

responsibilities in the future, the General Assembly, all of you, must be a full partner. We've now created an important blueprint, but it will be left largely to all of you in our legislature to study it, to improve it, and to make its priorities a reality.

One area of smart growth where the legislature has already made its mark is investing in open space and preserving farmland. During this Administration alone, over a quarter-billion dollars have been earmarked for these two important programs. Next week, I'll propose investing an additional \$10 million for farmland preservation and for open space programs. The results can already be seen throughout our state. Delaware has the highest rate of agland preservation on a per capita basis of any state in America. One of our latest open space acquisitions -- the largest in state history -- will preserve over 8,500 acres of land in the Nanticoke River Watershed. This natural treasure is an extraordinary gift for the ages. It also provides an important environmental buffer for the pristine Nanticoke. On behalf of future generations, I want to stop for a moment and thank everyone here and outside of this place who worked so hard to make this purchase, this gift, a reality. Thank you.

One of the great environmental challenges that awaits the next Administration and frankly the next General Assembly is the full implementation of the Clean Water Act. In my proposed budget for next year, I will recommend \$10 million, on top of the \$50 million that you and I have allocated over the past 5 years, to help replenish the water and wastewater fund. Doing so will enable communities to continue working to meet the stringent requirements of this federal law and, more importantly, to better ensure the availability of clean water for our people as this Century unfolds.

The other big water issue facing our state can be addressed even more quickly. During two of the past five summers, Delaware has been hit with prolonged drought. The drought of 1999, as I mentioned earlier, was even called the Drought of the Century.

During both of these droughts, some parts of our state, particularly in northern Delaware, faced water shortages that resulted in drought emergencies and mandatory conservation. Some water providers simply couldn't keep up with the water demand during these long dry periods, largely because they rely too heavily on surface waters -- on rivers and streams - to supply their customers.

To guard against future water drought emergencies, I'll propose legislation that will give the Public Service Commission new regulatory authority. The PSC would require water providers who want to maintain or expand their services to clearly demonstrate that they have the adequate capacity to meet -- even without a prolonged drought -- and without waiving environmental protection or water quality standards.

Well, ladies and gentlemen -- so there you've got it. Well, you've always got it. A cleaner environment, plentiful water, agland and open space better preserved, smarter land-use policies, an improving transportation system, safer neighborhoods, record levels of homeownership, expanded healthcare, effective management of taxpayers' dollars, and a job for just about everyone who wants and needs one. Together, they represent a legacy that all of us have worked diligently to build and will continue to build as this year unfolds.

But we're not done yet. Finishing our work on improving Delaware's schools is the most important task before us, as you've heard me say many times. And how well we do in this particular area may have more to do with the quality of life of our children and our grandchildren than everything else that we're doing combined.

At the dawn of the last Century, the ability of many Delawareans to find work depended largely on the strength of their backs. At the dawn of this Century, that ability will rely largely on the strength of our minds. When Governor Castle and Lt. Governor Wolf handed over the reins of leadership to Lt. Governor Minner and me, some seven years ago, Delaware was preparing to take a new course in the education of our children. It was one which recognized that if our children are to lead successful, productive lives in the future, then we must dramatically improve the quality of the education they receive in our schools today.

That revelation also has occurred in many other states across America. Seven years ago, no state had adopted rigorous academic standards of what students were expected to know in subjects like math, science, English and social studies. Today, 45 states have adopted such standards and, by the end of the year, four more will.

Seven years ago, no states were administering tests to measure student progress against their academic standards. Today, half of all states administer such tests.

And seven years ago, no state had put in place systems attempting to hold parents, politicians, students in schools and school districts accountable for improving student performance. Today, one-third of the states have put such systems in place.

Delaware is doing all of these things, and with the passage of SB260, we will have put in place one of the most comprehensive, promising and fairest education systems in America.

You may recall that Delaware adopted its own academic standards in 1995. The State School Board said then we urge Delaware's schools and school districts to begin modifying their curriculum and their lesson plans to reflect our new academic standards. Well, some schools did, they went to work, and some schools did not. We began testing in 1998, as you know. The initial results were largely disappointing.

More encouraging, though, was that from 1998 to 1999, third and fifth graders began showing improvement. And I'm confident that this spring's tests will reveal even more improvement.

As the day of real consequences for students approaches in Delaware and in other states across America, the call has been heard to delay those consequences, to lower academic standards, or even to abandon them altogether. On this point, let me be clear. The states that lower or abandon their standards do so at their own peril. They put at risk their economic future and the future of their children. States that take either of those steps effectively abandon many of the young people to lives of unfulfilled promise, while assuring their employers a workforce that will not enable them to effectively compete in the 21st Century. And while it's acceptable to pull back a bit on the throttle in the months ahead, and we will, we must not turn from the course we undertook over seven years ago, and I am confident we will not.

Our real goal in setting high standards, measuring progress, holding everyone accountable is to make sure that all Delaware students, all Delaware students have a real chance of meeting those standards. Because children can absorb vast amounts of information when they're quite young, it's important that we begin their education at the beginning of their lives. In Delaware, we do. The key to a child getting off to a good start is making sure that their parents, their parents are prepared to be an effective first teacher for their young children.

No state is doing more than Delaware to prepare parents to meet their responsibilities. Home visits for first time parents. This "Growing Together" national portfolio. A continuum of parenting training that's mandatory for those on welfare and available to inmate parents in every Delaware prison. Parents as Teachers in every Delaware county. Child care assistance for families with income up to 200 percent of poverty. Head Start for every 4-year-old living in poverty.

And that's not all. The investments in the future of our children continue through their school careers. We've lowered, you've lowered, class sizes in kindergarten through third grade, we've capped class sizes for core academic subjects at those grade levels too. We provide an extra 20 instructional days for a third of all kids K-12. Every public school classroom in our state is wired for access to the Internet. We're the first in the nation that did that. Delaware has the lowest ratio of students to computers in America. We invest generously in the professional development of our teachers. Disruption prevention programs are in every public school. Some 10,000 volunteers mentor in our schools every week. A higher percentage of families exercise public school choice here than in any other state. Charter schools operate in each county and more are on the way.

Next week, I'll propose investing nearly \$100 million in new money for school construction to help bring our schools into the 21st Century. We're doing all of these things, we're doing all of these things to ensure that our kids have every opportunity to succeed in school and be prepared to lead productive lives when they leave those schools.

Last year, I proposed one final piece of this legacy to help our children succeed in this new Century -- educator accountability -- to go along with the accountability measures that you and I have already put in place for parents, for politicians, schools, and school districts. I did that last year because no part of either a teacher's or an administrator's annual evaluation in Delaware reflects whether students are making academic progress - measured - in a classroom objectively - in a classroom or a school from the beginning of the year to the end of the year. It's not just Delaware, folks. The same situation exists in almost every other state.

Under SB260, that will change in Delaware. This proposal, the product of months of deliberations and debate, is fair to educators and it gives them a real choice in the future of their profession.

Most of all, the legislation will help kids learn by helping the professionals who teach them. And we know, you and I know, that besides their parents, the people who have the biggest impact on our children's education are their teachers. I'm proud of Delaware's teachers. I know you are too. I'm especially proud that this year, this year saw 21 Delaware teachers become nationally-certified -- the most in state history and the most, listen to this, the most of any state in our region. One of Delaware's 39 nationally-certified teachers is with us today, one-time Delaware Teacher of the Year, Milford High's Mercedes Ferrari. Please join me in welcoming Mercedes and in saluting the many Delaware teachers who share her commitment to excellence and to children. Mercedes, how are you? Welcome.

The compromise that's been reached on SB260, both on educator and student accountability, did not come easily. Then again, these aren't easy issues. While this compromise may not completely please everyone, and, frankly, it doesn't completely please me either, it does make clear that this General Assembly is serious about continuing to improve our education system in ways that are fair to our children, to our parents, to educators and to taxpayers.

I want to congratulate our legislative leaders for their hard work in helping to forge this compromise. I want to congratulate, as well, our state's teachers, the business community, the PTA, our State Board of Education, and many others who have not wavered in their commitment to raising student achievement.

Now that the Senate has done its duty and passed this important legislation unanimously, I ask the House to do the same, and to do it soon. The rancor and uncertainty that's gripped our education system has gotta end. And, it's time for this governor and the General Assembly, along with teachers and

administrators, including our state's 19 superintendents, to come together again to move our public schools forward. I hope you agree. Now, let's do and get this job done.

Well, folks, today, I have described to you many of our shared accomplishments over the past seven years, and quite a list of things that are still to be done.

But before I close out this State of the State address, I want to acknowledge once more the enduring partnership that this Administration has held with this General Assembly and the three that preceded it.

We have had our share of differences over the years, but frankly I'm told that so have some other Governors and General Assemblies, but we have never lost sight of our common goal – and that's to do what's best for Delaware. Whether its improving our schools, or any of the dozens of challenges that come with each year, we have never let our differences keep us divided for long.

In the end, as Bert Carvel over there can tell you, that's what makes this state work so well. And it is this same uncommon tradition to do what's right for Delaware that now allows us to embrace a new Century strong and confident of our future.

One hundred years from now a new generation of legislators and Delawareans will sit where you sit today and a new Governor will stand here, right here at this podium. Very likely, they will marvel at the changes to Delaware which the 21st Century will have brought about. But as they gather here at the turn of the next Century, what will they say of us? What will they say of us?

I believe they'll say we laid the foundation which enabled Delaware to achieve a quality of life and a nobility of purpose for which future generations were grateful.

I believe they'll say we often set the standard against which other states would be measured. And I believe they'll say our commitment to excellence and to opportunity served as a lasting inspiration to those who followed us.

But, if they don't say those things, I hope that Bert Carvel, and Tina Fallon and Charlie West will be here to set them straight!

And in this new millennium, may God continue to bless both Delaware and the people who make it great. Thank you very, very much!

Mr. Speaker Spence made comments.

Mr. Speaker Spence requested that the duly appointed committee reassemble to escort the Governor back to his Executive Office.

Mr. Speaker Spence granted privilege of the floor to Governor Elbert N. Carvel.

Representative Smith made comments.

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

The Chief Clerk of the House and the Secretary of the Senate compared their Journals, found them to agree and so notified the Speaker.

Representative Smith moved that the Joint Session be adjourned at 3:20 p.m. and that the two Houses separate to reconvene in their respective Chambers. Representative Smith moved to recess for caucus at 3:21 p.m.

The House reconvened at 4:35 p.m. with Representative Oberle as Acting Speaker.

Representative Gilligan introduced HB 475, jointly sponsored by Representatives VanSant & Senators Sharp, Adams, McDowell & Blevins.

HB 475 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2001; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY, REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Mr. Acting Speaker assigned HB 475 to the Capital Infrastructure Committee.

Mr. Acting Speaker assigned HB 289 & HB 381 to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HCR 40 and is returning same to the House.

MEMORANDUM

TO: JoAnn Hedrick
FROM: Representative J. Benjamin Ewing
DATE: January 19, 2000
RE: Senate Bill 66

Please remove my name as co-sponsor of Senate Bill 66.

MEMORANDUM

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

FROM: Dennis P. Williams
Representative – 1st District

DATE: January 27, 2000

RE: Absence from Session

Mr. Speaker,

Due to out of town business, I will be absent from session January 27.

Dennis P. Williams

To: Speaker Spence
From: Representative Fallon
Date: January 27, 2000
RE: Absence from session

Please excuse my absence from session on Thursday, January 27, 2000. Due to the weather I will not be attending today's session day.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with lifting HB 452 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy brought HB 452, jointly sponsored by Senator Blevins & Representatives Carey, Lofink, Oberle, Plant, Schroeder, Boulden, Cathcart, Lee, Stone & Williams & Senators Cook, McBride, Venables, Bonini & Connor, before the House for consideration.

HB 452 - AN ACT TO AMEND CHAPTER 258, VOLUME 72, LAWS OF DELAWARE; AND RELATING TO THE COMMUNITY REDEVELOPMENT FUND.

Representative Roy made comments.

The roll call on HB 452 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & Williams - 3.

Therefore, having received a constitutional majority, HB 452 was sent to the Senate for concurrence.

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

Mr. Acting Speaker introduced guests.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested and was granted personal privilege of the floor to present a House Tribute to Gina Parman.

Representative Welch made comments.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 445, jointly sponsored by Senator Sharp, before the House for consideration.

HB 445 - AN ACT TO AMEND CHAPTER 41 OF TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

Representative Roy made comments.

The roll call on HB 445 was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Miro & Williams - 3.

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

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 394, jointly sponsored by Senator Henry, before the House for consideration.

HB 394 - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO COLLECTION OF BLOOD SAMPLES.

Representative Ewing made comments.

The roll call on HB 394 was taken and revealed:

YES: 36.

NO: Representative Brady - 1.

ABSENT: Representatives Fallon, Miro, Spence & Williams - 4.

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

Representative Smith moved to suspend the rules which interfere with action on Consent Agenda A.

The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought Consent Agenda A, which requires a two-thirds vote, before the House for consideration.

HB 431 – STONE; WAGNER; SENATOR STILL - AN ACT TO AMEND SECTION 17, CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, RELATING TO ORDINANCES IN THE CHARTER OF THE CITY OF DOVER. (2/3 bill)

SB 259 w/SA 1 – BUNTING & REPRESENTATIVE PRICE - AN ACT TO AMEND 63 LAWS OF DELAWARE, CHAPTER 64, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE" PERMITTING THE TOWN COUNCIL, BY ORDINANCE, TO ESTABLISH ELECTION DISTRICTS. (2/3 bill)

SB 261 – BUNTING & REPRESENTATIVE PRICE - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE" TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF OCEAN VIEW. (2/3 bill)

Representative Smith made a comment.

The roll call on Consent Agenda A was taken and revealed:

YES: 36.

ABSENT: Representatives D. Ennis, Fallon, Miro, Spence & Williams - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 431 was sent to the Senate for concurrence and SB 59 w/SA 1 & SB 261 were returned to the Senate.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with introduction of and action on HR 69. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Valihura introduced and brought HR 69, jointly sponsored by Representative Roy, before the House for consideration.

HR 69 - CALLING ON THE GOVERNOR AND THE DEPARTMENT OF TRANSPORTATION TO BEGIN THE PROCESS OF RENAMING I-95 TO I-195 AND RENAMING I-495 TO I-95.

Representatives Valihura, Plant, Valihura, Plant, Valihura, Plant, Valihura, Keeley, Valihura, Keeley, Valihura, Roy, D. Ennis, Gilligan, Roy, Smith & Gilligan made comments.

The following communication was made a part of the record at the request of Representative Keeley:

Res: 00-004

Wilmington, Delaware

January 6, 2000

#1224

Sponsors: Council President Baker

Council Members Brady and K. Kelly

WHEREAS, a proposal has been made to change the designations of the Interstate Highway System so that the interstate route nearest downtown Wilmington would be designated I-495, and the I-95 designation would be applied to the interstate by-pass route east of the city's built-up area; and

WHEREAS, such a change would confuse motorists from outside the area, who are accustomed to two-digit designations being used for by-pass routes around central cities; and

WHEREAS, two-digit designations on interstate by-pass segments usually indicate that there is no continuous interstate segment through the nearby central city; and

WHEREAS, there is no evidence that such a change would produce any appreciable changes in traffic volume on the center-city segment, which connects directly and conveniently with other highways that attract and distribute a significant portion of interstate trips to the Wilmington area; and

WHEREAS, in reliance on the prevailing system that designates the basic interstate system through central cities with two-digit route numbers, the northern Delaware tourism and hospitality industry has made a huge investment in advising the public of such locations in relation to present interstate route designations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, that Council objects strongly to any change in the present designation of the Interstate Highway System segments that serve the Wilmington area, and respectfully, but strongly, urges the Delaware Department of Transportation to drop proposals for such a change, in that such a change has no reasonable assurance that it would result in more efficient traffic flow through or around the City of Wilmington.

Passed by City Council,

January 6, 2000

Attest: Maribel Ruiz

Deputy City Clerk

Approved as to form this 5th day
of January, 2000

John R. Sheinder

First Assistant City Solicitor

The roll call on HR 69 was taken and revealed:

YES: 21.

NO: Representatives Brady, DiLiberto, B. Ennis, D. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, VanSant, Viola & West - 15.

ABSENT: Representatives DiPinto, Fallon, Miro, Spence, Williams - 5.

Therefore, having received a constitutional majority, HR 69 was declared passed the House.

Representative Smith moved to lift HS 1 to HB 444 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought HS 1 to HB 444 jointly sponsored by Senators Sokola & Still & Representatives Gilligan & Oberle, before the House for consideration.

HB 444 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PROTECTION OF PUBLIC EMPLOYEES REPORTING SUSPECTED VIOLATIONS OF LAW. (F/N)

Representative Smith introduced and brought HA 1 to HS 1 TO HB 444 before the House for consideration.

Representative Smith made a comment.

HA 1 to HS 1 TO HB 444 was adopted by voice vote.

Representative Smith made comments.

Representative DiLiberto announced that he will not be voting on HS 1 to HB 444 w/HA 1 because of a possible conflict of interest.

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

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

Representatives Schroeder, D. Ennis, Acting Speaker Oberle & Representative Brady made comments.

The roll call on HS 1 to HB 444 w/HA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representative DiLiberto - 1.

ABSENT: Representatives Fallon, Spence & Williams - 3.

Therefore, having received a constitutional majority, HS 1 to HB 444 w/HA 1 was sent to the Senate for concurrence.

Representatives D. Ennis & Smith made comments.

Representative Smith deferred to Representative Maier.

Representative Maier introduced and brought SCR 19, jointly sponsored by Senators Bair, Blevins, Connor, Cook, Henry, McDowell, Sokola, Sorenson & Winslow & Representative Brady, before the House for consideration.

SCR 19 - CREATING A TASK FORCE TO STUDY THE FEASIBILITY OF CREATING A CRISIS NURSERY PROGRAM IN DELAWARE.

Representative Maier made comments.

SCR 19 was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought HR 71, sponsored on behalf of All Representatives, before the House for consideration.

HR 71 - COMMEMORATING DELAWARE STATE UNIVERSITY AND THE IMPORTANT ROLE THAT IT PLAYS IN DELAWARE AND BEYOND AS PART OF THE MILLENNIUM CELEBRATION AT DELAWARE STATE UNIVERSITY.

Representative Wagner made comments.

HR 71 was adopted by voice vote.

Representative Smith deferred to Representative Welch.

Representative Welch introduced and brought HR 70 before the House for consideration.

HR 70 - EXTENDING THE TIME FOR THE PROTECTION FROM ABUSE TASK FORCE TO SUBMIT ITS FINAL RECOMMENDATIONS TO THE HOUSE OF REPRESENTATIVES.

Representative Welch made comments.

HR 70 was adopted by voice vote.

Representative Welch deferred to Representative DiPinto.

Representative DiPinto made an announcement.

Representative Welch moved to restore HR 70 and rescind the vote. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch requested that HR 70 be stricken.

Representative Welch deferred to Representative Schroeder.

Representative Schroeder introduced HB 462, jointly sponsored by Representatives D. Ennis, Buckworth, Carey, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Lee, Mulrooney, Plant, Price, Quillen, Reynolds, Scott, Smith, Spence, Stone, Valihura, Wagner & West & Senators McBride & Still, before the House for consideration.

HB 462 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PURCHASE AND SALE OF CERTAIN PROPERTIES.

Mr. Acting Speaker assigned HB 462 to the House Administration Committee.

Representative Smith deferred to Representative Lofink.

Representative Lofink introduced HB 467, jointly sponsored by Representative Oberle & Senators Connor & McBride.

HB 467 - AN ACT TO AMEND TITLE 9 DELAWARE CODE RELATING TO LAND USE AND PROHIBITION OF INCINERATION FACILITIES OR STRUCTURES IN CERTAIN AREAS.

Mr. Acting Speaker assigned HB 467 to the Land Use and Infrastructure Committee.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought HB 409, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 409 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS AND VOTING.

Representative Schroeder introduced HA 1 to HB 409. Representative Schroeder requested that HA 1 be stricken.

Representative Schroeder introduced HA 2 to HB 409.

Representative Schroeder made comments.

HA 2 to HB 409 was adopted by voice vote.

Representatives Schroeder, Smith & Schroeder made comments.

Representative Schroeder requested and was granted privilege of the floor for Thomas J. Cook, State Election Commissioner.

Representative Smith made comments.

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

YES: 38.

ABSENT: Representatives Fallon, Spence & Williams - 3.

Therefore, having received a constitutional majority, HB 409 w/HA 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Gilligan.

Representative Gilligan presented a House Tribute to Representative John F. VanSant.

Mr. Acting Speaker made announcements.

Representative Welch deferred to Representative West.

Representative West moved to suspend the rules which interfere with introduction of and action on SB 283. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative West introduced and brought SB 283, jointly sponsored by Senators Adams, Bunting, Venables & Simpson & Representatives Carey, Ewing, Fallon, Lee, Price & Schroeder, before the House for consideration.

SB 283 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE TOWN OF GEORGETOWN, SUSSEX COUNTY, COMMONLY REFERRED TO AS THE "BRICK HOTEL". (3/4 bill)

Representative West made comments.

The roll call on SB 283 was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Spence & Williams - 3.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 283 was returned to the Senate.

Representative Smith deferred to Representative Plant.

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

SB 282. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Plant introduced and brought SB 282, jointly sponsored by Senator Henry & Representative Williams, before the House for consideration.

SB 282 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE BY ESTABLISHING A JUNETEENTH NATIONAL FREEDOM DAY.

Representatives Plant, Smith & Plant made comments.

The roll call on SB 282 was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Spence & Williams - 3.

Therefore, having received a constitutional majority, SB 282 was returned to the Senate.

Representative Plant requested and was granted privilege of the floor for Senator Henry who made comments regarding SB 282.

Mr. Acting Speaker, Representatives Smith, Plant, Reynolds & Ewing made comments.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced and brought HCR 44, jointly sponsored by Representative Spence & Senator Bair, on behalf of all Representatives & on behalf of all Senators, before the House for consideration.

HCR 44 - RECOGNIZING THE UNIVERSITY OF DELAWARE'S ACADEMY OF LIFELONG LEARNING ON ITS 20TH ANNIVERSARY IN DELAWARE.

Mr. Acting Speaker & Representative D. Ennis made comments.

HCR 44 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith made an announcement.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 19, SB 282 & SB 283 and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Catherine A. Cloutier, do hereby request that my name be removed as co-sponsor of SB 66.

Date: 1/27/00

Signed: Catherine A. Cloutier

The Majority Leader moved to recess to the call of the Chair at 6:27 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m. on March 14, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HCR 43, HB 452 & HCR 39 and is returning same to the House.

January 27, 2000

Legislative Advisory #43

Governor Thomas R. Carper signed the following legislation on the date indicated: 1/25/00 – HB 346 aab HA 2, HB 353 aab HA 1 & SA 1 & HJR 10.

January 31, 2000

Legislative Advisory #44

Governor Thomas R. Carper signed the following legislation on the date indicated: 1/28/00 – HB 135 aab HA 1 & 2.

Legislative Advisory #45

February 2, 2000

Governor Thomas R. Carper signed the following legislation on the date indicated: 2/2/00 – SB 259 aab SA 1 & SB 261.

February 7, 2000

Legislative Advisory #46

Governor Thomas R. Carper signed the following legislation on the date indicated: 2/4/00 – SB 209, SB 214, SB 220 & HB 452.

February 22, 2000

Legislative Advisory #47

Governor Thomas R. Carper signed the following legislation on the date indicated: 2/18/00 – SB 282 & SB 283.

An Open Letter –

To: SANDRA K. McKINNEY, Clerk of the House

Legislature of the State of South Carolina

Today, February 12, 2000, we celebrate the birthday of Abraham Lincoln and I wonder what Abe would have to say if he were participating in today's debate over South Carolina flying the Confederate flag atop the Capitol Building. First off, I think he would point out that a flag is just a flap of cloth that is much like paper money: It has no more value than what we see in it. And as to 'seeing' – that depends on one's experiences and education. A Southern patriot would see the Confederate flag as a symbol of the State's right of self-determination. And anyone who had lived an experience of being denied his freedom by a government, would vehemently reject any flag that symbolized that government, no matter what the flag symbols were. There is no way of legislating what one may feel about symbols, so we must legislate on the meaning of symbols to In-form our minds and hopefully help Re-form our feelings.

The prominent symbol in the Confederate flag's design is the saltire (X) cross-bars studded with 13 stars. The 13 stars can represent the 13 Confederate States or, as in the case of Mississippi's state law, they commemorate the original 13 states of the Union. That cross-bar saltire design found its way here from Scotland by way of Nova Scotia. Traditionally it is referred to as "The Cross of Saint Andrew", a patron Saint of Scotland, because legend says the Apostle Andrew was crucified on that style of cross. Scotsmen migrated from Nova Scotia down into the southern states and brought with them their reverence for Andrew and all that he stood for. Legend says Andrew lasted for three days on his X-shaped cross, preaching his "gospel" right up to his final breath. For those who know the story, the cross of Andrew symbolizes his determination to hold strong and fast to his convictions. The passionate conviction of people

in the Southern States was, and still is, that authority flows from the individual citizen to the state to the nation. This has always been the constitutional structure of America. The Civil War was not fought over this issue, it was fought over the issue of human rights. America has always placed human rights above the state's rights. The problem that ignited the Civil War was that, in the South slaves were not seen as being human and therefore had no rights at all to conflict with the state.

It is indeed unfortunate that the revered symbol of Saint Andrew was caught in the crossfire of the Civil War and has been stigmatized ever since with the uniformed ignorance and hatred left over from that war. The Cross-of-Saint Andrew still remains what it always has been: The symbol of the individual's need to stand firm on the ground of informed belief. It is the core and fountain of democracy, symbolized in the Confederate flag and as such should occupy a place of respect and prominence on the grounds not only of the South Carolina Capitol, but of every State Capitol in the Union. By copy of this writing to every State Legislature, I am urging consideration of its thesis and action as a step toward curbing the growing ill-founded hatred in this nation.

Robert E. Daley
Orientations@earthlink.net
State of Vermont
Senate Chamber
Montpelier, Vermont
Joint Senate Resolution

By Senators Morrissey, Sears, Ankeney, Bloomer, Brownell, Canns, Chard, Crowley, Cummings, Doyle, Greenwood, Ide, Leddy, MacDonald, Maynard, Mazza, McCormack, Munt, Ptashnik, Riehle, Rivers and Shumlin.

J.R.S. 78. Joint resolution relating to the need for national leadership to address the high cost of medically necessary prescription drugs.

Whereas, medically necessary prescription drugs are unaffordable for many Americans, especially seniors, the disabled, and the uninsured, and

Whereas, prescription drugs are a major factor in escalating health care cost inflation trends for private and public health insurance plans, and state Medicaid programs, and

Whereas, the United States stands virtually alone among the major economies of the world in recognizing and protecting the legitimate patent rights of companies that discover new prescription drugs, but in placing no reciprocal obligations on such companies to provide reasonable and affordable access to those patented drugs, and

Whereas, the United States Congress has enacted legislation protecting its financial interests in connection with prescription drug costs, such as through the Medicaid rebate program and through the Federal Supply Schedule for the veterans' health benefit plan, but has refused to grant similar powers to the states to allow them to protect their interests and the health and welfare of their citizens, and

Whereas, while states are aggressively pursuing promising strategies to lower prescription drug prices, the federal government can address the problem of high prescription drug costs more easily than the states because of the multistate and international nature of the pharmaceutical industry, and the complex marketplace for prescription drugs, and

Whereas, the problem of high prescription drug costs is a national problem calling for leadership at the national level, now therefore be it

RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES:

That the State of Vermont hereby calls upon the United States Congress and the President to lead the nation, and immediately address the problem of high prescription drug costs for all Americans, and be it further Resolved: That the Secretary of State is directed to send a copy of this resolution to the House and the Senate of each state, with a request that a similar resolution be adopted in each of the 50 states no later than July 1, 2000, and with notification that Vermont will undertake to deliver on July 4, 2000, a copy of all resolutions to the United States Congress, the President of the United States, and the Congressional Delegation of each of the states that have adopted the resolution.

Douglas A. Racine
President of the Senate

ATTESTED TO:
David A. Gibson
Secretary of the Senate

Michael J. Obuchowaski
Speaker of the House of Representatives

J.R.S. 78 Joint resolution relating to the need for national leadership to address the high cost of medically necessary prescription drugs.

Senator Morrissey of Bennington District,
Senator Sears of Bennington District,
Senator Ankeney of Chittenden District,

Senator Ide of Celedonia District,
Senator Leddy of Chittenden District,
Senator MacDonald of Orange District,

Senator Bloomer of Rutland District,
Senator Bromwell of Chittenden District,
Senator Canns of Caledonia District,
Senator Chard of Windham District,
Senator Crowley of Rutland District,
Senator Cummings of Washington District,
Senator Doyle of Washington District,
Senator Greenwood of Essex-Orleans District,

Senator Maynard of Rutland District,
Senator Mazza of Grand Isel District,
Senator McCormack of Windsor District,
Senator Munt of Chittenden District,
Senator Ptashnik of Windsor District,
Senator Riehle of Chittenden District,
Senator Rivers of Windsor District,
Senator Shumlin of Windham District

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

7th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 14, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following out of session prefiled legislation was introduced:

February 15, 2000

HS 1 to HB 417 - REYNOLDS - JUDICIARY - An Act To Amend Title 11 of The Delaware Code Relating to Assault on a Sports Official.

HB 453 - PRICE - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Millville. (2/3 bill)

HB 454 - SCOTT; REPRESENTATIVES KEELEY, SPENCE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Labor, and Establishing a Victims of Domestic Violence Employment Leave Act.

HB 456 - LEE - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64 Laws of the State of Delaware as Amended, The Charter of the Town of Laurel, as Amended, with Regard to When a Vacancy is Created in the Office of Mayor or a Member of the Town Council. (2/3 bill)

HB 457 - WAGNER; REPRESENTATIVES WELCH, SMITH, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, EWING, FALLON, LEE, MAIER, MIRO, QUILLEN, REYNOLDS, STONE, ULBRICH, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, PLANT, SCOTT, VIOLA, WEST - LABOR - An Act To Amend Title 29 of the Delaware Code Regarding Disability Insurance for State Employees.

HB 458 - WAGNER - LABOR - An Act to Amend Chapter 59, Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

HB 459 - WAGNER; REPRESENTATIVES WELCH, BOULDEN, CLOUTIER, EWING, FALLON, LEE, MAIER, QUILLEN; SENATORS AMICK, SIMPSON, CONNOR, VAUGHN - CORRECTIONS - An Act to Amend Title 29 of the Delaware Code Relating to The Department of Corrections.

HB 460 - WAGNER; REPRESENTATIVES MAIER, BUCKWORTH, CAPANO, CAREY, CAULK, D. ENNIS, FALLON, QUILLEN, ULBRICH - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving a Vehicle Under the Influence of Alcohol, Penalties. (2/3 bill)

HB 461 - WAGNER & REPRESENTATIVE STONE & SENATOR VAUGHN; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, EWING, MAIER, OBERLE, REYNOLDS, BRADY, B. ENNIS, HOUGHTON, PLANT, SCOTT; SENATORS HENRY, SIMPSON, WINSLOW - JUDICIARY - An Act Proposing Amendment to Article I, § 4 of the Delaware Constitution of 1897, as Amended Relating to Juries in Civil Trials. (2/3 bill)

HB 463 - KEELEY; SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Arrests for Violation of the Motor Vehicle and Traffic Laws of the State:

HB 464 - KEELEY; SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Violations of Traffic Control Signals.

HB 465 - GILLIGAN; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CATHCART, DILIBERTO, B. ENNIS, D. ENNIS, EWING, KEELEY; MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, ROY, SCHROEDER, SCOTT, SPENCE, STONE, ULBRICH, VANSANT, VIOLA, WAGNER, WELCH, WEST, WILLIAMS; SENATOR. ADAMS, BLEVINS, BUNTING, HENRY, VAUGHN - REVENUE & FINANCE - An Act to Amend Chapter 55, Title 29, Delaware Code Relating to Computation of Retirement Benefits.

HB 469 - BOULDEN - TRANSPORTATION - An Act Amending Title 2 of the Delaware Code Relating to Public Carriers.

HB 470 - REYNOLDS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Offenses against the Person.

HB 471 - WAGNER; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CATHCART, CAULK, CLOUTIER, DIPINTO, B. ENNIS, EWING, KEELEY, LEE, MAIER, PLANT, PRICE, QUILLEN, REYNOLDS, SPENCE, STONE, VIOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Utilization of Professional Educators in Critical Curricular Areas.

HB 472 - CAPANO - REVENUE & FINANCE - An Act to Amend Title 14 and Title 29 of the Delaware State Code Relating to the Calculation of Interest on School Funds.

HB 473 - EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Examination of Drivers.

HB 474 - EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code to Enable the Issuance of a Driver License and Identification Card to Persons Ineligible for a Social Security Account.

HB 476 - EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to License Qualification for a Driver's License When the Licensee Had Previously Surrendered a Driver's License After Being Excluded From Coverage Under an Automobile Insurance Policy.

HB 477 - MAIER; REPRESENTATIVES CLOUTIER, LEE, LOFINK, REYNOLDS, ULBRICH, PLANT, SCOTT; SENATORS BLEVINS, HENRY, WINSLOW - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of Nursing Facilities and Similar Facilities.

HB 478 - MAIER; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, LEE, BRADY, DILIBERTO, B. ENNIS, KEELEY, WEST; SENATORS BLEVINS, BONINI, HENRY, SOKOLA, VENABLES, WINSLOW - SUBSTANCE ABUSE - An Act to Amend Title 16 of the Delaware Code Relating to Reporting of Mandatory Drug Testing Results.

HB 480 - BOULDEN; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, OBERLE, QUILLEN, REYNOLDS, ROY, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, WAGNER, WELCH, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST, WILLIAMS; SENATORS AMICK, BAIR, CONNOR, DELUCA, HENRY, MCBRIDE, MCDOWELL, SIMPSON, SOKOLA, SORENSON, WINSLOW - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Service for Aging and Adults with Physical Disabilities; and Providing for a Money Management Program.

HB 481 - CAPANO - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating To Education.

HA 1 to SB 260 - WAGNER - Placed with the Bill.

HA 1 to HB 446 - D. ENNIS - Placed with the Bill.

HA 1 to HB 455 - CAPANO - Placed with the Bill.

HA 2 to SB 260 - WAGNER - Placed with the Bill.

HA 3 to SB 260 - WAGNER - Placed with the Bill.

HA 4 to SB 260 - WAGNER - Placed with the Bill.

HA 5 to SB 260 - WAGNER - Placed with the Bill.

HA 6 to SB 260 - WAGNER - Placed with the Bill.

HA 7 to SB 260 - WAGNER - Placed with the Bill.

HA 8 to SB 260 - WAGNER - Placed with the Bill.

HA 9 to SB 260 - CAPANO - Placed with the Bill.

HA 10 to SB 260 - CAPANO - Placed with the Bill.

The following out of session prefiled legislation was introduced:

March 2, 2000

HB 466 - BUCKWORTH & REPRESENTATIVE STONE & SENATOR BONINI - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 16, Delaware Code Relating to Water and/or Sewer Authorities.

HB 482 - MAIER & SENATOR BAIR - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Child Death Review Commission.

HB 483 - PRICE; SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Millville. (2/3 bill)

HB 484 - BUCKWORTH & SENATOR AMICK & REPRESENTATIVE DILIBERTO & SENATOR BLEVINS; REPRESENTATIVES SMITH, MAIER; SENATORS WINSLOW, SORENSON - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Titles 13 and 16 of the Delaware Code Relating to Foreign Adoptions.

HB 485 - MAIER; SENATOR BLEVINS; REPRESENTATIVES CAPANO, CLOUTIER, KEELEY - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Titles 16, 24, and 29 of the Delaware Code Relating to Community-based Attendant Services.

HA 11 to SB 260 - STONE - Placed with the Bill.

HA 12 to SB 260 - STONE - Placed with the Bill.

HA 13 to SB 260 - STONE - Placed with the Bill.

HA 14 to SB 260 - ULBRICH - Placed with the Bill.

HA 15 to SB 260 - OBERLE - Placed with the Bill.

HA 16 to SB 260 - OBERLE - Placed with the Bill.

HB 486 - ROY & CAPANO - EDUCATION - An Act to Amend Title 14, Chapter 4, of the Delaware Code Relating to the School District Enrollment Choice Program.

HA 17 to SB 260 - STONE - Placed with the Bill.

HA 18 to SB 260 - STONE - Placed with the Bill.

HA 19 to SB 260 - ROY; REPRESENTATIVES CAPANO, DIPINTO, GILLIGAN, MAIER, VALIHURA, CATHCART, VANSANT - Placed with the Bill.

Representative Lee requested that he be marked present.

The House observed a moment of silence in memory of Norman Baylis and Leon Pleasanton at the request of Representative Quillen.

Mr. Speaker Spence introduced guests and made comments.

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

Representative Scott requested that HB 448 & HB 454 be stricken.

Representative Williams requested that he be marked present.

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

Representative Fallon made comments.

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

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

Representative Buckworth requested and was granted privilege of the floor for Cathy Delong who sang two songs.

Representative Buckworth made comments.

Representative Plant requested and was granted privilege of the floor for Charlotte B. Barnes, Rashid Mustafa, Ty Wilmer, Robert E. C. Taylor, Jr. & Kenneth Everett representing Goju Tai-Jitsu Iron Tiger System of Martial Arts.

Mr. Speaker Spence, Representatives Plant & Gilligan made comments.

Representative Reynolds requested that he be marked present.

Representative Reynolds made comments.

Representative Boulden requested that he be marked present.

Representative Smith moved to suspend the rules which interfere with introduction of and action on HJR 18. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith introduced and brought HJR 18, jointly sponsored by Representative Welch, before the House for consideration.

HJR 18 - IN REFERENCE TO OFFICERS.

Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Donna Snell, House Bill Clerk.

Representative Smith made comments.

Representatives Brady & West requested that they be marked present.

The roll call on HJR 18 was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, HJR 18 was sent to the Senate for concurrence.

Representatives Price, Schroeder & Stone requested that they be marked present during the roll call.

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

Representative Smith made comments.

Mr. Speaker Spence assigned HB 405 to the Appropriations Committee.

