

CONCERN OVER ABUSES THAT WORKERS IN THE STRAWBERRY INDUSTRY MUST FACE. Sponsor: Senator Marshall & Representative Oberle.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Amick, Hauge, Reed, Sorenson, Still) NOT VOTING; therefore, **SCR 26** was declared adopted by the Senate and sent to the House for consideration.

SCR 34 was introduced and brought before the Senate for consideration on motion of Senator Bair.

SCR 34 - RECOGNIZING JUNE 5, 1997 AS "ECONOMIC EQUITY FOR WORKING WOMEN DAY" AND COMMENDING THE WOMEN'S BUREAU OF THE UNITED STATES DEPARTMENT OF LABOR AND THE DELAWARE COMMISSION FOR WOMEN FOR THEIR COLLABORATION ON THE NATIONAL WORKING WOMEN'S SUMMIT. Sponsor: Senators Bair & Blevins; Representative Maroney; Senators Connor, Amick, Reed, Hauge, Sorenson, Adams, Cook, Henry, McBride, McDowell; Representatives Capano, Fallon, Maier, Stone, Ulbrich, Wagner, Roy, Ewing, Welch, Carey, Reynolds, Buckworth, Lofink, Boulden, Lee, Petrilli, Cloutier, DiPinto, Mack, Quillen, Price, Houghton, Gilligan, Keeley, Scott, Brady, DiLiberto, Williams, Van Sant, Plant.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 34** was declared adopted by the Senate and sent to the House for consideration.

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

The Secretary of the Senate read the agenda for June 5, 1997.

At 5:37 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 5, 1997.

The Senate reconvened at 2:25 p.m. on June 5, 1997 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Natural Resources - **SS 1 to SB 127** - 3 Merits.

From Corrections - **SB 145** - 1 Favorable, 2 Merits.

From Labor - **SB 147** - 2 Favorable, 1 Merit; **SB 137** - 1 Favorable, 2 Merits.

From Health and Social Services - **HB 197 w/HA 1** - 4 Merits.

A communication was read from Delaware's First Lady, Martha S. Carper acknowledging the Senate's expression of sympathy at the death of her father.

LEGISLATIVE ADVISORY #15, from the Office of Counsel to the Governor was announced for record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #15, dated June 5, 1997, the Governor signed the following legislation on the dates indicated:

SB #62 AAB SA 1 (6/4/97) - AN ACT TO AMEND CHAPTERS 11 AND 102, TITLE 29 DELAWARE CODE, RELATING TO THE REGISTER OF REGULATIONS AND PUBLIC NOTICE OF PROPOSED AND PROMULGATED REGULATIONS. (Sponsor: Senators Sharp, Voshell, McDowell, Bair, Amick) (Volume 71, Chapter 48, Laws of Delaware.)

At 2:30 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 32nd Legislative Day.

32ND LEGISLATIVE DAY 139TH GENERAL ASSEMBLY 1ST SESSION JUNE 5, 1997

The Senate convened at 2:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bunting.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 5, 1997

The following legislation was introduced and assigned to committee on June 4, 1997:

SA 2 to SB 16 – Senator Blevins – Placed with the bill.

SB 162 - AN ACT TO AMEND TITLES 7, 10, 13, 16, 18, 21, 29 AND 30 OF THE DELAWARE CODE RELATING TO PATERNITY AND CHILD SUPPORT OBLIGATIONS AND THE DIVISION OF CHILD SUPPORT ENFORCEMENT. Sponsor: Senator Blevins & Representative Maier & Maroney; Senators Voshell, Bair, Representative Plant & Williams. To: **Judiciary**.

The following legislation was introduced and assigned to committee on June 5, 1997:

SA 1 to SS 1 for SB 74 – Senator Blevins – Placed with the bill.

SB 163 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO GROUNDS FOR REFUSAL OF A LICENSE TO SELL ALCOHOLIC BEVERAGES. Sponsor: Senators Sharp and Bunting; Representative Spence. To: **Judiciary**.

SB 164 - AN ACT TO AMEND CHAPTER 69, TITLE 10, OF THE DELAWARE CODE RELATING TO APPEALS IN HABEAS CORPUS CASES. Sponsor: Senator Vaughn & Representative Lee. To: **Corrections**.

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Senators Hauge and Bair were marked present.

SB 144 was brought before the Senate for consideration on motion of Senator Sokola.

SB 144 - AN ACT TO AMEND CHAPTER 100, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE FREEDOM OF INFORMATION ACT.

Senator Sharp questioned the sponsor, after which Senator Sokola requested the privilege of the floor for Ann Case, representing Delaware School Boards Association.

Senator Hauge and Sorenson questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McBride) ABSENT; therefore, **SB 144** was declared passed the Senate and sent to the House for consideration.

HB 56 w/HA 1, 2 & 3 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 56 w/HA 1, 2 & 3 - AN ACT TO AMEND CHAPTER 2 OF TITLE 14 OF THE DELAWARE CODE RELATING TO ATTENDANCE WITHIN SCHOOL DISTRICTS.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Henry, McBride) ABSENT; therefore, **HB 56 w/HA 1, 2 & 3** was declared passed the Senate and returned to the House.

HB 193 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 193 w/HA 1 - AN ACT TO AMEND CHAPTER 67, TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE SERVICE IN THE STATE OF DELAWARE.

Senator Adams requested the privilege of the floor for J. Allen Metheny, Sr., representing Delaware Volunteer Firemen Association and State Fire Prevention Commission.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) NO; therefore, **HB 193 w/HA 1** was declared passed the Senate and returned to the House.

Senators Henry and McBride were marked present during the above roll call.

SB 78 was brought before the Senate for consideration on motion of Senator Blevins.

SB 78 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

Senator McDowell requested his name be added as a co-sponsor to **SB 78**.

SA 1 to SB 78 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Bair questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 78** was declared part of the bill.

SB 78 w/SA 1 was now before the Senate.

Several Senators questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Dr. Richard Henderson, representing Delaware Section, ACOG.

Senator Bair questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SB 78 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 170 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 170 - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF DELMAR" TO PROVIDE THAT CHARGES IMPOSED FOR GRASS CUTTING AND THE REHABILITATION AND IMPROVEMENT OF HOUSING WITHIN THE TOWN OF DELMAR SHALL BE LIENS AGAINST THE PROPERTIES SO BENEFITED FOR A PERIOD OF 10 YEARS. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 170** was declared passed the Senate and returned to the House.

At 3:50 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:50 p.m. with Lt. Governor Minner presiding.

HB 174 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 174 - AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. 2/3 VOTE

A roll vote was taken and revealed 21 Senators voting YES; therefore, **HB 174** was declared passed the Senate and returned to the House.

SCR 17 w/HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration on motion of Senator Sokola.

SCR 17 w/HA 1 - RELATING TO A STUDY AS TO WHETHER THE STATE OF DELAWARE SHOULD SUE TOBACCO COMPANIES TO RECOVER STATE MEDICAID COSTS FROM SMOKING-RELATED ILLNESSES.

A roll vote was taken and revealed 14 Senators voting YES, 5 (Adams, Bonini, Cook, Vaughn, Venables) NO, 2 (Amick, Bunting) NOT VOTING; therefore, **SCR 17 w/HA 1** was declared adopted.

SR 35 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

SR 35 - REQUESTING SENATOR ROTH'S ASSISTANCE IN PRESERVING THE OLD ST. GEORGE'S BRIDGE. Sponsor: Senators Vaughn, Sharp, Adams & Voshell.

Several Senators commented.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NOT VOTING; therefore, **SR 35** was declared adopted.

Senator Bonini moved to reconsider **HB 162**.

Senator Vaughn objected.

Senator Bair raised a point of order.

Senator Sharp raised a point of order.

A roll call vote was taken to reconsider **HB 162** and revealed 8 Senators (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) voting YES, 12 NO, 1 (Bunting) NOT VOTING; therefore, the motion did not carry.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 30; HCR 3**.

SENATE CONSENT CALENDAR #7 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SCR 31 - EXTENDING THE REPORTING DATE OF THE TASK FORCE COMMITTEE ON DELAWARE'S JUVENILE JUSTICE SYSTEM. Sponsor: Senator Henry & Representative Maier.

SCR 32 - CREATING A COMBINED SEWER OVERFLOW TASK FORCE TO PROVIDE INVESTIGATION OF THE SEWER OVERFLOWS AND TO ISSUE ITS FINAL REPORT. Sponsor: Senators Blevins, McBride & Representative Keeley; Senators McDowell, Marshall, Henry; Representative Spence.

HCR 30 - COMMENDING AND HONORING VIVIEN BRITTINGHAM FOR A HISTORY OF EXEMPLARY AND DEDICATED SERVICE IN THE AREA OF SCHOOL FOOD NUTRITION TO THE STUDENTS OF THE COLONIAL SCHOOL DISTRICT. Sponsor: Representative Mack and Senator Vaughn.

HCR 31 - COMMENDING AND HONORING DOROTHY VANDEGRIFT FOR A HISTORY OF EXEMPLARY AND DEDICATED SERVICE IN THE AREA OF SCHOOL FOOD NUTRITION TO THE STUDENTS OF THE COLONIAL SCHOOL DISTRICT.

Sponsor: Representative Mack and Senator Vaughn.

A roll call vote was taken on **SENATE CONSENT CALENDAR #7** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for consideration and the House Concurrent Resolutions were returned to House.

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

The Secretary of the Senate read the agenda for June 10, 1997.

At 5:19 p.m. on motion of Senator Voshell, the Senate recessed until 1:30 p.m. on June 10 1997.

At 1:34 p.m. the Senate reconvened on June 10, 1997 with Lt. Governor Minner presiding.

At 1:34 p.m. on motion of Senator Voshell the Senate recessed to be joined by the House of Representatives in the Senate Chamber, for the purposes of convening the Joint Session observing the Centennial Celebration of the Constitution State of Delaware of 1897.

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

The members of the House of Representatives were admitted and welcomed by the Lt. Governor. At the invitation of the Lt. Governor, Representative Spence and Senator Sharp joined her on the podium.

Senator Voshell moved that the House and Senate meet in Joint Session for the purpose of observing the Centennial Celebration of the Constitution of the State of Delaware of 1897 at 1:36 p.m. No objection.

Senator Voshell moved that the Lt. Governor, as President of the Senate, preside over the Joint Session. No objection.

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

Senator Voshell moved that the Lt. Governor appoint a committee of four to escort the Governor to the Chamber. No objection.

Lt. Governor appointed Senator Thurman Adams, Jr. (spokesperson) and Senator Colin Bonini & Representative John Schroeder & Representative Roger Roy to escort the Governor to the Senate Chamber.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary, led by the Honorable E. Norman Veasey, Chief Justice of the Supreme Court of Delaware, and accompanied by Anne L. Naczi, President of the Delaware State Bar Association. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials. They were admitted and seated.

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

The Sergeant-at-Arms announced the arrival of the former Governors of the State of Delaware. They were admitted and seated.

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

Senator Adams introduced the Governor to the Joint Session.

Senator Voshell requested the privilege of the floor for The Honorable Randy J. Holland, Justice of the Supreme Court of Delaware, will act as the Master of Ceremonies for the Centennial Celebration.

Justice Holland introduced Patricia Malcolm who sang the National Anthem.

The Lt. Governor along with her grandson led those present in a pledge of allegiance to the American Flag.

Justice Holland introduced Dr. John A. Munroe, who gave the keynote address.

Justice Holland introduced Harvey Rubenstein, Esq., who presented **SJR 4** to Governor Carper. Governor Carper then signed the resolution.

Governor Carper introduced the previous Governors of the State of Delaware.

Senator Sharp, Representative Spence and Chief Justice Veasey made comments.

Justice Holland introduced Patricia Malcolm who sang "Our Delaware".

Justice Holland thanked everyone for attending the ceremony.

The Lt. Governor thanked Justice Holland and all the participants.

Senator Voshell requested the witness be excused.

The Lt. Governor asked the previously named escort committee to reassemble and escort the Governor back to his Executive Office.

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

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

Senator Voshell moved that the Joint Session adjourn at 2:45 p.m. and the two Houses separate to reconvene in their respective Chambers. No objection and the Lt. Governor declared the Joint Session adjourned.

The Senate recessed on motion of Senator Voshell.

The Senate reconvened at 3:35 p.m. with Lt. Governor Minner presiding.

The following committee reports were announced:

From Public Safety - **SB 121** - 4 Merits; **HB 145 w/HA 1** - 4 Merits; **HB 147 w/HA 1 & 2** - 4 Merits; **HB 151 w/HA 1** - 4 Merits; **HB 246 w/HA 1** - 4 Merits.

From Community/County Affairs - **SB 154** - 3 Merits; **SB 155** - 3 Merits; **SB 158** - 3 Merits; **HB 218** - 3 Merits.

From Committee to Combat Drug Abuse - **HB 138 w/HA 1** - 4 Merits.

From Highways and Transportation - **HCR 21** - 3 Favorable, 1 Unfavorable.

The Secretary announced a message from the House informing the Senate that it had passed **HB 157; HB 209; HB 241; HB 247; HB 219 w/HA 1 & 2; HB 220 w/HA 1; HB 153 w/HA 1; HB 243; HB 236; SB 90, SCR 33; SCR 34; SJR 4**

HB 162 was reconsidered on motion of Senator Voshell.

Senator Blevins moved to rescind the roll call on **HB 162**, after which Senator Sharp moved to place the bill in the **Executive** Committee.

At 3:40 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 33rd Legislative Day.

**33RD LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 10, 1997**

The Senate convened at 3:40 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 10, 1997**

The following legislation was introduced and assigned to committee on June 10, 1997:

SA 1 to SB 121 – Senator Voshell – Placed with the bill.

SB 156 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CHILD IMMUNIZATIONS. Sponsor: Senator Henry, Blevins, Marshall, Sokola, Vaughn, Venables, Connor & Sorenson; Representatives Davis, Ewing, Fallon & Maroney. To: **Health and Social Services**.

SB 165 - AN ACT TO AMEND CHAPTER 13, TITLE 18 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF INSURERS. Sponsor: Senator Vaughn; Representative D. Ennis. To: **Insurance**.

SB 166 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO HEALTH INSURANCE CONCERNING MEASURES NECESSARY FOR DELAWARE TO

MAINTAIN REGULATORY AUTHORITY OVER CERTAIN ASPECTS OF HEALTH CARE COVERAGE UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", AND, IN CONNECTION THEREWITH, MAKING DELAWARE REQUIREMENTS RELATED TO THE RENEWABILITY OF HEALTH INSURANCE POLICIES, PREEXISTING CONDITION LIMITATIONS, AND GUARANTEED ISSUE OF COVERAGE CONSISTENT WITH FEDERAL LAW. Sponsor: Senator Vaughn; Representative Maier. To: **Insurance and Elections**.

SB 167 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS. Sponsor: Senator Sharp & Representative Petrilli. To: **Community/County Affairs**.

SS 2 to SB 127 - AN ACT TO AMEND CHAPTER 28 OF TITLE 7 OF THE DELAWARE CODE RELATING TO TRAWLINES FOR COMMERCIAL CONCH POTS. Sponsor: Senator Vaughn & Representative Schroeder. To: Adopted in lieu of the original. To: **Natural Resources**.

HB 153 w/HA 1 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES. Sponsor: Representative Keeley; Representatives DiPinto, D. Ennis, Gilligan, Maier, Maroney, Plant, Scott, Van Sant, Williams; Senators Hauge, Marshall. To: **Community/County Affairs**.

HB 157 - AN ACT TO AMEND TITLE 1, CHAPTER 6, DELAWARE CODE ESTABLISHING NATIVE-AMERICAN DAY. Sponsor: Representative Spence. To: **Executive**.

HB 209 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING THE DISPOSITION OF FINES AND COSTS. Sponsor: Representative Ewing. To: **Finance**.

HB 219 w/HA 1 & 2 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING AND FORFEITURE OF RIGHT. 2/3 VOTE. Sponsor: Representative Davis; Representatives Buckworth, D. Ennis, DiPinto, Fallon, Lofink, Maier, Maroney, Smith, Banning, Brady, Houghton, Keeley, Plant, Schroeder, Scott, West, Williams; Senators Bunting, McDowell, Henry, Reed. To: **Corrections**.

HB 220 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. Sponsor: Representative Price & Senator Voshell; Representatives Banning, Buckworth, Capano, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Plant, Quillen, Roy, Spence, Stone, Van Sant, Wagner, Welch, West, Williams, Welch, West, Williams; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Reed, Sokola, Still, Vaughn, Venables. To: **Finance**.

HB 236 - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL DRIVERS ACT. Sponsor: Representative Ewing & Senator Henry. To: **Public Safety**.

HB 241 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR CIVIL AIR PATROL MEMBERS. Sponsor: Representative Capano & Senator Blevins. To: **Executive**.

HB 243 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Representatives Wagner & Reynolds & Senator Sokola. To: **Education**.

HB 247 - AN ACT TO AMEND CHAPTER 18 OF TITLE 7 OF THE DELAWARE CODE RELATING TO EEL FISHING. Sponsor: Representative Carey & Senator Venables; Representatives Quillen, Price, Schroeder; Senator Voshell. To: **Natural Resources**.

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SS 1 for SB 115 was brought before the Senate for consideration on motion of Senator Sharp.

SS 1 for SB 115 - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. 3/5 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SS 1 for SB 115** was declared passed the Senate and sent to the House for consideration.

HCR 21 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HCR 21 - CREATING A DELDOT ORGANIZATIONAL REVIEW TASK FORCE.

Sponsor: Representative Petrilli & Ulbrich & Senator Vaughn; Senators Sharp & Still; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Quillen, Reynolds, Roy, Stone, Wagner, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, West.

Senator Voshell moved to lay **HCR 21** on the table. No objection.

SB 139 was brought before the Senate for consideration on motion of Senator Sharp.

SB 139 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (McBride) ABSENT; therefore, **SB 139** was declared passed the Senate and sent to the House for consideration.

SB 76 was brought before the Senate for consideration on motion of Senator Cook.

SB 76 - AN ACT TO AMEND TITLES 3, 11, 19, 28 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES.

Senator Cook moved to lay **SB 76** on the table. No objection.

HB 138 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 138 w/HA 1 - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG PARAPHERNALIA. 2/3 VOTE

Senator Henry moved to lay **HB 138 w/HA 1** on the table. No objection.

HB 145 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 145 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO PROVIDE THAT APPEALS FROM CONVICTIONS UNDER TITLE 21 OR OTHER MOTOR VEHICLE VIOLATIONS BE HEARD IN THE COURT OF COMMON PLEAS.

Senator Vaughn questioned the floor manager, after which Senator Henry requested the privilege of the floor for Paul Wallace, representing Department of Justice.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **HB 145 w/HA 1** was declared passed the Senate and returned to the House.

HB 147 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 147 w/HA 1 & 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WEAPON OFFENSES.

Senator Venables commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (McBride) ABSENT; therefore, **HB 147 w/HA 1 & 2** was declared passed the Senate and returned to the House.

HB 151 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 151 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RELATED OFFENSES.

Senators Reed and Amick questioned the floor manager, after which Senator Henry requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Amick, Bair, Reed, Sorenson, Still) NO, 1 (McBride) ABSENT; therefore, **HB 151 w/HA 1** was declared passed the Senate and returned to the House.

HB 246 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 246 w/HA 1 - AN ACT TO AMEND CHAPTER 100, TITLE 16 OF THE DELAWARE CODE RELATING TO 911; ENHANCED EMERGENCY NUMBER SERVICE.

Senator Henry requested the privilege of the floor for Gregory Haley, representing State Fire Commission.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **HB 246 w/HA 1** was declared passed the Senate and returned to the House.

SB 151 was brought before the Senate for consideration on motion of Senator Sharp.

SB 151 - AN ACT TO AMEND CHAPTER 31 OF TITLE 25 OF THE DELAWARE CODE RELATING TO FEDERAL LIENS. 3/5 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 151** was declared passed the Senate and sent to the House for consideration.

SB 121 was brought before the Senate for consideration on motion of Senator Voshell.

SB 121 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT RESTRICTIONS FOR MOTOR VEHICLES.

SA 1 to SB 121, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Voshell.

Senator Voshell requested the privilege of the floor for Ed Freel and Pam Scott, representing Delaware's Department of Transportation.

Several Senators questioned the witnesses, after which the witnesses were excused.

A roll call vote was taken and revealed 16 Senators voting YES, 3 (Reed, Still, Vaughn) NO, 1 (Sharp) NOT VOTING, 1 (McBride) ABSENT; therefore, **SA 1 to SB 121** was declared part of the bill.

SB 121 w/SA 1 was now before the Senate.

Senator Sharp commented.

Senator Voshell moved to lay **SB 121 w/SA 1** on the table. No objection.

SB 160 was brought before the Senate for consideration on motion of Senator Sharp.

SB 160 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE, THE UNIFORM TRADE SECRETS ACT.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 160** was declared passed the Senate and sent to the House for consideration.

SB 161 was brought before the Senate for consideration on motion of Senator Sharp.

SB 161 - AN ACT TO AMEND PART II, TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS; AND PROVIDING FOR A "UNIFORM INTERNATIONAL WILLS ACTS".

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 161** was declared passed the Senate and sent to the House for consideration.

HCR 21 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

SA 1 to HCR 21 was introduced and then stricken on motion of Senator Voshell.

SA 2 to HCR 21 was introduced and brought before the Senate for consideration on motion of Senator Voshell.

Senator Vaughn questioned the sponsor, after which Senator Voshell requested the privilege of the floor for Pam Scott, representing Delaware's Department of Transportation.

Senator Still questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Reed, Still, Vaughn) NO, 1 (McBride) ABSENT; therefore, **SA 2 to HCR 21** was declared part of the bill.

HCR 21 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **HCR 21 w/SA 2** was declared passed the Senate and returned to the House for reconsideration.

SB 121 w/SA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Voshell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 121 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 138 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

SA 1 to HB 138 was introduced and brought before the Senate for consideration on motion of Senator Henry.

Senator Bair questioned the sponsor, after which Senator Henry requested the privilege of the floor for Paul Wallace, representing Department of Justice.

Senator Sokola questioned the witness, after which the witness was excused.

Senator Henry requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call was taken and revealed 19 Senators voting YES, 2 (McBride, McDowell) ABSENT; therefore, **SA 1 to HB 138** was declared part of the bill.

HB 138 w/HA 1 & SA 1 was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Reed) NO, 1 (McBride) ABSENT; therefore, **HB 138 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

SB 76 was lifted from the table and brought before the Senate for consideration on motion of Senator Cook.

SA 2 to SB 76 was introduced and brought before the Senate for consideration on motion of Senator Cook.

Senator Bair questioned the sponsor, after which Senator Cook requested the privilege of the floor for Secretary Vincent Meconi, representing the Department of Administrative Services.

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

A roll call vote was taken and revealed 13 Senators voting YES, 5 (Amick, Bair, Bonini, Hauge, Reed) NO, 2 (Sharp, Still) NOT VOTING, 1 (McBride) ABSENT; therefore, **SA 2 to SB 76** was declared part of the bill.

SB 76 w/SA 2 was now before the Senate.

Senator Cook requested the privilege of the floor once again, for Secretary Vincent Meconi, representing the Department of Administrative Services.

Senators Bair and Vaughn questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Bonini) NO, 1 (McBride) ABSENT; therefore, **SB 76 w/SA 2** was declared passed the Senate and sent to the House for consideration.

SA 1 to SB 76 was stricken on motion of Senator Cook.

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

The Secretary of the Senate read the agenda for June 11, 1997.

At 5:35 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on June 11, 1997.

The Senate reconvened at 4:12 p.m. on June 11, 1997 with Lt. Governor Minner presiding.

Senator McBride was marked present.

The following committee reports were announced:

From Judiciary: **SB 82** - 3 Merits; **SB 162** - 3 Merits; **SB 163** - 3 Merits; **HB 143** - 3 Merits.

From Health and Social Services: **SB 123** - 4 Merits.

From Corrections: **SB 164** - 3 Merits; **HB 61** - 3 Merits; **HB 163 w/HA 1** - 3 Merits; **HB 237 w/HA 1** - 3 Merits.

From Insurance and Elections: **SB 166** - 3 Merits.

From Executive: **HB 172** - 3 Merits, 2 Unfavorable; **Henry E. Kressman** - 4 Merits; **M. C. Karia** - 4 Merits; **Terrance L. Higgins** - 4 Merits; **Daniel E. Fleming, III, Esquire** - 4 Merits; **Robert S. Ehrlich** - 4 Merits; **Mary Dudek** - 4 Merits; **Joan Hayes Donoho** - 4 Merits; **Lee J. Beetschen** - 4 Merits; **Ronald McCabe** - 4 Merits; **David F. Marvin** - 4 Merits; **Ray K. Woodward** - 4 Merits; **William L. Witham, Jr.** - 4 Merits; **Joan Wachstein** - 4 Merits; **Grace Pierce-Beck** - 4 Merits; **William C. Pfeifer** - 4 Merits; **Charles E. Morris** - 4 Merits.

From Public Safety: **HB 236** - 3 Merits.

From Education: **HB 243** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 304; HS 1 for HB 93; HB 227; HB 211 w/HA 1, 3 & 4; HB 49 w/HA 2; HB 99 w/HA 1.**

A messenger from the Governor was announced and admitted.

At 4:22 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 34th Legislative Day.

**34TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 11, 1997**

The Senate convened at 4:22 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Henry.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 11, 1997

The following legislation was introduced and assigned to committee on June 10, 1997:

SA 1 to SB 147 – Senator Marshall – Placed with the bill.

The following legislation was introduced and assigned to committee on June 11, 1997:

SA 1 to SB 146 - Senator Still – Placed with the bill.

SB 169 - AN ACT TO AMEND CHAPTER 23, TITLE 18, DELAWARE CODE, RELATING TO UNFAIR INSURANCE PRACTICES. Sponsor: Senator Vaughn, Representative Oberle. To: **Insurance**.

SB 168 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsor: Senator Voshell & Still; Representative Carey; Senators Bunting, Venables, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson; Representative Caulk. To: **Natural Resources**.

HB 49 w/HA 2 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. Sponsor: Representative Welch & Senator Cook; Representatives Spence, Petrilli, Boulden, Caulk, Capano, Davis, D. Ennis, Ewing, Lee, Lofink, Maier, Oberle, Smith, Ulbrich, Wagner, Banning, B. Ennis, Schroeder; Senators Venables, Bonini, Reed, Still, Bunting. To: **Corrections**.

HS 1 for HB 93 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO BODY-PIERCING, TATTOOING, OR BRANDING CONSENT FOR MINORS AND CIVIL AND CRIMINAL PENALTIES. 2/3 VOTE. Sponsor: Representatives Spence & Capano and Senator Connor; Representatives Welch, Boulden, Buckworth, Carey, Davis, DiPinto, D. Ennis, Ewing, Lee, Maier, Maroney, Oberle, Wagner, Stone, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Price, Scott, West; Senators Voshell, McDowell, Blevins, Bunting, Henry, Marshall, Vaughn, Bonini, Hauge, Still. To: **Health and Social Services**.

HB 99 w/HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES. Sponsor: Representative Scott. To: **Executive**.

HB 211 w/HA 1, 3 & 4 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO TERMINATION OF HUMAN PREGNANCY. Sponsor: Representatives Buckworth & Welch & Ewing & Senator McBride; Representatives Spence, Carey, Caulk, DiPinto, Maier, Reynolds, Ulbrich; Senators Adams, Marshall, Bonini, Reed, Still. To: **Health and Social Services**.

HB 227 - AN ACT TO AMEND SECTION 5, TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE LICENSING. Sponsor: Representative Roy & Senators Sokola, Amick. To: **Administrative Services**.

HB 304 - AN ACT TO AMEND LAWS OF DELAWARE AND TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS. Sponsor: Representative Roy; Representative West. To: **Natural Resources**.

* * *

SCR 35 was introduced and brought before the Senate for consideration on motion of Senator Amick.

SCR 35 - EXTENDING BEST WISHES TO MARGARET SEAVY CATTS, EXECUTIVE DIRECTOR OF THE NEWARK SENIOR CENTER, ON THE OCCASION OF HER RETIREMENT. Sponsor: Senators Amick, Reed, Sorenson; Representatives DiLiberto, Ulbrich.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 35** was declared adopted by the Senate and sent to the House for consideration.

SB 147 was brought before the Senate for consideration on motion of Senator Marshall.

SB 147 - AN ACT TO AMEND TITLE 19, TITLE 18, TITLE 29, AND TITLE 30 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

SA 1 to SB 147 was stricken on motion of Senator Marshall.

SA 2 to SB 147 was introduced and stricken on motion of Senator Marshall.

SB 147 was laid on the table on motion of Senator Marshall.

SB 145 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 145 - AN ACT TO AMEND CHAPTER 65, TITLE 11, OF THE DELAWARE CODE RELATING TO CREATION OF A SPECIAL FUND FOR MONIES CONFISCATED AS CONTRABAND.

SA 1 to SB 145 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

Several Senators questioned the sponsor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SA 1 to SB 145** was declared part of the bill.

SB 145 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 145 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 106 was brought before the Senate for consideration on motion of Senator Sharp.

SB 106 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 106** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 74 was brought before the Senate for consideration on motion of Senator Blevins.

SS 1 for SB 74 - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK.

SA 1 to SS 1 for SB 74 was stricken on motion of Senator Blevins.

SA 2 to SS 1 for SB 74 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator Still requested the privilege of the floor for Jeffrey Bresnahan, representing Delaware Physical Therapy Association.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) NOT VOTING; therefore, **SA 2 to SS 1 for SB 74** was declared part of the bill.

SS 1 for SB 74 w/SA 2 was now before the Senate.

Senator McDowell commented.

Senator Still requested the privilege of the floor for Jeff Bresnahan, representing Delaware Physical Therapy Association.

Senators Bunting and Bonini questioned the witness, after which the witness was excused.

Senator Blevins requested the privilege of the floor for Sally Hacking, representing American Massage Therapy Association, Delaware Chapter.

Senator McBride questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McBride, McDowell) NOT VOTING; therefore, **SS 1 to SB 74 w/SA 2** was declared passed the Senate and sent to the House for consideration.

Senator Sharp requested a tribute memorial of the late John Frances McBride, father of Senator David B. McBride be read in its entirety.

Senator McBride commented.

Senator Amick moved to add Representative Boulden name as a co-sponsor to **SCR 35**.

SB 147 was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

SA 3 to SB 147 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 3 to SB 147** was declared part of the bill.

SB 147 w/SA 3 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 147 w/SA 3** was declared passed the Senate and sent to the House for consideration.

At 5:27 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:58 p.m. with Lt. Governor Minner presiding.

SB 155 was brought before the Senate for consideration on motion of Senator Adams.

SB 155 - AN ACT TO AMEND CHAPTER 299, VOLUME 64, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND AN ACT BEING CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE

TOWN OF BRIDGEVILLE" TO GRANT THE ULTIMATE JURISDICTION FOR CERTAIN CRIMINAL OFFENSES. 2/3 VOTE.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SB 155** was declared passed the Senate and sent to the House for consideration.

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

The Secretary of the Senate read the agenda for June 12, 1997.

At 6:03 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 12, 1997.

The Senate reconvened at 2:23 p.m. on June 12, 1997 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Community/County Affairs: **SB 167** - 3 Merits; **HS 1 for HB 153** - 3 Merits.

From Labor: **HB 146** - 3 Merits.

From Public Safety: **HB 33 w/HA 1** - 3 Merits.

LEGISLATIVE ADVISORY #16, from the Office of Counsel to the Governor was announced for record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #16, dated June 11 1997, the Governor signed the following legislation on the dates indicated:

SJR #4 (6/10/97) - OBSERVING THE CENTENNIAL CELEBRATION OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897. (Sponsor: Senator Sharp on Behalf of all Senators and Representative Spence on Behalf of all Representatives.)

HB #193 AAB HA 1 (6/11/97) - AN ACT TO AMEND CHAPTER 67, TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE SERVICE IN THE STATE OF DELAWARE. (Sponsor: Representative B. Ennis & Senators Vaughn & Cook) (Volume 71, Chapter 49, Laws of Delaware.)

HB #166 AAB HA 1 (6/11/97) - AN ACT TO AMEND CHAPTER 47, TITLE 16, DELAWARE CODE, RELATING TO UNIFORM CONTROLLED SUBSTANCES AND ANABOLIC STEROIDS. (Sponsor: Representative Oberle & Senator Blevins) (Volume 71, Chapter 50, Laws of Delaware.)

SB #60 AAB SA 1 AND HA 1 (6/11/97) - AN ACT TO AMEND TITLE 24 RELATING TO PROFESSIONAL ENGINEERS. (Sponsor: Senators McBride, Amick) (Volume 71, Chapter 51, Laws of Delaware.)

HB #56 AAB HA 1, 2 AND 3 (6/11/97) - AN ACT TO AMEND CHAPTER 2 OF TITLE 14 OF THE DELAWARE CODE RELATING TO ATTENDANCE WITHIN SCHOOL DISTRICTS. (Sponsor: Representative Brady) (Volume 71, Chapter 52, Laws of Delaware.)

HB #170 (6/11/97) - AN ACT TO AMEND CHAPTER 137, VOLUME 61, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF DELMAR" TO PROVIDE THAT CHARGES IMPOSED FOR GRASS CUTTING AND THE REHABILITATION AND IMPROVEMENT OF HOUSING WITHIN THE TOWN OF DELMAR SHALL BE LIENS AGAINST THE PROPERTIES SO BENEFITED FOR A PERIOD OF 10 YEARS. (Sponsor: Representative Lee & Senator Venables) (Volume 71, Chapter 53, Laws of Delaware.)

HB #174 (6/11/97) - AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. (Sponsor: Representative Buckworth & Senator Bonini) (Volume 71, Chapter 54, Laws of Delaware.)

SB #90 (6/11/97) - AN ACT TO AMEND CHAPTER 282 OF VOLUME 21 OF THE LAWS OF DELAWARE AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIK" BY PROVIDING FOR AN INCREASE IN THE LIMIT OF TAXATION. (Sponsor: Senator Still & Representative B. Ennis) (Volume 71, Chapter 55, Laws of Delaware.)

The following amendment to the Delaware Constitution does not require the signature of Governor Carper.

SB #45 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 29 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE TERM OF OFFICE OF JUSTICES OF THE PEACE. (Sponsor: Senator Sharp) (Volume 71, Chapter 56, Laws of Delaware.)

* * *

The Secretary announced a message from the House informing the Senate that it had passed **HB 202 w/HA 2; HB 144 w/HA 1 & 2; HB 216; HB 200; SB 83; SCR 26; SCR 35.**

At 2:25 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 35th Legislative Day.

**35TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 12, 1997**

The Senate convened at 2:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 12, 1997**

The following legislation was introduced and assigned to committee on June 11, 1997:

SA 1 to HB 236 – Senator Henry – Placed with the bill.

The following legislation was introduced and assigned to committee on June 12, 1997:

SA 1 to HB 162 – Senator Blevins – Placed with the bill.

SB 170 - AN ACT TO AMEND TITLES 10, 11, 16, 18 AND 29 RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE OR NEGLECT. Sponsor: Senator Sharp & Representatives Maier & Spence; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, Sokola, Vaughn, Amick, Bair, Reed, Sorenson, Still; Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Stone, Ulbrich, Wagner, DiLiberto, Gilligan, Houghton, Keeley, Plant, Schroeder & Van Sant. To: **Health and Social Services.**

SB 171 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE CANCELLATION OF AGENCY CONTRACTS WITH INDEPENDENT INSURANCE AGENTS. Sponsor: Senator Vaughn & Representative Banning. To: **Insurance.**

HB 144 w/HA 1 & 2 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. Sponsor: Representative Ewing & Senator Henry; Representatives Spence, Buckworth, Capano, DiPinto, D. Ennis, Maier, Petrilli, Ulbrich, Van Sant, Keeley, Plant, Scott; Senators Blevins, McDowell, Voshell, Bair. To: **Public Safety.**

HB 200 - AN ACT TO AMEND TITLES 16, 24, AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND TRANSFERRING RESPONSIBILITY FOR THE LICENSURE OF PLUMBERS FROM THE DIVISION OF PUBLIC HEALTH TO THE DIVISION OF PROFESSIONAL REGULATION. 3/5 VOTE. Sponsor: Representative Maroney & Senator Blevins; Representatives Maier, Stone, Ulbrich, B. Ennis, Plant, Williams; Senators Henry, Marshall, Sokola, Amick, Reed. To: **Health and Social Services.**

HB 202 w/HA 2 - AN ACT TO AMEND CHAPTER 13 OF TITLE 19 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Representatives Oberle and Spence; Representatives Welch, Buckworth, Lofink,

Petrilli, Gilligan, Van Sant, Banning, Houghton, Keeley, Plant, Scott, Williams; Senators McDowell, Henry, McBride, Marshall, Amick, Bonini, Connor. To: **Executive**.

HB 216 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE UNEMPLOYMENT COMPENSATION ADVISORY COUNCIL. Sponsor: Representative Petrilli. To: **Labor**.

The following nominations from the Governor were introduced and assigned to the **Executive** Committee on June 12, 1997:

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Howard W. Mulvaney, III, 615 Hickory Lane, Seaford, Delaware 19973, to be reappointed as a Justice of the Peace for Sussex County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Edward G. Davis, 605 West Street, Laurel, Delaware 19956, to be reappointed as a Justice of the Peace for Sussex County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Charles M. Stump, 8 Railroad Avenue, Wyoming, Delaware 19934, to be reappointed as a Justice of the Peace for Kent County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Agnes E. Pennella, 101 Candlewicke Drive, Dover, Delaware 19901, to be reappointed as a Justice of the Peace for Kent County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Sheila Gagen Blakely, 301 Kings Highway, Milford, Delaware 19963, to be reappointed as a Justice of the Peace for Sussex County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:
Mr. Robert I. Samuel, 874 Monroe Terrace, Dover, Delaware 19901, to be reappointed as a member of the Environmental Appeals Board for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Rosalind Toulson, 2410 Washington Street, Wilmington, Delaware 19802, to be reappointed as a Justice of the Peace for New Castle County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:
Mr. Keith Dorman, 134 Countryside Lane, Bear, Delaware 19701, to be reappointed as a member of the Board of Pension Trustees for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Ms. Diana Jones, 4 Arnell Road, Rehoboth Beach, Delaware 19971, to be reappointed as a member of the Environmental Appeals Board for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Thomas P. Brown, 2614 Fogg Lane, Wilmington, Delaware 19808, to be appointed as a Justice of the Peace for New Castle County for a four-year term, to replace David Anderson, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Terry L. Smith, 2603 Skylark Road, Wilmington, Delaware 19808, to be appointed as a Justice of the Peace for New Castle County for a four-year term, to replace John McLaughlin, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Abigayle E. Truitt, 114 Kingsbridge Road, Rehoboth Beach, Delaware 19971, to be reappointed as a Justice of the Peace for Sussex County for a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 10, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

On behalf of the Board of Trustees of the University of Delaware and in conformity with the Constitution and Laws of the State of Delaware, I hereby submit for the consent and confirmation of the Senate the following, elected by the Board of Trustees to be members of the Board:

Ms. Katherine Lee, 210 Wilshire Drive, Newark, Delaware 19711, appointed as a member of the Board of Trustees of the University of Delaware to serve a one-year term to expire on May 27, 1998.

The Honorable William T. Allen, 410 Rockwood Road, Wilmington, Delaware 19802, appointed as a member of the Board of Trustees of the University of Delaware to serve a six-year term to expire May 27, 2003.

The Honorable Richard S. Cordrey, River Drive, Box 486, Millsboro, Delaware 19966, appointed as a member of the Board of Trustees of the University of Delaware to serve a six-year term to expire May 27, 2003.

Mr. Dennis E. Kilma, 1210 Westview Terrace, Dover, Delaware 19904, appointed as a member of the Board of Trustees of the University of Delaware to serve a six-year term to expire May 27, 2003.

Mr. P. Coleman Townsend, Jr., 7 Dodd's Lane, Rehoboth Beach, Delaware 19971-1673, appointed as a member of the Board of Trustees of the University of Delaware to serve a six-year term to expire May 27, 2003.

The above appointees are not gubernatorial appointments.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *

HB 236 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 236 - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL DRIVERS ACT.

SA 1 to HB 236, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Henry.

Senator Venables commented.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Marshall, McBride) ABSENT; therefore, **SA 1 to HB 236** was declared part of the bill.

Senators Cook and Bonini commented.

HB 236 w/SA 1 was now before the Senate.

Senator Venables questioned the floor manager, after which Senator Henry requested the privilege of the floor for Jerome A. Emerson, representing Department of Motor Vehicles.

The witness was excused after addressing the Senate.

Senator Henry requested the privilege of the floor for Lt. Robert Yonker, representing Delaware State Police.

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

A roll call vote was taken on the amended bill and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (Still) ABSENT; therefore, **HB 236 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

Senators Marshall and McBride were marked present during the above roll call.

HB 245 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 245 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM.

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 245** was declared passed the Senate and returned to the House.

SB 154 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 154 - AN ACT TO AMEND CHAPTER 291, VOLUME 66, LAWS OF DELAWARE, AS AMENDED, ENTITLED: "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON" RELATING TO THE ESTABLISHMENT OF A SPECIFIC DATE FOR THE ANNUAL ELECTION OF COUNCIL MEMBERS OF THE TOWN OF CLAYTON. 2/3 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 154** was declared passed the Senate and sent to the House for consideration.

SB 123 was brought before the Senate for consideration on motion of Senator Blevins.

SB 123 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE NURSING PRACTICE ACT. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 123** was declared passed the Senate and sent to the House for consideration.

SB 158 was brought before the Senate for consideration on motion of Senator Blevins.

SB 158 - AN ACT TO AMEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO MUNICIPAL ELECTIONS AND QUALIFICATIONS OF THE MAYOR. 2/3 VOTE

Senator McBride questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 158** was declared passed the Senate and sent to the House for consideration.

HB 214 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 214 - AN ACT TO AMEND CHAPTER 158, VOLUME 36, LAWS OF DELAWARE AS AMENDED, BEING THE CHARTER OF THE CITY OF DOVER, RELATING TO SALARY, EMOLUMENTS AND REIMBURSEMENT OF EXPENSES TO THE MAYOR, COUNCIL, AND OTHER ELECTED OR APPOINTED OFFICIALS. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 214** was declared passed the Senate and returned to the House.

HS 1 for HB 33 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HS 1 for HB 33 - AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE DIVISION OF MOTOR VEHICLES, DEPARTMENT OF PUBLIC SAFETY. 3/5 VOTE

Senator Sharp questioned the floor manager, after which Senator Henry requested the privilege of the floor for Capt. Douglas Hancock, representing Delaware State Police.

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

Several Senators commented.

Senator Henry moved to lay **HS 1 for HB 33** on the table. No objection.

SB 128 was brought before the Senate for consideration on motion of Senator Sharp.

SB 128 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING CERTAIN CRIMES.

Senator Bair questioned the sponsor, after which Senator Sharp requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

Senators Bonini and Reed questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Amick, Bair, Venables) NO; therefore, **SB 128** was declared passed the Senate and sent to the House for consideration.

SB 129 was brought before the Senate for consideration on motion of Senator Sharp.

SB 129 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE REGARDING ABANDONMENT OF AN INFIRM ADULT.

Senator Sharp requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 129** was declared passed the Senate and sent to the House for consideration.

SB 130 was brought before the Senate for consideration on motion of Senator Sharp.

SB 130 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING SENTENCING IN CRIMINAL CASES.

Senator Sharp requested the privilege of the floor for Steven Wood, representing Attorney General's office.

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

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 130** was declared passed the Senate and sent to the House for consideration.

SB 131 was brought before the Senate for consideration on motion of Senator Sharp.

SB 131 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING IN CRIMINAL CASES.

SA 1 to SB 131 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator Sharp requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

Senator Bair questioned the witness.

The witness stayed on the floor to testify on the bill.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 131** was declared part of the bill.

SB 131 w/SA 1 was now before the Senate.

Senator Venables questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 131 w/SA 1** was declared passed the Senate and sent to the House for consideration.

At 4:22 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:15 p.m. with Lt. Governor Minner presiding.

HB 224 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 224 w/HA 1 - AN ACT TO AMEND CHAPTER 463, VOLUME 69, LAWS OF DELAWARE, AS AMENDED BY SECTION 81, CHAPTER 118, VOLUME 70 LAWS OF DELAWARE AND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD PREVENTION BUREAU OF THE OFFICE OF THE INSURANCE COMMISSIONER. 3/5 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 224 w/HA 1** was declared passed the Senate and returned to the House.

SENATE CONSENT CALENDAR #8 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SR 19 - CONGRATULATING MAJOR KEITH I. FAULKNER ON HIS PROMOTION TO THE RANK OF CHIEF OF POLICE FOR THE CITY OF DOVER. Sponsor: Senators Still, Cook & Vaughn

SCR 36 - COMMENDING THE 1996-97 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. Sponsor: Senator Reed & Senator Sorenson & Representative Ulbrich & Representative Maier

HS 1 for HCR 18 - REQUESTING THAT THE CONGRESSIONAL DELEGATION FOR THE STATE OF DELAWARE REVIEW THE NATIONAL FLOOD INSURANCE REFORM ACT OF 1994 AND MAKE APPROPRIATE RECOMMENDATIONS. Sponsor: Representatives Lofink, Oberle & Roy; Representatives Welch, Capano, Carey, Cloutier, Davis, DiPinto, Ewing, Lee, Maroney, Petrilli, Banning, West; Senator Sokola

A roll call vote was taken on **SENATE CONSENT CALENDAR #8** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolution was returned to the House.

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

The Secretary of the Senate read the agenda for June 17, 1997.

At 5:24 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 17, 1997.

The Senate reconvened at 2:32 p.m. on June 17, 1997 with Lt. Governor Minner presiding.

SENATE CITATION ANNOUNCEMENTS #2 AND #3 - S139:96-287 and S139:288-329 inclusive were introduced and a copy made available to each Senator.

