Intensive Incarceration Program.

**HB 736** - B. ENNIS, SPENCE, OBERLE & QUILLEN & SENATORS ADAMS & COOK - AG: An Act to Amend Titles 3 and 30 of the Delaware Code Relating to the Harness Racing Commission and Thoroughbred Racing Commission.

**HB 737** - VANSANT - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

**HB 738** - DIPINTO - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Creditor Placed Insurance.

**HB 739** - MAIER & SENATOR SOKOLA - ED: An Act to Amend Title 14 of the Delaware Code Relating to School Attendance.

**HA 2 to HB 470** - WAGNER & SENATOR SOKOLA - ED: Placed with the bill.

**HA 2 to HB 495** - CAPANO - AGENDA IV: Placed with the bill.

**HA 3 to HB 625** - PRICE - AGENDA II: Placed with the bill.

**HA 1 to HB 645** - DIPINTO - APPRO: Placed with the bill.

**HA 1 to HB 665** - D. ENNIS - H/ADM: Placed with the bill.

**HA 1 to HB 669** - BOULDEN - AGENDA III: Placed with the bill.

**HA 1 to HB 709** - DILIBERTO - AGENDA V: Placed with the bill.

**HA 1 to HB 723** - SMITH - ED: Placed with the bill.

**HA 1 to HCR 86** - D. ENNIS - AGENDA V: Placed with the bill.

**SS 1 for SB 36** - COOK & VAUGHN; REPRESENTATIVES DAVIS & OBERLE, D. ENNIS, BUCKWORTH, CATHCART, DIPINTO, DILIBERTO, CAREY, BRADY, MACK, REYNOLDS, WAGNER, SCOTT, LEE, WILLIAMS, ULBRICH, CAPANO, EWING, HOUGHTON, WELCH, CAULK, LOFINK, MAIER, QUILLEN, SCHROEDER, WEST, BOULDEN, PLANT, SPENCE, B. ENNIS - APPRO: An Act to Amend Chapters 55 and 56, Title 29, Delaware Code Relating to Computations of Judicial and State Employee Pensions. (F/N)

**SS 1 for SB 194 w/SA 1** - BLEVINS - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

**SB 265 w/SA 4** - MCBRIDE; REPRESENTATIVE WAGNER - POL ANAL & GOV ACCT: An Act to Amend Chapter 51, Title 24 Delaware Code Relating to Requirements for Certification of a Nail Technician.

**SB 337 w/SA 1** - BLEVINS & SORENSON & REPRESENTATIVE DIPINTO; SENATORS ADAMS, BUNTING, COOK, HENRY, MARSHALL, MCDOWELL, SHARP, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE & REED & REPRESENTATIVES CAPANO, DAVIS, D. ENNIS, EWING, FALLON, MAIER, OBERLE, PETRILLI, QUILLEN, REYNOLDS, STONE,

WAGNER, KEELEY, PLANT, SCOTT & WILLIAMS - ECON DEV, B & I: An Act to Amend Titles 18 and 19 of the Delaware Code Relating to Insurance, Employment and Genetic Information.

**SB 346** - COOK & REPRESENTATIVE CAPANO - R & F: An Act to Amend Titles 3 and 30 of the Delaware Code Relating to References to Gift Taxes.

**SB 350** - ADAMS & REPRESENTATIVE CAREY - H/ADM: An Act to Reincorporate the Town of Milton. (2/3 bill)

**SB 372** - VAUGHN - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to the Trapping of Animals and the Hunting of Raccoons and Possums.

**SB 380** - BLEVINS; REPRESENTATIVES MARONEY & MAIER; SENATORS HENRY, MCBRIDE, SOKOLA, BAIR, HAUGE & SORENSON; REPRESENTATIVES DAVIS, FALLON & ROY - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code to Authorize the Delaware Health Program.

**SB 385** - BUNTING & REPRESENTATIVE PRICE - H/ADM: An Act to Amend the Charter of the Town of South Bethany, Chapter 268, Volume 69, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of South Bethany" to Modify the Authority of the Town Council to Compel Connection to the Water System of the Town, Said Provision to be Subjected to a Public Referendum Except in Emergency. (2/3 bill)

**SB 386** - SHARP, ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income. (F/N)

**SB 387** - SHARP, ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES & VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

**SB 389** - MCDOWELL, ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, SHARP, SOKOLA, VAUGHN, VENABLES, VOSHELL - ED: An Act to Amend Titles 14 and 29 of the Delaware Code Relating to School Taxes. (3/4 bill)(F/N)

SB 392 - BLEVINS; REPRESENTATIVES VANSANT & HOUGHTON - H/ADM: An Act to Amend an Act Entitled an Act to Reincorporate the Town of Elsmere as Found in 68 Delaware Laws Chapter 3 as Amended Regarding the Mayor, the Treasurer and Independent Annual Audit. (2/3 bill)

SJR 10 - SHARP, ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES & VOSHELL - ED: Relating to the Financing of Public Education.

HA 1 to SB 98 - CAULK - AGENDA V: Placed with the bill.

HA 1 to SB 303 - PRICE & CLOUTIER - APPRO: Placed with the bill.

Representatives Buckworth, Lee, Ulbrich, Keeley & Houghton requested that they be marked.

Representative Oberle introduced a guest.

Representative Oberle requested that HR 70 be read in its entirety.

HR 70 - Congratulating Newark Resident Peter Mitchell Upon Being Named Father of the Year by the National Multiple Sclerosis Society.

WHEREAS, the Multiple Sclerosis Father of the Year award is given to a person with MS who possesses outstanding qualities as a parent, is active in his community and who plays a key role in civic associations while living with the day-to-day challenges of MS; and

WHEREAS, this year Newark resident Peter Mitchell was named Father of the Year by the National Multiple Sclerosis Society in recognition of his uncommon accomplishments as a parent and his unselfish contributions to his community; and

WHEREAS, despite his busy professional schedule as the Marketing Director for Junior Achievement, Peter volunteers his time in service to programs and public relations committees of the Delaware MS chapter; and

WHEREAS, four years ago Peter started experiencing numbness in his foot and leg, problems walking and blurred vision - symptoms which were subsequently diagnosed as MS; and

WHEREAS, Peter says persistence is the key to his existence and his daily struggles against MS, which he calls a disease of the most debilitating form; and

WHEREAS, Peter counts his wife, Susan, and their 13-year old daughter, Elyse, among his greatest supporters and sources of joy and inspiration; and

WHEREAS, Peter Mitchell, The MS Father of the Year, believes you must use what you have to do good for others;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 139th General Assembly of the State of Delaware that we do hereby extend our heartfelt congratulations to Peter Mitchell on the occasion of his being named Father of the Year by the National Multiple Sclerosis Society.

BE IT FURTHER RESOLVED that we offer hope and prayers for Peter's continued strength and persistence as he exemplifies how to live life to the fullest.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be forwarded to Peter Mitchell of Newark, the MS Society's Father of the Year.

Representative Oberle deferred to Representative Maier.

Representative Maier presented a House Tribute to Peter Mitchell.

Representative Oberle introduced guests.

Representative Oberle requested and was granted the privilege of the floor for Peter Mitchell, Multiple Sclerosis Society's Father of the Year.

Representatives DiPinto & Williams requested that they be marked present.

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

Representative Gilligan requested that he be marked present.

Representatives Gilligan, Spence, Petrilli & West made comments.

Representative D. Ennis requested that action on SB 371 be Deferred to a Day Certain, Wednesday,

June 24, 1998

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

Representative Mack requested that action on SB 98 be Deferred to a Day Certain, Thursday, June 25, 1998.

Mr. Speaker Spence made comments.

Representatives Reynolds, West, DiPinto, West & Williams made comments.

Mr. Speaker Spence & Representative West introduced guests.

Representatives Gilligan & D. Ennis made announcements.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 4:39 p.m.