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

The House reconvened at 4:43 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #62

Date: March 14, 2000

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

Number	Sponsor	Date	Type	Description
H140-1426	Schroeder	11/13/1999	T	Elizabeth Redden/Girls Cross Country State Champions
H140-1427	Schroeder	11/13/1999	T	Tessa M. Shoup/Girls Cross Country State Champions
H140-1428	Schroeder	11/13/1999	T	Arshar Smith/Girls Cross Country State Champions
H140-1429	Schroeder	11/13/1999	T	Robert Walsh/Boys Cross Country State Champions
H140-1430	Schroeder	11/13/1999	T	Justin L. Streett/Boys Cross Country State Champions
H140-1431	Schroeder	11/13/1999	T	Eric Streett/Boys Cross Country State Champions
H140-1432	Schroeder	11/13/1999	T	Branden Street/Boys Cross Country State Champions
H140-1433	Schroeder	11/13/1999	T	Brian Kneipp/Boys Cross Country State Champions
H140-1434	Schroeder	11/13/1999	T	Dean Popovich/Boys Cross Country State Champions
H140-1435	Schroeder	11/13/1999	T	Matthew Riggin/Boys Cross Country State Champions
H140-1436	Schroeder	11/13/1999	T	Matthew Jackson/Boys Cross Country State Champions
H140-1437	Schroeder	11/13/1999	T	Christopher Jackson/Boys Cross Country State Champions
H140-1438	Schroeder	11/13/1999	T	David Hastings/Boys Cross Country State Champions
H140-1439	Schroeder	11/13/1999	T	Taylor Donohue/Boys Cross Country State Champions
H140-1440	Schroeder	11/13/1999	T	Thomas Davis/Boys Cross Country State Champions
H140-1441	Schroeder	11/13/1999	T	Justin Bragg/Boys Cross Country State Champions
H140-1442	Keeley	1/13/2000	T	Gloria Nicolini/Visit to Delaware
H140-1443	Lee	1/13/2000	T	Laura Jovanovich/Visit to Delaware
H140-1444	Quillen	2/19/2000	T	H. Bernice & Thomas Berry, Sr./50th Wedding Anniversary
H140-1445	Fallon	1/22/2000	T	Raymond "Buddy" Lloyd, Jr./Book Signing/Seaford Library
H140-1446	Lofink	1/19/2000	T	Mary Welch/Retirement/Howard High/31 Years
H140-1447	Wagner	1/12/2000	M	Frederick W. Andrews, II
H140-1448	Gilligan	1/18/2000	T	Honorable John F. VanSant/Distinguished Legislative Service Award Recipient

HOUSE TRIBUTE ANNOUNCEMENT #63

DATE: March 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1449	Wagner	1/18/2000	T	Honorable John Still, III/Distinguished Legislative Service Award Recipient
H140-1450	Ewing	1/21/2000	T	Gail Short, R.N./Delaware School Nurse of the Year
H140-1451	B. Ennis	1/13/2000	M	George R. Barnes, Jr.
H140-1452	B. Ennis	7/23/1999	T	Nancy & John Lewis/50th Wedding Anniversary
H140-1453	Ewing	1/14/2000	M	Brenda L. Jones
H140-1454	DiPinto	1/20/2000	T	Kathryn C. Keegan/Age of Some Significance
H140-1455	Brady	12/31/1999	T	Elizabeth Dionisi/Retirement/Brandywine School District/22 Years
H140-1456	Brady	2/10/2000	T	Lillian & James Brady, III/50th Wedding Anniversary
H140-1457	Capano	12/26/1999	T	Elizabeth & Frank Tamone/50th Wedding Anniversary
H140-1458	Spence	1/21/2000	T	Richard Collins/National Quality & National Sales Achievement Awards Recipient
H140-1459	DiPinto	1/12/2000	T	Julie & Charles Cawley/Josiah Marvel Cup Award
H140-1460	Welch	1/28/2000	T	Linda Loller/Retirement/25 Years/Division of Motor Vehicles
H140-1461	Buckworth cosponsor: Wagner	1/17/2000	T	Christopher Owens/Martin Luther King, Jr. Achievement Award Recipient
H140-1462	Wagner	1/17/2000	T	Thomas Pendleton, Jr./Martin Luther King, Jr. Achievement Award Recipient
H140-1463	Wagner	1/17/2000	T	Andrew Leatherbury/Martin Luther King, Jr. Achievement Award Recipient
H140-1464	Wagner	1/17/2000	T	Emmanuel Ellie/Martin Luther King, Jr. Achievement Award Recipient
H140-1465	Buckworth cosponsor: Wagner	1/17/2000	T	Jason Chase/Martin Luther King, Jr. Achievement Award Recipient
H140-1466	Welch cosponsor: Wagner	1/17/2000	T	Catherine Moore/Martin Luther King, Jr. Community Service Award Recipient

H140-1467	Welch	1/17/2000	T	Reverend Gloria Cherry/Martin Luther King, Jr. Community Service Award Recipient
H140-1468	Welch	1/27/2000	T	Gina Parman/Best Wishes for Success
H140-1469	Buckworth	1/27/2000	T	Sherri Hobbs/Represent Delaware/National 4-H Congress
H140-1470	Mulrooney	1/29/2000	T	Community Progressive Club of New Castle/ 55th Anniversary
H140-1471	Ewing	1/27/2000	T	John Parker/Woodbridge Football/Coach of the Year

HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: March 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1472	Ewing	1/27/2000	T	Woodbridge High Football Team/Perfect 10-0 Record
H140-1473	Fallon	1/27/2000	T	Sarah Hastings/100th Birthday
H140-1474	Oberle	1/28/2000	T	Paul Davis/Retirement/31 Years/Narcotics & Dangerous Drugs
H140-1475	Cloutier	2/26/2000	T	Alma Carpenter/100th Birthday
H140-1476	Keeley	1/28/2000	T	Maribel Ruiz/Appointment/City Clerk of Wilmington
H140-1477	D. Ennis	1/28/2000	T	Fraternal Order of Eagles, Aerie #74/Support of Family of James Lester
H140-1478	Price	2/17/2000	T	Robert Powell/Secondary Principal of the Year
H140-1479	Price	2/27/2000	T	Ilimi Anderson/80th Birthday
H140-1480	Price	2/25/2000	T	Ellie Schaeffer/80th Birthday
H140-1481	Price	2/25/2000	T	Charlotte Conaway/75th Birthday
H140-1482	Gilligan	10/12/1999	T	John Czerwinski/Service/Residents of Glenville/Hurricane Floyd
H140-1483	VanSant	11/11/1999	T	Mary & Camillo DiBiao, Sr./55 th Wedding Anniversary
H140-1484	VanSant	12/27/1999	T	Catherine & Arthur O'Neill, II/55th Wedding Anniversary
H140-1485	VanSant	12/10/1999	T	Pauline & Joseph Renai/50th Wedding Anniversary
H140-1486	Mulrooney	10/15/1999	T	Phyllis & William Hammond/50th Wedding Anniversary
H140-1487	Schroeder	12/18/1999	T	Elizabeth & Samuel DeBoer/50th Wedding Anniversary
H140-1488	Schroeder	11/19/1999	T	Beryl & Harold Miller, Jr./50th Wedding Anniversary
H140-1489	West	2/3/2000	T	John Jacobs & The Power Team/Visit to Delaware
H140-1490	Buckworth	2/4/2000	T	John Whitby, Jr./Time Magazine Quality Dealer Award Recipient
H140-1491	VanSant	2/5/2000	T	Lorraine Williams/EMT of the Year/Five Points Fire Company
H140-1492	VanSant	2/5/2000	T	Thomas Beckley/50 Year Member/Five Points Fire Company
H140-1493	VanSant	2/5/2000	T	Richard McMullin/50 Year Member/Five Points Fire Company
H140-1494	Wagner	2/1/2000	M	Ulysses L. Oliver

HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: March 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1495	Oberle	2/4/2000	T	North District Maintenance/DELDOT Crew /Winter Storms
H140-1496	Miro	2/16/2000	T	Faith Wohl/Trailblazer Award Recipient
H140-1497	Spence	2/19/2000	T	Christiana Fire Company/79th Anniversary
H140-1498	Spence	2/19/2000	T	Christiana Fire Company Ladies Auxiliary/78th Anniversary
H140-1499	Keeley	2/9/2000	T	Saint Paul's School/125th Anniversary
H140-1500	Ewing	2/12/2000	T	Deborah Zeroles/Induction/Ladies Auxiliary Hall of Recognition
H140-1501	Capano	1/29/2000	T	David Hakes/Eagle Scout

H140-1502	Wagner cosponsor: Stone	2/8/2000	M	Diane Spillane
H140-1503	Cathcart	2/12/2000	T	Herb Strohl/Fireman of the Year/Odesa Fire Company
H140-1504	Cathcart	2/12/2000	T	Charlie Johnston/EMT of Year/Odesa Fire Company
H140-1505	Cathcart	2/12/2000	T	Scott Brown/Chief & Presidents Award/Odesa Fire Company
H140-1506	Brady	2/18/2000	T	David & June Yung/50th Wedding Anniversary
H140-1507	Quillen	2/25/2000	T	Donald Minner/Retirement/27+ Years/Division of Highway Operations
H140-1508	D. Ennis	2/12/2000	M	May Brown Starkey
H140-1509	B. Ennis	2/1/2000	M	Cyril E. Childs
H140-1510	DiPinto	2/25/2000	T	Ruby Williams/Birthday
H140-1511	Capano	2/10/2000	M	Frank B. Carpenter, Jr.
H140-1512	Smith	2/17/2000	T	Marvin Corothers/Knollwood Civic Association
H140-1513	Smith	3/1/2000	T	Charles Till/Public Service/Trustee/Ardentown
H140-1514	Cathcart	2/20/2000	T	Maria Carchedi/80th Birthday
H140-1515	Stone	3/18/2000	T	Richard Gaidis/34 Years/Credit Union Volunteer
H140-1516	Carey	2/25/2000	T	James Abbott/Fireman of the Year/Milford Elks Lodge
H140-1517	Carey	2/25/2000	T	William Steele, Jr./Policeman of the Year/Milford Elks
H140-1518	Carey	2/25/2000	T	Conrad Riecke/Senior Citizen of the Year/Milford Elks

HOUSE TRIBUTE ANNOUNCEMENT #66

DATE: March 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1519	Carey	2/25/2000	T	Katherine Hoomans/Student of the Year/Milford Elks
H140-1520	Carey	2/25/2000	T	Cecil Simms/Teenager of the Year/Milford Elks Lodge
H140-1521	Carey	2/25/2000	T	J. Sudler Lofland/Good Neighbor of Year/Milford Elks
H140-1522	Carey	2/25/2000	T	Garrett Grier/60 Year Member/Carlisle Fire Company
H140-1523	Carey	3/25/2000	T	Marvin Hitch/50 Year Member/Carlisle Fire Company
H140-1524	Lofink cosponsor: Spence	2/12/2000	T	Red Lion Christian Academy Student Senate/Fund-Raising Effort/Amish Family
H140-1525	Price	2/22/2000	T	Megan Orhelein/First Place/Fire Prevention Essay
H140-1526	Wagner	2/15/2000	M	Mary Riday Wallace Jarrell
H140-1527	Buckworth	2/19/2000	T	Leanne Pravitz/Life Membership Achievement Award Recipient/Camden-Wyoming Fire Company
H140-1528	Buckworth	2/19/2000	T	Rita Perone/Auxiliary Member of the Year/Camden-Wyoming Fire Company
H140-1529	Buckworth	2/19/2000	T	Bobbi Lawson/Dedicated EMT Achievement Award Recipient/Camden-Wyoming Fire Company
H140-1530	Buckworth	2/19/2000	T	Richard Thomas/Dedicated 3rd Person Ambulance Achievement Award Recipient/Camden-Wyoming Fire Company
H140-1531	Buckworth	2/19/2000	T	Ken Campbell/Ambulance Driver Achievement Award Recipient/Camden-Wyoming Fire Company
H140-1532	Buckworth	2/19/2000	T	Bill Lagemann/Life Membership Achievement Award Recipient/Camden-Wyoming Fire Company
H140-1533	Gilligan cosponsors: All Representatives	2/18/2000	M	Marian Schroeder
H140-1534	Buckworth	2/21/2000	T	Robert Young/Outstanding Downstate Football Player
H140-1535	Wagner	2/16/2000	M	William H. Henshaw
H140-1536	Oberle	2/15/2000	M	Jean Rogalewicz
H140-1537	Capano	3/11/2000	T	Michael Goff/Eagle Scout
H140-1538	Houghton cosponsor: Keeley	2/27/2000	T	Martha & James Keeley/40th Wedding Anniversary
H140-1539	Brady	2/29/2000	T	Margaret Riddagh/Retirement/25 Years/Brandywine School District

T - Tribute

M - Memoriam

Representative Smith deferred to Representative Carey.

Representative Carey brought HB 436, jointly sponsored by Representatives Buckworth, Caulk, Lee, Price, Quillen, Schroeder & West & Senators Simpson & Venables, before the House for consideration.

HB 436 – AN ACT TO AMEND TITLE 29 RELATING TO THE STATE SOIL.
Representative Carey made comments and introduced guests.
Representatives Capano, Carey & Ewing made comments.
Representative Carey requested and was granted privilege of the floor for Diane Shields, Soil Scientist, United States Department of Agriculture/Natural Resource Conservation Service.
Representatives Ewing, Carey, Welch, Carey, Price, West, Carey, West, Fallon & Carey made comments.
The roll call on HB 436 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 436 was sent to the Senate for concurrence.
Representative Gilligan, Acting Speaker Oberle & Representative Smith made comments.
Representative Smith brought HB 426, cosponsored by Representative Keeley, before the House for consideration.
HB 426 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TINTED NUMBER PLATE COVERS.
Representative Smith made a comment.
Mr. Speaker Spence resumed the Chair.
Representatives Keeley, Capano & Smith made comments.
Representative Smith requested and was granted privilege of the floor for John Brady, House Attorney.
Representative Capano made comments.
Representative Smith moved to place HB 426 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.
Representative Smith deferred to Representative Wagner.
Representative Wagner brought HB 340 before the House for consideration.
HB 340 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FINES PAYABLE BY MAIL.
Representative Wagner made comments.
Representative Wagner introduced and brought HA 1 to HB 340 before the House for consideration.
Representative Wagner made a comment. HA 1 was adopted by voice vote.
The roll call on HB 340 w/HA 1 was taken and revealed:
YES: 37.
NO: Representatives Caulk, Miro, Stone & Valihura - 4.
Therefore, having received a constitutional majority, HB 340 w/HA 1 was sent to the Senate for concurrence.
Representative Caulk made comments.
Representative Smith moved to lift HB 426 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.
Representative Smith brought HB 426, cosponsored by Representative Keeley, before the House for consideration.
HB 426 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TINTED NUMBER PLATE COVERS.
Representative Smith made comments.
The roll call on HB 426 was taken and revealed:
YES: 40.
NOT VOTING: Representative Caulk - 1.
Therefore, having received a constitutional majority, HB 426 was sent to the Senate for concurrence.
Mr. Speaker Spence introduced a guest.
Representative Smith deferred to Representative Reynolds.
Representative Reynolds requested that HB 416 & HS 1 to HB 417 be stricken.
The Majority Leader moved to recess to the call of the Chair at 5:27 p.m.
Mr. Acting Speaker Welch called the House to order at 2:08 p.m. on March 15, 2000.
The Reading Clerk read the following communication into the record:
The Senate wishes to inform the House that it has passed SB 229 w/SA 3 & SB 277 w/SA 1 and requests the concurrence of the House; HJR 18 and is returning same to the House.
The Majority Leader moved to adjourn at 2:09 p.m., thereby ending the current legislative day. The House reconvened at 2:10 p.m.

8th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 15, 2000

The Chief Clerk called the roll.

Members Present: 39.

Members Absent Representatives Lofink & Williams – 2.

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

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

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

The following prefiled legislation was introduced:

HB 487 - STONE & WAGNER & SENATOR STILL - HOUSING & COMMUNITY AFFAIRS -

An Act to Amend Title 31, Delaware Code Relating to the Dover Housing Authority.

HA 1 to HA 4 to SB 260 - WAGNER - Placed with the Bill.

HA 20 to SB 260 - WAGNER - Placed with the Bill.

HA 21 to SB 260 - WAGNER - Placed with the Bill.

HA 22 to SB 260 - MIRO - Placed with the Bill.

SB 229 w/SA 3 - SOKOLA & BONINI; REPRESENTATIVES REYNOLDS, EWING; SENATORS VENABLES, BUNTING, HENRY - EDUCATION - An Act to Amend Title 14, Section 4101 of the Delaware Code Relating to Religious Activity in Delaware Public Schools.

SB 277 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER; SENATORS COOK, HENRY, SOKOLA, BONINI, CONNOR, SORENSON & WINSLOW; REPRESENTATIVES CATHCART, DIPINTO, FALLON, LOFINK, WAGNER & PRICE - EDUCATION - An Act to Amend Title 14 Relating to Free Schools. (2/3 bill)

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House
FROM: Dennis P. Williams
Representative – 1st District
DATE: March 15, 2000
RE: Absence from Session
Mr. Speaker,

Due to family business, I will be absent from session March 15, 2000.

Dennis P. Williams

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

The House reconvened at 4:06 p.m.

Representative Smith brought the following prefiled Consent Calendar #14 before the House for consideration.

HR 68 - PRICE - EXTENDING THE DATE FOR THE WORKING COMMITTEE REVIEWING SUSSEX COUNTY'S COMPREHENSIVE LAND USE PLAN AND ZONING ORDINANCES AND MAKING RECOMMENDATIONS TOWARD IMPLEMENTATION OF THE COMPREHENSIVE CONSERVATION MANAGEMENT PLAN AND TOTAL MAXIMUM DAILY LOADS FOR DELAWARE'S INLAND BAYS ESTABLISHED BY HOUSE RESOLUTION NO. 32 TO REPORT ITS FINDINGS.

HR 72 - WELCH - EXTENDING THE TIME FOR THE CHILD PROTECTION REVIEW TASK FORCE TO SUBMIT ITS FINAL RECOMMENDATIONS TO THE HOUSE OF REPRESENTATIVES.

HR 73 - SPENCE - PROCLAIMING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2000, AS ADMINISTRATIVE PROFESSIONALS WEEK.

HCR 45 - QUILLEN & SENATOR DELUCA - EXTENDING TIME FOR THE STATE EMPLOYEE'S PENSION BENEFITS TASK FORCE TO SUBMIT ITS FINAL RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

Consent Calendar #14 was adopted by voice vote and HCR 45 was sent to the Senate for concurrence.

Representatives Reynolds, Oberle, Cathcart, Stone, Gilligan & B. Ennis requested that they be marked present.

Representative Buckworth requested that HB 466 be stricken.

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

HEALTH AND HUMAN DEVELOPMENT: HB 398 - 6M; HB 482 - 6M; HB 485 - 6M.

HOUSE ADMINISTRATION: HB 453 - 3M; HB 483 - 3M; SB 64 w/SA 1 - 4M.

JUDICIARY: HB 455 - 7M; HB 461 - 1F, 6M; HB 470 - 1F, 6M.

PUBLIC SAFETY: HB 433 - 6M; HB 442 - 7M; HB 447 - 7M; HB 474 - 5M.

NATURAL RESOURCES AND ENVIRONMENTAL MANAGEMENT: SB 185 w/SA 1 - 1F, 3M.

Representative Brady requested that he be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:12 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:15 p.m. on March 16, 2000.

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

BUSINESS/ CORPORATIONS/ COMMERCE: HB 410 – 7M.

EDUCATION: SB 260 w/SA 1, 2, 4, 5 & 7 – 8M.

HOUSE ADMINISTRATION: HB 456 – 3M.

PUBLIC SAFETY: HB 476 – 5M.

Representative Plant requested that he be marked present for the current legislative day.

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

9th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 16, 2000

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Robert F. Gilligan, Nineteenth Representative District.

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

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

The following prefiled legislation was introduced:

HB 488 - OBERLE - TRANSPORTATION - An Act to Amend Chapter 11, Title 17, Delaware Code Relating to Regulation of Outdoor Advertising.

HB 489 - EWING & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Authorizing Court Appointed Custodians to Sponsor Minors for a Drivers License and Motorcycle Endorsement.

HB 491 - EWING - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Limitations on Actions.

HA 1 to HB 451 - WAGNER - Placed with the Bill.

HA 23 to SB 260 - WEST - Placed with the Bill.

HA 24 to SB 260 - WEST - Placed with the Bill.

HA 25 to SB 260 - WEST - Placed with the Bill.

HA 26 to SB 260 - WEST - Placed with the Bill.

HA 27 to SB 260 - WEST - Placed with the Bill.

HA 28 to SB 260 - WEST - Placed with the Bill.

HA 29 to SB 260 - WEST - Placed with the Bill.

HA 30 to SB 260 - WEST - Placed with the Bill.

HA 31 to SB 260 - WEST - Placed with the Bill.

HA 32 to SB 260 - WEST - Placed with the Bill.

HA 33 to SB 260 - MIRO & REPRESENTATIVE SMITH - Placed with the Bill.

Representative Smith deferred to Representative Wagner.

Representative Williams requested that he be marked present.

Representative Wagner introduced HB 492, jointly sponsored by Senator Sharp.

HB 492 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ELECTRONIC TRANSACTIONS.

Mr. Speaker Spence assigned HB 492 to the Economic Development, Banking & Insurance Committee.

Representative Ulbrich requested that she be marked present.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan requested and was granted privilege of the floor to present House Tributes to representatives of organizations providing Hurricane Floyd relief efforts: the Delaware Emergency Management Agency, The American Red Cross, New Castle County Government, Plumbers and Pipe Fitters Local #74 and Artesian Water Company.

Representative D. Ennis requested that he be marked present.

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

Representatives Boulden, Oberle & Stone requested that they be marked present.

Representative Caulk made comments.

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

Mr. Speaker Spence reassigned HB 492 to the Judiciary Committee.

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

BUSINESS/CORPORATIONS/COMMERCE: SS 1 to SB 77 - 6M.

HOUSING & COMMUNITY AFFAIRS: HB 372 - 6F.

Representative West requested that he be marked present.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 456, jointly sponsored by Senator Venables, before the House for consideration.

HB 456 – AN ACT TO AMEND CHAPTER 288, VOLUME 64 LAWS OF THE STATE OF DELAWARE AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO WHEN A VACANCY IS CREATED IN THE OFFICE OF MAYOR OR A MEMBER OF THE TOWN COUNCIL. (2/3 bill)

Representative Lee made comments.

The roll call on HB 456 was taken and revealed:

YES: 40.

ABSENT: Representative Brady - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 456 was sent to the Senate for concurrence

Representative Maier requested that she be marked present during the roll call.

Representative Smith deferred to Representative Price.

Representative Price brought HB 483, jointly sponsored by Senator Bunting, before the House for consideration.

HB 483 – AN ACT TO REINCORPORATE THE TOWN OF MILLVILLE. (2/3 bill)

Representative Price made comments.

The roll call on HB 483 was taken and revealed:

YES: 40.

ABSENT: Representative Brady - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 483 was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with action on SB 260 w/SA 1, 2, 4, 5 & 7. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Reynolds brought SB 260 w/SA 1, 2, 4, 5 & 7, sponsored by Senator Sharp & Representative Spence & Senators Adams, Amick, Bair & Venables & Representatives Smith, Gilligan & VanSant, before the House for consideration.

SB 260 – AN ACT TO AMEND TITLES 11, 14 AND 29 OF THE DELAWARE CODE RELATING TO EDUCATION. (F/N)

Representative Oberle requested that HA 16 to SB 260 be stricken.

Representative Stone requested that HA 11 to SB 260 be stricken.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments. Representative Wagner requested that HA 1 be stricken.

Representative Wagner made a comment. Representative Wagner requested that HA 3 be stricken.

Representative Wagner made comments. Representative Wagner requested that HA 4 & HA 1 to HA 4 be stricken.

Representative Wagner made a comment. Representative Wagner requested that HA 5 be stricken.

Representative Wagner made comments. Representative Wagner requested that HA 6 be stricken.

Representative Wagner made comments. Representative Wagner requested that HA 7 & HA 8 be stricken.

Representative Wagner made a comment. Representative Wagner requested that HA 20 be stricken.

Representative Wagner made comments.

Representatives Smith & Stone made comments.

Representative Smith made an announcement.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds made comments.

Mr. Speaker Spence made announcements.

Representative Smith deferred to Representative West.

Representative West made comments.

Representative West requested that HA 23, HA 24, HA 25, HA 30, HA 31 & HA 32 to SB 260 be stricken.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds made a comment.

Representative Reynolds deferred to Representative Wagner.

Representative Wagner brought HA 2 to SB 260 before the House for consideration.
Representative Wagner made comments.
The roll call on HA 2 was taken and revealed:
YES: 26.
NO: Representatives Buckworth, Caulk, DiLiberto, Fallon, Gilligan, Mulrooney, Schroeder, Scott, Smith, Ulbrich, Valihura, Viola, Welch & Williams - 14.
ABSENT: Representative Spence - 1.
Therefore, having received a constitutional majority, HA 2 was adopted.
Representative Brady requested that he be marked present during the roll call.
Representative Reynolds deferred to Representative Capano.
Representative Capano brought HA 9 to SB 260 before the House for consideration.
Representatives Capano, Smith, Capano Wagner, Capano, Wagner, DiPinto, Wagner, Smith, Wagner, DiPinto & Wagner made comments.
Representative Smith requested and was granted privilege of the floor for Jennifer J. Davis, Office of the Secretary, Department of Education.
Representatives Wagner & Capano made comments.
Representative Wagner requested and was granted privilege of the floor for Ron Smith, House Attorney.
Representatives Wagner, Reynolds, Capano, Maier, Miro, Gilligan, Capano, Smith, Williams, Stone, DiPinto, Ulbrich, Reynolds, Plant, Capano, Welch, Wagner & Capano made comments.
HA 9 was defeated by voice vote.
Representative Reynolds deferred to Representative Capano.
Representative Capano brought HA 10 to SB 260 before the House for consideration.
Mr. Speaker Spence resumed the Chair.
Representative Capano made comments. Representative Capano requested that HA 10 be stricken.
Representative Capano made comments.
Representative Reynolds deferred to Representative Stone.
Representative Stone brought HA 12 to SB 260 before the House for consideration.
Representatives Stone, Smith & Gilligan made comments. HA 12 was adopted by voice vote.
Representative Stone brought HA 13 to SB 260 before the House for consideration.
Representatives Stone, Smith & Gilligan made comments. HA 13 was adopted by voice vote.
Representative Reynolds deferred to Representative Ulbrich.
Representative Ulbrich made comments.
Representative Ulbrich brought HA 14 to SB 260 before the House for consideration.
Representatives Ulbrich, Smith, Ulbrich, Wagner, Ulbrich, Reynolds, Capano, Fallon, Viola, Ulbrich, Miro, Oberle & Ulbrich made comments.
Representative Ulbrich moved to place HA 14 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.
Mr. Speaker Spence introduced guests.
Representative Oberle brought HA 15 to SB 260 before the House for consideration.
Representative Oberle made comments.
Representative Oberle deferred to Representative Valihura.
Representatives Valihura, Smith, Oberle, Smith, Oberle, Gilligan, Oberle, DiPinto, Wagner, Oberle, Wagner, Capano, Smith, Capano, Cathcart, Oberle, Smith, Gilligan & Oberle made comments.
Representative Oberle moved to place HA 15 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.
Representatives D. Ennis, DiPinto & West made comments.
Representative Stone brought HA 17 to SB 260 before the House for consideration.
Representatives Stone & Welch made comments. HA 17 was adopted by voice vote.
Representative Stone brought HA 18 to SB 260 before the House for consideration.
Representatives Stone, Reynolds, Cathcart & Stone made comments.
Representative Stone requested and was granted personal privilege of the floor to make a comment.
Representative Stone moved to place HA 18 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.
The Majority Leader moved to recess for dinner at 5:36 p.m.
The House reconvened at 6:30 p.m.
Representative Reynolds deferred to Representative Roy.
Representative Roy brought HA 19 to SB 260, jointly sponsored by Representatives Capano, DiPinto, Gilligan & Maier & cosponsored by Representatives Valihura Cathcart & VanSant, before the House for consideration. Representatives Roy, Valihura, Oberle & Roy made comments. HA 19 was adopted by voice vote.
Representative Wagner brought HA 21 to SB 260 before the House for consideration.

Representatives Wagner & Smith made comments. HA 21 was adopted by voice vote.

Representative Reynolds deferred to Representative Miro.

Representative Miro brought HA 22 to SB 260 before the House for consideration. Representatives Miro, Smith, Miro, Smith, Miro, Reynolds, Miro & Fallon made comments. HA 22 was adopted by voice vote.

Representative Reynolds deferred to Representative West.

Representative West requested that HA 26 to SB 260 be stricken.

Representative West requested that HA 27 to SB 260 be stricken.

Representatives Reynolds & West made comments.

Representative West brought HA 28 to SB 260 before the House for consideration. HA 28 was adopted by voice vote.

Representative West requested that HA 29 to SB 260 be stricken.

Representative West made comments.

Representative Reynolds deferred to Representative Miro.

Representative Miro brought HA 33 to SB 260 before the House for consideration. Representatives Miro, Smith, Gilligan, Miro, Cathcart & Miro made comments. HA 33 was adopted by voice vote.

Representative Reynolds deferred to Representative Fallon.

Representative Fallon introduced and brought HA 34 to SB 260, jointly sponsored by Representatives Buckworth & Lee, before the House for consideration.

Representatives Fallon, Smith, Wagner, Ewing & Oberle made comments.

Representative Fallon requested and was granted privilege of the floor for Paul Carlson, Executive Director, Delaware Association of School Administrators.

Representatives Wagner, Oberle, Maier, Wagner, Oberle, Cathcart, Ewing, Ulbrich & Fallon made comments.

Representative Smith requested and was granted privilege of the floor for Dr. James Spartz, President, State Board of Education.

Representatives Smith, Ewing, D. Ennis, Cathcart, Wagner & Cathcart made comments.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle requested and was granted privilege of the floor for Mary Ann Pry, representing Delaware State Education Association.

Representatives Oberle, Cathcart, Wagner & Fallon made comments.

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

Representatives Cathcart & Oberle made comments.

HA 34 was defeated by voice vote.

Mr. Speaker Spence assigned SB 185 & HB 398 to the Appropriations Committee.

Mr. Speaker Spence reassigned HB 449 to the Economic Development, Banking & Insurance Committee.

Representative DiPinto introduced and brought HA 35 to SB 260 before the House for consideration. Representatives DiPinto, D. Ennis, DiPinto & Valihura made comments. HA 35 was adopted by voice vote.

Representative Reynolds deferred to Representative Viola.

Representative Viola introduced and brought HA 36 to SB 260, jointly sponsored by Representative West, before the House for consideration.

Representatives Viola, Oberle, Viola, Oberle, Viola, Smith, Oberle, Welch, Wagner, Price, Viola, DiPinto & Viola made comments.

Representative Viola moved to place HA 36 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Viola introduced and brought HA 37 to SB 260, jointly sponsored by Representative West, before the House for consideration.

Representative Viola made a comment.

Representative Smith requested and was granted privilege of the floor for Jennifer J. Davis, Office of the Secretary, Department of Education.

Representative Smith made comments.

Representative Oberle requested and was granted privilege of the floor for Kathy Karsnitz representing the Delaware State Education Association.

Representatives Oberle, Viola & Cathcart made comments.

Representative Cathcart requested and was granted privilege of the floor for Jennifer J. Davis, Office of the Secretary, Department of Education.

Representatives Cathcart, Oberle, D. Ennis & Wagner made comments.

HA 37 was defeated by voice vote.

Representative Smith made a comment.

Representative Smith deferred to Representative Miro.

Representative Miro introduced and brought HA 38 to SB 260 before the House for consideration.

Representative Miro made comments. HA 38 was adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced and brought HA 39 to SB 260, jointly sponsored by Representatives Spence, Smith, Boulden, Capano, Cathcart, Cloutier, DiPinto, Lofink, Maier, Miro, Stone, Ulbrich, Valihura, Wagner, Gilligan & VanSant, before the House for consideration. Representatives Oberle, DiPinto, Stone & Oberle made comments. HA 39 was adopted by voice vote.

Representative Smith deferred to Representative Capano.

Representative Capano introduced and brought HA 40 to SB 260 before the House for consideration.

Representatives Capano, Roy, Smith, DiPinto & Capano made comments. HA 40 was defeated by voice vote.

Representative Smith deferred to Representative Capano.

Representative Capano introduced and brought HA 41 to SB 260 before the House for consideration.

Representatives Capano, Smith, Maier, DiPinto, Capano, Reynolds & Capano made comments.

The roll call on HA 41 was taken and revealed:

YES: Representatives Boulden, Capano, Caulk, Cloutier, DiPinto, Fallon, Houghton, Lee, Maier,

Quillen & Ulbrich - 11.

NO: 29.

NOT VOTING: Representative Valihura - 1.

Therefore, not having received a constitutional majority, HA 41 was declared defeated.

Representative Fallon introduced and brought HA 42 to SB 260, jointly sponsored by Representatives Buckworth, Ewing & Lee, before the House for consideration

Representative Fallon deferred to Representative Buckworth.

Representatives Buckworth, Oberle, Wagner, Buckworth & Boulden made comments.

The roll call on HA 42 was taken and revealed:

YES: Representatives Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D.

Ennis, Fallon, Houghton, Lee, Maier, Mulrooney, Scott, Ulbrich & West - 17.

NO: 23.

ABSENT: Representative Ewing - 1.

Therefore, not having received a constitutional majority, HA 42 was declared defeated.

Representative Reynolds & Mr. Speaker Spence made comments.

The roll call on SB 260 w/SA 1, 2, 4, 5 & 7 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 was taken and revealed:

YES: 33.

NO: Representatives Caulk, Lee, Quillen, Valihura & West - 5.

NOT VOTING: Representatives Carey, Fallon & Scott - 3.

Therefore, having received a constitutional majority, SB 260 w/SA 1, 2, 4, 5 & 7 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 was returned to the Senate for concurrence on HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39.

Representative Smith deferred to Representative Wagner.

Representative Wagner made a comment.

Representative Wagner introduced and brought HR 74, jointly sponsored by Senator Sokola, before the House for consideration.

HR 74 - REQUIRING THE DEPARTMENT OF EDUCATION TO MAKE A REPORT ON THE LOGISTICS OF THE DELAWARE STUDENT TESTING PROGRAM AND TO PROVIDE A PLAN REGARDING THE TEST TURNAROUND TIME SO THAT LOCAL SCHOOL DISTRICTS CAN PLAN SUMMER SCHOOL EFFECTIVELY AND EFFICIENTLY.

Representative Wagner requested that HR 74 be stricken.

Representative Smith deferred to Representative Carey.

Representative Carey introduced HB 504, jointly sponsored by Senators Adams & Simpson & Representatives Boulden, Brady, Buckworth, Capano, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Scott, Viola, Wagner, Welch, West & Williams.

HB 504 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO HOT MIX AND CONCRETE CRUSHING PLANTS.

Mr. Speaker Spence assigned HB 504 to the Land Use and Infrastructure Committee.

The Majority Leader moved to recess to the call of the Chair at 9:06 p.m.

Mr. Acting Speaker Welch called the House to order at 2:08 p.m. on March 21, 2000.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 439 - 2F, 2M.

SUBSTANCE ABUSE: HB 423 - 5M; HB 478 - 6M; HR 44 - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 280 w/SA 1, 2 & 10 and requests the concurrence of the House; HB 150 w/SA 1 & 2 & HB 322 w/HA 1 & 2 & SA 1 and is returning same to the House.

March 16, 2000

Legislative Advisory #48

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/16/00 – HJR 18. Representative Wagner requested that HB 157 be stricken.

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

10th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 21, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HS 1 to HB 219 - MAIER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, BOULDEN, D. ENNIS, LEE, MIRO, ULBRICH, KEELEY, PLANT; SENATORS MARSHALL, MCDOWELL, CONNOR - EDUCATION - An Act to Amend Titles 14 and 15 of the Delaware Code to Provide for a "School Board Accountability Act" Pertaining to the Qualifications, Elections and Compensation for Members of School Boards of the State's Reorganized School Districts.

HB 479 - MIRO & SENATOR SOKOLA & SENATOR SORENSON; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, EWING, QUILLEN, REYNOLDS, STONE, ULBRICH, VALIHURA, GILLIGAN, HOUGHTON, PRICE, SCHROEDER, SCOTT, VIOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Employees.

HB 493 - WAGNER; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CAPANO, CLOUTIER, D. ENNIS, EWING, LEE, MIRO, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, HOUGHTON, PLANT, PRICE, WILLIAMS; SENATOR DELUCA - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Desertion and Support.

HB 494 - WAGNER & REPRESENTATIVE REYNOLDS; REPRESENTATIVES SPENCE, BRADY, BUCKWORTH, CAPANO, CAULK, CLOUTIER, D. ENNIS, EWING, LOFINK, QUILLEN, HOUGHTON, PLANT, WILLIAMS; SENATOR SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Enrollment Choice Program.

HB 495 - EWING; REPRESENTATIVE SPENCE; REPRESENTATIVE BUCKWORTH - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

HB 496 - CAULK - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Antique Motor Vehicles.

HB 497 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, WELCH, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, OBERLE, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, VANSANT, HOUGHTON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 498 - MAIER & SENATOR BONINI; REPRESENTATIVES CATHCART, EWING, OBERLE, ROY; SENATORS BUNTING, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Attendance and Extracurricular Activities.

HB 499 - PRICE & SENATOR BUNTING; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, KEELEY, MIRO, MULROONEY, PLANT, QUILLEN, ROY, SMITH, SPENCE, ULBRICH, VANSANT, WAGNER, WELCH - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Tax Ditches.

HB 500 - PRICE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Water Utilities.

HB 501 - REYNOLDS - JUDICIARY - An Act to Amend Title 11, Delaware Code Relating to Specific Offenses. (2/3 bill)

HB 502 - WAGNER & SENATOR HENRY; REPRESENTATIVES CAREY, EWING, LEE, LOFINK, MAIER, STONE, ULBRICH, BRADY, HOUGHTON, PLANT, PRICE, WEST; SENATORS

ADAMS, MCDOWELL, BLEVINS, COOK, VAUGHN, CONNOR, SORENSON - HEALTH And HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Osteoporosis.
HB 503 - SCOTT; REPRESENTATIVES BUCKWORTH, CAULK, CLOUTIER, B. ENNIS, D. ENNIS, FALLON, KEELEY, PLANT, PRICE, WEST, WILLIAMS; SENATORS BUNTING, HENRY, MARSHALL - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 26 of the Delaware Code Relating to Electric Suppliers.