The following committee reports were announced:

From Public Safety: **HB 144 w/HA 1 & 2** - 3 Merits.

From Natural Resources: **HB 169** - 3 Merits.

From Executive: **Katherine Lee** - 6 Merits; **Keith Dorman** - 6 Merits; **Sheila G. Blakely** - 6 Merits; **Rosiland Toulson** - 1 Favorable, 5 Merits; **Charles M. Stump** - 1 Favorable, 5 Merits; **Robert I. Samuel** - 6 Merits; **Agnes E. Pennella** - 1 Favorable, 5 Merits; **Howard W. Mulvaney, III** - 1 Favorable, 5 Merits; **Diana Jones** - 6 Merits; **Edward G. Davis** - 6 Merits; **Richard S. Cordrey** - 6 Favorable; **Dennis E. Klima** - 6 Merits; **P. Coleman Townsend, Jr.** - 3 Favorable, 3 Merits; **William T. Allen** - 2 Favorable, 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 75; HB 127; HB 212 w/HA 1; HB 225; HB 249 w/HA 1; HB 252; HB 253; HB 258; HB 277; HB 311; SB 103; SB 126; SB 150; SB 157.**

At 2:35 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 36th Legislative Day.

**36TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION**

JUNE 17, 1997

The Senate convened at 2:35 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 17, 1997**

The following legislation was introduced and assigned to committee on June 16, 1997:

SB 176 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REQUIREMENTS FOR ISSUANCE OF DRIVERS LICENSE TO PERSONS UNDER 18. 2/3 VOTE Sponsor: Senator Sokola & Hauge; Representative Maier; Senators Blevins, Bunting, Sharp, Sorenson & Still; Representative Roy. To: **Public Safety**.

The following legislation was introduced and assigned to committee on June 17, 1997:

SB 172 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE APPOINTMENT OF THE HEARING BOARDS PURSUANT TO THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS. Sponsor: Senators Adams & Voshell; Representatives Ewing, Buckworth, Quillen, West, Lee, B. Ennis & Van Sant. To: **Executive**.

SB 173 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FLUORIDATION OF WATER SUPPLIES. Sponsor: Senator Blevins and Representative Maier; Senators Henry, McDowell, Sokola, Bair, Sorenson; Representatives Capano, Roy and Price. To: **Health and Social Services**.

SB 174 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SOCIAL SECURITY NUMBERS ON DRIVER'S LICENSES AND IDENTIFICATION CARDS ISSUED BY THE DIVISION OF MOTOR VEHICLES. Sponsor: Senator Henry & Representative Ewing. To: **Public Safety**.

SB 175 - AN ACT TO AMEND TITLE 19, SECTION 1310 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Senator McBride & Representative Oberle; Senators Blevins, McDowell; Representatives Banning, DiLiberto, Houghton, Plant, Scott, Spence, Welch & Williams. To: **Laid on the Table**.

SB 177 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT. Sponsor: Senators Henry, Blevins, Bunting, Marshall, McDowell, Sokola, Bonini; Representatives Brady, Buckworth, Capano, Carey, Cloutier, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Maroney, Petrilli, Plant, Price, Schroeder, Scott, Stone, Ulbrich & Williams. To: **Finance**.

HB 75 - AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE, RELATING TO THE DELAWARE COMMISSION OF VETERANS AFFAIRS. Sponsor: Representative West; Representatives Banning, Buckworth, Capano, Cloutier, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Mack, Maroney, Petrilli, Plant, Price, Schroeder, Scott, Stone, Van Sant, Wagner, Welch, Williams, Spence; Senators Adams, Blevins, Bunting, Bonini, Hauge, Henry, Marshall, McBride, McDowell, Still, Vaughn, Voshell. To: **Administrative Services**.

HB 127 - AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS. Sponsor: Representatives Quillen. To: **Corrections**.

HB 212 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Representative Smith & Senator Vaughn. To: **Public Safety**.

HB 225 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE, AND PROVIDING FOR A "UNIFORM FOREIGN-MONEY CLAIMS ACT". Sponsor: Representative Wagner & Senator Sharp; Representatives Capano, D. Ennis, Ewing. To: **Judiciary**.

HB 249 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC LAWS. Sponsor: Representative Ewing & Senator Henry; Representatives Spence, Smith, Boulden, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Maier, Quillen, Reynolds, Roy, Ulbrich, Van Sant, B. Ennis; Senators Sharp, McDowell, Blevins, Bunting, Sokola, Voshell, Bair, Amick, Connor, Reed, Sorenson, Still. To: **Public Safety**.

HB 252 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE. Sponsor: Representative Van Sant; Representatives Banning, Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Lee, Lofink, Maroney, Quillen, Ulbrich, Wagner, West, Spence; Senators Bair, Blevins, Sorenson, Vaughn, Venables, Voshell. To: **Corrections**.

HB 253 - AN ACT TO AMEND CHAPTER 13, TITLE 10 OF THE DELAWARE CODE RELATING TO TRANSFER OF JUDGEMENTS FROM THE COURT OF COMMON PLEAS. Sponsor: Representative DiLiberto; Representatives Banning, Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lofink, Maier, Maroney, Plant, Schroeder, Scott, Stone, Van Sant, Wagner, Welch, West, Williams, Spence; Senators Amick, Bair, Connor, Cook, Hauge, Reed, Sorenson, Still, Voshell. To: **Judiciary**.

HB 258 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Representative Oberle & Senator Blevins. To: **Judiciary**.

HB 277 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REPEAL OF CERTAIN CRIMINAL STATUTES. Sponsor: Representative Wagner & Senator Sharp. To: **Judiciary**.

HB 311 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Representatives Roy & Schroeder & Senator Venables; Representatives Banning, Brady, Capano, Cloutier, B. Ennis, Ewing, Lee, Petrilli, Price, Stone, Ulbrich, Wagner; Senators Voshell, Sokola, McDowell and Bunting. To: **Administrative Services**.

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HB 146 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 146 - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Marshall, Still) NO, 1 (Bunting) ABSENT; therefore, **HB 146** was declared passed the Senate and returned to the House.

Senators Blevins, Henry and McBride were marked present during the above roll call.

HB 144 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 144 w/HA 1 & 2 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

Senator Venables commented.

Senator Henry requested the privilege of the floor for Capt. David Deputy, representing Delaware State Police.

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

Senator Henry moved to lay **HB 144 w/HA 1 & 2** on the table. No objection.

SB 86 was lifted from the table and brought before the Senate for consideration on motion of Senator Henry.

SB 86 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS.

SA 1 to SB 86 was introduced and brought before the Senate for consideration on motion of Senator Henry.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Amick, McBride, Sorenson, Still, Venables) NO; therefore, **SA 1 to SB 86** was declared part of the bill.

Senator Bunting was marked present during the above roll call.

SB 86 w/SA 1 was now before the Senate.

Senator Henry requested the privilege of the floor for Capt. David Deputy, representing Delaware State Police.

Several Senators questioned the witness, after which Senator Henry requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Connor questioned the witness, after which the witnesses were excused.

SB 86 w/SA 1 was laid on the table on motion of Senator Henry.

A messenger from the Governor was announced and admitted.

Senator Bunting requested the privilege of the floor for Allison White, Miss Delaware 1997.

Senator Bunting presented a tribute to Miss White, after which she was excused.

Senator Adams requested the privilege of the floor for Megan Corman, Miss Delaware Pre-Teen 1997. Senator Adams presented a tribute to Miss Corman, after which she was excused.

Senator Venables requested the privilege of the floor for Jesse Savage, Outstanding Wrestler - Sussex Central High School. Senator Venables presented a tribute to Mr. Savage. Senator Connor commented, after which he was excused.

Senator Adams requested the privilege of the floor for Amy Parker, representing Jr. National Teenager. Senator Adams presented a tribute to Miss Parker, after which she was excused.

Senator McDowell requested the personal privilege of the floor to introduce the Summer Youth Program Counselors.

SB 48 was brought before the Senate for consideration on motion of Senator Henry.

SB 48 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 48** was declared passed the Senate and sent to the House for consideration.

SB 162 was brought before the Senate for consideration on motion of Senator Henry.

SB 162 - AN ACT TO AMEND TITLES 7, 10, 13, 16, 18, 21, 29 AND 30 OF THE DELAWARE CODE RELATING TO PATERNITY AND CHILD SUPPORT OBLIGATIONS AND THE DIVISION OF CHILD SUPPORT ENFORCEMENT.

SA 1 to SB 162 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SA 1 to SB 162** was declared part of the bill.

SB 162 w/SA 1 was now before the Senate.

Senator Blevins requested a communication from the Delaware Bankers Association be read in its entirety for the record of the Senate Journal.

Senator Blevins requested the privilege of the floor for Carmen Nazzario, Secretary of Health and Social Services.

Several Senators questioned the witness, after which Senator Blevins requested the privilege of the floor Peter Feliceangeli, representing Delaware Department of Justice.

Mr. Feliceangeli was excused after addressing the Senate.

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

Senators Bonini and Blevins commented.

A roll call vote was taken and revealed 17 Senators voting YES, 2 (Bonini, Venables) NO, 1 (McDowell) NOT VOTING, 1 (Sharp) ABSENT; therefore, **SB 162 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 169 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 169 - AN ACT TO AMEND CHAPTER 9, TITLE 7, OF THE DELAWARE CODE, RELATING TO FEDERAL FISHERIES MANAGEMENT PLANS.

Senator Still questioned the floor manager, after which Senator McBride requested the privilege of the floor for Roy W. Miller, representing Delaware Division of Fish and Wildlife.

Senator Bunting questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 169** was declared passed the Senate and returned to the House.

At 5:00 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:40 p.m. with Senator Sharp presiding.

At 5:41 p.m. Lt. Governor Minner presiding.

SB 137 was brought before the Senate for consideration on motion of Senator Marshall.

SB 137 - AN ACT TO AMEND CHAPTER 7, TITLE 19, OF THE DELAWARE CODE, RELATING TO REPLACEMENT WORKERS.

Senator Bair requested the privilege of the floor for Andrew Stayton, representing Delaware State Chamber of Commerce.

The witness was excused after addressing the Senate.

Senators Venables and Bunting questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Edward Peterson, representing A.F.L.-C.I.O. of Delaware. The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Amick, Bair, Bonini, Bunting, Hauge, Reed, Sorenson, Still, Venables) NO; therefore, **SB 137** was declared passed the Senate and sent to the House for consideration.

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

The Secretary of the Senate read the agenda for June 18, 1997.

At 6:03 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on June 18, 1997.

The Senate reconvened 4:36 p.m. on June 18, 1997 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Insurance and Elections: **SB 171** - 3 Merits.

From Public Safety: **SB 174** - 4 Merits; **SB 176** - 4 Merits; **HB 249 w/HA 1** - 4 Merits.

From Executive: **SB 172** - 4 Merits; **HB 99 w/HA 1** - 4 Merits; **Jana E. Molloy** - 5 Favorable; **Adam Balick** - 5 Merits; **Thomas Brown** - 1 Favorable, 5 Merits; **Terry L. Smith** - 1 Favorable, 5 Merits.

From Corrections: **HB 49 w/HA 2** - 3 Merits; **HB 127** - 3 Merits; **HB 186 w/HA 2** - 3 Merits; **HB 199** - 3 Merits; **HB 252** - 3 Merits.

From Natural Resources: **HB 304** - 3 Merits; **SS 2 to SB 127** - 3 Merits.

From Small Business: **SB 58** - 1 Merit, 2 Unfavorable; **HB 311** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 222 w/HA 1**; **HS 1 for HB 239**; **HB 288**; **HB 183**; **HB 184**; **HB 221**; **HB 264**; **HB 274**; **HB 279**; **HB 286**; **HB 287**; **HB 292**; **HS 1 for HCR 24**; **HCR 34**; **HB 139**; **HB 207**; **HB 267**; **HB 263 w/HA 1 & 3**; **HB 188 w/HA 1**; **HB 262 w/HA 1**; **SB 104**; **SB 105**; **SB 107**; **SB 110 w/SA 1**; **SB 113 w/SA 1**; **SB 139**; **SB 160**; **SB 161**; **SB 75**; **SB 147 w/SA 3**.

A communication from the President Pro Tempore, Thomas B. Sharp was read informing the Senate that Representative Price was added as a co-sponsor to **SB 170**.

A communication from Senator Richard A. Hauge was read informing the Senate that Senator Bonini was added as a co-sponsor to **SB 182**.

A communication from Senator Patricia M. Blevins was read informing the Senate that Representative Schroeder was added as a co-sponsor to **SB 173**.

A communication was read from the U.S. Department of Transportation informing the Senate that they received a copy of **SR 13**.

At 4:45 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 37th Legislative Day.

**37TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 18, 1997**

The Senate convened at 4:45 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Reed.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 18, 1997**

The following legislation was introduced and assigned to committee on June 17, 1997:

**HB 311 - REASSIGNED FROM ADMINISTRATIVE SERVICES
TO SMALL BUSINESS.**

SA 2 to SB 86 – Senator Henry – Placed with the bill.

SA 1 to SB 88 – Senator Blevins – Placed with the bill.

SA 2 to SB 146 – Senator Still – Placed with the bill.

SA 1 to HB 144 – Senator Sharp – Placed with the bill.

The following legislation was introduced and assigned to committee on June 18, 1997:

SB 173 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FLUORIDATION OF WATER SUPPLIES. Sponsor: Senator Blevins and Representative Maier; Senators Henry, McDowell, Sokola, Bair, Sorenson; Representatives Capano, Roy and Price. To: **Health and Social Services**.

SB 178 - AN ACT TO AMEND CHAPTERS 11 AND 5, 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. Sponsor: Senator Sharp & Representative Davis. To: **Judiciary**.

SB 179 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ORTHOPEDICALLY DISABLED CHILDREN. Sponsor: Senator Venables. To: **Education**.

SB 180 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CRIMINAL PENALTIES. Sponsor: Senator McBride & Representative Mack; Senator Voshell. To: **Natural Resources**.

SB 181 - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS. 3/5 VOTE. Sponsor: Senator Cook & Representative DiPinto. To: **Finance**.

SB 182 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL RULES AND REGULATIONS. Sponsor: Senator Hauge & Senator Sokola & Representative Reynolds; Senators Bunting, Bair, Amick, Reed, Sorenson, Still; Representatives Smith, Boulden, Cloutier, Mack, Ulbrich. To: **Education**.

SCR 37 - URGING ACTION BY THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE ATTORNEY GENERAL REGARDING ORDER NO. 97-F-0017 CONCERNING THE HARVESTING OF HORSESHOE CRABS. Sponsor: Senator Still Representative B. Ennis. To: **Natural Resources**.

HB 139 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO STATE PROCUREMENT. Sponsor: Representative Reynolds; Representatives Capano, Caulk, Davis, DiPinto, Fallon, Lee, Lofink, Mack, Maier, Maroney, Ulbrich, Wagner, Banning, Brady, B. Ennis, Gilligan, Houghton, Plant, Scott, Van Sant. To: **Administrative Services**.

HB 183 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE REGULATION OF EMPLOYEES. Sponsor: Representative Scott; Representatives Banning, Brady, Buckworth, Capano, Cloutier, Caulk, B. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Plant, Price, Quillen, Reynolds, Ulbrich, Van Sant, Welch, West, Williams, Spence; Senators Bunting, Bonini, Connor, Still. To: **Finance**.

HB 184 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FEES AND COSTS. Sponsor: Representative Wagner & Senator Sharp. To: **Judiciary**.

HB 188 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Representative Wagner & Senator Sharp. To: **Judiciary**.

HB 207 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Representatives DiPinto & Maier & Senators Sharp, Blevins & Amick; Representatives Boulden, Capano, D. Ennis, Lofink. To: **Small Business**.

HB 221 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. Sponsor: Representative Van Sant; Representatives Banning, Boulden, Brady, Buckworth, Cloutier, Caulk, Davis, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier, Maroney, Oberle, Plant, Price, Quillen, Schroeder, Smith, Ulbrich, West, Spence;

Senators Amick, Bair, Blevins, Bonini, Connor, Marshall, McDowell, Reed, Vaughn, Voshell.
To: **Labor**.

HB 222 w/HA 1 - AN ACT TO AMEND CHAPTER 15, TITLE 24 OF THE DELAWARE CODE RELATING TO PUBLIC EATING PLACES. Sponsor: Representative DiLiberto; Representatives Banning, Buckworth, Capano, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Houghton, Keeley, Oberle, Plant, Reynolds, Scott, Van Sant, Wagner, Welch, West, Williams, Spence; Senator Vaughn. To: **Executive**.

HS 1 to HB 239 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FAIR SHARE FEES AND THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Representative Oberle. To: **Labor**.

HB 262 w/HA 1 - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO FOOD FISH DEALER REPORTING. Sponsor: Representative Price. To: **Natural Resources**.

HB 263 w/HA 1 & 3 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE AND EMERGENCY MANAGEMENT. Sponsor: Representative Gilligan & Senator Voshell; Representatives Banning, Buckworth, Carey, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Houghton, Lofink, Plant, Quillen, Reynolds, Schroeder, Van Sant, West, Williams, Spence; Senator Henry. To: **Executive**.

HB 264 - AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF CAMDEN. 2/3 VOTE. Sponsor: Representative Buckworth & Senator Bonini. To: **Community/County Affairs**.

HB 267 - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION INSURANCE. Sponsor: Representative Oberle & Senator Marshall. To: **Labor**.

HB 274 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Representative Reynolds; Representatives Spence, Welch, Smith, Boulden, Buckworth, Capano, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, Williams. To: **Education**.

HB 279 - AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF SMYRNA. 2/3 VOTE. Sponsor: Representative B. Ennis & Senator Vaughn; Representative Welch, Senator Cook. To: **Community/County Affairs**.

HB 286 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TAMPERING WITH A JUROR. 2/3 VOTE. Sponsor: Representative Wagner. To: **Corrections**.

HB 287 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JUROR MISCONDUCT. 2/3 VOTE. Sponsor: Representative Wagner. To: **Corrections**.

HB 288 - AN ACT TO AMEND CHAPTER 25, TITLE 11 OF THE DELAWARE CODE RELATING TO EXTRADITION PROCEDURES. Sponsor: Representative Wagner & Senator Sharp; Senator Vaughn. To: **Judiciary**.

HB 292 - AN ACT TO AMEND CHAPTER 34, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES", TO GRANT THE TOWN COUNCIL OF THE TOWN OF BLADES THE POWER AND THE AUTHORITY TO ENACT AN ORDINANCE OR ORDINANCES TO LEVY, ASSESS AND COLLECT OR PROVIDE THE LEVYING, ASSESSMENT AND COLLECTION OF SUCH TAXES AS SHALL BE DETERMINED BY THE TOWN COUNCIL OF THE TOWN OF BLADES TO BE PAID BY THE TRANSFEROR OR TRANSFEREE UPON THE TRANSFER OF REAL PROPERTY OR ANY INTEREST IN REAL PROPERTY, SITUATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF BLADES, SAID TRANSFER TAX NOT TO EXCEED ONE PERCENT (1%) OF THE SALES PRICE (INCLUDING THE VALUE OF ANY ASSUMED MORTGAGE OR MORTGAGES) OR FAIR MARKET VALUE OF THE REAL PROPERTY SO TRANSFERRED; AND PROVIDED FURTHER THAT NO TAX SHALL BE LEVIED UPON AN ORGANIZATION EXEMPTED FROM AD VALOREM REAL ESTATE TAXES. 2/3 VOTE. Sponsor: Representative Fallon and Senator Venables. To: **Community/County Affairs**.

HS 1 for HCR 24 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) TO PROCEED WITH THE NECESSARY STEPS AND PROCESSES TO ANALYZE THE NAAMANS CREEK WATERSHED. Sponsor: Representative Smith & Senator Bair. To: **Natural Resources**.

The following nominations from the Governor were assigned to the Executive Committee on June 18, 1997:

STATE OF DELAWARE
Office of the Governor
June 17, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Adam Balick, 817 West 22nd Street, Wilmington, Delaware 19802, to be appointed Chairman of the Delaware Alcoholic Beverage Control Commission to serve a term during the pleasure of the Governor, to replace Ronald Stoner, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 17, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Ms. Jana E. Mollohan, R.D. 2, Box 170 C, Bridgeville, Delaware 19933, to be appointed as a Justice of the Peace for Sussex County for a four-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 18, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
No:man D. Griffiths, 2101 N. Madison Street, Wilmington, Delaware 19802, to be appointed to the Board of Trustees of the Delaware Technical and Community College to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

A communication from Senator Robert J. Voshell was read informing the Senate that Representative Quillen requested to be added as a co-sponsor to SB 113.

A communication from the President Pro Tempore, Senator Thomas B. Sharp was read regarding **HCR 21 aab SA 2**.

SCR 38 was introduced and brought before the Senate for consideration on motion of Senator Voshell.

SCR 38 - COMMENDING THE 1997 GIRLS' STATE PARTICIPANTS, HELD UNDER THE AUSPICES OF THE LADIES AUXILIARY OF THE AMERICAN LEGION, FOR THEIR DEVOTION AND INTEREST IN STATE GOVERNMENT; AND EXTENDING TO THE LADIES AUXILIARY CONGRATULATIONS ON A VERY SUCCESSFUL PROGRAM. Sponsor: Senator Voshell & Representative Fallon.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **SCR 38** was declared adopted by the Senate and sent to the House for consideration. Senators Marshall, McDowell and Hauge were marked present during the above roll call. Senator Amick was marked present.

HB 144 w/HA 1 & 2 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 144 w/HA 1 & 2 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. 2/3 VOTE

SA 1 to HB 144, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 1 to HB 144** was declared part of the bill.

HB 144 w/HA 1, 2 & SA 1 was now before the Senate.

Senator Bunting commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) NO; therefore, **HB 144 w/HA 1, 2 & SA 1** was declared passed the Senate and sent to the House for reconsideration.

SB 86 w/SA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Henry.

SB 86 w/SA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS.

SA 1 to SB 86 was reconsidered and the roll call was rescinded, after which the amendment was stricken, on motion of Senator Henry. No objection.

SA 2 to SB 86, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Henry.

Senator McBride commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 86** was declared part of the bill.

SA 3 to SB 86 was introduced and brought before the Senate for consideration on motion of Senator Bair.

Senator Still questioned the sponsor, after which Senator Henry requested the privilege of the floor for Tom McGonigle, representing the Governor's office.

The witness was excused after addressing the Senate.

Senator Bair commented.

Senator Henry moved to lay **SA 3 to SB 86** and **SB 86** on the table. No objection.

HB 249 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 249 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC LAWS.

Senator Henry moved to lay **HB 249 w/HA 1** on the table. No objection.

SB 174 was brought before the Senate for consideration on motion of Senator Henry.

SB 174 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SOCIAL SECURITY NUMBERS ON DRIVER'S LICENSES AND IDENTIFICATION CARDS ISSUED BY THE DIVISION OF MOTOR VEHICLES.

Senator Hauge questioned the sponsor, after which Senator Henry requested the privilege of the floor for Arthur G. Ericson, representing Division of Motor Vehicles.

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

A roll call vote was taken and revealed 18 Senators voting YES, 3 (McBride, Sharp, Vaughn) NO; therefore, **SB 174** was declared passed the Senate and sent to the House for consideration.

SB 86 w/SA 2 was lifted from the table and brought before the Senate for consideration on motion of Senator Henry.

SA 3 to SB 86 was lifted from the table and stricken on motion of Senator Bair.

SA 2 to SB 86 was reconsidered and the roll call was rescinded, after which the amendment was stricken, on motion of Senator Henry. No objection.

SB 86 was now before the Senate.

A roll call vote was taken and revealed 13 Senators voting YES, 8 (Adams, Amick, Bonini, Bunting, McBride, Sharp, Still, Vaughn) NO; therefore, **SB 86** was declared passed the Senate and sent to the House for consideration.

SS 2 to SB 127 was brought before the Senate for consideration on motion of Senator Vaughn.

SS 2 to SB 127 - AN ACT TO AMEND CHAPTER 28, TITLE 7, DELAWARE CODE RELATING TO USE OF TRAWLINES IN HARVESTING CONCH.

Senator Henry questioned the sponsor, after which Senator Vaughn requested the privilege of the floor for Edward Davis, representing himself.

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

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SS 2 to SB 127** was declared passed the Senate and sent to the House for consideration.

SB 164 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 164 - AN ACT TO AMEND CHAPTER 69, TITLE 10, OF THE DELAWARE CODE RELATING TO APPEALS IN HABEAS CORPUS CASES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SB 164** was declared passed the Senate and sent to the House for consideration.

At 5:50 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 6:12 p.m. with Lt. Governor Minner presiding.

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

The Secretary of the Senate read the agenda for June 19, 1997.

At 6:15 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 19, 1997.

The Senate reconvened 3:20 p.m. on June 19, 1997 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Services: **SB 156** - 4 Merits; **HB 200** - 4 Merits.

From Community/County Affairs: **HB 279** - 3 Merits; **HB 292** - 3 Merits; **HB 264** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 251 w/HA 1; HB 261; HB 141 w/HA 1; HCR 28 w/HA 1 & 2; HCR 36; HCR 35; HJR 11; HJR 12; SCR 36; SCR 38.**

The following committee reports were announced:

From Labor: **HB 216** - 3 Merits; **SB 183** - 1 Favorable, 2 Merits; **SB 184** - 3 Merits; **HB 267** - 3 Merits; **HB 221** - 3 Merits; **HS 1 for HB 239** - 1 Favorable, 2 Merits.

The following Veto message from the Governor was approved as read on motion of Senator Voshell.

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

June 13, 1997

TO THE MEMBERS OF THE DELAWARE STATE SENATE OF THE 139TH GENERAL ASSEMBLY:

On June 4, 1997, I received **Senate Bill No. 54**, which is entitled:

“AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.”

I am returning **S.B. 54** to the Senate without my signature.

S.B. 54 amends Section 2140 of Title 21 of the Delaware Code to permit members of the “Fraternal Order of Firemen Wilmington Retired Firefighters” to obtain special registration plates, provided that a least 50 members apply to the Division of Motor Vehicles for such license plates.

On May 15, 1996, I advised the General Assembly of my intention to veto any future bills seeking to further amend the special license plate application process set forth in Section 2140. A copy of that communication is attached. Section 2140 was enacted in February 1994 and outlines the process whereby members of non-profit organizations may obtain a special plate if at least 200 applications for such a plate are received from the organization's members. Last May, it became apparent that the proliferation of statutory exceptions to Section 2140's requirement of 200 members were becoming costly to Delaware taxpayers and distracting the Division of Motor Vehicles from other important responsibilities. A license plate is primarily a vehicle identification device. While I have the highest regard for groups such as the Wilmington Retired Firefighters and many others seeking special license plates, I stated at that time, and reiterate today, our need to restore order to the license plate process and to permit the Division of Motor Vehicles to focus on public safety and motor vehicle administration functions.

For these reasons, I advised the General Assembly of my intention to veto any future bills creating exceptions to the special plate application process set forth in Section 2140. Consistent with that advisory, I return S.B. 54 to the Senate without my signature.

Sincerely,
(Signed) Thomas R. Carper
* * *

At 3:25 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 38th Legislative Day.

**38TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 19, 1997**

The Senate convened at 3:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 19, 1997**

The following legislation was introduced and assigned to committee on June 18, 1997:

SA 1 to SB 92 – Senator Voshell – Placed with the bill.

SB 187 - AN ACT TO AMEND AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF KENNETH SCOTT GRAHAM AND SANDRA MARKS-RUSIN, NON-RESIDENTS OF THE STATE OF DELAWARE. Sponsor: Senator Voshell. To: **Laid on the Table.**

The following legislation was introduced and assigned to committee on June 19, 1997:

SB 183 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ECONOMIC DEVELOPMENT TRAINING ACT. Sponsor: Senator Marshall & Representative Oberle. To: **Labor.**

SB 184 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Senator McBride & Representative Oberle; Senators Blevins, McDowell; DiLiberto, Houghton, Plant, Scott, Spence, Welch & Williams. To: **Labor**.

SB 185 - AN ACT TO AMEND TITLE 11 RELATING TO DEADLY WEAPONS. Sponsor: Senators Blevins & Voshell; Representatives Capano & Petrilli; Senators McDowell, Henry, Bair & reed; Representatives D. Ennis, Scott, Williams, Keeley, Plant, Spence, Buckworth, Maier, Ulbrich & DiPinto. To: **Public Safety**.

SB 186 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH AS AMENDED, WITH REGARD TO THE PROCEDURES FOR SALE OF THE CITY OF REHOBOTH BEACH'S REAL AND PERSONAL PROPERTY. 2/3 VOTE. Sponsor: Senator Bunting & Representative Schroeder. To: **Community/County Affairs**.

SB 188 - AN ACT TO AMEND TITLE 9, TITLE 24 AND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF REAL PROPERTY FOR THE PURPOSE OF AD VALOREM TAXATION BY COUNTY GOVERNMENTS AND SCHOOL DISTRICTS. Sponsor: Senator Vaughn & Representative Stone. To: **Judiciary**.

SB 189 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO FEES AND TAXES. Sponsor: Senator Vaughn, Representative D. Ennis. To: **Insurance**.

SB 190 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DONATED LEAVE PROGRAM(S) FOR SCHOOL EMPLOYEES; AND SICK LEAVE. Sponsor: Senator McBride & Representative Oberle; Representatives Quillen Wagner & Schroeder. To: **Education**.

SB 191 - AN ACT RELATING TO THE PURCHASE OF CERTAIN HORSESHOE CRAB COLLECTING PERMITS. Sponsor: Senators Voshell & Still; Representative Carey; Senators Bunting, Venables, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson; Representative Caulk & Quillen. To: **Natural Resources**.

SB 192 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM. Sponsor: Senator Sharp & Representative Lee; Senator Vaughn. To: **Corrections**.

HB 141 w/HA 1 - AN ACT DIRECTING THE SECRETARY OF EDUCATION TO CREATE A PILOT PROJECT TO CHANGE THE DATE OF THE UNIT COUNT. Representative Boulden & Senator Amick; Representative Smith, Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, Ewing, Fallon, Lee, Maroney, Oberle, Petrilli, Quillen, Roy, Stone, Ulbrich, Gilligan, Brady, Houghton, Price, West; Senator Hauge. To: **Education**.

HB 251 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRESPASSING WITH INTENT TO PEER OR PEEP. Sponsor: Representative D. Ennis. To: **Judiciary**.

HB 261 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Representative Brady; Representatives Banning, Buckworth, Carey, Caulk, DiPinto, B. Ennis, Ewing, Keeley, Lofink, Plant, Reynolds, Scott, Van Sant, West; Senators Bair, Hauge. To: **Public Safety**.

HCR 28 w/HA 1 & 2 - RE-ESTABLISHING A JOINT TASK FORCE TO REVIEW HOME BUILDER PRACTICES AND REGULATION IN DELAWARE. Sponsor: Representatives Spence & Oberle and Senators Sharp & McBride; Representatives Smith, Welch, Buckworth, Capano, Maroney, Maier, Ulbrich, Wagner; Senators Bair, Connor. To: **Community/County Affairs**.

* * *

SB 187 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Voshell.

SB 187 - AN ACT TO AMEND AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF KENNETH SCOTT GRAHAM AND SANDRA MARKS-RUSIN, NON-RESIDENTS OF THE STATE OF DELAWARE.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bonini, Cook, Henry, McBride, Sorenson) ABSENT; therefore, **SB 187** was declared passed the Senate and sent to the House for consideration.

Senator McDowell was marked present during the above roll call.

Senator Voshell deferred to Senator McDowell.

HJR 11 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McDowell.

HJR 11 - DIRECTING THE PUBLIC SERVICE COMMISSION TO COMPLETE DOCKET 97-65 BY FEBRUARY 1, 1998; REPORT ITS DECISION TO THE GOVERNOR AND THE GENERAL ASSEMBLY; AND REQUIRE DELMARVA POWER & LIGHT COMPANY TO TEMPORARILY LIMIT ITS ACTIVITIES IN CERTAIN WAYS. Sponsor: Representatives Petrilli & Oberle; Representatives Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, Williams, Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still, Venables.

Senator Bunting commented.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Bonini, Henry, McBride) ABSENT; therefore, **HJR 11** was declared passed the Senate and returned to the House.

Senators Sorenson and Cook were marked present during the above roll call.

HJR 12 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McDowell.

HJR 12 - DIRECTING THE PUBLIC SERVICE COMMISSION TO ISSUE A CONSENT ORDER REQUIRING DELMARVA POWER & LIGHT COMPANY TO SUBMIT TO AUDITS OF THEIR AFFILIATES AND NOTIFY THE COMMISSION OF CERTAIN ACQUISITIONS. Sponsor: Representatives Oberle & Petrilli; Representatives Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, Williams, Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still, Venables.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Henry) ABSENT; therefore, **HJR 12** was declared passed the Senate and returned to the House.

Senator McBride was marked present during the above roll call.

HB 243 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 243 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bonini, Bunting, Cook, Henry, Sorenson) ABSENT; therefore, **HB 243** was declared passed the Senate and returned to the House.

SB 172 was brought before the Senate for consideration on motion of Senator Adams.

SB 172 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE APPOINTMENT OF THE HEARING BOARDS PURSUANT TO THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Bonini, Bunting, Cook, Henry, Sorenson) ABSENT; therefore, **SB 172** was declared passed the Senate and sent to the House for consideration.

HB 99 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 99 w/HA 1 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES.

SA 1 to HB 99 was introduced and brought before the Senate for consideration on motion of Senator Amick.

Several Senators commented.

A roll call vote was taken and revealed 8 Senators voting YES, 8 (Adams, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Voshell) NO, 1 (Bunting) NOT VOTING, 4 (Bonini, Cook, Henry, Sorenson) ABSENT; therefore, **SA 1 to HB 99** was declared defeated.

HB 99 w/HA 1 was now before the Senate.

Senators Blevins and Bair commented.

Senator McDowell raised a point of order.

Senator Amick commented.

Senator McDowell requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Senator McDowell requested the privilege of the floor for Bud Freel, representing Wilmington City Council.

The witness was excused after addressing the Senate.

HB 99 w/HA 1 was laid on the table on motion of the floor manager, Senator Adams.

HB 249 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 249 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC LAWS.

Senator Voshell requested the privilege of the floor for Sgt. Glenn Hansen, representing Howard County Police Department.

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

Senator Voshell requested the privilege of the floor for Lt. Alex Von Koch, representing Newark Police Department.

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

Senator Vaughn questioned the floor manager, after which Senator Voshell requested the privilege of the floor for Trish Roberts, representing Office of Highway Safety.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Cook) ABSENT; therefore, **HB 249 w/HA 1** was declared passed the Senate and returned to the House.

Senator Henry was marked present during the above roll call.

HB 200 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 200 - AN ACT TO AMEND TITLES 16, 24, AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND TRANSFERRING RESPONSIBILITY FOR THE LICENSURE OF PLUMBERS FROM THE DIVISION OF PUBLIC HEALTH TO THE DIVISION OF PROFESSIONAL REGULATION.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 200** was declared passed the Senate and returned to the House.

Senator Bonini was marked present during the above roll call.

HB 197 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 197 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BIRTH DEFECTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 197 w/HA 1** was declared passed the Senate and returned to the House.

HB 304 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 304 - AN ACT TO AMEND LAWS OF DELAWARE AND TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 304** was declared passed the Senate and returned to the House.

SB 58 was brought before the Senate for consideration on motion of Senator Voshell.

SB 58 - AN ACT TO AMEND CHAPTER 35, TITLE 6 OF THE DELAWARE CODE RELATING TO LATE PAYMENTS TO SUPPLIERS UNDER CONSTRUCTION CONTRACTS.

Several Senators questioned the sponsor, after which Senator Voshell requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Adams, Venables) NO; therefore, **SB 58** was declared passed the Senate and sent to the House for consideration.

HB 99 w/HA 1 was lifted from the table and before the Senate for consideration on motion of the floor manager, Senator Adams.

A roll call vote was taken and revealed 11 Senators voting YES, 9 (Amick, Bair, Blevins, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO, 1 (McBride) NOT VOTING; therefore, **HB 99 w/HA 1** was declared passed the Senate and returned to the House.

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

SB 16 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY.

SA 1 to SB 16, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SA 1 to SB 16** was declared part of the bill.

SA 2 to SB 16, which was previously placed with the bill, was stricken on motion of Senator Blevins.

SB 16 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SB 16 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 311 was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

HB 311 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **HB 311** was declared passed the Senate and returned to the House.

Senator Sokola deferred to Senator McDowell.

HB 153 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

HB 153 w/HA 1 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Bunting) ABSENT; therefore, **HB 153 w/HA 1** was declared passed the Senate and returned to the House.

On motion of Senator Adams the following nominations by the Governor were considered:

William T. Allen, Richard S. Cordrey, Dennis E. Kilma, Katherine Lee, P. Coleman Townsend, Jr.

The above nominations were released from committee however, Senator Adams moved for the suspension of the necessary rules to facilitate one roll call taken for all five nominations.

Senator Amick commented.

A roll call was taken and revealed 21 Senators voting YES; therefore, the nominations were declared confirmed.

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

Adam Balick - 21 Senators voting YES, 2 (Connor, Still) ABSENT. Appointment confirmed.

Jana E. Mollohan - 20 Senators voting YES, 1 (Henry) ABSENT. Appointment confirmed.

Thomas P. Brown - 19 Senators voting YES, 2 (Henry, Sorenson) ABSENT. Appointment confirmed.

Terry L. Smith - 19 Senators voting YES, 2 (Henry, Sharp) ABSENT. Appointment confirmed.

Sheila Blakely - 20 Senators voting YES, 1 (Bonini) ABSENT. Appointment confirmed.

Edward G. Davis - 20 Senators voting YES, 1 (Bonini) ABSENT. Appointment confirmed.

Senator McDowell requested the personal privilege of the floor to announce Senator Henry birthday, which she will be celebrating tomorrow, June 20, 1997. Members and Staff sang Happy Birthday to her.

SENATE CONSENT CALENDAR #9 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 34 - CONGRATULATING ODESSA'S CORBIT-CALLOWAY MEMORIAL LIBRARY AS IT CELEBRATES ITS 150TH ANNIVERSARY AS DELAWARE'S FIRST FREE PUBLIC LIBRARY. Sponsor: Representative Banning; Senator Vaughn.

HCR 35 - HONORING WDEL RADIO FOR 75 YEARS OF OUTSTANDING PUBLIC SERVICE TO THE CITIZENS OF DELAWARE. Sponsor: Representative Spence and Senator Bair on behalf of all House and Senate members.

HCR 36 - RECOGNITION OF 25TH ANNIVERSARY OF AUTHORIZATION OF THE DELAWARE PROFESSIONAL ENGINEERS' ACT AND FORMATION OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. Sponsor: Representative Cloutier & Senator McBride.

SCR 39 - EXTENDING BEST WISHES TO WILLIAM T. ALLEN, CHANCELLOR OF THE DELAWARE COURT OF CHANCERY ON HIS APPOINTMENT TO THE FACULTY OF NEW YORK UNIVERSITY WHERE HE WILL SERVE AS DIRECTOR OF THE NEWLY-CREATED NEW YORK UNIVERSITY CENTER OF LAW AND BUSINESS, A JOINT VENTURE OF THE STERN SCHOOL OF BUSINESS AND THE NYU LAW SCHOOL, AND AS PROFESSOR OF LAW AND CLINICAL PROFESSOR OF BUSINESS. Sponsor: Senator Amick; Senator Hauge; Representative Brady, DiLiberto, Cloutier & Welch

A roll call vote was taken on **SENATE CONSENT CALENDAR #9** and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolution was sent to the House for consideration.

At 6:05 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 24, 1997.

The Senate reconvened 2:37 p.m. on June 24, 1997 with Lt. Governor Minner presiding.

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

DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 24, 1997

The following legislation was introduced and assigned to committee:

SA 2 to SB 88 – Senator Blevins – Placed with the bill.

SA 1 to SB 98 – Senator Venables – Placed with the bill.

SA 1 to SB 148 – Senator Henry – Placed with the bill.

SA 1 to SB 178 – Senator Sharp – Placed with the bill.

SA 1 to SB 182 – Senator Hauge – Placed with the bill.

SA 1 to HB 129 – Senator Sharp – Placed with the bill.

SB 193 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE TO ALLOW FOR EXPANSIONS TO AGRICULTURAL PRESERVATION DISTRICTS WITHIN A THREE-MILE RADIUS OF ESTABLISHED DISTRICTS AND TO CHANGE THE FOUNDATION'S ANNUAL REPORT PERIOD. Sponsor: Senator Bunting & Representative Caulk. To:

Agriculture.

SB 194 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS. Sponsor: Senator Blevins & Representatives Maier and Maroney; Senators Henry, Marshall, McDowell, Sokola, Amick, Bair & Sorenson; Representatives Capano, DiPinto & Ewing. To: **Insurance.**

SB 195 - AN ACT TO AMEND TITLES 11 AND 25 OF THE DELAWARE CODE RELATING TO TRANSFER OF JUDGEMENTS TO APPROPRIATE COURTS. Sponsor: Senators McDowell, Marshall & Henry; Representatives Scott, Williams, Keeley, Plant, DiPinto & Houghton. To: **Judiciary.**

SB 196 - AN ACT TO AMEND SECTION 1441, TITLE 11 OF THE DELAWARE CODE RELATING TO PROVIDING AN APPEAL. Sponsor: Senator Venables; Senators Adams, Vaughn, Bunting & Bonini; Representative Capano. To: **Judiciary.**

SB 197 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE PENSIONS AND THE EMPLOYMENT OF PENSION BENEFICIARIES BY THE STATE. Sponsor: Senator Cook & Representative Spence. To: **Finance.**

SB 198 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING THE IVYANE D.F. DAVIS MEMORIAL SCHOLARSHIP FUND. Sponsor: Senators McDowell and Blevins. To: **Children, Youth and their Families.**

HB 121 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Representative West; Representatives Banning, Brady, Buckworth, B. Ennis, Ewing, Houghton, Plant, Price; Senators Vaughn, Venables. To: **Labor.**

HB 178 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT FUNDING. Sponsor: Representative Ulbrich; Representatives Welch, Boulden, Capano, Carey, DiPinto, Lee, Lofink, Maier, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, Gilligan, Van Sant, Banning, DiLiberto, B. Ennis, Keeley, Plant, Price, Schroeder, Scott, West, Williams; Senators Sokola, Amick, Connor, Hauge, Reed. To: **Education.**

HB 205 w/HA 1 aab HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN MEETINGS AND DELIBERATIONS. Sponsor: Representative DiLiberto; Representatives Banning, Brady, Buckworth, Cloutier, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Mack, Plant, Price, Reynolds, Roy, Scott, Stone, Van Sant, Welch, West, Spence; Senators Adams, Cook, Henry, Still, Vaughn, Voshell. To: **Judiciary.**

HB 257 w/HA 1 - AN ACT TO AMEND TITLES 5 AND 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. 3/5 VOTE. Sponsor: Representative Capano & Senator Marshall. To: **Finance**.

* * *

The Secretary announced a message from the House informing the Senate that it had passed **HB 257 w/HA 1; HB 121 w/HA 1 & 2; HB 178; HB 205 w/HA 1**.

The following committee reports were announced:

From Education: **HB 274** - 3 Merits; **HB 141 w/HA 1** - 3 Merits; **SB 190** - 3 Merits.

From Judiciary: **HB 102 w/HA 1** - 3 Merits; **HB 188 w/HA 1** - 3 Merits; **HB 205 w/HA 1** - 3 Merits; **HB 225** - 3 Merits; **HB 253** - 3 Merits; **HB 277** - 3 Merits; **HB 288** - 3 Merits; **HJR 4 w/HA 2** - 3 Merits; **SB 53** - 3 Merits; **SB 178** - 3 Merits.

From Executive: **HB 202 w/HA 2** - 4 Merits; **HB 222 w/HA 1** - 4 Merits; **HB 263 w/HA 1 & 3** - 4 Merits.

From Health and Social Services: **HS 1 to HB 93** - 3 Merits; **SB 153** - 3 Merits; **SB 170** - 3 Merits.

From Public Safety: **SB 185** - 3 Merits.

From Natural Resources: **SB 191** - 3 Merits; **SB 180** - 3 Merits.

From Community/County Affairs: **SB 186** - 3 Merits.

From Administrative Services: **SB 99** - 4 Merits.

At 2:46 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 39th Legislative Day.

**39TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 24, 1997**

The Senate convened at 2:46 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Still.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

A messenger from the Governor was announced and admitted.

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

Lee J. Beetchsen - 21 Senators voting YES. Appointment confirmed.

Senators Marshall, Venables, Bunting and McDowell were marked present during the above roll call.

Joan Hayes Donoho - 21 Senators voting YES. Appointment confirmed.

Keith Dorman - 20 Senators voting YES, 1 (Amick) ABSENT. Appointment confirmed.

Mary Dudek - 21 Senators voting YES. Appointment confirmed.

Robert S. Ehrlich - 21 Senators voting YES. Appointment confirmed.

Daniel E. Fleming, III, Esq. - 21 Senators voting YES. Appointment confirmed.

Terrance L. Higgins - 21 Senators voting YES. Appointment confirmed.

Diana Jones - 21 Senators voting YES. Appointment confirmed.

M. C. Karia - 21 Senators voting YES. Appointment confirmed.

David F. Marvin - 20 Senators voting YES, 1 (Venables) ABSENT. Appointment confirmed.

William C. Pfeifer - 21 Senators voting YES. Appointment confirmed.

Charles E. Morris - 21 Senators voting YES. Appointment confirmed.

Grace Pierce-Beck - 21 Senators voting YES. Appointment confirmed.

SS 1 for SB 166 was adopted in lieu of the original and laid on the table on motion of Senator Vaughn.

SS 1 for SB 166 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO HEALTH INSURANCE CONCERNING MEASURES NECESSARY FOR DELAWARE TO MAINTAIN REGULATORY AUTHORITY OVER CERTAIN ASPECTS

OF HEALTH CARE COVERAGE UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", AND, IN CONNECTION THEREWITH, MAKING DELAWARE REQUIREMENTS RELATED TO THE RENEWABILITY OF HEALTH INSURANCE POLICIES, PREEXISTING CONDITION LIMITATIONS, AND GUARANTEED ISSUE OF COVERAGE CONSISTENT WITH FEDERAL LAW. Sponsor: Senator Vaughn and Representative Maier; Senator Still.