The Reading Clerk read the following communications into the record:

## HOUSE TRIBUTE ANNOUNCEMENT #161

DATE: June 23, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2139	Fallon	6/24/98	T	Georgiana Larimore/Quest for Knowledge Program/Graduation
H139-2140	Wagner	6/10/98	M	Bonnie Marie O'Brien
H139-2141	Stone	6/13/98	M	Salvatore 'Big Sal' J. Leone Sr.
H139-2142	Welch	6/15/98	T	William & Mary Kidwell/25th Anniversary
H139-2143	Fallon	6/16/98	T	Elezabeth "Leza" Aycock/Assistant Secretary for Administration/ North Carolina Commerce
H139-2144	Fallon	7/01/98	T	William & Gertrude Royal/Contributions to State of Delaware
H139-2145	Maier	6/16/98	T	Peter Mitchell/Father of the Year/ National Multiple Sclerosis Society
H139-2146	Capano	6/16/98	T	Brian C. Weeks/Eagle Scout
H139-2147	Capano	6/16/98	T	Stephen J. Dawson/Eagle Scout
H139-2148	Keeley	6/17/98	T	Edsel Torres/Roberto Clemente Athlete of the Year Award Recipient
H139-2149	Keeley	6/17/98	T	Danielle Larason/Named Outstanding Hispanic Youth of the Year
H139-2150	Keeley	6/17/98	T	Saul Rivera/Named Outstanding Hispanic Youth of the Year
H139-2151	Keeley	6/17/98	T	Enid Rivera/Named Outstanding Hispanic Youth of the Year

## HOUSE TRIBUTE ANNOUNCEMENT #162

DATE: June 23, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-2152	Brady	6/15/98	T	Dorothy Chicosky/Retirement/Crossing Guard/30 Years
H139-2153	Brady	6/15/98	T	Doris Mae Calhoun/Retirement/Crossing Guard/21 Years
H139-2154	Roy	6/16/98	T	Charles Joanedis/Recipient/U of D Medal of Distinction
H139-2155	Buckworth	6/19/98	T	Ken Schmid/Eagle Scout
H139-2156	Buckworth	6/19/98	T	Kevin Harrison/Eagle Scout
H139-2157	Keeley	6/18/98	T	Maria Rivas/Graduation/ Wilmington High School
H139-2158	Wagner	6/16/98	M	Ronnie Hironimus
H139-2159	Fallon	5/28/98	T	Dr. Mellie Woodruff/Athena Award /Seaford Business & Professional Women
H139-2160	Fallon	5/28/98	T	John Burton/John Moore Community Service Award/Seaford Chamber of Commerce
H139-2161	Fallon	6/17/98	T	Margo Ayers/'97-'98 Women's Tennis Most Valuable Player/Kutztown University
H139-2162	Fallon	6/17/98	T	Matt Phillips/Drafted by Boston Red Sox
H139-2163	Reynolds	6/16/98	T	Eunice LaBerge/Graduation/DelTech/ Associates Degree/Human Services
H139-2164	Capano	5/29/98	T	Emma Lou & Raymond Connor/50th Wedding Anniversary

T - Tribute

M - Memoriam

The Senate wishes to inform the House that it has passed: SB 265 w/SA 4, HB 314, HB 373, SB 386, SB 387, SB 389, SJR 10, SCR 73, SB 390, SB 290 w/SA 1 & 3 & HB 501.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli introduced HA 1 to HB 650. HA 1 was placed with the bill.

Representative Smith deferred to Representative Quillen.

Representative Quillen requested that action on SB 315 be Deferred to a Day Certain, Wednesday, June 24, 1998.

Representative Smith deferred to Representative Lee.

Representative Brady requested that he be marked present.

Representative Lee moved to suspend the rules which interfere with action on HB 733. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Lee brought HB 733, jointly sponsored by Representative Schroeder & Senators Vaughn, Bunting & Amick, before the House for consideration.

HB 733 - An Act to Amend Title 11 of the Delaware Code Relating to the Boot Camp Intensive Incarceration Program.

Representative Lee made comments.

The roll call on HB 733 was taken and revealed:

YES: 40.

ABSENT: Representative Price - 1.

Therefore, having received a constitutional majority, HB 733 was sent to the Senate for concurrence.

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

Representative Smith made an announcement.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Spence moved to lift HJR 26 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Spence brought HJR 26, sponsored on Behalf of All Members of the House & Senator Sharp on Behalf of All Members of the Senate, before the House for consideration.

HJR 26 - Recognizing June 24, 1998, as Law Enforcement Appreciation and Support Day.

Representative Spence made comments.

The roll call on HJR 26 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 26 was sent to the Senate for concurrence.

Representative Maier requested that action on SB 153 w/SA 1 be Deferred to a Day Certain, Thursday, June 25, 1998.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 495, jointly sponsored by Senator Vaughn & Representatives Boulden, Brady, Cathcart, Cloutier, Davis, Keeley, Lofink, Maier, Maroney, Petrilli, Price, Reynolds & Roy & Senators Sorenson, Still, Bair, Bonini & Amick, before the House for consideration.

HB 495 - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

Representative Wagner brought HA 1 to HB 495 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Capano brought HA 2 to HB 495 before the House for consideration.

Representative Capano made a comment.

HA 2 was adopted by voice vote.

Representatives Capano, Oberle, West, Oberle, West, Keeley, Brady & Capano made comments.

The roll call on HB 495 w/HA 1 & 2 was taken and revealed:

YES: 40.

NO: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 495 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 499, jointly sponsored by Senator Vaughn & Representatives Boulden, Brady, Cathcart, Davis, Keeley, Lofink, Maroney, Petrilli, Price & Schroeder & Senators Sorenson, Amick, Still & Bonini, before the House for consideration.

HB 499 - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

Representative Capano made a comment.

The roll call on HB 499 was taken and revealed:

YES: 28.

NO: Representatives Caulk, Ewing, Lee, Maier, Quillen, Ulbrich, West, Welch - 8.

NOT VOTING: Representatives DiPinto, Oberle, Stone - 3.

ABSENT: Representatives B. Ennis, Williams - 2.

Therefore, having received a constitutional majority, HB 499 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Mr. Speaker Spence resumed the Chair.

Representative Capano brought HB 497, jointly sponsored by Senator Vaughn & Representatives Boulden, Cathcart, Davis, Keeley, Lofink, Maier, Maroney, Petrilli & Schroeder & Senators Sorenson, Bonini & Bair, before the House for consideration.

HB 497 - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

Representatives Capano, Caulk & Capano made comments.

The roll call on HB 497 was taken and revealed:

YES: 35.

NO: Representatives Caulk, Ewing, Lee, Quillen - 4.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative B. Ennis - 1

Therefore, having received a constitutional majority, HB 497 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Capano.

Representative Capano brought HB 568, jointly sponsored by Senator Vaughn & Representatives Boulden, Carey, Cathcart, Cloutier, Davis, Lofink, Maier, Maroney, Petrilli, Roy, Ulbrich, Brady, B. Ennis, Keeley, Price & Schroeder & Senators Bair, Amick, Bonini, Reed, Still & Sorenson, before the House for consideration.

HB 568 - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products.

Representative Capano made comments.

The roll call on HB 568 was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, HB 568 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced former Speaker John Ferguson.

Representative Welch deferred to Representative Maroney.

Representative Maroney brought HB 248, jointly sponsored by Senator Blevins & Representative Roy & Senators Bair, McBride, Henry, Sokola & Sorenson, before the House for consideration.

HB 248 - An Act to Amend Title 16 of the Delaware Code to Authorize a Fund to Promote Healthy Lifestyles and Tobacco-Related Disease Prevention.

Representative Maroney moved to suspend the rules which interfere with action on HB 248. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representatives Maroney, DiPinto, Maroney, DiPinto, Maroney, D. Ennis, DiPinto, Scott, Maroney, Keeley, Houghton, Maroney, Brady, Petrilli & Oberle made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Gregg Sylvester, Secretary, Department of Health & Social Services.

Representatives Maroney & West made comments.

The roll call on HB 248 was taken and revealed:

YES: 34.

NO: Representatives Caulk, Ewing, Welch - 3.

NOT VOTING: Representatives Brady, B. Ennis, Houghton - 3.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority, HB 248 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 496, jointly sponsored by Senator Vaughn & Representatives Boulden, Brady, Cathcart, Cloutier, Davis, Houghton, Keeley, Lofink, Maier, Maroney, Petrilli, Price, Reynolds, Roy & Schroeder & Senators Sorenson, Amick, Bonini & Bair, before the House for consideration.