HB 505 - OBERLE & SENATOR SHARP - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedures.

HB 508 - GILLIGAN & REPRESENTATIVE ROY & REPRESENTATIVE SPENCE & SENATOR SHARP - AGRICULTURE - An Act To Amend Title 3 Of The Delaware Code Relating To The Thoroughbred Racing Commission's License And Administrative Fees. (3/5 bill)

HB 509 - GILLIGAN & REPRESENTATIVE ROY & REPRESENTATIVE SPENCE & SENATOR SHARP - AGRICULTURE - An Act To Amend Title 3 Of The Delaware Code Relating To The Thoroughbred Racing Commission's Membership In An Interstate Compact For Uniform Licensure Of Participants.

HA 1 to HB 99 - DILIBERTO - Placed with the Bill.

HJR 19 - WAGNER & REPRESENTATIVE STONE & SENATOR WINSLOW;
REPRESENTATIVES SPENCE, WELCH, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, REYNOLDS, ULBRICH, VALIHURA, VANSANT, HOUGHTON, DILIBERTO, B. ENNIS, KEELEY, MULROONEY, PLANT,
PRICE, SCHROEDER, SCOTT, VIOLA, WEST - HEALTH And HUMAN DEVELOPMENT - To Establish a Study Committee to Formulate a Plan of Action for the Department of Health and Social Services to Address Individuals Awaiting Community Services.

SB 280 w/SA 2, 10 & 1 - MCBRIDE & SENATOR CONNOR & SENATOR HENRY & REPRESENTATIVE LOFINK & REPRESENTATIVE VIOLA; SENATOR DELUCA;
REPRESENTATIVES HOUGHTON, MULROONEY, PLANT - LAND USE And INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Incinerators.

Representative Buckworth requested and was granted privilege of the floor to present a House Tribute to Kay Wood Bailey, Delaware Art Educator of the Year.

Representative Buckworth introduced guests.

Mrs. Bailey addressed the House.

Representatives Smith, DiPinto, Fallon, B. Ennis & Plant made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich requested that she be marked present.

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

Representatives Roy & Maier requested that they be marked present.

Representatives DiPinto & Ulbrich made comments.

Representatives Stone & Miro requested that they be marked present.

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

The House reconvened at 3:55 p.m.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert Gilligan, do hereby request that my name be removed as co-sponsor of HB 504.

Date: 3/21/00

Signed: Robert F. Gilligan

Representatives Cathcart, Brady & Cloutier requested that they be marked present.

Representative Smith deferred to Representative Price.

Representative Price brought HB 437, jointly sponsored by Senator Sokola & Representatives Brady, Buckworth, DiPinto, B. Ennis, Ewing, Keeley, Maier, Schroeder, Spence, VanSant, Viola & Wagner & Senators Blevins, Henry, Simpson & Sorenson, before the House for consideration.

HB 437 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT.

Representatives Price & Williams made comments.

Representative Boulden requested that he be marked present.

Representatives Fallon & Price made comments.

Representative Price requested and was granted privilege of the floor for Sergeant Gary A. Kresge, Delaware State Police.

Representatives Price, Williams, Scott, Ewing, Scott, Ewing, Scott, Ewing, Scott, Smith, Williams, DiPinto, Williams, Houghton, Price, Houghton & Price made comments.

Representative Price requested and was granted privilege of the floor for Stephen Wood, Deputy Attorney General.

Representatives Price, Houghton, VanSant, Scott, Price, Scott, Smith, VanSant, West & B. Ennis made comments.

Representative D. Ennis requested that he be marked present.

Representative Price made comments.

The roll call on HB 437 was taken and revealed:

YES: 38.

NO: Representatives Plant, Scott & Williams - 3.

Therefore, having received a constitutional majority, HB 437 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Miro.

Representative Miro requested and was granted privilege of the floor to present a House Tribute to Butch Simpson, Football Coach, Newark High School, and to present Certificates of Commendation to four of his football players. Coach Simpson addressed the House.

Representatives Gilligan, Lee, Williams, Lofink, Reynolds & Miro made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that action on HB 461 be deferred to a Day Certain, Tuesday, April 4, 2000.

Representative Wagner made comments.

Representative Wagner introduced and brought HJR 20, jointly sponsored by Senator Sokola, before the House for consideration.

HJR 20 - REQUIRING THE DEPARTMENT OF EDUCATION TO MAKE A REPORT ON THE LOGISTICS OF THE DELAWARE STUDENT TESTING PROGRAM AND TO PROVIDE A PLAN REGARDING THE TEST TURNAROUND TIME SO THAT LOCAL SCHOOL DISTRICTS CAN PLAN SUMMER SCHOOL EFFECTIVELY AND EFFICIENTLY.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on HJR 20. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representatives Wagner, Gilligan & Wagner made comments.

The roll call on HJR 20 was taken and revealed:

YES: 37.

ABSENT: Representatives Miro, Reynolds, Roy & Williams - 4.

Therefore, having received a constitutional majority, HJR 20 was sent to the Senate for concurrence.

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

GAMING & PARIMUTUELS: HB 295 - 3F, 1M.

The Majority Leader moved to recess to the call of the Chair at 5:20 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:14 p.m. on March 22, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 239 & 297 and requests the concurrence of the House; HB 373 w/HA 1 & 2 & SA 1 & 2 & HB 375 w/HA 1 & 2 & SA 1 & 2 and is returning same to the House.

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

11th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 22, 2000

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives DiLiberto, Lofink & Roy - 3.

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

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

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

The following prefiled legislation was introduced:

HB 506 - OBERLE; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DIPINTO, LOFINK, MIRO, STONE, ULBRICH, VALIHURA, WAGNER, DILIBERTO, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, VIOLA - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence. (2/3 bill)

HB 507 - QUILLEN & SENATOR SIMPSON; REPRESENTATIVES CAPANO, CAREY, CAULK, CLOUTIER, B. ENNIS, D. ENNIS, EWING, HOUGHTON, KEELEY, MAIER, PLANT,

REYNOLDS, SCHROEDER, SMITH, SPENCE, VALIHURA; SENATORS BAIR, CONNOR, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Notification of Patients by a Physician or the Personal Representative of a Physician's Estate.

SB 239 - COOK & REPRESENTATIVE DIPINTO; SENATORS SOKOLA, HENRY, MCBRIDE, VAUGHN, ADAMS, SHARP, SORENSON; REPRESENTATIVES OBERLE, GILLIGAN, BUCKWORTH, DILIBERTO, FALLON, D. ENNIS, HOUGHTON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware State Testing Program Scholarships.

SB 297 - ADAMS & REPRESENTATIVE STONE; SENATORS SOKOLA & SORENSON; REPRESENTATIVES CAPANO, CAREY, D. ENNIS, FALLON, VALIHURA, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, SCOTT - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Banks and Other Financial Institutions.

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: March 22, 2000

The following Tributes & Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1540	Spence	2/23/2000	T	Delaware Ducks/Youth Ice Hockey/Fourth Tournament
H140-1541	Spence	2/23/2000	T	Clayton Bunting, Esquire/Officer of the Court/Community Service
H140-1542	Schroeder	2/27/2000	T	Adam Boving/Eagle Scout
H140-1543	Wagner	2/22/2000	T	A. Richard Barros/President/Modern Maturity Center Board of Directors
	cosponsor: Quillen			
H140-1544	Brady	2/28/2000	T	Kathleen Horne/School Nurse of Year/Brandywine
H140-1545	Brady	2/28/2000	T	Linda Lee/School Nurse of Year/Brandywine
H140-1546	D. Ennis	2/22/2000	T	Christine Zeidler/Visiting Teacher/Germany
H140-1547	D. Ennis	2/22/2000	T	Katrin Trager/Visiting Teacher/Germany
H140-1548	D. Ennis	2/22/2000	T	Horst Schroder/Visiting Teacher/Germany
H140-1549	D. Ennis	2/22/2000	T	Petra Richter/Visiting Teacher/Germany
H140-1550	D. Ennis	2/22/2000	T	Rotraud Muller/Visiting Teacher/Germany
H140-1551	D. Ennis	2/22/2000	T	Ines Lutzgendorf/Visiting Teacher/Germany
H140-1552	D. Ennis	2/22/2000	T	Karola Flachsmeier/Visiting Teacher/Germany
H140-1553	D. Ennis	2/22/2000	T	Brigitte Brennecke/Visiting Teacher/Germany
H140-1554	Spence	3/1/2000	T	Christine Vennard/DNREC/Management Fellow
	cosponsor: Welch			
H140-1555	Spence	3/1/2000	T	Catherine Sullivan/DSCYF/Management Fellow
	cosponsor: DiPinto			
H140-1556	Spence	3/1/2000	T	Gary Stulir/Division of Revenue/Management Fellow
	cosponsor: B. Ennis			
H140-1557	Spence	3/1/2000	T	Patricia Sandy/DHSS/Management Fellow
H140-1558	Spence	3/1/2000	T	Jennifer Sammons/DSCYF/Management Fellow
	cosponsor: Fallon			
H140-1559	Spence	3/1/2000	T	June Pennewill/Division of Corporations/Management Fellow
	cosponsor: Wagner			
H140-1560	Spence	3/1/2000	T	Malak Michael/Public Service Commission/Management Fellow
	cosponsor: Viola			
H140-1561	Spence	3/1/2000	T	Jenny McDermott/DNREC/Management Fellow
	cosponsor: Ulbrich			
H140-1562	Spence	3/1/2000	T	Lynn Harrison/Department of Agriculture/Management Fellow
	cosponsor: Capano			
H140-1563	Spence	3/1/2000	T	H. A. Colvin/DHSS/Management Fellow
	cosponsor: Price			

HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: March 22, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1564	Spence	3/1/2000	T	Bhavesh Amin/DNREC/Management Fellow
	cosponsor: Buckworth			
H140-1565	Wagner	2/25/2000	M	William John Ori

H140-1566	Wagner	12/29/1999	T	Mary Burns & George Song/Marriage
H140-1567	B. Ennis	2/16/2000	M	Harry W. Blendt, Jr.
H140-1568	B. Ennis	2/27/2000	M	Mary Katherine Wright
H140-1569	Houghton	2/29/2000	T	Alice Woodward/90th Birthday
H140-1570	Schroeder	3/1/2000	T	Matthew Shaffer/Eagle Scout
H140-1571	Reynolds	3/1/2000	T	Dr. David Campbell/Colonial School District/Superintendent of the Year
H140-1572	Williams	2/26/2000	M	Kenneth B. Briscoe, Sr.
H140-1573	Williams	2/24/2000	T	Edward P. Kamenc
H140-1574	Gilligan	3/15/2000	T	Alice Coleman/Hall of Fame/Delaware Women
H140-1575	Buckworth	2/19/2000	T	Harold Willey/Ross Barteau Fire Police Achievement Award Recipient
H140-1576	Mulrooney	3/9/2000	T	Ethel Cunningham/100th Birthday
H140-1577	Schroeder	3/7/2000	T	Trish Vernon/One of 2000 Women of Historic Note
H140-1578	Schroeder	3/7/2000	T	Judith Roberts/One of 2000 Women of Historic Note
H140-1579	Schroeder	3/7/2000	T	Mary Spicer/One of 2000 Women of Historic Note
H140-1580	Schroeder	3/7/2000	T	Barbara Blades/One of 2000 Women of Historic Note
H140-1581	Maier	3/16/2000	T	Catherine Hamill/2000 Delaware Tomorrow Award
H140-1582	Maier	3/16/2000	T	Lisa Blunt-Bradley/2000 Delaware Tomorrow Award
H140-1583	Maier	3/16/2000	T	Sister Rosa Alvarez/2000 Delaware Tomorrow Award
H140-1584	Buckworth	3/19/2000	T	Anna Kemp/100th Birthday
H140-1585	Buckworth	3/4/2000	T	Evelyn Mae Voshell/80th Birthday
H140-1586	Ewing	3/17/2000	T	National Commander Al Lance/Visits/American Legion
H140-1587	Buckworth	3/24/2000	T	Kay Wood Bailey/Art Educator of the Year
H140-1588	B. Ennis	2/16/2000	M	Mae Pierson Smith

T- Tribute

M - Memoriam

Mr. Speaker Spence reassigned HB 169 to the Substance Abuse Committee.

Representatives Viola & Williams requested that they be marked present.

Representative Welch deferred to Representative Capano.

Representative Reynolds requested that HB 470 be stricken.

Representative Capano introduced and brought HR 76, jointly sponsored by Representatives DiPinto & Stone on behalf of all Representatives, before the House for consideration.

HR 76 - MOURNING THE LOSS OF HOME BUILDING INDUSTRY LEADER, FRANK ROBINO JR.

WHEREAS, Frank Robino was born in Wilmington's Little Italy in 1924, and

WHEREAS, Frank Robino began his career building homes in 1947, after returning to Delaware from his service in the Navy during World War II, and

WHEREAS, Frank Robino contributed to the purchase of the land and the building of "St. Anthony's in the Hills" a country summer camp for inner city children, and

WHEREAS, during the mid 1960's Frank Robino and three other builders came together and created a master plan to develop Pike Creek Valley, and

WHEREAS, since that time his company has built more than 15,000 homes in Delaware and Pennsylvania, and

WHEREAS, Frank Robino is considered by many in the industry to have provided more affordable housing in the State of Delaware than any other developer, and

WHEREAS, through his love of golf, Frank Robino established the Frank Robino Gold Tournament to raise scholarship money for students at Lynn University, where he received an honorary degree, and

WHEREAS, considered an industry leader, Frank Robino's ability to understand the needs and wants of the homebuyer and translate that into an affordable product will be greatly missed, and

WHEREAS, Frank Robino is left behind by four sons, Frank Robino III, Paul A. Robino, Mark A. Robino, and Charles J. Robino, all inspired and guided by their father and who now work together in the business he built.

NOW THEREFORE, BE IT RESOLVED that the House of Representatives of the 140th General Assembly mourns the loss of Frank Robino Jr., one of Delaware's native sons and outstanding home builder.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be forwarded to Frank Robino's wife of 48 years, Marie Robino, as well to his four sons.

The House observed a moment of silence in memory of Frank Robino, Jr. at the request of Representative Capano.

HR 76 was adopted by voice vote.

Mr. Speaker Spence made comments.

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

Representative Miro made comments.

Representative B. Ennis requested that he be marked present.

Representative Capano requested and was granted privilege of the floor to present a House Tribute to William Remington, Director, Division of Revenue. Mr. Remington addressed the House.

Representative Capano made comments.

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

Representatives Brady and Price requested that they be marked present.

The Majority Whip moved to recess for committee meetings at 2:47 p.m.

The House reconvened at 4:24 p.m.

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

EDUCATION: HB 403 - 9M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 500 - 5F; HR 35 - 5M.

PUBLIC SAFETY: HB 489 - 7M; HB 496 - 6M.

Mr. Speaker Spence assigned HB 423 to the Appropriations Committee.

Representative D. Ennis requested that he be marked present.

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

REVENUE & FINANCE: HB 472 - 5F, 1M.

Representative Oberle requested that he be marked present.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich made comments.

Representative Ulbrich introduced and brought SCR 22, jointly sponsored by Senator Sokola on behalf of all

Senators & Representative Reynolds on behalf of all Representatives, before the House for consideration.

SCR 22 - COMMENDING RONNI K. COHEN FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2000 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

WHEREAS approximately 7,000 teachers work each day with 112,000 children who attend 184 Delaware public schools in 19 school districts; and

WHEREAS teachers strive for excellence in their profession when they know that the community supports them and appreciates their efforts on behalf of our children; and

WHEREAS the Teacher of the Year program identifies building and district representatives who embody the best qualities of all Delaware teachers; and

WHEREAS the Delaware State Teacher of the Year is chosen for possessing a superior ability to inspire and nurture students with a love of learning and for having won the admiration and respect of students, fellow teachers, school administrators, and the parents of students; and

WHEREAS the 2000 State Teacher of the Year has been teaching in the Brandywine School District since 1969 and since 1998 has taught economics and entrepreneurship to fourth, fifth and sixth graders at Claymont Elementary School; and

WHEREAS the 2000 State Teacher of the Year is the 1993 recipient of INC. Magazine's National Entrepreneurship Educator of the Year, and in 1994 was named the Elementary Teacher of the Year by the Delaware Council of Social Studies; and

WHEREAS Ronni K. Cohen of the Brandywine School District has been named as Delaware State Teacher of the Year for 2000, as part of the National Teacher of the Year program - the oldest and most prestigious award program that focuses public attention on excellence in teaching; and

WHEREAS each of the other eighteen school districts has chosen a 2000 District Teacher of the Year, namely: Cindy Langshaw, Appoquinimink School District; Andrea Haynes, Caesar Rodney School District; Gerald T. Peden, Cape Henlopen School District; Patrik Williams, Capital School District; JoAnne Deshon, Christina School District; Melissa Ernest, Colonial School District; William David Mills, Delmar School District; Loriann White, Indian River School District; Michael P. Boyd, Lake Forest School District; Susan Fewell, Laurel School District; Mary Louise O'Bier, Milford School District; David S. Alick, New Castle County Vocational Technical School District; Stephanie Przygocki, Polytech School District; Gregory Hills, Red Clay School District; Valerie Turner, Seaford School District; Crystal H. Brown, Smyrna School District; Sandra W. Furbush, Sussex County Vocational Technical School District; and Carolyn Whitt, Woodbridge School District;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 140th General Assembly of the State of Delaware, the House of Representatives concurring therein, that commendations and appreciation are hereby extended to the State Teacher of the Year and to the District Teachers of the Year for 2000.

BE IT FURTHER RESOLVED that, upon passage of this Resolution, a suitably prepared copy be forwarded to Ronni K. Cohen, 2000 State Teacher of the Year, and to each 2000 District Teacher of the Year.

SCR 22 was adopted by voice vote and was returned to the Senate.

Representatives Capano, D. Ennis & Smith, Mr. Speaker Spence & Representative Plant made comments.

Representative Ulbrich requested and was granted privilege of the floor for Ronni K. Cohen, State Teacher of the Year.

Representative Ulbrich requested and was granted privilege of the floor for the District Teachers of the Year, who introduced themselves for the record.

Representative Gilligan requested that he be marked present.

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

Representative Quillen introduced a guest.

Representative Price requested that HB 453 be stricken.

The Majority Leader moved to recess to the call of the Chair at 4:51 p.m.

Mr. Speaker Spence called the House to order at 2:20 p.m. on March 23, 2000.

Representatives Roy, Lofink & DiLiberto requested that they be marked present for the current legislative day.

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

12th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 23, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 510 - BUCKWORTH & REPRESENTATIVE STONE & SENATOR COOK - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 16, Delaware Code, Relating to Water and/or Sewer Authorities.

HB 511 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES BRADY, CAULK, HOUGHTON, LEE, SPENCE; SENATOR SIMPSON - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunity from Civil Liability.

HJR 21 - OBERLE; REPRESENTATIVES SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, LEE, LOFINK, MIRO, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, KEELEY, MULROONEY, SCHROEDER, WEST, VIOLA - EDUCATION - Relating to a Statewide Program for Disruptive Students.

Representative Smith made comments.

Representatives Cathcart, West, Plant, Miro, Fallon & Ulbrich requested that they be marked present.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted privilege of the floor to present House Tributes and a gift to Ichiro Miura, treasurer of Iwanuma City, Japan and Kuninobu Watanabe, leader of the delegation from Miyagi prefecture, Japan.

Mr. Speaker Spence made comments.

Representative Buckworth requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 421 and is returning same to the House; SCR 22 and requests the concurrence of the House

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

The House reconvened at 3:54 p.m. with Representative Roy as Acting Speaker.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 265 w/SA 1 & 2 and requests the concurrence of the House.

Representatives Oberle & Brady requested that they be marked present.

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

HEALTH AND HUMAN DEVELOPMENT: HB 427 - 6M.

JUDICIARY: HB 492 - 7M.

Representative Wagner requested that she be marked present.

Representative Smith deferred to Representative Price.

Representative Price brought HB 440, jointly sponsored by Representative Oberle, before the House for consideration.

HB 440 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS COMPENSATION.

Representatives Schroeder, Reynolds, Valihura & Welch requested that they be marked present.

Representative Price introduced and brought HA 1 to HB 440 before the House for consideration.

Representatives Price & Smith made comments. HA 1 was adopted by voice vote.

Representative Boulden requested that he be marked present.

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

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 440 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 150 w/SA 1 & 2, jointly sponsored by Senator McDowell &

Representatives Smith, Welch, Buckworth, Capano, Carey, Cathcart, Cloutier, D. Ennis, Ewing, Fallon, Lee, Lofink, Miro, Oberle, Quillen, Reynolds, Valihura, Wagner, Gilligan, VanSant, DiLiberto, B. Ennis, Houghton, Mulrooney, Price, Scott, Viola, West & Williams & Senators Bonini & Henry & cosponsored by Representatives Brady & Plant, before the House for concurrence on SA 1 & 2.

HB 150 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTIONS. (F/N)

Representative Spence made comments.

The roll call on HB 150 w/SA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 150 w/SA 1 & 2 was sent to the Governor.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought HB 322 w/HA 1 & 2 & SA 1, jointly sponsored by Representatives DiPinto & Schroeder & Senator Sokola, before the House for concurrence on SA 1.

HB 322 - AN ACT TO AMEND SECTION 1916 OF TITLE 14 OF THE DELAWARE CODE TO ESTABLISH A DEADLINE FOR SCHOOL DISTRICTS TO FIX THE RATE OF TAXATION.

Representatives Reynolds, DiPinto, Reynolds, B. Ennis, Fallon & Reynolds made comments.

The roll call on HB 322 w/HA 1 & 2 & SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 322 w/HA 1 & 2 & SA 1 was sent to the Governor.

Representative Smith brought SB 64 w/SA 1, sponsored by Senator Vaughn & Representatives DiPinto, Fallon & Houghton & cosponsored by Representative Scott, before the House for consideration.

SB 64 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT THAT TELEPHONE CALLS TO PUBLICLY LISTED STATE AGENCY TELEPHONE NUMBERS BE ANSWERED BY A PERSON.

Representative Smith made comments.

Representative Smith deferred to Representative Quillen.

Mr. Speaker Spence resumed the Chair.

Representative Quillen brought HA 1 to SB 64 before the House for consideration. Representative Quillen made comments. HA 1 was adopted by voice vote.

Representatives Smith, Wagner, Scott, Valihura, Viola & Smith made comments.

The roll call on SB 64 w/SA 1 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 64 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 295, jointly sponsored by Representative Quillen & Senator Adams, before the House for consideration.

HB 295 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO HARNESS RACING.

Representatives Lee, Quillen, Price, Oberle, Price & Oberle made comments.

The roll call on HB 295 was taken and revealed:

YES: 41.

Mr. Speaker Spence introduced guests.

Therefore, having received a constitutional majority, HB 295 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.
Representatives Gilligan, D. Ennis & Cathcart requested and were granted personal privilege of the floor to make comments.
Representative Oberle, Mr. Speaker Spence & Representative Roy made comments.
Representative Smith deferred to Representative Valihura.
Representative DiPinto made a comment.
Representative Valihura introduced guests.
Representatives D. Ennis & Roy made comments.
Representative Wagner requested and was granted personal privilege of the floor to introduce a guest.
Representative Oberle made comments.
Representative Smith deferred to Representative Capano.
Representative Capano brought HB 455, jointly sponsored by Senator Henry & Representatives Buckworth, Maier, Stone & Ulbrich, before the House for consideration.
HB 455 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS.
Representative Capano made comments.
Representative Capano brought HA 1 to HB 455 before the House for consideration. HA 1 was adopted by voice vote.
Representative Capano made a comment.
Representative Stone requested and was granted personal privilege of the floor to make a comment.
Representative Capano made a comment.
The roll call on HB 455 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Fallon - 1.
Therefore, having received a constitutional majority, HB 455 w/HA 1 was sent to the Senate for concurrence.
Representative Smith deferred to Representative Maier.
Representative Maier brought HB 478, jointly sponsored by Senator Marshall & Representatives Buckworth, Carey, Cathcart, Lee, Brady, DiLiberto, B. Ennis, Keeley & West & Senators Blevins, Bonini, Henry, Sokola, Venables & Winslow, before the House for consideration.
HB 478 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REPORTING OF MANDATORY DRUG TESTING RESULTS.
Representative Maier made a comment.
The roll call on HB 478 was taken and revealed:
YES: 40.
ABSENT: Representative Fallon - 1.
Therefore, having received a constitutional majority, HB 478 was sent to the Senate for concurrence.
Mr. Speaker Spence made an announcement.
Representative Smith deferred to Representative Oberle.
Representative Oberle brought HB 373 w/HA 1 & 2 & SA 1 & 2, jointly sponsored by Senator Marshall & Representatives Lofink, Houghton, Mulrooney, Plant, Scott, Viola & Williams & Senators McDowell, DeLuca, Henry, McBride, Vaughn & Connor & cosponsored by Representative Keeley, before the House for concurrence on SA 1 & 2.
HB 373 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.
Representative Oberle made comments.
Representative Oberle deferred to Representative Stone.
Representative Stone introduced and brought HA 3 to HB 373 before the House for consideration.
Representatives Oberle, Stone & Oberle made comments.
Representative Stone requested and was granted privilege of the floor for James L. Hutchinson, Mayor of Dover.
Representatives Oberle, DiPinto & Plant made comments.
HA 3 was defeated by voice vote.
Representatives Plant & Oberle made comments.
The roll call on HB 373 w/HA 1 & 2 & SA 1 & 2 was taken and revealed:
YES: 39.
ABSENT: Representatives Caulk & Fallon - 2.
Therefore, having received a constitutional majority, HB 373 w/HA 1 & 2 & SA 1 & 2 was sent to the Governor.
Representative Smith deferred to Representative Oberle.
Representative Oberle brought HB 375 w/HA 1 & 2 & SA 1 & 2, jointly sponsored by Senator Marshall & Representatives Lofink, Houghton, Mulrooney, Plant, Scott, Viola & Williams & Senators

McDowell, DeLuca, Henry, McBride, Vaughn & Connor & cosponsored by Representative Keeley, before the House for concurrence on SA 1 & 2.

HB 375 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT.

Representative Oberle made comments.

Representative Smith made an announcement.

Representative Oberle deferred to Representative Stone.

Representative Stone introduced and brought HA 3 to HB 375 before the House for consideration.

Representative Oberle made comments. HA 3 was defeated by voice vote.

The roll call on HB 375 w/HA 1 & 2 & SA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Fallon - 2.

Therefore, having received a constitutional majority, HB 375 w/HA 1 & 2 & SA 1 & 2 was sent to the Governor.

Representatives Scott & Reynolds made comments.

Representative Smith deferred to Representative Capano.

Representative Capano introduced HB 513, jointly sponsored by Representative Valihura and Senator

Blevins.

HB 513 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Mr. Speaker Spence assigned HB 513 to the Judiciary Committee.

Representative Capano made comments.

The Majority Leader moved to recess to the call of the Chair at 5:16 p.m.

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

LABOR: HB 451 - 6M; HB 457 - 5M; HB 458 - 5M.

Mr. Speaker Spence assigned HB 442 to the Appropriations Committee.

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

13th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 28, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 430 - SMITH & SENATOR MCBRIDE; REPRESENTATIVES BOULDEN, BRADY, CAPANO, CAREY, CLOUTIER, DIPINTO, B. ENNIS, EWING, FALLON, GILLIGAN, KEELEY, LEE, LOFINK, MAIER, MIRO, OBERLE, PRICE, SCHROEDER, STONE, ULBRICH, VALIHURA, WAGNER, WELCH, SPENCE, BUCKWORTH, VIOLA; SENATORS BAIR, BLEVINS, BONINI, SOKOLA, SORENSON, WINSLOW - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Use of Automatic External Defibrillators under Certain Circumstances.

HB 468 - SMITH & SENATOR SOKOLA; REPRESENTATIVES SPENCE, BUCKWORTH, CATHCART, CLOUTIER, DIPINTO, EWING, LOFINK, MIRO, QUILLEN, REYNOLDS, ULBRICH, B. ENNIS, HOUGHTON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code to Provide for Any Intermediate Appeal to New Castle County Council of Area Variances Granted by the Board of Adjustment.

HB 512 - WAGNER & REPRESENTATIVE CATHCART & SENATOR HENRY; REPRESENTATIVES SPENCE, SMITH, WELCH, CAPANO, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, OBERLE, ROY, STONE, ULBRICH, B. ENNIS, HOUGHTON, PLANT, PRICE, SCOTT, WILLIAMS; SENATORS MCDOWELL, SOKOLA, BONINI, SIMPSON, STILL - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Arrest and Commitment, the Delaware Police Training Program, and the Law Enforcement Officers Bill of Rights.

HA 1 to HB 344 - BOULDEN - Placed with the Bill.

SB 265 w/SA 1 & 2 - BUNTING; SENATORS BAIR, CONNOR, HENRY, MARSHALL, SIMPSON, STILL, VENABLES, WINSLOW; REPRESENTATIVES BUCKWORTH, CAPANO, DILBERTO, KEELEY, MAIER, PRICE, QUILLEN, SCHROEDER, SPENCE, STONE - HOUSE

ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment and Observance of Delaware Head Start Week.

SB 309 - MCBRIDE & REPRESENTATIVE QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Eel Fishing. (2/3 bill)

HA 1 to SB 229 - PLANT - Placed with the Bill.

Representative Roy requested that he be marked present.

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

Representative Gilligan requested that he be marked present.

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

Representatives Carey & Mulrooney requested that they be marked present.

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

Representative West requested that he be marked present.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted privilege of the floor to present House Tributes to Paul L. Norton and Chief Halftown, former Channel 6 personalities. Mr. Norton and Chief Halftown addressed the House.

Representative Buckworth made comments regarding the Proclamation designating March as National Kidney Month.

Representative D. Ennis presented gifts to the guests.

Representative Price requested that she be marked present.

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

Representatives DiPinto, Miro, Cloutier & Lee requested that they be marked present.

Representative Welch made a comment.

Representative Welch introduced and brought SCR 23, jointly sponsored by Senators McDowell, Sharp, Adams, Amick & Bair on behalf of all Senators & Representatives Spence, Smith, Gilligan & VanSant on behalf of all Representatives, before the House for consideration.

SCR 23 - EXTENDING THE SINCERE THANKS OF ALL DELAWAREANS TO THE COMMANDER AND CREW OF THE U.S. COAST GUARD HELICOPTER WHICH CARRIED OUT THE HEROIC RESCUE OF THREE STATE OF DELAWARE PERSONNEL FROM THE WATERS OF THE DELAWARE BAY ON THE EVENING OF MARCH 21, 2000.

WHEREAS, the State of Delaware was struck during the day of Tuesday, March 21, 2000, by a coastal "nor'easter" storm of unusual strength and intensity; and

WHEREAS, the Delaware State dredge, the "DIAMOND STATE" was anchored, without personnel aboard, approximately one-half mile off the coast of Broadkill Beach in the lower bay, where it was being used to carry out a beach and duneline reconstruction project; and

WHEREAS, as the storm began to intensify Tuesday afternoon, an anchor cable broke, causing the DIAMOND STATE to swing freely in the waves and to begin taking on water; and

WHEREAS, in an effort to keep the vessel from foundering, a three-man team consisting of William Daisey, field operation chief for the Department of Natural Resources and Environmental Control, dredge operator Orlando King and marine mechanic Gerald Wingate were taken out to the vessel by charter launch with two pumps; and

WHEREAS, when the two pumps proved unable to keep up with the flooding, the charter launch was sent to obtain heavier equipment, but, in its absence, the storm intensified greatly; and

WHEREAS, when the launch returned conditions had deteriorated to the point where it was unable to approach the dredge safely, forcing it to back away from the DIAMOND STATE and leaving the three men stranded aboard the dredge; and

WHEREAS, state officials then made an emergency call to the U.S. Coast Guard which responded promptly, despite the by-now harrowing conditions, by dispatching an HH-65 Dolphin helicopter from Coast Guard Air Station Atlantic City, NJ; and

WHEREAS, the helicopter was under the command of LT Pete Mingo, and included in its crew LT Dave Cooper, co-pilot, AMT3 Manuel Bravo, Flight Mechanic, and AST2 Jeff Danner, Rescue Swimmer; and

WHEREAS, when the helicopter approached the DIAMOND STATE at 9:25 p.m. Tuesday evening, the deck of the dredge was awash, waves were breaking on and over the pilot house and the dredge was sinking in 45 knot winds, seas of five to eight feet and water temperatures of 44 degrees; and

WHEREAS, the three men aboard the dredge were by now clinging to the roof of the four-by-six foot pilot house and the Coast Guard crew began the rescue by attempting to hoist them to the helicopter in a basket; and

WHEREAS, Gerald Wingate was successfully rescued by being taken to a point near the shore and lowered into the bay waters where he was helped to dry land by AST2 Danner, the rescue swimmer; and

WHEREAS, the basket was damaged during Orlando King's rescue, resulting in the failure of repeated attempts by William Daisey to use the basket for his own rescue, whereupon AST2 Danner was lowered to the vessel in a harness and helped Mr. Daisey reach the helicopter safely; and

WHEREAS, circumstances were such that the three men were in imminent peril and may have lost their lives, had it not been for the heroic efforts of the Coast Guard helicopter crew, which was operating in conditions of great danger to themselves and their aircraft;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 140th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members of the Delaware General Assembly do hereby extend the heartfelt and sincere thanks of all Delawareans to LT Pete Mingo, LT Dave Cooper, AMT3 Manuel Bravo, AST2 Jeff Danner and all the personnel of Coast Guard Air Station Atlantic City, NJ, who participated in the heroic rescue of the Delaware state personnel aboard the DIAMOND STATE.

BE IT FURTHER RESOLVED that the members hereby commend the men and women of the United States Coast Guard for the excellence of their training and preparedness as evidenced by their outstanding efforts in this harrowing incident.

BE IT FURTHER RESOLVED that suitable copies of this Senate Resolution be presented, upon its passage, to the commander and crew of the helicopter which participated in the rescue, to the commanding officer of the Coast Guard Air Station, Atlantic City, NJ, and to the Commander of the U.S. Coast Guard Atlantic Area.

Representative Welch made comments.

Representative Welch introduced crewmembers of the United States Coast Guard Helicopter.

SCR 23 was adopted by voice vote and was returned to the Senate.

Mr. Speaker Spence made comments.

Representative Welch introduced men who were rescued.

Representative Welch requested and was granted privilege of the floor for Lieutenant Peter A. Mingo, U.S. Coast Guard.

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

Representative Schroeder requested that he be marked present.

Representatives Schroeder, Fallon, D. Ennis & Mr. Speaker Spence made comments.

Representatives Smith, Ulbrich Wagner & Capano requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 4:14 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

Representative Smith deferred to Representative Spence.

Representative Spence brought HR 44 before the House for consideration.

HR 44 - CREATING A TASK FORCE TO STUDY ILLEGAL AND ILLICIT DRUG USE IN THE STATE OF DELAWARE AND RECOMMEND ACTIONS TO DECREASE DRUG USE BY THE CITIZENS OF DELAWARE.

Representative Spence introduced and brought HA 1 to HR 44 before the House for consideration.

Representative Spence made comments.

Representative Brady requested that he be marked present.

HA 1 was adopted by voice vote.

Representatives Spence, Keeley & Spence made comments.

HR 44 w/HA 1 was adopted by voice vote.

Mr. Acting Speaker Oberle, Representative Spence, Mr. Acting Speaker Oberle, Representatives Ewing, Gilligan & D. Ennis made comments.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 472, jointly sponsored by Senator Marshall, before the House for consideration.

HB 472 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE STATE CODE RELATING TO THE CALCULATION OF INTEREST ON SCHOOL FUNDS.

Representative Capano made comments.

Representatives Reynolds & Stone requested that they be marked present.

The roll call on HB 472 was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & West - 2.

Therefore, having received a constitutional majority, HB 472 was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle assigned HB 427 to the Appropriations Committee.

Representative Smith deferred to Representative Houghton.

Representative Houghton brought HB 226, jointly sponsored by Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Price, Quillen, Reynolds, Schroeder, Smith,

Spence, Stone, Ulbrich, Valihura, VanSant, Viola, Wagner, Welch & West & Senators Adams, Bonini, Connor, DeLuca, McBride, McDowell, Sharp, Sokola, Still, Vaughn, Venables & Winslow, before the House for consideration.

HB 226 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BOUNTY HUNTERS AND BAIL ENFORCEMENT AGENTS.

Representative Houghton moved to place HB 226 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 496 before the House for consideration.

HB 496 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ANTIQUE MOTOR VEHICLES.

Representative Caulk made comments.

The roll call on HB 496 was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & West - 2.

Therefore, having received a constitutional majority, HB 496 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 439, jointly sponsored by Senator Blevins & Representatives Carey, Quillen, Schroeder & Scott & Senators Bunting, Connor, Simpson & Winslow & cosponsored by Representative Boulden, before the House for consideration.

HB 439 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT.

Representative Maier made comments.

The roll call on HB 439 was taken and revealed:

YES: 39.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, HB 439 was sent to the Senate for concurrence.

Representative Maier brought HB 482, jointly sponsored by Senator Bair, before the House for consideration.

HB 482 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD DEATH REVIEW COMMISSION.

Representative Maier made comments.

The roll call on HB 482 was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, HB 482 was sent to the Senate for concurrence.

Representatives Lofink, Caulk, Reynolds, Spence & VanSant made comments.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HS 1 to HB 200 - 1F,4M.

TRANSPORTATION: HB 469 - 7M; SB 227 - 7M.

The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:04 p.m. on March 29, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 309, SCR 20 and requests the concurrence of the House; HB 409 w/HA 2, HCR 44 & HCR 45 and is returning same to the House; SCR 23 and requests the concurrence of the House; HB 431, HB 456 w/SA 1 & HB 483 and is returning same to the House.

3/28/00

LEGISLATIVE ADVISORY #49

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/28/00 - HB 373 aab HA 1 & 2 & SA 1 & 2 & HB 375 aab HA 1 & 2 & SA 1 & 2.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder introduced HB 517, cosponsored by Representatives Keeley, Buckworth & Ewing.

HB 517 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MILEAGE RATES FOR PRIVATE VEHICLES.

Mr. Speaker Spence assigned HB 517 to the Public Safety Committee.

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

14th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 29, 2000

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Boulden - 1.

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

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

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

The following prefiled legislation was introduced:

HB 490 - MAIER & REPRESENTATIVE CAULK & SENATOR BUNTING;

REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, EWING, MIRO, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, WAGNER, WELCH; SENATORS ADAMS, COOK, SIMPSON, VAUGHN - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Valuation, Assessment, and Taxation of Property.