SB 185 was brought before the Senate for consideration on motion of Senator Blevins.

SB 185 - AN ACT TO AMEND TITLE 11 RELATING TO DEADLY WEAPONS.

SA 1 to SB 185 was introduced and brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bunting, Sharp) ABSENT; therefore, **SA 1 to SB 185** was declared part of the bill.

SB 185 w/SA 1 was now before the Senate.

Senators Bonini and Venables questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Thomas McGonigle, representing the Governor's office.

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

Senator Blevins requested the privilege of the floor for Raina Fishbane, representing the Domestic Violence Coordinating Council.

Senators Venables and Reed questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 2 (Bonini, Venables) NO, 1 (Sharp) NOT VOTING; therefore, **SB 185 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 156 was brought before the Senate for consideration on motion of Senator Henry.

SB 156 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CHILD IMMUNIZATION.

SA 1 to SB 156 was introduced and brought before the Senate for consideration on motion of Senator Henry.

Senator Bunting questioned the sponsor, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 156** was declared part of the bill.

SB 156 w/SA 1 was now before the Senate.

Senators McBride and Still questioned the sponsor, after which Senator Henry requested the privilege of the floor for Robert Byrd, representing Wood, Byrd and Associates.

The witness was excused after addressing the Senate.

Senators Sorenson and Reed questioned the sponsor, after which Senator Henry requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 156 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 166 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Vaughn.

SA 1 to SS 1 for SB 166 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SS 1 for SB 166** was declared part of the bill.

SS 1 for SB 166 w/SA 1 was now before the Senate.

Senator Henry questioned the sponsor, after which Senator Vaughn requested the privilege of the floor for Fred Townsend, representing the Insurance Department.

The witness was excused after addressing the Senate.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SS 1 for SB 166 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 191 was brought before the Senate for consideration on motion of Senator Voshell.

SB 191 - AN ACT RELATING TO THE PURCHASE OF CERTAIN HORSESHOE CRAB COLLECTING PERMITS.

Senators McBride and Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 191** was declared passed the Senate and sent to the House for consideration.

SB 171 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 171 - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE CANCELLATION OF AGENCY CONTRACTS WITH INDEPENDENT INSURANCE AGENTS.

Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Senators Still and Bunting commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **SB 171** was declared passed the Senate and sent to the House for consideration.

HB 49 w/HA 2 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 49 w/HA 2 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.

Senator Amick commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, Bair, Sorenson, Venables) NO; therefore, **HB 49 w/HA 2** was declared passed the Senate and returned to the House.

HB 252 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 252 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 252** was declared passed the Senate and returned to the House.

HB 199 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 199 - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

SA 1 to HB 199 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 199** was declared part of the bill.

SA 2 to HB 199 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

SA 2 to HB 199 was stricken on motion of Senator Vaughn.

SA 3 to HB 199 was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 3 to HB 199** was declared part of the bill.

HB 199 w/HA 1 & 3 was now before the Senate.

Senator Vaughn requested the privilege of the floor for Paul Wallace, representing Attorney General's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 199 w/HA 1 & 3** was declared passed the Senate and returned to the House.

SB 183 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 183 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ECONOMIC DEVELOPMENT TRAINING ACT.

Senator Bair commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Adams) NO, 1 (Venables) ABSENT; therefore, **SB 183** was declared passed the Senate and sent to the House for consideration.

HB 279 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 279 - AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF SMYRNA.

Several Senators questioned the floor manager, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **HB 279** was declared passed the Senate and returned to the House.

HB 292 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 292 - AN ACT TO AMEND CHAPTER 34, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES",

TO GRANT THE TOWN COUNCIL OF THE TOWN OF BLADES THE POWER AND THE AUTHORITY TO ENACT AN ORDINANCE OR ORDINANCES TO LEVY, ASSESS AND COLLECT OR PROVIDE THE LEVYING, ASSESSMENT AND COLLECTION OF SUCH TAXES AS SHALL BE DETERMINED BY THE TOWN COUNCIL OF THE TOWN OF BLADES TO BE PAID BY THE TRANSFEROR OR TRANSFEREE UPON THE TRANSFER OF REAL PROPERTY OR ANY INTEREST IN REAL PROPERTY, SITUATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF BLADES, SAID TRANSFER TAX NOT TO EXCEED ONE PERCENT (1%) OF THE SALES PRICE (INCLUDING THE VALUE OF ANY ASSUMED MORTGAGE OR MORTGAGES) OR FAIR MARKET VALUE OF THE REAL PROPERTY SO TRANSFERRED; AND PROVIDED FURTHER THAT NO TAX SHALL BE LEVIED UPON AN ORGANIZATION EXEMPTED FROM AD VALOREM REAL ESTATE TAXES. 2/3 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **HB 292** was declared passed the Senate and returned to the House.

HB 264 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 264 - AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF CAMDEN. 2/3 VOTE

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Still, Venables) ABSENT; therefore, **HB 264** was declared passed the Senate and returned to the House.

At 5:17 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 6:10 p.m. with Lt. Governor Minner presiding.

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

Robert I. Samuel - 20 Senators voting YES, 1 (Reed) ABSENT. Appointment confirmed.

Joan Wachstein - 20 Senators voting YES, 1 (McDowell) ABSENT. Appointment confirmed.

Ray K. Woodward - 20 Senators voting YES, 1 (Hauge) ABSENT. Appointment confirmed.

William L. Witham, Jr. - 20 Senators voting YES, 1 (Hauge) ABSENT. Appointment confirmed.

SB 99 was brought before the Senate for consideration on motion of Senator Sokola.

SB 99 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LIQUOR LICENSES.

SA 1 to SB 99 was introduced and brought before the Senate for consideration on motion of Senator Venables.

Senator Bonini questioned the sponsor, after which Senator Venables requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator Amick questioned the witness, after which the witness was excused.

Senator Bair commented.

Senator Venables moved to lay **SA 1 to SB 99** and **SB 99** on the table. No objection.

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

SB 198 was brought before the Senate for consideration on motion of Senator McDowell.

SB 198 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING THE IVYANE D.F. DAVIS MEMORIAL SCHOLARSHIP FUND.

Senator McDowell moved to lay **SB 198** on the table. No objection.

The Secretary of the Senate read the agenda for June 25, 1997.

At 6:37 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 25, 1997.

The Senate reconvened 2:23 p.m. on June 25, 1997 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

HS 1 for HB 356; HB 276 w/HA 1 & 4; HB 148 w/HA 1; HB 283; HB 303; HJR 9; HB 323; HB 328; HJR 8; HCR 32; HB 320; HB 242 w/HA 1; HB 269; HB 285 w/HA 1 & 2; HCR 15; HCR 26; HJR 6; HB 299; HB 300 w/HA 1 & 2; HB 273 w/HA 1; HB 271; HB 256; HS 1 for HB 81 w/HA 2, 4 & 5; HJR 14; SB 102; SB 114; SB 124 w/SA 1; SB 121 w/SA 1; SB 76 w/SA 2; SB 122; SB 128; SB 130; SB 144; SB 109; SB 117; SB 125; SB 51; SB 91; SB 94; SB 101; SB 136 w/SA 1 & 2; SCR 31; SS 1 for SB 115.

The following committee reports were announced:

From Administrative Services: **SB 31** - 4 Merits.

From Finance: **SB 177** - 5 Merits; **SB 181** - 6 Merits; **SB 197** - 6 Merits; **HB 18 w/HA 1** - 6 Merits; **HB 209** - 6 Merits; **HB 220 w/HA 1** - 6 Merits.

From Education: **SB 179** - 3 Merits; **HS 1 for HB 81 w/HA 2, 4 & 5** - 3 Merits.

From Insurance and Elections: **SB 189** - 3 Merits; **SB 194** - 3 Merits.

From Agriculture: **SB 193** - 2 Favorable, 4 Merits.

From Banking: **SB 199** - 4 Merits.

From Executive: **HB 157** - 4 Merits; **HS 1 for HB 356** - 4 Merits.

From Public Safety: **HB 261** - 3 Merits.

From Energy: **HB 320** - 4 Merits.

From Labor: **HB 121 w/HA 1 & 2** - 2 Favorable, 1 Merit.

From Executive: **Beverly G. Bell** - 4 Merits; **Richard Derrickson** - 1 Favorable, 3 Merits; **William J. DiMondi** - 2 Favorable, 1 Merit, 1 Unfavorable; **Helen Dudlek** - 4 Merits; **Richard L. Engle** - 4 Merits; **Norman D. Griffith** - 1 Favorable, 3 Merits; **Jesse I. Hastings** - 3 Merits, 1 Unfavorable; **John P. Healy** - 4 Merits; **Margaret A. Iorri** - 4 Merits; **J. Donald Isaacs** - 4 Merits; **Howard R. Layton** - 4 Merits; **John F. Schmutz** - 1 Favorable, 3 Merits; **H. Thomas McGuire** - 4 Merits; **Joseph A. Miller** - 1 Favorable, 3 Merits; **Jane E. Mitchell** - 3 Favorable, 1 Merit; **Timothy O'Conner** - 3 Favorable, 1 Merit; **Donald J. Puglisi** - 1 Favorable, 3 Merits; **James P. Robinson, III** - 4 Merits; **R. Howard Seward** - 1 Favorable, 3 Merits; **Abigail E. Truitt** - 2 Favorable, 2 Merits.

At 2:45 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 40th Legislative Day.

**40TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 25, 1997**

The Senate convened at 2:45 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bunting.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 25, 1997**

The following legislation was introduced and assigned to committee on June 24, 1997:

SA 1 to SB 163 – Senator Bunting – Placed with the bill.

SA 1 to SB 165 – Senator Vaughn – Placed with the bill.

SA 1 to SB 167 – Senator Sharp – Placed with the bill.

SA 1 to HB 205 – Senator Bair – Placed with the bill.

SA 1 to HS 1 to HB 55 – Senator Reed – Placed with the bill.

SA 1 to HB 177 – Senator Connor – Placed with the bill.

SB 199 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF FOREIGN CORPORATIONS. 3/5 VOTE. Sponsor: Senator Adams & Representative D. Ennis. To: **Banking**.

The following nominations from the Governor were assigned to the **Executive** Committee on June 24, 1997:

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Beverly G. Bell, 824 Lombard Street, Wilmington, Delaware 19801, to be appointed a member of the Delaware Alcoholic Beverage Control Commission for a three-year term, to replace Watson Ayers.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Margaret A. Iorii, 279 Pine Valley Road, Dover, Delaware 19904, to be appointed a member of the Cash Management Policy Board for a three-year term to replace Sarah Ann Fillat.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
H. Thomas McGuire, 100 Swedes Street, New Castle, Delaware 19720, to be appointed a member of the Commission on Adult Entertainment Establishments for a three-year term to replace Bettina Riveros.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:

R. Howard Seward, 591 Carriage Lane, Dover, Delaware 19901, to be reappointed a member of the Industrial Accident Board to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Richard Derrickson, 54 Rolling Road, Rehoboth Beach, Delaware 19971, to be appointed a Commissioner of the Delaware River and Bay Authority for a five-year term to expire July 1, 2002.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Donald J. Puglisi, 31 Covered Bridge Lane, Covered Bridge Farms, Newark, Delaware 19711, to be appointed a member of the Public Service Commission to serve a term to expire May 1, 1998 to replace Robert Hartley, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
William J. DiMondi, 41 Laurel Drive, The Beeches, Dover, Delaware 19901, to be appointed a Director of the Delaware Solid Waste Authority for a three-year term to replace William Turner.

Your consideration of this nomination is appreciated.

Sincerely,

(Signed) Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Joseph A. Miller, 107 Lastrada Lane, Fairthorne, Wilmington, Delaware 19807, to be appointed a member of the Board of Trustees of University of Delaware for a six-year term to replace Raymond Arzinger, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Richard L. Engle, 6 Emerson Drive, Dover, Delaware 19901, to be appointed a member of the Unemployment Insurance Appeals Board for a term to expire May 1, 2000, to replace Christine Whitehead-Capone, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:
Jesse I. Hastings, 6 Lexington Drive, Middletown, Delaware 19709, to be reappointed a member of the Industrial Accident Board to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor

June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
renominate and reappoint for the consent and confirmation of the Senate the following:
James P. Robinson, III, Post Office Box 112, Millville, Delaware 19960, to be reappointed a
member of the Industrial Accident Board to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
Helen M. Dudlek, 141 Warfel Drive, Harbor Estates, Delaware City, Delaware 19706, to be
appointed a member of the New Castle County Board of Elections to serve a four-term, to
replace Paul Clark, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
renominate and reappoint for the consent and confirmation of the Senate the following:
J. Donald Isaacs, 224 Wiggins Mill Road, Townsend, Delaware 19734, to be reappointed a
Director of the Delaware Solid Waste Authority to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
renominate and reappoint for the consent and confirmation of the Senate the following:

Jane E. Mitchell, Polktown Place, Box 38, Delaware City, Delaware 19706, to be reappointed a member of the Industrial Accident Board to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Howard R. Layton, Post Office Box 1079, 7 Oak Avenue, Millsboro, Delaware 19966-1079, to be appointed a member of the Cash Management Policy Board to serve a three-year term, to replace Mark Diehl.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Thomas P. O'Conner, 203 North Layton Avenue, Wyoming, Delaware 19934, to be appointed Chairman of the Advisory Council on Tidal Finfisheries to serve a five-year term to succeed Mr. Lee Anderson, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:
John P. Healy, 104 Dasher Avenue, Bear, Delaware 19701, to be reappointed a Director of the Delaware Solid Waste Authority to serve a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 24, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
John F. Schmutz, 107 Rockwood Road, Wilmington, Delaware 19809, to be appointed a member of the Merit Employee Relations Board for a three-year term, to replace Gary Fullman.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

The following legislation was introduced and assigned to committee on June 25, 1997:

SS 1 to SB 31 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsor: Senator McBride; Senator Henry; Representatives Houghton, Scott, Spence. To: Adopted in lieu of the original. **Administrative Service.**

SS 1 to SB 192 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM. Sponsor: Senators Sharp & Vaughn; Representative Lee. Adopted in lieu of the original. To: **Corrections.**

SB 200 - AN ACT TO WAIVE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. Sponsor: Senator Sorenson. To: **Executive.**

HS 1 to HB 81 w/HA 2, 4 & 5 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Representative Smith & Senator Sokola & Senator Bair & Senator Voshell & Representative Reynolds; Representatives Spence, Welch, Capano, Cloutier, Davis, DiPinto, Maier, Maroney, Gilligan, Van Sant, Brady, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Schroeder, Williams; Senators Bunting, McDowell, Marshall, Amick, Blevins, Hauge, Reed, Sorenson. To: **Education.**

HB 148 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE BY THE REVISION OF SECTION 2606 RELATING TO QUALIFICATIONS OF APPLICANTS FOR LICENSURE AS ATHLETIC TRAINERS. Sponsor: Representative Ulbrich & Senator Blevins; Representatives Smith, Welch, Boulden, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Brady. B. Ennis, Houghton, Plant, Scott, Williams. To: **Revenue and Taxation.**

HB 242 w/HA 1 - AN ACT TO AMEND TITLE 29, CHAPTER 82, AND TITLE 16, CHAPTERS 63 AND 68, OF THE DELAWARE CODE RELATING TO THE STATE EMERGENCY RESPONSE COMMISSION. Sponsor: Representative B. Ennis; Senator Vaughn; Representatives D. Ennis, DiPinto. To: **Health and Social Services.**

HB 256 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO PROHIBITION AGAINST PREMIUM INCREASES IN CERTAIN CIRCUMSTANCES AND CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICY. Sponsor: Representative Lee & Senator Vaughn; Representatives Capano, Caulk, DiPinto, Ewing, Fallon, Lee, Quillen, Reynolds, Wagner, Banning, Brady, B. Ennis, Houghton, Scott, Van Sant, West, Williams; Senators Hauge. To: **Insurance.**

HB 269 - AN ACT AUTHORIZING AND APPROVING THE TRANSFER OF CERTAIN REAL PROPERTY IN THE INDIAN RIVER SCHOOL DISTRICT, KNOWN AS THE GUMBORO ELEMENTARY SCHOOL PROPERTY, TO THE GUMBORO VOL. FIRE CO., WITH CERTAIN PROVISIONS AND WAIVING THE PROVISIONS OF SECTION 1057 OF

CHAPTER 10, TITLE 14, DELAWARE CODE. Sponsor: Representative West; Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Mack, Maier, Maroney, Oberle, Plant, Price, Quillen, Reynolds, Schroeder, Scott, Smith, Stone, Ulbrich, Van Sant, Wagner, Welch, Williams, Spence; Senators Adams, Amick, Bunting, Bonini, Cook, Hauge, Henry, Marshall, McDowell, Reed, Sokola, Sorenson, Vaughn, Venables, Voshell. To: **Education**.

HB 271 - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO SMOKE DETECTORS. 2/3 VOTE. Sponsor: Representatives Lee & B. Ennis, Senator Venables; Representatives Spence, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Petrilli, Quillen, Ulbrich, Banning, Houghton, Keeley, Price, Schroeder, West, Williams. To: **Public Safety**.

HB 273 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL RULES AND REGULATIONS. Sponsor: Representative Reynolds & Senators Sokola & Hauge; Representatives Smith, Boulden, Cloutier, Carey, Mack, Ulbrich; Senators Bunting, Bair, Amick, Reed, Sorenson, Still. To: **Education**.

HB 276 w/HA 1 & 4 - AN ACT TO AMEND CHAPTER 99 OF TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE INFORMATION. Sponsor: Representatives Maroney & Maier & Senator Blevins; Representatives Capano, Carey, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Oberle, Quillen, Reynolds, Stone, Wagner, Van Sant, B. Ennis, Houghton, Keeley, Plant, Price, Williams; Senators Voshell, Henry, Sokola, Bair, Sorenson, Reed. To: **Health and Social Services**.

HB 283 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEXUAL OFFENDERS. Sponsor: Representative Roy. To: **Public Safety**.

HB 285 w/HA 1 & 2 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. Sponsor: Representative Banning; Representatives DiLiberto, B. Ennis, Lee, Scott, Williams; Senators Sokola, Vaughn, Voshell. To: **Judiciary**.

HB 299 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, BY AMENDING CHAPTER 33 RELATING TO TRADEMARKS, BRANDS AND LABELS. Sponsor: Representatives Stone, Wagner & Senators Adams & Bonini; Representatives Capano, Davis, Ewing, Lee, Lofink, Maier, Oberle, Petrilli, Ulbrich, B. Ennis, Plant, Price. To: **Executive**.

HB 300 w/HA 1 & 2 - AN ACT TO AMEND TITLES 18 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO SEPARATE ACCOUNTS, CORPORATE OWNED LIFE INSURANCE AND CREATING SPECIAL FUNDS FOR GREENWAY PROJECTS AND HISTORIC PRESERVATION PROJECTS THROUGHOUT THE STATE OF DELAWARE. 3/4 VOTE. Sponsor: Representatives D. Ennis & B. Ennis & Senator Vaughn; Representatives Spence, Buckworth, Capano, Carey, DiPinto, Ewing, Fallon, Lee, Maroney, Petrilli, Quillen, Oberle, Roy, Stone, Gilligan, Van Sant, Banning, Brady, Houghton, Keeley, Schroeder, Williams; Senators McDowell, Blevins, Bunting, Henry, Venables, Bair, Connor, Hauge, Sorenson. To: **Insurance**.

HB 303 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A STATE REVOLVING LOAN PROGRAM FOR DRINKING WATER FACILITIES AND OTHER QUALIFYING PROJECTS. Sponsor: Representative Schroeder & Senator Blevins; Representatives Carey, Maier; Senator McBride. To: **Finance**.

HB 320 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. 3/5 VOTE. Sponsor: Representative Capano & Senator McDowell. To: **Energy**.

HB 323 - AN ACT TO AMEND CHAPTER 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF PERSONAL WATERCRAFT. Sponsor: Representative Schroeder; Representatives Banning Boulden, Brady, Buckworth, Capano, Carey, DiLiberto, B. Ennis, Fallon, Houghton, Keeley, Lofink, Mack, Petrilli, Plant, Price, Quillen, Reynolds, Scott, Stone, Van Sant, Wagner, West, Williams, Spence; Senators Bair, Bunting, Connor, Reed, Sokola, Sorenson, Still, Voshell. To: **Natural Resources**.

HB 328 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE RIGHT OF APPEAL TO THE STATE FIRE PREVENTION COMMISSION BY PERSONS AGGRIEVED BY DECISIONS OF ASSISTANT STATE FIRE MARSHALS. Sponsor: Representatives DiPinto, Lee & Senator Vaughn; Representatives Buckworth, Carey, Quillen, Welch, B. Ennis; Senator Voshell. To: **Public Safety**.

HS 1 to HB 356 - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST. Sponsor: Representative D. Ennis & Senator Adams; Representatives Capano, DiPinto, Stone and Houghton; Senator Sorenson. To: **Executive**.

HCR 15 - ENCOURAGING THE EXPANSION OF ENGLISH AS A SECOND LANGUAGE PROGRAM AND THE TEACHING OF FOREIGN LANGUAGES IN DELAWARE'S PUBLIC SCHOOLS. Sponsor: Representatives Wagner & Smith & Senator Sokola; Representatives Boulden, Carey, Lee, Roy, Senator Voshell. To: **Education**.

HCR 26 - ESTABLISHING A TASK FORCE ON HIGH SCHOOL GRADUATION REQUIREMENTS TO STUDY AND REPORT ON THE IMPACT OF GRADUATION REQUIREMENTS FOR GRADUATING CLASSES OF 1999 THROUGH 2001. Sponsor: Representatives Wagner & Spence & Senators Marshall & Venables; Senators Bair, Amick, Hauge, Sorenson. To: **Education**.

HCR 32 - APPROVING THE COMPREHENSIVE PLAN OF THE DEPARTMENT OF CORRECTION CONCERNING CORRECTIONAL FACILITIES. Sponsor: Representative Lee & Senator Vaughn. To: **Corrections**.

HJR 6 - CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY TO UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. Sponsor: Representative Boulden; Representatives Buckworth, Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Maier, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, Houghton, Plant, Scott, West, Williams. To: **Public Safety**.

HJR 8 - RECOGNIZING THE DELAWARE STATE POLICE FOR 75 YEARS OF SERVICE TO THE CITIZENS OF DELAWARE. Sponsor: Representative Spence & Senator Sharp on Behalf of All House and Senate Members. To: **Public Safety**.

HJR 9 - ALLOWING DELAWARE SCHOOLS AND LIBRARIES TO RECEIVE FEDERAL UNIVERSAL SERVICE SUPPORT FOR TELECOMMUNICATIONS AND OTHER SERVICES. Sponsor: Representative Davis and Senator Cook. To: **Education**.

HJR 14 - ESTABLISHING A REPORTING DEADLINE FOR THE ENVIRONMENTAL PROTECTION AGENCY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A DETAILED WRITTEN REPORT INCLUDING CONCLUSIONS, RECOMMENDATIONS AND SCHEDULE FOR THE CLEANUP OF THE HEALTHWAYS SITE IN ODESSA, NEW CASTLE COUNTY, DELAWARE. Sponsor: Representative Banning and Senator Vaughn, Representatives Spence, Lofink, Oberle and B. Ennis. To: **Natural Resources**.

* * *

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

Richard L. Engle - 20 Senators voting YES, 1 (Still) ABSENT. Appointment confirmed.

Helen M. Dudlek - 21 Senators voting YES. Appointment confirmed.

J. Donald Isaacs - 20 Senators voting YES, 1 (Bair) NOT VOTING. Appointment confirmed.

James P. Robinson, III - 21 Senators voting YES. Appointment confirmed.

Timothy P. O'Conner - 21 Senators voting YES. Appointment confirmed.

Norman D. Griffiths - 21 Senators voting YES. Appointment confirmed.

William J. DiMondi - 21 Senators voting YES. Appointment confirmed.

Richard Derrickson - 21 Senators voting YES. Appointment confirmed.

H. Thomas McGuire - 21 Senators voting YES. Appointment confirmed.

Beverly G. Bell - 21 Senators voting YES. Appointment confirmed.

SCR 40 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

SCR 40 - COMMENDING THE DIRECTOR OF THE BUREAU OF EXAMINATION, REHABILITATION, AND GUARANTY OF THE INSURANCE DEPARTMENT, CATHERINE S. MULHOLLAND ON HER OUTSTANDING RECORD OF ACHIEVEMENT DURING HER YEARS OF GOVERNMENT SERVICE. Sponsor: Senator Blevins & Representative Houghton.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 40** was declared adopted by the Senate and sent to the House for consideration.

SB 179 was brought before the Senate for consideration on motion of Senator Venables.

SB 179 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ORTHOPEDICALLY DISABLED CHILDREN.

Senator Bair requested the privilege of the floor for Michael Ferguson, representing the Department of Education.

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

Senator Venables requested the privilege of the floor for Dr. Russell Knorr, representing Seaford School District/Orthopedically handicapped children.

Senators Bair and Marshall questioned the witness, after which the witness was excused.

Senator Venables requested the privilege of the floor for Ina J. Upshur, representing Sussex County Orthopedic Facility.

Senator Bunting questioned the witness, after which the witness was excused.

Senator Venables requested the privilege of the floor for Steven R. Tull, representing himself.

The witness was excused after addressing the Senate.

Senator Venables requested the privilege of the floor for Katherine Hughes, representing Sussex County Orthopedic Facility.

SA 1 to SB 179 was introduced and brought before the Senate for consideration on motion of Senator Venables.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 179** was declared part of the bill.

SB 179 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 179 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 170 was brought before the Senate for consideration on motion of Senator Sharp.

SB 170 - AN ACT TO AMEND TITLES 10, 11, 16, 18 AND 29 RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE OR NEGLECT.

SA 1 to SB 170 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator Sharp requested the privilege of the floor for Kathy Way, representing the Division of Family Services.

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

Senators McDowell and Connor commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 170** was declared part of the bill.

SA 2 to SB 170 was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Bair requested the privilege of the floor for Kathy Way, representing the Division of Family Services.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 170** was declared part of the bill.

SB 170 w/SA 1 & 2 was now before the Senate.

Senators Bair, McBride and Connor requested to be added as co-sponsor. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 170 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

SB 53 was brought before the Senate for consideration on motion of Senator Henry.

SB 53 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES.

SA 1 to SB 53 was introduced and brought before the Senate for consideration on motion of Senator Henry.

Senators Sharp and Sorenson questioned the sponsor, after which a roll call was taken and revealed 19 Senators voting YES, 2 (Sharp, Vaughn) NOT VOTING; therefore, **SA 1 to SB 53** was declared part of the bill.

SB 53 w/SA 1 was now before the Senate.

Senators Venables and Bonini questioned the sponsor, after which Senator Henry requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

Senators Bunting and Voshell commented.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Hauge, Sharp, Vaughn, Venables) NO, 1 (McBride) ABSENT; therefore, **SB 53 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 99 was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

SB 99 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LIQUOR LICENSES.

SA 1 to SB 99 was stricken on motion of Senator Venables.

SA 2 to SB 99 was introduced and brought before the Senate for consideration on motion of Senator Venables.

Senators Still and Bair questioned the sponsor, after which Senator Venables moved to lay

SA 2 to SB 99 on the table. No objection.

SB 193 was brought before the Senate for consideration on motion of Senator Bunting.

SB 193 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE TO ALLOW FOR EXPANSIONS TO AGRICULTURAL PRESERVATION DISTRICTS WITHIN A THREE-MILE RADIUS OF ESTABLISHED DISTRICTS AND TO CHANGE THE FOUNDATION'S ANNUAL REPORT PERIOD.

Senators McDowell and Sorenson questioned the sponsor, after which Senator Bunting requested the privilege of the floor for Jack Tarburton, Secretary of Agriculture.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, **SB 193** was declared passed the Senate and sent to the House for consideration.

SB 180 was brought before the Senate for consideration on motion of Senator McBride.

SB 180 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CRIMINAL PENALTIES.

Senator McDowell questioned the sponsor, after which Senator McBride requested the privilege of the floor for Nicholas Dipasquale, representing DNREC.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (McDowell, Venables) NO; therefore, **SB 180** was declared passed the Senate and sent to the House for consideration.

SB 184 was brought before the Senate for consideration on motion of Senator McBride.

SB 184 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Henry) ABSENT; therefore, **SB 184** was declared passed the Senate and sent to the House for consideration.

SB 190 was brought before the Senate for consideration on motion of Senator McBride.

SB 190 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DONATED LEAVE PROGRAM(S) FOR SCHOOL EMPLOYEES; AND SICK LEAVE.

Several Senators questioned the sponsor, after which Senator McBride requested the privilege of the floor for Dennis Crowley, representing DSEA.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 14 Senators voting YES, 5 (Bair, Reed, Sharp, Sorenson, Still) NO, 1 (Bonini) NOT VOTING, 1 (Amick) ABSENT; therefore, **SB 190** was declared passed the Senate and sent to the House for consideration.

SB 197 was brought before the Senate for consideration on motion of Senator Cook.

SB 197 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE PENSIONS AND THE EMPLOYMENT OF PENSION BENEFICIARIES BY THE STATE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 197** was declared passed the Senate and sent to the House for consideration.

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

SB 168 was stricken on motion of Senator Voshell. No objection.

The Secretary of the Senate read the agenda for June 26, 1997.

At 6:03 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 26, 1997.

The Senate reconvened 2:20 p.m. on June 26, 1997 with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 353; HB 334; HB 363; HB 335; HB 302; HB 343; HS 1 for HB 57, HCR 37; HB 298 w/HA 1; HB 341 w/HA 1; HB 314; HB 374; HB 338; HS 1 for HB 322; HCR 40; HCR 39;**

HJR 13; HB 316 w/HA 1; HB 240; HB 244 w/HA 2, HB 235; SB 158; SB 155; SB 154; SB 123; SB 106; SB 20 w/SA 1 & 2; SB 129; SB 187; SB 53 w/SA 1; SB 190; SB 100; SCR 39; SCR 40; SS 1 for SB 74 w/SA 2; SB 108; SB 145 w/SA 1; SB 151.

The following committee reports were announced:

From Revenue and Taxation: **SB 32** - 3 Merits.

From Corrections: **SS 1 to SB 192** - 3 Merits; **HB 286** - 3 Merits; **HB 287** - 3 Merits; **HCR 32** - 3 Merits.

From Natural Resources: **HB 323** - 2 Favorable, 1 Merit; **HB 262 w/HA 1** - 2 Favorable, 1 Merit.

From Health and Social Services: **HB 242 w/HA 1** - 3 Merits; **HB 276 w/HA 1 & 4** - 3 Merits.

From Education: **HB 273 w/HA 1** - 3 Merits.

Public Safety: **HJR 8** - 4 Merits.

The Secretary announced a message from the House Chief Clerk informing the Senate that Representatives Keeley, Scott and Williams signed **SB 53** as additional sponsors.

At 2:30 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 41st Legislative Day.

**41ST LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 26, 1997**

The Senate convened at 2:30 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 26, 1997**

The following legislation was introduced and assigned to committee on June 25, 1997:

SA 3 to SB 99 – Senator Vaughn – Placed with the bill.

SA 1 to SB 142 – Senator McDowell – Placed with the bill.

SA 2 to SB 167 – Senator Sharp – Placed with the bill.

SA 1 to SB 199 – Senator Adams – Placed with the bill.

SA 1 to HS 1 to HCR 24 – Senator Bair – Placed with the bill.

SA 1 to HS 1 to HB 81 – Senator Still – Placed with the bill.

SA 2 to HS 1 for HB 81 – Senator Blevins – Placed with the bill.

SA 2 to HB 162 – Senator Blevins – Placed with the bill.

SA 1 to HB 209 – Senator Blevins – Placed with the bill.

SA 1 to HB 273 – Senator Hauge – Placed with the bill.

SA 1 to HB 287 – Senator Vaughn – Placed with the bill.

The following legislation was introduced and assigned to committee on June 26, 1997:

SA 2 to HB 177 – Senator Sharp – Placed with the bill.

SB 201 - AN ACT TO AMEND TITLE 30, OF THE DELAWARE CODE RELATING TO ASSESSMENT AND COLLECTION OF TAXES. Sponsor: Senator Marshall & Representative Capano. To: **Revenue and Taxation.**

SB 202 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO UNPAID KENT COUNTY SEWER SERVICE CHARGES. Sponsor: Senator Cook & Representative Stone & B. Ennis; Senators Adams, Vaughn, Voshell, Bonini & Still; Representatives Buckworth, Caulk, Quillen, Wagner & Welch. To: **Community/County Affairs**.

SB 203 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEARING ON PETITIONS TO ESTABLISH GARBAGE COLLECTION DISTRICTS. Sponsor: Senator Cook & Representative Stone & B. Ennis; Senators Adams, Vaughn, Voshell & Bonini; Representative Buckworth, Caulk, Quillen, Wagner & Welch. To: **Community/County Affairs**.

SB 205 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. Sponsor: Senator Sharp. To: **Laid on the table**.

SB 206 - AN ACT TO APPROPRIATE GENERAL FUNDS TO REDUCE GENERAL OBLIGATIONS OF THE STATE. Sponsor: Senator Sharp. To: **Laid on the table**.

SB 207 - AN ACT MAKING A SUPPLEMENTARY APPROPRIATION TO THE TRANSPORTATION TRUST FUND AND DEDICATING CERTAIN GENERAL FUND REVENUES OF THE STATE TO THE TRANSPORTATION TRUST FUND. Sponsor: Senator Sharp. To: **Laid on the table**.

HS 1 for HB 57 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY. Sponsor: Representative Brady; Representatives Banning, DiLiberto, Keeley, Scott, Williams. To: **Highways and Transportation**.

HB 235 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS APPLYING TO CERTAIN CRIMINAL PROSECUTIONS. Sponsor: Representatives Wagner & Spence & Senator Sharp; Representatives Ewing, Lee, Lofink, Maier, Petrilli, Stone, Banning, Brady, B. Ennis, Houghton. To: **Judiciary**.

HB 240 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO OSTEOPOROSIS. Sponsor: Representative Maroney & Senator Henry; Representatives Carey, Ewing, Lee, Lofink, Maier, Stone, Ulbrich, Banning, Brady, Houghton, Plant, Price, West; Senators Voshell, McDowell, Adams, Blevins, Cook, Vaughn, Connor, Sorenson. To: **Health and Social Services**.

HB 244 w/HA 2 - AN ACT TO AMEND TITLE 29 REGARDING THE DELAWARE FREEDOM OF INFORMATION ACT. Sponsor: Representatives Wagner & Ulbrich; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Stone, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West; Senators Sharp, Blevins, Bunting, Sokola, Bair, Bonini, Connor, Hauge, Sorenson, Still. To: **Executive**.

HB 298 w/HA 1 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY. Sponsor: Representative Brady; Representatives Banning, DiLiberto, Gilligan, Houghton, Keeley, Scott, Spence, Van Sant, Williams. To: **Transportation**.

HB 302 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGES AND OTHER LIENS. Sponsor: Representative Stone. To: **Banking**.

HB 314 - AN ACT TO AMEND CHAPTER 88, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES. Sponsor: Representative Ulbrich. To: **Administrative Services**.

HB 316 w/HA 1 - AN ACT TO AMEND CHAPTER 45, PART V, TITLE 12 OF THE DELAWARE CODE, MAKING CERTAIN CHANGES IN THE DELAWARE UNIFORM TRANSFERS TO MINORS ACT. Sponsor: Representatives Welch & Wagner & Senator Vaughn. To: **Insurance**.

HS 1 for HB 322 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. Sponsor: Representative Spence, Senator Sharp; Representatives Welch, Buckworth, Cloutier, Ewing, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Petrilli, Wagner, Banning, B. Ennis, Houghton, West; Senators Bonini, Still. To: **Judiciary**.

HB 334 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO OBSTRUCTION OF GOVERNMENT OPERATIONS. 2/3 VOTE. Sponsor: Representative Welch and Senator Bonini; Representatives Spence and Oberle. To: **Judiciary**.

HB 335 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE, AS AMENDED, RELATING TO ALCOHOLIC LIQUORS. Sponsor: Representative Capano and

Senator Blevins; Representatives Spence, Smith, Welch, DiPinto, Oberle, Quillen, Roy, Stone, Gilligan, B. Ennis, Plant; Senators Henry, Bair, Amick and Sorenson. To: **Administrative Services.**

HB 338 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REVOCATION OF A LICENSE TO DRIVE A MOTOR VEHICLE FOR PERSONS CONVICTED OF DRUG OFFENSES. Sponsor: Representative Banning & Representative B. Ennis & Senator Vaughn. To: **Public Safety.**

HB 341 w/HA 1 - AN ACT TO AMEND TITLE 21, DELAWARE CODE REGARDING INFORMATION ON DRIVERS LICENSES. Sponsor: Representative Roy and Senator Sharp. To: **Judiciary.**

HB 343 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HEATING SYSTEMS. Sponsor: Representatives Roy & Davis; Representative Banning; Senators Sokola & Amick. To: **Community/County Affairs.**

HB 353 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, LICENSE, AND FEES. 3/5 VOTE. Sponsor: Representative Roy & Senators McBride & Connor. To: **Judiciary.**

HB 363 - AN ACT TO AMEND CHAPTER 171, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO CHANGE THE JURISDICTIONAL POWERS OF THE POLICE DEPARTMENT OF THE TOWN OF CHESWOLD". 2/3 VOTE. Sponsor: Representative Welch & Senator Cook. To: **Community/County Affairs.**

HB 374 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. 3/5 VOTE. Sponsor: Representative Oberle & Senator Marshall. To: **Labor.**

HJR 13 w/HA 1 - CREATING A TASK FORCE TO STUDY AND REPORT ON WAYS TO REDUCE THE NUMBER OF ABANDONED DWELLINGS IN THE STATE OF DELAWARE. Sponsor: Representative Stone; Representatives Welch, DiPinto, Davis; Senators Sokola, Bunting, Bonini, Still. To: **Judiciary.**

HCR 37 - CREATING A TASK FORCE TO INVESTIGATE THE FINANCING NEEDED FOR THOSE LIBRARIES NOT FUNDED SUFFICIENTLY. Sponsor: Representative Brady; Representatives Banning, B. Ennis, Carey, DiLiberto, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, Van Sant, Williams; Senators Amick, Bair, McDowell, Reed, Still, Vaughn, Venables. To: **Community/County Affairs.**

HCR 39 - CREATING A PRIVATIZATION TASK FORCE CONSISTING OF REPRESENTATIVES FROM GOVERNMENT, LABOR AND BUSINESS TO EVALUATE EXISTING PRIVATIZED GOVERNMENT SERVICES AND TO EXPLORE AND RECOMMEND OTHER STATE SERVICES FOR PRIVATIZATION. Sponsor: Representative Capano; Representatives Boulden, Carey, DiPinto, Petrilli, Quillen, Stone, Schroeder. To: **Executive.**

HCR 40 - URGING A CONTINUED REVIEW AND ASSESSMENT OF STATE OF DELAWARE PERSONNEL AND EMPLOYEE RELATIONS ISSUES. Sponsor: Representatives D. Ennis and B. Ennis; Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, Fallon, Gilligan, Houghton, Keeley, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Smith, Spence, Stone, Van Sant, Wagner, Welch, Williams; Senators Vaughn, Venables, Sorenson and Still. To: **Executive.**

* * *

Senator McBride was marked present.

SB 200 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sorenson.

SB 200 - AN ACT TO WAIVE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 200** was declared passed the Senate and sent to the House for consideration.

Senator Marshall was marked present during the above roll call.

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

John P. Healy - 21 Senators voting YES. Appointment confirmed.

Margaret A. Iorii - 21 Senators voting YES. Appointment confirmed.

Howard R. Layton - 21 Senators voting YES. Appointment confirmed.

Ronald McCabe - 21 Senators voting YES. Appointment confirmed.

Joseph A. Miller - 21 Senators voting YES. Appointment confirmed.

Jane E. Mitchell - 21 Senators voting YES. Appointment confirmed.

At 2:45 p.m. Lt. Governor Minner presiding.

Donald J. Puglisi - 21 Senators voting YES. Appointment confirmed.

R. Howard Seward - 21 Senators voting YES. Appointment confirmed.

Senator Cook requested the personal privilege of the floor for Miss Delaware Teen USA from Felton, Delaware, Cheryl Lynn Crowe.

Miss Crowe introduced herself, her parents and her twin brother, after which she was excused.

SB 99 was lifted from the table and brought before the Senate for consideration on motion of Senator Venables.

SA 3 to SB 99, which was previously place with the bill, was brought before the Senate for consideration on motion of Senator Venables.

Senator Venables requested the privilege of the floor for John Cordrey, Senate Attorney.

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

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McBride) NO, 1 (Amick) ABSENT; therefore, **SA 3 to SB 99** was declared part of the bill.

SB 99 w/SA 3 was now before the Senate.

Senator Bair requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator McBride questioned the witness, after which the witness was excused.

Senators Venables and Blevins commented.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Amick, Bair, Blevins, Cook, Henry, Marshall, McBride, Reed, Sorenson, Vaughn) NO; therefore, **SB 99 w/SA 3** was declared passed the Senate and sent to the House for consideration.

SA 2 to SB 99 was stricken on motion of Senator Venables.

Lt. Governor Minner introduced Ralph Landolfi, after which Mr. Landolfi commented.

SB 186 was brought before the Senate for consideration on motion of Senator Bunting.

SB 186 - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH AS AMENDED, WITH REGARD TO THE PROCEDURES FOR SALE OF THE CITY OF REHOBOTH BEACH'S REAL AND PERSONAL PROPERTY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 186** was declared passed the Senate and sent to the House for consideration.

SB 167 was brought before the Senate for consideration on motion of Senator Sharp.

SB 167 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE COUNTY COUNCIL MEMBERS.

SA 1 to SB 167 was stricken on motion of Senator Sharp.

SA 2 to SB 167, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 167** was declared part of the bill.

Senator Sharp deferred to Senator Sokola.

SA 3 to SB 167 was stricken on motion of Senator Sokola.

SB 167 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 167 w/SA 2** was declared passed the Senate and sent to the House for consideration.

SB 199 was brought before the Senate for consideration on motion of Senator Adams.

SB 199 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF FOREIGN CORPORATIONS.

SA 1 to SB 199, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Adams.

Senator Adams requested the privilege of the floor for Lawrence Windley, representing the Department of State. Senator Adams moved that Mr. Windley remain on the floor for the amendment and the bill. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 199** was declared part of the bill.

SB 199 w/SA 1 was now before the Senate.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 199 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 181 was brought before the Senate for consideration on motion of Senator Cook.

SB 181 - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS.

Senator Cook requested the privilege of the floor for Charles Walker, representing the Department of Justice.

Senators Blevins and Marshall questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 181** was declared passed the Senate and sent to the House for consideration.

SB 88 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Blevins.

SB 88 - AN ACT TO AMEND CHAPTER 13, TITLE 25, DELAWARE CODE RELATING TO FENCES AND BARBED WIRE.

SA 1 to SB 88 was stricken on motion on Senator Blevins.

SA 2 to SB 88, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Senator Amick questioned the sponsor, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SA 2 to SB 88** was declared part of the bill.

SB 88 w/SA 2 was now before the Senate.

Senator Voshell questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

Senator Sharp questioned the witness, after which the witness was excused.

Senator Amick commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 88 w/SA 2** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 31 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator McBride.

SS 1 for SB 31 - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENTS.

Senator Connor requested to be added as a co-sponsor. No objection.

Senator Vaughn commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SS 1 for SB 31** was declared passed the Senate and sent to the House for consideration.

SB 29 was lifted from the table and immediately laid back on the table on motion of Senator McDowell.

SB 29 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE, RELATING TO HOME RULE AND FIREARMS.

SB 142 was brought before the Senate for consideration on motion of Senator McDowell.

SB 142 - AN ACT TO AMEND TITLE 29, CHAPTER 90 RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES.

SA 1 to SB 142, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator McDowell.

Senator Cook commented.

Senator McDowell moved to lay **SA 1 to SB 142** and **SB 142** on the table. No objection.

At 4:20 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:16 p.m. with Lt. Governor Minner presiding.

HB 205 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 205 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN MEETINGS AND DELIBERATIONS.

SA 2 to HB 205 was laid on the table on motion of Senator Blevins.

SA 1 to HB 205 was laid on the table on motion of Senator Sharp.

HB 205 w/HA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Leo Strine, representing the Governor's office.

Senator McBride and Bair questioned the witness.

SA 1 to HB 205 was lifted from the table and brought before the Senate for consideration on motion of Senator Bair.

The witness remained before the Senate.

Senator Still questioned the witness, after which the witness was excused.

SA 1 to HB 205 was laid on the table on motion of Senator Bair.

Senator Venables requested the privilege of the floor for John Flaharty, representing Common Cause of Delaware.

The witness was excused after addressing the Senate.

HB 205 w/HA 1 was now before the Senate.

A roll call vote was taken and revealed 11 Senators voting YES, 8 (Amick, Blevins, Bunting, Connor, McBride, Reed, Sokola, Venables) NO, 1 (Bair) NOT VOTING, 1 (McDowell) ABSENT; therefore, **HB 205 w/HA 1** was declared passed the Senate and returned to the House.

HB 141 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 141 w/HA 1 - AN ACT DIRECTING THE SECRETARY OF EDUCATION TO CREATE A PILOT PROJECT TO CHANGE THE DATE OF THE UNIT COUNT.

Several Senators commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) NOT VOTING; therefore, **HB 141 w/HA 1** was declared passed the Senate and returned to the House.

HB 157 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 157 - AN ACT TO AMEND TITLE 1, CHAPTER 6, DELAWARE CODE ESTABLISHING NATIVE-AMERICAN DAY.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NOT VOTING, 1 (Amick) ABSENT; therefore, **HB 157** was declared passed the Senate and returned to the House.