HB 496 - An Act to Amend Title 11 of the Delaware Code Relating to Sale and Distribution of Tobacco Products to Minors. (2/3 bill)

Representative Price introduced and brought HA 1 to HB 496 before the House for consideration.

Representative Price made a comment.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

HA 1 was adopted by voice vote.

Representatives Capano & Welch made comments.

The roll call on HB 496 w/HA 1 was taken and revealed:

YES: 35.

ABSENT: Representatives Cathcart, B. Ennis, Reynolds, Smith, Spence, Williams - 6.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 496 w/HA 1 was sent to the Senate for concurrence.

Representative Welch brought SB 244 w/SA 1, jointly sponsored by Senator Marshall & Representative Oberle & cosponsored by Representative Scott, before the House for consideration.

SB 244 - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

Representative Welch brought HA 1 to SB 244 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Welch made comments.

The roll call on SB 244 w/SA 1 & HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Reynolds, Smith, Mr. Speaker Spence - 4.

Therefore, having received a constitutional majority, SB 244 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Welch deferred to Representative Petrilli.

Representative Petrilli brought HB 650, jointly sponsored by Representative Oberle & Senators McDowell, Henry, McBride & Vaughn, before the House for consideration.

HB 650 - An Act to Amend Title 18 of the Delaware Code Relating to General Limitations.

Representative Petrilli brought HA 1 to HB 650 before the House for consideration.

Representative Petrilli made a comment.

HA 1 was adopted by voice vote.

Representatives D. Ennis, Petrilli, Wagner, D. Ennis & Petrilli made comments.

Representative D. Ennis requested and was granted the privilege of the floor for Victor Battaglia, a lawyer practicing in Wilmington.

Representatives D. Ennis, Petrilli, DiLiberto & Brady made comments.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli made comments.

Representative Petrilli requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives Petrilli, Wagner, Schroeder, Petrilli & Stone made comments.

Representative D. Ennis requested and was granted the privilege of the floor for Dr. Stephen Grubbs, President, Medical Society of Delaware.

Representatives D. Ennis, Wagner & Petrilli made comments.

Representative D. Ennis requested and was granted the privilege of the floor for R. Taylor Cosby, representing American Insurance Association.

Representatives Oberle, Ewing, Ulbrich, DiLiberto & D. Ennis made comments.

Representative Oberle rose on a point of order.

Representatives DiLiberto, Keeley, Wagner, D. Ennis, Oberle, Brady, D. Ennis & Capano made comments.

Representative Capano requested and was granted the privilege of the floor for Dr. Gregg Sylvester, Secretary, Department of Health and Social Services and Chairman, Delaware Health Care Commission.

Representatives Oberle, Capano, Oberle, Plant, Wagner, Oberle, Stone, D. Ennis, Oberle & Petrilli made comments.

Representative Petrilli introduced and brought HA 2 to HB 650 before the House for consideration.

Representative Petrilli made a comment.

Representative Petrilli requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives Schroeder, Petrilli, Schroeder, Maroney & D. Ennis made comments.

HA 2 was adopted by voice vote.

Representatives Petrilli & D. Ennis made comments.

The roll call on HB 650 w/HA 1 & 2 was taken and revealed:

YES: Representatives Brady, Davis, DiLiberto, Keeley, Lofink, Maier, Oberle, Petrilli, Price, Welch - 10.

NO: Representatives Buckworth, Capano, Carey, B. Ennis, Ewing, Fallon, Lee, Quillen - 8.

NOT VOTING: 16.

ABSENT: Representatives Cathcart, Caulk, DiPinto, Mack, Reynolds, Roy, Smith - 7.

Therefore, not having received a constitutional majority, HB 650 w/HA 1 & 2 was declared defeated.

Representative Welch made an announcement.

Representative Welch deferred to Representative Davis.

Representative Davis announced that SB 410 had been introduced in the Senate and that copies have been distributed to Members' offices.

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

Representative Davis made comments regarding HB 219.

Representative Welch deferred to Representative Cloutier.

Representative Cloutier moved to lift HB 666 w/HA 1 w/HA 1 from the Speaker's table. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representative Cloutier brought HB 666 w/HA 1 w/HA 1, jointly sponsored by Senator Sharp & Representative Smith, before the House for consideration.

HB 666 - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Cloutier made comments.

Representative Cloutier introduced and brought HA 2 to HB 666 before the House for consideration.

Representative Cloutier made a comment.

HA 2 was adopted by voice vote.

Representative Cloutier introduced and brought HA 3 to HB 666 before the House for consideration.

Representative Cloutier made comments.

HA 3 was adopted by voice vote.

Representative Cloutier moved to place HB 666 w/HA 1 w/HA 1 & HA 2 & 3 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Mr. Speaker Spence made comments.

Representative Oberle introduced HR 76, cosponsored by Representative Spence.

HR 76 - Establishing the Illegal Drug Use Prevention Committee to Review Cycles of Drug Abuse and Drug Related Crimes and to Make Recommendations to Effectively Challenge the Abuse of Illegal Narcotic Substances and Related Crimes.

Mr. Speaker assigned HR 76 to Judiciary Committee.

Representative Welch introduced HB 740, sponsored by Representative Spence and Senator Sharp.

HB 740 - An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes Against Children.

Mr. Speaker assigned HB 740 to Judiciary Committee.

Representative Welch introduced HB 741, sponsored by Representatives Spence, Smith, Gilligan & Price & Senators Sharp & Bair.

HB 741 - An Act to Amend Title 6 of the Delaware Code Relating to the Practice of Telemarketing and Establishing Registration and Standards of Conduct For Persons Engaging in Telemarketing in This State.

Mr. Speaker assigned HB 741 to the Business/Corporations/Commerce Committee.

Representative B. Ennis introduced HB 745, jointly sponsored by Representatives Spence, Oberle & Quillen & Senators Adams & Cook.

HB 745 - An Act to Amend Titles 3, 29 and 30 of the Delaware Code Relating to the Harness Racing Commission and Thoroughbred Racing Commission and Enforcement and Collection Powers to the Division of Revenue. (3/5 bill)

Mr. Speaker assigned HB 745 to the Agriculture Committee.

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

ED: HB 470 - 6M.

CORR: HB 702 - 6M.

LABOR: HB 722 - 3F,2M.

H/ADM: HB 665 - 3M; HB 715 - 3M; HB 732 - 3M; HB 734 - 3M; SB 350 - 3M; SB 352 w/SA 1 - 3M; SB 385 - 3M; SB 392 - 3M.

APPRO: HS 1/HB 312 - 5F,1M; HB 681 - 5F,1M; SB 142 w/SA 2 - 1F,5M; SB 302 w/SA 1 - 1F,5M; SB 303 w/SA 3 - 1F,5M; SB 336 - 6M.

Representative Welch made an announcement.

The Majority Whip moved to recess to the call of the Chair at 7:55 p.m.

41st LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 24, 1998

Mr. Acting Speaker Welch called the House to order at 2:32 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 77, HB 390 w/HA 1 & SA 1, SB 338 w/SA 1, SB 376, SB 382, HB 219 w/HA 1 & 2, HB 548, HB 592, HB 535, HB 558 w/HA 1 & 2, HB 633 w/HA 1 & 2 & HJR 26.

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

HEALTH & HUM DEV: HR 57 - 6M; SB 307 w/SA 1 - 6M; SB 321 w/SA 1 & 2 - 6M; SB 322 w/SA 1 & 2 - 6M; SB 342 w/SA 2 & 3 - 6M.

The following prefiled legislation was introduced:

HB 743 - CAPANO; SENATOR MARSHALL - R & F: An Act to Amend Title 12 of the Delaware Code Related to Escheat of Unredeemed Gift Certificates.

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.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Reynolds - 1.

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

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

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

The following prefiled legislation was introduced:

HB 735 - REYNOLDS & SENATOR SOKOLA - ED: An Act to Amend Title 11 of the Delaware Code Relating to Possession of a Deadly Weapon on School Property or a Safe Recreation Zone.

HB 742 - ULBRICH, CAPANO, MAIER, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, REED, STILL - LABOR: An Act to Amend Title 19 of the Delaware Code Regarding the Industrial Accident Board.

HB 744 - PLANT - APPRO: An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

HB 746 - PRICE - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

HA 2 to HB 645 - FALLON - APPRO: Placed with the bill.