HB 514 - DILIBERTO & SENATOR BLEVINS; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, MAIER, MULROONEY, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCOTT, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS; SENATORS ADAMS, AMICK, BAIR, DELUCA, MCDOWELL, VAUGHN, WINSLOW - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Diabetes.

HB 515 - SPENCE & SENATOR MCDOWELL; REPRESENTATIVES WELCH, BUCKWORTH, CAPANO, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MIRO, OBERLE, QUILLEN, REYNOLDS, STONE, ULBRICH, VANSANT, BRADY, DILIBERTO, B. ENNIS, KEELEY, MULROONEY, PRICE, SCHROEDER, SCOTT, VIOLA, WILLIAMS; SENATORS BUNTING, DELUCA, HENRY, MCBRIDE, MARSHALL, SOKOLA, VENABLES, WINSLOW, BONINI, CONNOR, SIMPSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Employees.

HA 1 to SB 280 - B. ENNIS; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, QUILLEN, STONE, WAGNER - Placed with the Bill.

Representative Smith introduced a guest.

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

Representative Smith introduced and brought HR 75, jointly sponsored by Representatives Spence & Welch & All Members of the House, before the House for consideration.

HR 75 - BIDDING A FOND FAREWELL TO THOMAS J. McCarthy, AFTER 15 YEARS OF DEDICATED SERVICE TO THE HOUSE REPUBLICAN CAUCUS.

WHEREAS, Tom McCarthy found his way to the Republican caucus of the Delaware House of Representatives in January of 1985, and

WHEREAS, hired as the House Republican Communications Officer, Tom quickly set out to communicate the outstanding work his then 23 bosses had performed for their constituencies, and

WHEREAS, having been schooled in the Joe Petrilli "How may I serve you most" training program, Tom soon became very adept at the high jump, and

WHEREAS, always putting the needs of the caucus first, Tom had no social life, until a staff member took pity on him and married him, and

WHEREAS, all of his dedication and high jump training paid off as Tom rose to Chief of Staff for the House Republican Caucus, and

WHEREAS, Tom helped the majority party find its voice by assisting in the development and coordination of the Republican Agenda, and

WHEREAS, Tom successfully worked with this, the largest of the four caucuses, to achieve both individual and caucus legislative objectives, and

WHEREAS, Tom helped the majority perform effectively and with cohesion, thus advancing a great number of their initiatives into law, and

WHEREAS, as the years passed and the caucus grew, more and more responsibilities were placed on Tom's shoulders, responsibilities that he bore with the utmost professionalism and strength, he was our little Hercules, and

WHEREAS, as the years passed and the staff grew, more and more responsibilities were placed on their shoulders as well, but that is another House Resolution, and

WHEREAS, with the advent of new leadership, Tom was made Director of Communications and Public Relations where his mastership of the "spin" was much sought after by caucus members, and

WHEREAS, Tom worked to create a very effective Communication and Public Relations Department for the House Majority, and

WHEREAS, despite the love and devotion Tom received from fellow staff and caucus members for his strong work ethic and work product he still felt the need to leave us for what can only be a better paying job with the Delaware State Chamber of Commerce, and

WHEREAS, even though Tom has been gone for a mere few months, the void he has left is still deafening, and

WHEREAS, it can only be said that Tom is sorely missed.

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 140th General Assembly that we bid a fond farewell to Thomas McCarthy and offers our hearty thanks for all of the hard work, dedication, and camaraderie he brought to the job.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution is presented to Thomas J. McCarthy.

Representatives Maier, Ewing, Cathcart, Caulk, Fallon, Stone, Welch, B. Ennis, VanSant, Buckworth, Quillen, Miro, Wagner & Gilligan made comments.

Representative Miro requested that he be marked present.

Representative Carey, Mr. Speaker Spence, Representatives Ewing & Smith made comments.

HR 75 was adopted by voice vote.

Mr. Speaker Spence granted privilege of the floor to Thomas J. McCarthy.

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

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

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

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

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

Representative Oberle requested that he be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: March 29, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1589	Wagner	3/11/2000	T	Amy Cuthrell & Charles Hudson/Marriage
H140-1590	Buckworth	12/31/1999	T	Josette Hughes/Retirement/Forney's Jewelers
H140-1591	Stone	3/15/2000	T	Emily Morris/Hall of Fame for Delaware Women
H140-1592	D. Ennis	3/23/2000	T	Ms. Endo/Japan/Welcome
H140-1593	D. Ennis	3/23/2000	T	Kuninobu Watanabe/Japan/Welcome
H140-1594	D. Ennis	3/23/2000	T	Ichiro Miura/Japan/Welcome
H140-1595	Ewing	3/17/2000	T	Sally Baker/Retirement/House Staff/15 Years
H140-1596	Spence	3/31/2000	T	Michael Arrington/Leaving Family Court
H140-1597	Quillen	4/12/2000	T	Sharon Tazelaar/DNREC/Retirement
H140-1598	Capano	2/15/2000	T	Karen Starr/Woman of the Year/American Business Women's Association
H140-1599	Capano	2/29/2000	M	E. Oscar Conforti
H140-1600	Carey	3/24/2000	T	Delaware State Grange/125th Anniversary
H140-1601	Schroeder	3/14/2000	T	Chris Holdridge/Kiwanis Club Service Award
H140-1602	Schroeder	3/14/2000	T	William Wightman/Kiwanis Club Service Award
H140-1603	Schroeder	3/14/2000	T	Avni Gohel/Kiwanis Club Service Award Recipient
H140-1604	Wagner	3/9/2000	M	Eva Brown Holden
H140-1605	Stone; Wagner	3/13/2000	M	Honorable Crawford J. Carroll
H140-1606	Keeley	3/15/2000	T	Helen Thomas/Hall of Fame for Delaware Women
H140-1607	Roy	3/15/2000	T	Martha Bachman/Hall of Fame for Delaware Women
H140-1608	Mulrooney	3/19/2000	T	St. Anthony Society/Sponsorship/Feast of St. Joseph
H140-1609	Schroeder	3/14/2000	T	Dogfish Head Craft Brewery/Beer of the Year
H140-1610	Buckworth	3/19/2000	T	Jennifer Wutka/Governor's Youth Volunteer Service Award Recipient
H140-1611	Stone	3/22/2000	T	Kiwanis Club of Dover/65th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: March 29, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-1612	Gilligan	3/23/2000	T	Michelle Albanese/Player of the Year/St. Mark's Girls Basketball
H140-1613	B. Ennis	3/26/2000	T	James Turner, III/Retirement/State Fire School
H140-1614	Caulk	3/16/2000	T	Donald Knight/Retirement/Director/Emergency Planning/Kent County
H140-1615	Cathcart	3/18/2000	T	Ryan Stuckert/Firemen of the Year/Port Penn
H140-1616	Cathcart	3/18/2000	T	Amy Trowbridge/President Award/Port Penn Fire Company
H140-1617	Ewing	3/20/2000	T	Woodbridge High School Key Club/25th Anniversary
H140-1618	B. Ennis	3/19/2000	T	Earnest Freeman/75th Birthday
H140-1619	Mulrooney	3/7/2000	T	VFW Post 838 Auxiliary/65th Anniversary
H140-1620	Mulrooney	3/15/2000	T	Margaret Davis/VFW Post 838 Auxiliary/Dedicated Service
H140-1621	Quillen	2/22/2000	T	Eric Cimo/Fran Lore Scholarship Recipient
H140-1622	Viola	3/14/2000	M	Russell W. Duffey
H140-1623	Quillen	4/1/2000	T	Grace Kersey/55 Years/Felton Fire Company Auxiliary
H140-1624	Quillen	4/1/2000	T	Louise Biddle/55 Years/Felton Fire Company Auxiliary
H140-1625	Quillen	4/1/2000	T	Bessie McCracken/60 Years/Felton Fire Company Auxiliary
H140-1626	Stone	3/23/2000	T	General Douglas Boyce, Retired/Leadership/National Guard
H140-1627	DiPinto	3/20/2000	T	Elisabeth Poole/Dr. Wallace Johnson Community Service Award Recipient
H140-1628	VanSant	3/25/2000	T	Denise Zielinski/Elsmere Fire Company/Auxiliary Member of the Year
H140-1629	VanSant	3/25/2000	T	Ronald Beaver/Elsmere Fire Company/Member of Year
H140-1630	Price	4/1/2000	T	Indian River Yacht Club/60th Anniversary
H140-1631	Price	3/25/2000	T	Eleanor Justice/80th Birthday
H140-1632	Carey	4/11/2000	T	Playtex Apparel/Partnership Award/KSI
H140-1633	Carey	4/11/2000	T	Vlasic Foods/Appreciation Award/KSI
H140-1634	Carey	4/11/2000	T	Baltimore Aircoil/Appreciation Award/KSI
H140-1635	Carey	4/11/2000	T	Penn Fibre Specialty/Appreciation Award/KSI

T- Tribute

M - Memoriam

The Majority Leader moved to recess for committee meetings at 2:43 p.m.

The House reconvened at 4:50 p.m.

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

AGRICULTURE: HB 434 - 1F, 3M; HB 508 - 1F, 5M; HB 509 - 1F, 5M.

JUDICIARY: HB 501 - 6M.

LAND USE AND INFRASTRUCTURE: HB 425 - 7M; HB 467 - 2F, 4M; HJR 16 - 4F, 3M.

PUBLIC SAFETY: HB 463 - 1F, M; HB 464 - 7M; HB 506 - 6M, 1U; HB 512 - 4M.

Representatives Price, Brady, Ulbrich & Cloutier requested that they be marked present.

Mr. Speaker Spence introduced guests.

Representative Valihura requested that he be marked present.

Mr. Speaker Spence assigned HB 506 to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought SCR 21, jointly sponsored by Senators Still, Adams, Bonini, Cook, Simpson & Vaughn on behalf of all Senators & Representatives Buckworth, Caulk, B. Ennis, Quillen, Stone & Welch on behalf of all Representatives, before the House for consideration.

Representative Reynolds requested that he be marked present.

Representative Spence introduced a guest.

SCR 21 - CELEBRATING THE LIFE AND MOURNING THE DEATH OF AN OUTSTANDING DELAWAREAN, THE HONORABLE CRAWFORD J. CARROLL.

SCR 21 was adopted by voice vote and was returned to the Senate.

Representative Wagner made comments and introduced guests.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Maier.

Representative Maier made a comment.

Representative Maier introduced and brought SCR 20, jointly sponsored by Senators Marshall, Blevins, McDowell & Connor & Representatives Lofink, Spence & Scott, before the House for consideration.

SCR 20 - RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE.

SCR 20 was adopted by voice vote and was returned to the Senate.

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

HEALTH AND HUMAN DEVELOPMENT: HB 430 - 6M; HB 477 - 6M; HB 484 - 6M.

Representative Smith requested and was granted personal privilege of the floor to introduce a new House Attorney.

The Majority Leader moved to recess to the call of the Chair at 5:01 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:07 p.m. on March 30, 2000.

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

HOUSE ADMINISTRATION: SB 265 w/SA 1 & 2 - 3M.

JUDICIARY: HB 513 - 5M.

APPROPRIATIONS: HB 121 w/SA 1 - 3F, 2M; HB 398 - 2F, 3M; HB 423 - 2F, 3M; SB 185 w/SA 1 - 1F, 4M.

LAND USE AND INFRASTRUCTURE: HB 510 - 1F, 5M; SB 280 w/SA 2, 1 & 10 - 3F, 5M.

AGRICULTURE: HB 435 - 1F, 3M.

HB 434 was erroneously reported out of the Agriculture Committee earlier today.

EDUCATION: HB 450 - 6M.

Mr. Acting Speaker assigned HB 435 to the Appropriations Committee.

The Majority Whip moved to adjourn at 2:09 p.m., thereby ending the current legislative day. The House reconvened at 2:10 p.m.

15th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
March 30, 2000

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Vincent A. Lofink, Twenty-seventh Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 202 - STONE; SENATOR VAUGHN - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Reinsurance.

HB 516 - WEST & REPRESENTATIVE CAULK - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Agricultural Land Preservation Act.

HB 518 - EWING; REPRESENTATIVE SPENCE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's License.

HB 522 - WAGNER & REPRESENTATIVE MAIER & SENATORS BLEVINS, VENABLES; REPRESENTATIVES BUCKWORTH, QUILLEN, PLANT - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Children.

HB 523 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, SPENCE, WELCH, CAREY, CAULK, DILIBERTO, D. ENNIS, EWING, FALLON, MAIER, OBERLE, REYNOLDS, STONE, ULBRICH, VALIHURA, BRADY, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST, WILLIAMS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Wage Payment and Collection Definition of Terms.

HA 1 to HB 372 - VALIHURA - Placed with the Bill.

HA 1 to HB 500 - PRICE - Placed with the Bill.

HA 1 to HB 513 - CAPANO - Placed with the Bill.

HA 2 to SB 280 - WEST & REPRESENTATIVES PRICE, CAULK - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 21 and requests the concurrence of the House.

Thank you. It's really nice when special people do extra-special things. Thank you very much for the wonderful Tribute you gave the Prison Arts Program last week. Blessings of good health and happiness be yours.

Kay Wood Bailey, Prison Arts Administrator

Representative Roy requested that he be marked present.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart made an announcement.

Representatives Gilligan, Scott, Williams, DiPinto, Viola & Stone requested that they be marked present.

Representative Fallon introduced a guest.

Representative Ewing made an announcement.

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

Representative Schroeder requested that he be marked present.

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

PUBLIC SAFETY: HB 512 - 5M.

The Majority Whip moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:15 p.m. with Representative Welch as Acting Speaker.

Representatives Smith, Price, Brady, Buckworth, Spence & Cloutier requested that they be marked present.

Representative Smith brought HB 456 w/SA 1, sponsored by Representative Lee & Senator Venables, before the House for concurrence on SA 1.

HB 456 - AN ACT TO AMEND CHAPTER 288, VOLUME 64 LAWS OF THE STATE OF DELAWARE AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO WHEN A VACANCY IS CREATED IN THE OFFICE OF MAYOR OR A MEMBER OF THE TOWN COUNCIL. (2/3 bill)

Representative Smith made a comment.

The roll call on HB 456 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 456 w/SA 1 was sent to the Governor.

Representatives Boulden, D. Ennis, Maier, Miro & Reynolds requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested that action on SB 280 w/SA 2, SA 1 & SA 10 be deferred to a Day Certain, Thursday, April 6, 2000.

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

March 30, 2000

The Honorable Wayne A. Smith

Majority Leader

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Representative Smith:

As the prime sponsor of the Dr. Martin Luther King, Jr. Holiday in Delaware, and a longtime admirer of Dr. King, I am writing to respectfully request that you join the effort in the Delaware State Senate to postpone consideration of House Bill 300 during the week of April 4, 2000.

Dr. Martin Luther King, Jr. was assassinated on April 4, 1968, in Memphis, Tennessee, while continuing his nonviolent struggle for racial and economic equality. As you know, many people regard House Bill 300 as a controversial attempt to resegregate public education in New Castle County. It is my belief that to allow the consideration of HB 300 on the day and during the week of the anniversary of Dr. King's death would desecrate his memory.

The symbolism embodied in considering HB 300 on April 4 is profoundly disturbing to me and to many others. It is my belief that full passage and enactment of this legislation, in its current form, will cause far-reaching and irrevocable harm.

I would also hope that members of the General Assembly who honor Dr. King every January would look themselves in the mirror and ask themselves if they can, in good conscience, turn their backs on Dr. King's legacy.

Perhaps we can use the week of April 4 as a time of introspection to promote farsighted and enlightened leadership on this issue. On the eve of his assassination, Dr. King spoke at the Mason Temple, a

church in Memphis. He seemed aware of his own impending mortality as he exclaimed that the Lord has allowed him to go up to the mountain. And Dr. King said, "And I've looked over. And I've seen the Promised Land. I may not get there with you. But I want you to know tonight, that we, as a people, will get to the promised land."

I am asking for your help in using the week of April 4 to decide that we, as people of conscience, will determine whether House Bill 300 helps people to reach the promised land or whether it contributes to the extinguishing of Dr. King's dream.

Sincerely,
Al O. Plant, Sr.
State Representative
2nd District

c/Governor Thomas R. Carper
Mayor James H. Sills, Jr.

Representatives Plant, Smith, Plant, Smith, Plant & Smith made comments.

Representative Smith deferred to Representative Price.

Representative Price moved to suspend the rules which interfere with action on HB 500. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Price brought HB 500 before the House for consideration.

HB 500 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER UTILITIES.

Representative Price brought HA 1 to HB 500 before the House for consideration. Representative Price made comments. HA 1 was adopted by voice vote.

Representative Price made comments.

The roll call on HB 500 w/HA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representatives DiLiberto & Valihura - 2.

Therefore, having received a constitutional majority, HB 500 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HJR 22. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto introduced and brought HJR 22, jointly sponsored by Representatives Capano & Wagner on behalf of all Representatives & Senators Sharp & Adams on behalf of all Senators, before the House for consideration.

HJR 22 - HONORING RESIDENT JUDGE VINCENT A. BIFFERATO UPON HIS RETIREMENT AFTER 32 YEARS OF DISTINGUISHED SERVICE TO THE CITIZENS OF DELAWARE.

Representatives DiPinto, Gilligan, Capano, Mr. Speaker Spence, Representative DiLiberto & Mr. Speaker Spence made comments.

The roll call on HJR 22 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 22 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Oberle.

Representative Oberle made a comment.

Representative Oberle moved to suspend the rules which interfere with action on HB 506. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HB 506, jointly sponsored by Representatives Spence, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, DiPinto, Lofink, Miro, Stone, Ulbrich, Valihura, Wagner, DiLiberto, Houghton, Keeley, Mulrooney, Plant, Price & Viola, before the House for consideration.

HB 506 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. (F/N) (2/3 bill)

Representative Oberle introduced and brought HA 1 to HB 506 before the House for consideration. Representative Oberle made a comment. HA 1 was adopted by voice vote.

Representative Oberle made comments.

Representative Oberle requested and was granted privilege of the floor for David J. Sockrider, State chemist assigned to the Delaware State Police crime laboratory and Lieutenant James Paige representing Delaware State Police.

Representative Oberle made comments.

Representative Oberle showed a videotape.

Representatives Oberle, Reynolds, Valihura, DiLiberto, Oberle, Capano, Oberle, Brady & Ewing made comments.

The roll call on HB 506 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 506 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence, Representatives VanSant & Oberle & Mr. Speaker Spence made comments.

Representative Welch deferred to Representative Valihura.

Representative Valihura brought HB 372, jointly sponsored by Representatives Spence, Welch, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Miro, Reynolds, Ulbrich & Price, before the House for consideration.

HB 372 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TEMPORARY SHELTERS AND TRANSITIONAL HOUSING FOR THE HOMELESS.

Representative Valihura made comments.

Representative Valihura brought HA 1 to HB 372 before the House for consideration.

HA 1 was adopted by voice vote.

Representatives Valihura, Scott, Valihura, Scott, Valihura & Scott made comments.

Representative Valihura requested and was granted privilege of the floor for Christopher White, Chairman, Homeless Planning Council and Deputy Director, Community Legal Aid Society.

Representatives Valihura, Scott & DiLiberto made comments.

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

Mr. Speaker Spence & Representative Valihura made comments.

Representative Valihura moved to place HB 372 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representatives Keeley & Valihura made comments regarding HB 372.

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

Representative Welch deferred to Representative Buckworth.

Representative Buckworth brought SB 265 w/SA 1 & 2, sponsored by Senators Bair, Connor, Henry, Marshall, Simpson, Still, Venables & Winslow & Representatives Capano, DiLiberto, Keeley, Maier, Price, Quillen, Schroeder, Spence & Stone, before the House for consideration.

SB 265 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT AND OBSERVANCE OF DELAWARE HEAD START WEEK.

Representative Buckworth made comments.

The roll call on SB 265 w/SA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, SB 265 w/SA 1 & 2 was returned to the Senate.

Mr. Speaker Spence introduced a guest.

Representative Welch deferred to Representative Wagner.

Representative Wagner requested that HB 523 be stricken.

Representative Wagner made an announcement.

Representative Welch deferred to Representative Gilligan.

Representative Gilligan brought HB 508, jointly sponsored by Representatives Roy & Spence & Senator Sharp, before the House for consideration.

HB 508 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE THOROUGHBRED RACING COMMISSION'S LICENSE AND ADMINISTRATIVE FEES. (F/N) (3/5 bill)

Representatives Gilligan & Caulk made comments.

The roll call on HB 508 was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Scott & Smith - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 508 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Gilligan.

Representative Gilligan brought HB 509, jointly sponsored by Representatives Roy & Spence & Senator Sharp, before the House for consideration.

HB 509 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE THOROUGHBRED RACING COMMISSION'S MEMBERSHIP IN AN INTERSTATE COMPACT FOR UNIFORM LICENSURE OF PARTICIPANTS.

Representative Gilligan made comments.

The roll call on HB 509 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, HB 509 was sent to the Senate for concurrence.

Representative Welch deferred to Representative B. Ennis.

Representative B. Ennis brought HB 121 w/SA 1, jointly sponsored by Senator Vaughn & All Representatives & All Senators, before the House for concurrence on SA 1.

HB 121 - AN ACT TO AMEND CHAPTER 67A, TITLE 18 OF THE DELAWARE CODE RELATING TO FUNERAL EXPENSES OF VOLUNTEERS. (F/N)

Representative B. Ennis made comments.

The roll call on HB 121 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, HB 121 w/SA 1 was sent to the Governor.

Representatives B. Ennis & D. Ennis requested and were granted personal privilege of the floor to make comments regarding HB 121 and to introduce a guest.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 451, jointly sponsored by Senator Blevins & Representatives Spence, Welch, Buckworth, Carey, Caulk, DiLiberto, D. Ennis, Ewing, Fallon, Maier, Oberle, Reynolds, Stone, Ulbrich, Valihura, Brady, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, VanSant, Viola, West & Williams & cosponsored by Senator Connor, before the House for consideration.

HB 451 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE PAYMENT AND COLLECTION DEFINITION OF TERMS.

Representative Wagner brought HA 1 to HB 451 before the House for consideration.

Representative Wagner made comments. HA 1 was adopted by voice vote.

The roll call on HB 451 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, HB 451 w/HA 1 was sent to the Senate for concurrence.

Representative Buckworth deferred to Representative Wagner.

Representative Wagner brought HB 457, jointly sponsored by Senator Henry & Representatives Welch, Smith, Buckworth, Capano, Carey, Cloutier, DiPinto, Ewing, Fallon, Lee, Maier, Miro, Quillen, Reynolds, Stone, Ulbrich, Brady, DiLiberto, B. Ennis, Houghton, Plant, Scott, Viola & West, before the House for consideration.

HB 457 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING DISABILITY INSURANCE FOR STATE EMPLOYEES.

Representative Wagner introduced and brought HA 1 to HB 457 before the House for consideration.

Representative Wagner made comments. HA 1 was adopted by voice vote.

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

Representatives Wagner & Stone made comments.

The roll call on HB 457 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, HB 457 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 458, jointly sponsored by Senator Henry, before the House for consideration.

HB 458 - AN ACT TO AMEND CHAPTER 59, TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

Representative Wagner introduced and brought HA 1 to HB 458 before the House for consideration.

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

The roll call on HB 458 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Smith - 2.

Therefore, having received a constitutional majority, HB 458 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Ewing.

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

Representative Ewing introduced and brought HB 525, jointly sponsored by Representatives Spence & Fallon & cosponsored by Representative Miro, before the House for consideration.

HB 525 - AN ACT TO AMEND SECTION 621, TITLE 11, DELAWARE CODE, PERTAINING TO PENALTIES FOR TERRORISTIC THREATENING.

Representatives Ewing, Stone, Keeley, Ewing, Keeley & Ewing made comments.

The roll call on HB 525 was taken and revealed:

YES: 34.

NO: Representative Williams - 1.

NOT VOTING: Representatives Scott, Valihura & Viola - 3.

ABSENT: Representatives Cathcart, Oberle & Smith - 3.

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

Representative Welch deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on HB 526. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ewing introduced and brought HB 526, jointly sponsored by Representatives Spence & Fallon & cosponsored by Representative Miro, before the House for consideration.

HB 526 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO REQUIRE SCHOOLS TO NOTIFY STUDENTS AND THEIR PARENTS OF THE PENALTIES FOR CERTAIN SCHOOL RELATED OFFENSES AND OF THE REPORTING OF SCHOOL CRIMES.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representatives Ewing, Lee, Ewing & Keeley made comments.

The roll call on HB 526 was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Oberle & Smith - 3.

Therefore, having received a constitutional majority, HB 526 was sent to the Senate for concurrence.

Representative Spence brought HB 447, jointly sponsored by Senator McBride & Representatives Buckworth, Capano, Ewing, Fallon & Lee & Senator Bunting & cosponsored by Representatives Scott, Brady & Schroeder, before the House for consideration.

HB 447 - AN ACT TO AMEND CHAPTER 21, TITLE 21, DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES FOR LIFETIME MEMBERS OF THE VETERANS OF FOREIGN WARS. (F/N)

Representatives Spence & Price made comments.

The roll call on HB 447 was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Oberle & Smith - 3.

Therefore, having received a constitutional majority, HB 447 was sent to the Senate for concurrence.

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

Representative DiLiberto introduced HB 527, jointly sponsored by Representatives Brady, Capano, Cathcart, Caulk, Cloutier, Gilligan, Houghton, Lofink, Mulrooney, Price, Scott, Smith, VanSant, Viola, Welch & Williams & Senators DeLuca, McDowell & Sokola.

HB 527 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTING PROCEDURE.

Mr. Acting Speaker assigned HB 527 to the House Administration Committee.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative V. George Carey, do hereby request that my name be removed as co-sponsor of SB 66.

Date: 3/30/00

Signed: V. George Carey

The Senate wishes to inform the House that it has passed SB 268 and requests the concurrence of the House; HB 436 and is returning same to the House; SB 187 w/SA 1 & SB 301 and requests the concurrence of the House & HJR 22 and is returning same to the House.

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

EDUCATION: HB 471 - 6M.

Representative D. Ennis moved to recess to the call of the Chair at 6:46 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:18 p.m. on April 4, 2000.

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

16th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 4, 2000

The Chief Clerk called the roll.
Members Present: 38.

Members Absent: Representatives D. Ennis, Fallon & Price – 3.

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

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

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

The following prefiled legislation was introduced:

HB 521 - FALLON & SENATOR SORENSON; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, D. ENNIS, EWING, LEE, MAIER, MIRO, QUILLEN, ULBRICH, WAGNER, B. ENNIS, PRICE, SCHROEDER, VIOLA - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

HB 528 - EWING - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Countersigning of Verbal Orders.

HB 529 - MIRO & SENATOR VENABLES; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, B. ENNIS, D. ENNIS, EWING, LOFINK, OBERLE, PRICE, VALIHURA, VIOLA, WEST, WILLIAMS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and Deductions.

HB 530 - MIRO; REPRESENTATIVES CAREY, EWING, LOFINK, REYNOLDS, WEST - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

HA 2 to HB 336 - STONE - Placed with the Bill.

SB 187 w/SA 1 - BUNTING & REPRESENTATIVE CAULK - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Plant Pests. (3/5 bill) (F/N)

SB 268 - BUNTING; SENATOR VENABLES; REPRESENTATIVES QUILLEN, CAREY - AGRICULTURE - An Act to Amend Title 6 of the Delaware Code Relating to Weights and Measures.

SB 301 - SOKOLA & REPRESENTATIVE REYNOLDS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

HA 1 to SB 133 - ULBRICH - Placed with the Bill.

HA 3 to SB 280 - CATHCART - Placed with the Bill.

Representative Wagner made an announcement.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 507 - 1F, 2M; SB 133 - 4M.

Representatives DiLiberto & Plant requested that they be marked present.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Charles W. Welch, do hereby request that my name be removed as co-sponsor of HA 1 to SB 280.

Date: 4/3/00

Signed: Charles W. Welch

MEMORANDUM

TO: Terry R. Spence, Speaker
FROM: Rep. Dave Ennis
DATE: April 4, 2000
RE: Absence from Session

Due to an out of town commitment, I will not be attending session today, Tuesday, April 4, 2000
April 4, 2000

LEGISLATIVE ADVISORY #50

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/31/00 - HJR 22.

Representative Welch requested and was granted privilege of the floor for Matt Sundeen, representing the National Conference of State Legislatures.

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

Representative Wagner made comments.

Mr. Speaker Spence introduced a guest.

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

The Majority Whip moved to recess for caucus at 2:29 p.m.

The House reconvened at 5:12 p.m. with Representative Welch as Acting Speaker.

Representative Smith requested that he be marked present.

Representative Smith requested that action on HB 430 be deferred to a Day Certain, Thursday, April 13, 2000.

Representative Gilligan deferred to Representative DiLiberto.

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

Representative Gilligan made comments.

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

The House reconvened at 5:21 p.m. with Representative Roy as Acting Speaker.

Representative Cathcart requested that he be marked present.
Representative Cathcart requested and was granted personal privilege of the floor to make an announcement.
Representatives Cloutier, Scott, Viola, Miro, Schroeder & Boulden requested that they be marked present.
Representative Welch deferred to Representative Wagner.
Representative Wagner requested that action on HB 461 be deferred to a Day Certain, Thursday, April 6, 2000.
Representative Welch deferred to Representative Wagner.
Representative Wagner deferred to Representative Cathcart.
Representatives Reynolds & Brady requested that they be marked present.
Representative Cathcart brought HB 512, jointly sponsored by Senator Henry & Representatives Spence, Smith, Welch, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Oberle, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton, Plant, Price, Scott & Williams & Senators McDowell, Sokola, Bonini, Simpson & Still, before the House for consideration.
HB 512 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT, THE DELAWARE POLICE TRAINING PROGRAM, AND THE LAW ENFORCEMENT OFFICERS BILL OF RIGHTS.
Representatives Cathcart, B. Ennis & Cathcart made comments.
The roll call on HB 512 was taken and revealed:
YES: 36.
ABSENT: Representatives D. Ennis, Fallon, Price, Smith & Spence - 5.
Therefore, having received a constitutional majority, HB 512 was sent to the Senate for concurrence.
Representative Welch deferred to Representative Reynolds.
Representative Reynolds brought HB 501, jointly sponsored by Representative Lee, before the House for consideration.
HB 501 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill) (F/N)
Representatives Reynolds & Lee made comments.
Representative Reynolds deferred to Representative Lee.
Representative Lee introduced and brought HA 1 to HB 501 before the House for consideration.
Representative Lee made comments. HA 1 was adopted by voice vote.
Representative Reynolds made comments.
The roll call on HB 501 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives D. Ennis, Fallon, Price & Smith - 4.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 501 w/HA 1 was sent to the Senate for concurrence.
Representative Welch deferred to Representative Buckworth.
Mr. Speaker Spence resumed the Chair.
Representative Buckworth brought HB 484, jointly sponsored by Senator Amick & Representative DiLiberto & Senator Blevins & Representatives Smith & Maier & Senators Winslow & Sorenson, before the House for consideration.
HB 484 - AN ACT TO AMEND TITLES 13 AND 16 OF THE DELAWARE CODE RELATING TO FOREIGN ADOPTIONS.
Representative Buckworth made comments.
The roll call on HB 484 was taken and revealed:
YES: 38.
ABSENT: Representatives D. Ennis, Fallon & Price - 3.
Therefore, having received a constitutional majority, HB 484 was sent to the Senate for concurrence.
Representatives Buckworth & Brady requested and were granted personal privilege of the floor to introduce guests.
Representative Smith deferred to Representative Boulden.
Representative Boulden brought HB 469, jointly sponsored by Senator DeLuca, before the House for consideration.
HB 469 - AN ACT AMENDING TITLE 2 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS.
Representative Boulden made comments.
The roll call on HB 469 was taken and revealed:
YES: 38.
ABSENT: Representatives D. Ennis, Fallon & Price - 3.
Therefore, having received a constitutional majority, HB 469 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought SB 227, jointly sponsored by Senators DeLuca & Bunting & Representative Price, before the House for consideration.

SB 227 - AN ACT TO AMEND SECTION 149 OF TITLE 17 OF THE DELAWARE CODE RELATING TO CLASSIFICATION OF MISDEMEANOR OFFENSES.

Representative Boulden made comments.

The roll call on SB 227 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Fallon, Price & Williams - 4.

Therefore, having received a constitutional majority, SB 227 was returned to the Senate.

Representative Smith deferred to Representative Scott.

Representative Scott brought HR 35 before the House for consideration.

HR 35 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO PLACE A MORATORIUM ON THE APPROVAL OF PERMITS TO OPERATE INCINERATOR-TYPE FACILITIES WITHIN THE COASTAL ZONE.

Representative Scott made comments.

HR 35 was adopted by voice vote.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: TERRY R. SPENCE, SPEAKER OF THE HOUSE

FROM: REPRESENTATIVE TINA K. FALLON

DISTRICT 39

DATE: APRIL 3, 2000

RE: ABSENCE FROM SESSION

2000. Please excuse my absence from Legislative Session tomorrow and Wednesday, April 4 and 5,

Thursday. My brother died this morning, so I am leaving the state this afternoon and will return

Thank you.

Representative Reynolds & Mr. Speaker Spence made comments.

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

Representative Brady made comments.

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

The Majority Leader moved to recess to the call of the Chair at 5:59 p.m.

Mr. Acting Speaker Welch called the House to order at 2:13 p.m. on April 5, 2000.

Representative Price requested that she be marked present for the current legislative day.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 300 w/SA 1 and is returning same to the House.

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

17th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 5, 2000

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Boulden, DiLiberto, Fallon, Gilligan & Lofink -5.

A prayer was offered by Representative Al O. Plant, Sr., Second Representative District.

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

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

The following prefiled legislation was introduced:

HB 531 - SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Procedure; and Providing for Post-Conviction Genetic Testing Under Certain Circumstances.

HA 1 to HB 381 - SCOTT - Placed with the Bill.

HA 1 to HB 461 - SMITH - Placed with the Bill.

HA 1 to HB 471 - WAGNER - Placed with the Bill.

HR 77 - OBERLE; REPRESENTATIVES EWING & QUILLEN - HEALTH AND HUMAN DEVELOPMENT - Requesting the Division of Public Health to Set a Drinking Water Standard for Methyl Tertiary Butylether (mtbe).

Representatives Stone, Maier & DiPinto requested that they be marked present.

Representative Smith deferred to Representative Capano.

The House observed a moment of silence in memory of John W. Rollins, Sr. at the request of Representative Capano.

Representative Spence made comments.

Representative Plant requested and was granted personal privilege of the floor to make comments regarding HB 300.

Representatives Smith & Plant made comments.

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

Representative B. Ennis requested that he be marked present.

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

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:18 p.m.

Representative Smith deferred to Representative Buckworth.

Representatives Cathcart, Ulbrich, Cloutier & Brady requested that they be marked present.

Representative Buckworth introduced and brought HCR 46, jointly sponsored by Senator McBride, before the House for consideration.

HCR 46 - RECOGNIZING THE WEEK OF APRIL 16 THROUGH APRIL 22, 2000, AS ORGAN AND TISSUE DONOR AWARENESS WEEK IN DELAWARE AND RECOGNIZING THE IMPORTANCE OF ORGAN AND TISSUE DONATION TO THE PRESERVATION AND IMPROVEMENT OF HUMAN LIFE.

Representative Buckworth made comments.

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

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

Mr. Speaker Spence & Representative Buckworth made comments regarding HCR 46.

Representative Reynolds requested that he be marked present.

Representative Reynolds made comments.

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

Representative Schroeder requested that he be marked present.

Representative D. Ennis made comments.

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

EDUCATION: HS 1 to HB 219 - 7M, 1U; SB 239 - 10M.

The Majority Leader moved to recess to the call of the Chair at 4:24 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:06 p.m. on April 6, 2000.

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

LAND USE AND INFRASTRUCTURE: HB 205 - 1F, 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: SB 309 - 3F, 2M.

Mr. Acting Speaker assigned HS 1 to HB 219 to the Appropriations Committee.

Representatives DiLiberto, Gilligan & Boulden requested that they be marked present for the current legislative day.

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

18th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 6, 2000

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Fallon - 1.

A prayer was offered by Representative George R. Quillen, Thirtieth Representative District.

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

The following prefiled legislation was introduced:

HB 520 - MAIER - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Chapter 50, Title 16 of the Delaware Code Relating to Mental Health; and Providing Criteria for Involuntary Outpatient Commitment.

HB 532 - QUILLEN; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, D. ENNIS - PUBLIC SAFETY - An Act to Amend Title 21, Chapter 28 of the Delaware Code Relating to Habitual Offenders.

HB 533 - OBERLE & SENATOR WINSLOW - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HA 1 to HJR 19 - WAGNER - Placed with the Bill.

SB 303 w/SA 1, 2 & 3 - MCDOWELL & REPRESENTATIVE SPENCE; SENATORS BLEVINS, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, SHARP, SOKOLA, VAUGHN, VENABLES, CONNOR, SIMPSON, STILL, WINSLOW; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, QUILLEN, REYNOLDS, WELCH, BRADY, HOUGHTON, KEELEY, PLANT, PRICE, VANSANT, VIOLA, WEST, WILLIAMS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal and Corporate Income Taxes. (F/N)

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

Representative D. Ennis requested that he be marked present.

The Reading Clerk read the following communications into the record:

April 4, 2000

LEGISLATIVE ADVISORY #51

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/4/00 - HB 150 aab SA 1 & 2, HB 322 aab HA 1 & 2 & SA 1, HB 409 aab HA 2, HB 421, HB 431 & HB 483.

The Senate wishes to inform the House that it has passed SB 303 w/SA 1, 2 & 3 and requests the concurrence of the House; HB 500 w/HA 1 & SA 3 & 4 and is returning same to the House.

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

Mr. Acting Speaker granted privilege of the floor to Catherine Wojewodski, representing Delaware Library Association.

Representatives Boulden & DiLiberto made comments.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 4:45 p.m.

Representatives Carey, Spence, Cloutier, Buckworth & Ulbrich requested that they be marked present.

Representative Smith moved to suspend the rules which interfere with action on HS 1 to HB 300 w/SA 9. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought HS 1 to HB 300 w/SA 9, jointly sponsored by Senators Vaughn & Sokola & Representatives Oberle, Boulden, Brady, Capano, Cloutier, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Lofink, Maier, Miro, Roy, Spence, Ulbrich, Valihura, VanSant & Welch & Senators Bonini, Sharp & Still & cosponsored by Representative Viola, before the House for concurrence on SA 9.