HB 222 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 222 w/HA 1 - AN ACT TO AMEND CHAPTER 15, TITLE 24 OF THE DELAWARE CODE RELATING TO PUBLIC EATING PLACES.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 5 Senators (Adams, Hauge, Henry, Marshall, Vaughn) voting YES, 14 NO, 2 (Blevins, Sharp) NOT VOTING; therefore, **HB 222 w/HA 1** was declared defeated by the Senate and returned to the House.

HB 263 w/HA 1 & 3 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 263 w/HA 1 & 3 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE AND EMERGENCY MANAGEMENT.

Senator Adams requested the privilege of the floor for Mr. Gillespie, Administrator of the Delaware Management Emergency Agency.

Senator Bair questioned the witness, after which the witness was excused.

Senator Adams moved to lay **HB 263 w/HA 1 & 3** on the table. No objection.

HB 220 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 220 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 220 w/HA 1** was declared passed the Senate and returned to the House.

HB 209 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 209 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING THE DISPOSITION OF FINES AND COSTS.

SA 1 to HB 209, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 6 Senators (Blevins, Bunting, Marshall, Sokola, Vaughn, Venables) voting YES, 14 NO, 1 (Hauge) ABSENT; therefore, **SA 1 to HB 209** was declared defeated.

HB 209 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) NOT VOTING; therefore, **HB 209** was declared passed the Senate and returned to the House.

HB 18 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 18 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURITY OF LOTTERY OPERATIONS AND THE STATE LOTTERY OFFICE.

Senator Still commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Bair, Reed, Sorenson, Still) NO; therefore, **HB 18 w/HA 1** was declared passed the Senate and returned to the House.

HB 261 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 261 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Senator Henry moved to lay **HB 261** on the table. No objections.

SB 177 was brought before the Senate for consideration on motion of Senator Henry.

SB 177 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT.

Senator Bair requested the privilege of the floor for Bill Remington, representing the Division of Personnel.

Senator Voshell questioned the witness, after which the witness was excused.

Senator Still commented.

A roll call vote was taken and revealed 10 Senators voting YES, 5 (Amick, Connor, McBride, Sharp, Sokola) NO, 5 (Bair, Reed, Sorenson, Still, Vaughn) NOT VOTING, 1 (Blevins) ABSENT; therefore, **SB 177** was declared defeated.

HB 221 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 221 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES.

Several Senators questioned the sponsor, after which a roll call vote was taken and revealed 18 Senators voting YES, 1 (Bair) NO, 2 (Amick, Sorenson) NOT VOTING; therefore, **HB 221** was declared passed the Senate and returned to the House.

SB 153 was brought before the Senate for consideration on motion of Senator Sorenson.

SB 153 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO GENETIC INFORMATION.

SA 1 to SB 153 was introduced and brought before the Senate for consideration on motion of Senator Sorenson.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 153** was declared part of the bill.

SB 153 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 153 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SS 1 for SB 192 was brought before the Senate for consideration on motion of Senator Sharp.

SS 1 for SB 192 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SS 1 for SB 192** was declared passed the Senate and sent to the House for consideration.

HS 1 for HB 356 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HS 1 for HB 356 - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

Senator Adams requested the privilege of the floor for David Swayze, representing Commonwealth Trust Company.

Senator Bunting questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HB 356** was declared passed the Senate and returned to the House.

SB 142 was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

SA 2 to SB 142 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SA 2 to SB 142** was declared part of the bill.

SA 1 to SB 142 was stricken on motion of Senator McDowell.

SB 142 w/SA 2 was now before the Senate.

Senator Connor requested to be added as a co-sponsor to **SB 142**. No objection.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bonini, Hauge) NO; therefore, **SB 142 w/SA 2** was declared passed the Senate and sent to the House for consideration.

HS 1 for HB 81 w/HA 2, 4 & 5 was brought before the Senator for consideration on motion of the floor manager, Senator Sokola.

HS 1 for HB 81 w/HA 2, 4 & 5 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

SA 1 to HS 1 for HB 81 was brought before the Senate for consideration on motion of Senator Still.

Senator Sokola questioned the sponsor, after which a roll call vote was taken and revealed 10 Senators voting YES, 9 (Adams, Blevins, Cook, Marshall, McBride, McDowell, Sokola, Vaughn, Voshell) NO, 1 (Bunting) NOT VOTING, 1 (Sharp) ABSENT; therefore, **SA 1 to HS 1 for HB 81** was declared defeated.

SA 2 to HS 1 for HB 81 was laid on the table on motion of Senator Blevins.

HS 1 for HB 81 w/HA 2, 4 & 5 was now before the Senate.

Senator Blevins requested the privilege of the floor for Michael Ferguson, representing Delaware Department of Education.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Bonini, McBride, Still, Vaughn) NO, 1 (Marshall) ABSENT; therefore, **HS 1 for HB 81 w/HA 2, 4 & 5** was declared passed the Senate and returned to the House.

SA 2 to HS 1 for HB 81 was stricken on motion of Senator Blevins.

HB 263 w/HA 1 & 3 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Adams.

SA 1 to HB 263 was introduced and brought before the Senate for consideration on motion of Senator Adams.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Marshall) ABSENT; therefore, **SA 1 to HB 263** was declared part of the bill.

HB 263 w/HA 1, 3 & SA 1 was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Marshall) ABSENT; therefore, **HB 263 w/HA 1, 3 & SA 1** was declared passed the Senate and returned to the House for reconsideration

HB 323 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 323 - AN ACT TO AMEND CHAPTER 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF PERSONAL WATERCRAFT.

Senator Venables questioned the sponsor, after which Senator McBride requested the privilege of the floor for Bayard Holleger, Jr., representing Division of Fish and Wildlife.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Cook, Marshall) ABSENT; therefore, **HB 323** was declared passed the Senate and returned to the House.

HB 262 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 262 w/HA 1 - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO FOOD FISH DEALER REPORTING.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HB 262 w/HA 1** was declared passed the Senate and returned to the House.

SB 198 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator McDowell.

SB 198 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING THE IVYANE D.F. DAVIS MEMORIAL SCHOLARSHIP FUND.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Cook) ABSENT; therefore, **SB 198** was declared passed the Senate and sent to the House for consideration.

Senator Still moved to reconsider **SB 177**.

Senator Henry requested the roll call be rescinded. Motion granted.

SB 177 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD ASSISTANCE ACT.

SA 1 to SB 177 was introduced and brought before the Senate for consideration on motion of Senator Henry.

Senators Still and Bair questioned the sponsor, after which Senator Henry requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Reed questioned the witness.

Senator Still requested his name be added as a co-sponsor. No objection.

Senator Sokola questioned witness, after which the witness was excused.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Cook, McBride, Sharp) ABSENT; therefore, **SA 1 to SB 177** was declared part of the bill.

SB 177 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Amick, Bair, Reed, Sorenson) NO, 1 (Sharp) NOT VOTING; therefore, **SB 177 w/SA 1** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HB 385 w/HA 1; HB 347 w/HA 1; HB 371; SB 132 w/SA 1, 2 & HA 1; SB 80 w/HA 2.**

SB 80 w/HA 2, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Sharp.

Senator Bair commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **SB 80 w/HA 2** was declared passed the Senate and sent to the Governor.

SB 132 w/SA 1, 2 & HA 1, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Marshall.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NO; therefore, **SB 132 w/SA 1, 2 & HA 1** was declared passed the Senate and sent to the Governor.

HB 385 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

HB 385 w/HA 1 - AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES, QUALITY IN HIRING, ADULT ABUSE REGISTRY, AND CHILD CARE AND HEALTH CARE FACILITIES.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Bonini) NO, 1 (Sharp) ABSENT; therefore, **HB 385 w/HA 1** was declared passed the Senate and returned to the House. Additions to the agenda, committee and other legislative meetings were announced.

At 8:20 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on June 30, 1997.

The Senate reconvened 2:19 p.m. on June 30, 1997 with Senator Sharp presiding.

Senator Sokola moved to reconsider **HB 222**.

The roll call vote was rescinded on motion of Senator Adams.

The Secretary announced a message from the House informing the Senate that it had passed **HB 296; HB 355; HS 1 for HB 352; HB 333; HB 346; HB 232; HS 1 for HJR 7; SB 48; SB 58; SB 174; SB 197.**

The following committee reports were announced:

From the Executive: **SB 134** - 2 Merits, 2 Unfavorable; **HB 244 w/HA 2** - 4 Merits; **HB 299** - 6 Merits; **William B. Chandler, III** - 4 Favorable, 1 Merit; **Stephen P. Lamb** - 4 Favorable, 1 Merit; **Richard S. Cordrey** - 3 Favorable, 2 Merits; **Alex J. Smalls** - 3 Favorable, 2 Merits; **Dr. Timothy E. Targett** - 2 Favorable, 3 Merits.

From Insurance and Elections: **SB 165** - 3 Merits; **HB 256** - 3 Merits; **HB 316 w/HA 1** - 3 Merits.

From Education: **SB 182** - 4 Merits; **HJR 9** - 4 Merits.

From Revenue and Taxation: **SB 201** - 3 Merits.

From Community/County Affairs: **SB 202** - 3 Merits; **SB 203** - 3 Merits; **HB 363** - 3 Merits; **HCR 37** - 3 Merits.

From Highways and Taxation: **HS 1 to HB 57** - 4 Merits; **HB 298 w/HA 1** - 4 Merits.

From Natural Resources: **HB 62** - 3 Merits; **HJR 14** - 3 Merits.

From Administrative Services: **HB 75** - 4 Merits; **HB 132 w/HA 1** - 3 Merits; **HB 335** - 3 Merits.

From Small Business: **HB 207** - 4 Merits.

From Finance: **HB 257 w/HA 1** - 5 Merits; **HB 303** - 5 Merits.

From Public Safety: **HB 271** - 3 Merits; **HB 283** - 3 Merits; **HB 328** - 3 Merits; **HB 338** - 3 Merits; **HJR 6** - 3 Merits.

From Banking: **HB 302** - 3 Merits.

From Judiciary: **HB 353** - 3 Merits.

From Labor: **HB 374** - 3 Merits.

At 2:26 p.m. Lt. Governor Minner presiding.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
June 30, 1997**

The following legislation was introduced and assigned to committee on June 26, 1997:

SA 1 to SB 32 – Senator Marshall – Placed with the bill.

SA 1 to HB 257 – Senator Marshall – Placed with the bill.

SA 1 to HB 300 – Senator Vaughn – Placed with the bill.

SB 204 - AN ACT AMENDING THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION, AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE. Sponsor: Senator Henry & Representative DiPinto; Senators Marshall, McDowell, Bunting, Cook, Sokola, Amick, Bair, Bonini, Hauge, Sorenson & Still; Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Cloutier, Davis, DiLiberto, B. Ennis, D. Ennis, Gilligan, Keeley, Lofink, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Roy, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West & Williams. To: **Judiciary**.

SB 208 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAKING OF PRIVATE PROPERTY. Sponsor: Senators Venables, Bunting & Bonini. To: **Judiciary**.

SB 209 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. Sponsor: Senator Amick & Representative Boulden. To: **Small Business**.

The following legislation was introduced and assigned to committee on June 30, 1997:

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. §6854. Sponsor: Senator Sokola and Representative Oberle. To: **Community/County Affairs**.

SB 211 - AN ACT TO AMEND TITLE 15 AND 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION. Sponsor: Senators McDowell, Marshall & McBride; Representatives Banning, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Scott, West & Williams. To: **Insurance and Elections**.

SB 212 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING. Sponsor: Senator Sokola; Representative Lofink; Senators Blevins, Still, Bair, Sorenson, Amick, Connor, Representatives Spence, Cloutier, Brady. To: **Community/County Affairs**.

SB 215 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY PLANNING. Sponsor: Senators Sokola, Bair; Representative Stone; Senators Reed, Sorenson, Amick; Representatives Spence, Gilligan, Brady. To: **Community/County Affairs**.

SB 216 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF SANITARY SEWER OR WATER DISTRICTS IN SUSSEX COUNTY. Sponsor: Senator Bunting; Representatives Fallon, Petrilli; Senators Still, Bair; Representative Spence. To: **Executive**.

SJR 5 - RELATING TO THE CONSOLIDATION OF THE MUNICIPAL COURT OF THE CITY OF WILMINGTON WITH THE COURT OF COMMON PLEAS AND THE JUSTICE OF THE PEACE COURTS. Sponsor: Senators Marshall, McDowell & Henry; Representatives DiPinto, Plant, Williams, Scott & Keeley. To: **Judiciary**.

HB 232 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF STATE PERSONNEL. Sponsor: Representative D. Ennis and Representative B. Ennis. To: **Judiciary**.

HB 296 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO PREPARATION OF TRANSCRIPTS AND AWARDING OF COSTS ON APPEALS FROM THE BOARD OF ADJUSTMENT TO THE SUPERIOR COURT. Sponsor: Representatives B. Ennis, Quillen, & Senator Vaughn; Representatives Banning, Brady, Houghton, Van Sant. To: **Judiciary**.

HB 333 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE STATE BUREAU OF IDENTIFICATION. Sponsor: Representative Wagner; Senator Vaughn. To: Corrections.

HB 346 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE CRIMINAL JUSTICE INFORMATION SYSTEM. Sponsor: Representative Wagner; Senator Vaughn. To: Corrections.

HB 347 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PUBLIC SWIMMING AND BATHING PLACES. Sponsor: Representative Capano. To: Judiciary.

HS 1 to HB 352 - AN ACT TO AMEND TITLE 11, DELAWARE CODE REGARDING REGISTRATION AND COMMUNITY NOTIFICATION OF SEX OFFENDERS. Sponsor: Representative Roy; Senator Sharp. To: Judiciary.

HB 355 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PROJECTING LOADS. Sponsor: Representative DiPinto; Representatives Spence, Buckworth, Capano, Lofink, Roy, Van Sant, Banning, B. Ennis, Houghton, Plant, Scott; Senators Adams, Sokola, Still. To: Public Safety.

HB 371 - AN ACT TO AMEND CHAPTER 58, TITLE 29, DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE. Sponsor: Representative Roy & Senator Adams. To: Judiciary.

HS 1 to HJR 7 - URGING THE DELAWARE CONGRESSIONAL DELEGATION TO EXTEND, AS IT DEEMS APPROPRIATE, THE UNITED STATES VOTING RIGHTS ACT. Sponsor: Representative Scott; Representatives Banning, Brady, Buckworth, Carey, Cloutier, Caulk, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lofink, Maier, Plant, Price, Schroeder, Ulbrich, Van Sant, Ulbrich, Brady, DiLiberto, B. Ennis, Houghton, Plant, Scott, West, Williams. To: Insurance and Elections.

The following nominations from the Governor were assigned to the Executive Committee:

STATE OF DELAWARE
Office of the Governor
June 30, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable William B. Chandler, III, 600 Main Street, Dagsboro, Delaware 19939, to be appointed Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years, to succeed William T. Allen, who resigned.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
June 30, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Mr. Stephen P. Lamb, 128 School Road, Wilmington, Delaware 19803, to be appointed Vice-Chancellor of the Court of Chancery of the State of Delaware for a term of twelve years, to fill the derivative vacancy which will be created if the Senate confirms Vice Chancellor Chandler as the new Chancellor.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 30, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Richard S. Cordrey, Box 486, Millsboro, Delaware 19966, to be reappointed a Commissioner of the Delaware River & Bay Authority for a five-year term to expire July 1, 2002. To be effective upon the expiration of the current term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 30, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby renominate and reappoint for the consent and confirmation of the Senate the following:
Dr. Timothy E. Targett, 39 Sussex Drive, Lewes, Delaware 19958, to be reappointed as a member of the Atlantic States Marine Fisheries Commission for a three-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
June 30, 1997

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware and the provisions of recently enacted Senate Bill 80, I hereby nominate and appoint for the consent and confirmation of the Senate the name of the **Honorable Alex J. Smalls** for confirmation as Chief Judge of the Court of Common Pleas, to serve as Chief Judge for the remainder of his term as Judge of the Court of Common Pleas, which term is to expire on October 8, 2005. If confirmed by the Senate, Judge Smalls will succeed the Honorable Arthur F. DiSabatino, whose term expired June 27, 1997, as Chief Judge of the Court.

Judge DiSabatino has announced his intention to retire, effective upon the swearing in of a new Chief Judge pursuant to **Senate Bill 80**.

I thank the Senate in advance for its consideration of this nomination.

(Signed) Respectfully submitted,
Thomas R. Carper
Governor

* * *

LEGISLATIVE ADVISORIES #17, #18 & #19, from the Office of Counsel to the Governor were announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #17, dated June 17, 1997, the Governor signed the following legislation on the dates indicated:

SB #96 AAB SA 1 (6/16/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING TRANSFER OF SALVAGE TITLES. (Sponsor: Senators Henry & Voshell) (Volume 71, Chapter 57, Laws of Delaware.)

HB #30 AAB HA 1 (6/16/97) - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO HARNESS RACING. (Sponsor: Representatives Oberle & Senator Adams) (Volume 71, Chapter 58, Laws of Delaware.)

HB #90 AAB HA 1 (6/16/97) - AN ACT TO AMEND CHAPTER 63, TITLE 16, DELAWARE CODE RELATING TO EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW. (Sponsor: Representatives B. Ennis & DiPinto & D. Ennis & Senator Voshell) (Volume 71, Chapter 59, Laws of Delaware.)

HB #246 AAB HA 1 (6/16/97) - AN ACT TO AMEND CHAPTER 100, TITLE 16 OF THE DELAWARE CODE RELATING TO 911; ENHANCED EMERGENCY NUMBER SERVICE. (Sponsor: Representative Lee) (Volume 71, Chapter 60, Laws of Delaware.)

HB #151 AAB HA 1 (6/16/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RELATED OFFENSES. (Sponsor: Representative Brady) (Volume 71, Chapter 61, Laws of Delaware.)

HB #147 AAB HA 1 AND HA 2 (6/16/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WEAPON OFFENSES. (Sponsor: Representatives Lee and Welch, Senator Vaughn) (Volume 71, Chapter 62, Laws of Delaware.)

HB #138 AAB HA 1 AND SA 1 (6/16/97) - AN ACT TO AMEND CHAPTER 47, TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG PARAPHERNALIA. (Sponsor: Representative Welch) (Volume 71, Chapter 63, Laws of Delaware.)

HB #214 (6/16/97) - AN ACT TO AMEND CHAPTER 158, VOLUME 36, LAWS OF DELAWARE AS AMENDED, BEING THE CHARTER OF THE CITY OF DOVER, RELATING TO SALARY, EMOLUMENTS AND REIMBURSEMENT OF EXPENSES TO THE MAYOR, COUNCIL, AND OTHER ELECTED OR APPOINTED OFFICIALS. (Sponsor: Representatives Stone & Wagner & Senator Still) (Volume 71, Chapter 64, Laws of Delaware.)

SB #83 (6/16/97) - AN ACT TO AMEND 69 LAWS OF DELAWARE, CHAPTER 463 RELATING TO INSURANCE FRAUD. (Sponsor: Representative Wagner) (Volume 71, Chapter 65, Laws of Delaware.)

HB #145 AAB HA 1 (6/16/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO PROVIDE THAT APPEALS FROM CONVICTIONS UNDER TITLE 21 OR OTHER MOTOR VEHICLE VIOLATIONS BE HEARD IN THE COURT OF COMMON PLEAS. (Sponsor: Representative Wagner) (Volume 71, Chapter 66, Laws of Delaware.)

SB #157 (6/17/97) - AN ACT TO WAIVE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. (Sponsor: Senator Connor, Representatives Mack, Reynolds) (Volume 71, Chapter 67, Laws of Delaware.)

SB #150 (6/17/97) - AN ACT WAIVING THE STATUTORY PROVISIONS OF § 107 (a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF STEVEN SHELTON AND STEPHANIE CAMPBELL, NON-RESIDENTS OF THE STATE OF DELAWARE. (Sponsor: Senator Sharp) (Volume 71, Chapter 68, Laws of Delaware.)

HB #224 AAB HA 1 (6/17/97) - AN ACT TO AMEND CHAPTER 463, VOLUME 69, LAWS OF DELAWARE, AS AMENDED BY SECTION 81, CHAPTER 118, VOLUME 70 LAWS OF DELAWARE AND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FRAUD PREVENTION BUREAU OF THE OFFICE OF THE INSURANCE COMMISSIONER. (Sponsor: Representative Capano & Senator Vaughn) (Volume 71, Chapter 69, Laws of Delaware.)

LEGISLATIVE ADVISORY #18, dated June 25, 1997, the Governor signed the following legislation on the dates indicated:

SB #126 (6/24/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO HIGHER EDUCATION INCENTIVES FOR STUDENT ACHIEVEMENTS. (Sponsor: Senator Sokola & Representative Oberle) (Volume 71, Chapter 70, Laws of Delaware.)

HB #245 (6/24/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM. (Sponsor: Representative Oberle & Senator Sokola & Senator McDowell) (Volume 71, Chapter 71, Laws of Delaware.)

HB #169 (6/25/97) - AN ACT TO AMEND CHAPTER 9, TITLE 7, OF THE DELAWARE CODE, RELATING TO FEDERAL FISHERIES MANAGEMENT PLANS. (Sponsor: Representative Quillen) (Volume 71, Chapter 72, Laws of Delaware.)

SB #113 AAB SA 1 (6/25/97) - AN ACT TO AMEND CHAPTER 19 OF TITLE 7 OF THE DELAWARE CODE RELATING TO SURF CLAMS AND HORSESHOE CRABS. (Sponsor: Senator Voshell and Representative Carey) (Volume 71, Chapter 73, Laws of Delaware.)

HB #304 (6/25/97) - AN ACT TO AMEND LAWS OF DELAWARE AND TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS. (Sponsor: Representative Roy) (Volume 71, Chapter 74, Laws of Delaware.)

SB #139 (6/25/97) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE. (Sponsor: Senator Sharp) (Volume 71, Chapter 75, Laws of Delaware.)

SB #103 (6/25/97) - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS, THE "UNIFORM TESTAMENTARY ADDITIONS TO TRUSTS ACT". (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 76, Laws of Delaware.)

SB #104 (6/25/97) - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 77, Laws of Delaware.)

SB #107 (6/25/97) - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 78, Laws of Delaware.)

SB #105 (6/25/97) - AN ACT TO AMEND CHAPTER 19, TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE; AND PROVIDING FOR A "UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT". (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 79, Laws of Delaware.)

SB #160 (6/25/97) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE, THE UNIFORM TRADE SECRETS ACT. (Sponsor: Senator Sharp) (Volume 71, Chapter 80, Laws of Delaware.)

SB #161 (6/25/97) - AN ACT TO AMEND PART II, TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS; AND PROVIDING FOR A "UNIFORM INTERNATIONAL WILLS ACTS". (Sponsor: Senator Sharp) (Volume 71, Chapter 81, Laws of Delaware.)

HB #243 (6/25/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. (Sponsor: Representatives Wagner & Reynolds & Senator Sokola) (Volume 71, Chapter 82, Laws of Delaware.)

HB #311 (6/25/97) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Representatives Roy & Schroeder & Senator Venables) (Volume 71, Chapter 83, Laws of Delaware.)

HJR #11 (6/25/97) - DIRECTING THE PUBLIC SERVICE COMMISSION TO COMPLETE DOCKET 97-65 BY FEBRUARY 1, 1998; REPORT ITS DECISION TO THE GOVERNOR AND THE GENERAL ASSEMBLY; AND REQUIRE DELMARVA POWER & LIGHT COMPANY TO TEMPORARILY LIMIT ITS ACTIVITIES IN CERTAIN WAYS. (Sponsor: Representative Petrilli & Oberle)

HJR #12 (6/25/97) - DIRECTING THE PUBLIC SERVICE COMMISSION TO ISSUE A CONSENT ORDER REQUIRING DELMARVA POWER & LIGHT COMPANY TO SUBMIT

TO AUDITS OF THEIR AFFILIATES AND NOTIFY THE COMMISSION OF CERTAIN ACQUISITIONS. (Sponsor: Representatives Oberle & Petrilli)

LEGISLATIVE ADVISORY #19, dated June 26, 1997, the Governor signed the following legislation on the dates indicated:

SB #147 AAB SA 3 (6/26/97) - AN ACT TO AMEND TITLE 19, TITLE 18, TITLE 29, AND TITLE 30 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Sponsor: Senator Marshall and Representative Oberle) (Volume 71, Chapter 84, Laws of Delaware.)

SB #75 (6/26/97) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE SECRETARY, DELAWARE HEALTH AND SOCIAL SERVICES. (Sponsor: Senator Blevins & Representative Maier) (Volume 71, Chapter 85, Laws of Delaware.)

HB #197 AAB HA 1 (6/26/97) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BIRTH DEFECTS. (Sponsor: Representative Maier & Maroney & Senator Blevins) (Volume 71, Chapter 86, Laws of Delaware.)

HB #236 AAB SA 1 (6/26/97) - AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL DRIVERS ACT. (Sponsor: Representative Ewing & Senator Henry) (Volume 71, Chapter 87, Laws of Delaware.)

SB #110 AAB SA 1 (6/26/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULTS IN DETENTION FACILITIES. (Sponsor: Senator Vaughn & Representative Lee) (Volume 71, Chapter 88, Laws of Delaware.)

HB #249 AAB HA 1 (6/26/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC LAWS. (Sponsor: Representative Ewing & Senator Henry) (Volume 71, Chapter 89, Laws of Delaware.)

HB #146 (6/26/97) - AN ACT TO AMEND CHAPTER 31, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsor: Representative Oberle & Senator Sharp) (Volume 71, Chapter 90, Laws of Delaware.)

* * *

A communication from Senator Connor was read requesting her name be added as a co-sponsor to **HB 141**.

A communication from Senator Sokola was read requesting Senator Connor's name be added as a co-sponsor to **SB 215**.

At 2:30 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 42nd Legislative Day.

**42ND LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
1ST SESSION
JUNE 30, 1997**

The Senate convened at 2:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

The Honorable William B. Chandler, III - 21 Senators voting YES. Appointment confirmed.

Senator McBride was marked present during the above roll call.

Senator Adams requested the privilege of the floor for Chancellor Chandler.

Chancellor Chandler made his remarks to the members, after which Chancellor Chandler was excused.

Richard S. Cordrey - 21 Senators voting YES. Appointment confirmed.

Timothy E. Targett - 21 Senators voting YES. Appointment confirmed.

John F. Schmutz - 21 Senators voting YES. Appointment confirmed.

SCR 42 was introduced and brought before the Senate for consideration on motion of Senator Bair.

SCR 42 - RECOGNIZING THE MONTH OF OCTOBER 1997 AS NATIONAL LEARNING DISABILITIES MONTH IN THE STATE OF DELAWARE AND COMMENDING THE GFWC DELAWARE STATE FEDERATION OF WOMEN'S CLUBS FOR THEIR LAUDABLE PUBLIC EDUCATION EFFORTS ON BEHALF OF THIS ISSUE. Sponsor: Senator Bair & Blevins; Senators Amick, Hauge, Reed, Sorenson, Still, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Venables, Voshell; Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Quillen, Smith, Stone, Ulbrich, Wagner, Welch, Banning, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, Van Sant, West, Williams.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Bunting, McBride, Venables) ABSENT; therefore, **SCR 42** was declared adopted by the Senate and sent to the House for consideration.

Senator Connor was added as a co-sponsor to **SCR 42**.

HB 320 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

HB 320 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. 3/5 VOTE.

A roll call vote was taken and revealed 16 Senators voting YES, 1 (Still) NO, 4 (Adams, Bunting, McBride, Venables) ABSENT; therefore, **HB 320** was declared passed the Senate and returned to the House.

HB 242 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 242 w/HA 1 - AN ACT TO AMEND TITLE 29, CHAPTER 82, AND TITLE 16, CHAPTERS 63 AND 68, OF THE DELAWARE CODE RELATING TO THE STATE EMERGENCY RESPONSE COMMISSION.

A roll call vote was taken and revealed 16 Senators voting YES, 5 (Adams, Bair, Bonini, Bunting, Venables) ABSENT; therefore, **HB 242 w/HA 1** was declared passed the Senate and returned to the House.

HB 75 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 75 - AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS AFFAIRS.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Bair, Bunting, Venables) ABSENT; therefore, **HB 75** was declared passed the Senate and returned to the House.

HB 303 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 303 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A STATE REVOLVING LOAN PROGRAM FOR DRINKING WATER FACILITIES AND OTHER QUALIFYING PROJECTS.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Adams, Bunting, Venables) ABSENT; therefore, **HB 303** was declared passed the Senate and returned to the House.

HB 286 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 286 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TAMPERING WITH A JUROR. 2/3 VOTE

Senator Reed commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Adams, Amick, Bunting, Venables) ABSENT; therefore, **HB 286** was declared passed the Senate and returned to the House.

HB 121 w/HA 1 & 2 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 121 w/HA 1 & 2 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Still questioned the floor manager, after which Senator Marshall requested the privilege of the floor for Tom McPherson, Unemployment Insurance Director.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 121 w/HA 1 & 2** was declared passed the Senate and returned to the House.

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

Alex J. Smalls - 21 Senators voting YES. Appointment confirmed.

Stephen P. Lamb - 21 Senators voting YES. Appointment confirmed.

HB 257 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 257 w/HA 1 - AN ACT TO AMEND TITLES 5 AND 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. 3/5 VOTE

SA 1 to HB 257, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Marshall.

Senator Still questioned the sponsor, after which Senator Marshall requested the floor for Bill Remington, representing Division of Revenue.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SA 1 to HB 257** was declared part of the bill.

HB 257 w/HA 1 & SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 257 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

HB 132 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 132 w/HA 1 - AN ACT TO AMEND TITLE 4 AND TITLE 30 OF THE DELAWARE CODE RELATING TO LICENSING, FEES AND TAXES ON THE MANUFACTURE AND SALE OF ALCOHOLIC BEVERAGES AND CIDER. 3/5 VOTE

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 132 w/HA 1** was declared passed the Senate and returned to the House.

SB 182 was brought before the Senate for consideration on motion of Senator Hauge.

SB 182 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL RULES AND REGULATIONS.

SA 1 to SB 182, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Hauge.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 182** was declared part of the bill.

SB 182 w/SA 1 was now before the Senate.

Several Senators commented.

Senator Connor requested that her name be added as a co-sponsor. No objection.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 182 w/SA 1** was declared passed the Senate and sent to the House for consideration.

SB 202 was brought before the Senate for consideration on motion of Senator Cook.

SB 202 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO UNPAID KENT COUNTY SEWER SERVICE CHARGES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SB 202** was declared passed the Senate and sent to the House for consideration.

SB 203 was brought before the Senate for consideration on motion of Senator Cook.

SB 203 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS ON PETITIONS TO ESTABLISH GARBAGE COLLECTION DISTRICTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) NOT VOTING; therefore, **SB 203** was declared passed the Senate and sent to the House for consideration.

SB 165 was brought before the Senate for consideration on motion of Senator Vaughn.

SB 165 - AN ACT TO AMEND CHAPTER 13, TITLE 18 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF INSURERS.

SA 1 to SB 165, which was previously place with the bill, was brought before the Senate for consideration on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 165** was declared part of the bill.

SB 165 w/SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Still questioned the witness, after which the witness was excused.

SB 165 w/SA 1 was laid on the table on motion of Senator Vaughn.

HJR 4 w/HA 2 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HJR 4 w/HA 2 - A RESOLUTION TO OPEN FAMILY COURT PROCEEDINGS AND RECORDS.

Senator Reed commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 4 w/HA 2** was declared passed the Senate and returned to the House.

SB 201 was brought before the Senate for consideration on motion of Senator Marshall.

SB 201 - AN ACT TO AMEND TITLE 30, OF THE DELAWARE CODE RELATING TO ASSESSMENT AND COLLECTION OF TAXES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, **SB 201** was declared passed the Senate and sent to the House for consideration.

HB 267 w/HA 1 & 4 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 267 w/HA 1 & 4 - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION INSURANCE.

Senator Hauge questioned the floor manger, after which Senator Blevins requested the privilege of the floor for Paula Roy, representing Delaware Health Care Commission.

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

A roll call vote was taken and revealed 13 Senators voting YES, 7 (Amick, Bonini, Hauge, Marshall, McDowell, Sharp, Vaughn) NO, 1 (McBride) NOT VOTING; therefore, **HB 267 w/HA 1 & 4** was declared passed the Senate and returned to the House.

HB 127 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 127 - AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

Senator Bair commented.

A roll call vote was taken and revealed 12 Senators voting YES, 5 (Hauge, Marshall, McBride, Sokola, Still) NO, 4 (Amick, Bair, Reed, Sorenson) NOT VOTING; therefore, **HB 127** was declared passed the Senate and returned to the House.

HJR 14 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HJR 14 - ESTABLISHING A REPORTING DEADLINE FOR ENVIRONMENTAL PROTECTION AGENCY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A DETAILED WRITTEN REPORT INCLUDING CONCLUSIONS, RECOMMENDATIONS AND SCHEDULE FOR THE CLEANUP OF THE HEALTHWAYS SITE IN ODESSA, NEW CASTLE COUNTY, DELAWARE.

Senators Vaughn and McDowell commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) ABSENT; therefore, **HJR 14** was declared passed the Senate and returned to the House.

HB 6 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 6 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO DEFENSES TO CRIMINAL LIABILITY AND EVIDENCE OF INTOXICATION.

Senator Sharp requested the privilege of the floor for Steve Wood, representing the Attorney General's office.

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

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (Cook) ABSENT; therefore, **HB 6** was declared passed the Senate and returned to the House.

HB 338 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 338 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REVOCATION OF A LICENSE TO DRIVE A MOTOR VEHICLE FOR PERSONS CONVICTED OF DRUG OFFENSES.

Senator Still questioned the witness, after which Senator Henry requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Several Senators commented.

Senator Henry moved to lay **HB 338** on the table. No objection.

HB 374 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 374 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. 3/5 VOTE.

Senators Bair and Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 374** was declared passed the Senate and returned to the House.

SB 134 was brought before the Senate for consideration on motion of Senator Reed.

SB 134 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN DOG LAW VIOLATIONS. 2/3 VOTE.

Several Senators questioned the sponsor, after which Senator Reed requested the privilege of the floor for H. Lloyd Alexander, Jr., representing DNREC.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 14 Senators voting YES, 5 (Adams, Cook, McDowell, Vaughn, Venables) NO, 1 (McBride) NOT VOTING, 1 (Henry) ABSENT; therefore, **SB 134** was declared passed the Senate and sent to the House for consideration.

HB 363 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 363 - AN ACT TO AMEND CHAPTER 171, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO CHANGE THE JURISDICTIONAL POWERS OF THE POLICE DEPARTMENT OF THE TOWN OF CHESWOLD". 2/3 VOTE.

Several Senators questioned the sponsor, after which Senator Sokola requested the privilege of the floor for Keith Brady, representing the Attorney General's office.

Senators Amick and Adams questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 15 Senators voting YES, 4 (Bonini, Connor, McBride, Reed) NO, 1 (Sorenson) NOT VOTING, 1 (Hauge) ABSENT; therefore, **HB 363** was declared passed the Senate and returned to the House.

HB 207 was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

HB 207 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Senator Venables moved to lay **HB 207** on the table. No objection.

HB 300 w/HA 1 & 2 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

HB 300 w/HA 1 & 2 - AN ACT TO AMEND TITLES 18 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO SEPARATE ACCOUNTS, CORPORATE OWNED LIFE INSURANCE AND CREATING SPECIAL FUNDS FOR GREENWAY PROJECTS AND HISTORIC PRESERVATION PROJECTS THROUGHOUT THE STATE OF DELAWARE. 3/4 VOTE.

SA 1 to HB 300 was brought before the Senate for consideration on motion of Senator Vaughn.

Senator Bair requested the privilege of the floor for Representative David Ennis.

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

Senator Vaughn moved to lay **SA 1 to HB 300** and **HB 300 w/HA 1 & 2** on the table. No objection.

HB 102 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 102 w/HA 1 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RULES OF THE JUSTICE OF THE PEACE COURTS.

Senator Bonini commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 102 w/HA 1** was declared passed the Senate and returned to the House.

HB 207 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Venables.

SA 1 to HB 207 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator Sharp requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

SA 1 to HB 207 was stricken on motion of Senator Sharp.

The witness was excused after addressing the Senate.

HB 207 was laid on the table on motion of Senator Venables. No objection.

HJR 9 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HJR 9 - ALLOWING DELAWARE SCHOOLS AND LIBRARIES TO RECEIVE FEDERAL UNIVERSAL SERVICE SUPPORT FOR TELECOMMUNICATIONS AND OTHER SERVICES.

Senator McBride questioned the floor manager, after which Senator Sokola requested the privilege of the floor for Bruce Burcat, representing Public Service Commission.

Senators McDowell and Connor questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, **HJR 9** was declared passed the Senate and returned to the House.

HB 218 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 218 - AN ACT TO AMEND CHAPTER 11, TITLE 9, DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Marshall) ABSENT; therefore, **HB 218** was declared passed the Senate and returned to the House.

At 6:00 p.m. on motion of Senator Voshell, the Senate recessed for dinner.

The Senate reconvened at 9:00 p.m. with Lt. Governor Minner presiding.

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

Henry E. Kressman - 17 Senators voting YES, 4 (Bair, Bonini, Connor, Venables) ABSENT. Appointment confirmed.

Howard W. Mulvaney, III - 20 Senators voting YES, 1 (Bunting) ABSENT. Appointment confirmed.

Agnes E. Pennella - 21 Senators voting YES. Appointment confirmed.

Charles M. Stump - 20 Senators voting YES, 1 (McDowell) NO. Appointment confirmed.

Rosalind Toulson - 21 Senators voting YES. Appointment confirmed.

Abigail E. Truitt - 21 Senators voting YES. Appointment confirmed.

SB 170 w/SA 1 & 2, w/HA 1 & 2, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of Senator Sharp.

SB 170 w/SA 1 & 2, w/HA 1 & 2 - AN ACT TO AMEND TITLES 10, 11, 16, 18 AND 29 RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE OR NEGLECT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 170 w/SA 1 & 2, w/HA 1 & 2** was declared passed the Senate and sent to the Governor.

The Secretary announced a message from the House informing the Senate that it had passed **HB 144 w/HA 1 & 2, w/SA 1, w/HA 3 & 4; HB 325; HB 372; HB 383; HB 368 w/HA 1; HB 149 w/HA 1 & 3; SB 186; SB 182 w/SA 1; SB 201; SB 134.**

HB 144 w/HA 1 & 2, w/SA 1, w/HA 3 & 4, which was returned from the House with amendments, was brought before the Senate for reconsideration on motion of the floor manager, Senator Henry.

HB 144 w/HA 1 & 2, w/SA 1, w/HA 3 & 4 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. 2/3 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 144 w/HA 1 & 2, w/SA 1, w/HA 3 & 4** was declared passed the Senate and returned to the House.

The Secretary announced a message from the House informing the Senate that it had passed **SB 172; SB 180; SB 78 w/HA 1; SB 16 w/SA 1.**

SB 78 w/SA 1 & HA 1, which was returned from the House with an amendment, was brought before the Senate for reconsideration on motion of Senator Blevins.

SB 78 w/SA 1 & HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 78 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

HJR 3 w/HA 1 aab HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

HJR 3 w/HA 1 aab HA 1 - CREATING A FAMILY COURT TASK FORCE TO STUDY THE CURRENT SYSTEM FOR OPEN HEARINGS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 3 w/HA 1 aab HA 1** was declared passed the Senate and returned to the House.

SCR 41 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

SCR 41 - COMMENDING THE MEMBERS OF THE CENTENNIAL CELEBRATION PLANNING COMMITTEE FOR THE SUCCESSFUL PLANNING AND EXECUTION OF THE CENTENNIAL CELEBRATION FOR THE DELAWARE CONSTITUTION OF 1897. Sponsor: Senator Sharp & Representative Spence.

Senator Bair commented.

All Senators were added as co-sponsors to **SCR 41**.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 41** was declared adopted by the Senate and sent to the House for consideration.

SR 20 was introduced and brought before the Senate for consideration on motion of Senator Bonini.

SR 20 - EXTENDING BEST WISHES TO DR. REED M. STEWART, PRESIDENT OF WESLEY COLLEGE, UPON HIS UPCOMING RETIREMENT. Sponsor: Senator Bonini on behalf of All Senators.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SR 20** was declared adopted by the Senate.

The Secretary announced a message from the House informing the Senate that it had passed **HB 403; HB 402; HS 1 to HB 231 w/HA 1; HCR 42; HB 156 w/HA 2, 1, 3, 4 & 6; HB 208; HB 144 w/HA 1, 2 & SA 1; HB 366; HB 390 w/HA 1; HB 114; HB 331 w/HA 1; HB 97 w/HA 1; HB 318 w/HA 1; HS 1 to HB 315 w/HA 1; SS 1 to SB 166 w/SA 1; SB 200; SS 1 for SB 192.**

HB 325 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

HB 325 - AN ACT TO AMEND AN ACT BEING CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES, WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO REQUIRE UNITED STATES CITIZENSHIP OF ALL OTHERWISE QUALIFIED VOTERS IN ORDER TO VOTE. 2/3 VOTE. Sponsor: Representative Schroeder & Senator Voshell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 325** was declared passed the Senate and returned to the House.

HS 1 for HCR 24 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

HS 1 for HCR 24 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) TO PROCEED WITH THE NAAMANS CREEK WATERSHED. Sponsor: Representative Smith; Senator Bair.

SA 1 to HS 1 for HCR 24 was brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HS 1 for HCR 24** was declared part of the bill.

HS 1 for HCR 24 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 for HCR 24 w/SA 1** was declared adopted by the Senate and returned to the House for reconsideration.

HB 335 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 335 - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE, AS AMENDED, RELATING TO ALCOHOLIC LIQUORS.

Senator McDowell questioned the floor manager, after which Senator Cook requested the privilege of the floor for John Paradee, Esquire, representing Brandywine Brewing Company.

Senator Venables questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 13 Senators voting YES, 7 (Bunting, McDowell, Reed, Sharp, Still, Venables, Voshell) NO, 1 (Marshall) ABSENT; therefore, **HB 335** was declared passed the Senate and returned to the House.

HB 328 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 328 - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE RIGHT OF APPEAL TO THE STATE FIRE PREVENTION COMMISSION BY PERSONS AGGRIEVED BY DECISIONS OF ASSISTANT STATE FIRE MARSHALS.

Senator Still questioned the floor manager, after which Senator Henry requested the privilege of the floor for James L. Cubbage, representing the State Fire Marshall's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 328** was declared passed the Senate and returned to the House.

HS 1 to HB 322 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp.

HS 1 to HB 322 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. 2/3 VOTE.

Senators Venables and McDowell commented.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (McDowell) NOT VOTING; therefore, **HS 1 to HB 322** was declared passed the Senate and returned to the House.

SB 219 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Voshell.

SB 219 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsor: Senator Voshell & Representative Carey; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still; Reps. Boulden, Buckworth, Capano, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Wagner, Welch, Banning, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Schroeder, Scott, Price, Van Sant, West & Williams.

Senator Sharp commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 219** was declared passed the Senate and sent to the House for consideration.

HS 1 to HB 352 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

HS 1 to HB 352 - AN ACT TO AMEND TITLE 11, DELAWARE CODE REGARDING REGISTRATION AND COMMUNITY NOTIFICATION OF SEX OFFENDERS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 to HB 352** was declared passed the Senate and returned to the House.

HB 271 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 271 - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO SMOKE DETECTORS. 2/3 VOTE.

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 271** was declared passed the Senate and returned to the House.

HB 283 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 283 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEXUAL OFFENDERS.

Senator Bair questioned the floor manager, after which Senator Henry requested the privilege of the floor for John Cordrey, State Attorney.

Senator Amick questioned the witness, after which Senator Henry moved to lay **HB 283** on the table. No objection.

The witness was excused.

HB 298 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 298 w/HA 1 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY.

Senator Voshell requested the privilege of the floor for Sid Balick, representing himself.

Senator Still questioned the witness, after which the witness was excused. The privilege of the floor was called again for Sid Balick on motion of Senator Voshell.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Reed, Still) NOT VOTING; therefore, **HB 298 w/HA 1** was declared passed the Senate and returned to the House. **HS 1 to HB 57** was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HS 1 to HB 57 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 to HB 57** was declared passed the Senate and returned to the House.

HB 353 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 353 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, LICENSE, AND FEES. 3/5 VOTE.

Senator Connor commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 353** was declared passed the Senate and returned to the House.

HJR 6 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HJR 6 - CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY TO UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. Sponsor Boulden; Representatives Buckworth, Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Maier, Reynolds, Stone, Ulbrich, Wagner, Banning, Brady, DiLiberto, B. Ennis, Houghton, Plant, Scott, West, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 6** was declared passed the Senate and returned to the House.

HCR 32 was brought before the Senate for consideration on motion of the floor manager, Senator Bair.

HCR 32 - APPROVING THE COMPREHENSIVE PLAN OF THE DEPARTMENT OF CORRECTION CONCERNING CORRECTIONAL FACILITIES. Sponsor: Representative Lee & Senator Vaughn.

A roll call vote was taken and revealed 18 Senators voting YES, 3 (Henry, Marshall, Sharp) ABSENT; therefore, **HCR 32** was declared adopted by the Senate and returned to the House.

SCR 45 was brought before the Senate for consideration on motion of Senator McDowell.

SCR 45 - URGING THE PUBLIC SERVICE COMMISSION OF THE STATE OF DELAWARE TO STUDY AND MAKE RECOMMENDATIONS TO MANAGE THE PLACEMENT OF TOWERS USED FOR CELLULAR COMMUNICATION DEVICES. Sponsor: Senator McDowell and Representative D. Ennis; Senators Blevins, Bonini, Bunting, Connor; Representative Roy.

Several Senators commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Bair, Cook, Hauge, Reed) NO; therefore, **SCR 45** was declared adopted by the Senate and sent to the House for consideration.