HA 1 to HB 730 - WELCH - BUS/CORP/COM: Placed with the bill.

HA 2 to HB 730 - WELCH - BUS/CORP/COM: Placed with the bill.

HA 1 to HB 745 - OBERLE - AG: Placed with the bill.

SB 290 w/SA 1 & 3 - MCBRIDE & REPRESENTATIVE QUILLEN - NAT RES: An Act to Amend Chapters 21 and 22 of Title 23 of the Delaware Code Relating to the Operation of Motorboats and Personal Watercraft. (2/3 bill)

SB 338 w/SA 1 - MARSHALL & REPRESENTATIVE WELCH - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

SB 376 - MARSHALL, HENRY & REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Carjacking.

SB 382 - SOKOLA & REPRESENTATIVE REYNOLDS; SENATORS VOSHALL, BAIR, STILL & BONINI; REPRESENTATIVES CATHCART, DIPINTO, WAGNER, STONE, CAREY, WELCH, MARONEY, BOULDEN, QUILLEN, MAIER, LEE, FALLON, BUCKWORTH, ULBRICH, CAPANO, DAVIS, MACK, PETRILLI, ROY, CAULK, D. ENNIS - ED: An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

SB 390 - VOSHALL & REPRESENTATIVE QUILLEN; SENATOR BUNTING - NAT RES: An Act to Amend Title 29 of the Delaware State Code Relating to State Boundaries.

SCR 77 - MARSHALL, BLEVINS; REPRESENTATIVES MAIER, LOFINK, SCOTT; SENATORS MCDOWELL & CONNOR; REPRESENTATIVE SPENCE - HEALTH & HUM DEV: Creating a Nursing Home Staffing Task Force to Make Recommendations to the Delaware General Assembly Concerning Adequate Staffing Levels and Staffing Requirements for Delaware Nursing Home Facilities.

Representatives VanSant, Scott & Maroney requested that they be marked present.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

DATE: June 24, 1998  
 TO: Rep. Terry R. Spence, Speaker of the House  
 FROM: Rep. Bruce C. Reynolds  
 RE: Absence from Session

Please excuse my absence on June 24, 1998 from session due to illness.

Thank you.

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

ECON DEV, B & I: SS 1/SB 194 w/SA 1 - 1F,8M.

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

Representative Davis made comments & introduced guests.

Representatives Houghton, Keeley, Buckworth, Boulden, Maier & Mack requested that they be marked present.

Representatives Mack & Gilligan made comments.

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

Representative West requested that he be marked present.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on HB 747. The motion was seconded by Representative Maroney adopted by voice vote.

Representative D. Ennis introduced and brought HB 747, jointly sponsored by Senator Adams & Representatives Stone, Capano, DiPinto, Fallon, Brady, Houghton, Keeley & Scott & Senators Sokola, Sharp & Sorenson, before the House for consideration.

HB 747 - An Act to Amend Title 12, Delaware Code, Relating to Qualified Dispositions in Trust.

Representative D. Ennis made comments.

The roll call on HB 747 was taken and revealed:

YES: 39.

ABSENT: Representatives Petrilli, Reynolds - 2.

Therefore, having received a constitutional majority, HB 747 was sent to the Senate for concurrence.

Representatives DiPinto, Schroeder, Williams, Stone & Cloutier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Quillen.

Representative Quillen moved to lay SB 315 on the Speaker's table. Representative Quillen withdrew the motion.

Representative Quillen brought SB 315, sponsored by Senator Venables & Representative Capano & Senators Adams, Bunting, Vaughn, Voshell & Bonini & Representatives Buckworth, Carey, Ewing & Stone, before the House for consideration.

Representative DiLiberto rose on a point of order. Mr. Acting Speaker concurred.

SB 315 - An Act to Amend Title 7 of the Delaware Code Relating to the Practice of Falconry.

Representative Quillen deferred to Representative Capano.

Representative Capano made comments.

Representative Capano requested and was granted the privilege of the floor for Lloyd Alexander, Wildlife Administrator, Division of Fish and Wildlife, DNREC.

Representatives Capano, Fallon, Cathcart, Ewing, Capano & Cathcart made comments.

Representative Cathcart requested and was granted the privilege of the floor for Dr. Erica Miller, Wildlife Veterinarian, Tri-State Bird Rescue & Research.

Representatives Cathcart, Capano, Price, West, Capano, West, Cathcart, Mack, Capano & Quillen made comments.

The roll call on SB 315 was taken and revealed:

YES: 16.

NO: Representatives Cathcart, DiLiberto, D. Ennis, Gilligan, Keeley, Maier, Maroney, Oberle, Roy, Scott, VanSant & Williams - 12.

NOT VOTING: Representatives Brady, Fallon, Houghton, Plant, Schroeder, Smith, Mr. Speaker Spence, West - 8.

ABSENT: Representatives Cloutier, Petrilli, Reynolds, Stone, Wagner - 5.

Therefore, not having received a constitutional majority, SB 315 was declared defeated.

Representative Smith deferred to Representative West.

Representative West brought HB 348, jointly sponsored by Senator Adams, before the House for consideration.

HB 348 - An Act Authorizing and Directing the Board of Pension Trustees to Grant Myrtle A. Thomas Credited Service Pursuant to Chapter 55, Title 29 of the Delaware Code for Service With the Sussex County Council From July 19, 1976 Through April 15, 1985; and Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware to Fund Such Credited Service.

Representative West requested that a handout be distributed to the House members.

Representatives West and Davis made comments.

Representative Davis requested and was granted the privilege of the floor for David Craik, Pension Administrator, State of Delaware.

Representatives West, B. Ennis, Davis, Caulk, VanSant, Davis & West made comments.

The roll call on HB 348 was taken and revealed:

YES: 21.

NO: Representatives Davis, Lee, Mack, Maier, Maroney, Quillen, Smith, Ulbrich, Mr. Acting Speaker Welch - 9.

NOT VOTING: Representatives Boulden, Capano, Carey, DiPinto, Roy, Wagner - 6.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds, Spence - 5.

Therefore, having received a constitutional majority, HB 348 was sent to the Senate for concurrence. Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HB 749. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Oberle introduced and brought HB 749 before the House for consideration.

HB 749 - An Act Relating to the Waiver of Statutory Provisions of Title 13 of the Delaware Code Concerning the Solemnization of Marriages.

Representative Oberle made comments.

The roll call on HB 749 was taken and revealed:

YES: 36.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds, Schroeder - 5.

Therefore, having received a constitutional majority, HB 749 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

At the request of Representative Gilligan, the House observed a moment of silence in memory of Marilyn Huthmacher.

Representative Boulden made comments.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 604, jointly sponsored by Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Petrilli, Plant, Price, Quillen, Reynolds, VanSant, Wagner, West, Williams & Spence, before the House for consideration.

HB 604 - An Act to Amend Title 21 of the Delaware Code Relating to Required Information for Driver's Licenses.

Representative Scott made a comment.

The roll call on HB 604 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 604 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought SB 209, jointly sponsored by Senator Amick, before the House for consideration.

Mr. Speaker Spence resumed the Chair.

SB 209 - An Act to Amend Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

Representative Boulden introduced & brought HA 1 to SB 209 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Boulden & Fallon made comments.

The roll call on SB 209 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, SB 209 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 470, jointly sponsored by Representative Ulbrich & Senator Sokola & Representatives Smith, Welch, Buckworth, Capano, Carey, Cathcart, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maroney, Petrilli, Reynolds, Stone, Brady & Houghton, before the House for consideration.

HB 470 - An Act to Amend Title 14 of the Delaware Code Relating to Department of Education.

Representative Wagner requested that HA 1 to HB 470 be stricken.

Representative Wagner brought HA 2 to HB 470, jointly sponsored by Senator Sokola, before the House for consideration.

Representative Wagner made comments.

HA 2 was adopted by voice vote.

The roll call on HB 470 w/HA 2 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 470 w/HA 2 was sent to the Senate for concurrence.

Representative Smith made comments.

Mr. Speaker assigned HB 709 to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought 289, jointly sponsored by Representative DiLiberto & Senators Voshell, Bair & Amick, before the House for consideration.