HB 300 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NEIGHBORHOOD SCHOOLS. (F/N)

Representative Brady requested that he be marked present.

Representative Smith, Mr. Acting Speaker Oberle, Representatives Smith, Gilligan, Smith, Gilligan, Smith, Gilligan, Smith, Mr. Acting Speaker Oberle, Representatives Plant, Smith, Plant, Viola & Smith made comments.

Representatives DiPinto, Caulk, Miro, Maier, Reynolds & Schroeder requested that they be marked present.

Representatives Maier, Smith, Williams, Smith, Williams, Cathcart, Smith, Cathcart, Smith, D. Ennis, Smith, D. Ennis, Smith, D. Ennis, Smith, D. Ennis, Schroeder, Smith, Schroeder, Smith, Mr. Acting Speaker Oberle, Representatives West, Keeley, Mr. Acting Speaker Oberle, Representatives Scott, Smith, Scott, Smith, Scott, Smith, Scott & Smith made comments.

The roll call on HS 1 to HB 300 w/SA 9 was taken and revealed:

YES: 36.

NO: Representatives Keeley, Scott & Williams - 3.

NOT VOTING: Representative D. Ennis - 1.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, HS 1 to HB 300 w/SA 9 was sent to the Governor.

Representative Stone requested that she be marked present during the roll call.

Mr. Acting Speaker made comments regarding HS 1/HB 300.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that action on HB 492 be deferred to a Day Certain, Thursday, April 13, 2000.

Representative Wagner brought HB 471, jointly sponsored by Senator Sokola & Representatives Brady, Buckworth, Capano, Cathcart, Caulk, Cloutier, DiPinto, B. Ennis, Ewing, Keeley, Lee, Maier, Plant, Price, Quillen, Reynolds, Spence, Stone & Viola, before the House for consideration.

HB 471 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF PROFESSIONAL EDUCATORS IN CRITICAL CURRICULAR AREAS.

Representative Wagner introduced and brought HA 2 to HB 471 before the House for consideration. Representative Wagner made comments.

Mr. Speaker Spence resumed the Chair.

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

Representative Wagner requested that HA 1 to HB 471 be stricken.

HA 2 was adopted by voice vote.

Representatives Keeley, Wagner, Keeley, Wagner, Stone, Wagner, Miro, Wagner, Ewing & Wagner made comments.

The roll call on HB 471 w/HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, HB 471 w/HA 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought SB 280 w/SA 1, 2 & 10, jointly sponsored by Senators McBride, Connor & Sharp & Representative Spence & Senators Henry & DeLuca & Representatives Viola, Houghton, Mulrooney, Oberle, Plant, Reynolds & Scott, before the House for consideration.

SB 280 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO INCINERATORS.

Representative Lofink made comments.

Representative Lofink deferred to Representative Viola.

Representative Viola made comments.

Representative B. Ennis brought HA 1 to SB 280, jointly sponsored by Representatives Buckworth, Carey, Caulk, Ewing, Quillen, Stone & Wagner, before the House for consideration.

The Reading Clerk read the following communications into the record at the request of

Representative B. Ennis:

March 28, 2000

The Honorable Terry Spence

Speaker of the House of Representatives

Legislative Hall

Dover, DE 19901

Dear Mr. Spence and members of the House of Representatives:

The Central Delaware Economic Development Council is Kent County's agency charged with bringing in new jobs and capital investment. The CDEDC has worked very hard over the last 20 years to achieve this goal and we continue to seek opportunities to attract new employers and industries to diversify our local employment base.

We are in full support of the House Amendment to SB 280 to exclude Kent County from the bill. The amendment, if passed, would give us the opportunity to attract several companies and create 100 + new jobs. These companies would make capital investments of \$50-70 million, generating income for the local school district as well as property tax income for the municipality and the county. In addition, the companies will purchase local goods and services, further increasing the impact on the local economy.

We urge you to support this amendment.

Sincerely,

LeRoy Klein

Chairman

April 5, 2000

Mr. Daniel W. Wolfensberger, Director

Central Delaware Economic Development Council

PO Box 576

Dover, DE 19903-0576

Sent Via Fax to 302-678-0189 & Mailed

Daniel W. Wolfensberger

Director

Dear Dan,

This letter offers Sussex County's support of House Amendment #1 to Senate Bill #280. I have passed this amendment to Mr. Robert Stickels, our County Administrator, and he has no problems with this legislation. If you have any questions I need to answer, please give me a call.

Sincerely,

Frank B. Calio, Director

Sussex County Economic Development & Industrial Airpark

Representative B. Ennis made comments.

Representative B. Ennis requested that HA 1 to HB 280 be stricken.

Representative Lofink deferred to Representative West.

Representative West requested that HA 2 to SB 280 be stricken.

Representative Cathcart brought HA 3 to SB 280 before the House for consideration.

Representatives Cathcart & Gilligan made comments. HA 3 was adopted by voice vote.

Representative Lofink deferred to Representative Quillen.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HA 5 to SB 280. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Quillen introduced and brought HA 5 to SB 280, jointly sponsored by Representatives Buckworth & B. Ennis, before the House for consideration. Representative Quillen made comments. HA 5 was adopted by voice vote.

Representative DiPinto requested that HA 4 to SB 280 be stricken.

Representative Price requested that HA 6 to SB 280 be stricken.

Representative Price introduced and brought HA 7 to SB 280, jointly sponsored by Representative Caulk, before the House for consideration. Representative Price made comments. HA 7 was adopted by voice vote.

Representative Lofink deferred to Representative West.

Representative West introduced and brought HA 8 to SB 280, jointly sponsored by Representatives Price & Caulk, before the House for consideration. Representative Lofink made comments. HA 8 was adopted by voice vote.

Representative Lofink deferred to Representative Caulk.

Representative Caulk requested that HA 9 to SB 280 be stricken.

Representative Lofink deferred to Representative Quillen.

Representative Quillen introduced and brought HA 10 to SB 280 before the House for consideration.

Representative Quillen deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor for William Ritter, a registered professional engineer and scientist involved in environmental issues for 30 years.

Representatives Wagner, Quillen, Lofink, Oberle, Cathcart, Gilligan, Viola & Quillen made comments. HA 10 was defeated by voice vote.

Representative Lofink deferred to Representative Caulk.

Representative Caulk introduced and brought HA 11 to SB 280, jointly sponsored by Representatives West, Carey & Ewing, before the House for consideration. Representative Caulk made comments. HA 11 was adopted by voice vote.

Representative Lofink deferred to Representative Boulden.

Representative Lofink made a comment.

Representative Boulden requested that HA 12 to SB 280 be stricken.

Representative Lofink, Mr. Speaker Spence, Representatives Oberle, Viola, Keeley, Scott & Quillen made comments.

Representative Wagner requested and was granted privilege of the floor for Andrew Levine, environmental counsel, Philpower Corporation.

Representative Carey made comments.

The roll call on SB 280 w/SA 1, 2 & 10 & HA 3, 5, 7, 8 & 11 was taken and revealed:

YES: 38.

NOT VOTING: Representatives B. Ennis & Valihura - 2.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, SB 280 w/SA 1, 2 & 10 & HA 3, 5, 7, 8 & 11 was returned to the Senate for concurrence on HA 3, 5, 7, 8 & 11.

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

Mr. Speaker Spence introduced a guest.

Representative Oberle made comments.

Representative Stone requested and was granted personal privilege of the floor to introduce a guest and to make comments.

Representative Lofink introduced a guest.

Representatives Lofink & B. Ennis made comments regarding SB 280.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 425, jointly sponsored by Representative Lee & Senator Adams, before the House for consideration.

HB 425 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LAND USE.

Representative Ewing made a comment.

The roll call on HB 425 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Ulbrich - 2.

Therefore, having received a constitutional majority, HB 425 was sent to the Senate for concurrence. Representative Reynolds requested and was granted personal privilege of the floor to make comments.

Representatives Plant & Smith made comments.

Representative Smith deferred to Representative Maier.

Representative Maier introduced HB 540, jointly sponsored by Senator Blevins & Sorenson & Representatives Brady, Buckworth, Capano, Cloutier, DiLiberto, Ewing, Houghton, Keeley, Lofink, Oberle, Reynolds & Stone & Senator Henry.

HB 540 – AN ACT TO AMEND TITLES 10, 14, 29 AND 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT AND THE CHILD PLACEMENT REVIEW BOARD.

Mr. Speaker Spence assigned HB 540 to the Health and Human Development Committee.

Representative Smith deferred to Representative Price.

Representative Price brought HB 500 w/HA 1 & SA 3 & 4 before the House for concurrence on SA 3 & 4.

HB 500 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WATER UTILITIES.

Representatives Price, Wagner & Price made comments.

The roll call on HB 500 w/HA 1 & SA 3 & 4 was taken and revealed:

YES: 38.

NOT VOTING: Representative DiLiberto - 1.

ABSENT: Representatives Fallon & Ulbrich - 2.

Therefore, having received a constitutional majority, HB 500 w/HA 1 & SA 3 & 4 was sent to the Governor.

Mr. Speaker Spence reassigned HB 490 to the Agriculture Committee.

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

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: HS 1 to HB 202 - 6M; SB 297 - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 24, SB 308 w/SA 1 & SB 260 w/SA 1, 2, 4, 7, 9, 10, 11, 12 & 13 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 and requests the concurrence of the House.

The Majority Leader moved to recess to the call of the Chair at 6:55 p.m.

Mr. Acting Speaker Welch called the House to order at 2:08 p.m. on April 11, 2000.

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

HOUSING & COMMUNITY AFFAIRS: HB 420 – 2F, 3M; HB 487 – 3F, 2M.

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

19th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 11, 2000

The Chief Clerk called the roll.

Members Present: 41

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

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

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

The following prefiled legislation was introduced:

HB 534 - CAPANO & REPRESENTATIVES VANSANT, EWING & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, LOFINK, REYNOLDS, STONE, HOUGHTON, BRADY, DILIBERTO, ULBRICH, B. ENNIS; SENATORS BLEVINS, MCBRIDE, CONNOR - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Health Care Fraud.

HB 535 - PRICE & SENATOR BUNTING; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, CAULK, DILIBERTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, MAIER, MULROONEY, PLANT, QUILLEN, REYNOLDS, SCOTT, VANSANT, VIOLA, WELCH, WEST; SENATORS BLEVINS, CONNOR - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Homeowners Protection Act.

HB 536 - SCHROEDER & REPRESENTATIVE PRICE; SENATOR BUNTING - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Regarding the Mobile Home Lots and Leases Act.

HB 537 - WEST & REPRESENTATIVE CAULK; SENATORS BUNTING, SIMPSON; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WILLIAMS; SENATORS CONNOR, WINSLOW - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Zoning Changes.

HB 538 - WEST & REPRESENTATIVE CAULK; SENATORS BUNTING, SIMPSON; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, WAGNER, WELCH, WILLIAMS; SENATORS CONNOR, WINSLOW - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Valuation and Assessment of Property.

HB 539 - WEST & REPRESENTATIVE CAULK; SENATORS BUNTING, SIMPSON; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WILLIAMS; SENATORS STILL, WINSLOW - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Agricultural Land Preservation.

HA 1 to HS 1 to HB 219 - BOULDEN - Placed with the Bill.

HA 1 to HB 352 - EWING & REPRESENTATIVE SPENCE - Placed with the Bill.

HA 1 to HB 492 - WAGNER - Placed with the Bill.

HA 1 to HB 503 - WAGNER - Placed with the Bill.

HA 1 to HB 507 - PRICE - Placed with the Bill.

HA 2 to HJR 16 - CATHCART - Placed with the Bill.

SB 308 w/SA 1 - AMICK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

HA 2 to SB 133 - ULBRICH - Placed with the Bill.

SCR 24 - MCDOWELL & REPRESENTATIVE WILLIAMS; SENATORS ADAMS, BLEVINS, BUNTING, COOK, HENRY, SOKOLA, BAIR, CONNOR, WINSLOW - HOUSE ADMINISTRATION - Observing the Million Mom March on Mothers' Day, 2000 and Extending Best Wishes to those Delawareans Participating in the Event.

Representative Scott requested that he be marked present.

Representative Maier introduced Mrs. Burnham and her second grade class from Campus Community School, a Dover charter school.

Representatives Williams & Plant requested that they be marked present.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested and was granted privilege of the floor for a delegation from Poland, representing the American Council of Young Political Leaders, who announced their names for the record.

Representatives Keeley & Maier presented House Tributes to each member of the delegation and made comments.

Representative Carey made comments.

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

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

Representative Cathcart requested that he be marked present.

Representative Smith made comments.

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

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

The House reconvened at 4:00 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 367 w/HA 1 and is returning same to the House.

Representatives Brady, DiLiberto & Fallon requested that they be marked present.

Representative Smith deferred to Representative Price.

Representative Price requested and was granted personal privilege of the floor to introduce guests and to make an announcement.

Representative Smith introduced and brought HCR 48, jointly sponsored by Senator Sharp & Representatives Spence & Welch, before the House for consideration.

HCR 48 - PROCLAIMING THE MONTH OF APRIL AS AUTISM AWARENESS MONTH IN THE STATE OF DELAWARE.

Representative Smith introduced guests and made comments.

Representative Smith requested and was granted privilege of the floor for Artie Kempner, President, Autism Society of Delaware.

HCR 48 was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Caulk, Miro, Buckworth, Boulden, DiPinto & West requested that they be marked present.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto introduced HB 543, jointly sponsored by Senator Marshall & Representatives Brady, Cathcart, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Mulrooney, Plant, Valihura, VanSant, Viola & Williams & Senators Henry, Sharp, Sokola & Winslow, before the House for consideration.

HB 543 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO FRAUDULENT CLAIMS.

Representative DiLiberto made comments.

Mr. Acting Speaker assigned HB 543 to the Judiciary Committee.

Representative Reynolds requested that he be marked present.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HB 524, jointly sponsored by Representatives Buckworth, Spence, Welch, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Miro, Oberle, Quillen, Reynolds, Stone, Ulbrich, Valihura, Wagner, Brady, B. Ennis, Houghton, Keeley, Plant & West & Senators McDowell, Bunting, Sokola, Vaughn, Venables, Bonini, Simpson & Still & cosponsored by Representative Gilligan & Senator Connor, before the House for consideration.

HB 524 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO AN EQUITABLE TOLL SYSTEM DISCOUNT FOR CERTAIN USERS OF STATE ROUTE ONE.

Mr. Acting Speaker assigned HB 524 to the Capital Infrastructure Committee.

Representative Cathcart made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 450, jointly sponsored by Senator Blevins & Representatives Smith, Brady, Buckworth, Capano, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maier, Miro, Quillen, Stone, Ulbrich, Valihura, B. Ennis, Plant, Schroeder, VanSant & Viola & cosponsored by Representative Cloutier, before the House for consideration.

HB 450 - AN ACT TO AMEND CHAPTER 12, TITLE 14 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS.

Representative Wagner made comments.

The roll call on HB 450 was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, HB 450 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 474, jointly sponsored by Senator Henry, before the House for consideration.

HB 474 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO ENABLE THE ISSUANCE OF A DRIVER LICENSE AND IDENTIFICATION CARD TO PERSONS INELIGIBLE FOR A SOCIAL SECURITY ACCOUNT.

Representatives Ewing, Brady, Ewing, Brady, Miro & Mr. Acting Speaker Oberle made comments.

The roll call on HB 474 was taken and revealed:

YES: 38.

NO: Representative West - 1.

ABSENT: Representatives Keeley & Mulrooney - 2.

Therefore, having received a constitutional majority, HB 474 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 476, jointly sponsored by Senator Henry, before the House for consideration.

HB 476 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATION FOR A DRIVER'S LICENSE WHEN THE LICENSEE HAD PREVIOUSLY

SURRENDERED A DRIVER'S LICENSE AFTER BEING EXCLUDED FROM COVERAGE UNDER AN AUTOMOBILE INSURANCE POLICY.

Representative Ewing made comments.

The roll call on HB 476 was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Mulrooney - 2.

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

Representative Smith deferred to Representative Lee.

Representative Lee introduced HB 546, jointly sponsored by Representative B. Ennis.

HB 546 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW-ENFORCEMENT OFFICERS.

Mr. Acting Speaker assigned HB 546 to the Public Safety Committee.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 477, jointly sponsored by Senator Marshall & Representatives Cloutier, Lee, Lofink, Reynolds, Ulbrich, Plant & Scott & Senators Blevins, Henry & Winslow, before the House for consideration.

HB 477 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND SIMILAR FACILITIES.

Representative Maier made comments.

The roll call on HB 477 was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

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

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

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 489, jointly sponsored by Senator Henry, before the House for consideration.

HB 489 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE AUTHORIZING COURT APPOINTED CUSTODIANS TO SPONSOR MINORS FOR A DRIVERS LICENSE AND MOTORCYCLE ENDORSEMENT.

Representative Ewing made comments.

The roll call on HB 489 was taken and revealed:

YES: 39.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative Keeley - 1.

Mr. Speaker Spence resumed the Chair.

Therefore, having received a constitutional majority, HB 489 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Williams.

Representative Williams introduced HB 541, jointly sponsored by Senator Blevins.

HB 541 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Mr. Speaker Spence assigned HB 541 to the Judiciary Committee.

Representative Williams introduced HB 544, jointly sponsored by Senator Blevins.

HB 544 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR VICTIMS OF CRIME.

Mr. Speaker Spence assigned HB 544 to the Judiciary Committee.

Representative Williams made comments regarding HB 541 & HB 544.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 510, jointly sponsored by Representative Stone & Senator Cook, before the House for consideration.

HB 510 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO WATER AND/OR SEWER AUTHORITIES.

Representative Buckworth made comments.

The roll call on HB 510 was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Oberle & Reynolds - 3.

Therefore, having received a constitutional majority, HB 510 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HB 403, jointly sponsored by Representative Schroeder, before the House for consideration.

HB 403 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF WAIVER FOR MAXIMUM STUDENT-INSTRUCTOR RATIO REQUIREMENTS.

Representative Boulden introduced and brought HA 1 to HB 403, jointly sponsored by Representative Schroeder, before the House for consideration. Representatives Boulden, Wagner, Boulden, Wagner, Schroeder, Wagner, Schroeder, Wagner, Schroeder, Wagner, Schroeder, Brady, Price, Boulden, Price, Boulden, Price, Boulden, Price, Boulden, Price, Boulden, Miro, Wagner, Buckworth, Williams, Buckworth & Williams made comments. HA 1 was adopted by voice vote.

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

The roll call on HB 403 w/HA 1 was taken and revealed:

YES: 36.

NO: Representatives Brady, Buckworth & Reynolds - 3.

ABSENT: Representatives Keeley & West - 2.

Therefore, having received a constitutional majority, HB 403 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that action on HB 461 be deferred to a Day Certain, Thursday, April 13, 2000.

The Majority Leader moved to recess to the call of the Chair at 5:29 p.m.

Mr. Speaker Spence called the House to order at 2:09 p.m. on April 12, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 289, SB 262, SB 266 w/SA 1 & 2 & SB 324 and requests the concurrence of the House.

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

20th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 12, 2000

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Cloutier, Lofink, Roy & Schroeder - 4.

A prayer was offered by Pastor Leroy Weymouth, Assembly of God Church, Selbyville, Delaware.

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

The following prefiled legislation was introduced:

HS 1 to HB 497 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, HOUGHTON, LEE, LOFINK, MAIER, MIRO, OBERLE, REYNOLDS, ROY, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, WELCH - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 542 - DILIBERTO; REPRESENTATIVES BRADY, CAPANO, CAREY, CATHCART, B. ENNIS, D. ENNIS, EWING, HOUGHTON, KEELEY, MAIER, MULROONEY, OBERLE, PLANT, PRICE, ROY, SPENCE, ULBRICH, VALIHURA, VANSANT, VIOLA, WILLIAMS; SENATOR BLEVINS - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Titles 1, 15, 21 and 25 of the Delaware Code Relating to References to People with Mental Illness.

HB 545 - SMITH & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WEST, WILLIAMS; SENATORS BONINI, CONNOR, DELUCA, HENRY, SORENSON, VENABLES, WINSLOW - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

HB 547 - EWING; SENATOR VAUGHN - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

HB 548 - WEST & REPRESENTATIVE CAULK; SENATORS BUNTING, SIMPSON; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH,

VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WILLIAMS; SENATORS STILL, WINSLOW - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Agricultural Land Preservation.

HJR 23 - MAIER & SENATOR BLEVINS, ON BEHALF OF ALL REPRESENTATIVES, ON BEHALF OF ALL SENATORS - HEALTH AND HUMAN DEVELOPMENT - Recognizing April as Child Abuse Prevention Month in Delaware.

HJR 24 - LEE & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, HOUGHTON, MIRO, PLANT, PRICE, REYNOLDS, SCOTT, SMITH, ULBRICH, VIOLA; SENATORS BONINI, SIMPSON, WINSLOW, SORENSON, BAIR - CORRECTIONS - Directing the Sentencing Accountability Commission to Conduct an In-depth Examination of Sentencing Practices.

SB 262 - MARSHALL & REPRESENTATIVE WELCH - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

SB 266 w/SA 1 & 2 - MARSHALL & REPRESENTATIVE WELCH - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

SB 289 - HENRY & REPRESENTATIVE EWING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Licensing of Private Investigators and Private Security Agencies. (2/3 bill)

SB 324 - MCDOWELL & REPRESENTATIVE QUILLEN - EDUCATION - An Act to Amend Title 31 of the Delaware Code Relating to the Elizabeth W. Murphey School.

Representatives B. Ennis, West, DiLiberto, Valihura & Ulbrich requested that they be marked present.

Mr. Speaker Spence reassigned HB 545 to the House Administration Committee.

Mr. Speaker Spence assigned HB 485 to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: April 12, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1636	Carey	4/11/2000	T	Playtex Products/Appreciation Award/KSI
H140-1637	Carey	4/11/2000	T	Division of Social Services/Appreciation Award Kent-Sussex Industries
H140-1638	Carey	4/11/2000	T	Nanticoke Health Services/Appreciation Award/KSI
H140-1639	Carey	4/11/2000	T	Maryland Plastics, Inc./Appreciation Award/KSI
H140-1640	Carey	4/11/2000	T	Drs. Elizabeth & Robert Masten/Appreciation Award/KSI
H140-1641	Carey	4/11/2000	T	Staples/Appreciation Award/Kent- Sussex Industries
H140-1642	Carey	4/11/2000	T	McDonald's/Smyrna/Appreciation Award/KSI
H140-1643	Capano	1/19/2000	T	Beatrice & Domenick Bonvetti/50th Wedding Anniversary
H140-1644	Capano	11/19/1999	T	William M. Remington/Delaware Quality Award of Merit Recipient
H140-1645	Spence	3/29/2000	T	Better Business Bureau/35th Anniversary
H140-1646	Smith	6/12/2000	T	Village of Arden/Centennial Celebration
H140-1647	Miro	3/21/2000	T	Football Coach Butch Simpson/Newark High/Third Consecutive State Title
H140-1648	Boulden	3/27/2000	T	Gerald Grant, Jr./Revitalization/Downtown Newark
H140-1649	Ulbrich	3/23/2000	T	Ronni Cohen/State Teacher of the Year 2000
H140-1650	Spence	3/23/2000	T	Anne Mack/Assistant Principal of the Year
H140-1651	Buckworth	3/23/2000	T	Erin Courtney/Swimming & Diving/All-State First Team
H140-1652	Buckworth	3/23/2000	T	Kristina MacLeish/Swimming & Diving/All-State First Team
H140-1653	Buckworth	3/23/2000	T	Darnell Custis/Wrestling All-State First Team
H140-1654	Buckworth	3/23/2000	T	Chris Parker/Wrestling All-State First Team
H140-1655	Fallon	4/2/2000	T	The Seaford Museum/Exhibit/Women in Seaford's History
H140-1656	Fallon	3/30/2000	T	Nanticoke Rotary/10th Anniversary
H140-1657	Fallon	3/24/2000	M	Warren L. Belcher
H140-1658	B. Ennis	4/30/2000	T	Margaret Freeman/Retirement/Smyrna School District
H140-1659	D. Ennis	3/28/2000	T	Paul Norton/Channel 6 Coverage/Delaware News

cosponsors: All Representatives

HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: April 12, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1660	D. Ennis	3/28/2000	T	Chief Halftown/Quality Television Programming cosponsors: All Representatives
H140-1661	Cloutier	3/25/2000	T	Blaine Mark Seifert/Birth
H140-1662	Ewing	4/17/2000	T	Paul Robbins/Found & Returned Purple Heart Medal
H140-1663	Quillen	3/29/2000	T	Michael Boyd/Lake Forest Teacher of the Year
H140-1664	Stone	3/27/2000	M	Beverly June Bonniwell
H140-1665	Wagner	3/28/2000	M	Bettie Henthorne Fenimore
H140-1666	Quillen	3/26/2000	M	John Frazer, Jr.
H140-1667	Maier	4/7/2000	T	Kathleen Nelson/80th Birthday
H140-1668	Maier	3/19/2000	M	Louise May Cramer Kolonia
H140-1669	Carey	3/27/2000	T	Helen Murphy/100th Birthday
H140-1670	DiPinto	3/30/2000	T	Pat Laabs/New Position/Director of Refinery Operations/Texas
H140-1671	Scott	4/2/2000	T	Dottie Neal/Outstanding Community Service
H140-1672	Houghton	4/1/2000	T	Holloway Terrace Fire Company/Ladies Auxiliary/Hurricane Floyd Services
H140-1673	Houghton	4/1/2000	T	Martin Arters/Member of the Year/Holloway Terrace Fire Company
H140-1674	Houghton	4/1/2000	T	Lil Noonan/Life Member of the Year/Holloway Terrace Ladies Auxiliary
H140-1675	Houghton	4/1/2000	T	Karen Barlow/Life Member of the Year/Holloway Terrace Ladies Auxiliary
H140-1676	Houghton	4/1/2000	T	Janice Hardy/Member of the Year/Holloway Terrace Ladies Auxiliary
H140-1677	Quillen	4/1/2000	T	Felton Fire Company Ladies Auxiliary/60 th Anniversary
H140-1678	Caulk	4/28/2000	T	William Eisenbrey, Sr./Retirement/40+ Years
H140-1679	Schroeder	2/18/2000	T	Frances & Frank Halliday/50th Wedding Anniversary
H140-1680	Schroeder	3/4/2000	T	Jean & John Townsend/50th Wedding Anniversary
H140-1681	Price	2/11/2000	T	Mary & Angelo Perregrino/50th Wedding Anniversary
H140-1682	Boulden	4/4/2000	T	Joanne Deshon/Christina Teacher of the Year
H140-1683	DiPinto	3/17/2000	T	A. I. DuPont Band/Performance/Dublin Parade cosponsors: Capano, Gilligan, Maier, Miro & Roy

T- Tribute

M - Memoriam

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

Mr. Speaker Spence introduced a guest and made comments.

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

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

Representative Ewing made a comment.

The Majority Leader moved to recess for committee meetings at 2:24 p.m.

The House reconvened at 4:24 p.m.

Mr. Speaker Spence reassigned HB 538 to the Agriculture Committee.

Mr. Speaker Spence assigned HB 205 to the House Administration Committee.

Representatives Plant, Brady, Miro, Reynolds, Capano, Carey, Cathcart & Boulden requested that they be marked present.

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

EDUCATION: - HB 201 - 6M; HB 221 - 6M; HJR 21 - 5F, 4M; SB 229 w/SA 3 - 6M; SB 277 w/SA 1 - 6M.

HEALTH AND HUMAN DEVELOPMENT: HB 480 - 2F, 6M; HB 540 - 8M; HJR 19 - 6M; HR 77 - 2F, 6M.

PUBLIC SAFETY: HB 517 - 6M; HB 518 - 5M; HB 546 - 7M.

The Reading Clerk read the following communications into the record:

April 12, 2000

LEGISLATIVE ADVISORY # 52

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/11/00 - HB 456 aab SA 1, HB 500 aab HA 1 & SA 3 & SA 4, SB 64 aab SA 1 & HA 1, SB 227 & SB 265 aab SA 1 & SA 2.

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

JUDICIARY: HB 534 - 8M.

REVENUE & FINANCE: HB 514 - 5M.

The Majority Leader moved to recess to the call of the Chair at 4:30 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:10 p.m. on April 13, 2000.

Representatives Schroeder & Lofink requested that they be marked present for the current legislative day.

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

APPROPRIATIONS: HB 427 - 4F; SB 87 w/SA 1 - 4M.

JUDICIARY: HB 543 - 1F, 5M.

Mr. Acting Speaker assigned HB 221 & HB 480 to the Appropriations Committee.

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

21st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 13, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

The following prefiled legislation was introduced:

HB 549 - MULROONEY & SENATOR MCDOWELL; REPRESENTATIVES BRADY, BUCKWORTH, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, LEE, PLANT, PRICE, REYNOLDS, SCHROEDER, SCOTT, SPENCE, VANSANT, VIOLA, WEST, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 13, Title 26 of the Delaware Code Relating to the Establishment of a Temporary Water Coordinator and a Water Supply Coordinating Council.

HB 550 - STONE & SENATOR ADAMS - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code and Volume 70 of Delaware Laws Relating to the Bank Franchise Tax.

HB 551 - QUILLEN; REPRESENTATIVES CAREY, CAULK - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Realty Transfer Tax.

HB 552 - FALLON; SENATOR SORENSON - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Registration of Vehicles.

HA 1 to HB 398 - CLOUTIER - Placed with the Bill.

HA 1 to HB 521 - FALLON - Placed with the Bill.

HA 1 to SB 186 - B. ENNIS; REPRESENTATIVES CATHCART, CAULK, D. ENNIS, EWING, LEE, QUILLEN, WEST - Placed with the Bill.

Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to Sergeant William Thomas Ford, Delaware State Trooper of the Year. Lieutenant Colonel Terry Pepper addressed the House.

Representative Welch made comments.

Representatives Plant, Williams, DiLiberto, Miro, Cloutier & Capano requested that they be marked present.

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

Representatives Wagner & Ulbrich & Mr. Acting Speaker made comments.

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

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

APPROPRIATIONS: HB 381 - 4M.

The Acting Majority Leader moved to recess for caucus at 2:29 p.m.

The House reconvened at 4:05 p.m. with Representative Welch as Acting Speaker.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 408 w/HA 1 & SA 1 and is returning same to the House.

Representatives Oberle & Reynolds requested that they be marked present.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 461, jointly sponsored by Representatives DiLiberto & Stone & Senator Vaughn & Representatives Spence, Buckworth, Carey, Ewing, Maier, Oberle, Reynolds, Brady, B. Ennis, Houghton, Plant & Scott & Senators Henry, Simpson & Winslow, before the House for consideration.

HB 461 - AN ACT PROPOSING AMENDMENT TO ARTICLE I, §4 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO JURIES IN CIVIL TRIALS. (2/3 bill)

Representative Wagner deferred to Representative Smith.

Representative Smith made comments.

Representative Smith brought HA 1 to HB 461 before the House for consideration.

Representative Oberle made a comment.

Representative Gilligan requested and was granted privilege of the floor for Randall E. Robbins, representing the Delaware Trial Lawyers Association.

Representatives Gilligan, Smith, Oberle, Smith, Gilligan, Wagner, Oberle, Smith, Oberle, Gilligan, DiLiberto & Smith made comments.

Representative Wagner requested and was granted privilege of the floor for retired Judge Vincent A. Bifferato.

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

The roll call on HA 1 was taken and revealed:

YES: 18.

NO: Representatives Brady, Buckworth, Cathcart, DiLiberto, B. Ennis, D. Ennis, Gilligan, Houghton, Keeley, Lofink, Miro, Mulrooney, Oberle, Price, Reynolds, Schroeder, Scott, Spence, VanSant, Viola & Williams - 21.

NOT VOTING: Representative Roy - 1.

ABSENT: Representative Plant - 1.

Therefore, not having received a constitutional majority, HA 1 was declared defeated.

Representatives Boulden, Brady, Buckworth, Caulk, D. Ennis, Ewing, Gilligan, Roy, Smith, Spence & Stone requested that they be marked present during the roll call.

Representatives Wagner & Capano made comments.

Representative Wagner requested and was granted privilege of the floor for retired Judge Vincent A. Bifferato.

Representatives Williams, Capano, Boulden, VanSant, Oberle, Boulden, Smith, Oberle, Smith, Reynolds, Scott & Williams made comments.

Representative Ulbrich requested and was granted privilege of the floor for Valerie P. Hans, Professor, University of Delaware, Department of Sociology & Criminal Justice.

Representatives Smith, Oberle, Cathcart, Ulbrich, Wagner, D. Ennis, Reynolds, Oberle, Smith, Capano, Wagner, Viola, Valihura, Smith, West, Wagner, Cathcart, Smith, Ulbrich & Wagner made comments.

The roll call on HB 461 was taken and revealed:

YES: 36.

NO: Representatives Boulden, Capano, Fallon, Smith & Ulbrich - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 461 was sent to the Senate for concurrence.

Representative Smith brought HB 430, jointly sponsored by Senator McBride, Representatives Boulden, Brady, Capano, Carey, Cloutier, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Keeley, Lee, Lofink, Maier, Miro, Oberle, Price, Schroeder, Stone, Ulbrich, Valihura, Wagner, Welch & Spence & Senators Bair, Blevins, Bonini, Sokola, Sorenson & Winslow & cosponsored by Representatives Buckworth & Viola, before the House for consideration.

HB 430 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE USE OF AUTOMATIC EXTERNAL DEFIBRILLATORS UNDER CERTAIN CIRCUMSTANCES.

Representative Smith made comments and introduced guests.

Representative Smith introduced and brought HA 1 to HB 430 before the House for consideration.

Representative Smith made comments.

Mr. Speaker Spence resumed the Chair.

HA 1 was adopted by voice vote.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis introduced and brought HA 2 to HB 430 before the House for consideration. Representative B. Ennis & Smith made comments. HA 2 was adopted by voice vote.

Representative Smith requested and was granted privilege of the floor for Mark E. Tinsman, representing the American Red Cross in Delaware, who demonstrated the use of a defibrillator.

Representatives Smith, Capano & B. Ennis made comments.

The roll call on HB 430 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Price & Quillen - 2.

Therefore, having received a constitutional majority, HB 430 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 492, jointly sponsored by Senator Sharp, before the House for consideration.

HB 492 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ELECTRONIC TRANSACTIONS.

Representative Wagner made a comment.

Representative Wagner brought HA 1 to HB 492 before the House for consideration. Representative Wagner made a comment. HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 492 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Price, Quillen & Smith - 3.

Therefore, having received a constitutional majority, HB 492 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Maier.

Representative Maier introduced HB 555, jointly sponsored by Representative Wagner & Senators Bair, Blevins, Winslow, Sokola, Sorenson & Venables & Representatives Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lofink, Miro, Mulrooney, Plant, Reynolds, Scott, Spence, Stone, Ulbrich, Valihura & Williams.

HB 555 - AN ACT TO AMEND TITLES 11, 13, AND 16 OF THE DELAWARE CODE RELATING TO ABANDONED NEWBORN INFANTS.

Mr. Speaker Spence assigned HB 555 to the Judiciary Committee.

Mr. Speaker Spence reassigned HB 555 to Health and Human Development Committee.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on HJR 23. The motion was seconded by Representative Buckworth and adopted by voice vote.

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

HJR 23 - RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE.

Representative Maier made comments.

The roll call on HJR 23 was taken and revealed:

YES: 39.

ABSENT: Representatives Price & Quillen - 2.

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

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 297, jointly sponsored by Senators Adams, Sokola & Sorenson & Representatives Capano, Carey, D. Ennis, Fallon, Valihura, B. Ennis, Gilligan, Houghton, Keeley & Scott, before the House for consideration.

SB 297 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS.

Representatives Stone, Oberle, DiPinto, Oberle, DiPinto, Cathcart & Stone made comments.

The roll call on SB 297 was taken and revealed:

YES: 38.

NO: Representative DiLiberto - 1.

ABSENT: Representatives Price & Quillen - 2.

Therefore, having received a constitutional majority, SB 297 was returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone brought HS 1 for HB 202, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 202 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO REINSURANCE.

Representative Stone introduced and brought HA 1 to HS 1 for HB 202 before the House for consideration. Representative Stone made a comment. HA 1 was adopted by voice vote.

Representative Stone made comments.

The roll call on HS 1 for HB 202 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Price & Quillen - 2.

Therefore, having received a constitutional majority, HS 1 for HB 202 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 546, jointly sponsored by Representative B. Ennis, before the House for consideration.

HB 546 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW-ENFORCEMENT OFFICERS.

Representative Lee introduced and brought HA 1 to HB 546, jointly sponsored by Representative B. Ennis, before the House for consideration. Representative Lee made comments. HA 1 was adopted by voice vote.

Representatives Lee, Gilligan & Lee made comments.

The roll call on HB 546 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Price & Quillen - 2.

Therefore, having received a constitutional majority, HB 546 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Williams.

Representative Williams brought HS 1 for HB 200, jointly sponsored by Representatives Brady, Buckworth, Capano, Cathcart, DiLiberto, B. Ennis, Ewing, Houghton, Keeley, Lofink, Mulrooney, Oberle, Plant, Price, Reynolds, Schroeder, Scott, Spence, Ulbrich, VanSant, Viola, Wagner, Welch & West & Senators Bunting & Henry & cosponsored by Representative Cloutier & Senator Connor, before the House for consideration.

HB 200 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PUBLIC NOTIFICATION OF PROPERTY CONTAMINATED BY HAZARDOUS SUBSTANCES.

Representative Williams made comments.

The roll call on HS 1 for HB 200 was taken and revealed:

YES: 39.

ABSENT: Representatives Price & Quillen - 2.

Therefore, having received a constitutional majority, HS 1 for HB 200 was sent to the Senate for concurrence.

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

Representatives Gilligan, Reynolds, West, Gilligan & Maier made comments.

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

HOUSE ADMINISTRATION: HB 545 - 3F, 2M.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 420, jointly sponsored by Representative Quillen & Senator Vaughn & Representatives Brady, Houghton, Price & VanSant, before the House for consideration.

HB 420 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE PREPARATION OF TRANSCRIPTS AND THE AWARDING OF COSTS ON APPEALS FROM THE BOARD OF ADJUSTMENT TO THE SUPERIOR COURT.

Representative B. Ennis made comments.

The roll call on HB 420 was taken and revealed:

YES: 36.