HB 207 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Venables.

HB 207 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

SA 2 to HB 207 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HB 207** was declared part of the bill.

HB 207 w/SA 2 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 207 w/SA 2** was declared passed the Senate and returned to the House for reconsideration.

HB 244 w/HA 2 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 244 w/HA 2 - AN ACT TO AMEND TITLE 29 REGARDING THE DELAWARE FREEDOM OF INFORMATION ACT.

Senator Blevins commented.

A roll call vote was taken and revealed 19 Senators YES, 2 (McDowell, Sharp) NO; therefore, **HB 244 w/HA 2** was declared passed the Senate and returned to the House.

HB 274 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 274 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Senators Sharp and Still questioned the floor manager, after which Senator Sokola requested the privilege of the floor for Michael Ferguson, representing Department of Public Instruction.

Senator McBride questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Amick) NO; therefore, **HB 274** was declared passed the Senate and returned to the House.

HB 62 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator McBride.

HB 62 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL.

Senator Amick questioned the sponsor, after which Senator McBride requested the privilege of the floor for Christophe Tulou, representing DNREC.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 62** was declared passed the Senate and returned to the House.

HB 123 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 123 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE CREATING THE UNIFORM FOREIGN MONEY-JUDGEMENTS RECOGNITION ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 123** was declared passed the Senate and returned to the House.

HB 143 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 143 - AN ACT TO AMEND SUBCHAPTER IV OF CHAPTER 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO THE TAXATION OF ESTATES, TRUSTS AND BENEFICIARIES.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Venables) ABSENT; therefore, **HB 143** was declared passed the Senate and returned to the House.

HB 225 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 225 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE, AND PROVIDING FOR A "UNIFORM FOREIGN-MONEY CLAIMS ACT".

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 225** was declared passed the Senate and returned to the House.

HB 302 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 302 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGES AND OTHER LIENS.

Senator Adams requested the privilege of the floor for Representative Donna Stone.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 302** was declared passed the Senate and returned to the House.

HB 299 was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

HB 299 - AN ACT TO AMEND TITLE 6, DELAWARE CODE, BY AMENDING CHAPTER 33 RELATING TO TRADEMARKS, BRANDS AND LABELS.

A roll call vote was taken and revealed 20 Senators YES, 1 (McDowell) NO; therefore, **HB 299** was declared passed the Senate and returned to the House.

HB 316 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 316 w/HA 1 - AN ACT TO AMEND CHAPTER 45, PART V, TITLE 12 OF THE DELAWARE CODE, MAKING CERTAIN CHANGES IN THE DELAWARE UNIFORM TRANSFERS TO MINORS ACT.

Senator Vaughn requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Vaughn moved to lay **HB 316 w/HA 1** on the table. No objection.

The witness was excused.

At 11:58 p.m. on motion of Senator Voshell, the Senate adjourned the 1st Session of the 139th General Assembly.

**SPECIAL SESSION
139TH GENERAL ASSEMBLY
1ST SESSION
JULY 1, 1997**

At 12:00 a.m. a communication from Speaker Terry Spence and Lt. Governor Minner was read regarding the 1st Special Session.

**HOUSE OF REPRESENTATIVES
STATE OF DELAWARE**

TO: Member of the 139th General Assembly

FROM: Terry R. Spence, Speaker of the House of Representatives
Ruth Ann Minner, Lt. Governor, State of Delaware

SUBJECT: Special Session

DATE: June 30, 1997

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 139th General Assembly of the State of Delaware in Special Session.

(Signed) Terry R. Spence
Speaker of the House of Representatives

(Signed) Ruth Ann Minner, Lt. Governor and
President of the Senate
* * *

Pursuant to the above, the Senate convened at 12:00 a.m., July 1, 1997, with Lt. Governor Minner presiding.

A prayer was offered by Senator Sharp.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

HB 316 w/HA 1 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 316 w/HA 1 - AN ACT TO AMEND CHAPTER 45, PART V, TITLE 12 OF THE DELAWARE CODE, MAKING CERTAIN CHANGES IN THE DELAWARE UNIFORM TRANSFERS TO MINORS ACT.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 316 w/HA 1** was declared passed the Senate and returned to the House.

HJR 8 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HJR 8 - RECOGNIZING THE DELAWARE STATE POLICE FOR 75 YEARS OF SERVICE TO THE CITIZENS OF DELAWARE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 8** was declared passed the Senate and returned to the House.

SB 165 w/SA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

Senator Still commented.

A roll call vote was taken and revealed 18 Senators voting YES, 1 (McDowell) NO, 1 (Sharp) NOT VOTING, 1 (Henry) ABSENT; therefore, **SB 165 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 333 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

HB 333 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE STATE BUREAU OF IDENTIFICATION.

Senator Bonini questioned the floor manager, after which Senator Vaughn requested the privilege of the floor for Michael McLaughlin, representing DELJIS.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 333** was declared passed the Senate and returned to the House.

HB 346 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator the floor manager, Senator Vaughn.

HB 346 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE CRIMINAL JUSTICE INFORMATION SYSTEM.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 346** was declared passed the Senate and returned to the House.

SB 204 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Henry.

SB 204 - AN ACT AMENDING THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION, AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE. 2/3 VOTE.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 204** was declared passed the Senate and sent to the House for consideration.

SJR 5 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

SJR 5 - RELATING TO THE CONSOLIDATION OF THE MUNICIPAL COURT OF THE CITY OF WILMINGTON WITH THE COURT OF COMMON PLEAS AND THE JUSTICE OF THE PEACE COURTS.

SA 1 to SJR 5 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SJR 5** was declared part of the bill.

SJR 5 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SJR 5 w/SA 1** was declared passed the Senate and sent to the House for consideration.

HB 403 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

HB 403 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO INHERITANCE TAXES. Sponsor: Representative Capano & Senator Sharp; Representatives Spence, Smith, Welch, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West, Williams; Senators Voshell, McDowell, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Voshell, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **HB 403** was declared passed the Senate and returned to the House.

HB 402 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

HB 402 - AN ACT TO REPEAL CHAPTER 14, TITLE 30, DELAWARE CODE RELATING TO GIFT TAX. Sponsor: Representatives Carey and Capano and Senator Sharp; Representatives Spence, Smith, Welch, Boulden, Buckworth, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle,

Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich, Wagner, Gilligan, Van Sant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, West, Williams; Senators Voshell, McDowell, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, Sokola, Vaughn, Venables, Voshell, Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson, Still.

Senator McDowell commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **HB 402** was declared passed the Senate and returned to the House.

The Secretary announced a message from the House informing the Senate that it had passed **HB 375; HJR 17; HJR 18; HB 400; SB 219**.

HJR 17 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

HJR 17 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1997. Sponsor: Representative Petrilli, Davis and Gilligan, Senators Cook & Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 17** was declared passed the Senate and returned to the House.

HJR 18 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sharp.

HJR 18 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1998. Sponsor: Representatives Petrilli, Davis and Gilligan, Senators Cook & Still.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 18** was declared passed the Senate and returned to the House.

HB 375 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

HB 375 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1998; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Representatives Davis, Buckworth, DiPinto, Maroney, Houghton, West; Senators Cook, Henry, McBride, Vaughn, Sorenson.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bonini) NO; therefore, **HB 375** was declared passed the Senate and returned to the House.

HB 400 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

HB 400 – A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1998; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; AMENDING CHAPTER 51, TITLE 30, DELAWARE CODE RELATING TO MUNICIPAL STREET AID; AND AMENDING CHAPTER 43, TITLE 30, DELAWARE CODE REALLOCATING AND PLEDGING CERTAIN TRANSPORTATION RELATED GENERAL FUNDS TO THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; APPROPRIATING MONIES FROM THE TWENTY-FIRST CENTURY FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 1998 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. 3/4VOTE. Sponsor: Representatives Roy, Carey, Lofink, Oberle, Plant, Schroeder; Senators Blevins, Cook, McBride, Venables, Bonini, Hauge.

Debt statement was approved as read on motion of Senator Blevins. No objections. Senator Still commented.

Senator Blevins requested the privilege of the floor for Anne Canby, Secretary of Delaware Department of Transportation.

Senator Sharp raised a point of order.

The witness was excused after addressing the Senate.

Senators Cook and McDowell commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **HB 400** was declared passed the Senate and returned to the House.

The Secretary announced a message from the House informing the Senate that it had passed **HB 380**.

HB 380 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Cook.

HB 380 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1998; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. 3/4 VOTE. Sponsor: Representative Davis, Buckworth, DiPinto, Maroney, Houghton, West; Senators Cook, Henry, McBride, Vaughn, Bonini, Sorenson.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 380** was declared passed the Senate and returned to the House.

SB 221 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

SB 221 - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. Sponsor: Senators Cook, Vaughn, McBride, Henry, Sorenson, Bonini, Sharp, Voshell, McDowell, Adams, Blevins, Bunting, Marshall, Sokola, Venables, Amick, Bair, Connor, Hauge, Reed, Still; Representatives Davis, Oberle, Buckworth, DiPinto, Maroney, Houghton, West, Spence, Smith, Welch, Gilligan, Van Sant, Banning, Boulden, Brady, Capano, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Keeley, Lee, Lofink, Mack, Maier, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Stone, Ulbrich, Wagner, Williams.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 221** was declared passed the Senate and sent to the House for consideration.

SB 217 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sokola.

SB 217 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE REGARDING RESIDENCY REQUIREMENTS OF MUNICIPAL EMPLOYEES. 2/3 VOTE. Sponsor: Senator Sokola & Representatives Oberle & Spence.

SA 1 to SB 217 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

A roll call vote was taken and revealed 4 Senators (Henry, Marshall, McDowell, Venables) voting YES, 16 NO, 1 (Cook) ABSENT; therefore, **SA 1 to SB 217** was declared defeated.

SA 2 to SB 217 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

Senators Bonini and Still commented.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Henry, Marshall, McDowell, Still, Venables, Voshell) NO; therefore, **SA 2 to SB 217** was declared part of the bill.

SB 217 w/SA 2 was now before the Senate.

Senators Amick and McDowell commented.

A roll call vote was taken and revealed 12 Senators voting YES, 8 (Amick, Bair, Marshall, McDowell, Reed, Sorenson, Still, Voshell) NO, 1 (Henry) NOT VOTING; therefore, **SB 217 w/SA 2** was declared defeated.

The Secretary announced a message from the House informing the Senate that the House had passed **SB 162 w/SA 1, w/HA 2, 3, 4 & 5**.

SB 162 w/SA 1, w/HA 2, 3, 4 & 5, which was returned from the House with amendments, was brought before the Senate for reconsideration under the suspension of the necessary rules on motion of Senator Blevins.

SB 162 w/SA 1, w/HA 2, 3, 4 & 5 - AN ACT TO AMEND TITLES 7, 10, 13, 16, 18, 21, 29 AND 30 OF THE DELAWARE CODE RELATING TO PATERNITY AND

CHILD SUPPORT OBLIGATIONS AND THE DIVISION OF CHILD SUPPORT
ENFORCEMENT.

A roll call vote was taken and revealed 17 Senators voting YES, 2 (Bonini, Venables) NO, 2 (Hauge, Marshall) ABSENT; therefore, SB 162 w/SA 1, w/HA 2, 3, 4 & 5 was declared passed the Senate and sent to the Governor.

HB 163 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 163 w/HA 1 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE REQUIRING MANDATORY INCARCERATION FOR CRIMINAL CONTEMPT OF FAMILY COURT PROTECTIVE ORDERS.

SA 1 to HB 163 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senators Bonini and Vaughn questioned the sponsor, after which a roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) ABSENT; therefore, SA 1 to HB 163 was declared part of the bill.

HB 163 w/HA 1 & SA 1 was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (McDowell) NO, 1 (Hauge) ABSENT; therefore, HB 163 w/HA 1 & SA 1 was declared passed the Senate and returned to the House for reconsideration.

SCR 43 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SCR 43 - MEMORIALIZING PRESIDENT CLINTON AND THE MEMBERS OF DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT AND PROMOTE THE MORRIS K. UDALL PARKINSON'S RESEARCH AND EDUCATION ACT.
Sponsor: Senator McDowell & Representative Spence.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, SCR 43 was declared adopted by the Senate and sent to the House for consideration.

At 1:40 a.m. on motion of Senator Voshell the Senate recessed to the call of the President Pro Tempore.

**2ND EXECUTIVE SPECIAL SESSION
139TH GENERAL ASSEMBLY
NOVEMBER 13, 1997**

**STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
PROCLAMATION**

By virtue of the authority vested in me as Governor of Delaware by Article III, § 16 of the Constitution of the State of Delaware, I, Thomas R. Carper, hereby proclaim an extraordinary session of the Senate on November 13, 1997 for the transaction of executive business including the consideration of the nominations of: the nominations of persons to serve in certain judicial offices; the nominations of persons to serve on certain boards and commissions; and such other business as may come properly before the Senate.

IN WITNESS WHEREOF, I, THOMAS R. CARPER, Governor of the State of Delaware, have set my Hand and caused the Great Seal of said State to be affixed at Wilmington, the 31st day of October in the year of our Lord One Thousand Nine Hundred Ninety Seven.

(Signed) Thomas R. Carper, Governor

Attest:

(Signed) Edward J. Freel, Secretary of State

* * *

Pursuant to the above proclamation, the Senate convened at 3:05 p.m. on November 13, 1997 with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

The call of the roll for the Executive Session revealed the following attendance:

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

Senator Adams moved that the Secretary of the Senate read the following nominations from the Governor and that they be laid on the table. No objection.

The Honorable John E. Babiarz, Jr.
7 Stirrup Run
Stirrup Farms

To be reappointed an Associate
Judge of the Superior Court of the
State of Delaware for a term of
twelve years.

Edward J. Bennett
1129 Woodsedge Road
Woodbrook
Dover, Delaware 19901

To be appointed a Commissioner
of the Delaware River and Bay
Authority to serve a term of
five years.

The Honorable Jack B. Jacobs
28 Beethoven Drive
Wilmington, Delaware 19807

To be reappointed Vice Chancellor
of the Court of Chancery of the
State of Delaware for a term of
twelve years.

The Honorable Jay Paul James
23 Dickinson Lane
West Park
Wilmington, Delaware 19807

To be appointed a Judge of the
Court of Common Pleas for
New Castle County for a term of
twelve years.

The Honorable Joseph T. Walsh
3907 Heather Drive
Wilmington, Delaware 19807

To be reappointed Associate
Justice of the Supreme Court of the
State of Delaware for a term of
twelve years.

* * *

At 4:24 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:28 p.m. with Lt. Governor Minner presiding.

On motion of Senator Adams and without objection, the following nominations by the Governor were lifted from the table and considered under the suspension of the necessary rules:

The Honorable John E. Babiarz, Jr - 21 Senators voting YES. Appointment confirmed.

Senator Marshall requested the personal privilege of the floor to introduce Judge Babiarz and his family.

The Honorable Joseph T. Walsh - 20 Senators voting YES, 1 (Sharp) ABSENT. Appointment confirmed.

The Honorable Jack B. Jacobs - 21 Senators voting YES. Appointment confirmed.

The Honorable Jay Paul James - 21 Senators voting YES. Appointment confirmed.

The Honorable Edward J. Bennett - 21 Senators voting YES. Appointment confirmed.

Senator Adams announced that all the above nominees were in the chamber.

At 5:42 p.m. on motion of Senator Voshell, the Senate adjourned the 2nd Executive Session of the 139th General Assembly.

The Senate reconvened at 2:48 p.m. on January 13, 1998 with Lt. Governor Minner presiding.

Senator Voshell moved that the First Special Session of the 139th General Assembly adjourn to immediately convene the 1st Legislative Day of the Second Session.

**1ST LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 13, 1998**

The Senate convened at 2:48 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

The journal of the Special Session, 139th General Assembly, 1st Session, July 1, 1997 and the 1st Executive Session, 139th General Assembly, November 13, 1997 was approved as read on motion of Senator Voshell. No objections.

Senators Amick, Blevins and Connor were marked present.

Senator Sharp expressed gratitude and appreciation to the Secretary of the Senate, Bernard J. Brady, for all his dedication and effort in preparing Legislative Hall for session.

At 2:55 p.m. on motion of Senator Voshell, the Senate recessed for Party Caucus.

The Senate reconvened at 4:06 p.m. with Lt. Governor Minner presiding.

HCR 43 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HCR 43 - HONORING MR. BRUCE L. HAMMONDS, VICE CHAIRMAN OF MBNA AMERICA, N.A., UPON HIS RETIREMENT AS CHAIRMAN OF THE BOARD OF THE DELAWARE STATE CHAMBER OF COMMERCE. Sponsor: Representative Spence on behalf of all House Members and Senator Sharp on behalf of all Senate Members.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HCR 43** was declared adopted by the Senate and returned to the House.

Senator McBride was marked present during the above roll call.

HCR 44 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HCR 44 - HONORING THE CONTRIBUTIONS MADE BY W. L. GORE, HIS WIFE GENEVIEVE W. GORE, AND THE COMPANY THEY CO-FOUNDED - W. L. GORE & ASSOCIATES, INC. - ON THE OCCASION OF ITS 40TH ANNIVERSARY. Sponsor: Representative Petrilli and Senator Sorenson.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HCR 44** was declared adopted by the Senate and returned to the House.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 13, 1998**

The following legislation was introduced and assigned to committee on June 30, 1997:

HS 1 to HB 231 w/HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 29 OF THE DELAWARE CODE; AND PROVIDING FOR THE OFFICE OF STATE OMBUDSMAN. Sponsor: Representatives D. Ennis, B. Ennis, Spence & Wagner; Representatives Banning, West, Lee, Plant, DiPinto, Price, Ewing, Brady, Maier, Capano, Ulbrich, Caulk, Welch, Stone, Boulden, Caulk, Welch, Stone, Boulden, Buckworth, Lofink, Davis, Mack; Senators Vaughn, Bonini. To: **Judiciary**.

The following legislation was introduced and assigned to committee on July 1, 1997:

SA 1 to HB 95 - Senator Sokola - Placed with the bill.

SA 1 to HB 371 - Senator Bair - Placed with the bill.

SA 2 to HB 371 - Senator Bair - Placed with the bill.

SA 1 to HCR 37 - Senator Sokola - Placed with the bill.

The following legislation was introduced and assigned to committee on January 13, 1998:

SB 213 - AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING PROVISIONS REGARDING TRANSFER OF DEVELOPMENT RIGHTS. Sponsor: Senator Amick; Representative Stone; Senators Bair, Reed, Connor, Sorenson; Representative Spence. To: **Judiciary**.

SB 214 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUNSETTING OF INDIVIDUAL REZONING, RECORD MAJOR SUBDIVISIONS AND MAJOR LAND DEVELOPMENT APPROVALS. Sponsor: Senator Sharp; Representative Oberle; Senators Blevins, Still, Bair, Amick, Connor; Representative Spence. To: **Community/County Affairs**.

SB 218 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LAND USE ADVISORY COUNCIL AND THE DELAWARE LAND USE PLAN. Sponsor: Senator Bunting. To: **Community/County Affairs**.

SB 220 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ACT. Sponsor: Senator Vaughn. To: **Insurance and Elections**.

SB 222 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DO NOT RESUSCITATE ORDERS PERTAINING TO MINORS WHO HAVE A TERMINAL CONDITION OR ARE PERMANENTLY UNCONSCIOUS. Sponsor: Senator Sorenson; Senators Hauge, Voshell, Bunting; Representative Reynolds. To: **Health and Social Services**.

HB 97 w/HA 1 - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. Sponsor: Representative Scott. To: **Community/County Affairs**.

HB 114 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO CHARLOTTE B. TARR. TRANSFERRING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 53, TITLE 29, DELAWARE CODE. Sponsor: Representatives Buckworth and Ewing. To: **Finance**.

HB 149 w/HA 1 & 3 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL LIABILITY. Sponsor: Representative Van Sant & Senator Marshall. To: **Judiciary**.

HB 156 w/HA 2 aab HA 1, w/HA 3, 4 & 6 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Representatives Maroney and Maier and Senator Blevins; Representatives Spence, Buckworth, Reynolds, Gilligan, Banning, DiLiberto, B. Ennis, Plant, Price; Senators McDowell, Henry, Bair, Sorenson. To: **Insurance**.

HB 208 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COMPUTATION OF GROSS RECEIPTS TAXES. Sponsor: Representative Stone; Representative Quillen. To: **Revenue and Taxation**.

HB 254 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. Sponsor: Representative Price & Senator Voshell; Representatives Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lofink, Maier, Plant, Schroeder, Scott, Ulbrich, Welch, West; Senators Cook, Sokola, Still. To: **Revenue and Taxation**.

HS 1 to HB 315 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. Sponsor: Representative Oberle & Senator Blevins; Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Quillen, Reynolds, Stone, Wagner, Van Sant, Banning, Houghton, Plant, Price, Schroeder, West. To: **Health and Social Services**.

HB 318 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES. Sponsor: Representative Ewing & Senator Henry. To: **Public Safety**.

HB 330 w/HA 1 & 2 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. Sponsor: Representative Reynolds & Senator Hauge. To: **Education**.

HB 331 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE OFFICE OF CHILD ADVOCATE. Sponsor: Representatives Maier and Spence & Senators McDowell, Bair and Sorenson; Representatives Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Stone,

Ulbrich, Wagner, B. Ennis, Houghton, Keeley, Plant, Price, Williams; Senator Sokola. To: **Health and Social Services.**

HB 357 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION OF CONSTRUCTION TRANSPORTATION CONTRACTORS. 3/5 VOTE. Sponsor: Representative Caulk & Senator Connor & Senator Bonini & Representative Reynolds. To: **Highways and Transportation.**

HB 366 - AN ACT TO AMEND CHAPTER 91, TITLE 16, OF THE DELAWARE CODE REGARDING REGULATION OF MANAGED CARE ORGANIZATIONS. Sponsor: Representative Maier & Senator Blevins. To: **Health and Social Services.**

HB 368 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE VETERINARY PRACTICE ACT. Sponsor: Representative DiPinto. To: **Agriculture.**

HB 372 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LANDS PRESERVATION. Sponsor: Representative Caulk and Senators Bunting and Adams. To: **Agriculture.**

HB 383 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION. Sponsor: Representative Schroeder & Senator Bunting. To: **Public Safety.**

HB 390 w/HA 1 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. 2/3 VOTE. Sponsor: Representative Maier and Spence and Senator McDowell; Representatives Spence, Smith, Welch, DiPinto, Lofink, Maroney, Roy; Senators Blevins, Sokola, Amick and Sorenson. To: **Health and Social Service.**

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HB 300 w/HA 1 & 2 was lifted from the table and returned to the **Insurance and Election** Committee on motion of the floor manager, Senator Vaughn.

HB 300 w/HA 1 & 2 - AN ACT TO AMEND TITLES 18 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO SEPARATE ACCOUNTS, CORPORATE OWNED LIFE INSURANCE AND CREATING SPECIAL FUNDS FOR GREENWAY PROJECTS AND HISTORIC PRESERVATION PROJECTS THROUGHOUT THE STATE OF DELAWARE. 3/4 VOTE.

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

At 4:15 p.m. on motion of Senator Voshell, the Senate recessed until 3:30 p.m. on January 14, 1998.

The Senate reconvened at 4:03 p.m. on January 14, 1998, with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Services: **HB 240** - 4 Merits.

From Community/County Affairs: **SB 210** - 3 Merits.

At 4:05 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 2nd Legislative Day.

**2ND LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 14, 1998**

The Senate convened at 4:05 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 14, 1998**

The following legislation was introduced and assigned to committee on January 13, 1998:

SB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. Sponsor: Senators Sharp, Adams, Blevins, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell; Representatives Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, Van Sant, West, Williams. To: **Revenue and Taxation**.

SB 229 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. Sponsor: Senator Sharp, Adams, Blevins, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell; Representatives Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Plant, Price, Schroeder, Scott, Van Sant, West, Williams. To: **Revenue and Taxation**.

SB 230 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ADDITIONAL TEACHERS IN GRADES 1 THROUGH 3 AND KINDERGARTEN. Sponsor: Senator Sharp; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn and Voshell. To: **Education**.

The following letter of nomination from the Governor was assigned to the **Executive** Committee:

STATE OF DELAWARE
Office of the Governor
January 13, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
Dr. Gregg C. Sylvester, 103 Hazel Road, Dover, Delaware 19901, to be appointed as Secretary of the Department of Health and Social Services to serve a term during the pleasure of the Governor.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *

The following legislation were assigned to committees on January 14, 1998:

SA 3 to SB 217 - Senator Bair - Placed with the bill.

SB 223 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO AUTHORIZE THE DELAWARE AFFORDABLE HEALTH INSURANCE ACCESS PROGRAM. Sponsor: Senator Blevins & Representatives Maroney & Maier; Senators Bair, Hauge, Henry, McBride, Sokola, Sorenson, Representatives Davis, Fallon, Roy. To: **Insurance**.

SB 224 - AN ACT TO AMEND CHAPTER 28, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS. Sponsor: Senators McBride, Amick, Voshell & Representatives Cloutier, Van Sant, Spence. To: **Executive**.

SB 227 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE TO ESTABLISH LICENSING REQUIREMENTS FOR APPEARANCE BOND AGENTS AND RUNNERS AND TO SPECIFY CRIMINAL OFFENSES FOR FAILURE TO COMPLY WITH THOSE LICENSING REQUIREMENTS. Sponsor: Senator Voshell. To: **Judiciary**.
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HCR 42 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

HCR 42 - URGING THE MEMBERS OF DELAWARE'S FEDERAL DELEGATIONS TO WORK WITHIN THE CONGRESS OF THE UNITED STATES TO OVERTURN THE EPA'S

PROPOSED NEW AIR QUALITY STANDARDS. Sponsor: Representative DiPinto and Senator McDowell.

Senator McDowell moved to lay **HCR 42** on the table.

Senator Sorenson was marked present.

SCR 46 was brought before the Senate for consideration on motion of Senator McBride.

SCR 46 - URGING THE UNIVERSITY OF DELAWARE BOARD OF TRUSTEES TO RECONSIDER ITS DECISION TO DEMOLISH THE WILMINGTON SQUASH RACQUETS CLUB BUILDING AT WILCASTLE AND THE WILCASTLE BUILDING. Sponsor: Senator McBride & Representative DiPinto; Senators McDowell, Bonini; Representatives Spence, Gilligan.

Senator Amick requested the privilege of the floor for Rick Armitage, representing the University of Delaware.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 8 Senators (Blevins, Bonini, Marshall, McBride, McDowell, Sharp, Sokola, Venables) voting YES, 9 NO, 3 (Bunting, Connor, Henry) NOT VOTING, 1 (Reed) ABSENT; therefore, **SCR 46** was declared defeated.

HCR 41 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HCR 41 - MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION AND THE UNITED STATES ARMY CORPS. OF ENGINEERS TO URGENTLY CONSIDER THE CONTINUED USAGE AND MAINTENANCE OF THE OLD ST. GEORGE'S BRIDGE CROSSING THE CHESAPEAKE AND DELAWARE CANAL, NOT ONLY FOR COMMUNAL REASONS, ELIMINATING THE POSSIBILITY OF SPLITTING A CLOSELY KNIT COMMUNITY INTO TWO DISTINCT PARTS, BUT ALSO FOR VITAL AND STRATEGIC ECONOMIC REASONS TO THE LOCAL AND STATE ECONOMIES, AND TO ALSO ACT AS AN ALTERNATIVE RELIEF ROUTE TO ROUTE 1 WHICH IS VERITABLY ESTIMATED THAT IN A VERY SHORT SPAN OF TIME, THE STATE ROUTE 1 BRIDGE WILL HAVE FULFILLED ITS POTENTIAL AND CAPACITY, THUS REQUIRING AN ENGINEERING LOOK-SEE ALTERNATIVE. Sponsor: Representatives B. Ennis, Banning & Senator Vaughn; Representatives Gilligan, Van Sant, West, Houghton, Plant, Keeley, Williams, Brady, DiLiberto, Price, Scott, Spence, Lofink, Boulden, Ewing, Mack, D. Ennis, Wagner, Reynolds, Ulbrich, Fallon, Petrilli, Buckworth, Maier, Oberle, Stone.

Senators Sokola and McBride commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **HCR 41** was declared adopted by the Senate and returned to the House.

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

The Secretary of the Senate announced the agenda for January 15, 1998.

At 4:34 p.m. on motion of Senator Voshell, the Senate recessed until 2:30 p.m. on January 15, 1998.

The Senate reconvened at 2:55 p.m. on January 15, 1998 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Dr. Gregg C. Sylvester** - 4 Favorable, 2 Merits.

From Revenue and Taxation: **SB 228** - 4 Favorable; **SB 229** - 4 Favorable; **HB 254** - 4 Favorable.

Senator Reed was marked present.

At 3:00 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 3rd Legislative Day.

**3RD LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 15, 1998**

The Senate convened at 3:00 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bonini.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 15, 1998

The following legislation was introduced and assigned to committee:

SB 225 - AN ACT TO AMENDING TITLE 29, DELAWARE CODE ESTABLISHING AN AIDS PREVENTION STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM.

Sponsor: Senator Henry; Representative Plant. To: **Committee to Combat Drug Abuse**.

SB 226 - AN ACT TO AMEND TITLES 10, 11, AND 13 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Senators 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. To: **Judiciary**.

SB 231 - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsor: Senator Voshell & Representative Carey; Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Representatives Boulden, Brady, Buckworth, Capano, Cathcart, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams. To: **Executive**.

SB 232 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Senator Still, Senator Venables. To: **Education**.

SB 233 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Senator Bunting; Senators Sokola & Amick; Representatives Boulden, Buckworth, Carey, Ewing, Spence, Stone, Wagner, Welch, Brady, DiLiberto, Gilligan, Keeley & West. To: **Finance**.

* * *

On motion of Senator Adams and without objection, the following nomination by the Governor was considered:

Dr. Gregg C. Sylvester.

Senator Marshall was marked present.

Senators Marshall and Connor commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT.

Appointment confirmed.

Senators Blevins and McBride were marked present during the above roll call.

At 3:17 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:20 p.m. with Lt. Governor Minner presiding.

SB 228 was brought before the Senate for consideration on motion of Senator Sharp.

SB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME.

Senator Sharp requested the privilege of the floor for Secretary John Carney, Department of Finance.

Senators Bair and Amick questioned the witness.

Senator Sharp raised a point of order.

Senator Amick questioned the witness. Senator Sharp once again raised a point of order.

Several Senators continued questioning the witness, after which the witness was excused.

Several Senators commented.

SA 1 to SB 228 was introduced and brought before the Senate for consideration on motion of Senator Hauge.

Senator Sharp moved to lay **SA 1 to SB 228** on the table.

Senator Hauge objected.

A roll call vote was taken on the motion and revealed 12 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO, 1 (McDowell) ABSENT; therefore, the motion carried.

Senator Hauge moved to lay **SA 1 to SB 228** on the table.

Senator Hauge requested the privilege of the floor for Steve Kubico, Office of the Controller General.

Senator Still and Hauge questioned the witness, after which the witness was excused.

Several Senators commented.

A roll call vote was taken and revealed 15 Senators voting YES, 5 (Bair, Bunting, Connor, Reed, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 228** was declared passed the Senate and sent to the House for consideration.

SB 229 was brought before the Senate for consideration on motion of Senator Sharp.

SB 229 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES.

Senator Still questioned the sponsor, after which Senator Sharp requested the privilege of the floor for John Carney, Secretary of Finance.

The witness was excused after addressing the Senate.

Senator Hauge commented.

SA 1 to SB 229 was introduced and brought before the Senate for consideration on motion of Senator Hauge.

Senator Sharp moved to lay **SA 1 to SB 229** on the table.

Senator Hauge objected.

A roll call vote was taken on the motion and revealed 12 Senators voting YES, 8 (Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still) NO, 1 (McDowell) ABSENT; therefore, the motion carried.

Senators Bair and Sharp commented.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Bair, Connor, Reed, Still) NO, 1 (McDowell) ABSENT; therefore, **SB 229** was declared passed the Senate and sent to the House for consideration.

SENATE CONSENT CALENDAR #11 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 45 - COMMENDING MORRIS W. KING OF HARTLY, DELAWARE FOR SIXTY YEARS OF CONTINUOUS ACTIVE SERVICE WITH THE HARTLY VOLUNTEER FIRE COMPANY AND VARIOUS OTHER FIRE SERVICES THROUGHOUT THE COUNTY AND STATE LEVELS, AND FURTHER EXTENDING MORRIS W. KING MANY, MANY THANKS FOR HIS DEDICATED AND LOYAL SERVICE AND WISHING HIM MANY MORE YEARS OF SERVICE ACCOMPANIED WITH THE BEST OF HEALTH AND HAPPINESS. Sponsor: Representatives B. Ennis, Welch; Senators Vaughn, Cook.

HCR 47 - COMMENDING CLARENCE A SCHWATKA, JR. OF TOWNSEND, DELAWARE ON HIS SIXTY YEARS OF DEDICATED SERVICE AS AN ACTIVE MEMBER OF THE TOWNSEND FIRE CO., INC. AND FURTHER WISHING HIM THE BEST OF HEALTH AND HAPPINESS ALONG WITH MANY MORE YEARS OF SERVICE. Sponsor: Representative B. Ennis, Senator Vaughn & Representative Cathcart on Behalf of All Representatives and Senators.

HCR 48 - EXTENDING MANY TIMES PERPETUAL "THANKS" TO GERARD M. MCNESBY, TRANSPORTATION TRUST FUND ADMINISTRATOR AND ACTING DIRECTOR OF THE MOTOR FUEL TAX ADMINISTRATION ON HIS SOON TO BE TENTH ANNIVERSARY WITH THE DEPARTMENT OF TRANSPORTATION, AND FURTHER EXTENDING TO HIM, IN HIS NEW PURSUANCE, AS ACTING VICE PRESIDENT OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE FOR FINANCE, ABSOLUTE AND SPONTANEOUS SUCCESS. Sponsor: Representative Roy & Senator Cook.

A roll call vote was taken on **SENATE CONSENT CALENDAR #11** and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

Senator Bair requested that **SB 217** be reconsidered.

Senator Henry objected.

A roll call vote was taken on the motion and revealed 18 Senators voting YES, 2 (Henry, Marshall) NO, 1 (McDowell) ABSENT; therefore, the motion carried.

Senator Sokola requested to rescind the roll call. No objection.

Senator Sokola requested to lay **SB 217** on the table.

Senator Sharp requested a tribute to Senator and Mrs. Vaughn be read in its entirety. No objections.

Senator Vaughn commented.

SB 235 was introduced and assigned to **Highways and Transportation** Committee.

SB 235 - AN ACT TO AMEND TITLES 17 AND 29 OF THE DELAWARE CODE RELATING TO THE ACQUISITION, LEASE AND SALE OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION. Sponsor: Senators Vaughn and Voshell.

Senator Voshell asked the Senate to join him in extending birthday wishes to Senator Connor and Lt. Governor Minner.

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

The Secretary of the Senate announced the agenda for January 20, 1998.

At 6:00 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on January 20, 1998.

The Senate reconvened at 2:40 p.m. on January 20, 1998 with Lt. Governor Minner presiding.

Senator McDowell was marked present.

The Secretary announced a message from the House informing the Senate that the it had passed **HB 291; HB 280 w/HA 1; HB 426 w/HA 1; HCR 48; HCR 43; HCR 44; HCR 45; HCR 46; HCR 47; HB 330 w/HA 1 & 2; HB 357; SB 221; SB 165 w/SA 1; SCR 41; SCR 42; SB 183; SB 191; SB 131; SB 199 w/SA 1; SB 181; SB 204; HB 254; HCR 41; SS 1 to SB 31; SB 171; SB 167 w/SA 2; SB 198; SB 184; SB 88 w/SA 2.**

LEGISLATIVE ADVISORIES #20 - #26 from the Office of Counsel to the Governor were announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #20, dated June 30, 1997, the Governor signed the following legislation on the dates indicated:

SB #80 AAB HA 2 (6/30/97) - AN ACT TO AMEND CHAPTER 13, TITLE 10, DELAWARE CODE RELATING TO JUDGES OF THE COURT OF COMMON PLEAS. (Sponsor: Senator Sharp) (Volume 71, Chapter 91, Laws of Delaware.)

HB #153 AAB HA 1 (6/30/97) - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO PARKING AUTHORITIES. (Sponsor: Representative Keeley) (Volume 71, Chapter 92, Laws of Delaware.)

HB #252 (6/30/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE. (Sponsor: Representative Van Sant) (Volume 71, Chapter 93, Laws of Delaware.)

HB #264 (6/30/97) - AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF CAMDEN. (Sponsor: Representative Buckworth & Senator Bonini) (Volume 71, Chapter 94, Laws of Delaware.)

HB #279 (6/30/97) - AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF SMYRNA. (Sponsor: Representative B. Ennis & Senator Vaughn) (Volume 71, Chapter 95, Laws of Delaware.)

SB #109 (6/30/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES. (Sponsor: Senators Voshell, Blevins, Bunting, Cook, McDowell, Sokola, Venables, Amick, Connor, Hauge, Reed & Still) (Volume 71, Chapter 96, Laws of Delaware.)

SB #128 (6/20/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING CERTAIN CRIMES. (Sponsor: Senator Sharp) (Volume 71, Chapter 97, Laws of Delaware.)

SB #130 (6/30/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING SENTENCING IN CRIMINAL CASES. (Sponsor: Senator Sharp) (Volume 71, Chapter 98, Laws of Delaware.)

SB #129 (6/30/97) - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE REGARDING ABANDONMENT OF AN INFIRM ADULT. (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 99, Laws of Delaware.)

SB #145 AAB SA 1 (6/30/97) - AN ACT TO AMEND CHAPTER 65, TITLE 11, OF THE DELAWARE CODE RELATING TO CREATION OF A SPECIAL FUND FOR MONIES CONFISCATED AS CONTRABAND. (Sponsor: Senator Vaughn) (Volume 71, Chapter 100, Laws of Delaware.)

SB #94 (6/30/97) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE REGARDING PHARMACISTS. (Sponsor: Senator Blevins) (Volume 71, Chapter 101, Laws of Delaware.)

SB #20 AAB SA 1 AND SA 2 (6/30/97) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. (Sponsor: Senator Blevins and Representative Ulbrich) (Volume 71, Chapter 102, Laws of Delaware.)

SB #136 AAB SA 1 AND SA 2 (6/30/97) - AN ACT TO AMEND TITLE 24, DELAWARE CODE RELATING TO REAL ESTATE BROKERS, SALESPERSONS AND APPRAISERS.

(Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 103, Laws of Delaware.)

SB #123 (6/30/97) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE NURSING PRACTICE ACT. (Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 104, Laws of Delaware.)

SB #122 (6/30/97) - AN ACT TO AMEND CHAPTER 17, TITLE 24 OF THE DELAWARE CODE REGARDING THE BOARD OF MEDICAL PRACTICE. (Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 105, Laws of Delaware.)

SB #101 (6/30/97) - AN ACT TO AMEND TITLE 24 CHAPTER 39 OF THE DELAWARE CODE RELATING TO THE BOARD OF CLINICAL SOCIAL WORK EXAMINERS. (Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 106, Laws of Delaware.)

SB #125 (6/30/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. (Sponsor: Senator Voshell & Senator Henry) (Volume 71, Chapter 107, Laws of Delaware.)

SS 1 TO SB #74 AAB SA 2 (6/30/97) - AN ACT TO AMEND CHAPTER 53, TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK. (Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 108, Laws of Delaware.)

HB #99 AAB HA 1 (6/30/97) - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOLIC BEVERAGES. (Sponsor: Representative Scott) (Volume 71, Chapter 109, Laws of Delaware.)

SB #91 (6/30/97) - AN ACT TO AMEND TITLE 29, OF THE DELAWARE CODE RELATING TO THE CONTRACTS WITH PUBLIC LIBRARY SYSTEMS. (Sponsor: Senator Cook & Representative Davis) (Volume 71, Chapter 110, Laws of Delaware.)

SB #51 (6/30/97) - AN ACT TO AMEND CHAPTER 10, TITLE 20, DELAWARE CODE RELATING TO THE FILING FOR PARAPLEGIC PENSION BENEFITS IN THE STATE EMPLOYEES' PENSION PLAN. (Sponsor: Senators Cook & Vaughn) (Volume 71, Chapter 111, Laws of Delaware.)

HB #292 (6/30/97) - AN ACT TO AMEND CHAPTER 34, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES", TO GRANT THE TOWN COUNCIL OF THE TOWN OF BLADES THE POWER AND THE AUTHORITY TO ENACT AN ORDINANCE OR ORDINANCES TO LEVY, ASSESS AND COLLECT OR PROVIDE THE LEVYING, ASSESSMENT AND COLLECTION OF SUCH TAXES AS SHALL BE DETERMINED BY THE TOWN COUNCIL OF THE TOWN OF BLADES TO BE PAID BY THE TRANSFEROR OR TRANSFEREE UPON THE TRANSFER OF REAL PROPERTY OR ANY INTEREST IN REAL PROPERTY, SITUATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF BLADES, SAID TRANSFER TAX NOT TO EXCEED ONE PERCENT (1%) OF THE SALES PRICE (INCLUDING THE VALUE OF ANY ASSUMED MORTGAGE OR MORTGAGES) OR FAIR MARKET VALUE OF THE REAL PROPERTY SO TRANSFERRED; AND PROVIDED FURTHER THAT NO TAX SHALL BE LEVIED UPON AN ORGANIZATION EXEMPTED FROM AD VALOREM REAL ESTATE TAXES. (Sponsor: Representative Fallon and Senator Venables) (Volume 71, Chapter 112, Laws of Delaware.)

HB #49 AAB HA 2 (6/30/97) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. (Sponsor: Representative Welch & Senator Cook) (Volume 71, Chapter 113, Laws of Delaware.)

SS 1 TO SB #115 (6/30/97) - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGISTRATION AND REGULATION OF REGISTERED LIMITED LIABILITY PARTNERSHIPS. (Sponsor: Senator Sharp & Representative Wagner) (Volume 71, Chapter 114, Laws of Delaware.)

SB #102 (6/30/97) - AN ACT TO AMEND TITLE 18, CHAPTER 50, DELAWARE CODE RELATING TO APPEALS FROM CERTAIN ACTIONS OF, OR THE FAILURE TO ACT BY, THE INSURANCE COMMISSIONER OF THE STATE OF DELAWARE. (Sponsor: Senator Vaughn) (Volume 71, Chapter 115, Laws of Delaware.)

SB #114 (6/30/97) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY OR MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. (Sponsor: Senator Venables, Senator McDowell) (Volume 71, Chapter 116, Laws of Delaware.)

SB #144 (6/30/97) - AN ACT TO AMEND CHAPTER 100, TITLE 29 OF THE DELAWARE CODE, RELATING TO THE FREEDOM OF INFORMATION ACT. (Sponsor: Senator Sokola & Representative Reynolds) (Volume 71, Chapter 117, Laws of Delaware.)

SB #124 AAB SA 1 (6/30/97) - AN ACT TO AMEND SECTION 6112, TITLE 12, DELAWARE CODE, RELATING TO THE ALLOCATION OF TRUST INCOME AND PRINCIPLE. (Sponsor: Senator Adams and Representative D. Ennis) (Volume 71, Chapter 118, Laws of Delaware.)

SB #100 (6/30/97) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE EMPLOYMENT OF PENSIONERS. (Sponsor: Senators Cook & Vaughn) (Volume 71, Chapter 119, Laws of Delaware.)

SB #106 (6/30/97) - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Sponsor: Senator Sharp) (Volume 71, Chapter 120, Laws of Delaware.)

SB #108 (6/30/97) - AN ACT TO AMEND CHAPTER 29, TITLE 11, AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES AND THE INVESTMENT OF PENSION FUNDS. (Sponsor: Senators Cook, Vaughn, Henry, McBride, Bonini, Sorenson, Representatives Davis, DiPinto, Buckworth, Maroney, Houghton, West) (Volume 71, Chapter 121, Laws of Delaware.)

SS 2 TO SB #127 (6/30/97) - AN ACT TO AMEND CHAPTER 28 OF TITLE 7 OF THE DELAWARE CODE RELATING TO TRAWLINES FOR COMMERCIAL CONCH POTS. (Sponsor: Senator Vaughn & Representative Schroeder) (Volume 71, Chapter 122, Laws of Delaware.)

SB #151 (6/30/97) - AN ACT TO AMEND CHAPTER 31 OF TITLE 25 OF THE DELAWARE CODE RELATING TO FEDERAL LIENS. (Sponsor: Senator Sharp) (Volume 71, Chapter 123, Laws of Delaware.)

SB #154 (6/30/97) - AN ACT TO AMEND CHAPTER 291, VOLUME 66, LAWS OF DELAWARE, AS AMENDED, ENTITLED: "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON" RELATING TO THE ESTABLISHMENT OF A SPECIFIC DATE FOR THE ANNUAL ELECTION OF COUNCIL MEMBERS OF THE TOWN OF CLAYTON. (Sponsor: Senator Vaughn & Representative B. Ennis) (Volume 71, Chapter 124, Laws of Delaware.)

SB #155 (6/30/97) - AN ACT TO AMEND CHAPTER 299, VOLUME 64, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND AN ACT BEING CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" TO GRANT THE ULTIMATE JURISDICTION FOR CERTAIN CRIMINAL OFFENSES. (Sponsor: Senator Adams) (Volume 71, Chapter 125, Laws of Delaware.)

SB #158 (6/30/97) - AN ACT TO AMEND AN ACT BEING CHAPTER 3, VOLUME 68 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO MUNICIPAL ELECTIONS AND QUALIFICATIONS OF THE MAYOR. (Sponsor: Senator Blevins) (Volume 71, Chapter 126, Laws of Delaware.)

SB #187 (6/30/97) - AN ACT TO AMEND AN ACT WAIVING THE STATUTORY PROVISIONS OF §107 (a) OF CHAPTER 1, TITLE 13, DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF KENNETH SCOTT GRAHAM AND SANDRA MARKS-RUSIN, NON-RESIDENTS OF THE STATE OF DELAWARE. (Sponsor: Senator Voshell) (Volume 71, Chapter 127, Laws of Delaware.)