HB 289 - An Act Concurring in Proposed Amendments to Article IV of the Delaware Constitution of 1897 to Include the Family Court and Court of Common Pleas as Courts Established by the Constitution of the State of Delaware and Articles III and IV of the Delaware Constitution of the State of Delaware to Delete References to the Orphan's Court. (2/3 bill)

Representative Wagner made a comment.

The roll call on HB 289 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 289 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price brought HB 619, jointly sponsored by Representative Spence & Senator Bunting & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maroney, Petrilli, Plant, Quillen, Schroeder, Scott, Smith, Ulbrich, VanSant, Wagner, Welch, West & Williams, before the House for consideration.

HB 619 - An Act to Amend Chapter 21 of Title 29 Relating to the Governor's Authority to Proclaim Special Days.

Representative Price brought HA 1 to HB 619 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Price, Wagner & Mr. Speaker Spence made comments.

The roll call on HB 619 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Cloutier, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 619 w/HA 1 was sent to the Senate for concurrence.

Representatives Price & Buckworth requested and were granted personal privilege of the floor to introduce guests.

Representative West requested that HB 658 be stricken.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 348, jointly sponsored by Senator Sharp & Representative Petrilli & Senator Vaughn & Representatives Capano, Spence, Plant, Ewing & Roy, before the House for consideration.

SB 348 - An Act to Amend Title 12 of the Delaware Code Relating to the Establishment of the Delaware Careplan Trust Act.

Representatives Wagner & Maroney made comments.

The roll call on SB 348 was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Petrilli, Reynolds - 3.

Therefore, having received a constitutional majority, SB 348 was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 4:35 p.m.

The House reconvened at 5:23 p.m.

Representative Petrilli requested that he be marked present.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier moved to lift HB 666 w/HA 1 w/HA 1 & HA 2 & 3 from the Speaker's table.

The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Cloutier brought HB 666 w/HA 1 w/HA 1 & HA 2 & 3, jointly sponsored by Senator Sharp & Representative Smith, before the House for consideration.

HB 666 - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Cloutier, Mr. Speaker Spence, Representatives West & Cloutier made comments.

The roll call on HB 666 w/HA 1 w/HA 1 & HA 2 & 3 was taken and revealed:

YES: 36.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives DiLiberto, B. Ennis, Reynolds, Williams - 4

Therefore, having received a constitutional majority, HB 666 w/HA 1 w/HA 1 & HA 2 & 3 was sent to the Senate for concurrence.

Representatives Oberle & D. Ennis requested and were granted personal privilege of the floor to make comments.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 706, jointly sponsored by Senator Sharp, before the House for consideration.

HB 706 - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders.

Representative Roy made comments.

Representative Roy brought HA 1 to HB 706, jointly sponsored by Senator Sharp, before the House for consideration. Representative Roy made a comment. HA 1 was adopted by voice vote.

Mr. Speaker Spence introduced a guest.

Representative Roy introduced and brought HA 2 to HB 706 before the House for consideration.

Representative Roy made comments. HA 2 was adopted by voice vote.

Representative Roy introduced and brought HA 3 to HB 706, jointly sponsored by Senator Sharp, before the House for consideration. Representative Roy made comments. HA 3 was adopted by voice vote.

Representative Roy made comments.

Representative Roy moved to place HB 706 w/HA 1,2 & 3 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto requested that HCR 88 be stricken.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HCR 90. The motion was properly seconded and adopted by voice vote.

Representative DiPinto introduced and brought HCR 90, jointly sponsored by Senator Bunting & Representatives Capano, Carey, Ewing, Lee, Maroney, Quillen, Stone, Ulbrich, Wagner, Gilligan, Keeley & Plant & Senators Adams, Henry, Marshall, Voshell, Bair, Bonini, Connor, Reed, Sorenson & Still, before the House for consideration.

HCR 90 - Regarding a Supplementary Appropriation to the Delaware Community Foundation to be Held as Permanent Unrestricted Endowment and Conditions Therefore.

Representatives DiPinto, Davis, DiPinto, Smith & DiPinto made comments.

HCR 90 was adopted by voice vote and sent to the Senate for concurrence.

The following prefiled Consent Calendar #21 was introduced:

HR 44 - SPENCE, OBERLE, SMITH, WELCH, GILLIGAN & VANSANT ON BEHALF OF ALL HOUSE MEMBERS - Offering Congratulations to John W. Rollins, Sr. for Being Named the 1998 Recipient of the Josiah Marvel Cup Award.

HR 78 - CAPANO ON BEHALF OF ALL HOUSE MEMBERS - Memorializing Harry W. Anderson by Commemorating His Influence on Delawareans by Being an Ideal Archetype for Athletes and Families.

SCR 73 - MCBRIDE, BLEVINS & MARSHALL ON BEHALF OF ALL SENATORS AND REPRESENTATIVE OBERLE ON BEHALF OF ALL REPRESENTATIVES - Honoring Edward F. "Pete" Peterson, Former President of Delaware State American Federation of Laborers, Council of Industrial Organizations (AFL-CIO), Who Vacated the Position in January of 1998

Consent Calendar #21 was adopted by voice vote and SCR 73 was returned to the Senate.

Representative Smith brought Consent Agenda F, which requires a two-thirds vote, before the House for consideration.

HB 614 - OBERLE; SENATOR SOKOLA - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Qualified Tuition Savings Program.

HB 678 - VANSANT; BUCKWORTH, CAREY, CAULK, B. ENNIS, EWING, GILLIGAN, KEELEY, LOFINK, PLANT, QUILLEN, SCOTT, ULBRICH, WAGNER, WILLIAMS, CAPANO, CATHART, DIPINTO, D. ENNIS, FALLON, HOUGHTON, LEE, OBERLE, PRICE, SCHROEDER, STONE, VANSANT, WEST - An Act to Amend Title 10 of the Delaware Code Relating to Jury Service.

HB 691 - WAGNER; SENATOR BONINI; REPRESENTATIVES KEELEY, DILIBERTO - An Act to Repeal Section 730, Title 13 of the Delaware Code Relating to the Requirement of an Affidavit in Certain Custody Proceedings.

HB 710 - WEST, WAGNER - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Motor Vehicle Insurance.

SB 356 - COOK; REPRESENTATIVES DAVIS, OBERLE; SENATORS VAUGHN, SORENSON - An Act to Amend Titles 11, 29 and 16, Delaware Code, Relating to Attachment and Assignment of Pension Plan Benefits.

SB 355 - SENATOR COOK; REPRESENTATIVES DAVIS, OBERLE; SENATOR VAUGHN - An Act to Amend Title 29 of the Delaware Code Related to Pensions for Members of the State Judiciary.

HB 693 - WEST; SENATOR BUNTING - An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro" to Authorize the Issuance of Revenue Bonds. (2/3 bill)

HB 287 w/SA 1 - WAGNER - An Act to Amend Title 11 of the Delaware Code Relating to Juror Misconduct. (2/3 bill)

HB 565 w/SA 1 & 2 - An Act to Amend Title 11 of the Delaware Code Relating to the Offense of Reckless Endangering. (2/3 bill)

HJR 19 w/HA 1 & 2 & SA 2 - REYNOLDS, SPENCE, HOUGHTON; SENATOR CONNOR, REPRESENTATIVE MACK; SENATOR SOKOLA - Establishing the Public School Transportation Task Force to Review and Make Recommendations Regarding Governing Public School Transportation.

HB 727 - B. ENNIS, PETRILLI, BRADY, CAREY, EWING, HOUGHTON, LEE, PRICE, ULBRICH, WEST; SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAULK, GILLIGAN, KEELEY, PLANT, SCOTT, VANSANT, WILLIAMS - An Act to Amend Title 5 of the Delaware Code Relating to the Authority of the State Bank Commissioner.

The roll call on Consent Agenda F was taken and revealed:

YES: 39.

ABSENT: Representative DiLiberto, Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 614, HB 678, HB 691, HB 710, HB 693 & HB 727 were sent to the Senate for concurrence and SB 356 & SB 355 were returned to the Senate & HB 287 w/SA 1, HB 565 w/SA 1 & 2 & HJR 19 w/HA 1 & 2 & SA 2 were sent to the Governor.

Mr. Speaker Spence introduced a guest.

Representative Smith brought Consent Agenda G, which requires a two-thirds vote, before the House for consideration.