ABSENT: Representatives Keeley, Price, Quillen, Roy & Scott - 5.

Therefore, having received a constitutional majority, HB 420 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich introduced HB 556, jointly sponsored by Representative Wagner & Senator Sokola & Representatives Boulden, Brady, Buckworth, Capano, Caulk, Cloutier, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Maier, Miro, Oberle, Plant, Price, Reynolds, Spence & Valihura & Senators Simpson & Winslow.

HB 556 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT PERFORMANCE, TEACHER EVALUATION, AND PARENT ACCOUNTABILITY.

Mr. Speaker Spence assigned HB 556 to the Education Committee.

The Majority Leader moved to recess to the call of the Chair at 6:39 p.m.

Mr. Speaker Spence called the House to order at 2:07 p.m. on April 18, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SS 1 for SB 237 w/SA 1 and requests the concurrence of the House.

April 13, 2000

LEGISLATIVE ADVISORY #53

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/13/00 - HB 121 aab SA 1.

Representatives Welch & Stone made announcements.

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

22nd LEGISLATIVE DAY

22nd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 18, 2000

The Chief Clerk called the roll: 41.

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

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

The following prefiled legislation was introduced:

HB 553 - SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Domestic Violence.

HB 554 - MIRO & SENATORS STILL & SOKOLA; REPRESENTATIVES SPENCE, BUCKWORTH, CAULK, EWING, REYNOLDS, ULBRICH, VALIHURA, BRADY, KEELEY, PLANT, WEST, WILLIAMS - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the State Employee's Pension Plan.

HB 557 - WAGNER & SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Home Improvement Fraud.

HB 558 - BUCKWORTH & REPRESENTATIVES SPENCE & WELCH & WAGNER & WEST; SENATORS HENRY & BONINI; REPRESENTATIVES BRADY, CAREY, CAULK, CLOUTIER, DILIBERTO, B. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, OBERLE, PLANT, QUILLEN, REYNOLDS, SCOTT, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WILLIAMS; SENATORS AMICK, MARSHALL, MCDOWELL, SOKOLA, VENABLES, CONNOR - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

HB 560 - CAULK & SENATOR SIMPSON - JUDICIARY - Amend Title 11 of the Delaware Code Related to Justices of the Peace.

HA 1 to HB 518 - EWING - Placed with the Bill.

HA 1 to HB 541 - WILLIAMS - Placed with the Bill.

HA 1 to HB 555 - WAGNER - Placed with the Bill.

HCR 49 - BOULDEN & SENATOR SOKOLA; REPRESENTATIVE MAIER - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - Requesting that the Insurance Commissioner Undertake a Study to Determine the Reduction of Risk Effects During the First Year of the Graduated Drivers License Implementation.

SS 1 to SB 237 w/SA 1 - BLEVINS & REPRESENTATIVE CATHCART; SENATORS BUNTING, CONNOR, SOKOLA, SORENSON; REPRESENTATIVES CAPANO, EWING, GILLIGAN, KEELEY, SCOTT, VIOLA - JUDICIARY - An Act to Amend Title 10, Chapter 13 of the Delaware Code Relating to Civil Restraining Orders.

Mr. Speaker Spence introduced a guest.

Representative Capano requested that she be marked present.

Representative Welch made an announcement.

Representative DiPinto requested that he be marked present.

Representative Stone introduced HB 561, jointly sponsored by Senator Vaughn.

HB 561 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES.

Mr. Speaker Spence assigned HB 561 to the Economic Development, Banking & Insurance Committee.

Representative Stone made an announcement.

The Majority Leader moved to recess for caucus at 2:17 p.m.

The House reconvened at 4:18 p.m. with Representative Oberle as Acting Speaker.

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

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

AGRICULTURE: HB 539 - 7M; HB 538 - 7M.

Representatives Brady, Valihura, Reynolds & Buckworth requested that they be marked present.

Representative Smith brought SB 260 w/SA 1, 2, 4, 5 & 7 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 & SA 9, 10, 11, 12 & 13, jointly sponsored by Representative Spence & Senators Sharp, Adams, Amick, Bair & Venables & Representatives Gilligan & VanSant, before the House for concurrence on SA 9, 10, 11, 12 & 13.

SB 260 - AN ACT TO AMEND TITLES 11, 14, AND 29 OF THE DELAWARE CODE RELATING TO EDUCATION. (F/N)

Representatives Boulden, Cathcart, Cloutier & Miro requested that they be marked present.

Representative Smith made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Wagner, Gilligan, Ulbrich, Cathcart, West, Reynolds & Smith made comments.

The roll call on SB 260 w/SA 1, 2, 4, 5 & 7 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 & SA 9, 10, 11, 12 & 13 was taken and revealed:

YES: 35.

NO: Representatives Carey, Fallon, Lee, Quillen, Scott & Valihura - 6.

Therefore, having received a constitutional majority, SB 260 w/SA 1, 2, 4, 5 & 7 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 & SA 9, 10, 11, 12 & 13 was returned to the Senate.

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

Mr. Speaker Spence made comments regarding SB 260.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Miro.

Representative Miro requested and was granted privilege of the floor to present a House Tribute to Thomas DeMatteis, 1999 National Soccer Coach of the Year, St. Mark's High School.

Representatives Gilligan & Keeley made comments.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Lofink.

Representatives Lofink & Ewing requested and were granted personal privilege of the floor to make comments.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on SB 343. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought SB 343, jointly sponsored by Senators DeLuca & Sokola & Representative DiPinto & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sharp, Vaughn, Venables, Amick, Bair, Bonini, Connor, Sorenson, Still & Winslow & Representatives Spence, Capano, Smith, Wagner, Gilligan, Keeley, Schroeder & Viola, before the House for consideration.

SB 343 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

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

Representative Cathcart requested and was granted privilege of the floor for Valerie Woodruff, Acting Secretary, Department of Education.

Representatives Cathcart, Capano, Roy, Cathcart & Price made comments.

The roll call on SB 343 was taken and revealed:

YES: 36.

NO: Representatives Cathcart, B. Ennis, Lee & Price - 4.

ABSENT: Representative Scott - 1.

Therefore, having received a constitutional majority, SB 343 was returned to the Senate.

Representative Smith deferred to Representative Quillen.

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

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

Plant:

April 6, 2000

City of Wilmington
Office of Historic Preservation Planning
Louis L. Redding – City/County Building
800 French Street
Wilmington, Delaware 19801-3537
Ms. Debra Campafnari Martin
RE: Wilmington Job Corps Center
Building Design Development
Ms. Martin,

Thank you for your efforts in assembling and consolidating the public and community response to our proposed construction of the Wilmington Job Corps Center on Vandever Avenue. Your efforts in assisting with Section 106 process have been much appreciated. The list of public concerns and requests that you provided has been thoroughly reviewed, and each item has been considered.

After careful consideration and professional evaluations, the U.S. Department of Labor, in conjunction with the State of Delaware, has determined that it will not be possible to retain/reuse the existing Wiltex building. The primary reason for this decision is that the existing facility could not conform to the programmatic and operational needs of the Job Corps program, and any retention of the three-story brick "spine" would not have been appropriate for an educational building. Also, a professional engineering evaluation of the Wiltex building questioned the structural integrity of several key components. When the full extent of structural repairs to the facility were considered and assessing what to do with the other parts of

the building not intending to be reused, it was no longer economically feasible to plan to reuse the existing building or the boiler house. However, we will preserve the brick smokestack as it will continue to be used as a landmark for the surrounding neighborhood. We also will insure that our demolition contractor will fully protect the one truly historical structure, the Brandywine Academy.

The new construction will be of materials (brick), and will be in character with the surrounding community. The requests in the list you provided for green space, street level doors and windows, lighting and signage, will be part of the new facility. As such, we will have our architectural firm coordinate with the GBVR, especially on any outdoor signage. It is the Department of Labor's intention to ensure that the Wilmington Job Corps Center in no way detracts from the historic integrity of the neighboring Brandywine Historic District.

Finally, while safety and security are always areas of concern in such a well-defined neighborhood, it is the intention of the Job Corps program to design and construct a facility that is associated with education and community development, and totally avoiding all negative connotations that may be perceived by the surrounding neighbors.

A schematic design presentation is being planned, which you and all interested parties are welcome to attend on April 18th at 7:00 p.m. The place is being arranged by Mr. Sam Harbison and an announcement will be published in the local newspapers very soon. At that meeting a suggested plan and several elevations of the new facility will be presented, along with our design and construction schedule.

A letter, under a separate cover, which you will be copied on, is being prepared for the Delaware State Historic Preservation Office. This letter will contain the Department of Labor's conclusion that this undertaking will not produce an adverse effect on this property nor eligibility for inclusion to the National Register of Historic Places. Thank you once again for your assistance and participation in the continuing Section 106 process.

Sincerely,

Michael O'Malley, Architect

National Office of Job Corps

Federal Historic Preservation officer for the Department of Labor

Representative Plant made comments.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought HB 507, jointly sponsored by Senator Simpson & Representatives Capano, Carey, Caulk, Cloutier, B. Ennis, D. Ennis, Ewing, Houghton, Keeley, Maier, Plant, Reynolds, Schroeder, Smith, Spence & Valihura & Senators Bair, Connor & Winslow, before the House for consideration.

HB 507 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NOTIFICATION OF PATIENTS BY A PHYSICIAN OR THE PERSONAL REPRESENTATIVE OF A PHYSICIAN'S ESTATE.

Representative Price brought HA 1 to HB 507 before the House for consideration. Representative Price made a comment. HA 1 was adopted by voice vote.

Representative Quillen made comments.

The roll call on HB 507 w/HA 1 was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, HB 507 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought SS 1 to SB 77, sponsored by Senator Blevins & Representative Roy & Senators Bonini, Sorenson, Henry, Bair & Sokola & Representatives Quillen, Carey, Gilligan, Capano, Keeley & Price, before the House for consideration.

SB 77 - AN ACT TO AMEND TITLE 6, DELAWARE CODE CREATING A DELAWARE PET WARRANT LAW.

Representative Miro made comments.

Representative Buckworth requested and was granted privilege of the floor for Dorothy Kendall, representing Greater Dover Kennel Club.

Representatives Buckworth & Miro made comments.

The roll call on SS 1 to SB 77 was taken and revealed:

YES: 36.

NO: Representatives Buckworth & Welch - 2.

ABSENT: Representatives Plant, West & Williams - 3.

Therefore, having received a constitutional majority, SS 1 to SB 77 was returned to the Senate.

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

Mr. Speaker Spence reassigned HB 524 to the Transportation Committee.

Representative Smith deferred to Representative Schroeder.
Representative Schroeder brought HB 517, cosponsored by Representatives Keeley, Buckworth & Ewing, before the House for consideration.

HB 517 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MILEAGE RATES FOR PRIVATE VEHICLES. (F/N)

Representative Schroeder made comments.

The roll call on HB 517 was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, West & Williams - 3.

Therefore, having received a constitutional majority, HB 517 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 133, sponsored by Senator McBride & Representatives Buckworth, Spence & VanSant, before the House for consideration.

SB 133 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS.

Representative Ulbrich requested that HA 1 to SB 133 be stricken.

Representative Ulbrich made comments.

Representative Ulbrich brought HA 2 to SB 133 before the House for consideration. Representatives DiPinto, Ulbrich, DiPinto, Oberle, Valihura, Oberle, Valihura, Fallon, Ulbrich, DiPinto & Ulbrich made comments. HA 2 was adopted by voice vote.

The roll call on SB 133 w/HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, SB 133 w/HA 2 was returned to the Senate for concurrence on HA 2.

Representative Cathcart introduced HB 562, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 562 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF ODESSA, CHAPTER 141, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ODESSA", TO CLARIFY AND CORRECT SECTIONS OF THE CHARTER; TO UPDATE THE TOWNS EXISTING REGULATORY AUTHORITY, TO PROVIDE FOR SPECIAL REQUIREMENTS TO SELL OR TRANSFER THE OLD ACADEMY BUILDING; TO PROVIDE WRITTEN WAIVER OF NOTICE BY ELECTRONIC MAIL; TO DESIGNATE THE TOWN'S FISCAL YEAR; AND TO PROVIDE FOR AN ANNUAL AUDIT. (2/3 bill)

Mr. Speaker Spence assigned HB 562 to the House Administration Committee.

Representative Smith brought HB 545, jointly sponsored by Senator Sokola & All Representatives & Senators Bonini, Connor, DeLuca, Henry, Sorenson, Venables & Winslow, before the House for consideration.

HB 545 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. (F/N)

Representative Smith made comments.

The roll call on HB 545 was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, HB 545 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought HB 201 before the House for consideration.

HB 201 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE PERTAINING TO CHARTER SCHOOLS TO REQUIRE STUDENTS WHO ARE ADMITTED TO CHARTER SCHOOLS TO REMAIN ENROLLED THEREIN FOR THE ENTIRE SCHOOL YEAR.

Representative Reynolds brought HA 1 to HB 201 before the House for consideration.

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

Representative Reynolds introduced and brought HA 2 to HB 201 before the House for consideration.

Representatives Reynolds & Smith made comments. HA 2 was adopted by voice vote.

Representative Reynolds made comments.

The roll call on HB 201 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, HB 201 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith brought HB 408 w/HA 1 & SA 1, sponsored by Representative DiLiberto, before the House for concurrence on SA 1.

HB 408 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CRIMINAL JUSTICE COUNCIL.

Representative Smith made a comment.

The roll call on HB 408 w/HA 1 & SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, Scott & Williams - 3.

Therefore, having received a constitutional majority, HB 408 w/HA 1 & SA 1 was sent to the Governor.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 508 w/SA 1 & HB 509 and is returning same to the House.

Representative DiPinto made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:15 p.m.

Mr. Acting Speaker Roy called the House to order at 2:07 p.m. on April 19, 2000.

Mr. Acting Speaker reassigned HB 524 to the Capital Infrastructure Committee.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

23rd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 19, 2000

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative West - 1.

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

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

The following prefiled legislation was introduced:

HB 559 - OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

HB 563 - WEST; REPRESENTATIVES CAULK, B. ENNIS, EWING, LEE, PLANT, SCOTT, WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

HA 1 to HB 524 - GILLIGAN & REPRESENTATIVES OBERLE, BRADY, CAPANO, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, EWING, FALLON, HOUGHTON, LOFINK, MULROONEY, PLANT, PRICE, QUILLEN, REYNOLDS, SCOTT, SPENCE, ULBRICH, VANSANT, VIOLA, WAGNER, WEST, WILLIAMS - Placed with the Bill.

HA 2 to HB 555 - WAGNER - Placed with the Bill.

SB 302 - MARSHALL & REPRESENTATIVE MAIER; SENATORS BLEVINS, HENRY, MCDOWELL, CONNOR, WINSLOW; REPRESENTATIVES SPENCE, CLOUTIER, LEE, LOFINK, REYNOLDS, SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Adult Abuse Registry.

SB 313 - SHARP - REVENUE & FINANCE - An Act to Amend Chapter 5, Title 25 of the Delaware Code Relating to the Rule against Perpetuities and Powers of Appointment.

SB 314 - SHARP - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to the Affidavit to Clear Title to Jointly-Owned Real Estate When Probate is Not Required.

Representative Smith made comments.

Representative Smith deferred to Representative Fallon.

Representative Fallon made comments.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced guests.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura made comments.

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

Mr. Speaker Spence introduced guests.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #73

DATE: April 19, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-1684	Mulrooney	2/25/2000	T	Charlotte & Alvin Stiles/50 th Wedding Anniversary
H140-1685	DiLiberto	2/25/2000	T	Dolores & Lester Smith/50 th Wedding Anniversary
H140-1686	Houghton	2/18/2000	T	Eva & David Jensen/50 th Wedding Anniversary
H140-1687	Gilligan	1/1/2000	T	Peter & Nancy Casarino/60 th Wedding Anniversary
H140-1688	Mulrooney	3/29/2000	T	Gregg Quailles/Boys State Wrestler of the Year
H140-1689	Mulrooney	3/29/2000	T	Adrienne Williams/Girls All-State Swimming First Team
H140-1690	Mulrooney	3/29/2000	T	Erin Mulshenock/Girls Swimmer of the Year
H140-1691	Spence	3/29/2000	T	Richard Weldon/Special Service Award Recipient
H140-1692	Ulbrich	4/4/2000	T	DaimlerChrysler Newark Plant Employees/Best Manufacturing Facility
H140-1693	Stone	4/8/2000	T	Rt. Reverend Philip Cousin/96 th Bishop/African Methodist Episcopal Church
H140-1694	Stone	4/8/2000	T	Dr. M. Joan Cousin/Supervisor/First Episcopal District Women's Missionary Society
H140-1695	Maier	4/5/2000	T	Mary Jane DeMatteis/Mother of the Year
H140-1696	Ewing	3/29/2000	M	Rosalie Ryan Kelly
H140-1697	Oberle	2/28/2000	T	James F. Moore, III/Eagle Scout
H140-1698	Caulk	3/31/2000	T	James Fields/Retirement/30+ Years/Department of Transportation
H140-1699	Quillen	4/1/2000	M	Samuel W. Tatman, III
H140-1700	Capano	4/4/2000	M	John W. Rollins, Sr.
cosponsors: All Representatives				
H140-1701	DiLiberto	4/11/2000	T	Jillian Stevens/Finalist/Teenager of the Year/Lions Club
H140-1702	DiLiberto	4/11/2000	T	Allyson Short/Finalist/Teenager of the Year/Lions Club
H140-1703	DiLiberto	4/11/2000	T	Jennifer Berry/Finalist/Teenager of the Year/Lions Club
H140-1704	DiLiberto	4/11/2000	T	Jared Schwartz/Finalist/Teenager of the Year/Lions Club
H140-1705	DiLiberto	4/11/2000	T	Mark Dudek/Finalist/Teenager of the Year/Lions Club
H140-1706	DiLiberto	4/11/2000	T	David D'Ascendis/Finalist/Teenager of Year/Lions Club

HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: April 19, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-1707	Welch	3/7/2000	T	Jackson Hunter Smith/Birth
cosponsors: All Representatives				
H140-1708	Keeley	4/11/2000	T	Michal Bargiel/Polish Government/Visit to Delaware
H140-1709	Keeley	4/11/2000	T	Michal Szczerba/Polish Government/Visit to Delaware
H140-1710	Keeley	4/11/2000	T	Kazimierz Poznanski/Polish Government/Visit
H140-1711	Keeley	4/11/2000	T	Mirella Panek/Polish Government/Visit to Delaware
H140-1712	Keeley	4/11/2000	T	Jakub Olczyk/Polish Government/Visit to Delaware
H140-1713	Keeley	4/11/2000	T	Rafal Mrowka/Polish Government/Visit to Delaware
H140-1714	Keeley	4/11/2000	T	Piotr Malicki/Polish Government/Visit to Delaware
H140-1715	Keeley	4/11/2000	T	Agnieszka Gadecka-Tomasik/Polish Government/Visit
H140-1716	Keeley	4/11/2000	T	Wojciech Dachowski/Polish Government/Visit
H140-1717	Roy	4/8/2000	T	Hai Hwa Cultural Festival/Chinese American Community Center
H140-1718	Boulder	4/4/2000	M	Werner Richard Wegman, Sr.
H140-1719	D. Ennis	4/7/2000	T	Kjell Henriksson/Mayor/Kalmar, Sweden/Visit
H140-1720	D. Ennis	4/7/2000	T	Jan-Olof Wernersson/Deputy Mayor/Kalmar, Sweden /Visit to Delaware
H140-1721	D. Ennis	4/7/2000	T	Jonathan Ramsden/City of Kalmar/Visit to Delaware
H140-1722	D. Ennis	4/7/2000	T	Tomas Ericksson/City of Kalmar/Visit to Delaware
H140-1723	D. Ennis	4/7/2000	T	Tomas Olofsson/Swedish University/Visit to Delaware
H140-1724	D. Ennis	4/7/2000	T	Bengt Johansson/Baltic Business Center/Visit
H140-1725	D. Ennis	4/7/2000	T	Hans Duned/Baltic Business Center/Visit to Delaware
H140-1726	West	4/5/2000	T	Mildred Shaub/94 th Birthday
H140-1727	Schroeder	4/9/2000	T	Maureen Lynch/Americanism Essay Contest Winner
H140-1728	Schroeder	4/9/2000	T	Jeovany Rivas/Americanism Essay Contest Winner
H140-1729	Schroeder	4/9/2000	T	Kaitlin Kirck/Americanism Essay Contest Winner

T- Tribute

M - Memoriam

Representative Fallon made comments.

Representatives Capano & Quillen requested that they be marked present.

The Majority Leader moved to recess for committee meetings at 2:22 p.m.

The House reconvened at 4:08 p.m. with Representative Roy as Acting Speaker.

Representatives Oberle, Carey & Reynolds requested that they be marked present.

Mr. Acting Speaker Roy appointed Representative Oberle as Acting Speaker.

Representatives Boulden, Lee, Price, Plant, D. Ennis, Brady & Miro requested that they be marked present.

Mr. Acting Speaker reassigned HB 387 & HB 524 to the Capital Infrastructure Committee.

Representative Smith introduced and brought the following prefiled Consent Calendar #15 before the House for consideration.

HCR 42 – B. ENNIS & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, CAREY, D. ENNIS, EWING, HOUGHTON, OBERLE PRICE, QUILLEN; SENATORS AMICK, CONNOR, MCDOWELL, SOKOLA – Proclaiming the Month of May 2000 as “Motorcycle Awareness Month” and Requesting the Governor to Issue a Proclamation Declaring Same.

HCR 47 - SPENCE ON BEHALF OF ALL REPRESENTATIVES & SENATOR CONNOR ON BEHALF OF ALL SENATORS – Proclaiming the Week of April 23 through April 29, 2000, as Administrative Professionals Week.

HCR 50 - REYNOLDS ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS – Commending the Students Selected as Secretary of Education Scholars of 2000 and Wishing Them Continuing Success in their Education and Endeavors.

SCR 25 – SOKOLA ON BEHALF OF ALL SENATORS; REPRESENTATIVE REYNOLDS ON BEHALF OF ALL REPRESENTATIVES – Recognizing Delaware Technical & Community College in Celebrating National Community College Month.

Consent Calendar #15 was adopted by voice vote and HCR 42, HCR 47 & HCR 50 were sent to the Senate for concurrence and SCR 25 was returned to the Senate.

Representatives Wagner & Schroeder requested that they be marked present.

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

EDUCATION: SB 308 w/SA 1 - 6M, 1U.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 360 - 3M, 2U; HB 549 - 4M.

PUBLIC SAFETY: HB 532 - 7M; HB 552 - 5M.

Representative B. Ennis requested that he be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:13 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:10 p.m. on April 20, 2000.

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

APPROPRIATIONS: HS 1 to HB 219 - 4M; HB 442 - 5M; HB 480 - 4M.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: HB 521 - 1F, 5M; HB 550 - 6M; HB 561 - 5M.

LABOR: HB 515 - 4M; HB 547 - 5M; HB 558 - 3F, 3M; SB 262 - 4M; SB 266 w/SA 1 & 2 - 4M.

REVENUE & FINANCE: HB 529 - 5M; HB 224 - 5M.

Mr. Speaker Spence made an announcement.

Representative West requested that he be marked present for the current legislative day.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

24th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
April 20, 2000

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Charles P. West, Forty-first Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 to HB 399 - BOULDEN & REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, FALLON, MAIER, MIRO, QUILLEN, REYNOLDS, ULBRICH, WAGNER, BRADY, B. ENNIS, PLANT - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the Uniform Statewide Construction Code.

HB 564 - MAIER & SENATORS BLEVINS & WINSLOW; REPRESENTATIVES BUCKWORTH, CATHCART, CAULK, CLOUTIER, D. ENNIS, EWING, FALLON, LOFINK, OBERLE, REYNOLDS, STONE, WAGNER, DILIBERTO, B. ENNIS, HOUGHTON, PLANT, PRICE, SCOTT, VIOLA, WEST, WILLIAMS; SENATORS BAIR, CONNOR, SHARP, ADAMS, MCDOWELL, BUNTING, DELUCA, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Coverage for Colorectal Cancer Screening, Health Insurance, and Group and Blanket Health Insurance.

HA 1 to HB 442 - B. ENNIS - Placed with the Bill.

HA 1 to HB 537 - WEST & REPRESENTATIVE CAULK - Placed with the Bill.

HA 1 to HB 542 - DILIBERTO - Placed with the Bill.

HA 1 to HB 561 - STONE - Placed with the Bill.

SB 281 - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to the Location of State Police Stations.

SB 284 - SHARP & REPRESENTATIVE SPENCE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to Real Property Disposition.

Representatives Fallon & Smith requested and were granted privilege of the floor to introduce guests. Representative Smith made comments.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests and to make comments.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative B. Ennis.

Representatives Scott, Buckworth, Maier, Cloutier & D. Ennis requested that they be marked present.

Representative B. Ennis requested and was granted privilege of the floor to present a House Tribute to Representative Charles P. West.

Representatives Gilligan, Oberle & West made comments.

Representative Smith deferred to Representative Price.

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

Representative Price requested and was granted privilege of the floor for Heather Shabloski representing the Coalition Against School Violence.

Mr. Speaker Spence introduced a guest.

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

Representatives DiPinto & Brady requested that they be marked present.

Representative Smith deferred to Representative Valihura.

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

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

The House reconvened at 4:30 p.m. with Representative Oberle as Acting Speaker.

Mr. Acting Speaker assigned HB 515, HB 547, HB 550 & HB 552 to the Appropriations Committee.

Representative Smith brought HB 508 w/SA 1, sponsored by Representatives Gilligan & Roy & Representative Spence & Senator Sharp, before the House for concurrence on SA 1.

HB 508 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE THOROUGHbred RACING COMMISSION'S LICENSE AND ADMINISTRATIVE FEES. (3/5 bill)(F/N)

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

Representatives Smith & Gilligan made comments.

The roll call on HB 508 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 508 w/SA 1 was sent to the Governor.

Representatives Capano, Miro, Plant, Stone, Ulbrich & Williams requested that they be marked present during the roll call.

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

Representative Smith deferred to Representative Lee.

Representative Lee introduced and brought SCR 27, jointly sponsored by Senator Amick on behalf of All Senators & Representatives Boulden, Spence & Wagner on behalf of All Representatives, before the House for consideration.

SCR 27 - HONORING DAN EINHAUS, A VOLUNTEER FIREFIGHTER.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

SCR 27 was adopted by voice vote and was returned to the Senate.

Representative Lee introduced and brought SCR 28, jointly sponsored by Senator Amick on behalf of All Senators & Representatives Boulden, Spence & Wagner on behalf of All Representatives, before the House for consideration.

SCR 28 - HONORING AETNA HOSE, HOOK AND LADDER COMPANY, CHRISTIANA FIRE COMPANY, NEW CASTLE COUNTY PARAMEDICS, AND THE CITY OF NEWARK POLICE DEPARTMENT

SCR 28 was adopted by voice vote and was returned to the Senate.

Representative Lee introduced and brought SCR 29, jointly sponsored by Senators Amick & Still on behalf of All Senators & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Valihura, VanSant, Viola, Welch, West & Williams, before the House for consideration.

SCR 29 - HONORING TRIPP WAGNER, A VOLUNTEER FIREFIGHTER, FOR HIS COURAGEOUS RESCUE OF A WOMAN FROM A BURNING HOME

SCR 29 was adopted by voice vote and was returned to the Senate.

Representative Lee requested and was granted privilege of the floor to present House Tributes to Chief Steve Cavanaugh, Aetna Hose, Hook & Ladder Company, Dan Einhaus & Tripp Wagner.

Representatives B. Ennis & Boulden made comments.

Representative Lee requested and was granted privilege of the floor for Steve Cavanaugh, Chief, Aetna Hose, Hook & Ladder Company.

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

Representatives Gilligan & Wagner made comments.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 487, jointly sponsored by Representative Wagner & Senator Still, before the House for consideration.

HB 487 - AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO THE DOVER HOUSING AUTHORITY.

Representative Stone introduced and brought HA 1 to HB 487 before the House for consideration.

Representative Stone made comments. HA 1 was adopted by voice vote.

Representative Stone made comments.

The roll call on HB 487 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Reynolds & Viola - 2.

Therefore, having received a constitutional majority, HB 487 w/HA 1 was sent to the Senate for concurrence.

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

Corrected committee report: APPROPRIATIONS: HB 480 – 2F, 2M.

JUDICIARY: HB 505 - 5M; HB 535 - 1F, 4M; HB 541 - 3F, 2M; HB 544 - 1F, 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 313, SB 314, SB 343 and requests the concurrence of the House; HJR 20 and is returning same to the House, SB 302 & SCR 25 and requests the concurrence of the House; SB 281, SB 284, SCR 26, SCR 27, SCR 28 & SCR 29 and requests the concurrence of the House; HJR 23 and is returning same to the House.

April 18, 2000

LEGISLATIVE ADVISORY #54

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/18/00 – HB 367 aab HA 1 & SB 297.

Representative Smith deferred to Representative Roy.

Representative Roy introduced and brought HR 78, jointly sponsored by Representatives Lofink & Cathcart on behalf of All Representatives, before the House for consideration.

HR 78 - BIDDING A FOND FARWELL TO HOUSE STAFF MEMBER JANET KILPATRICK ON HER DEPARTURE TO BECOME PUBLIC INFORMATION OFFICER FOR NEW CASTLE COUNTY'S LAND USE DEPARTMENT.

WHEREAS, Wisconsin's Janet Kilpatrick came to Delaware as a DuPont corporate wife in 1973; and

WHEREAS, Mrs. Kilpatrick left Delaware with Husband Jim and daughter Stephanie for his corporate assignments in West Virginia and Pennsylvania in 1979; and

WHEREAS, Janet and Jim returned to Delaware with daughters Stephanie and Erica in 1986, settling in Hockessin; and

WHEREAS, Within no time politics began to call Janet, and she answered becoming a civic leader and community activist and the unofficial "Mayor of Hockessin"; and

WHEREAS, in 1988 Janet became State Representative Roger Roy's campaign manager and she has been unable to get a moment of peace ever since; and

WHEREAS, Janet Kilpatrick served as the 20th Representative District Republican Committee Chair in the early 1990's; and

WHEREAS, Janet has served on the following Boards; Center for Creative Arts; Wilmington and Western Railroad; Delaware Soil Watch; the Board of Pharmacy; and the Greater Hockessin Area Development Association where she served in a leadership capacity; and

WHEREAS, Mrs. Kilpatrick has done extensive volunteer work for the PTA's in the Red Clay School district, the Delaware Children's Theater, and the Yorklyn Recreation Center; and

WHEREAS, Janet Kilpatrick was honored in 1994 as the first recipient of the Annual Hockessin/Pike Creek Valley Rotary Club Distinguished Citizen Award, and received the 1999 National Community Service Award from the Daughters of the American Revolution, and

WHEREAS, Mrs. Kilpatrick founded the annual Hockessin Fourth of July Parade in 1990 and has served as the Director of this very popular and successful event ever since; and

WHEREAS, Janet Kilpatrick has been instrumental in the building of the Hockessin Police Athletic League Center; and

WHEREAS, Janet served as Promotional Director of the Delaware Wizards Soccer Club; and

WHEREAS, on September 8, 1993, Janet Kilpatrick was hired as a per diem secretary for Representatives Roy and Lofink; and

WHEREAS, on September 16, 1998 Janet Kilpatrick agreed to take on the Goliath known as DelDOT and officially became the House Majority's transportation and land use guru; and

WHEREAS, when the rains came along with massive flooding throughout the State, Queen La FEMA was out there in her waders, helping the flood victims find their way back to solvency; and

WHEREAS, Janet showed her legislative drafting skills by being one of the primary authors and experts in Delaware's Megan's laws as well HCR 18, relating to FEMA and the National Flood Insurance Reform Act; and

WHEREAS, always available, be it by phone, beeper, fax, e-mail or within Roger's yelling distance, Janet Kilpatrick has been involved in more projects for more legislators involving more government agencies and civic groups than anyone can possibly enumerate; and

WHEREAS, Janet worked diligently behind the scenes for numerous legislators, of whom many came to depend very heavily on her knowledge, skills and expertise; and

WHEREAS, as of May 1, 2000, Janet Kilpatrick will be leaving her job in the State House of Representatives to become Public Information Officer for New Castle County's Land Use Department; and

WHEREAS, the departure of Janet Kilpatrick from the Delaware House of Representatives is truly a sad occasion for the Representatives and the staff.

NOW THEREFORE, BE IT RESOLVED that the Delaware House of Representatives of the 140th General Assembly honors Janet Kilpatrick for her commitment to excellence in public service and community involvement and that we thank her for her tireless efforts on behalf of the citizens of the First State.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be forwarded to Janet Kilpatrick, her daughters Stephanie and Erica and her parents, Milt and Bernice Miller.

HR 78 was adopted by voice vote.

Representatives Roy, Cathcart, Lofink, D. Ennis, Brady, Ulbrich, Wagner, Valihura, Carey, Fallon, Maier, Smith, Ewing & Quillen made comments.

Representative Roy requested and was granted privilege of the floor for Janet Kilpatrick.

Representative Roy made comments.

Representative Smith deferred to Representative DiPinto.

Mr. Speaker Spence resumed the Chair.

Representative Spence introduced guests.

Representative D. Ennis made comments.

Representative DiPinto introduced and brought SCR 26, jointly sponsored by Senator McDowell & Senators Henry & Marshall & Representatives Williams, Plant, Scott, Keeley & Houghton & cosponsored by Representatives Spence, Brady, VanSant, D. Ennis, Lofink, Ewing, B. Ennis Miro, Valihura & Buckworth, before the House for consideration.

SCR 26 - HONORING THE MEMORY OF THE LATE THOMAS PATRICK CONATY, JR., A WILMINGTON POLICE OFFICER WHO GAVE HIS LIFE IN THE LINE OF DUTY, UPON THE OCCASION OF THE DEDICATION OF CONATY PARK.

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

Representatives Gilligan & Ewing made comments.

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

Representative DiPinto made comments.

SCR 26 was adopted by voice vote and was returned to the Senate.

Representative Oberle moved to suspend the rules which interfere with action on HJR 21. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HJR 21, jointly sponsored by Representatives Smith, Welch, Boulden, Buckworth, Capano, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Lofink, Miro, Quillen, Reynolds, Roy, Stone, Ulbrich, Valihura, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Keeley, Mulrooney, Schroeder & West & cosponsored by Representative Viola, before the House for consideration.

HJR 21 - RELATING TO A STATEWIDE PROGRAM FOR DISRUPTIVE STUDENTS. (F/N)

Representative Oberle deferred to Representative DiPinto.

Representatives DiPinto, Oberle & Mr. Speaker Spence made comments.

The roll call on HJR 21 was taken and revealed:

YES: 38.

ABSENT: Representatives Reynolds, Welch & Williams - 3.

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

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on HB 505. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Oberle brought HB 505, jointly sponsored by Senator Sharp, before the House for consideration.

HB 505 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURES.

Representative Oberle made comments.

Representative Oberle deferred to Representative Keeley.

Representative Keeley introduced and brought HA 1 to HB 505, jointly sponsored by Representative Wagner, before the House for consideration. Representative Keeley made comments. HA 1 was adopted by voice vote.

The roll call on HB 505 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Reynolds & Welch - 2.

Therefore, having received a constitutional majority, HB 505 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 514, jointly sponsored by Senator Blevins & Representatives Brady, Buckworth, Capano, Carey, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Maier, Mulrooney, Plant, Price, Quillen, Reynolds, Roy, Scott, Spence, Stone, Ulbrich, VanSant, Wagner, Welch, West & Williams & Senators Adams, Amick, Bair, DeLuca, McDowell, Vaughn & Winslow, before the House for consideration.

HB 514 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DIABETES.

Representative DiLiberto made comments.

Representative Capano introduced and brought HA 1 to HB 514 before the House for consideration.

Representative Capano made comments. HA 1 was adopted by voice vote.

Representative Smith made an announcement.

Representative DiLiberto moved to place HB 514 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought SB 309, jointly sponsored by Senator McBride, before the House for consideration.

SB 309 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EEL FISHING. (2/3 bill)

Representative Quillen made comments.

The roll call on SB 309 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 309 was returned to the Senate.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Capano.

Representative Capano requested that action on HB 534 be deferred to a Day Certain, Tuesday, May 9, 2000.

Mr. Speaker Spence & Representative Smith made comments.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 540, jointly sponsored by Senators Blevins & Sorenson & Representatives Brady, Buckworth, Capano, Cloutier, DiLiberto, Ewing, Houghton, Keeley, Lofink, Oberle, Reynolds & Stone & Senator Henry, before the House for consideration.

HB 540 - AN ACT TO AMEND TITLES 10, 14, 29, AND 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT AND THE CHILD PLACEMENT REVIEW BOARD.

Representative Maier deferred to Representative Smith.

Representative Smith introduced and brought HA 1 to HB 540 before the House for consideration.

Representative Smith made comments. HA1 was adopted by voice vote.

Representative Maier made comments.

Representative Maier introduced and brought HA 2 to HB 540 before the House for consideration. HA 2 was adopted by voice vote.

Representative Maier introduced guests.

The roll call on HB 540 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority, HB 540 w/HA 1 & 2 was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Lee.

Representative Lee introduced HB 565, jointly sponsored by Representative Caulk & Senators Bunting & Simpson & All Representatives & Senators Still, Winslow, Adams, Cook, Vaughn & Venables.

HB 565 - AN ACT TO AMEND TITLE OF THE DELAWARE CODE BY INCLUDING A NEW SUBSECTION TO EMPOWER THE DELAWARE DEPARTMENT OF ECONOMIC DEVELOPMENT TO ESTABLISH AND ADMINISTER A ZERO INTEREST LOAN ASSISTANCE PROGRAM FOR DELAWARE FARMERS.

Mr. Speaker Spence assigned HB 565 to the Agriculture Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle made comments.

Representative Oberle introduced HB 569 jointly sponsored by Senator Simpson.

HB 569 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO INCINERATORS.

Mr. Speaker Spence assigned HB 569 to the Land Use & Infrastructure Committee.

Representative Smith deferred to Representative Miro.

Representative Miro requested that HB 479 be stricken.

Representative Miro made comments.

Representative Miro introduced HB 570, jointly sponsored by Senators Sokola & Sorenson & Representatives Buckworth, Carey, Cathcart, Caulk, Cloutier, Ewing, Quillen, Reynolds, Stone, Ulbrich, Valihura, Brady, Gilligan, Houghton, Price, Schroeder, Scott & Viola.