LEGISLATIVE ADVISORY #21, dated July 1, 1997, the Governor signed the following legislation on the dates indicated:

SB #117 (6/30/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF HEAVY MOTOR VEHICLES. (Sponsor: Senator Voshell and Representative Carey) (Volume 71, Chapter 128, Laws of Delaware.)

HB #403 (7/1/97) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO INHERITANCE TAXES. (Sponsor: Representative Capano & Senator Sharp) (Volume 71, Chapter 129, Laws of Delaware.)

HB #402 (7/1/97) - AN ACT TO REPEAL CHAPTER 14, TITLE 30, DELAWARE CODE RELATING TO GIFT TAX. (Sponsor: Representatives Carey and Capano and Senator Sharp) (Volume 71, Chapter 130, Laws of Delaware.)

SB #219 (7/1/97) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsor: Senator Voshell & Representative Carey) (Volume 71, Chapter 131, Laws of Delaware.)

HJR #17 (7/1/97) - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1997. (Sponsor: Representatives Petrilli, Davis and Gilligan)

HJR #18 (7/1/97) - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1998. (Sponsor: Representative Petrilli, Davis and Gilligan)

HB #375 (7/1/97) - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1998; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Representatives Davis, Buckworth, DiPinto, Maroney, Houghton, West, Senators Cook, Henry, McBride, Vaughn, Sorenson) (Volume 71, Chapter 132, Laws of Delaware.)

LEGISLATIVE ADVISORY #22, dated July 3, 1997, the Governor signed the following legislation on the dates indicated:

SB #174 (7/3/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SOCIAL SECURITY NUMBERS ON DRIVER'S LICENSES AND IDENTIFICATION CARDS ISSUED BY THE DIVISION OF MOTOR VEHICLES. (Sponsor: Senator Henry & Representative Ewing) (Volume 71, Chapter 133, Laws of Delaware.)

SB #58 (7/3/97) - AN ACT TO AMEND CHAPTER 35, TITLE 6 OF THE DELAWARE CODE RELATING TO LATE PAYMENTS TO SUPPLIERS UNDER CONSTRUCTION CONTRACTS. (Sponsor: Senator Voshell) (Volume 71, Chapter 134, Laws of Delaware.)

SB #134 (7/3/97) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN DOG VIOLATIONS. (Sponsor: Senator Reed & Representatives Ulbrich, Maier) (Volume 71, Chapter 135, Laws of Delaware.)

SB #190 (7/3/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DONATED LEAVE PROGRAM(S) FOR SCHOOL EMPLOYEES; AND SICK LEAVE. (Sponsor: Senator McBride & Representative Oberle) (Volume 71, Chapter 136, Laws of Delaware.)

SB #48 (7/3/97) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS. (Sponsor: Senators Blevins, Sorenson and Bonini) (Volume 71, Chapter 137, Laws of Delaware.)

SB #76 AAB SA 2 (7/3/97) - AN ACT TO AMEND TITLES 3, 11, 19, 28 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF ADMINISTRATIVE SERVICES. (Sponsor: Senator Cook and Representative Davis) (Volume 71, Chapter 138, Laws of Delaware.)

SB #16 AAB SA 1 (7/3/97) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. (Sponsor: Senator Blevins & Representative Ulbrich) (Volume 71, Chapter 139, Laws of Delaware.)

SB #180 (7/3/97) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CRIMINAL PENALTIES. (Sponsor: Senator McBride & Representative Mack) (Volume 71, Chapter 140, Laws of Delaware.)

SB #186 (7/3/97) - AN ACT TO AMEND CHAPTER 197, VOLUME 54, LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH AS AMENDED, WITH REGARD TO THE PROCEDURES FOR SALE OF THE CITY OF REHOBOTH BEACH'S REAL AND PERSONAL PROPERTY. (Sponsor: Senator Bunting & Representative Schroeder) (Volume 71, Chapter 141, Laws of Delaware.)

SB #197 (7/3/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE PENSIONS AND THE EMPLOYMENT OF PENSION BENEFICIARIES BY THE STATE. (Sponsor: Senator Cook & Representative Spence) (Volume 71, Chapter 142, Laws of Delaware.)

SS 1 TO SB #166 AAB SA 1 (7/3/97) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE, RELATING TO HEALTH INSURANCE CONCERNING MEASURES NECESSARY FOR DELAWARE TO MAINTAIN REGULATORY AUTHORITY OVER CERTAIN ASPECTS OF HEALTH CARE COVERAGE UNDER THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1966", AND, IN CONNECTION THEREWITH, MAKING DELAWARE REQUIREMENTS RELATED TO THE RENEWABILITY OF HEALTH INSURANCE POLICIES, PREEXISTING CONDITION LIMITATIONS, AND GUARANTEED ISSUE OF COVERAGE CONSISTENT WITH FEDERAL LAW. (Sponsor: Senator Vaughn and Representative Maier) (Volume 71, Chapter 143, Laws of Delaware.)

SB #201 (7/3/97) - AN ACT TO AMEND TITLE 30, OF THE DELAWARE CODE RELATING TO ASSESSMENT AND COLLECTION OF TAXES. (Sponsor: Senator Marshall & Representative Capano) (Volume 71, Chapter 144, Laws of Delaware.)

HB #123 (7/3/97) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE CREATING THE UNIFORM FOREIGN MONEY-JUDGMENTS RECOGNITION ACT. (Sponsor: Representative Wagner) (Volume 71, Chapter 145, Laws of Delaware.)

HB #121 AAB HA 1 AND HA 2 (7/3/97) - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsor: Representative West) (Volume 71, Chapter 146, Laws of Delaware.)

HB #374 (7/3/97) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsor: Representative Oberle & Senator Marshall) (Volume 71, Chapter 147, Laws of Delaware.)

HB #225 (7/3/97) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE, AND PROVIDING FOR A "UNIFORM FOREIGN-MONEY CLAIMS ACT". (Sponsor: Representative Wagner & Senator Sharp) (Volume 71, Chapter 148, Laws of Delaware.)

LEGISLATIVE ADVISORY #23, dated July 10, 1997, the Governor signed the following legislation on the dates indicated:

HB #144 AAB HA 1 AND HA 2 AND SA 1 AND HA 3 AND HA 4 (7/3/97) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Sponsor: Representative Ewing & Senator Henry) (Volume 71, Chapter 149, Laws of Delaware.)

HB #400 (7/9/97) - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 1998; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; AMENDING CHAPTER 51, TITLE 30, DELAWARE CODE RELATING TO MUNICIPAL STREET AID; AND AMENDING CHAPTER 43, TITLE 30, DELAWARE CODE REALLOCATING AND PLEDGING CERTAIN TRANSPORTATION RELATED GENERAL FUNDS TO THE TRANSPORTATION TRUST FUND; AND ESTABLISHING CERTAIN FEES PLEDGED TO THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; APPROPRIATING MONIES FROM THE TWENTY-FIRST CENTURY FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 1998 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Representative Roy, Senator Blevins) (Volume 71, Chapter 150, Laws of Delaware.)

HB #363 (7/9/97) - AN ACT TO AMEND CHAPTER 171, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO CHANGE THE JURISDICTIONAL POWERS OF THE POLICE DEPARTMENT OF THE TOWN OF CHESWOLD". (Sponsor: Representative Welch & Senator Cook) (Volume 71, Chapter 151, Laws of Delaware.)

HB #209 (7/9/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING THE DISPOSITION OF FINES AND COSTS. (Sponsor: Representative Ewing) (Volume 71, Chapter 152, Laws of Delaware.)

HB #6 (7/9/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO DEFENSES TO CRIMINAL LIABILITY AND EVIDENCE OF INTOXICATION. (Sponsor: Representative Roy & Senator Sharp) (Volume 71, Chapter 153, Laws of Delaware.)

SB #131 AAB SA 1 (7/9/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING IN CRIMINAL CASES. (Sponsor: Senator Sharp) (Volume 71, Chapter 154, Laws of Delaware.)

SB #191 (7/9/97) - AN ACT RELATING TO THE PURCHASE OF CERTAIN HORSESHOE CRAB COLLECTING PERMITS. (Sponsor: Senators Voshell & Still) (Volume 71, Chapter 155, Laws of Delaware.)

SB #200 (7/9/97) - AN ACT TO WAIVE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. (Sponsor: Senator Sorenson) (Volume 71, Chapter 156, Laws of Delaware.)

SB #88 AAB SA 2 (7/9/97) - AN ACT TO AMEND CHAPTER 13, TITLE 25, DELAWARE CODE RELATING TO FENCES AND BARBED WIRE. (Sponsor: Senator Blevins and Representative Capano) (Volume 71, Chapter 157, Laws of Delaware.)

HB #286 (7/9/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TAMPERING WITH A JUROR. (Sponsor: Representative Wagner) (Volume 71, Chapter 158, Laws of Delaware.)

HS 1 TO HB #356 (7/9/97) - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO QUALIFIED DISPOSITIONS IN TRUST. (Sponsor: Representative D. Ennis & Senator Adams) (Volume 71, Chapter 159, Laws of Delaware.)

SS 1 TO SB #31 (7/9/97) - AN ACT TO AMEND CHAPTER 16, TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENTS. (Sponsor: Senator McBride) (Volume 71, Chapter 160, Laws of Delaware.)

SB #171 (7/9/97) - AN ACT TO AMEND TITLE 18, DELAWARE CODE RELATING TO THE CANCELLATION OF AGENCY CONTRACTS WITH INDEPENDENT INSURANCE AGENTS. (Sponsor: Senator Vaughn & Representative Banning) (Volume 71, Chapter 161, Laws of Delaware.)

SB #181 (7/9/97) - AN ACT TO AMEND TITLE 6, OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES, BROKER-DEALERS, INVESTMENT ADVISERS AND AGENTS. (Sponsor: Senator Cook & Representative DiPinto) (Volume 71, Chapter 162, Laws of Delaware.)

SB #183 (7/9/97) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ECONOMIC DEVELOPMENT TRAINING ACT. (Sponsor: Senator Marshall & Representative Oberle) (Volume 71, Chapter 163, Laws of Delaware.)

SB #184 (7/9/97) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT. (Sponsor: Senator McBride & Representative Oberle) (Volume 71, Chapter 164, Laws of Delaware.)

SB #221 (7/9/97) - AN ACT TO AMEND CHAPTER 83, TITLE 11, AND CHAPTERS 55 AND 56, TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Sponsor: Senator Cook, Representative Davis) (Volume 71, Chapter 165, Laws of Delaware.)

SB #172 (7/9/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE APPOINTMENT OF THE HEARING BOARDS PURSUANT TO THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS. (Sponsor: Senators Adams & Voshell) (Volume 71, Chapter 166, Laws of Delaware.)

SB #198 (7/9/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING THE IVYANE D.F. DAVIS MEMORIAL SCHOLARSHIP FUND. (Sponsor: Senators McDowell and Blevins) (Volume 71, Chapter 167, Laws of Delaware.)

HJR #9 (7/9/97) - ALLOWING DELAWARE SCHOOLS AND LIBRARIES TO RECEIVE FEDERAL UNIVERSAL SERVICE SUPPORT FOR TELECOMMUNICATIONS AND OTHER SERVICES. (Sponsor: Representative Davis and Senator Cook)

HB #157 (7/9/97) - AN ACT TO AMEND TITLE 1, CHAPTER 6, DELAWARE CODE ESTABLISHING NATIVE-AMERICAN DAY. (Sponsor: Representative Spence) (Volume 71, Chapter 168, Laws of Delaware.)

HB #380 (7/9/97) - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 1998; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsor: Representative Davis, Senator Cook) (Volume 71, Chapter 169, Laws of Delaware.)

HB #320 (7/9/97) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. (Sponsor: Representative Capano & Senator McDowell) (Volume 71, Chapter 170, Laws of Delaware.)

SB #199 AAB SA 1 (7/9/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF FOREIGN CORPORATIONS. (Sponsor: Senator Adams & Representative D. Ennis) (Volume 71, Chapter 171, Laws of Delaware.)

HB #218 (7/9/97) - AN ACT TO AMEND CHAPTER 11, TITLE 9, DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT. (Sponsor: Representatives Roy & Petrilli & Senator Sharp) (Volume 71, Chapter 172, Laws of Delaware.)

HB #102 AAB HA 1 (7/9/97) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RULES OF THE JUSTICE OF THE PEACE COURTS. (Sponsor: Representative Wagner & Senator Vaughn) (Volume 71, Chapter 173, Laws of Delaware.)

LEGISLATIVE ADVISORY #24, dated July 16, 1997, the Governor signed the following legislation on the dates indicated:

SS 1 TO SB #192 (7/11/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM. (Senators Sharp & Vaughn) (Volume 71, Chapter 174, Laws of Delaware.)

SB #53 AAB SA 1 (7/12/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HATE CRIMES. (Sponsor: Senators Henry, Bunting, McDowell, Voshell & Bair, Sorenson) (Volume 71, Chapter 175, Laws of Delaware.)

SB #204 (7/14/97) - AN ACT AMENDING THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION, AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE. (Sponsor: Senator Henry & Representative DiPinto) (Volume 71, Chapter 176, Laws of Delaware.)

HB #276 AAB HA 1 AND HA 4 (7/15/97) - AN ACT TO AMEND CHAPTER 99 OF TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH CARE INFORMATION. (Sponsor: Representatives Maroney & Maier & Senator Blevins) (Volume 71, Chapter 177, Laws of Delaware.)

SB #78 AAB SA 1 AND HA 1 (7/15/97) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Senators Blevins & Representative Ulbrich) (Volume 71, Chapter 178, Laws of Delaware.)

HB #163 AAB HA 1 AND SA 1 (7/15/97) - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE REQUIRING MANDATORY INCARCERATION FOR CRIMINAL CONTEMPT OF FAMILY COURT PROTECTIVE ORDERS. (Sponsor: Representative Capano and Senator Blevins) (Volume 71, Chapter 179, Laws of Delaware.)

HS #1 TO HB #81 AAB HA 2, HA 4 AND HA 5 (7/16/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Sponsor: Representative Smith & Senator Sokola & Senator Bair & Senator Voshell & Representative Reynolds) (Volume 71, Chapter 180, Laws of Delaware.)

SB #182 AAB SA 1 (7/16/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL RULES AND REGULATIONS. (Sponsor: Senator Hauge & Senator Sokola & Representative Reynolds) (Volume 71, Chapter 181, Laws of Delaware.)

HB #353 (7/16/97) - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, LICENSE, AND FEES. (Sponsor: Representative Roy & Senators McBride & Connor) (Volume 71, Chapter 182, Laws of Delaware.)

HB #328 (7/16/97) - AN ACT TO AMEND CHAPTER 66, TITLE 16 OF THE DELAWARE CODE, RELATING TO THE RIGHT OF APPEAL TO THE STATE FIRE PREVENTION COMMISSION BY PERSONS AGGRIEVED BY DECISIONS OF ASSISTANT STATE FIRE MARSHALS. (Sponsor: Representatives DiPinto, Lee & Senator Vaughn) (Volume 71, Chapter 183, Laws of Delaware.)

HB #18 AAB HA 1 (7/16/97) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURITY OF LOTTERY OPERATIONS AND THE STATE LOTTERY OFFICE. (Sponsor: Representatives Oberle & Welch & Gilligan & Senator McBride) (Volume 71, Chapter 184, Laws of Delaware.)

HB #200 (7/16/97) - AN ACT TO AMEND TITLES 16, 24, AND 29 OF THE DELAWARE CODE RELATING TO OCCUPATIONS AND PROFESSIONS AND TRANSFERRING RESPONSIBILITY FOR THE LICENSURE OF PLUMBERS FROM THE DIVISION OF PUBLIC HEALTH TO THE DIVISION OF PROFESSIONAL REGULATION. (Sponsor: Representative Maroney & Senator Blevins) (Volume 71, Chapter 185, Laws of Delaware.)

HB #221 (7/16/97) - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (Sponsor: Representative Van Sant) (Volume 71, Chapter 186, Laws of Delaware.)

HB #62 (7/16/97) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL. (Sponsor: Representatives Welch & Caulk) (Volume 71, Chapter 187, Laws of Delaware.)

HB #75 (7/16/97)- AN ACT TO AMEND CHAPTER 87, TITLE 29, DELAWARE CODE, RELATING TO THE DELAWARE COMMISSION OF VETERANS AFFAIRS. (Sponsor: Representative West) (Volume 71, Chapter 188, Laws of Delaware.)

HB #143 (7/16/97) - AN ACT TO AMEND SUBCHAPTER IV OF CHAPTER 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO THE TAXATION OF ESTATES, TRUSTS AND BENEFICIARIES. (Sponsor: Representative Wagner & Senators Adams & Hauge) (Volume 71, Chapter 189, Laws of Delaware.)

HB #302 (7/16/97) - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MORTGAGES AND OTHER LIENS. (Sponsor: Representative Stone) (Volume 71, Chapter 190, Laws of Delaware.)

HB #205 AAB HA 1 (7/16/97) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN MEETINGS AND DELIBERATIONS. (Sponsor: Representative DiLiberto) (Volume 71, Chapter 191, Laws of Delaware.)

HB #141 AAB HA 1 (7/16/97) - AN ACT DIRECTING THE SECRETARY OF EDUCATION TO CREATE A PILOT PROJECT TO CHANGE THE DATE OF THE UNIT COUNT. (Sponsor: Representative Boulden & Senator Amick) (Volume 71, Chapter 192, Laws of Delaware.)

HB #244 AAB HA 2 (7/16/97) - AN ACT TO AMEND TITLE 29 REGARDING THE DELAWARE FREEDOM OF INFORMATION ACT. (Sponsor: Representatives Wagner & Ulbrich) (Volume 71, Chapter 193, Laws of Delaware.)

HJR #4 AAB HA 2 (7/16/97) - A RESOLUTION TO OPEN FAMILY COURT PROCEEDINGS AND RECORDS. (Sponsor: Representative Schroeder)

HJR #6 (7/16/97) - CALLING FOR A COLLABORATIVE EFFORT ON THE PART OF DIVISION OF MOTOR VEHICLES (DMV) MANAGEMENT AND EMPLOYEES, THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) AND OTHERS AS DESIGNATED BY THE GOVERNOR AND THE SECRETARY OF PUBLIC SAFETY TO UNDERTAKE A STUDY TO DETERMINE THE OPERATING HOURS OF DMV THAT WILL OPTIMIZE PRODUCTIVITY, COST-EFFECTIVENESS AND THE TIMELY DELIVERY OF QUALITY CUSTOMER SERVICE. (Sponsor: Representative Boulden)

HJR #8 (7/16/97) - RECOGNIZING THE DELAWARE STATE POLICE FOR 75 YEARS OF SERVICE TO THE CITIZENS OF DELAWARE. (Sponsor: Representative Spence & Senator Sharp on Behalf of All House and Senate Members)

HB #274 (7/16/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Sponsor: Representative Reynolds) (Volume 71, Chapter 194, Laws of Delaware.)

HB #299 (7/16/97) - AN ACT TO AMEND TITLE 6, DELAWARE CODE, BY AMENDING CHAPTER 33 RELATING TO TRADEMARKS, BRANDS AND LABELS. (Sponsor: Representatives Stone, Wagner & Senator Adams & Bonini) (Volume 71, Chapter 195, Laws of Delaware.)

HB #316 AAB HA 1 (7/16/97) - AN ACT TO AMEND CHAPTER 45, PART V, TITLE 12 OF THE DELAWARE CODE, MAKING CERTAIN CHANGES IN THE DELAWARE UNIFORM TRANSFERS TO MINORS ACT. (Sponsor: Representatives Welch & Wagner & Senator Vaughn) (Volume 71, Chapter 196, Laws of Delaware.)

HB #325 (7/16/97) - AN ACT TO AMEND AN ACT BEING CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES, WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS" TO REQUIRE UNITED STATES CITIZENSHIP OF ALL OTHERWISE QUALIFIED VOTERS IN ORDER TO VOTE. (Sponsor: Representative Schroeder & Senator Voshell) (Volume 71, Chapter 197, Laws of Delaware.)

SB #167 AAB SA 2 (7/16/97) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NUMBER AND TERM OF OFFICE OF NEW CASTLE OF NEW CASTLE COUNTY COUNCIL MEMBERS. (Sponsor: Senator Sharp & Representative Pettrilli) (Volume 71, Chapter 198, Laws of Delaware.)

Governor Thomas R. Carper vetoed the following legislation on the date indicated:

HJR #14 (7/16/97) - ESTABLISHING A REPORTING DEADLINE FOR THE ENVIRONMENTAL PROTECTION AGENCY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A DETAILED WRITTEN REPORT INCLUDING CONCLUSIONS, RECOMMENDATIONS AND SCHEDULE FOR THE CLEANUP OF THE HEALTHWAYS SITE IN ODESSA, NEW CASTLE COUNTY, DELAWARE. (Sponsor: Representative Banning and Senator Vaughn)

LEGISLATIVE ADVISORY #25, dated July 18, 1997, the Governor signed the following legislation on the dates indicated:

SB #170 AAB SA 1 AND SA 2 AND HA 1 AND HA 2 (7/17/97) - AN ACT TO AMEND TITLES 10, 11, 16, 18 AND 29 RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN YOUTH AND THEIR FAMILIES AND THE PROTECTION OF CHILDREN FROM ABUSE AND NEGLECT. (Sponsor: Senator Sharp & Representatives Maier & Spence) (Volume 71, Chapter 199, Laws of Delaware.)

SB #132 AAB SA 1 AND SA 2 AND HA 1 (7/17/97) - AN ACT TO AMEND TITLE 11 AND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES AND QUALITY IN HIRING. (Sponsor: Senator Marshall & Senator Blevins) (Volume 71, Chapter 200, Laws of Delaware.)

HB #385 AAB HA 1 (7/17/97) - AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES, QUALITY IN HIRING, ADULT ABUSE REGISTRY, AND CHILD CARE AND HEALTH CARE FACILITIES. (Sponsor: Representative Spence & Senator Marshall & Representative Maier & Senator Blevins) (Volume 71, Chapter 201, Laws of Delaware.)

HJR #3 AAB HA 1 AND HA 1 TO HA 1 (7/17/97) - CREATING A FAMILY COURT TASK FORCE TO STUDY THE CURRENT SYSTEM FOR OPEN HEARINGS. (Sponsor: Representatives Wagner & Schroeder & Senator Blevins)

SB #165 AAB SA 1 (7/17/97) - AN ACT TO AMEND CHAPTER 13, TITLE 18 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF INSURERS. (Sponsor: Senator Vaughn) (Volume 71, Chapter 202, Laws of Delaware.)

HS 1 TO HB #352 (7/17/97) - AN ACT TO AMEND TITLE 11, DELAWARE CODE REGARDING REGISTRATION AND COMMUNITY NOTIFICATION OF SEX OFFENDERS. (Sponsor: Representative Roy & Senator Sharp) (Volume 71, Chapter 203, Laws of Delaware.)

HB #346 (7/17/97) - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE CRIMINAL JUSTICE INFORMATION SYSTEM. (Sponsor: Representative Wagner & Senator Vaughn) (Volume 71, Chapter 204, Laws of Delaware.)

HB #333 (7/17/97) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING THE STATE BUREAU OF IDENTIFICATION. (Sponsor: Representative Wagner & Senator Vaughn) (Volume 71, Chapter 205, Laws of Delaware.)

HB #323 (7/17/97) - AN ACT TO AMEND CHAPTER 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF PERSONAL WATERCRAFT. (Sponsor: Representative Schroeder) (Volume 71, Chapter 206, Laws of Delaware.)

HB #263 AAB HA 1 AND HA 3 AND SA 1 (7/17/97) - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE AND EMERGENCY MANAGEMENT. (Sponsor: Representative Gilligan & Senator Voshell) (Volume 71, Chapter 207, Laws of Delaware.)

HB #242 AAB HA 1 (7/17/97) - AN ACT TO AMEND TITLE 29, CHAPTER 82, AND TITLE 16, CHAPTERS 63 AND 68, OF THE DELAWARE CODE RELATING TO THE STATE EMERGENCY RESPONSE COMMISSION. (Sponsor: Representative B. Ennis) (Volume 71, Chapter 208, Laws of Delaware.)

HB #199 AAB SA 1 AND SA 3 (7/17/97) - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Representative Wagner) (Volume 71, Chapter 209, Laws of Delaware.)

HB #207 AAB SA 2 (7/17/97) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Representatives DiPinto & Maier & Senators Sharp, Blevins & Amick) (Volume 71, Chapter 210, Laws of Delaware.)

HB #132 AAB HA 1 (7/17/97) - AN ACT TO AMEND TITLE 4 AND TITLE 30 OF THE DELAWARE CODE RELATING TO LICENSING, FEES AND TAXES ON THE MANUFACTURE AND SALE OF ALCOHOLIC BEVERAGES AND CIDER. (Sponsor: Representative Capano & Senator Marshall) (Volume 71, Chapter 211, Laws of Delaware.)

Governor Thomas R. Carper vetoed the following legislation on the date indicated:

HB #127 (7/17/97)- AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS. (Sponsor: Representative Quillen)

LEGISLATIVE ADVISORY #26, dated July 25, 1997, the Governor signed the following legislation on the dates indicated:

HB #303 (7/21/97) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A STATE REVOLVING LOAN PROGRAM FOR DRINKING WATER

FACILITIES AND OTHER QUALIFYING PROJECTS. (Sponsor: Representative Schroeder & Senator Blevins) (Volume 71, Chapter 212, Laws of Delaware.)

HB #220 AAB HA 1 (7/21/97) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. (Sponsor: Representative Price & Senator Voshell) (Volume 71, Chapter 213, Laws of Delaware.)

HB #262 AAB HA 1 (7/21/97) - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO FOOD FISH DEALER REPORTING. (Sponsor: Representative Price) (Volume 71, Chapter 214, Laws of Delaware.)

HS 1 FOR HB #57 (7/21/97) - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY. (Sponsor: Representative Brady) (Volume 71, Chapter 215, Laws of Delaware.)

SB #162 AAB SA 1 AND HA 2, HA 3, HA 4 AND HA 5 (7/21/97) - AN ACT TO AMEND TITLES 7, 10, 13, 16, 18, 21, 29 AND 30 OF THE DELAWARE CODE RELATING TO PATERNITY AND CHILD SUPPORT OBLIGATIONS AND THE DIVISION OF CHILD SUPPORT ENFORCEMENT. (Sponsor: Senator Blevins & Representative Maier & Maroney) (Volume 71, Chapter 216, Laws of Delaware.)

HB #257 AAB HA 1 AND SA 1 (7/23/97) - AN ACT TO AMEND TITLES 5 AND 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (Sponsor: Representative Capano & Senator Marshall) (Volume 71, Chapter 217, Laws of Delaware.)

HS 1 FOR HB #322 (7/23/97) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Sponsor: Representative Spence, Senator Sharp) (Volume 71, Chapter 218, Laws of Delaware.)

HB #271 (7/23/97) - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO SMOKE DETECTORS. (Sponsor: Representatives Lee & B. Ennis, Senator Venables) (Volume 71, Chapter 219, Laws of Delaware.)

SB #121 AAB SA 1 (7/24/97) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT RESTRICTIONS FOR MOTOR VEHICLES. (Sponsor: Senator Voshell & Representative Lee) (Volume 71, Chapter 220, Laws of Delaware.)

Governor Thomas R. Carper vetoed the following legislation on the date indicated:

HB #298 AAB HA 1 (7/21/97) - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY. (Sponsor: Representative Brady)

HB #335 (7/24/97) - AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE, AS AMENDED, RELATING TO ALCOHOLIC LIQUORS. (Sponsor: Representative Capano and Senator Blevins)

Governor Thomas R. Carper vetoed the following legislation on the date indicated. This was inadvertently omitted from previous advisories:

SB #54 (6/13/97) - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Sponsor: Senators Marshall & Voshell; Representative Spence)

* * *

SENATE CITATION ANNOUNCEMENT #4 – S139-330-359 inclusive was introduced and a copy made available to each Senator.

SS 1 to SB 231 was introduced and adopted in lieu of the original on motion of Senator Voshell.

SS 1 to SB 231 - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. Sponsor: Senator Voshell & Representative Carey; Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Representatives Boulden, Brady, Buckworth, Capano, Cathcart, Cloutier Davis, DiLiberto, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams.

At 2:45 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 4th Legislative Day.

**4TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 20, 1998**

The Senate convened at 2:45 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshali, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 20, 1998**

The following legislation was introduced and assigned to committee on January 15, 1998:

SA 1 to SB 214 - Senator Still - Placed with the bill.

HCR 46 - A RESOLUTION SUPPORTING THE CONSTRUCTION OF A PITCHED ROOF ON THE SUSSEX COURTHOUSE ANNEX AS PART OF ITS RENOVATIONS TO HOUSE THE COURT OF CHANCERY, THE REGISTER IN CHANCERY AND THE REGISTER OF WILLS. Sponsor: Representatives Quillen, Ewing, Carey, Fallon, Lee, Price, Schroeder, Wagner, West. To: **Administrative Services**.

The following legislation was introduced and assigned to committee on January 20, 1998:

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 VOTE. Sponsor: Senator Bunting, Representative Price. To: **Community/County Affairs**.

SB 236 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. Sponsor: Senator Venables; Senators Bunting & Voshell; Representatives Ewing, Lee & Price. To: **Community/County Affairs**.

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 VOTE. Sponsor: Senator Venables & Representative Fallon. To: **Community/County Affairs**.

HB 280 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS WITH A MINOR. Sponsor: Representatives Welch, Smith, & Spence; Senators Voshell & Bonini. To: **Judiciary**.

HB 291 - AN ACT TO AMEND SUBCHAPTER 1 OF CHAPTER 15, TITLE 12 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT OF NOTIFYING TESTATE BENEFICIARIES AND CERTAIN BENEFICIARIES UNDER WILL OF THE GRANT OF LETTERS. Sponsor: Representative Wagner & Senator Sharp. To: **Judiciary**.

HB 426 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO CORPORATE OWNED LIFE INSURANCE. Sponsor: Representatives D. Ennis & B. Ennis & Spence & Senator Vaughn. To: **Insurance**.

* * *

Senators Amick and Hauge were marked present.

HB 237 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 237 w/HA 1 - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

Senator Vaughn deferred to Senator Voshell to floor manage the bill.

Senator Bair questioned the floor manager, after which Senator Voshell requested the privilege of the floor for Paul Wallace, representing the Attorney General's office.

Senators Venables and McBride questioned the witness.

Senator McBride was marked present.

Senator Vaughn questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **HB 237 w/HA 1** was declared passed the Senate and returned to the House.

At 3:10 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:00 p.m. with Lt. Governor Minner presiding.

A messenger from the Governor was announced and admitted.

HB 240 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 240 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO OSTEOPOROSIS.

Senator Blevins deferred to Senator Henry to floor manage the bill.

Senator Still questioned the floor manager, after which a roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 240** was declared passed the Senate and returned to the House.

HB 254 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 254 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 254** was declared passed the Senate and returned to the House.

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

The Secretary of the Senate announced the agenda for January 21, 1998.

At 5:13 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on January 21, 1998.

The Senate reconvened at 4:25 p.m. on January 21, 1998 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 281; HB 378 w/HA 1; HB 344; SB 193.**

The following committee reports were announced:

From Executive: **Chandlee Johnson Kuhn, Esq.** - 6 Merits; **SS 1 to SB 231** - 1 Favorable, 4 Merits.

From Community/County Affairs: **SB 234** - 3 Favorable, 1 Merit; **SB 237** - 3 Favorable, 1 Merit.

From Agriculture: **HB 372** - 4 Merits.

From Insurance and Elections: **HB 426** - 3 Merits; **HB 156** - 3 Merits.

At 4:25 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 5th Legislative Day.

**5TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 21, 1998**

The Senate convened at 4:25 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Still, Vaughn, Venables, Voshell – 20.

ABSENT: Senator Sorenson - 1

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 21, 1998**

The following legislation was introduced and assigned to committee:

SB 238 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SMOKING RESTRICTIONS. Sponsor: Senator Sokola; Senators Blevins, Hauge; Representative Roy. To: **Health and Social Services**.

SB 239 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE PERTAINING TO THE ACQUISITION OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION. Sponsor: Senator Sharp & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables & Voshell. To: **Highways and Transportation**.

SB 240 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO BINGO AND CHARITABLE GAMBLING. Sponsor: Senator Bair & Representative Brady; Senators Blevins, McBride, Marshall; Representative Cloutier. To: **Administrative Services**.

HB 281 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MAMMOGRAMS. Sponsor: Representative Fallon and Maroney and Senator Blevins; Representatives Welch, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Lofink, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, Gilligan, Van Sant, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Williams; Senators Bair, Connor, Hauge, Sorenson. To: **Health and Social Services**.

HB 344 - AN ACT TO AMEND SUBCHAPTER II, CHAPTER 15, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DEMAND THAT THE PERSONAL REPRESENTATIVE OF AN ESTATE BE BONDED. Sponsor: Representative Wagner & Senator Sharp. To: **Judiciary**.

HB 378 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF RESIDENTIAL AND NONRESIDENTIAL CHILD CARE FACILITIES. To: Representative Keeley; Representative Banning, Brady, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Plant, Price, Quillen, Reynolds, West, Williams; Senator Marshall. To: **Children, Youth and their Families**.

The following letters of nomination from the Governor were assigned to the **Executive Committee**:

STATE OF DELAWARE
Office of the Governor
January 20, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Patricia W. Griffin, 4 Rehoboth Avenue, Lewes, Delaware 19958, to be reappointed Chief Magistrate of the Family Court System to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
January 20, 1998

To the Senate of the 139th General Assembly

of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following: **Chandlee Johnson Kuhn, Esquire**, 104 Montchanin Road, Wilmington, Delaware 19807, to be appointed Associate Judge of the Family Court to serve a twelve year term, to replace the Honorable Jay James.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

Senator Henry requested the personal privilege of the floor to introduce David Ross. On motion of Senator Adams and without objection, the following nomination by the Governor was considered:

Chandlee Johnson Kuhn, Esquire: 19 Senators voting YES, 2 (Hauge, Sorenson) ABSENT. Appointment confirmed.

Senators McBride and McDowell were marked present during the above roll call.

SB 237 was brought before the Senate for consideration on motion of Senator Venables.

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 VOTE

Senators Reed and Marshall questioned the sponsor, after which Senator Venables requested the privilege of the floor for John Cordrey, Senate Attorney.

Senator Still questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 16 Senators voting YES, 2 (Marshall, Reed) NO, 2 (McDowell, Still) NOT VOTING, 1 (Sorenson) ABSENT; therefore, **SB 237** was declared passed the Senate and sent to the House for consideration.

Senator Hauge marked present.

SB 234 was brought before the Senate for consideration on motion of Senator Bunting.

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 VOTE

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **SB 234** was declared passed the Senate and sent to the House for consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 50**.

HCR 50 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HCR 50 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE THOMAS R. CARPER, GOVERNOR OF THE STATE OF DELAWARE. Sponsor: Representatives Spence, Smith, Welch, Gilligan, Van Sant; Senators Sharp, Voshell, McDowell, Bair, Amick.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sorenson) ABSENT; therefore, **HCR 50** was declared adopted by the Senate and returned to the House.

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

The Secretary of the Senate announced the agenda for January 22, 1998.

At 5:05 p.m. on motion of Senator Voshell, the Senate adjourned until 1:45 p.m. January 22, 1998.

6TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 22, 1998

The Senate convened at 1:55 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 20

ABSENT: Senator Reed - 1

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

Senator Blevins was marked present.

At 1:58 p.m. the Senate recessed to join the House members in the House Chamber for Governor Carper's State of the State address on motion of Senator Voshell.

JOINT SESSION HOUSE CHAMBER January 22, 1998

The Sergeant-at-Arms announced the arrival of the Members of the Senate. They were admitted and seated. The Speaker invited the President of the Senate and the President Pro Tempore to be his guests on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary. They were admitted and seated. They were welcomed by Speaker Spence.

The Sergeant-at-Arms announced the arrival of the statewide elected officials. They were admitted and seated. They were welcomed by Speaker Spence.

The Sergeant-at-Arms announced the arrival of the Governor's cabinet and the Presidents of the University of Delaware and Delaware State University. They were admitted and seated. They were welcomed by Speaker Spence.

The Majority Leader moved that the House and Senate convene in Joint Session at 2:10 p.m. for the purpose of hearing the State of the State address by Thomas R. Carper, Governor of the State of Delaware. The motion prevailed.

The Majority Leader moved that the Speaker of the House preside over the Joint Session. The motion prevailed.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. The motion prevailed.

The Majority Leader moved that the Speaker of the House appoint a committee of four to escort the Governor to the Chamber. The motion prevailed. The Speaker appointed Representative Jane Maroney (Spokesperson), Representative William I. Houghton, Senator Harris B. McDowell and Senator Liane M. Sorenson.

The Speaker declared a short recess at 2:12 p.m. to await the arrival of Governor & Mrs. Carper and the escort committee.

The House reconvened at 2:15 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Carper and First Lady Martha S. Carper.

Representative Maroney introduced the Governor to the Joint Session.

The Governor addressed the Joint Session as follows:

LEADING AMERICA INTO THE 21ST CENTURY

Mr. Speaker, to our escort committee; to our Lieutenant Governor, Ruth Ann Minner, to our President pro Tem, Senator Sharp; to all the Members of the House and Senate that are gathered here today, to our statewide elected officials who have joined us today, to the Chief Justice of the Supreme Court and the members of the Judiciary, to members of my cabinet, would you all raise your hands, especially good to see you, and to the people of Delaware who have joined us on this day.

Well, ladies and gentlemen, I am pleased to join you today to deliver my fifth state of the state address to the members of the General Assembly and the people of Delaware. I don't know that these speeches have gotten any better over time. My wife, Martha says she thinks they've gotten a little longer over time. In fact, Martha said to me just before we came down today, reminded me of the old adage that no sinners are saved after the first thirty minutes of a sermon. And I suppose it's safe to assume they won't be saved after the first thirty minutes of this speech either.

Well, whether or not the speeches have improved, one thing we can all agree on and that is really the state of our state has improved a lot and improved on many fronts. Just as we did over 200 years ago, we're achieving things that in the past really seemed impossible. We're living up to our proud history as the First State by leading America into the 21st Century.

Our economy today is as strong as an oak. 1998 finds Delaware with perhaps the lowest unemployment rate on the East Coast -- 3 percent. The 49th smallest state in the nation, that's us, was number four in job creation over the last 12 months. Over 400,000 people will go to work in Delaware today. Over 50,000 new jobs have been created since 1993 alone.

Robust economic growth has fostered equally robust revenue growth. Our budget remains balanced. We continue to spend less than 98 percent of available revenue. Our Rainy Day Fund is full. We've cut taxes for the last five years -- business or personal, and sometimes both -- and we're poised to cut them again, I hope, this month. To top it off, Delaware enjoys the highest credit rating in our state's history. Now that's something to cheer about.

To keep our economy growing in the next century, we've launched the most comprehensive statewide education reforms of any state in America. We have established world-class academic standards. This May, students in grades 3,5,8 and 10 will take a new test to measure their progress in reaching those rigorous standards we have set in math and in English. Last year's writing assessments showed improvement in every county, every school district, every grade level tested.

To help continue that progress, every public school classroom will be wired for access to the information highway by this fall. No other state can make that claim.

Over 8,000 students now exercise public school choice, introducing a healthy dose of competition into our public schools. Additional charter schools will open in Delaware too, this fall, showing how shared decision-making can raise academic performance.

We're leading the nation in other areas, as well. Less than three years after launching A Better Chance -- one of America's first statewide welfare reform initiatives -- our welfare rolls are down by over 25 percent, and the number of people on welfare who are working has grown by almost 200 percent.

To fight crime, we are using the largest prison expansion in state history to create a new prison system with expanded drug treatment, education, and work programs to cut recidivism and reduce the crime rate. We've added an extra 100, you have added, an extra 100 state troopers and invested heavily in better training and equipment to keep our streets safer.

To protect our natural resources, we've purchased the land or development rights for over 30,000 acres of farmland and open space, and established conservation districts to preserve and protect over 100,000 additional acres. In the entire nation, in the entire nation, tiny Delaware ranks second in agland preservation and we can be proud of that.

Working with industry and environmentalists, we've cut toxic emissions into our air by over 60 percent, and into our waterways by over 90 percent, since 1988. We've implemented an ambitious plan to protect our inland bays. Last year, I signed a landmark agreement with EPA to reduce water pollution even more dramatically over the next 10 years.

And finally, more than 25 years after Governor Russ Peterson's historic Coastal Zone Act was enacted in this chamber, a compromise has been reached for new rules to preserve our fragile coastline forever.

Delaware, our Delaware, is truly leading America into the 21st Century.

Let me also say a word or two about everybody's favorite whipping boy -- DelDOT. Where is Ann? Ann, while taking potshots and some of them well-deserved from just about everybody over the last year or so, the folks at DelDOT have also managed in recent years to restore I-495 to a six-lane highway, to convert Route 113 to a four-lane highway between Georgetown and Milford, and complete the expansion of Route 896 south all the way to the C&D canal, as well as projects like Rockland Road and Lancaster Pike. By the end of next year, State Route 1 -- the largest highway project in Delaware history -- will be completed except for a seven-mile stretch from Odessa to Smyrna. The Naamans Road expansion will be done, as will the Bridgeville bypass. Scarborough Road and Churchman's Road will be nearing completion and the Puncture Run Connection linking US 13 and Route 113 will be well underway.

Meanwhile, transit service has been introduced throughout Sussex County. A new train station has opened in Newark, with another near Churchman's Crossing in the

works. DART service has been expanded by 40 percent. Buses now operate at night and on weekends. Imagine that! And, paratransit ridership for the disabled has jumped 55 percent since 1993.

Let me just say while I regret the inconvenience that transportation construction projects and there are a lot of them, cause for travelers in Delaware, I don't apologize for our commitment to address the very real transportation needs of our state that were ignored for too long.

We are fixing the problems that remain at DelDOT. We're even learning how to sell surplus property. And if we get your legislative help this month, when February begins, we're going to sell a lot of it. We're going to sell a lot of it. We're going to sell a lot of it. I don't know if they believe me, Ann, we're going to sell a lot of it, aren't we?

Let me turn to AFFORDABLE HEALTH CARE

One of the great successes we can point to in the past year is implementation of the Diamond State Health Plan, our managed care program for people on Medicaid. The savings from moving into managed care have allowed us to expand coverage to over 12,000 previously uninsured Delawareans.

In addition, our partnership with the Nemours Foundation has led to 10 pediatric health clinics from Claymont down to Selbyville, or actually, it's Claymont to Seaford, serving over 20,000 children in low income areas across our state.

We are within reach of our goal to provide universal access to health insurance for every Delaware child. Today, I am proposing to use new federal and state dollars to create the Diamond State Health Plan for Children -- to enable every uninsured child with family income under 200 percent of poverty to obtain a high-quality, low-cost health care policy similar to the Diamond State Health Plan. There are over 10,500 children in Delaware in this income category who lack health insurance. I propose to offer coverage to all of them, increasing the percentage of our insured children to over 93 percent.

And we're not going to stop there. Partnering with our employers who have a stake in this and a responsibility in this, we won't stop until every Delaware child has affordable coverage. We're proposing to open this Plan to uninsured children whose family income is below 300 percent of poverty on a full premium basis, costing considerably less than anything on the open market. We hope the State's extension of coverage will give the Nemours Foundation the financial ability to extend its services, too. Let us pledge to make Delaware the first state in America to achieve the goal of universal health care access for every child! Now, wouldn't that be a wonderful legacy for you and for me to leave to the children of this state.

YOUTH SMOKING

During my time as governor, another important part of our child health care effort has been reducing tobacco use among children. Tobacco use is still the number one health problem in Delaware. Tobacco use kills more people than alcohol, accidents, suicides, homicides, AIDS, illegal drugs, and fires together. We owe it to our children to establish policies and programs aimed at reducing tobacco use before it becomes a lifelong addiction. Over the past several years, we have taken significant steps to that end: eliminating the sale of single cigarettes; prohibiting free samples; and removing vending machines from locations accessible to teens.

The average age of smoking initiation is now in our state 12 1/2 years. 12 1/2 years! Faced with this sobering statistic, I support legislation to prevent teen tobacco use, encourage kids to stop smoking, and help make sure that smokers pay the cost of treating smoking-related diseases. A clear majority of Delawareans hope that you will join me in supporting this legislation too.

Smoking now costs Delaware over \$10 million annually in Medicaid expenses. During the last 10 years, the total cost has been about \$71 million. By increasing the excise tax by 25 cents, we can repay the Medicaid costs of the past years and cover new costs in the future. At the same time, the new tax will help us provide health care coverage to thousands of additional Delawareans by offsetting the added cost of the Diamond State Health Plan for Children. It will also allow us to create new education and prevention programs to stop teen smoking, help smokers end their addiction, and provide Delawareans with accurate health information about tobacco use.

CHILD WELFARE

Concern over the welfare of our children doesn't end with health care and smoking. Last year at this time, we agonized over the tragic death of Bryan Martin. We also moved quickly though to respond more effectively to child abuse victims: providing

additional resources and enacting the landmark Child Abuse Prevention Act of 1997 to make clear that protecting children is this state's number one priority.

Now, we need to take the next step to ensure the placement of children who are abused or neglected into safe, loving, and permanent homes.

During the past five years, I have sought to strengthen families with your support because I believe, and I know we believe, there is a need to do everything possible to support keeping families together. In that same vein, however, we need to strike the right balance between keeping families together and supporting the best interests of children who have been abused or neglected.

On this point, on this point, let me be very clear. We will not return children to homes where we know their safety cannot be assured. Neither will we leave children in foster homes for years with no permanent home in sight.

Delaware law should allow our state to permanently remove children from the custody of abusive and neglectful families. I will propose such a law. Why should we return a child who has been abused or neglected to a home where a parent has been convicted of serious felonies against a child, or abandoned a child or sold a child? We should not! In cases like these, we are far wiser to terminate parental rights than to return a child to an uncertain fate.