SB 311 - SHARP - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

SB 312 - SHARP - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 320 - SHARP - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

HB 734 - WEST; BUNTING - An Act to Amend Chapter 401, Volume 61, Laws of Delaware Entitled "An Act to Reincorporate the Town of Frankford" by Permitting It to Accept Grants or Loans From Federal, State, or Interstate Agencies. (2/3 bill)

SB 350 - ADAMS & CAREY - An Act to Reincorporate the Town of Milton. (2/3 bill)

SB 385 - BUNTING; REPRESENTATIVE PRICE - An Act to Amend the Charter of the Town of South Bethany, Chapter 268, Volume 69, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of South Bethany" to Modify the Authority of the Town Council to Compel Connection to the Water System of the Town, Said Provision to be Subjected to a Public Referendum Except in Emergency. (2/3 bill)

SB 392 - BLEVINS; REPRESENTATIVES VANSANT, HOUGHTON - An Act to Amend an Act Entitled an Act to Reincorporate the Town of Elsmere as Found in 68 Delaware Laws Chapter 3 as Amended Regarding the Mayor, the Treasurer and Independent Annual Audit. (2/3 bill)

SB 344 - VAUGHN; REPRESENTATIVES D. ENNIS, SCOTT - An Act to Amend Title 18 of the Delaware Code Relating to Annual Financial Statements Filed by Insurers.

HB 697 - B. ENNIS; SENATOR VAUGHN - An Act to Amend Title 16 of the Delaware Code Relating to Ambulance Service.

HB 671 - D. ENNIS, QUILLEN, WAGNER; SENATOR MCBRIDE; REPRESENTATIVE REYNOLDS; SENATORS MARSHALL, VAUGHN - An Act to Amend Title 24 of the Delaware Code Relating to Optometry.

HB 703 - ULBRICH - An Act to Amend Title 24 of the Delaware Code Regarding the Medical Practices Act.

The roll call on Consent Agenda G was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, DiLiberto, Reynolds - 3.

Representative Smith moved to rescind the roll call on Consent Agenda G. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Petrilli made a comment.

The roll call on Consent Agenda G was taken and revealed:

YES: 39.

ABSENT: Representatives DiLiberto, Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 734, HB 697, HB 671 & HB 703 were sent to the Senate for concurrence and SB 311, SB 312, SB 320, SB 350, SB 385, SB 392 & SB 344 were returned to the Senate.

Representative Smith moved to rescind the roll call on Consent Agenda G. The motion was seconded by Representative Welch and adopted by voice vote.

The roll call on Consent Agenda G was taken and revealed:

YES: 39.

ABSENT: Representatives DiLiberto, Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 734, HB 697, HB 671 & HB 703 were sent to the Senate for concurrence and SB 311, SB 312, SB 320, SB 350, SB 385, SB 392 & SB 344 were returned to the Senate.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought SB 327, sponsored by Senators Vaughn & Voshell & Representative Buckworth, before the House for consideration.

SB 327 - An Act to Amend Title 23 of the Delaware Code Relating to Silver Lake in New Castle County.

Representative Quillen deferred to Representative Buckworth.

Representatives Buckworth & Cathcart made comments.

The roll call on SB 327 was taken and revealed:

YES: 35.

NO: Representative Cathcart - 1.

NOT VOTING: Representatives Brady, Caulk, D. Ennis - 3.

ABSENT: Representatives DiLiberto, Reynolds - 2.

Therefore, having received a constitutional majority, SB 327 was returned to the Senate.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 154, jointly sponsored by Representative Quillen, before the House for consideration.

HB 154 - An Act to Amend Title 21 of the Delaware Code Relating to Equipment and Construction of Vehicles. (2/3 bill)

Representative Keeley brought HA 1 to HB 154 before the House for consideration.

Representative Keeley made comments.

HA 1 was adopted by voice vote.

Representative Keeley brought HA 2 to HB 154 before the House for consideration.

Representative Keeley made a comment.

HA 2 was adopted by voice vote.

Representatives Keeley & Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Oberle, Davis, Ulbrich, Keeley, VanSant, Maier, Oberle, Davis, Oberle, Caulk, Keeley, Oberle, VanSant, Plant, Scott & Keeley made comments.

The roll call on 154 w/HA 1 & 2 was taken and revealed:

YES: 37.

NO: Representative Cloutier - 1.

ABSENT: Representatives DiLiberto, Maroney, Reynolds - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 154 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 571, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 571 - An Act to Amend Title 11 of the Delaware Code Relating to HIV Testing in Assault or Related Offenses Against Law Enforcement Officers.

Representative Ewing brought HA 1 to HB 571 before the House for consideration.

Representative Ewing made a comment.

HA 1 was adopted by voice vote.

Representative Ewing made comments.

The roll call on HB 571 w/HA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives DiLiberto, Gilligan, Maroney, Reynolds, Williams - 5.

Therefore, having received a constitutional majority, HB 571 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on HB 581. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Spence brought HB 581, jointly sponsored by Representatives Welch, Ewing & Oberle & Senator McDowell & Representatives Buckworth, Capano, Carey, Cathcart, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Maroney, Petrilli, Roy, Stone, Ulbrich, Wagner, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, VanSant, West & Williams & Senators Sharp, Adams, McBride, McDowell, Vaughn & Bonini, before the House for consideration.

HB 581 - An Act Making a Supplemental Appropriation to Provide Funds for Municipalities, Cities, Counties, Towns and State Police, to Use to Hire Additional Police Officers, Provide for Certain Technologies, and Establishing Requirements Therefor. (3/4 bill)(F/N)

Representatives Spence, Oberle, Davis, Oberle, Plant, Maier, DiPinto & Spence made comments.

The roll call on HB 581 was taken and revealed:

YES: 37.

ABSENT: Representatives DiLiberto, Maroney, Reynolds, Williams - 4.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 581 was sent to the Senate for concurrence on.

Representative Spence made a comment and introduced a guest.

Representative Smith deferred to Representatives Quillen and Petrilli.

Representative Quillen moved to restore HB 650 w/HA 1 & 2. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli brought HB 650 w/HA 1 & 2, jointly sponsored by Representative Oberle & Senators Henry, McDowell & McBride, before the House for consideration.

HB 650 - An Act to Amend Title 18 of the Delaware Code Relating to General Limitations.

Representative Petrilli moved to place HB 650 w/HA 1 & 2 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift HB 706 w/HA 1,2 & 3 from the Speaker's table. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Roy brought HB 706 w/HA 1,2 & 3, jointly sponsored by Senator Sharp, before the House for consideration.

HB 706 - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders.

Representative Roy introduced and brought HA 4 to HB 706 before the House for consideration.

Representative Roy made a comment.

HA 4 was adopted by voice vote.

The roll call on HB 706 w/HA 1,2,3 & 4 was taken and revealed:

YES: 37.

ABSENT: Representatives DiLiberto, Maroney, Reynolds, Williams - 4.

Therefore, having received a constitutional majority, HB 706 w/HA 1,2,3 & 4 was sent to the Senate for concurrence.

Mr. Acting Speaker Welch introduced a guest.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 141, sponsored by Senator Vaughn & Representative Lee, before the House for consideration.

SB 141 - An Act to Amend Chapter 88, Title 10 of the Delaware Code Relating to in Forma Pauperis Actions.

Representative Wagner made a comment.

The roll call on SB 141 was taken and revealed:

YES: 37.

ABSENT: Representatives DiLiberto, Maroney, Reynolds, Williams - 4.

Therefore, having received a constitutional majority, SB 141 was returned to the Senate.

Representative Spence introduced guests.

Representative Gilligan made an announcement.

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

Representative Smith deferred to Representative Scott.

Representative Scott made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 308 w/SA 1, sponsored by Senator Sharp, before the House for consideration.

SB 308 - An Act to Amend Chapter 38, Title 12 of the Delaware Code Relating to Business Trusts. (3/5 bill)

Representative Wagner made a comment.

The roll call on SB 308 w/SA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives DiLiberto, Maroney, Reynolds, Spence, Williams - 5.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 308 w/SA 1 was returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 562, jointly sponsored by Representatives Brady, Capano, Maier, Plant & West & Senators Henry & Marshall, before the House for consideration.