HB 570 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EMPLOYEE SALARIES, WORK CONDITIONS.

Mr. Speaker Spence assigned HB 570 to the Education Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HR 77, jointly sponsored by Representatives Ewing & Quillen, before the House for consideration.

HR 77 - REQUESTING THE DIVISION OF PUBLIC HEALTH TO SET A DRINKING WATER STANDARD FOR METHYL TERTIARY BUTYLETHER (MTBE).

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

HR 77 was adopted by voice vote.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 463, jointly sponsored by Senator Henry, before the House for consideration.

HB 463 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ARRESTS FOR VIOLATION OF THE MOTOR VEHICLE AND TRAFFIC LAWS OF THE STATE.

Representative Keeley requested and was granted privilege of the floor for Sergeant David Thomas, representing Delaware State Police.

Representative Keeley made a comment.

The roll call on HB 463 was taken and revealed:

YES: 37.

ABSENT: Representatives Price, Quillen, Reynolds & Scott - 4.

Therefore, having received a constitutional majority, HB 463 was sent to the Senate for concurrence.

Representative Capano requested that action on HB 534 be deferred to a Day Certain, Thursday, May 11, 2000.

Representative Smith deferred to Representative Capano.

Representative Capano introduced HB 568, jointly sponsored by Representatives Smith, Quillen, Boulden & DiPinto & Senators Adams, Bair, Bonini, Simpson & Still.

HB 568 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE REGARDING UNINSURED VEHICLES AND MOTORISTS WHO KNOWINGLY DRIVE WITHOUT INSURANCE AND THE LIMITING CIVIL ACTION THEY MAY BRING AS A RESULT THEREOF.

Mr. Speaker Spence assigned HB 568 to the Public Safety Committee.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart made comments.

Representative Cathcart introduced HB 571, jointly sponsored by Representative Caulk & Representative West & Senators Bunting & Simpson & Representatives Spence, Welch, Smith, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Stone, Ulbrich, Valihura, Wagner, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Viola & Williams & Senators Adams, Cook, Vaughn, Venables, Still & Winslow.

HB 571 - AN ACT TO AMEND CHAPTER 9, TITLE 3 OF THE DELAWARE CODE RELATING TO THE CREATION OF A FARMING INCENTIVE LOAN SUBSIDY FUND.

Mr. Speaker Spence assigned HB 571 to the Land Use and Infrastructure Committee.

Representative Cathcart brought HJR 16 before the House for consideration.

HJR 16 - CREATING A SCHOOL CONSTRUCTION AND DEVELOPMENT TASK FORCE TO STUDY THE WAYS IN WHICH SCHOOLS ARE CURRENTLY DESIGNED, CONSTRUCTED, AND FINANCED.

Representative Cathcart made a comment.

Representative Cathcart brought HA 1 to HJR 16 before the House for consideration.

HA 1 was adopted by voice vote.

Representative Cathcart brought HA 2 to HJR 16 before the House for consideration.

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

Representative Cathcart deferred to Representative Smith.

Representative Smith introduced and brought HA 3 to HJR 16 before the House for consideration.

Mr. Speaker Spence reassigned HB 570 to the Labor Committee.

Representative Smith made a comment.

Representative Smith deferred to Representative Gilligan.

Representatives Gilligan & Cathcart made comments.

HA 3 was adopted by voice vote.

Representative Cathcart introduced and brought HA 4 to HJR 16 before the House for consideration.

Representative Cathcart made comments. HA 4 was adopted by voice vote.

Representative Cathcart made a comment.

Representative Cathcart requested and was granted privilege of the floor for Jennifer J. Davis, representing the Department of Education.

Representative Cathcart made comments.

Representative Cathcart moved to place HJR 16 w/HA 1, 2, 3 & 4 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Fallon.

Representative Fallon brought HB 521, jointly sponsored by Representative Stone & Senator Sorenson & Representatives Spence, Welch, Buckworth, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Lee, Maier, Miro, Quillen, Ulbrich, Wagner, B. Ennis, Price, Schroeder & Viola, before the House for consideration.

HB 521 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS.

Representative Fallon brought HA 1 to HB 521 before the House for consideration. Representative Fallon made comments. HA 1 was adopted by voice vote.

Representatives Smith & Fallon made comments.

The roll call on HB 521 w/HA 1 was taken and revealed:

YES: 35.

ABSENT: Representatives Caulk, Price, Quillen, Reynolds, Scott & Smith - 6.

Therefore, having received a constitutional majority, HB 521 w/HA 1 was sent to the Senate for concurrence.

Representative Smith introduced and brought HCR 51, jointly sponsored by Representative Spence on behalf of All Representatives & Senator Sharp on behalf of All Senators, before the House for consideration.

HCR 51 - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2000 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.

Representative Smith made comments.

HCR 51 was adopted by voice vote and was sent to the Senate for concurrence.

Representative DiLiberto moved to lift HB 514 w/HA 1 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiLiberto moved to suspend the rules which interfere with action on HB 514 w/HA 1. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiLiberto requested that action on HB 514 w/HA 1 be deferred to a Day Certain, Thursday, May 11, 2000.

The Majority Leader moved to recess to the call of the Chair at 6:46 p.m.

Mr. Acting Speaker Welch called the House to order at 2:04 p.m. on May 9, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 339 & SCR 30 and requests the concurrence of the House; HCR 42, HCR 46, HCR 47, HCR 48 & HCR 50 and is returning same to the House.

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

HEALTH AND HUMAN DEVELOPMENT: HB 511 - 7M; HB 528 - 6M; HB 542 - 1F,6M; HB 555 - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 289 - 4M.

CORRECTIONS: HJR 24 - 5M.

April 20, 2000

LEGISLATIVE ADVISORY #55

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/20/00: HS 1 to HB 300 aab SA 9 & HB 436.

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

25th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
May 9, 2000

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Boulden - 1.

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

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

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

The following out of session prefiled legislation was introduced:

May 2, 2000

HS 1 to HB 286 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HB 566 - SMITH & REPRESENTATIVE VALIHURA & SENATOR SOKOLA; REPRESENTATIVES SPENCE, BUCKWORTH, CATHCART, CLOUTIER, DIPINTO, EWING, LOFINK, MIRO, QUILLEN, REYNOLDS, ULBRICH, B. ENNIS, HOUGHTON - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to the Jurisdiction of the Board of Adjustment of New Castle County.

HB 567 - PRICE; REPRESENTATIVES KEELEY, MIRO, SCHROEDER; SENATORS BUNTING, SOKOLA - EDUCATION - An Act Directing the Department of Education to Develop, Implement, and Enhance Programs for Students with Limited English Proficiency.

HB 572 - PRICE; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAULK, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MULROONEY, PLANT, QUILLEN, SCHROEDER, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WEST - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Theft and Related Offenses. (2/3 bill)

HB 575 - LEE & REPRESENTATIVE CAULK & SENATORS BUNTING & SIMPSON; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MAIER, MIRO,

OBERLE, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VIOLA, WEST, WILLIAMS; SENATORS STILL, WINSLOW, ADAMS, COOK, VAUGHN, VENABLES - AGRICULTURE - An Act to Amend Title 29 of the Delaware Code by Including a New Subsection to Empower the Delaware Department of Economic Development to Establish and Administer a Zero Interest Loan Assistance Program for Delaware Farmers.

HA 1 to HB 356 - BUCKWORTH - Placed with the Bill.

HA 1 to HB 473 - EWING - Placed with the Bill.

HA 1 to HB 515 - SPENCE - Placed with the Bill.

HA 3 to HB 555 - WAGNER - Placed with the Bill.

SB 339 - VAUGHN & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Contract and Minors.

HA 1 to SB 185 - LOFINK - Placed with the Bill.

HA 1 to SB 302 - MAIER - Placed with the Bill.

SCR 30 - MCBRIDE; REPRESENTATIVE SPENCE; SENATORS BUNTING, VENABLES, CONNOR; REPRESENTATIVES QUILLEN, SCHROEDER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Providing for the Development, by the Department of Natural Resources and Environmental Control, of Recommendations for Cleaning Up Scrap Tire Piles in Delaware.

Representative Quillen requested that he be marked present.

The Reading Clerk read the following communications into the record:

May 9, 2000

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

Dear Representative Spence:

I am ill and would like to be excused from today's session.

Thank you.

Timothy U. Boulden

April 25, 2000

LEGISLATIVE ADVISORY #56

The following legislation became law on the date indicated without the signature of Governor Thomas R. Carper: 4/25/00: SB 280 aab SA 1, 2 & 10 & HA 3, 5, 7, 8 & 11.

May 2, 2000

LEGISLATIVE ADVISORY #57

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/28/00: HJR 23, HB 408 aab HA 1 & SA 1, HB 508 aab SA 1 & HB 509; 5/1/00: SS1 to SB 77.

May 5, 2000

LEGISLATIVE ADVISORY #58

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/3/00: SB 260 aab SA 1, 2, 4, 5, 7, 9, 10, 11, 12 & 13 & HA 2, 12, 13, 17, 19, 21, 22, 28, 33, 35, 38 & 39 & SB 343.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested and was granted privilege of the floor for Mr. Ted Tull, President, Camden-Wyoming Rotary Club. Representative Buckworth presented House Tributes to group study exchange team members from the Philippines.

Representative Capano made comments.

Representative Buckworth introduced guests.

Representatives Fallon & Ewing made comments.

Representatives Oberle & Cloutier requested that they be marked present.

Mr. Acting Speaker assigned HB 224, HB 432, HB 555 & HJR 24 to the Appropriations Committee.

Representative Gilligan made comments regarding SB 260.

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

The House reconvened at 4:20 p.m. with Representative Oberle as Acting Speaker.

Representatives Reynolds, Brady, Price & Spence requested that they be marked present.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 229 w/SA 3, jointly sponsored by Senators Sokola, Bonini, Venables, Bunting & Henry & cosponsored by Representative Ewing, before the House for consideration.

SB 229 - AN ACT TO AMEND TITLE 14, SECTION 4101 OF THE DELAWARE CODE RELATING TO RELIGIOUS ACTIVITY IN DELAWARE PUBLIC SCHOOLS.

Representative Lee requested that he be marked present.

Representative Plant brought HA 1 to SB 229 before the House for consideration.

Representative Plant a comment. HA 1 was adopted by voice vote.

Representatives Reynolds, Welch & Reynolds made comments.

Mr. Speaker Spence resumed the Chair.

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

Representatives Welch, Reynolds & Plant made comments.

The roll call on SB 229 w/SA 3 & HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & D. Ennis - 2.

Therefore, having received a constitutional majority, SB 229 w/SA 3 & HA 1 was returned to the Senate for concurrence on HA 1.

Representatives Cathcart, Miro, Schroeder, Stone & Ulbrich requested that they be marked present during the roll call.

Representative Gilligan requested and was granted personal privilege of the floor to make a presentation to Representative Wayne A. Smith.

Representatives Gilligan, Mr. Speaker Spence, Smith & Plant made comments.

The House observed a moment of silence in memory of Francis R. Weyandt at the request of Representative Wagner.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 277 w/SA 1, sponsored by Senator Blevins & Representative Maier & Senators Cook, Henry, Sokola, Bonini, Connor, Sorenson & Winslow & Representatives Cathcart, DiPinto, Fallon, Lofink, Wagner & Price, before the House for consideration.

SB 277 - AN ACT TO AMEND TITLE 14 RELATING TO FREE SCHOOLS. (2/3 bill)

Representative Reynolds deferred to Representative Maier.

Representative Maier made comments.

The roll call on SB 277 w/SA 1 was taken and revealed:

YES: 38.

NOT VOTING: Representatives Brady & Scott - 2.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 277 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 423, jointly sponsored by Senator Marshall, before the House for consideration.

HB 423 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DISTRIBUTION, DELIVERY OR POSSESSION OF CONTROLLED SUBSTANCES. (F/N)

Representative Keeley made comments.

The roll call on HB 423 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, VanSant & Williams - 3.

Therefore, having received a constitutional majority, HB 423 was sent to the Senate for concurrence.

Representative Smith brought HB 427, jointly sponsored by Senator Henry, before the House for consideration.

HB 427 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE EMERGENCY MANAGEMENT AGENCY (DEMA) AND PROVIDING FOR THE ESTABLISHMENT OF THE DEMA ASSISTANCE AND RELIEF FUND. (F/N)

Representative Smith made comments.

The roll call on HB 427 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 427 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested that action on HS 1 to HB 219 be deferred to a Day Certain,

Thursday, May 11, 2000.

Representative Smith made an announcement.

Mr. Speaker Spence assigned HB 529 to the Appropriations Committee.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier introduced and brought HR 79, jointly sponsored by Representative Fallon on behalf of All Representatives, before the House for consideration.

HR 79 - MARKING THE OBSERVATION OF NATIONAL TOURISM WEEK AND REMEMBERING THE IMPORTANCE OF TOURISM TO THE ECONOMY OF THE STATE OF DELAWARE.

Representative Cloutier made comments.

HR 79 was adopted by voice vote.

Representative Smith made comments.

The Majority Leader moved to recess to the call of the Chair at 5:07 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:09 p.m. on May 10, 2000.

Representative Smith introduced HJR 25, jointly sponsored by Senator Bunting & Representatives Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maier, Reynolds, Stone, Ulbrich & Valihura & Senator Amick.

HJR 25 - ENCOURAGING THE IMMIGRATION AND NATURALIZATION SERVICES NOT TO CHANGE OUR OATH OF ALLEGIANCE.

Representative Smith made an announcement.

Mr. Acting Speaker assigned HJR 25 to the House Administration Committee.

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

26th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
May 10, 2000

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Boulden, DiLiberto & Scott – 3.

A prayer was offered by Representative Deborah H. Capano, Twelfth Representative District.

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

The following prefiled legislation was introduced:

HB 573 - SCOTT - JUDICIARY - An Act to Amend Title 11 and Title 29 of the Delaware Code Relating to Crimes Committed Within Municipalities. (2/3 bill)

HB 574 - DIPINTO; REPRESENTATIVES KEELEY, PLANT, SCOTT, WILLIAMS, HOUGHTON; SENATORS MARSHALL, MCDOWELL - APPROPRIATIONS - An Act to Authorize and Approve the Transfer of Certain Real Property in New Castle County known as The Bancroft Lanes.

SB 320 w/SA 1, 2, 3 & 4 - MCBRIDE & REPRESENTATIVE BOULDEN; SENATORS DELUCA & SORENSON; REPRESENTATIVES DIPINTO & ROY; SENATORS BLEVINS, BUNTING, COOK, SOKOLA, AMICK, BAIR, CONNOR, SIMPSON, WINSLOW; REPRESENTATIVES BUCKWORTH, CAPANO, LOFINK, MAIER, OBERLE, QUILLEN, STONE, ULBRICH, VALIHURA, WELCH, GILLIGAN, KEELEY, PRICE, SCHROEDER, VIOLA - TRANSPORTATION - An Act to Amend Title 17 of the Delaware Code Relating to the Establishment of a Scenic and Historic Highway Program for the State of Delaware.

Representatives Welch, Wagner, Valihura, Spence, Cathcart, DiPinto, VanSant & B. Ennis requested that they be marked present.

Representative Smith requested and was granted privilege of the floor for Representative Jane P. Maroney who introduced Laura Anderson, Director, Creative Mentoring.

Representatives Fallon & Roy requested that they be marked present.

Mr. Acting Speaker made comments.

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

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: May 10, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-1730	B. Ennis	4/7/2000	T	Smyrna Clayton Heritage Association/Groundbreaking/Restoration/Opera House
H140-1731	Quillen	4/13/2000	T	Mary Jean Blades/Nomination/Excellence in Environmental Education Award
H140-1732	Price	5/13/2000	T	Maurice LeFebvre/Community Service/South Bethany
H140-1733	Stone	4/7/2000	M	Ronald E. Hall
H140-1734	Roy	4/17/2000	T	Marianne Wallace/Frauen Reunion2000
H140-1735	Roy	4/17/2000	T	Ethel Sproul/Frauen Reunion 2000
H140-1736	Roy	4/17/2000	T	Catherine Nonnemann/Frauen Reunion 2000
H140-1737	Roy	4/17/2000	T	Betsy Kieffer/Frauen Reunion 2000

H140-1738	Roy	4/17/2000	T	Katherine Johnston/Frauen Reunion 2000
H140-1739	Roy	4/17/2000	T	Susan Fugelsang/Frauen Reunion 2000
H140-1740	Roy	4/17/2000	T	Susan DuVal/Frauen Reunion 2000
H140-1741	Roy	4/17/2000	T	Darlene Croden/Frauen Reunion 2000
H140-1742	Roy	4/17/2000	T	Nancy Botchellar/Frauen Reunion 2000
H140-1743	Buckworth	4/22/2000	T	Herm Bastianelli/Induction/Delaware Wrestling Hall of Fame
H140-1744	Buckworth	4/22/2000	T	Ron Eby/Induction/Delaware Wrestling Hall of Fame
H140-1745	Buckworth	4/22/2000	T	Charles Wilt/Induction/Wrestling Hall of Fame
H140-1746	Buckworth	4/22/2000	T	Otis Chapman/Induction/Wrestling Hall of Fame
H140-1747	Viola	4/17/2000	T	Major Kevin McDerby/Retirement/Delaware State Police/29+ Years
H140-1748	Houghton	4/11/2000	T	Mildred Caldwell/50Years/Holloway Terrace Fire Company Ladies Auxiliary
H140-1749	Cathcart	4/12/2000	T	Lawrence Webber/Retirement/House Staff/Six Years
H140-1750	Quillen	5/1/2000	T	Harrington Sunshine 4H Club/Governor's Volunteer Service Award Recipient
H140-1751	Quillen	4/23/2000	T	Heather Crouse/Governor's Volunteer Service Award Recipient
H140-1752	Roy	4/14/2000	T	Joseph Lieberman, III, M.D., M.P.H./ Installation/President/Delaware Academy of Family Physicians
H140-1753	Cathcart	4/13/2000	T	Sergeant William Ford/State Police Trooper of the Year

HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: May 10, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1754	VanSant	4/12/2000	T	William Crather/80th Birthday
H140-1755	Buckworth	4/11/2000	T	Jack & Sandy Whitby/45th Wedding Anniversary
H140-1756	B. Ennis	4/6/2000	M	William L. Whalen
H140-1757	B. Ennis	4/3/2000	M	Julian H. Dunning
H140-1758	Capano	4/1/2000	T	George & Betty Brown/50th Wedding Anniversary
H140-1759	Price	5/21/2000	T	Reverend Kerry Shull/25th Anniversary/Ocean View Presbyterian Church
H140-1760	VanSant	4/8/2000	T	Marguerite & John Conomon/60th Wedding Anniversary
H140-1761	Capano	5/12/2000	T	Rebecca Wolhar/Jefferson Award Recipient
H140-1762	Capano	5/11/2000	T	Elizabeth Richardson/Delaware Sports Hall of Fame
H140-1763	VanSant	4/14/2000	T	Dr. Scott Rosenthal/President/DE Chiropractic Society
H140-1764	Boulden	4/14/2000	T	Caffe Gelato/Ryan German/Restaurant Grand Opening
H140-1765	Stone	4/11/2000	M	Wilbur J. Bulkeley
H140-1766	Miro	4/18/2000	T	Tom DeMatteis/National Soccer Coach of the Year
H140-1767	VanSant	3/18/2000	T	Sara & Patrick Mattucci/50th Wedding Anniversary
H140-1768	VanSant	3/31/2000	T	Margaret & Fred Ashing/55th Wedding Anniversary
H140-1769	Brady	2/11/2000	T	Marion & Frederick Drew/50th Wedding Anniversary
H140-1770	Mulrooney	3/18/2000	T	Helen & Dale Schneider/50th Wedding Anniversary
H140-1771	Plant	4/1/2000	T	M. Eleanor & Roland Johnson/50th Wedding Anniversary
H140-1772	Buckworth	4/18/2000	T	Daniel Deckard/Teacher of Year/Caesar Rodney High School
H140-1773	Maier	4/18/2000	T	Charles Hughes/9 Years/Outstanding Leadership/Etta J. Wilson
H140-1774	Boulden	4/18/2000	T	Newark Police Department/Accreditation/Commission on Accreditation for Law Enforcement Agencies
H140-1775	Wagner	4/20/2000	T	Tripp Wagner/Courageous Effort/Removing Victim from Burning Home
H140-1776	Boulden	4/20/2000	T	Dan Einhaus/Courageous Effort/Removing Victim from Burning Home

HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: May 10, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1777	DiLiberto	5/27/2000	T	Rob Linwood/Eagle Scout
H140-1778	DiLiberto	4/12/2000	M	Elizabeth C. Dauerty
H140-1779	B. Ennis	4/20/2000	T	Honorable Charles West/Harvested Wild Turkey
H140-1780	Cathcart	4/26/2000	T	Karen Patterson/Anne Marie Fahey Mentoring Award
H140-1781	Roy	4/3/2000	T	Becky Ramsey/Frauen Reunion 2000
H140-1782	Ewing	5/8/2000	T	Dr. Bruce Topol/Appreciation/Medical Practice
H140-1783	Brady	4/27/2000	T	William Carl/Appreciation/6 Years Service/ Claymont Community Center
cosponsors: DiPinto, D. Ennis, Smith				
H140-1784	DiPinto	4/24/2000	T	Library of Congress/Bicentennial Celebration
H140-1785	Price	4/20/2000	T	Heather Shabloski/Coalition against School Violence
H140-1786	Roy	4/20/2000	T	David Deputy/Promotion/Lt. Col./Air National Guard
H140-1787	Carey	4/20/2000	T	Dawn Willis/Delaware Geography Teacher of the Year
H140-1788	Schroeder	5/3/2000	T	Kathy Donovan/Excellence & Commitment in State Service Award Recipient
H140-1789	Wagner	5/3/2000	T	Lynne Bie/Excellence & Commitment in State Service Award Recipient
H140-1790	Ewing	5/3/2000	T	Troy Hazzard/Excellence & Commitment in State Service Award Recipient
H140-1791	Quillen	5/1/2000	T	Catherine Lockwood/90th Birthday
H140-1792	Stone	4/20/2000	M	Joann Hamsher Gilbert
H140-1793	Wagner	4/21/2000	M	Jeanne P. Scrutchfield
H140-1794	D. Ennis	4/22/2000	M	Nykola Matuschkewicz
H140-1795	B. Ennis	4/17/2000	M	Benjamin F. Storey
H140-1796	B. Ennis	4/9/2000	T	Irene & George Caley/45th Wedding Anniversary
H140-1797	West	5/3/2000	T	Mitzi Boddy/Judicial Branch Employee of the Year/Sussex County
H140-1798	Buckworth	4/29/2000	T	Stephanie Guan/Participant/RespecTeen National Youth Forum
H140-1799	Price	6/3/2000	T	LaReau & Forrest Fox/50th Wedding Anniversary
H140-1800	Wagner	5/3/2000	T	Solid Waste Authority of Malmö, Sweden/Visit

T - Tribute
M - Memoriam

The Senate wishes to inform the House that it has passed HB 437 w/SA 2 and is returning same to the House; SB 320 w/SA 1, 2, 3 & 4 and requests the concurrence of the House;

May 10, 2000

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

Dear Representative Spence:

I am ill and would like to be excused from today's session.

Thank you.

Representative Timothy U. Boulden

The Majority Leader moved to recess for committee meetings at 2:21 p.m.

The House reconvened at 4:26 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence introduced guests.

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

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

Mr. Speaker Spence introduced a guest.

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

AGRICULTURE: HB 565 - 5M; SB187 w/SA 1 - 5M; SB 268 - 5M.

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: HB 564 - 8M; HCR 49 - 8M; SB

339 - 7M.

EDUCATION: HB 556 - 1F,7M; HB 567 - 4F,4M.

HOUSE ADMINISTRATION: HB 562 - 4M; HB 527 - 4M; HJR 25 - 3M.

JUDICIARY: HB 557 - 5M; HB 572 - 5M; SS 1 to SB 237 - 1F, 4M.

LABOR: HB 570 - 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: SCR 30 -4M.

PUBLIC SAFETY: HB 350 - 3M; HB 473 - 4M; SB 281 - 1F,3M.

Representative Ulbrich made comments.

Representative Ulbrich introduced HJR 26, jointly sponsored by Representatives Capano, Lee, Valihura, Wagner, Brady, B. Ennis, Keeley & Price & Senators Amick, Bair, Connor, Simpson, Sorenson, Bunting & Vaughn & cosponsored by Representative Cloutier, before the House for consideration.

HJR 26 - REQUESTING THE CONTROLLER GENERAL'S OFFICE IN CONJUNCTION WITH THE BUDGET DIRECTOR'S OFFICE TO DEVELOP A PROFESSIONAL SERVICES PROCUREMENT MANUAL FOR STATE AGENCIES.

Mr. Speaker Spence assigned HJR 26 to the Policy Analysis & Government Accountability Committee.

Representative Ulbrich introduced HB 576, jointly sponsored by Representatives Capano, Lee, Valihura, Wagner, Brady, B. Ennis, Keeley & Price & Senators Amick, Bair, Connor, Simpson, Sorenson, Bunting & Vaughn, before the House for consideration.

HB 576 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE RELATING TO EMERGENCY SERVICES.

Mr. Speaker Spence assigned HB 576 to the Policy Analysis & Government Accountability Committee.

Representative Ulbrich made a comment.

Representative Smith made comments.

Representative Ulbrich introduced HB 577, jointly sponsored by Representatives Capano, Lee, Valihura, Wagner, Brady, B. Ennis, Keeley & Price & Senators Bunting, Vaughn, Amick, Bair, Connor & Sorenson & cosponsored by Representative Cloutier.

HB 577 - ESTABLISHING A VOLUNTEER TECHNOLOGY EXPERT GROUP TO ASSIST THE JOINT FINANCE AND CAPITAL IMPROVEMENT PROJECT COMMITTEE ON TECHNOLOGY PROJECTS.

Mr. Speaker Spence assigned HB 577 to the Policy Analysis & Government Accountability Committee.

Representatives Wagner & Ulbrich made comments.

Representative Stone requested and was granted privilege of the floor for Alan Sokolow, Executive Director, Council of State Governments, Eastern Regional Conference.

Mr. Speaker Spence made comments.

The Majority Leader moved to recess to the call of the Chair at 4:47 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:20 p.m. on May 11, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HCR 51 and is returning same to the House.
May 10, 2000

LEGISLATIVE ADVISORY #59

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/28/00 - HJR 20.

Representatives DiLiberto & Scott requested that they be marked present for the current legislative day.

Mr. Acting Speaker assigned HB 567 to the Appropriations Committee.

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

27th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
May 11, 2000

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 578 - BUCKWORTH; REPRESENTATIVE STONE - HOUSE ADMINISTRATION - An Act to Amend Chapter 189, Volume 43 of the Laws of Delaware, as Amended, Relating to the Town of Wyoming. (2/3 bill)

HB 579 - CAULK & SENATOR SIMPSON; REPRESENTATIVES BUCKWORTH, CAREY, QUILLEN, VALIHURA, WELCH - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Taxes and Related Penalties.

HA 2 to HS 1 to HB 219 - MAIER - Placed with the Bill.

HA 2 to HB 514 - VALIHURA - Placed with the Bill.

HA 1 to HB 536 - SCHROEDER - Placed with the Bill.

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

Representative Roy moved to suspend the rules which interfere with introduction of and action on HJR 27. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HJR 27, jointly sponsored by Senator Blevins & Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Cook, McBride, Venables, Bonini & Connor, before the House for consideration.

HJR 27 - RELATING TO CERTAIN TRANSPORTATION COMMITMENTS BY THE STATE OF DELAWARE ON BEHALF OF THE ASTRAZENCA PROJECT.

Representative Roy moved to place HJR 27 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Lee requested that he be marked present.

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

Representative Keeley requested that she be marked present.

Representative Welch deferred to Representative West.

Representative West requested and was granted privilege of the floor for C. Elliott Workman, representing the Retired Officers' Association of the Delaware National Guard. Representative West presented House Tributes to the members of the Association.

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

Representatives Roy & Fallon requested that they be marked present.

Representative Fallon introduced a guest.

Representative Welch deferred to Representative Caulk.

Representative Caulk made comments.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 577 - 5M; HJR 26 - 5M; SB 284 - 5M.

Representative Caulk requested and was granted privilege of the floor for Karen Hutchinson, State Advisor, Future Farmers of America, Department of Education; Marian Handlin, President, Delaware Future Farmers of America; Jennifer Smith, Vice-President, Delaware Association of Business Professionals of America; Brittany Scales, President, Delaware DECA; David Cahill, Secretary, Technology Students of America; Jerry Finch, Treasurer, Family Careers and Community Leaders of America and Tony, Vice-President, Skills USA-VICA.

Mr. Acting Speaker & Representatives Gilligan & Welch made comments.

Mr. Acting Speaker introduced a guest.

Representative Caulk made comments.

Representative Welch deferred to Representative Oberle.

Representative Oberle requested that he be marked present.

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

Representative Oberle requested and was granted privilege of the floor for Kami Banks, Patrick Pugh, Aron Huntington, Danna Sewell and Christina Dayton, representing Delaware Youth Occupant Protection Summit.

Representative Oberle made comments.

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

The Majority Whip moved to recess for caucus at 3:01 p.m.

The House reconvened at 5:08 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 31, SB 304 & SB 318 and requests the concurrence of the House; HB 382 w/HA 1 & HB 505 and is returning same to the House.

May 11, 2000

JoAnn M. Hedrick

Chief Clerk of the House

Please remove my name as Co-Sponsor of HS 1 of HB 219.

This bill is on the agenda today.

Helene M. Keeley
State Representative
5th District

Representative Smith requested that he be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift HJR 27 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy brought HJR 27, jointly sponsored by Senator Blevins & Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Cook, McBride, Venables, Bonini & Connor, before the House for consideration.

HJR 27 - RELATING TO CERTAIN TRANSPORTATION COMMITMENTS BY THE STATE OF DELAWARE ON BEHALF OF THE ASTRAZENECA PROJECT.

Representatives Roy, Gilligan, Mr. Acting Speaker Oberle, Representatives Gilligan & Roy made comments.

The roll call on HJR 27 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HJR 27 was sent to the Senate for concurrence. Representatives Brady, Cloutier, Reynolds, Spence & Stone requested that they be marked present during the roll call.

Mr. Acting Speaker made comments.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 534, jointly sponsored by Representatives VanSant & Ewing & Senator Vaughn & Representatives Boulden, Lofink, Reynolds, Stone, Houghton, Brady, DiLiberto & B. Ennis & Senators Blevins, McBride & Connor & cosponsored by Representative Ulbrich, before the House for consideration.

HB 534 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HEALTH CARE FRAUD.

Representative Capano introduced & brought HA 1 to HB 534 before the House for consideration. Representative Capano made comments. HA 1 was adopted by voice vote.

Representatives Capano, Price, Capano, Price, Capano & DiPinto made comments.

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

Representatives DiPinto & Price made comments.

The roll call on HB 534 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & Price - 2.

Therefore, having received a constitutional majority, HB 534 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested that HS 1 to HB 219 be stricken.

Representative Maier moved to suspend the rules which interfere with introduction of and action on HB 582. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier introduced and brought HB 582, jointly sponsored by Senator Blevins & Representatives Spence, Smith, Welch, Boulden, Capano, D. Ennis, DiLiberto, DiPinto, Oberle, Ulbrich, Wagner & Schroeder & Senators McDowell, Bunting, Marshall, Venables, Connor & Still & cosponsored by Representative Cloutier, before the House for consideration.

HB 582 - AN ACT TO AMEND TITLES 14, 15 AND 30 OF THE DELAWARE CODE TO PROVIDE FOR A "SCHOOL BOARD ACCOUNTABILITY ACT" PERTAINING TO THE QUALIFICATIONS, ELECTIONS, AND TAX CREDITS FOR MEMBERS OF SCHOOL BOARDS OF THE STATE'S REORGANIZED SCHOOL DISTRICTS.

Representative Maier moved to place HB 582 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 239, sponsored by Senator Cook & Representative DiPinto & Senators Sokola, Henry, McBride, Vaughn, Adams, Sharp & Sorenson & Representatives Oberle, Gilligan, Buckworth, DiLiberto, Fallon, D. Ennis & Houghton, before the House for consideration.

SB 239 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE TESTING PROGRAM SCHOLARSHIPS.

Representative Reynolds made comments.

Representative Reynolds deferred to Representative DiPinto.

Representatives DiPinto & Reynolds made comments.

The roll call on SB 239 was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, SB 239 was returned to the Senate.

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

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested that action on HB 360 be deferred to a Day Certain, Tuesday, June 6, 2000.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 528 before the House for consideration.

HB 528 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTERSIGNING OF VERBAL ORDERS.

Representative Ewing introduced & brought HA 1 to HB 528 before the House for consideration.

Representative Ewing made comments. HA 1 was adopted by voice vote.

Representative Ewing requested and was granted privilege of the floor for Joseph M. Letnaunchyn, representing Delaware Health Care Association.

Representative Ewing made comments.

The roll call on HB 528 w/HA 1 was taken and revealed:

YES: 33.

NO: Representatives Cloutier, Stone, Ulbrich, Valihura, Wagner, West & Oberle - 7.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, HB 528 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 464, jointly sponsored by Senator Henry, before the House for consideration.

HB 464 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VIOLATIONS OF TRAFFIC CONTROL SIGNALS.

Representatives Keeley, Smith, Keeley, B. Ennis, Keeley & Mr. Acting Speaker Oberle made comments.

The roll call on HB 464 was taken and revealed:

YES: 36.

NO: Representatives Ewing & Lee - 2.

NOT VOTING: Representative Scott - 1.

ABSENT: Representatives Fallon & Plant - 2.

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

Representative Smith deferred to Representative Spence.

Representative Spence requested that action on HB 110 be deferred to a Day Certain, Tuesday, June 6, 2000.

Representative Smith brought HB 437 w/SA 2, sponsored by Representative Price & Senator Sokola & Representatives Brady, Buckworth, DiPinto, B. Ennis, Ewing, Keeley, Maier, Schroeder, Spence, VanSant, Viola & Wagner & Senators Blevins, Henry, Simpson & Sorenson, before the House for concurrence on SA 2.

HB 437 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT.

Representative Smith made comments.

The roll call on HB 437 w/SA 2 was taken and revealed:

YES: 37.

NO: Representatives Scott & Williams - 2.

ABSENT: Representatives Fallon & Plant - 2.

Therefore, having received a constitutional majority, HB 437 w/SA 2 was sent to the Governor.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 514 w/HA 1, jointly sponsored by Senator Blevins & Representatives Brady, Buckworth, Capano, Carey, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Maier, Mulrooney, Plant, Price, Quillen, Reynolds, Roy, Scott, Spence, Stone, Ulbrich, VanSant, Wagner, Welch, West & Williams & Senators Adams, Amick, Bair, DeLuca, McDowell, Vaughn & Winslow, before the House for consideration.

HB 514 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DIABETES.

Representative DiLiberto made comments.

Representative DiLiberto deferred to Representative Capano.

Representative Capano made a comment.

Representative Valihura requested that HA 2 to HB 514 be stricken.

Representative DiLiberto rose on a point of order. Mr. Acting Speaker concurred.

Mr. Acting Speaker declared a recess at 6:10 p.m.

The House reconvened at 6:21 p.m.

Mr. Acting Speaker made an announcement.

Representative Capano introduced and brought HA 3 to HB 514 before the House for consideration. Representative Capano made comments. HA 3 was adopted by voice vote.

Representative Valihura introduced and brought HA 4 to HB 514 before the House for consideration. Representatives Valihura, DiLiberto & Valihura made comments.

Representative Valihura requested and was granted privilege of the floor for Michael Strine, Executive Assistant, Office of the Secretary, Department of Finance, Division of Revenue.

Representatives Valihura, DiLiberto, Smith, Capano, DiPinto, Valihura, DiLiberto, Valihura & Buckworth made comments. HA 4 was defeated by voice vote.

Mr. Acting Speaker Oberle & Representative Valihura made comments.

Representative Capano introduced and brought HA 5 to HB 514 before the House for consideration. Representative Capano made a comment. HA 5 was adopted by voice vote.

The roll call on HB 514 w/HA 1, 3 & 5 was taken and revealed:

YES: 35.

ABSENT: Representatives D. Ennis, Fallon, Plant, Roy, Scott & Williams - 6.

Therefore, having received a constitutional majority, HB 514 w/HA 1, 3 & 5 was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement regarding HB 514.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 433, jointly sponsored by Representative Carey, before the House for consideration.

HB 433 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HELMET REQUIREMENTS AND ARREST WITHOUT WARRANT FOR MOTOR VEHICLE VIOLATIONS.

Representative Caulk introduced and brought HA 1 to HB 433 before the House for consideration.

Representative Caulk requested that HA 1 be stricken.

Representative Caulk introduced and brought HA 2 to HB 433 before the House for consideration.

Representative Caulk made comments. HA 2 was adopted by voice vote.

Representatives Price, Caulk, Mr. Acting Speaker Oberle & Representative Price made comments.

The roll call on HB 433 w/HA 2 was taken and revealed:

YES: 30.

NO: Representatives Brady, Price & Quillen - 3.

ABSENT: Representatives D. Ennis, Fallon, Plant, Roy, Scott, Stone, Viola & Williams - 8.

Therefore, having received a constitutional majority, HB 433 w/HA 2 was sent to the Senate for concurrence.

Representative Smith brought the following prefiled Consent Calendar #16 before the House for consideration.

HR 65 - SPENCE ON BEHALF OF ALL REPRESENTATIVES - Honoring the Journalism Career of Nancy Charron and Wishing Her Well in Her New Position as Assistant City Editor of The News Journal.

HR 81 - SPENCE & REPRESENTATIVES SMITH, WELCH, GILLIGAN, BOULDEN, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, EWING, LEE, LOFINK, MIRO, OBERLE, QUILLEN, REYNOLDS, ROY, VALIHURA, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, MULROONEY, PLANT, SCHROEDER, SCOTT, VIOLA, WEST, WILLIAMS - Honoring All Delaware Mothers.

HCR 52 - MAIER & SENATOR MARSHALL; SENATOR BLEVINS - Establishing the Week of May 14-20, 2000 as Delaware's "Nursing Home Week", in Concurrence with National Nursing Home Week, and Recognizing the Valuable Services that Nursing Home Facilities and their Dedicated Staffs Provide for the State's Elderly and Disabled and their Families.