Now let me hasten to add that these new laws cannot work unless we increase the number of safe placements for children who are abused and neglected. Our first lady, my wife Martha is spearheading an initiative to sign up more foster families so that when we do remove children, we can place them in a stable, loving environment.

We must also redouble our efforts to promote adoption so that children who are permanently removed from their homes will have new homes and new families. President Clinton has challenged all states to double the number of adoptions by the year 2000. I want Delaware to be one of the first states in this nation to reach that goal.

NURSING HOMES

At the other end of the age spectrum, we are addressing the health and welfare of another vulnerable population in our state: Delawareans in nursing homes. I'm pleased with the changes our Department of Health and Social Services already is making to protect nursing home patients. We've begun conducting surprise inspections in nursing homes, and we are undertaking serious management reforms in an overburdened Ombudsman office.

We've also begun a comprehensive review of all nursing home regulations to identify cumbersome and weak rules, and to ensure that appropriate penalties are in place.

In the weeks ahead, we will work with the General Assembly's nursing home task force to develop any additional legislation that's needed this year.

MEDICAID MANAGED LONG TERM CARE

Safe nursing homes that deliver quality care are essential because Delaware and America face significant increases in demand for long-term care services for our elderly and for our disabled populations. Why is that? Because people over 80 are the fastest growing group of elderly; because more people with disabilities are leading productive, satisfying lives with appropriate support; and, as much as I hate to admit it, because baby boomers like the Speaker back here and me aren't exactly teenagers anymore and neither are some of the rest of you.

In the coming year, I will be working with consumers and providers to present the first elements of a Medicaid Long-Term Managed Care plan. Already, 30 percent of the Medicaid population, our Medicaid population, is responsible for 60 percent of our Medicaid costs, and that rate is going to get worse. With your help, we can build on the success of our Diamond State Health Plan and be on the cutting edge of managed long-term health care -- not to control costs for that sake alone, but to guarantee that we provide quality long-term care to all elderly and disabled Delawareans who truly need it.

CRIME

Long-term health care is only one of the areas where states are seeing populations rise and costs skyrocket.

Delaware's Department of Corrections is the fastest growing part of state government. Our prison population has grown almost 40 percent just since Lt. Governor Minner and I took office some five years ago. We are in the middle today of the largest prison expansion in our state's history. But our recidivism rate -- the percentage of inmates who once released, commit more crimes and return to jail, the rate of recidivism -- still stands at over 60 percent. If that trend continues, we may need to propose more new prisons before I leave office in three years.

Law enforcement agencies know that most crimes are committed by people who are already criminals. Many have already done jail time. Rather than build more prisons, we need to redouble our efforts to rebuild the people already inside of them. That may well be the single most effective crime-fighting initiative that we can pursue.

I want us to create a new prison system within the walls of the ones that we have already built. A prison system that punishes those who commit crimes against our citizens. A prison system that is secure and protects the public safety. But a prison system that also works with inmates so that when they are released -- as over 90 percent of them will be -- they will be far less likely to commit more crime. Here's how:

First, we know that 80 percent of our prison population are serious drug abusers, and drug abuse plays a major role in repeat offenses. We have tough, discipline-based drug treatment programs -- Key and Crest -- with a proven track record of breaking this cycle. Prisoners also complete our rigorous Key and Crest drug treatment regimen are 40 percent less likely to be rearrested, 40 per cent. That means 40 percent fewer crimes committed, 40 percent fewer victims, and 40 percent fewer new prison beds needed.

Last year, I announced our intent to make sure every inmate with a sentence of one year or more must complete this regimen. This year, this year, I propose that we finish that job by fully funding Key, Crest, and Aftercare -- creating a prison system that will demand of those prisoners the discipline and commitment that these programs require. By doing so, by doing so, we will become the first state in the nation to implement fully such an aggressive substance abuse program. Second, we also know that quality, prison-based educational programs have proven to reduce recidivism by as much as 45 percent. Last year, we sought the help of our award winning vo-tech school districts to better manage educational programs in our prisons. In a few short weeks, I will announce a plan to transform prison education so that quality education is taking place in our prison systems both day and night.

Third, I propose to significantly expand our prison industry programs -- in conjunction with vocational training -- so that inmates go to work while they're in prison and apply some of the skills that they have learned in their classes there.

These three initiatives: substance abuse treatment, vocational education, and work programs, will help stem the rising tide in our prisons and reduce crime on our streets.

Police also need our help in the fight against crime. Over the past five years, we've invested heavily in technology to give law enforcement the tools that they need to do their jobs better. This spring, our new 800 MHz radio system will be fully operational in Kent and in New Castle counties, with Sussex County soon to follow. We will have the first statewide system in America that allows direct communication among police anywhere in our state. In addition, mobile data terminals in police cars now give officers instant access to vast amounts of crime-fighting information. Video-phones link up prisons and courts, saving transportation costs while increasing public safety.

Keeping our focus on technology, I want us to establish a statewide crime tracking system where crimes are immediately mapped and tracked so that all police departments statewide can have crime data on a real-time basis to better deploy their assets. With the State leading the way, I challenge Delaware's Police Chiefs to develop a plan by the end of this March, this March, to implement just such a plan.

Technology is opening the door to better coordination among state and criminal justice agencies, too. The more our law enforcement agencies come together, the more powerful our crime fighting punch.

We threw that punch last summer to help slow the rapid rise in shootings in Wilmington with Operation Safe Streets, a cooperative law enforcement effort between probation and parole officers from the Department of Correction and Youth Rehabilitative Services, the Delaware State Police, and the Wilmington Police Department. Most of the shooting suspects were convicted felons on probation, and most of the shootings were occurring in certain designated "hot spots" in the City. Operation Safe Streets targeted these areas and probationers for "zero tolerance" enforcement. The efforts resulted in over 400 arrests. Later, the New Castle County Police Department joined forces to further increase police presence in the City last summer. The results of these initiatives has been a significant decrease in the rate of shootings and violence in the City of Wilmington.

I intend to expand our success in Wilmington to "hot spots" for violent crime statewide. My recommended budget next week will propose adding 35 additional probation and parole officers. I want us to use some of those officers, in coordination

with local police, to crack down on probation violators who are causing a large part of our crime population all over the state of Delaware.

I also will recommend major reforms to our juvenile probation system. That system was designed for a time when juvenile crime meant shoplifting and other non-violent crimes. Today, juvenile offenders carry weapons and commit serious offenses. I propose a "zero tolerance" policy for serious juvenile criminals. And listen to this, with probation violators sent to a no-frills, military-style boot camp.

The Wilmington shootings also remind us yet again that one major contributor to the rise in violent crime is the easy access to guns by those prohibited from having them -- kids and convicted felons. In fact, over 90 percent of the suspects connected with the Wilmington shootings in 1996 had a prior violent felony arrest. The record is clear. They did not buy their guns in gun stores -- they bought them on the streets.

Delaware is the only state in this region which does not require a criminal records check for the sale of handguns. Last year, I proposed legislation to record checks on the sale of all handguns -- new and used -- in Delaware. Law enforcement needs this tool to stem the flow of illegal guns. It is time to give them that tool.

PLANNING AND INFRASTRUCTURE INVESTMENTS

Personal safety is never far from the everyday concerns of Delawareans and is critical to our quality of life. This past year, more than ever, we have been focused on another important quality of life issue: and that is, how do we manage the use of our land.

Last year's land-use summit reinforced the need for a comprehensive and coordinated growth management strategy.

And I think we've made a lot of progress since then. Each county now has a comprehensive plan in place to help guide a sustainable growth managed policy. New Castle County in particular deserves special praise for their innovative, comprehensive approach.

In conjunction with local and county comprehensive plans, my Cabinet Committee on State Planning now has begun to develop a statewide growth strategy map to help direct state, county and local investments into areas we all agree should be designated for growth. In the next few weeks, I will sign an executive order requiring the Cabinet Committee to present a formal Administration plan to help guide investment decisions and exercise the State's legal and regulatory authority to support and enhance those county plans. In addition, the legislative package introduced last year to continue the State's path forward to a responsible growth management strategy must still be addressed. I fully support those bills and I urge you in the General Assembly to act on them so that we can continue the progress that's been begun.

The state's strong economic growth, and the one-time revenues created by our victory in the Delaware v. NY lawsuit, provided us with an unprecedented opportunity to invest over \$220 million in Delaware's future. We're introducing today technology into all classrooms, we're modernizing our Port, we're preserving agland and open space, we're building water and wastewater treatment facilities, we're improving communities and their housing, and we're fostering high-tech job growth. Now, I propose a new \$104 million infrastructure investment package that is focused on four objectives: (1) complement State and county land use goals by directing investment in existing communities and growth areas; (2) protect critical farmland and open space from sprawling development; (3) enhance Delaware's economic competitiveness and create quality jobs; and, (4) further the State's commitment to education technology for Delaware teachers and students.

With most of these monies, I propose to create a Growth Management Fund to continue our investments in farmland preservation, and open space, and water and wastewater systems, and affordable housing. These investments, coupled with changes in the Agland Preservation Program, are critical tools in meeting state and county land-use objectives.

In addition, I recommend that another \$10 million be invested in the Port of Wilmington -- a Delaware asset that's created nearly 4,000 jobs and almost \$400 million in revenues for our State's economy. To further revitalize Wilmington's rapidly-changing riverfront, I am proposing that an additional \$10 million be invested there next year. To speed up transportation projects, I propose the investment of at least another \$6 million in all three counties.

And finally, to help students learn, I recommended an additional \$13 million to provide students and teachers with thousands of additional new computers in classrooms -- and training in how to use those computers.

EDUCATION

Well I've already asked the General Assembly to make many important investments in our schools these past five years. Delawareans can be proud of the priority we've given to children and to their education. Only five states spend more money per pupil than Delaware. Let me say that again. Only five states spend more money per pupil than Delaware.

In the past few years, we've created new funding streams for teacher professional development. Collectively, we now provide over \$1,200 per teacher annually for their continued training. In addition, we've increased funds available for classroom resources by nearly 25 percent and invested an additional \$40 million for textbooks and educational technology.

We are providing a continuum of parenting training statewide to enable parents to better prepare their youngster for schools and for productive lives. We are working to give every four-year-old child in poverty the chance to attend Head Start. We've funded disruption prevention programs for every single Delaware public school to reduce classroom disruptions and to help misbehaving children get back on the right track. We've placed wellness centers in high schools to address the health and social problems which cause too many adolescents to drop out of school. And when this year ends, every single high school that wants a wellness center will have a wellness center for their students. This year, we're providing local school districts with over \$7 million in funds so that one out of every three students between kindergarten and grade six can receive roughly 20 days of additional instruction -- summer school, after-school tutoring and, in some cases, full-day kindergarten -- to better enable all kids to meet the rigorous academic standards that you and I established. We're recruiting 10,000 mentors, too, as tutors and positive role models for Delaware students and for those of you here in this room and who are listening today who are mentoring, I just want to say from this Governor a heartfelt thank you.

Lt. Governor Minner, as chairman of the Workforce Development Council, is spearheading efforts to ensure that when kids leave school, they make a smooth transition to work and that they are prepared for the jobs of the future.

Delaware, the General Assembly, this Governor, we're putting our money where our mouths are on education. Delaware deserves an "A" for effort.

But, despite pockets of excellence and the heroic efforts of many educators, Delaware is not yet passing the educational competitiveness test. While our per pupil spending is sixth highest in the nation, our fourth-grade reading scores ranked 32nd on the last national reading assessment and our SAT scores lag behind most of our neighbors. Those grades are not acceptable to this governor, those grades are not acceptable to this governor, to this General Assembly, those grades are not acceptable to the people of Delaware.

We can do better. Our students can do better. We must do better. You know it, and I know that.

Having said that, I am convinced that we are on the right path to improving student academic performance across the board if we stay the course on the reforms that we've begun and adopt the accountability measures I outlined earlier this week along with Secretary Metts.

Our State is a nationally-recognized leader in the movement to raise standards and spell out what we expect kids to know and be able to do at different grade levels in English, in math, science and social studies. Delaware's rigorous academic standards, largely developed by many of the best and brightest teachers among us, have been in the hands of Delaware teachers and principals now for over two years. Training continues to be provided to bring classroom instruction into line with those standards. Tests in both English and math will be administered for the first time this spring to measure student progress toward meeting those standards. A year later, similar tests will be introduced in science and in social studies, as well.

Last year, I asked you to assign responsibility in the political arena for improved student performance to me, to the Governor, and to a new Secretary of Education. You said to me, you want accountability, you've got it and that's what you did. Parental responsibility reminds me of the old adage, be careful what you ask for, sometime you may get it and you've given it to me. Parental responsibility is receiving renewed emphasis too. Now, the challenge is to hold, after we've addressed the political arena, parents as well as students, schools, and districts accountable for meeting the academic standards that we've set. Last year, legislators in this body took a great step in that

direction by requiring high school students in the class of 2002 to pass state tests in English and math before receiving a State of Delaware diploma.

This General Assembly recognized this important reform though was insufficient in and of itself. That's why you asked for a complete accountability plan designed to motivate students and schools to perform better. Two days ago, Secretary Metts and I publicly unveiled that plan. This afternoon, let me just briefly revisit it with you on several of its major elements.

The heart of the plan is quite simple. We call for an end to social promotion in the most important subject of all: reading. If children can't read at grade levels, they can't read a grade level science or social studies textbook. If children leave the school system without reading skills, they can't succeed in the workplace in the 21st century.

Socially promoting students who can't read is a crime against children. I am asking you today to help me stop it. Will you? But in ending social promotion, we must assure that students who need extra help are identified early on and that resources are available to provide the extra help that they need.

Toward that goal, we are recommending an additional \$3 million for extra instructional time for grades 7-12. Combined with current funding, this gives our schools \$10 million annually for extra time -- enough to provide almost an extra month of instruction for one-third of all Delaware students in grades kindergarten up to grade twelve.

In addition, I want us to reduce class size in the core academic subjects. As I visit Delaware schools across our state, I hear a consistent plea from teachers and parents and I know you do too -- especially in September and October: we need to hire more teachers, we need to hire them sooner. Let me tell you, your Governor hears your plea.

Currently, districts hire teachers based on the number of students they have on September 30, well after the school year already has started. As a result, many districts hire too late. This inflates class size unduly in September and October and makes it harder to hire the best new teachers as they graduate from college in the previous spring.

I propose to end this policy by guaranteeing school districts at least 100 percent of their previous year's funding. This will allow our districts to compete early for the brightest new teachers and help keep class size down from day one, from day one, each September.

I also propose to hire more teachers by lowering the unit count to provide a teacher for every 15 students at the kindergarten to grade three level, and a teacher for every 16.3 students at grades 4 through 12. I understand as I know that you do, that school districts still will need to hire librarians and counselors from these funds but, coupled with the new federal monies, these changes will still translate into 180 new teachers -- or 360 new instructional aides -- in Delaware schools this fall.

Teachers and parents tell me that kids learn better when they are in a class with a more reasonable number of students. As a parent, I believe that. With that in mind, in addition to asking for funds to hire more teachers, I support new requirements to keep class size down. I propose capping elementary class size in the core academic subjects at 22 students, and capping middle and high school classes in the core academic subjects at 28 students. And I hope you will support that as well. Reducing class size in elementary school and core subjects should be among our highest priorities.

Well, given the generous investments I have mentioned -- in professional development, in early childhood education, in discipline, in classroom materials, in technology, in extra time, and in class size -- we have a right to expect to see significant improvements, measurable improvements, in student achievement in the years ahead.

I believe we should recognize and reward schools which do well, and those that improve. Our recently-released accountability plan proposes to do just that by granting state accreditation and monetary bonuses to those schools and their faculties.

For schools which fail to show improvement over time, the school staff, the local school board, the parents that are involved are called upon to develop a plan for improvement. The State will not "take over", the State will not take over, schools run by duly elected school boards, but we should deny them state accreditation unless their performance improves.

I want to point out that our accountability plan does not impose new burdens on Delaware's hard-working teacher corps. It does not tie individual teacher compensation or evaluation to the assessment scores of their students. Instead, our plan rewards teamwork, teamwork, among a school's staff. It focuses on motivating students and parents, and on ensuring that school districts provide classroom teachers with the

resources that they need to get the job done. It calls for increasing the number of teachers and guaranteeing that teachers are assigned to the schools that need them in order to keep class sizes reasonable.

Finally, I propose that the State study a new salary schedule for teachers that will reward meaningful continuing education, increase incentives for teachers to pursue national teacher certification, provide more time for professional development, and help Delaware attract the brightest new teachers. I invite the full involvement of the Delaware State Education Association, our partner in so many of these reforms, so that the views of teachers are fully considered in this endeavor.

Well the education agenda that I've outlined today is an ambitious one. It will challenge students, it will challenge educators and it will challenge parents alike. It focuses on results -- on whether our students are meeting high standards of academic achievement. If we want the best for our children, and I know that we do, we must have the courage to demand results, to end social promotion, and meet high standards. Succeeding in this endeavor, it will be the most important thing we do as elected officials in this state. The most important thing that we do. The choice is ours: to fall back or to lead America into the 21st century. I say we lead.

CLOSE

As we prepare for the challenges of that century, let us pause and just remember and be mindful of Delaware's leadership role in an earlier century. Some 210 years have passed since Delaware helped start this nation in a place not far from where we are gathered here today. It was not just any nation that we started, either.

As this "American Century" draws to a close, our nation's economy remains the strongest on earth. Our workforce is once again the most productive on earth. Our armed forces constitute the mightiest military force for justice on earth. Indeed, 210 years after our country's founding, America remains the longest-living experiment in democracy in the history of the world -- and that Constitution which Delaware first ratified all those years ago remains the one most emulated by all the other nations of this world.

I stand before you today confident that the state which helped deliver a newborn nation 210 years ago can deliver on its commitment to ensuring that babies born today will grow up healthy and strong. I'm confident that the state which has built the strongest economy on the east coast can also build prisons that will produce better people, and not just better criminals. I'm confident that the state whose financial controls are among the most admired in America can work with local officials to control the sprawl that threatens our quality of life. And, I'm confident that the state which wrote the book on welfare reform can produce students able to read books, to use computers, to live lives free of abuse, and graduate from our schools fully prepared to meet the challenges of the next century.

If our children are our hope for the future, then we are their hope for today. I know that I speak for all of us on this day when I pledge to these children, our children, and to their parents and their grandparents, our tireless efforts to ensure that their state -- our beloved Delaware -- will be remembered not only as the state that started a nation, but the one that helped to lead that nation into the 21st century and beyond. Thank you very much.

The Speaker thanked the Governor for his address and asked the previously named escort committee to reassemble to escort the Governor and the First Lady back to the Executive Office.

Representative Van Sant announced that tomorrow is Governor Carper's birthday. Those assembled sang "Happy Birthday".

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

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

The Majority Leader moved that the Joint Session adjourn at 3:10 p.m. and the two Houses separate to reconvene in their respective chambers. There was no objection and the Speaker declared the Joint Session adjourned.

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At 5:18 p.m. the Senate reconvened with Lt. Governor Minner presiding. Senators McBride, Hauge, Venables and Marshall were marked present. The following committee reports were announced:

From Highways and Transportation: **SB 239** - 2 Favorable, 2 Merits.
From Health and Social Services: **HS 1 for HB 315 w/HA 1** - 4 Merits; **HB 366** - 4 Merits.
The Secretary announced a message from the House informing the Senate that it had passed **HC 51**.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 22, 1998**

The following legislation was introduced and assigned to committee.

SB 241 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO HUMAN CLONING. Sponsor: Senator Reed & Representative Spence; Senators Still, Amick, Bonini, Bunting, Connor, Marshall, Venables; Representatives Buckworth, Capano, Carey, Caulk, Davis, D. Ennis, Ewing, Fallon, Houghton, Lofink, Maier, Quillen, Roy, Smith, Ulbrich, Wagner. To: **Executive**.

SB 242 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS. Sponsor: Senator Marshall and Representative Welch; Representative Oberle. To: **Labor**.

SB 243 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FRAUD OVERPAYMENTS. Sponsor: Senator Marshall and Representative Welch; Representative Oberle. To: **Labor**.

SB 244 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Senator Marshall and Representative Welch; Representative Oberle. To: **Labor**.

SB 245 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS. Sponsor: Senator Marshall and Representative Welch; Representative Oberle. To: **Labor**.

SB 246 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO AUTHORIZE THE DIAMOND STATE HEALTH PLAN FOR CHILDREN. Sponsor: Senator Blevins; Representatives Maroney & Maier; Senators Henry, McBride, Sokola, Bair, Hauge & Sorenson; Representatives Davis, Fallon & Roy. To: **Health and Social Services**.

SB 247 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A DR. GEORGE WASHINGTON CARVER DAY. Sponsor: Senators Bonini & Henry & Representative Welch & Scott. To: **Executive**.

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SS 1 to SB 231 was brought before the Senate for consideration on motion of Senator Voshell.

SS 1 to SB 231 - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES.

Senator Adams questioned the sponsor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Reed) ABSENT; therefore, **SS 1 to SB 231** was declared passed the Senate and sent to the House for consideration.

Senator Bonini was marked present during the above roll call.

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

The Secretary of the Senate announced the agenda for January 27, 1998.

At 5:27 p.m. on motion of Senator Voshell, the Senate recessed until January 27, 1998 at 2:00 p.m.

The Senate reconvened at 2:36 p.m. on January 27, 1998 with Senator Sharp presiding.

At 2:36 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 7th Legislative Day.

**7TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 27, 1998**

The Senate convened at 2:36 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

At 2:38 p.m. Lt. Governor Minner presiding.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 27, 1998**

The following legislation was introduced and assigned to committee.

SB 249 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Senator Sokola & Senator Voshell; Representatives Gilligan & Van Sant. To: **Education**.

SB 250 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. Sponsor: Senator Sokola & Senator Voshell; Representative Gilligan & Van Sant. To: **Education**.

HCR 49 - ESTABLISHING A COMMITTEE TO INVESTIGATE WHETHER OR NOT THE IMPLEMENTATION OF A BOOT CAMP FOR YOUTHFUL OFFENDERS WOULD BE BENEFICIAL TO THE STATE, TO THE EFFECTIVENESS OF OUR CORRECTIONS DEPARTMENT, AND TO THE CITIZENS OF THIS STATE. Sponsor: Representatives Lee, Buckworth, Ewing and Senators Vaughn, Bunting and Amick. To: **Corrections**.

HB 446 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Representative Van Sant & Senator Voshell & Senator Cook. To: **Judiciary**.

HB 133 w/HA 1 - AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS. Sponsor: Representatives Ewing & Williams; Senators Henry & Voshell. To: **Judiciary**.

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The Secretary announced a message from the House informing the Senate that it had passed **HB 133 w/HA 1**; **HB 446**; **HCR 49**; **SB 164**; **SB 69 w/SA 1 & HA 1**.

A communication from Senator Sokola was read requesting that Representative Helene Keeley be added as a co-sponsor to **SB 225**.

A messenger from the Governor was announced and admitted

Senators Bair and Sorenson were marked present.

HS 1 for HB 315 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HS 1 for HB 315 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT.

Senator Blevins moved to lay **HS 1 for HB 315** on the table.

HB 366 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 366 - AN ACT TO AMEND CHAPTER 91, TITLE 16, OF THE DELAWARE CODE REGARDING REGULATION OF MANAGED CARE ORGANIZATIONS.

Senator McDowell marked present.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **HB 366** was declared passed the Senate and returned to the House.

Senator Marshall and McBride marked present during the above roll call.

At 2:50 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:35 p.m. with Lt. Governor Minner presiding.

SB 217 w/SA 2 was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sokola.

SB 217 w/SA 2 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE REGARDING RESIDENCY REQUIREMENTS OF MUNICIPAL EMPLOYEES. 2/3 VOTE

Senator McDowell raised a point of order.

Senator Sokola and Bair commented.

SA 3 to SB 217 was brought before the Senate for consideration on motion of Senator Bair. Several Senators commented.

Senator Voshell requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Several Senators commented.

A roll call vote was taken and revealed 11 Senators voting YES, 10 (Adams, Blevins, Bunting, Cook, Henry, Marshall, McDowell, Sharp, Sokola, Voshell) NO; therefore, **SA 3 to SB 217** was declared part of the bill.

SA 4 to SB 217 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Marshall commented.

Senator McDowell requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

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

Senator McDowell moved to lay **SA 4 to SB 217** on the table. No objection.

SB 5 to SB 217 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Marshall commented.

A roll call vote was taken and revealed 1 Senator (McDowell) voting YES, 20 NO; therefore, **SA 5 to SB 217** was declared defeated.

Senator McDowell requested the privilege of the floor for David Bostrom, Wilmington Director of Public Safety.

Senators Sokola and Bonini questioned the witness, after which the witness was excused.

SB 6 to SB 217 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

Senator Sokola commented.

Senator Sokola requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Marshall commented.

Senator McDowell moved to lay **SA 6 to SB 217** on the table. No objection.

SB 217 w/SA 2 & 3 was now before the Senate.

Several Senators commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Henry, Marshall, McDowell, Venables) NO; therefore, **SB 217 w/SA 2 & 3** was declared passed the Senate and sent to the House for consideration.

HCR 51 was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

HCR 51 - HONORING THE SEAFORD SENIOR LEAGUE SOFTBALL ALL-STARs FOR THEIR SUPERLATIVE PLAY DURING THE 1997 SEASON. Sponsor: Representative Fallon & Senator Venables.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 51** was declared adopted by the Senate and returned to the House.

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

The Secretary of the Senate announced the agenda for January 28, 1998.

At 5:53 p.m. on motion of Senator Voshell, the Senate recessed until 4:30 p.m. on January 28, 1998.

The Senate reconvened at 4:31 p.m. on January 28, 1998 with Lt. Governor Minner presiding.

SCR 48 was introduced and brought before the Senate for consideration on motion of Senator Voshell.

SCR 48 - CALLING UPON THE UNITED STATES ARMY CORPS OF ENGINEERS TO ISSUE GENERAL DRAINAGE AND FLOOD CONTROL PERMITS. Sponsor: Senator Voshell; Representative Quillen.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SCR 48** was declared adopted by the Senate and sent to the House for consideration.

SCR 47 was introduced and brought before the Senate for consideration on motion of Senator Bair.

SCR 47 - COMMENDING AND EXTENDING HEARTFELT BEST WISHES TO THE HONORABLE HELEN S. BALICK, CHIEF JUDGE OF THE UNITED STATES

BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE ON THE OCCASION OF HER RETIREMENT FROM THE FEDERAL BENCH. Sponsor: Senator Bair & Senator Sharp & Representative Spence & Representative Gilligan; Senators Adams, Amick, Blevins, Cook, Sorenson, Voshell; Representatives Capano, Davis, Smith, Van Sant, Welch.

Senators McDowell and Henry and all Senators requested to be added as co-sponsors to **SCR 47**.

Senator Bair requested the privilege of the floor for Judge Helen Bolick.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SCR 47** was declared adopted by the Senate and sent to the House for consideration.

HCR 53 was brought before the Senate for consideration on motion of the floor manager, Senator Hauge.

HCR 53 - HONORING THE CONTRIBUTIONS OF HOME SCHOOLS AND RECOGNIZING THE FIRST WEEK OF APRIL AS HOME EDUCATION WEEK IN DELAWARE. Sponsor: Representative Oberle & Senator Hauge; Representatives Spence, Smith, Welch, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, D. Ennis, Ewing, Fallon, Lee, Maier, Petrilli, Quillen, Roy, Stone, Ulbrich, Wagner, DiLiberto, Houghton, Price, Scott; Senators Blevins, Sokola, Venables, Amick, Bonini, Reed, Sorenson, Still.

Senator Connor commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bair) ABSENT; therefore, **HCR 53** was declared adopted by the Senate and returned to the House.

The following committee reports were announced:

From Executive: **John Pitts** - 3 Merits.

From Judiciary: **SB 266** - 3 Merits; **HB 133 w/HA 1** - 3 Merits; **HB 334** - 3 Merits; **HB 446** - 3 Merits; **HB 455** - 3 Merits.

From Community/County Affair: **HB 97 w/HA 1** - 3 Merits; **HB 343** - 4 Merits; **SB 236** - 4 Merits.

From Public Safety: **HB 212 w/HA 1** - 4 Merits; **HB 318 w/HA 1** - 4 Merits; **HB 355** - 4 Merits; **HB 383** - 4 Merit.

From Executive: **SB 224** - 1 Favorable, 3 Merits.

From Natural Resources: **HB 206** - 1 Favorable, 2 Merits.

From Education: **HB 39** - 4 Merits.

From Labor: **SB 242** - 3 Merits; **SB 243** - 1 Favorable, 2 Merits; **SB 244** - 1 Favorable, 2 Merits; **SB 245** - 1 Favorable, 2 Merits.

At 4:50 p.m. on motion of Senator Voshell the Senate, adjourned to immediately convene for the 8th Legislative Day.

**8TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 28, 1998**

The Senate convened at 4:50 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Marshall.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 28, 1998**

The following legislation was introduced and assigned to committee on January 27, 1998:

SA 1 to SB 239 - Senator Vaughn - Placed with the bill.

SA 2 to SB 239 - Senator Sharp - Placed with the bill.

SB 251 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO FEES FOR THE COSTS OF ADMINISTERING THE DEPARTMENT OF TRANSPORTATION'S REVIEW OF SUBDIVISION PROPOSALS AFFECTING THE TRANSPORTATION SYSTEM. Sponsor: Senator Still, Senator Vaughn. To: **Highways and Transportation.**

SB 252 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES', OFFICERS' AND OFFICIALS' CODE OF CONDUCT. Sponsor: Senator Still, Senator Vaughn. To: **Executive.**

The following letters of nominations from the Governor were assigned to the **Executive** Committee on January 27, 1998:

STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Frederick W. Dewey, Jr., 620 Carriage Lane, Dover, Delaware 19901, to be reappointed a Justice of the Peace for Kent County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
John W. Pitts, 28 South Queen Street, Dover, Delaware 19904, to be appointed to the Merit Employee Relations Board to serve a three-year term to replace Walter O. Bowers.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Margaret Barrett, 38 South Main Street, Camden, Delaware 19934, to be reappointed a Justice of the Peace for Kent County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Karen N. Bundeck, 47 Pine Oak Drive, Hidden Oaks, Dover, Delaware 19904,
to be reappointed a Justice of the Peace for Kent County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Stanley J. Petraschuk, Post Office Box 328, Odessa, Delaware 19730, to be
reappointed a Justice of the Peace for New Castle County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable John W. O'Bier, R.D. #1, Box 270AA, Seaford, Delaware 19973, to be
reappointed a Justice of the Peace for Sussex County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable Marcealeate S. Ruffin, Post Office Box 296, Georgetown, Delaware 19947, to
be reappointed a Justice of the Peace for Sussex County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

In conformity with the Constitution and the Laws of the State of Delaware, I hereby
nominate and appoint for the consent and confirmation of the Senate the following:
The Honorable William J. Hopkins, Jr., Post Office Box 513, Seaford, Delaware 19973, to be
reappointed a Justice of the Peace for Sussex County to serve a six-year term.

Your consideration of this nomination is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor
* * *
STATE OF DELAWARE
Office of the Governor
January 27, 1998

To the Senate of the 139th General Assembly
of the State of Delaware:

On behalf of the Board of Trustees of the University of Delaware and in conformity with the
Constitution and Laws of the State of Delaware, I hereby submit for the consent and
confirmation of the Senate the following, elected by the Board of Trustees to be members of the
Board:

Andrew B. Kirkpatrick, Jr.
9 Barley Mill Drive
Wilmington, DE 19807

Reappointed as a member of the Board of
Trustees of the University of Delaware
for a term to expire December 17, 2003.

Robert F. Rider
Post Office Box 397
Bridgeville, DE 19933

Reappointed as a member of the Board of
Trustees of the University of Delaware
for a term to expire December 17, 2003.

R.R.M. Carpenter, III
Powder Mill Square, Suite 204
3844 Kennett Pike
Greenville, DE 19807

Reappointed as a member of the Board of
Trustees of the University of Delaware
for a term to expire December 17, 2002.

Edward B. duPont
1000 Snuff Mill Road
Wilmington, DE 19807

Appointed as a member of the Board of
Trustees of the University of Delaware
for a term to expire December 17, 2003.

These are not gubernatorial appointments.

Your consideration of these nominations is appreciated.

(Signed) Sincerely,
Thomas R. Carper
Governor

* * *

The following legislation was introduced and assigned to committee on January 28, 1998:

SA 1 to HB 206 - Senator McBride - Place with the bill.

SB 253 - 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 VOTE. Sponsor: Senator Adams and Representative West. To: **Community/County Affairs**.

SB 254 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GRAFFITI. 2/3 VOTE. Sponsor: Senator Bair, Senator Venables; Representatives D. Ennis, Cloutier, Cathcart, Stone, Wagner, Fallon, Smith, Ulbrich, Maier, Reynolds, Brady. To: **Judiciary**.

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 VOTE. Sponsor: Senator Adams & Representative D. Ennis; Senators Sharp, Sokola & Sorenson; Representatives Keeley, Stone, DiPinto, Capano, Houghton, Fallon & Brady. To: **Banking**.

HB 444 w/HA 1, 2 & 3 - AN ACT TO AMEND TITLES 17 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE DEPARTMENT OF TRANSPORTATION ACQUISITION AND SALE OF REAL PROPERTY. Sponsor: Representative Ulbrich & Senator Vaughn & Representative B. Ennis & Representative Petrilli & Senator Still & Senator Voshell. To: **Highways and Transportation**.

HB 455 - AN ACT TO AMEND THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE. Sponsor: Representative DiPinto and Senator Henry; Representative Wagner. To: **Judiciary**.

HB 456 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsor: Representative Scott & Representative Keeley. To: **Executive**.

HJR 19 w/HA 1 & 2 - ESTABLISHING THE PUBLIC SCHOOL TRANSPORTATION TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING GOVERNING PUBLIC SCHOOL TRANSPORTATION. Sponsor: Representatives Reynolds and Spence, Mack, Houghton; Senator Sokola. To: **Education**.

HCR 54 - URGING THE UNIVERSITY OF DELAWARE BOARD OF TRUSTEES TO RECONSIDER ITS DECISION TO DEMOLISH THE WILMINGTON SQUASH RACQUETS CLUB BUILDING AT WILCASTLE AND THE WILCASTLE BUILDING. Sponsor: Representative DiPinto; Representatives Spence, Smith, Capano, Lofink, Maroney, Petrilli, Roy, Wagner, Gilligan, Brady, Scott, Williams; Senators McDowell, McBride, Bonini. To: **Executive**.

HCR 55 - REQUESTING THAT THE DELAWARE DEPARTMENT OF TRANSPORTATION ESTABLISH GUIDELINES FOR STOP SIGNS WITHIN RESIDENTIAL DEVELOPMENTS. Sponsor: Representative Roy, Gilligan and Senator Sokola. To: **Highways and Transportation**.

HCR 56 - RELATING TO THE DELDOT ORGANIZATIONAL REVIEW TASK FORCE. Sponsor: Representative Ulbrich; Representatives Brady, Buckworth, Cathcart, Davis, B. Ennis, D. Ennis, Fallon, Houghton, Maier, Petrilli, Price, Scott, Smith, Spence, Stone, Van Sant, Wagner, Welch, West, Senators Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson, Still. To: **Highways and Transportation**.

* * *

The Secretary announced a message from the House informing the Senate that it had passed **HB 465; HB 444 w/HA 1, 2 & 3; HB 455; HB 456; HCR 54; HCR 55; HCR 56; HJR 19 w/HA 1 & 2; HCR 53; SB 81; SB 202; SB 217 w/SA 2 & 3.**

LEGISLATIVE ADVISORY #27, from the Office of Counsel to the Governor was announced for the record, partially read and copies were made available to the members upon request.

LEGISLATIVE ADVISORY #27, dated January 27, 1998, the Governor signed the following legislation on the date indicated:

SB #193 (1/27/98) - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE TO ALLOW FOR EXPANSIONS TO AGRICULTURAL PRESERVATION DISTRICTS WITHIN A THREE-MILE RADIUS OF ESTABLISHED DISTRICTS AND TO CHANGE THE FOUNDATION'S ANNUAL REPORT PERIOD. (Sponsor: Senator Bunting & Representative Caulk) (Volume 71, Chapter 221, Laws of Delaware.)

HB #237 AAB HA 1 (1/27/98) - AN ACT TO AMEND CHAPTERS 27 AND 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Representative Capano) (Volume 71, Chapter 222, Laws of Delaware.)

HB #240 (1/27/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO OSTEOPOROSIS. (Sponsor: Representative Maroney & Senator Henry) (Volume 71, Chapter 223, Laws of Delaware.)

* * *

SB 239 was brought before the Senate for consideration on motion of Senator Sharp.

SB 239 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE PERTAINING TO THE ACQUISITION OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION.

SA 1 to SB 239 was brought before the Senate for consideration on motion of Senator Vaughn.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to SB 239** was declared part of the bill.

SA 2 to SB 239 was brought before the Senate for consideration on motion of Senator Sharp.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to SB 239** was declared part of the bill.

SB 239 w/SA 1 & 2 was now before the Senate.

Senators Amick and Bonini requested to be added as co-sponsors. No objection.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 239 w/SA 1 & 2** was declared passed the Senate and sent to the House for consideration.

SB 69 w/SA 1 & HA 1, which was returned from the House with an amendment was brought before the Senate for reconsideration on motion of Senator Voshell.

SB 69 w/SA 1 & HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PERSONS PROHIBITED.

Senator Bonini commented.

Senator Voshell requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness excused after addressing the Senate.

Senator Venables commented.

Senator Voshell requested the privilege of the floor for Tom McGonigle, representing the Governor's office.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Bonini, Hauge, Venables) NO, 1 (Sharp) ABSENT; therefore, **SB 69 w/SA 1 & HA 1** was declared passed the Senate and sent to the Governor.

HB 206 was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

HB 206 - AN ACT TO AMEND CHAPTERS 19, 21 AND 23 OF TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH LICENSES, PERMITS AND LEASES.

SA 1 to HB 206, which was previously placed with the bill was brought before the Senate for consideration on motion of Senator McBride.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 206** was declared part of the bill.

HB 206 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore **HB 206 w/SA 1** was declared passed the Senate and returned to the House for reconsideration.

SB 224 was brought before the Senate for consideration on motion of Senator McBride.

SB 224 - AN ACT TO AMEND CHAPTER 28, TITLE 24, DELAWARE CODE, RELATING TO PROFESSIONAL ENGINEERS.

Senator Bair commented.

Senator McBride requested the privilege of the floor for Robert W. McClure, representing Delaware Association of Professional Engineers.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 224** was declared passed the Senate and sent to the House for consideration.

HS 1 for HB 93 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HS 1 for HB 93 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO BODY-PIERCING, TATTOOING, OR BRANDING CONSENT FOR MINORS AND CIVIL AND CRIMINAL PENALTIES. 2/3 VOTE

Senator Blevins commented.

Senator Blevins requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Blevins moved to lay **HS 1 for HB 93** on the table. No objection.

HB 256 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 256 - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO PROHIBITION AGAINST PREMIUM INCREASES IN CERTAIN CIRCUMSTANCES AND CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICY.

Senator Vaughn requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

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

Senator Venables commented.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Amick, Reed, Sorenson, Still) NO; therefore, **HB 256** was declared passed the Senate and returned to the House.

SJR 6 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp.

SJR 6 - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A "MAINTENANCE HOT LINE" TO ADDRESS CONSTITUENT ISSUES. Sponsor: Senator Sharp.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SJR 6** was declared passed the Senate and sent to the House for consideration.

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

The Secretary of the Senate announced the agenda for January 29, 1998.

At 6:02 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on January 29, 1998.

The Senate reconvened at 2:48 p.m. on January 29, 1998 with Lt. Governor Minner presiding.

The following committee report was reported out of committee in error:

From Judiciary: **HB 129** is still in committee.

The Secretary announced a message from the House informing the Senate that it had passed **HB 467; HJR 22; SCR 47; HB 463**.

The Secretary announced that Representative Fallon requests her name be removed as a co-sponsor to **SB 216**.

The following committee reports were announced:

From Highways and Transportation: **HB 444 w/HA 1, 2 & 3** - 3 Merits.

From Corrections: **HCR 49** - 3 Merits.

At 2:50 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 9th Legislative Day.

**9TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
JANUARY 29, 1998**

The Senate convened at 2:50 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
January 29, 1998**

The following legislation was introduced and assigned to committee on January 28, 1998:

SA 1 to HB 426 - Senator Vaughn - Placed with the bill.

SA 1 to HB 156 - Senator Blevins - Placed with the bill.

The following legislation was introduced and assigned to committee on January 29, 1998:

SB 248 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 1999; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Senator Sharp, Representative Gilligan, Senators Voshell, McDowell, Cook, Representative Van Sant. To: **Finance**.

SB 257 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. Sponsor: Senator McDowell and Senator Sharp. To: **Administrative Services**.

SJR 7 - RELATING TO INSTRUCTIONS TO THE NEW CASTLE COURTHOUSE EXECUTIVE COMMITTEE TO EXPLORE OTHER SITES FOR THE NEW COURTHOUSE. Sponsor: Senators Sharp, Blevins, Cook, McBride & Venables. To: **Judiciary**.

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. Sponsor: Representatives Oberle, Spence, Smith, Welch, Gilligan, Van Sant, Capano. To: **Judiciary**.

HB 465 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. Sponsor: Representatives Reynolds, Spence & Senator Sokola; Representative Mack. To: **Laid on the Table**.

HB 467 - AN ACT TO AMEND CHAPTER 150, VOLUME 71, **DELAWARE LAWS**; APPROPRIATING GENERAL FUNDS; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURES FOR SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS OF THE LAWS OF DELAWARE AND THE DELAWARE CODE. 3/4 VOTE. Sponsor: Representative Roy, Senator Blevins; Representatives Carey, Lofink, Oberle, Plant, Schroeder, Senators Cook, McBride, Venables, Bonini, Hauge. To: **Laid on the table**.

HJR 22 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1998. Sponsor: Representative Davis and Senator Cook. To: **Laid on the table**.

* * *

HB 426 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

HB 426 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO CORPORATE OWNED LIFE INSURANCE.

SA 1 to HB 426 was brought before the Senate for consideration on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for F. J. (Mike) O'Neal, representing ACLI.

Senators Still and Vaughn questioned the witness, after which the witness was excused. Senator Vaughn requested the privilege of the floor for Michael Shoan.

The witness was excused after address the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HB 426** was declared part of the bill.

HB 426 w/HA 1 & SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor again for Mike O'Neal.

Senator Bonini questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 426 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for reconsideration.

HS 1 to HB 93 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HS 1 to HB 93 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO BODY-PIERCING, TATTOOING, OR BRANDING CONSENT FOR MINORS AND CIVIL AND CRIMINAL PENALTIES. 2/3 VOTE

Senator Connor commented.

Senator Bonini questioned the floor manager. Senator Blevins requested the privilege of the floor for Mary Ann Kelly, Senate Attorney.

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

Senator McDowell commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HS 1 to HB 93** was declared passed the Senate and returned to the House.

HB 444 w/HA 1, 2 & 3 was brought before the Senate for consideration on motion of the floor manager, Senator Voshell.

HB 444 w/HA 1, 2 & 3 - AN ACT TO AMEND TITLES 17 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE DEPARTMENT OF TRANSPORTATION ACQUISITION AND SALE OF REAL PROPERTY.

Senator Still commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Adams) NO; therefore, **HB 444 w/HA 1, 2 & 3** was declared passed the Senate and returned to the House.

HB 455 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 455 - AN ACT TO AMEND THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE.

Senator Sharp deferred to Senator Henry.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 455** was declared passed the Senate and returned to the House.

HB 465 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

HB 465 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM.

Senator Sokola deferred to Senator Hauge.

Senators Connor and Amick commented.

SA 1 to HB 465 was introduced and brought before the Senate for consideration on motion of Senator Amick.

SA 1 to HB 465 was stricken on motion of Senator Amick.

HB 465 was now before the Senate.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 465** was declared passed the Senate and returned to the House.

HB 212 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 212 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS.

Senators Connor and Amick commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) NO; therefore, **HB 212 w/HA 1** was declared passed the Senate and returned to the House.

HB 97 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 97 w/HA 1 - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES.

Senator Blevins requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

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

Senator Amick commented.

A roll call vote was taken and revealed 16 Senators voting YES, 4 (Amick, Hauge, Still, Venables) NO, 1 (Sorenson) NOT VOTING; therefore, **HB 97 w/HA 1** was declared passed the Senate and returned to the House.

HB 383 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 383 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION.

Senator Sharp commented.

Senator Henry moved to lay **HB 383** on the table.

HB 318 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 318 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 318 w/HA 1** was declared passed the Senate and returned to the House.

HB 446 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 446 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS.

Senator Still commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 446** was declared passed the Senate and returned to the House.

HB 216 was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

HB 216 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE UNEMPLOYMENT COMPENSATION ADVISORY COUNCIL.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 216** was declared passed the Senate and returned to the House.

HB 334 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 334 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO OBSTRUCTION OF GOVERNMENT OPERATIONS. 2/3 VOTE

Senators Venables and Bonini questioned the floor manager. Senator Sharp requested the privilege of the floor for Sgt. David Thomas, representing Delaware State Police.

Senator McDowell questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 334** was declared passed the Senate and returned to the House.

HB 39 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 39 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENTS WHO HAVE BEEN EXPELLED FROM PUBLIC SCHOOL.

Several Senators commented.

A roll call vote was taken and revealed 14 Senators voting YES, 7 (Amick, Henry, Marshall, McBride, McDowell, Reed, Venables) NO; therefore, **HB 39** was declared passed the Senate and returned to the House.

HB 343 was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

HB 343 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HEATING SYSTEMS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 343** was declared passed the Senate and returned to the House.

HB 133 w/HA 1 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

HB 133 w/HA 1 - AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 133 w/HA 1** was declared passed the Senate and returned to the House.