HB 562 - An Act to Amend Title 26 of the Delaware Code Relating to Telephones.

Representative Scott brought HA 1 to HB 562 before the House for consideration.

Representative Scott made a comment.

HA 1 was adopted by voice vote.

Representative Scott brought HA 2 to HB 562 before the House for consideration.

Representatives Davis & Scott made comments.

HA 2 was adopted by voice vote.

Representative Keeley made comments.

The roll call on HB 562 w/HA 1 & 2 was taken and revealed:

YES: 35.

ABSENT: Representatives Buckworth, DiLiberto, B. Ennis, Maroney, Reynolds & Williams - 6.

Therefore, having received a constitutional majority, HB 562 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 585, jointly sponsored by Representative Price & Senator Bunting & Representatives Brady, Buckworth, Carey, Cloutier, Cathcart, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Mack, Plant, Reynolds, Schroeder, Scott, VanSant, Wagner & Williams, before the House for consideration.

HB 585 - An Act to Amend Title 10 of the Delaware Code Relating to Jury Service.

Representative West introduced and brought HA 1 to HB 585 before the House for consideration.

Representatives Davis & West made comments.

HA 1 was adopted by voice vote.

Representatives Welch & Smith made comments.

Representative West moved to place HB 585 w/HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 616 jointly sponsored by Senator Bunting & Representatives Carey, Mack, Quillen, Price, Schroeder & West & Senators Adams, Cook, Venables, Reed & Still, before the House for consideration.

HB 616 - An Act to Amend Title 3 of the Delaware Code Relating to Regulation of Sale and Use of Pesticides and Devices.

Representative Caulk made comments.

The roll call on HB 616 was taken and revealed:

YES: 36.

ABSENT: Representatives DiLiberto, Mack, Maroney, Reynolds, Williams - 5.

Therefore, having received a constitutional majority, HB 616 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 637, jointly sponsored by Senator Bunting & Representatives Carey, Mack, Quillen, Price, Schroeder & West & Senators Adams, Cook, Venables & Reed, before the House for consideration.

HB 637 - An Act to Amend Title 3 of the Delaware Code Relating to the Northeast Interstate Dairy Compact.

Representative Caulk made comments.

Representative Caulk moved to place HB 637 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 328, jointly sponsored by Senator Voshell & Representatives Quillen & Carey, before the House for consideration.

SB 328 - An Act to Amend Title 11 of the Delaware Code Relating to Jurisdiction of Criminal Cases in the Justice of the Peace Court of the State of Delaware.

Representative Wagner made comments.

The roll call on SB 328 was taken and revealed:

YES: 34.

ABSENT: Representatives DiLiberto, DiPinto, Mack, Maroney, Petrilli, Reynolds, Williams - 7.

Therefore, having received a constitutional majority, SB 328 was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 173 w/SA 1.2 & 3, jointly sponsored by Senators Blevins, Henry, McDowell, Sokola, Bair & Sorenson & Representatives Capano, Roy & Price, before the House for consideration.

SB 173 - An Act to Amend Title 16 of the Delaware Code Relating to Fluoridation of Water Supplies.

(F/N)

Representatives Maier, Wagner, Quillen, Stone, Mack, Maier, Mack, Caulk & Maier made comments.

Representative Maier moved to place SB 173 w/SA 1.2 & 3 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Mr. Speaker Spence declared a recess at 7:34 p.m.

The House reconvened at 7:55 p.m.

Mr. Speaker assigned HB 611 to the Appropriations Committee.

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift SB 173 w/SA 1.2 & 3 from the Speaker's table. The motion was seconded by Representative Mack and adopted by voice vote.

Representative Maier brought SB 173 w/SA 1.2 & 3, jointly sponsored by Senators Blevins, Henry, McDowell, Sokola, Bair & Sorenson & Representatives Capano, Roy & Price, before the House for consideration.

SB 173 - An Act to Amend Title 16 of the Delaware Code Relating to Fluoridation of Water Supplies.

(F/N)

Representatives West, Maier & Smith made comments.

The roll call on SB 173 w/SA 1.2 & 3 was taken and revealed:

YES: 29.

NO: Representatives Caulk, B. Ennis, Quillen, Stone, Wagner, Welch, West - 7.

ABSENT: Representatives Brady, Cloutier, DiLiberto, Reynolds, Williams - 5.

Therefore, having received a constitutional majority, SB 173 w/SA 1.2 & 3 was returned to the Senate.

Representative Smith made an announcement.

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

HEALTH & HUM DEV: SB 341 - 6M.

JUD: SB 363 w/SA 1 - 6M.

R & F: HB 677 - 5M; HB 689 - 5M.

NAT RES: SB 390 - 1F,5M,1U; SB 372 - 3F,3M.

AG: HB 731 - 1F,5M; HB 736 - 2F,4M; HB 745 - 2F,4M.

ECON DEV, B & I; SS 1/SB 220 - 9M.

HOUSING & COM AFF: HB 707 - 8M; HB 714 - 8M.

R & F: HB 743 - 6M; HB 611 - 4M,1U.

JUD: SB 362 - 5M; HB 737 - 6M.

HEALTH & HUM DEV: SB 380 - 6M.

BUS/CORP/COM: HB 717 - 6M; HB 724 - 5M; HB 730 - 6M.

ED: SB 382 - 6M; HB 739 - 8M; HB 698 - 5M.

The Majority Leader moved to recess to the call of the Chair at 8:09 p.m.

42nd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
June 25, 1998

Mr. Speaker Spence called the House to order at 2:45 p.m.

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

POL ANAL & GOV ACCT: SB 265 w/SA 4 - 4U; SB 266 - 4U; SCR 49 - 4U.

Mr. Speaker assigned HB 737 to the Appropriations Committee.

The following prefiled legislation was introduced:

HR 80 - MAIER & PRICE - HEALTH & HUM DEV: Re-Authorizing a Residential Treatment Program Site Selection Task Force to Investigate Laws and Regulations Affecting Availability of Sites for Residential Treatment Facilities, Recommend Such Facility Distribution and Locations, and Proposing Legislation Necessary to Allow Such Facilities.

The Majority Leader moved to adjourn at 2:46 p.m., thereby ending the current legislative day. The House reconvened at 2:47 p.m.

The Chief Clerk called the roll.

Members Present: 41.

At the invitation of Representative Wayne A. Smith, Seventh Representative District, Amazing Grace was played on bagpipes by Dan Kepley.

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

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

The following prefiled legislation was introduced:

**HB 211 w/HA 1,3 & 4 & SA 1** - BUCKWORTH, WELCH, SPENCE, CAULK, MAIER, ULBRICH; SENATORS MARSHALL, REED, MCBRIDE; REPRESENTATIVES CAREY, DIPINTO, REYNOLDS; SENATORS ADAMS, BONINI, STILL - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

**HB 748** - ULBRICH, BOULDEN - H/ADM: An Act to Amend the Municipal Charter of the City of Newark, Delaware Relating to Its Board of Health and the Scheduling of Hearings by Its Court of Appeals on Challenges to Tax Assessments.

**HB 751** - WAGNER & SENATOR BLEVINS - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Victims, Witnesses and Evidence.

**HB 752** - SCOTT & SENATOR BLEVINS - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Domestic Violence.

**HA 1 to HB 450** - SMITH - READY LIST: Placed with the bill.

**HA 2 to HB 632** - WAGNER - READY LIST: Placed with the bill.

**HA 1 to HB 637** - CAULK - L.O.T.: Placed with the bill.

**HA 1 to HB 705** - WAGNER - AGENDA V: Placed with the bill.

**HCR 91** - SPENCE & SENATOR MARSHALL; REPRESENTATIVES WELCH, QUILLEN, GILLIGAN; SENATOR SHARP - H/ADM: Creating the Delaware Horse Racing Task Force to Study and Make Recommendations Concerning the Development and Promotion of Thoroughbred and Arabian Racing in Delaware.

**HJR 27** - WAGNER - ED: Encouraging Elementary Schools in the State to Establish and Operate, or Cause to be Operated, Latch Key Programs.

**SB 335** - MCDOWELL - POL ANAL & GOV ACCT: An Act to Amend Chapter 14, Title 24 of the Delaware Code Relating to Electrical Contractors.