On motion of Senator Adams and without objection, the following nomination by the Governor was considered.

John W. Pitts: 21 Senators voting YES. Appointment confirmed.

At 4: 46 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 7:18 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 336 w/HA 1; SB 239 w/SA 1 & 2; SCR 43; SJR 6; HB 461; HCR 57; HCR 58; HB 317 w/HA 1; SS 1 to SB 231; SCR 48; HB 435; HCR 59; HJR 21; HJR 23.**

HJR 21 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

HJR 21 - CELEBRATING "READ ACROSS AMERICA" ON MARCH 2, 1998. Sponsor: Representative Reynolds & Senator Sokola on Behalf of All Representatives and All Senators.

Senators Bair and Sharp commented.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 21** was declared passed the Senate and returned to the House.

HB 383 was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 383** was declared passed the Senate and returned to the House.

HB 355 was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

HB 355 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PROJECTING LOADS.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 355** was declared passed the Senate and returned to the House.

HJR 22 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

HJR 22 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1998.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HJR 22** was declared passed the Senate and returned to the House.

HB 467 was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

HB 467 - AN ACT TO AMEND CHAPTER 150, VOLUME 71, DELAWARE LAWS; APPROPRIATING GENERAL FUNDS; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURES FOR SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS OF THE LAWS OF DELAWARE AND THE DELAWARE CODE. 3/4 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HB 467** was declared passed the Senate and returned to the House.

HB 461 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

HB 461 - AN ACT AUTHORIZING AND DIRECTING THE BOARD OF PENSION TRUSTEES TO GRANT ARLENE E. BANNING A SURVIVOR'S PENSION; AND APPROPRIATING MONIES TO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE. Sponsor: Representative Brady & Representative Gilligan; Representatives Buckworth, Capano, Carey, Cloutier, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Mack, Plant, Price, Roy, Schroeder, Scott, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams, Spence; Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables, Voshell.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Bonini, Hauge, Reed, Still) NO; therefore, **HB 461** was declared passed the Senate and returned to the House.

HCR 59 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell.

HCR 59 - URGING THE SURFACE TRANSPORTATION BOARD TO RESERVE FOR FUTURE PASSENGER RAIL USE THAT PORTION OF THE EXISTING CONRAIL LINES IN THE STATE OF DELAWARE INCLUDED IN THE MERGER TRANSACTION OF CONRAIL BY NORFOLK SOUTHERN RAILROAD AND CSX RAILROAD. Sponsor: Representative D. Ennis & Senator McDowell.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **HCR 59** was declared adopted by the Senate and returned to the House.

SENATE CONSENT CALENDAR #12 was introduced and considered for adoption on motion of Senator McBride, under the suspension of the necessary rules. The calendar included the following Resolutions:

SR 21 - COMMENDING THE MEMBERS, COACHES AND STAFF OF THE 1997 MIDDLETOWN HIGH SCHOOL CAVALIERS FOOTBALL TEAM UPON WINNING THE 1997 DIVISION II DELAWARE STATE CHAMPIONSHIP. Sponsor: Senator Vaughn

HCR 49 - ESTABLISHING A COMMITTEE TO INVESTIGATE WHETHER OR NOT THE IMPLEMENTATION OF A BOOT CAMP FOR YOUTHFUL OFFENDERS WOULD BE BENEFICIAL TO THE STATE, TO THE EFFECTIVENESS OF OUR CORRECTIONS DEPARTMENT, AND TO THE CITIZENS OF THIS STATE. Sponsor: Representatives Lee, Buckworth, Ewing and Senators Vaughn, Bunting and Amick.

HCR 55 - REQUESTING THAT THE DELAWARE DEPARTMENT OF TRANSPORTATION ESTABLISH GUIDELINES FOR STOP SIGNS WITHIN RESIDENTIAL DEVELOPMENTS. Sponsor: Representative Roy, Gilligan and Senator Sokola.

HCR 57 - COMMEMORATING MARCH AS "WOMEN'S HISTORY MONTH", AND CELEBRATING THE MANY CONTRIBUTIONS WOMEN HAVE MADE TO THE GROWTH OF OUR NATION. Sponsor: Representatives Maier & Maroney, & Senator Bair, Representatives Capano, Fallon, Stone, Ulbrich, Wagner, Keeley, Price, Senators Blevins, Cook, Henry, Connor, Reed, Sorenson.

HCR 58 - RECOGNIZING PHYLLIS THOMPSON FOR OVER TWENTY-EIGHT YEARS OF DISTINGUISHED SERVICE TO THE STATE OF DELAWARE. Sponsor:: Representative Reynolds & Senator Connor; Representatives Spence, Mack, Houghton.

A roll call vote was taken on **SENATE CONSENT CALENDAR #12** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared adopted by the Senate. The House Concurrent Resolutions were returned to the House.

At 7:49 p.m. on motion of Senator Voshell, the Senate recessed to the Call of the President Pro Tempore.

At 2:10 p.m. on March 17, 1998, the Senate reconvened with Lt. Governor Minner presiding.

At 2:10 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 10th Legislative Day.

**10TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 17, 1998**

The Senate convened at 2:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Bair.

The Pledge of Allegiance to the Flag.

The roll call vote for attendance was taken and revealed:

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell – 21

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

Senator Voshell deferred to Senator Bunting.

Senator Bunting commented on the organizations who volunteered and responded to the emergency conditions brought on by the series of devastating north eastern storms which hit the State of Delaware during the month of February. Senator Bunting presented tributes to each of them.

Lt. Governor Minner commented.

Senator Marshall commended Senator Bunting and the organizations on a job well done.

At 2:52 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:30 p.m. with Senator Sharp presiding.

Senator McBride was marked present.

SCR 49 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SCR 49 - 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. Sponsor: Senator McBride; Representative Wagner.

Senators Bonini and Cook were marked present.

Senator Reed commented.

Senator Still questioned the sponsor.

Senator McBride commented.

A roll call vote was taken and revealed 13 Senators voting YES, 5 (Cook, Reed, Sokola, Vaughn, Venables) NO, 1 (Amick) NOT VOTING, 2 (Blevins, Henry) ABSENT; therefore, **SCR 49** was declared adopted by the Senate and sent to the House for consideration.

SCR 50 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SCR 50 - REQUESTING THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO REVISE THEIR ENVIRONMENTAL HEALTH SERVICES COMPLAINT FORM TO INCLUDE OSHA COMPLIANCE REQUIREMENTS AND OTHER HEALTH AND SAFETY ISSUES AS THEY RELATE TO NAIL SALONS. Sponsor: Senator McBride; Representative Wagner.

Senators Venables and Amick questioned the sponsor.

A roll call vote was taken and revealed 6 Senators (Amick, Marshall, McBride, Sharp, Sokola, Voshell) YES, 12 NO, 3 (Blevins, Henry, McDowell) ABSENT; therefore, **SCR 50** was declared defeated.

SCR 51 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SCR 51 - REQUESTING THE STATE BOARD OF COSMETOLOGY AND BARBERING TO UPDATE AND MODERNIZE ITS PROCEDURES MANUAL. Sponsor: Senator McBride; Representative Wagner.

A roll call vote was taken and revealed 14 Senators voting YES, 3 (Bonini, Reed, Venables) NO, 4 (Bair, Blevins, Henry, McDowell) ABSENT; therefore, **SCR 51** was declared adopted by the Senate and sent to the House for consideration.

At 4:58 p.m. on motion of Senator Voshell, the Senate recessed until 4:00 p.m. on March 18, 1998.

The Senate reconvened at 4:04 p.m. March 18, 1998 with Lt. Governor Minner presiding.

Senator Blevins was marked present.

The Secretary announced a message from the House informing the Senate that it had passed **HJR 23; HB 425 w/HA 1; HB 430**.

The Secretary read a communication from Senator Sorenson requesting that **SB 222** be stricken.

The Secretary read a communication from the Chief Clerk of the House informing the Senate that Representative Maroney signed **SCR 43** as an additional co-sponsor on January 29, 1998.

The Secretary read a communication from Senator Bunting requesting **SB 216** be stricken.

The Secretary announced that Representative Spence requested his name be removed as a co-sponsor to **SB 216**.

At 4:10 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 11th Legislative Day.

**11TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 18, 1998**

The Senate convened at 4:10 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
March 18, 1998**

The following amendments were placed with the bill on January 29, 1998:

SA 1 to SB 236 - Sponsor: Senator Venables.

SA 1 to HB 463 - Sponsor: Senator Bunting.

SA 2 to HB 463 - Sponsor: Senator Voshell.

The following legislation was introduced and assigned on January 29, 1998:

SB 256 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE. Sponsor: Senator Marshall and Representative Welch. To: **Labor**.

SB 258 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Senator Vaughn & Representative Smith. To: **Insurance**.

HB 435 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW ENFORCEMENT OFFICER BILL OF RIGHTS. (2/3 vote) Sponsor: Representative Lee & Senator Bunting; Representatives Wagner, B. Ennis. To: **Public Safety**.

HB 317 w/HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASES OF ALCOHOLIC BEVERAGES BY RETAIL LICENSE HOLDERS. Sponsor: Representative Keeley & Senator Henry; Representatives Brady, Fallon, Plant, Price, Quillen; Senator Venables. To: **Small Business**.

HB 336 w/HA 1 - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO RENTED PROPERTY. (2/3 vote) Sponsor: Representatives Welch, Stone & Senator Bonini. To: **Judiciary**.

HJR 23 - URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO CLEAN UP THE HEALTHWAYS COMPANY, INC. SITE, ODESSA, DELAWARE; AND DIRECTING THE DEPARTMENT OF PUBLIC SAFETY TO CONSIDER ACQUISITION OF THE PROPERTY FOR USE AS A HELICOPTER LANDING FACILITY; AND DIRECTING THE DEPARTMENT OF TRANSPORTATION TO CLEAN UP AND DEDICATE THE ADJACENT PARK-N-RIDE SITE IN MEMORY OF THE HONORABLE OAK BANNING. Sponsor: Representatives Cathcart, Spence, B. Ennis & Senator Vaughn, On Behalf of All Representatives & Senators. To: **Natural Resources**.

The following amendments were placed with the bill on March 18, 1998:

SA 1 to HB 280 - Sponsor: Senator Voshell

SA 3 to HB 463 - Sponsor: Senator Voshell

The following legislation was introduced and assigned on March 18, 1998:

SB 259 - AN ACT TO AMEND TITLE 29, CHAPTER 79, DELAWARE CODE, RELATING TO DUTIES OF THE DIVISION OF PUBLIC HEALTH OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 260 - 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. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 261 - AN ACT TO AMEND TITLE 24, CHAPTER 51, DELAWARE CODE, RELATING TO THE ISSUANCE OF LICENSES TO PRACTICE COSMETOLOGY, BARBERING, ELECTROLOGY OR NAIL TECHNOLOGY. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 262 - AN ACT TO AMEND §5117, CHAPTERS 51, TITLE 24, DELAWARE CODE RELATING TO REGISTRATION REQUIREMENTS FOR BEAUTY SALONS, BARBERSHOPS, NAIL SALONS, ELECTROLOGY ESTABLISHMENTS AND SCHOOLS OF COSMETOLOGY, BARBERING, NAIL TECHNOLOGY OR ELECTROLOGY. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 263 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO COMPOSITION OF THE BOARD OF COSMETOLOGY AND BARBERING. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 264 - AN ACT TO AMEND §5106, CHAPTER 51, DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE BOARD OF COSMETOLOGY AND BARBERING. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 265 - AN ACT TO AMEND CHAPTER 51, TITLE 24 DELAWARE CODE RELATING TO REQUIREMENTS FOR CERTIFICATION OF A NAIL TECHNICIAN. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 266 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO LICENSE RECIPROCITY FOR COSMETOLOGISTS, BARBERS, NAIL TECHNICIANS AND ELECTROLOGISTS. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 267 - AN ACT TO AMEND TITLE 24, CHAPTER 51, DELAWARE CODE, RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING BY REQUIRING THE BOARD TO UPDATE THEIR RULES AND REGULATIONS EVERY FIVE YEARS. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 268 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO COMPLAINT PROCEDURES. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 269 - AN ACT DIRECTING THE DIVISION OF PROFESSIONAL REGULATION TO DEDICATE ONE OF ITS EMPLOYEES EXCLUSIVELY TO THE BOARD OF COSMETOLOGY AND BARBERING. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 270 - AN ACT TO AMEND TITLE 29, CHAPTER 88, DELAWARE CODE, RELATING TO DUTIES OF THE DIVISION OF PROFESSIONAL REGULATION. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 271 - AN ACT TO AMEND CHAPTER 51, TITLE 24, DELAWARE CODE RELATING TO PENALTIES FOR PRACTICING OR INSTRUCTING IN THE FIELDS OF COSMETOLOGY, BARBERING, ELECTROLOGY OR NAIL TECHNOLOGY WITHOUT A LICENSE. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 272 - AN ACT TO AMEND TITLE 29, CHAPTER 88, DELAWARE CODE, RELATING TO DUTIES OF THE DIVISION OF PROFESSIONAL REGULATION OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES. Sponsor: Senator McBride; Representative Wagner. To: **Health and Social Services**.

SB 273 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Senator Vaughn; Senators Voshell and Connor; Representatives DiLiberto and Maroney. To: **Insurance**.

SB 274 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SHIPMENT OF ALCOHOLIC LIQUORS. Sponsor: Senator Sorenson & Representative Cloutier; Senators Bair, Bonini; Representatives Capano, DiPinto, Quillen, Smith. To: **Administrative Services**.

SB 275 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE TEACHING OF THE UNITED STATES CONSTITUTION AND THE DECLARATION OF INDEPENDENCE. Sponsor: Senator Bonini. To: **Executive**.

SB 276 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO RECOUPMENT OF OVERPAID UNEMPLOYMENT COMPENSATION BENEFITS. Sponsor: Senator Sharp. To: **Labor**.

SB 277 - 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 vote) Sponsor: Senator Vaughn & Representative Smith. To: **Insurance and Elections**.

SB 278 - 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 vote) Sponsor: Senator Adams & Representative Ewing.
To: Community/County Affairs.

SB 279 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DEBRIS DISPOSAL PIT REMEDIATION. Sponsor: Senator McBride. To: Natural Resources.

HB 425 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. Sponsor: Representative Wagner.
To: Public Safety.

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. Sponsor: Representative Wagner & Senator Vaughn. To: Judiciary.

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The following committee reports were announced:

From Executive: **John W. O'Bier** - 2 Favorable, 2 Merits; **William J. Hopkins, Jr.** - 2 Favorable, 2 Merits; **Edward B. duPont** - 4 Merits; **R.R.M. Carpenter, III** - 4 Merits; **Robert F. Rider** - 4 Merits; **Arthur B. Kirkpatrick, Jr.** - 4 Merits.

SCR 53 was introduced and brought before the Senate for consideration on motion of Senator Sharp.

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. Sponsor: Senator Sharp on behalf of all senators; Representative Spence on behalf of all representatives.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McDowell) ABSENT; therefore, **SCR 53** was declared adopted by the Senate and sent to the House for consideration.

The following committee reports were announced:

From Judiciary: **HB 235** - 3 Merits; **HB 341 w/HA 1** - 3 Merits.

From Banking: **SB 255** - 1 Favorable, 3 Merits.

Senator Sharp requested the Secretary of the Senate read a tribute regarding Senator Nancy W. Cook's induction into the Delaware Women's Hall of Fame.

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

William J. Hopkins Jr. - 20 Senators voting YES, 1 (McDowell) ABSENT.
Appointment confirmed.

John W. O'Bier - 21 Senators voting YES. Appointment confirmed.
Senator McDowell marked present during the above roll call.

At 4:26 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:53 p.m. with Senator Sharp presiding.

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

Lt. Governor Minner presiding at 4:55 p.m.

Robert F. Rider - 19 Senators voting YES, 2 (Connor and Hauge) ABSENT.
Appointment confirmed.

Andrew B. Kirkpatrick, Jr. - 21 Senators voting YES. Appointment confirmed.

Edward B. duPont - 21 Senators voting YES. Appointment confirmed.

R.R.M. Carpenter, III - 21 Senators voting YES. Appointment confirmed.

SCR 55 was introduced and brought before the Senate for consideration on motion of Senator McBride.

SCR 55 - REQUESTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO REVISE AND UPDATE ALL FORMS USED IN CONDUCTING SANITARY INSPECTIONS. Sponsor: Senator McBride; Representative Wagner.

Senator McDowell commented.

A roll call vote was taken and revealed 15 Senators voting YES, 6 (Adams, Bunting, McDowell, Reed, Vaughn, Venables) NO; therefore, **SCR 55** was declared adopted by the Senate and sent to the House for consideration.

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

The Secretary of the Senate announced the agenda for March 19, 1998.

SCR 54 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

SCR 54 - URGENTLY REQUESTING THAT LEADING WILMINGTON CITY OFFICIALS FULFILL THEIR COMMITMENT TO IDENTIFY SUITABLE SITES AND TO OPEN NEIGHBORHOOD POLICE STATIONS BY JUNE OF 1998. Sponsor: Senator Marshall & Representative DiPinto; Senators Henry, McDowell; Representatives Keeley, Plant, Scott, Williams.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Amick, Sorenson) NOT VOTING; therefore, **SCR 54** was declared adopted by the Senate and sent to the House for consideration.

At 5:15 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on March 19, 1998.

The Senate reconvened at 2:31 p.m. on March 19, 1998 with Senator Sharp presiding.

The following committee reports were announced:

From Health and Social Services: **SB 238** - 3 Merits.

From Community/County Affairs: **SB 218** - 3 Merits; **SB 253** - 3 Merits; **SB 278** - 3 Merits; **HCR 28 w/HA 1 & 2** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 53**.

At 2:35 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 12th Legislative Day.

**12TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 19, 1998**

The Senate convened at 2:35 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The call of the roll vote for attendance was taken and revealed:

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

Lt. Governor Minner presiding at 2:37 p.m.

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

No objections.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
March 19, 1998**

The following amendment was placed with the bill on March 19, 1998:

SA 1 to SB 226 - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on March 19 1998:

SB 280 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, § 4 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO TIME AND FREQUENCY OF SESSIONS. (2/3 vote) Sponsor: Senator Voshell; Senators Henry, Sharp, Sokola, Vaughn & Venables. To: **Executive**.

SB 281 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ACCESS TO POLLING PLACES. Sponsor: Senator Reed & Representative Maier; Senators Amick, Bair, Bonini, Connor, Still; Representative Ulbrich. To: **Elections**.

* * *

Senators McBride, Venables, Bonini, Bair and McDowell were marked present.

SB 242 was brought before the Senate for consideration on motion of Senator Marshall.

SB 242 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 242** was declared passed the Senate and sent to the House for consideration.

SB 243 was brought before the Senate for consideration on motion of Senator Marshall.

SB 243 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FRAUD OVERPAYMENTS.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Henry) ABSENT; therefore, **SB 243** was declared passed the Senate and sent to the House for consideration.

SB 245 was brought before the Senate for consideration on motion of Senator Marshall.

SB 245 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS.

Senator Venables questioned the sponsor.

Senator Marshall moved to lay **SB 245** on the table. No objection.

SB 255 was brought before the Senate for consideration on motion of Senator Adams.

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 VOTE

Senator Adams requested the privilege of the floor for Timothy McTaggart, Banking Commissioner.

Senators Still, McDowell and Venables questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Still) NO, 1 (Henry) ABSENT; therefore, **SB 255** was declared passed the Senate and sent to the House for consideration.

At 3:00 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 4:23 p.m. with Lt. Governor Minner presiding.

Senator Henry was marked present.

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

SB 244 was brought before the Senate for consideration on motion of Senator Marshall.

SB 244 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

SA 1 to SB 244 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

A roll call vote was taken and revealed 17 Senators voting YES, 4 (Bair, Cook, Sharp, Still) ABSENT; therefore, **SA 1 to SB 244** was declared part of the bill.

SB 244 w/SA 1 was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Bair, Still) ABSENT; therefore, **SB 244 w/SA 1** was declared passed the Senate and sent to the House for consideration.

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

SB 235 was stricken on motion of Senator Vaughn.

At 4:30 p.m. on motion of Senator Voshell, the Senate recessed until 2:00 p.m. on March 24, 1998.

The Senate reconvened at 2:26 p.m. on March 24, 1998 with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed

HB 471 w/HA 1; HB 479; SB 203.

A communication was read from the office of Senator Bair requesting Senator Connor be added as a co-sponsor to **SB 112**.

A communication was read from the office of Senator Amick requesting Representative Fallon be added as a co-sponsor to **SB 209**.

At 2:28 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 13th Legislative Day.

13TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 24, 1998

The Senate convened at 2:28 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
March 24, 1998**

The following amendments were placed with the bill on March 19, 1998:

SA 4 to HB 463 - Sponsor: Senator Still.

SA 5 to HB 463 - Sponsor: Senator Still.

The following legislation was introduced and assigned on March 19, 1998:

SB 282 - AN ACT AWARDING RETROACTIVE PENSION BENEFITS TO CYRIC W. CAIN, JR., TRANSFERRING MONIES INTO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE, AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT. Sponsor: Senator Hauge. To: **Finance**.

The following amendments were placed with the bill on March 24, 1998:

SA 2 to SB 226 - Sponsor: Senator Blevins.

The following legislation was introduced and assigned on March 24, 1998:

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. Sponsor: Senator Sharp. To: **Judiciary**.

HB 471 w/HA 1 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COMMISSIONERS OF THE COURTS. Sponsor: Representative Wagner; Representatives Spence, Carey. To: **Judiciary**.

HB 479 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS. Sponsor: Representative Roy; Representatives Welch, Cloutier, DiLiberto; Senators Vaughn, Amick, Hauge. To: **Judiciary**.

* * *

At 2:31 p.m. Lt. Governor Minner presiding.

Senator Bair introduced the Brandywine High School Basketball team and Coach.

Senator Bair requested the privilege of the floor for Joseph Rapezynski, Head Coach of the Brandywine High School Basketball team.

Coach Rapezynski introduced the assistant coaches and team members.

The witnesses were excused after addressing the Senate.

Senators Bonini, Connor and Voshell commented.

SCR 57 was brought before the Senate for consideration on motion of Senator Bair.

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. Sponsor: Senator Bair & Representative Cloutier, Senators Sorenson, Hauge, Representatives Smith, Maroney, Brady, D. Ennis.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SCR 57** was declared adopted by the Senate and sent to the House for consideration.

Senators Cook, Hauge, McBride and Venables were marked present during the above roll call.

SB 226 was brought before the Senate for consideration on motion of Senator Blevins.

SB 226 - AN ACT TO AMEND TITLES 10, 11, AND 13 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

SA 1 to SB 226 was brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SA 1 to SB 226** was declared part of the bill.

SA 2 to SB 226 was brought before the Senate for consideration on motion of Senator Blevins.

Senators Venables and Bonini questioned the sponsor.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SA 2 to SB 226** was declared part of the bill.

SA 3 to SB 226 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Bunting) ABSENT; therefore, **SA 3 to SB 226** was declared part of the bill.

SB 226 w/SA 1, 2 & 3 was before the Senate.

Several Senators questioned the sponsor.

Senator Blevins requested the privilege of the floor for Steve Wood, representing the Attorney General's office.

Senator Venables and Bonini questioned the witness, after which the witness was excused.

SA 4 to SB 226 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (McBride) ABSENT; therefore, **SA 4 to SB 226** was declared part of the bill.

Senator Bunting was marked present during the above roll call.

SA 5 to SB 226 was introduced and brought before the Senate for consideration on motion of Senator Blevins.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 5 to SB 226** was declared part of the bill.

SB 226 w/SA 1, 2, 3, 4 & 5 was now before the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Venables) NO, 1 (McBride) ABSENT; therefore, **SB 226 w/SA 1, 2, 3, 4 & 5** was declared passed the Senate and sent to the House for consideration.

SB 253 was brought before the Senate for consideration on motion of Senator Adams.

SB 253 - 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 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 253** was declared passed the Senate and sent to the House for consideration.

SB 278 was brought before the Senate for consideration on motion of Senator Adams.

SB 278 - 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 VOTE

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SB 278** was declared passed the Senate and sent to the House for consideration.

At 3:40 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:38 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 57**.

SB 245 was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

SB 245 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO WAGE PROVISIONS IN PUBLIC CONSTRUCTION CONTRACTS.

Senator Reed commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Still) ABSENT; therefore, **SB 245** was declared passed the Senate and sent to the House for consideration.

Additions to the agenda, committee and other legislative meetings were announced.
At 5:45 p.m. on motion of Senator Voshell, the Senate recessed until March 25, 1998 at 4:00 p.m.

The Senate reconvened at 4:25 p.m. on March 25, 1998 with Lt. Governor Minner presiding.

LEGISLATIVE ADVISORY #28 through #31 from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #28, dated January 29, 1998, the Governor signed the following legislation on the dates indicated:

SB #217 AAB SA 2 AND 3 (1/28/98) - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE REGARDING RESIDENCY REQUIREMENTS OF MUNICIPAL EMPLOYEES. (Sponsor: Sen. Sokola) (Volume 71, Chapter 224, Laws of Delaware.)

HB #254 (1/29/98) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (Sponsor: Rep. Price & Sen. Voshell) (Volume 71, Chapter 225, Laws of Delaware.)

LEGISLATIVE ADVISORY #29, dated February 5, 1998, the Governor signed the following legislation on the dates indicated:

HB #444 AAB HA 1, 2 AND 3 (2/4/98) - AN ACT TO AMEND TITLES 17 AND 29 OF THE DELAWARE CODE RELATING TO DELAWARE DEPARTMENT OF TRANSPORTATION ACQUISITION AND SALE OF REAL PROPERTY. (Sponsor: Rep. Ulbrich & Sen. Vaughn & Rep. B. Ennis & Rep. Petrilli & Sen. Still & Sen. Voshell) (Volume 71, Chapter 226, Laws of Delaware.)

HJR #22 (2/4/98) - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1998. (Sponsor: Rep. Davis and Sen. Cook)

HB #467 (2/4/98) - AN ACT TO AMEND CHAPTER 150, VOLUME 71, DELAWARE LAWS: APPROPRIATING GENERAL FUNDS; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURES FOR SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS OF THE LAWS OF DELAWARE AND THE DELAWARE CODE. (Sponsor: Reps. Roy, Carey, Lofink, Oberle, Plant, Schroeder, Sens. Blevins, Cook, McBride, Venables, Bonini, Hauge) (Volume 71, Chapter 227, Laws of Delaware.)

HB #256 (2/5/98) - AN ACT TO AMEND CHAPTER 39, TITLE 18, DELAWARE CODE RELATING TO PROHIBITION AGAINST PREMIUM INCREASES IN CERTAIN CIRCUMSTANCES AND CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICY. (Sponsor: Rep. Lee & Sen. Vaughn) (Volume 71, Chapter 228, Laws of Delaware.)

HB #366 (2/5/98) - AN ACT TO AMEND CHAPTER 91, TITLE 16, OF THE DELAWARE CODE REGARDING REGULATION OF MANAGED CARE ORGANIZATIONS. (Sponsor: Rep. Maier & Sen. Blevins) (Volume 71, Chapter 229, Laws of Delaware.)

SB #69 AAB SA 1 AND HA 1 (2/5/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PERSONS PROHIBITED. (Sponsor: Sen. Voshell) (Volume 71, Chapter 230, Laws of Delaware.)

SB #164 (2/5/98) - AN ACT TO AMEND CHAPTER 69, TITLE 10, OF THE DELAWARE CODE RELATING TO APPEALS IN HABEAS CORPUS CASES. (Sponsor: Sen. Vaughn & Rep. Lee) (Volume 71, Chapter 231, Laws of Delaware.)

SB #202 (2/5/98) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO UNPAID KENT COUNTY SEWER SERVICE CHARGES. (Sponsor: Sen. Cook & Rep. Stone & B. Ennis) (Volume 71, Chapter 232, Laws of Delaware.)

SS 1 FOR SB #231 (2/5/98) - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE, RELATING TO PILOTAGE RATES. (Sponsor: Sen. Voshell & Rep. Carey) (Volume 71, Chapter 233, Laws of Delaware.)

SB #81 (2/5/98) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MINORS AND UNIFORM CONTROLLED SUBSTANCES. (Sponsor: Sens. McDowell, Adams, Bunting, Henry, Marshall, Sharp, Venables & Voshell) (Volume 71, Chapter 234, Laws of Delaware.)

LEGISLATIVE ADVISORY #30, dated February 10, 1998, the Governor signed the following legislation on the date indicated:

SB #239 AAB SA 1 AND SA 2 (2/10/98) - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE PERTAINING TO THE ACQUISITION OF REAL PROPERTY BY THE DEPARTMENT OF TRANSPORTATION. (Sponsor: Sen. Sharp) (Volume 71, Chapter 235, Laws of Delaware.)

SJR #6 (2/10/98) - DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A "MAINTENANCE HOT LINE" TO ADDRESS CONSTITUENT ISSUES. (Sen. Sharp)

HB #39 (2/10/98) - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENTS WHO HAVE BEEN EXPELLED FROM PUBLIC SCHOOL. (Sponsor: Rep. Wagner) (Volume 71, Chapter 236, Laws of Delaware.)

HB #216 (2/10/98) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE UNEMPLOYMENT COMPENSATION ADVISORY COUNCIL. (Sponsor: Rep. Petrilli) (Volume 71, Chapter 237, Laws of Delaware.)

HB #343 (2/10/98) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HEATING SYSTEMS. (Sponsor: Rep. Roy) (Volume 71, Chapter 238, Laws of Delaware.)

HB #426 AAB HA 1 AND SA 1 (2/10/98) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE LAW PERTAINING TO CORPORATE OWNED LIFE INSURANCE. (Sponsor: Rep. D. Ennis) (Volume 71, Chapter 239, Laws of Delaware.)

HB #455 (2/10/98) - AN ACT TO AMEND THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE ORGANIZATION, COMPOSITION AND OPERATION OF THE JUDICIARY OF THE STATE OF DELAWARE. (Sponsor: Rep. DiPinto) (Volume 71, Chapter 240, Laws of Delaware.)

HB #461 (2/10/98) - AN ACT AUTHORIZING AND DIRECTING THE BOARD OF PENSION TRUSTEES TO GRANT ARLENE E. BANNING A SURVIVOR'S PENSION; AND APPROPRIATING MONIES TO THE SPECIAL PENSION FUND CREATED BY VOLUME 61, CHAPTER 455, LAWS OF DELAWARE. (Sponsor: Rep. Brady) (Volume 71, Chapter 241, Laws of Delaware.)

HB #465 (2/10/98) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. (Sponsor: Rep. Reynolds) (Volume 71, Chapter 242, Laws of Delaware.)

HJR #21 (2/10/98) - CELEBRATING "READ ACROSS AMERICA" ON MARCH 2, 1998. (Sponsor: Rep. Reynolds)

HS 1 TO HB #93 (2/10/98) - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO BODY-PIERCING, TATTOOING, OR BRANDING CONSENT FOR MINORS AND CIVIL AND CRIMINAL PENALTIES. (Sponsor: Rep. Spence) (Volume 71, Chapter 243, Laws of Delaware.)

HB #97 AAB HA 1 (2/10/98) - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES. (Sponsor: Rep. Scott) (Volume 71, Chapter 244, Laws of Delaware.)

HB #206 AAB SA 1 (2/10/98) - AN ACT TO AMEND CHAPTERS 19, 21 AND 23 OF TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH LICENSES, PERMITS AND LEASES. (Sponsor: Rep. Carey) (Volume 71, Chapter 245, Laws of Delaware.)

HB #212 AAB HA 1 (2/10/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (Sponsor: Rep. Smith) (Volume 71, Chapter 246, Laws of Delaware.)

HB #318 AAB HA 1 (2/10/98) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CERTAIN MOTOR VEHICLE OFFENSES. (Sponsor: Rep. Ewing) (Volume 71, Chapter 247, Laws of Delaware.)

HB #334 (2/10/98) - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO OBSTRUCTION OF GOVERNMENT OPERATIONS. (Sponsor: Rep. Welch) (Volume 71, Chapter 248, Laws of Delaware.)

HB #355 (2/10/98) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PROJECTING LOADS. (Sponsor: Rep. DiPinto) (Volume 71, Chapter 249, Laws of Delaware.)

HB #383 (2/10/98) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION. (Sponsor: Rep. Schroeder) (Volume 71, Chapter 250, Laws of Delaware.)

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LEGISLATIVE ADVISORY #31, dated February 12, 1998, the Governor signed the following legislation on the date indicated:

HB #133 AAB HA 1 (2/12/98) - AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS. (Sponsor: Rep. Ewing) (Volume 71, Chapter 251, Laws of Delaware.)

HB #446 (2/12/98) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (Sponsor: Rep. Van Sant) (Volume 71, Chapter 252, Laws of Delaware.)

* * *

The Secretary announced a message from the House informing the Senate that it had passed **HB 524; HB 437 w/HA 1; HB 480.**

The following committee reports were announced:

From Education: **SB 61** - 3 Merits; **HCR 15** - 3 Merits; **HJR 19 w/HA 1 & 2** - 3 Merits; **HB 38 w/HA 1** - 3 Merits.

From Judiciary: **SB 227** - 3 Merits.

A communication from the Office of the President Pro Tempore, Thomas B. Sharp was read informing the Senate that pursuant to **SB 239** he appoints Senator James T. Vaughn to serve on the committee.

A communication from the Office of the President Pro Tempore, Thomas B. Sharp was read informing the Senate that pursuant to **SB 239** he appoints Gerald F. Vaughn to serve on the committee.

Communications from the Office of the President Pro Tempore, Thomas B. Sharp was read informing the Senate that pursuant to **HCR 49** he appoints Senators James T. Vaughn and George H. Bunting, Jr., to serve on the committee.

A communication from the Office of the Speaker of the House, Terry R. Spence to the Secretary of the Senate, Bernard J. Brady was read informing the Senate that pursuant to **SB 239** he appoints Representative Donna Stone and Mr. Andrew Lubin to serve on the committee.

Copies of these communications are in the activity file for this legislative day.

At 4:30 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 14th Legislative Day.

**14TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 25, 1998**

The Senate convened at 4:30 p.m. with Lt. Governor Minner presiding.

A prayer was offered by Senator Voshell.

The Pledge of Allegiance to the Flag.

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

PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Voshell - 21.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
March 25, 1998**

The following amendments were placed with the bill on March 24, 1998:

SA 1 to SB 279 - Sponsor: Senator McBride.

SA 2 to HB 156 - Sponsor: Senator McDowell.

SA 3 to HB 156 - Sponsor: Senator McDowell.

SA 6 to HB 463 - Sponsor: Senator Still.

SA 7 to HB 463 - Sponsor: Senator Still.

The following legislation was introduced and assigned on March 24, 1998:

SS 1 for SB 176 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO IMPLEMENT THE GRADUATED DRIVER LICENSE AND MOTORCYCLE PROGRAM. (2/3 vote) Sponsor: Senator Sokola & Representative Maier; Senators Blevins, Bunting, Marshall, Sharp, Voshell, Connor, Hauge, Reed, Sorenson & Still; Representatives Davis, Gilligan, Roy & Spence. To: **Adopted in lieu of the original PWB.**

SB 284 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ALLOCATION OF FUNDS TO COUNTIES AND INCORPORATED CITIES AND TOWNS. (3/4 vote) Sponsor: Senator Marshall & Representative DiPinto & Representative Schroeder; Senators Henry, McDowell, Venables; Representatives Keeley, Plant, Scott & Williams. To: **Finance.**

SB 285 - 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. Sponsor: Senator Voshell and Representative Quillen. To: **Community/County Affairs.**

SB 286 - AN ACT TO AMEND 71 LAWS OF DELAWARE, CHAPTER 12 RELATING TO SUNSETTING PROVISIONS OF THE PHARMACY ACCESS ACT. Sponsor: Senator Blevins; Representative Wagner. To: **Health and Social Services.**

The following amendment was placed with the Resolution on March 25, 1998:

SA 1 to HCR 28 - Sponsor: Senator Bair.

The following legislation was introduced and assigned on March 25, 1998:

SB 287 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE TAKING OF DNA SAMPLES FROM CONVICTED SEX OFFENDERS. Sponsor: Senator McBride & Representative Smith. To: **Corrections.**

SB 289 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTION. Sponsor: Senator Sharp & Representative Wagner. To: **Judiciary.**

SB 290 - AN ACT TO AMEND CHAPTER 21 AND 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF MOTORBOATS AND PERSONAL WATERCRAFT. (2/3 vote) Sponsor: Senator McBride & Representative Quillen. To: **Natural Resources.**

SB 291 - AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A MARINE FISHERIES ADVISORY COUNCIL. Sponsor: Senator McBride & Representative Quillen; Senator Venables. To: **Natural Resources.**

HB 437 w/HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO CERTAIN PERSONS. (2/3 vote) Sponsor: Representative Wagner; Representatives Buckworth, Capano, Cloutier, Davis, Ewing, Maier, Smith, Spence, Stone. To: **Insurance and Elections.**

HB 480 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULT IN THE SECOND DEGREE. Sponsor: Representative Lee, Welch & Wagner. To: **Corrections.**

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 vote) Sponsor: Representative Ewing & Senator Adams. To: **Community/County Affairs.**

* * *

At 4:33 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

The Senate reconvened at 5:52 p.m. with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

HB 532.

HB 532 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

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. Sponsor: Representatives Roy, Carey, Lofink, Oberle, Plant, Schroeder; Senators Blevins, Cook, McBride, Venables, Bonini, Hauge.

Senator Hauge commented.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Hauge) NOT VOTING; therefore, **HB 532** was declared passed the Senate and returned to the House.

Senator Marshall was marked present during the above roll call.

HCR 28 w/HA 1 & 2 was brought before the Senate for consideration on motion of floor manager, Senator Sokola.

HCR 28 w/HA 1 & 2 - RE-ESTABLISHING A JOINT TASK FORCE TO REVIEW HOME BUILDER PRACTICES AND REGULATION IN DELAWARE.

SA 1 to HCR 28, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Bair.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 1 to HCR 28** was declared part of the resolution.

SA 2 to HCR 28 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 21 Senators voting YES; therefore, **SA 2 to HCR 28** was declared part of the resolution.

HCR 28 w/HA 1 & 2, SA 1 & 2 was now before the Senate.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **HCR 28 w/HA 1 & 2, SA 1 & 2** was declared adopted by the Senate and returned to the House for reconsideration.

SB 288 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

SB 288 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES AND MOTORCYCLE LICENSES. (2/3 vote) Sponsor: Senator Sokola & Representative Maier; Senators Blevins, Bunting, Marshall, Sharp, Voshell, Connor, Hauge, Reed, Sorenson & Still; Representatives Davis, Gilligan, Roy & Spence.

Senator Marshall moved to lay **SB 288** on the table.

On motion of Senator Sokola **SB 176** and **SS 1 for SB 176** was stricken.

SR 22 was introduced and brought before the Senate for consideration on motion of Senator McDowell.

SR 22 - EXTENDING SINCERE CONGRATULATIONS TO FORMER SENATE ADMINISTRATIVE ASSISTANT SPIROS MANTZAVINOS AND HIS WIFE, MEGAN, ON THE BIRTH OF THEIR FIRST CHILD, MISS SOPHIA MANTZAVINOS. Sponsor: Senator McDowell on behalf of all Senators.

A roll call vote was taken and revealed 20 Senators voting YES, 1 (Sharp) ABSENT; therefore, **SR 22** was declared adopted by the Senate.

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

The Secretary announced the agenda for March 26, 1998.

At 6:12 p.m. on motion of Senator Voshell, the Senate recessed until March 26, 1998 at 2:00 p.m.

The Senate reconvened at 2:02 p.m. on March 26, 1998 with Senator Sharp presiding.

The following committee reports were announced:

From Labor: **SB 256** - 3 Favorable.

From Judiciary: **HB 463** - 3 Merits.

From Community/County Affairs: **HB 524** - 3 Merits; **SB 285** - 3 Merits.

At 2:05 p.m. on motion of Senator Voshell, the Senate adjourned to immediately convene for the 15th Legislative Day.

**15TH LEGISLATIVE DAY
139TH GENERAL ASSEMBLY
2ND SESSION
MARCH 26, 1998**

The Senate convened at 2:05 p.m. with Senator Sharp presiding.

A prayer was offered by Senator Adams.

The Pledge of Allegiance to the Flag.

The call of the roll for this Legislative Day revealed the following attendance:
PRESENT: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, Hauge, Henry, Marshall, McBride, McDowell, Reed, Sharp, Sokola, Sorenson, Vaughn, Venables, Voshell – 20.

ABSENT: Senator Still – 1.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
March 26, 1998**

The following legislation was introduced and assigned on March 26, 1998:

SJR 8 - CREATING A TASK FORCE TO OBJECTIVELY AND SCIENTIFICALLY ASCERTAIN THE BENEFITS AND COSTS OF LEGAL GAMBLING IN THE STATE OF DELAWARE. Sponsor: Senator Still; Senator Bonini; Representatives Gilligan, Welch. To: **Executive**.

SJR 9 - CREATING A TASK FORCE TO OBJECTIVELY AND SCIENTIFICALLY ASCERTAIN THE BENEFITS AND COSTS OF LEGAL GAMBLING IN THE STATE OF DELAWARE. Sponsor: Senator Still; Senator Bonini; Representatives Gilligan, Welch. To: **Executive**.

* * *

Senators Sorenson and Hauge were marked present.

SB 288 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Sokola.

SB 288 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES AND MOTORCYCLE LICENSES. (2/3 vote)

Lt. Governor Minner presiding at 2:09 p.m.

Senator Sokola requested the privilege of the floor for Susan Vavala, representing herself.

The witness was excused after addressing the Senate.

Senator Sokola requested the privilege of the floor for Sgt. Donald S. Pyne, representing the Delaware State Police.

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

SA 1 to SB 288 was introduced and brought before the Senate for consideration on motion of Senator Sokola.

A roll call vote was taken and revealed 19 Senators voting YES, 2 (Sharp, Still) ABSENT; therefore, **SA 1 to SB 288** was declared part of the bill.

Senators Bair, Bonini, Bunting, Marshall, McBride and Venables were marked present during the above roll call.

SB 288 w/SA 1 was now before the Senate.

Senator Sokola requested the privilege of the floor for Arthur Ericson, representing Department of Motor Vehicles.

Senators Reed and McDowell questioned the witness, after which Senator Sokola requested the privilege of the floor for Dr. Meredith Dean Betts, representing Department of Education.

Senator Bair questioned the witness, after which the witnesses were excused.

Several Senators commented.

Senator Sokola moved to lay **SB 288 w/SA 1** on the table. No objection.

HB 372 was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

HB 372 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LANDS PRESERVATION.

Senator Bunting requested the privilege of the floor for Michael H. McGrath, representing the Department of Agriculture.

The witness was excused after addressing the Senate.

A roll call vote was taken and revealed 19 Senators voting YES, 1 (Reed) NO, 1 (Still) ABSENT; therefore, **HB 372** was declared passed the Senate and returned to the House.

HB 463 was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

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.

SA 1 to HB 463 was brought before the Senate for consideration on motion of Senator Bunting.

Several Senators commented.

A roll call vote was taken and revealed 9 Senators (Blevins, Bunting, Cook, McBride, McDowell, Reed, Sharp, Sokola, Voshell) voting YES, 11 NO, 1 (Still) ABSENT; therefore, **SA 1 to HB 463** was declared defeated.

SA 3 to HB 463 was brought before the Senate for consideration on motion of Senator Voshell.

Senator Voshell requested the privilege of the floor for Linda Graham, representing Delaware Hotel/Motel Association.

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

Senator Bonini commented.

Senator Bair requested the privilege of the floor for Tom Kramedas, representing Delaware Hotel/Motel Association.

The witness was excused after addressing the Senate.

Senator Amick requested the privilege of the floor for William M. Rickman, Jr., representing Delaware Park.

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

Senator Bair requested the privilege of the floor for Denis McGlynn, representing Dover Downs.

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

Senator Voshell requested the privilege of the floor for Robert Winton, representing Three Little Bakers Country Club.

The witness was excused after addressing the Senate.

Senators Reed and Connor commented.

A roll call vote was taken and revealed 10 Senators voting YES, 9 (Adams, Amick, Bair, Bonini, Cook, Hauge, McBride, Sharp, Vaughn) NO, 1 (Henry) NOT VOTING, 1 (Still) ABSENT; therefore **SA 3 to HB 463** was declared defeated.

SA 8 to HB 463 was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McBride requested the privilege of the floor for James Edwards, representing Jockeys' Guild, Inc.

Senator Venables questioned the witness, after which the witness was excused.

A roll call vote was taken and revealed 11 Senators voting YES, 9 (Adams, Amick, Bair, Connor, Hauge, Reed, Sharp, Sorenson, Vaughn) NO, 1 (Still) ABSENT; therefore, **SA 8 to HB 463** was declared part of the bill.

SA 9 to HB 463 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

SA 9 to HB 463 was laid on the table on motion of Senator Marshall.

SA 10 to HB 463 was introduced and brought before the Senate for consideration on motion of Senator Amick.

SA 10 to HB 463 was stricken on motion of Senator Amick.

HB 463 w/SA 8 was laid on the table on motion of Senator Sharp.

At 5:03 p.m. on motion of Senator Voshell the Senate recessed for Party Caucus.

At 5:57 p.m. the Senate reconvened with Lt. Governor Minner presiding.

HB 463 w/SA 8 was lifted from the table and brought before the Senate for consideration on motion of Senator Sharp.

Several Senators commented.

Senator Hauge raised a point of order.

Several Senators commented.

A roll call vote was taken and revealed 17 Senators voting YES, 3 (Bonini, Bunting, Connor) NO, 1 (Still) ABSENT; therefore, **HB 463 w/SA 8** was declared passed the Senate and returned to the House for reconsideration.

SB 288 w/SA 1 was lifted from the table and brought before the Senate for consideration on motion of Senator Sokola.

SB 288 w/SA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES AND MOTORCYCLE LICENSES. (2/3 vote)