**SB 381 w/SA 1** - VOSHELL - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Life Guards.

**SB 417 w/SA 1** - BLEVINS & CONNOR; REPRESENTATIVE MAIER; SENATORS COOK, HENRY, MARSHALL, VOSHELL & AMICK; REPRESENTATIVE CAPANO - JUD: An Act to Amend Titles 11 and 16 of the Delaware Code Relating to Certain Crimes. (2/3 bill)

**SCR 79** - VAUGHN, VOSHELL, CONNOR; REPRESENTATIVES DILIBERTO, MARONEY - HEALTH & HUM DEV: Establishing a Committee to Obtain Information Relating to PKU and Other Inherited Metabolic Diseases; and to Make Recommendations to the General Assembly Concerning Such Matters as Diet, Education and Early Intervention.

**HA 2 to SB 98** - QUILLEN & CAREY & CAULK & FALLON - AGENDA: Placed with the bill.

**HA 1 to SB 304** - MAIER - AGENDA VIII: Placed with the bill.

**HA 1 to SB 321** - MAIER - AGENDA VIII: Placed with the bill.

Representative Smith introduced guests.

Representatives D. Ennis, Welch, Keeley, Houghton, Scott, Brady & Schroeder requested that they be marked present.

Representative Smith deferred to Representative Davis.

Representative DiLiberto requested that he be marked present.

Representative Davis requested and was granted the privilege of the floor for Lisa Pertzoff, representing the Delaware Council on Gambling Problems who presented an award to Representative Davis..

Representatives Mack, Davis & Oberle made comments.

Representatives Williams, DiPinto & B. Ennis requested that they be marked present.

Representative Smith requested and was granted the privilege of the floor for Pam Price, Staff Member who yielded to the Committee chairs.

Representative Capano presented a House Tribute to Michael Geppi, 1998 Legislative Fellow.

Representative Ewing presented a House Tribute to Lauren Berk, 1998 Legislative Fellow.

Representatives Quillen & Mack presented a House Tribute to Christopher Spizzirri, 1998 Legislative Fellow.

Representative Welch presented a House Tribute to Mike Brairton, 1998 Legislative Fellow.

Representatives Petrilli & DiPinto made comments.

Representative Gilligan presented a House Tribute to Lisa Kondraschow, 1998 Legislative Fellow.

Representatives DiLiberto, Keeley & Price made comments.

Representative Maier presented a House Tribute to Margaret Montgomery, 1998 Legislative Fellow.

Representative Reynolds made comments.

Representative Cloutier presented a House Tribute to Merritt Burke, 1998 Legislative Fellow.

Representatives Smith, Gilligan, Wagner, Lee, Spence, B. Ennis, D. Ennis, Oberle, Reynolds & Gilligan made comments.

Mr. Speaker Spence introduced guests.

Representatives Stone, Gilligan & Wagner requested that they be marked present.

The Majority Leader moved to recess for caucus at 3:24 p.m.

The House reconvened at 5:33 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 335, SB 381 w/SA 1, HB 427 w/HA 1, HB 55 w/HA 1 & SA 1 & 2, SB 417 w/SA 1, SCR 79, HB 449 w/HA 1, HB 549 w/HA 2 & 3 & HB 576.

Representative Smith deferred to Representative Mack.

Representative Mack brought SB 98 w/SA 1 w/SA 1 & SA 2, jointly sponsored by Senators McBride, Henry & Connor & Representative Houghton & cosponsored by Representative Scott, before the House for consideration.

SB 98 - An Act to Amend Chapter 70, Title 7 of the Delaware Code Relating to the Coastal Zone Act.

Representative Mack made a comment.

Representative Caulk brought HA 1 to SB 98 before the House for consideration. Representative Caulk made comments. Representative Caulk moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Quillen brought HA 2 to SB 98, jointly sponsored by Representatives Carey, Caulk & Fallon, before the House for consideration.

Mr. Speaker Spence resumed the Chair.

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

Representative Mack made comments.

The roll call on SB 98 w/SA 1 w/SA 1 & SA 2 was taken and revealed:

YES: 39.

NO: Representatives Carey, Quillen - 2.

Therefore, having received a constitutional majority, SB 98 w/SA 1 w/SA 1 & SA 2 was returned to the Senate.

Representatives Cloutier & VanSant requested that they be marked present during the roll call.

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

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SS 1 for SB 250, jointly sponsored by Senator Sokola & Representative Gilligan & Senators Hauge, Blevins, Bunting, Cook, McDowell, Vaughn, Voshell, Amick, Bair, Bonini, Connor, Reed & Sorenson & Representatives Spence, Boulden, Davis, Ewing, Maier, Stone, Schroeder & VanSant, before the House for consideration.

SB 250 - An Act to Amend Title 14 of the Delaware Code Relating to Public Education. (F/N)

Representative Reynolds deferred to Representative Wagner.

Representative Wagner requested that HA 1 to SS 1 for SB 250 be stricken.

Representative Reynolds deferred to Representative Smith.

Representative Smith brought HA 2 to SS 1 for SB 250, before the House for consideration.

Representative Smith requested and was granted the privilege of the floor for Leo Strine, Counsel to the Governor.

A portion of the following communication was read into the record at the request of Representative Smith.

#### MEMORANDUM

June 17, 1998

TO: Honorable Wayne A. Smith  
Majority Leader  
House of Representatives

FROM: Leo E. Strine, Jr., Esquire  
Counsel to the Governor

Honorable Iris Metts  
Secretary of Education

RE: Distributional Performance and S.S. 1 to S.B. 250

This is to confirm that the sections of S.S. 1 to S.B. 250 which address the issue of school and school district accountability for "distributional performance" are intended to provide an incentive for schools and

school districts to improve the achievement of students at “lower levels of academic achievement”, regardless of sex, race, ethnicity, religion, or national origin. In fact, the section of the bill defining “distributional performance”, set forth at lines 244-247, refers to a “school’s record in improving the performance of students at lower levels of academic achievement” on the state assessments. It never mentions sex, race, ethnicity, religion, or national origin, much less sets forth a performance measure based on the academic achievement of students based on their sex, race, ethnicity, religion, or national origin.

As the primary authors of the bill, we do not see how the bill can be read to require or otherwise authorize the Department of Education to interpret “distributional performance” in a manner which rewards or holds accountable schools for improving or not improving the performance of low-achieving students of particular sexes or racial or ethnic groups. . . .

Representative Smith made comments.

Representative Smith requested that HA 2 be stricken.

Representative Reynolds deferred to Representative Davis.

Representative Davis made comments.

Representative Davis requested that HA 3 be stricken.

Representative Reynolds deferred to Representative Smith.

Representative Smith made comments.

Representative Smith requested that HA 4 be stricken.

Representative Reynolds deferred to Representative DiPinto.

Representatives DiPinto, Gilligan, Spence, Fallon & Reynolds made comments.

The roll call on SS 1 for SB 250 was taken and revealed:

YES: 40.

NOT VOTING: Representative Caulk - 1.

Therefore, having received a constitutional majority, SS 1 for SB 250 was returned to the Senate.

Representative Reynolds made an announcement.

Representative Oberle requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence introduced a guest.

Representative Maroney requested and was granted personal privilege of the floor to make comments.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 705 before the House for consideration.

HB 705 - An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

Representative Wagner brought HA 1 to HB 705 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 705 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, HB 705 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought SB 210 w/SA 1, sponsored by Senator Sokola & Representative Oberle, before the House for consideration.

SB 210 - An Act to Amend Title 18 of the Delaware Code to Make Certain Provisions of Title 18 Consistent With the Provisions of 18 Del. C. Section 6854.

Representative D. Ennis deferred to Representative Oberle.

Representative Oberle made comments.

The roll call on SB 210 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 210 w/SA 1 was returned to the Senate.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 724, jointly sponsored by Representatives Maier & Plant, before the House for consideration.

HB 724 - An Act to Amend Title 4 of the Delaware Code Relating to Regulatory Provisions. (2/3 bill)

Representative Spence made comments.

Representative Spence requested and was granted the privilege of the floor for Diane Stein.

Representative Spence & Mr. Acting Speaker Oberle made comments.

The roll call on HB 724 was taken and revealed:

YES: 38.

NO: Representative Keeley - 1.