SCR 31 - SHARP; SENATORS ADAMS, MCDOWELL, AMICK, BAIR, ON BEHALF OF ALL SENATORS & REPRESENTATIVES SPENCE, SMITH, WELCH, GILLIGAN, VANSANT, ON BEHALF OF ALL REPRESENTATIVES - Extending Sincere Thanks to the Career and Technical Student Organizations of Delaware for the Presentation of the Beautiful Geraniums and Extending Best Wishes for Much Success to Each of These Exemplary Students.

Consent Calendar #16 was adopted by voice vote and SCR 31 was returned to the Senate & HCR 52 was sent to the Senate for concurrence.

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

HOUSE ADMINISTRATION: HB 443 - 3F,1M.

LABOR: HB 559 - 5M.

The Majority Leader moved to recess to the call of the Chair at 7:06 p.m.

Mr. Acting Speaker Roy called the House to order at 2:04 p.m. on May 16, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 392 w/SA 3 & 5 and is returning same to the House.

MEMORANDUM

TO: Terry R. Spence, Speaker
FROM: Rep. John VanSant
DATE: May 11, 2000
RE: Absence from Session

I will be out on State business for the week of May 15th. Please excuse me from Session on May 16, 17 and 18.

MEMORANDUM

TO: Terry R. Spence, Speaker
FROM: Rep. Dave Ennis
DATE: May 11, 2000
RE: Absence from Session

I will be out of the area on State business for the week of May 15th. Please excuse me from Session on May 16, 17 and 18.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Joseph E. Miro, do hereby request that my name be removed as co-sponsor of HB 582.

Date: May 11, 2000

Signed: Joseph E. Miro

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Robert F. Gilligan, do hereby request that my name be removed as co-sponsor of HB 582.

Date: May 11, 2000

Signed: Robert F. Gilligan

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Al O. Plant, do hereby request that my name be removed as co-sponsor of HB 582.

Date: May 11, 2000

Signed: Al O. Plant

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Joseph E. Miro, do hereby request that my name be removed as co-sponsor of HS 1 to HB 219.

Date: May 11, 2000

Signed: Joseph E. Miro

May 11, 2000

JoAnn M. Hedrick

Chief Clerk of the House

Please remove my name as Co-Sponsor of HB 582.

This bill is on the Agenda today.

Helene M. Keeley
State Representative
5th District
MEMORANDUM

DATE: May 11, 2000
TO: Terry R. Spence, Speaker
House of Representatives
FROM: Representative Clifford G. Lee
RE: HB 582

Please remove my name as a sponsor of HB 582.

Thank you.

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

28th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
May 16, 2000

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives D. Ennis & VanSant - 2.

A prayer was offered by Representative Vincent A. Lofink, Twenty-seventh Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 to HB 564 - MAIER & SENATOR BLEVINS & SENATOR WINSLOW;
REPRESENTATIVES BUCKWORTH, CATHCART, CAULK, CLOUTIER, D. ENNIS, EWING,

FALLON, LOFINK, OBERLE, REYNOLDS, STONE, WAGNER, DILIBERTO, B. ENNIS, HOUGHTON, PLANT, PRICE, SCOTT, VIOLA, WEST, WILLIAMS; SENATORS BAIR, CONNOR, SHARP, ADAMS, MCDOWELL, BUNTING, DELUCA, HENRY, MARSHALL, MCBRIDE, SOKOLA, VAUGHN, VENABLES - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Coverage for Colorectal Cancer Screening, Health Insurance, and Group and Blanket Health Insurance.

HB 580 - VANSANT; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, ROY, SCHROEDER, SPENCE, VIOLA, WAGNER, WELCH, WILLIAMS; SENATORS AMICK, BONINI, CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 581 - VALHURA - TRANSPORTATION - An Act to Amend Title 17 of the Delaware Code Relating to Bike Lanes and Road Shoulders.

HB 583 - CAPANO & SENATOR SOKOLA; REPRESENTATIVES DIPINTO, ROY - EDUCATION - An Act to Amend Chapter 12, Title 14 Delaware Code Relating to Substitute Teachers.

HB 590 - ULBRICH & REPRESENTATIVE CAPANO & REPRESENTATIVES LEE & VALHURA & WAGNER & BRADY & B. ENNIS & KEELEY & PRICE & CLOUTIER & SENATORS AMICK & BAIR & CONNOR & SIMPSON & SORENSON & BUNTING & VAUGHN - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Emergency Services.

HA 1 to HB 556 - ULBRICH - Placed with the Bill.

HA 1 to HB 573 - SCOTT - Placed with the Bill.

HA 1 to HB 582 - GILLIGAN - Placed with the Bill.

HA 2 to HB 582 - OBERLE - Placed with the Bill.

HA 3 to HB 582 - BOULDEN - Placed with the Bill.

HA 4 to HB 582 - GILLIGAN - Placed with the Bill.

SB 304 - MARSHALL & REPRESENTATIVE CAPANO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code; 64 Delaware Laws, as Amended; and 70 Delaware Laws, as Amended, Relating to Business Tax Credits. (F/N)

SB 318 - SHARP - JUDICIARY - An Act to Amend Title 12, Delaware Code Relating to the Qualified Dispositions in Trust Act.

HA 2 to SB 185 - LOFINK - Placed with the Bill.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Dorothy Traynor and the Delaware State Federation of Womens' Clubs.

Representatives Capano & DiPinto made announcements.

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

Representative Fallon made comments.

Representative Maier requested that she be marked present.

Representative Wagner made an announcement.

Representative Smith introduced guests.

Representative Buckworth introduced a guest.

Representatives Mulrooney, Schroeder, Viola, Houghton, Gilligan, Price & West requested that they be marked present.

Representative Smith made comments.

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

Representative Keeley requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:20 p.m.

The House reconvened at 4:14 p.m. with Representative Welch as Acting Speaker.

Representative Quillen requested that HB 282 be stricken.

Representative Smith brought HB 443, jointly sponsored by Senator Bunting & All Representatives & All Senators, before the House for consideration.

HB 443 - AN ACT TRANSFERRING FUNDS TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS FOR THE PURPOSE OF CONTRIBUTING THEM TO THE NATIONAL WORLD WAR II MEMORIAL FUND.

Representative Smith made comments.

The roll call on HB 443 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

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

Representatives Brady, Cloutier, DiLiberto, B. Ennis, Plant, Reynolds, Scott, Stone & Williams requested that they be marked present during the roll call.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on HB 574. The motion was seconded by Representative Carey and adopted by voice vote.

Representative DiPinto brought HB 574, jointly sponsored by Representatives Keeley, Plant, Scott & Williams & Senators Marshall & McDowell & cosponsored by Representative Houghton, before the House for consideration.

HB 574 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN NEW CASTLE COUNTY KNOWN AS THE BANCROFT LANES. (F/N)

Representatives DiPinto, Gilligan, DiPinto & Keeley made comments.

The roll call on HB 574 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, HB 574 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 87 w/SA 1, jointly sponsored by Senators Henry, Blevins, DeLuca, Marshall, McDowell, Sharp, Sokola, Venables, Bair, Sorenson & Winslow & Representatives Capano, Cloutier, Oberle, Wagner, Keeley, Plant, Price & Viola, before the House for consideration.

SB 87 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE BENEFITS & EQUITY PRESCRIPTION COVERAGE. (F/N)

Representative Stone brought HA 1 to SB 87 before the House for consideration.

Representative Stone requested that HA 1 be stricken.

Representative Stone brought HA 2 to SB 87 before the House for consideration.

Representative Stone requested that HA 2 be stricken.

Representative Stone deferred to Representative Smith.

Representatives Smith & Stone made comments.

Representative Stone deferred to Representative Smith.

Representative Smith brought HA 3 to SB 87, jointly sponsored by Representatives Brady & Quillen & Senators Simpson & Still, before the House for consideration. Representatives Smith, Stone, Smith, Caulk, Stone, Plant, Ewing, Stone, Ewing & Stone made comments. HA 3 was defeated by voice vote.

Representatives Stone & Miro made comments.

The roll call on SB 87 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, SB 87 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representatives Wagner, Capano & Williams made comments.

Representative Scott requested that HB 531 be stricken.

Mr. Acting Speaker introduced a guest.

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

Representatives Valihura & Smith made announcements.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on HB 590. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Ulbrich brought HB 590, jointly sponsored by Representatives Capano & Lee & Valihura & Wagner & Brady & B. Ennis & Keeley & Price & Senators Amick & Bair & Connor & Simpson & Sorenson & Bunting & Vaughn & cosponsored by Representatives Viola & Cloutier, before the House for consideration.

HB 590 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EMERGENCY SERVICES.

Representative Ulbrich introduced and brought HA 1 to HB 590 before the House for consideration.

Representative Ulbrich made comments. HA 1 was adopted by voice vote.

Representative B. Ennis introduced and brought HA 2 to HB 590 before the House for consideration.

Representatives B. Ennis & Ulbrich made comments. HA 2 was adopted by voice vote.

Representatives Ulbrich, Oberle, Ulbrich, Oberle, Schroeder, Ulbrich, Schroeder, Ulbrich, Schroeder, Wagner, Lee, B. Ennis, West, Ulbrich, Ewing, Ulbrich, Ewing, Ulbrich, B. Ennis, Ewing, B. Ennis, Ewing, B. Ennis & Viola made comments.

The roll call on HB 590 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, HB 590 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Representatives Reynolds, Plant, Gilligan & B. Ennis made comments.

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

Representative Williams made comments.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 542, jointly sponsored by Representatives Brady, Capano, Carey, Cathcart, B. Ennis, D. Ennis, Ewing, Houghton, Keeley, Maier, Mulrooney, Oberle, Plant, Price, Roy, Spence, Ulbrich, Valihura, VanSant, Viola & Williams & Senator Blevins, before the House for consideration.

HB 542 - AN ACT TO AMEND TITLES 1, 15, 21 AND 25 OF THE DELAWARE CODE RELATING TO REFERENCES TO PEOPLE WITH MENTAL ILLNESS.

Representative DiLiberto brought HA 1 to HB 542 before the House for consideration.

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

Representative DiLiberto introduced and brought HA 2 to HB 542 before the House for consideration. Representative DiLiberto made a comment. HA 2 was adopted by voice vote.

Representatives DiLiberto, Smith, Oberle & DiLiberto made comments.

The roll call on HB 542 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, HB 542 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 561, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 561 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES.

Representative Stone requested that HA 1 to HB 561 be stricken.

Representative Stone made comments.

The roll call on HB 561 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, VanSant & West - 3.

Therefore, having received a constitutional majority, HB 561 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HB 480, jointly sponsored by Senator Blevins & All Representatives & Senators Amick, Bair, Connor, DeLuca, Henry, McBride, McDowell, Simpson, Sokola, Sorenson & Winslow, before the House for consideration.

HB 480 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICE FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES; AND PROVIDING FOR A MONEY MANAGEMENT PROGRAM. (F/N)

Mr. Speaker Spence introduced a guest.

Representative Boulden introduced and brought HA 1 to HB 480 before the House for consideration.

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

Representatives Boulden & Oberle made comments.

The roll call on HB 480 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, VanSant & West - 3.

Therefore, having received a constitutional majority, HB 480 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 577, jointly sponsored by Representatives Capano & Lee & Valihura & Wagner & Brady & B. Ennis & Keeley & Price & Senators Bunting, Vaughn, Amick, Bair, Connor & Sorenson & cosponsored by Representative Cloutier, before the House for consideration.

HB 577 - ESTABLISHING A VOLUNTEER TECHNOLOGY EXPERT GROUP TO ASSIST THE JOINT FINANCE AND CAPITAL IMPROVEMENT PROJECT COMMITTEE ON TECHNOLOGY PROJECTS.

Representatives Ulbrich & DiPinto made comments.

The roll call on HB 577 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, VanSant & West - 3.

Therefore, having received a constitutional majority, HB 577 was sent to the Senate for concurrence. Representative Smith made an announcement.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on HJR 26. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ulbrich brought HJR 26, jointly sponsored by Representatives Capano & Lee & Valihura & Wagner & Brady & B. Ennis & Keeley & Price & Senators Amick & Bair & Connor & Simpson & Sorenson & Bunting & Vaughn & cosponsored by Representative Cloutier, before the House for consideration.

HJR 26 - REQUESTING THE CONTROLLER GENERAL'S OFFICE IN CONJUNCTION WITH THE BUDGET DIRECTOR'S OFFICE TO DEVELOP A PROFESSIONAL SERVICES PROCUREMENT MANUAL FOR STATE AGENCIES. (F/N)

Representative Ulbrich made a comment.

The roll call on HJR 26 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, VanSant & West - 3.

Therefore, having received a constitutional majority, HJR 26 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought SCR 30, jointly sponsored by Representative Spence & Senators Bunting, Venables & Connor & Representative Schroeder, before the House for consideration.

SCR 30 - PROVIDING FOR THE DEVELOPMENT, BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, OF RECOMMENDATIONS FOR CLEANING UP SCRAP TIRE PILES IN DELAWARE.

Representative Quillen made comments.

SCR 30 was adopted by voice vote and was returned to the Senate.

Representative Keeley requested and was granted privilege of the floor to present a House Tribute to staff member David Walsh. Mr. Walsh made comments.

Representatives Gilligan, Ulbrich & Capano made comments.

Representative Smith deferred to Representative Welch.

Representative Welch requested and was granted personal privilege of the floor to present a House Tribute to Representative Wayne A. Smith.

Representatives Capano & DiPinto made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:05 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m. on May 17, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 321 w/SA 1, SB 293 w/SA 2, SCR 33 & SCR 34 and requests the concurrence of the House; HB 477, HB 507 w/HA 1 & HJR 27 and is returning same to the House; SB 286, SB 287, SB 288 w/SA 1 & SB 294 and requests the concurrence of the House; HB 196 w/SA 1 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Al O. Plant, do hereby request that my name be removed as co-sponsor of HA 3 to SB 87.

Date: May 16, 2000

Signed: Al O. Plant, Sr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Charles West, do hereby request that my name be removed as co-sponsor of HA 3 to SB 87.

Date: May 16, 2000

Signed: Charles P. West

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

29th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
May 17, 2000

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives D. Ennis & VanSant - 2.

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

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

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

The following prefiled legislation was introduced:

HB 519 - ROY & SENATOR SHARP - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HB 584 - DIPINTO & SENATOR ADAMS - REVENUE & FINANCE - An Act to Amend Title 5 and Title 30 of the Delaware Code Relating to Taxes; and Providing for a Historic Preservation Tax Credit Act.

HB 585 - EWING & SENATOR BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Use of a Firearm during the Commission of a Felony.

HB 586 - OBERLE; REPRESENTATIVES SPENCE, ULBRICH; SENATORS AMICK, CONNOR, DELUCA - REVENUE & FINANCE - An Act to Amend Title 30, Delaware Code, Pertaining to the Personal Income Tax to Provide for a Credit for Dues and Assessments Paid to Homeowners Associations.

HB 587 - SCOTT - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Civil Remedies for Certain Crimes Committed within a Business Context.

HB 588 - EWING & SENATOR BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 25 Relating to Boundaries.

HB 589 - EWING; REPRESENTATIVES OBERLE, SPENCE & SENATOR SHARP; REPRESENTATIVES WELCH, QUILLEN, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DIPINTO, D. ENNIS, FALLON, LEE, LOFINK, REYNOLDS, ROY, SMITH, ULBRICH, WAGNER, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, PRICE, WEST, VANSANT; SENATORS COOK, BONINI, BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Criminal Offenses.

HB 591 - EWING; REPRESENTATIVES SPENCE, OBERLE & SENATOR SHARP; REPRESENTATIVES WELCH, QUILLEN, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DIPINTO, D. ENNIS, FALLON, LEE, LOFINK, MAIER, REYNOLDS, ROY, ULBRICH, WAGNER, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, SCOTT, VANSANT; SENATORS COOK, BONINI, BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Criminal Offenses.

HB 592 - BUCKWORTH & SENATOR VAUGHN - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

HB 593 - DILIBERTO & REPRESENTATIVE WAGNER; SENATORS ADAMS, WINSLOW - JUDICIARY - An Act Proposing the Amendment of Article IV of the Constitution of the State of Delaware By the Addition of a New Section 39 Creating the Judicial Office of Senior Judge. (2/3 bill)

HB 594 - WEST & SENATOR VENABLES; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, CAULK, B. ENNIS, D. ENNIS, EWING, HOUGHTON, MULROONEY, PLANT, PRICE, SCHROEDER, VIOLA, WAGNER; SENATOR ADAMS - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Employee Pensions.

HB 595 - KEELEY; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DIPINTO, B. ENNIS, FALLON, HOUGHTON, MAIER, MIRO, MULROONEY, PRICE, REYNOLDS, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WEST; SENATORS SIMPSON, SORENSON, STILL, WINSLOW - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Medical Records.

HA 1 to HB 571 - CATHCART - Placed with the Bill.

HR 29 - WELCH & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT - EDUCATION - Pertaining to the Release of Lists of High School Graduates to the House of Representatives.

HJR 28 - VALIHURA & SENATOR BUNTING; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, LOFINK, MIRO, OBERLE, PLANT, PRICE, SCOTT, SPENCE, STONE, WEST, WILLIAMS; SENATORS AMICK, BLEVINS, BONINI, CONNOR, SOKOLA, SORENSON, STILL - HEALTH and HUMAN DEVELOPMENT - To Establish a Study Committee to Formulate a Plan of Action for the Department of Health and Social Services to Address Community Mental Health Services and Treatment and the Management of the Delaware Psychiatric Center.

SB 286 - HENRY & REPRESENTATIVE CAPANO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to the Holders of a License to Sell Alcoholic Beverages in a Taproom or Tavern. (2/3 bill)

SB 287 - HENRY & REPRESENTATIVE EWING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to the Alcoholic Beverage Control Voluntary Fine Assessment Plan.

SB 288 w/SA 1 - HENRY & REPRESENTATIVE CAPANO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Criminal Offenses and Penalties Involving Alcoholic Liquors. (2/3 bill)

SB 293 w/SA 2 - HENRY & REPRESENTATIVE CAPANO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to Individuals Under Age 21 Who Enter or Remain in a Taproom, Tavern or Package Store.

SB 294 - HENRY & REPRESENTATIVE CAPANO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 4 of the Delaware Code Relating to the Authority of the Alcoholic Beverage Control Commission to Impose Fines.

SB 321 w/SA 1 - BLEVINS & REPRESENTATIVE MIRO; SENATORS SOKOLA, SIMPSON, BONINI, SORENSON, CONNOR; REPRESENTATIVES BRADY, SPENCE, WELCH, CAPANO, REYNOLDS, CATHCART, GILLIGAN, VANSANT - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Public School Related Employment.

Representative Fallon introduced a guest.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: May 17, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
				H140-1801 Wagner 5/16/2000 T Delaware St Federation of Womens' Clubs/Visit
H140-1802	Buckworth	3/25/2000	T	Dover Police Department/Awarded Accredited Status
H140-1803	Houghton	4/29/2000	T	Matthew Reilly/Firefighter of the Year/Minquadale Fire Compan
H140-1804	Houghton	4/29/2000	T	Paul Taylor, Sr./Fireman of Year/Minquadale Fire Company
H140-1805	Houghton	4/29/2000	T	Richard Tulowitzki/Member of Year/Minquadale Fire Company
H140-1806	Houghton	4/29/2000	T	Joseph Hojnicky/Outstanding Member/Minquadale Fire Company for the 20th Century
H140-1807	DiPinto	4/29/2000	T	Thomas Conaty, III/Dedication of Conaty Park/Father's Memory
H140-1808	Price	5/6/2000	T	Roxana Volunteer Fire Company/40th Anniversary
H140-1809	Welch	4/15/2000	T	Leah Woodworth/Honor Society/Lebanon Valley College
H140-1810	Ewing	5/7/2000	T	Andrewville Historical Society Restoration/Bethel Methodist Church
H140-1811	Ewing	5/7/2000	T	Roger Butler/Leadership/Restoration/Bethel Methodist Church
H140-1812	DiPinto	5/8/2000	T	Nursing Staff/A. I. DuPont Hospital/Nurses Week
H140-1813	DiPinto	5/8/2000	T	Nursing Staff/St. Francis Hospital/Nurses Week
H140-1814	Buckworth	5/17/2000	T	Adriana Aleman/Girl Scout Gold Award Recipient
H140-1815	Buckworth	5/17/2000	T	Brandi Besecker/Girl Scout Gold Award Recipient
H140-1816	Roy	5/17/2000	T	Kristie Fleming/Girl Scout Gold Award Recipient
H140-1817	Williams	5/17/2000	T	Joi Orr/Girl Scout Gold Award Recipient
H140-1818	Buckworth	5/17/2000	T	Rachel Schultz/Girl Scout Gold Award Recipient
H140-1819	Viola	5/17/2000	T	Melaney Scott-Cosden/Girl Scout Gold Award Recipient
H140-1820	D. Ennis	5/6/2000	T	Wilmington Trail Club/East Coast Greenway Alliance Wave 2000 Participant
H140-1821	D. Ennis	5/6/2000	T	White Clay Creek Bike Club/East Coast Greenway Alliance Wave 2000 Participant
H140-1822	Buckworth	5/4/2000	T	Susan Evans/Library Media Specialist of the Year
H140-1823	B. Ennis	5/8/2000	T	Anthony Greloch/39+ Years of Service/Department of Correction

HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: May 17, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1824	Carey	6/17/2000	T	Shelby Barkley/Retirement/33 Years/Lulu Ross Elementary School
H140-1825	Carey	6/8/2000	T	Dr. Judy Spiegel/30 Years of Service/Milford Schools
H140-1826	Carey	4/29/2000	T	Jerry Guyer/Milford Little League/Guyer Field
H140-1827	Carey	5/9/2000	T	Nancy Hawpe/National Distinguished Principal

cospponsor: Caulk

H140-1828	Wagner	6/24/2000	T	Lynda Schreiber & James Oxford/Marriage
H140-1829	Gilligan	5/19/2000	T	Stanton Middle School/40th Anniversary
H140-1830	Cloutier	5/11/2000	T	Public Affairs Department/AstraZeneca Pharmaceuticals/Visit to Legislative Hall
H140-1831	Wagner	5/12/2000	T	Regina Byers/Jefferson Award Recipient
H140-1832	Gilligan	4/29/2000	T	Honorable Wayne Smith/Leadership/Civil War Memorial at Gettysburg
H140-1833	Welch	5/9/2000	T	Madeline Bunting Lynch/85th Birthday
H140-1834	Buckworth	5/9/2000	T	Aileen Tagumpay/Member/Philippine Rotary Exchange Group
H140-1835	Buckworth	5/9/2000	T	Edna Imelda Legazpi/Member/Philippine Rotary Exchange
H140-1836	Buckworth	5/9/2000	T	Reynaldo Gonzales/Member/Philippine Rotary Exchange
H140-1837	Buckworth	5/9/2000	T	Winifred Corto Endozo/Member/Philippine Rotary Exchange
H140-1838	Buckworth	5/9/2000	T	Phyllis Carl Castor/Member/Philippine Rotary Exchange
H140-1839	Buckworth	5/9/2000	T	PP Romeo Apolega/Member/Philippine Rotary Exchange
H140-1840	West	5/11/2000	T	Welcome/Delaware National Guard Retired Officers Association
H140-1841	Maier	5/11/2000	T	ALS Awareness Day
H140-1842	Scott	5/20/2000	T	Margaret Johnson/Outstanding Community Service
H140-1843	Scott	5/20/2000	T	Barbara Hicks/Outstanding Community Service
H140-1844	Scott	5/13/2000	T	Dan Price/Outstanding Community Service
H140-1845	D. Ennis	5/6/2000	T	Delaware Valley Bicycle Club/East Coast Greenway Alliance Wave 2000 Participant
H140-1846	Keeley	5/22/2000	T	Veronica Ramirez/Jane P. Maroney Award Recipient

T- Tribute

M- Memoriam

Representative Smith deferred to Representative Maier.

Representative Maier introduced a guest.

Representative Quillen made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought HR 80, sponsored on behalf of All Representatives, before the House for consideration.

HR 80 - A RESOLUTION COMMENDING STEVEN D. RICHTER OF THE DELAWARE DEPARTMENT OF TRANSPORTATION FOR HIS HARD WORK IN BOSNIA.

WHEREAS, in civilian life Steve Richter is employed in the Bridge Design Division of the Delaware Department of Transportation; and

WHEREAS, Steve Richter of Bridge Design recently returned home after 7 months of military duty in Bosnia. Multi-National forces went to Bosnia in 1996 to stop the Civil War there and now remain to provide a safe and secure environment and promote the country's transition to a peaceful democratic society; and

WHEREAS, Steve was stationed at Eagle Base outside of Tuzla, and worked in the Civil Military Cooperation (CIMIC) Battalion. His job was to assess community infrastructure needs and coordinate nomination of projects for construction by the United States Agency for International Development, which included roads, bridges, power grids, water systems and health clinics. Projects were selected to encourage ethnic minorities to return to their pre-war home and re-create a multi-ethnic society in Bosnia; and

WHEREAS, in Bosnia, Steve worked with many international organizations including the UN. His own unit was staffed by members of eight different countries including the US, Norway, Sweden, Finland, Slovakia, Romania, Bulgaria, and Greece. All of the Americans in the CIMIC Battalion were reservists called to active duty. Steve says that the situation in Bosnia right now is pretty calm but the military is always ready. One of the biggest threats is millions of land mines still in place.

NOW THEREFORE:

BE IT RESOLVED that the House of Representatives of the 140th General Assembly commend Steven D. Richter for a job well done.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House is directed to send suitable prepared copies of the Resolution to Mr. Richter for his family. HR 80 was adopted by voice vote.

Representative DiPinto requested and was granted privilege of the floor for Steven and Anne Richter.

Representatives Smith, DiPinto, Fallon, DiLiberto, Mr. Speaker Spence & Representative Williams made comments.

The House observed a moment of silence in memory of Harry Gardner at the request of Representative Williams.

Representative Gilligan requested that he be marked present.

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

Representatives Lee & Wagner requested that they be marked present.

Representative Maier introduced a guest.

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

The House reconvened at 4:30 p.m.

Representatives Roy, Carey, Lofink, Ulbrich, Cathcart, Reynolds, Stone, Valihura & Brady requested that they be marked present.

Representative Smith moved to suspend the rules which interfere with action on Consent Calendar #17. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Smith brought Consent Calendar #17 before the House for consideration.

HR 29 – WELCH & REPRESENTATIVES SPENCE & SMITH & GILLIGAN & VANSANT - Pertaining to the Release of Lists of High School Graduates to the House of Representatives.

SCR 33 – STILL & REPRESENTATIVE WAGNER ON BEHALF OF ALL REPRESENTATIVES & SENATORS AMICK, BAIR, BONINI, COOK, CONNOR, HENRY, SIMPSON, SORENSON, VENABLES & WINSLOW - Honoring the Women of the Delaware State Federation of Women's Clubs Upon the Occasion of Their Annual Convention 2000.

SCR 34 – HENRY ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES - Recognizing June 2000 as Stand for Children Delaware Month. Consent Calendar #17 was adopted by voice vote and SCR 33 & SCR 34 were returned to the Senate. Representative B. Ennis requested that he be marked present.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Tim Boulden, do hereby request that my name be removed as co-sponsor of SB 308.

Date: May 17, 2000

Signed: Timothy U. Boulden

May 16, 2000

LEGISLATIVE ADVISORY #60

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/16/00 - SB 309.

Representative Ulbrich made an announcement.

Representative Miro requested that he be marked present.

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

EDUCATION: HB 428 - 7M, 2U; SB 301 - 8M.

PUBLIC SAFETY: HB 568 - 5M.

Representatives Buckworth & Oberle requested that they be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:43 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m. on May 18, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to correct a communication: it has passed SCR 33 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 336, SB 182 & SB 229 w/SA 3 & HA 1 & SA 4 and requests the concurrence of the House; HB 472, HB 313 & HB 484 and is returning same to the House.

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

APPROPRIATIONS: HB 289 - 4M; HB 515 - 4M; HB 547 - 4M; HB 550 - 3F,1M; HB 555 - 4M; HJR 24 - 4M.

JUDICIARY: SB 314 - 7M; SB 318 - 7M.

HOUSING & COMMUNITY AFFAIRS: HB 537 - 5M.

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

30th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
May 18, 2000

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives D. Ennis & VanSant – 2.

A prayer was offered by Representative Al O. Plant, Sr., Second Representative District.

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

The following prefiled legislation was introduced:

HB 596 - CAPANO & REPRESENTATIVE LOFINK; REPRESENTATIVES BUCKWORTH, DIPINTO, ULBRICH, VALIHURA, KEELEY; SENATORS DELUCA, MARSHALL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

HB 597 - CAPANO & REPRESENTATIVE GILLIGAN - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Thoroughbred Racing Commission.

SB 182 - ADAMS & SENATORS SHARP & VAUGHN; REPRESENTATIVES BUCKWORTH, EWING, SPENCE - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Police Chief Due Process.

SB 229 w/SA 3, HA 1 & SA 4 - SOKOLA & SENATOR BONINI; REPRESENTATIVES REYNOLDS, EWING; SENATORS VENABLES, BUNTING, HENRY - EDUCATION - An Act to Amend Title 14, Section 4101 of the Delaware Code Relating to Religious Activity in Delaware Public Schools.

SB 336 - BUNTING & REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 295, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bethany Beach" to Modify the Limit on the Amount for Any Special Tax for Sinking Funds. (2/3 bill)

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

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

Representative Carey introduced guests.

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

Mr. Acting Speaker introduced guests and made comments.

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

Representative Maier requested and was granted privilege of the floor for Gail Launay, representing Delaware Advocacy Coalition for People with Disabilities and Partners in Policymaking.

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

Representative Welch made comments.

Representative Gilligan requested that he be marked present.

Representative Gilligan made comments.

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

The House reconvened at 4:42 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 35 and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John J. Viola, do hereby request that my name be removed as co-sponsor of HB 538.

Date: May 18, 2000

Signed: John J. Viola

WITHDRAWAL OF SPONSORSHIP REQUEST

I, William I. Houghton, do hereby request that my name be removed as co-sponsor of HB 538.

Date: May 18, 2000

Signed: William I. Houghton

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Al O. Plant, Sr., do hereby request that my name be removed as co-sponsor of HB 428.

Date: May 18, 2000

Signed: Al O. Plant, Sr.

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

Representative Smith deferred to Representative Price.

Representative Price brought HB 572, jointly sponsored by Representatives Boulden, Brady, Buckworth, Capano, Caulk, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Mulrooney, Plant, Quillen, Schroeder, Stone, Ulbrich, Valihura, VanSant, Viola, Wagner & West, before the House for consideration.

HB 572 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. (2/3 bill)

Representative Price introduced and brought HA 1 to HB 572 before the House for consideration.

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

Representative Price made a comment.

The roll call on HB 572 w/HA 1 was taken and revealed:

YES: 36.

NO: Representative Scott - 1.

ABSENT: Representatives D. Ennis, Maier, VanSant & Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 572 w/HA 1 was sent to the Senate for concurrence.

Representatives Brady, Capano, Spence, West, Miro, Ulbrich & Cathcart requested that they be marked present during the roll call.

Mr. Acting Speaker made an announcement.

Representative West requested and was granted personal privilege of the floor to make comments.
Representative Welch deferred to Representative B. Ennis.

Representative B. Ennis brought HB 511, jointly sponsored by Senator Vaughn & Representatives Brady, Caulk, Houghton, Lee & Spence & Senator Simpson, before the House for consideration.

HB 511 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FROM CIVIL LIABILITY.

Representative B. Ennis made comments.

The roll call on HB 511 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

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

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

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: HS 1 to HB 564 - 5M.

Representative Smith brought HJR 25, jointly sponsored by Senator Bunting & Representatives Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maier, Reynolds, Stone, Ulbrich & Valihura & Senator Amick, before the House for consideration.

HJR 25 - ENCOURAGING THE IMMIGRATION AND NATURALIZATION SERVICES NOT TO CHANGE OUR OATH OF ALLEGIANCE.

Representative Smith made comments.

The roll call on HJR 25 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, HJR 25 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 339, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 339 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CONTRACT AND MINORS.

Representative Stone made comments.

The roll call on SB 339 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority, SB 339 was returned to the Senate.

Representative Smith made an announcement.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought SB 185 w/SA 1, jointly sponsored by Senators Sokola, DeLuca, Amick, Connor & Bair & Representatives Oberle & Viola, before the House for consideration.

SB 185 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DEBRIS DISPOSAL REMEDIATION. (3/5 bill) (F/N)

Representative Lofink requested that HA 1 to SB 185 be stricken.

Representative Lofink brought HA 2 to SB 185 before the House for consideration. Representative Lofink made a comment. HA 2 was adopted by voice vote.

Representative Lofink made comments.

The roll call on SB 185 w/SA 1 & HA 2 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Smith & VanSant - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 185 w/SA 1 & HA 2 was returned to the Senate for concurrence on HA 2.

Representative Welch deferred to Representative Quillen.

Representative Quillen brought HB 532, jointly sponsored by Representatives Spence, Buckworth, Carey & D. Ennis, before the House for consideration.

HB 532 - AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

Representative Quillen made comments.

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

Representatives Gilligan, Schroeder, Quillen, Schroeder, Quillen & Wagner made comments.

The roll call on HB 532 was taken and revealed:

YES: 25.

NO: Representatives Cloutier, DiLiberto, Gilligan, Houghton, Mulrooney, Plant, Schroeder, Scott, Viola, Welch, West & Oberle - 12.

NOT VOTING: Representative Keeley - 1.

ABSENT: Representatives D. Ennis, VanSant & Williams - 3.

Therefore, having received a constitutional majority, HB 532 was sent to the Senate for concurrence. Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 308 w/SA 1, sponsored by Senator Amick & Representative Oberle, before the House for consideration.

SB 308 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Mr. Acting Speaker made an announcement.

Representative Boulden announced that he will not be voting on SB 308 w/SA 1 because of a possible conflict of interest.

Representative Reynolds made comments.

The roll call on SB 308 w/SA 1 was taken and revealed:

YES: 36.

NOT VOTING: Representatives Boulden & Viola - 2.

ABSENT: Representatives D. Ennis, Scott & VanSant - 3.

Therefore, having received a constitutional majority, SB 308 w/SA 1 was returned to the Senate.

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

Representative Smith brought Consent Agenda A, which requires a two-thirds vote, before the House for consideration and concurrence on Senate Amendments.

SB 262 – MARSHALL & REPRESENTATIVE WELCH - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HCR 49 – BOULDEN & SENATOR SOKOLA; REPRESENTATIVE MAIER - Requesting that the Insurance Commissioner Undertake a Study to Determine the Reduction of Risk Effects during the First Year of the Graduated License Implementation.

HB 559 – OBERLE & SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

HB 562 – CATHCART & SENATOR VAUGHN - An Act to Amend the Charter of the Town of Odessa, Chapter 141, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Odessa", to Clarify and Correct Sections of the Charter; to Update the Towns Existing Regulatory Authority, to Provide for Special Requirements to Sell or Transfer the Old Academy Building; to Provide Written Waiver of Notice by Electronic Mail; to Designate the Towns Fiscal Year; and to Provide for an Annual Audit. (2/3 Bill)

HB 196 w/SA 1 – OBERLE & SENATOR SOKOLA - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Qualified Tuition Savings Program.

HB 392 w/SA 3 & 5 – VANSANT & REPRESENTATIVE EWING - An Act to Amend Part 1V, Title 10 of the Delaware Code Relating to Settlements in Civil Actions; and Providing for a Structured Settlement Protection Act.

Representative Smith made announcements.

The roll call on Consent Agenda A was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & VanSant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HCR 49, HB 559 & HB 562 were sent to the Senate for concurrence, SB 262 was returned to the Senate & HB 196 w/SA 1 & HB 392 w/SA 3 & 5 were sent to the Governor.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 515, jointly sponsored by Senator McDowell & Representatives Welch, Buckworth, Capano, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Miro, Oberle, Quillen, Reynolds, Stone, Ulbrich, VanSant, Brady, DiLiberto, B. Ennis, Keeley, Mulrooney, Price, Schroeder, Scott, Viola & Williams & Senators Bunting, DeLuca, Henry, McBride, Marshall, Sokola, Venables, Winslow, Bonini, Connor & Simpson, before the House for consideration.

HB 515 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES. (F/N)

Representative Spence brought HA 1 to HB 515 before the House for consideration. Representative Spence made comments. HA 1 was adopted by voice vote.

Representatives Spence, Wagner, Spence, Welch, Lee & Spence made comments.

The roll call on HB 515 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Miro, Price & VanSant - 4.

Therefore, having received a constitutional majority, HB 515 w/HA 1 was sent to the Senate for concurrence.

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

HOUSING & COMMUNITY AFFAIRS: HB 533 - 5M.

The Majority Leader moved to recess for caucus at 5:45 p.m.

The House reconvened at 6:05 p.m. with Representative Welch as Acting Speaker.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: May 18, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the

House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1847	Smith	6/1/2000	T	Delaware Center for Justice/80th Anniversary
H140-1848	Capano	5/18/2000	T	Adam Christopher Warner/Eagle Scout
H140-1849	DiPinto	5/21/2000	T	Bishop Robert E. Mulvee/St. Thomas More Award
H140-1850	Lofink	5/10/2000	T	Brian Sanches/Wilmington Blue Rocks/Pitched a No Hitter
H140-1851	West	5/29/2000	T	Trevor Lee Rathfon/Eagle Scout
H140-1852	Wagner	5/20/2000	T	Amber Clendaniel & Seth Kopp/Marriage
H140-1853	Wagner	5/20/2000	T	DeAnna Connolly & Herman Andrade/Marriage
H140-1854	Wagner	5/13/2000	T	Alison Webb & Robert Timblin/Marriage
H140-1855	Wagner	5/20/2000	T	Julie Hare & Gregory Hamill/Marriage
H140-1856	Price	4/10/2000	T	Dorothy & Robert Williston/50th Wedding Anniversary
H140-1857	D. Ennis	5/15/2000	T	Dr. Hans Kunze/Leadership/Fraunhofer Bremen Board of Directors
H140-1858	D. Ennis	5/19/2000	T	Mayor Eckhard Naumann/Wittenberg, Germany/Hospitality/Delaware Delegation
H140-1859	D. Ennis	5/14/2000	T	Government of Mainz/State Capital of Rheinland Pfalz/Hospitality
H140-1860	Oberle	6/3/2000	T	Newark High School Reunion of the Millennium
H140-1861	Oberle	5/13/2000	T	Filipino Heritage & Arts Museum/Services to Delawareans
H140-1862	DiPinto	5/16/2000	T	Honorable William V. Roth, Jr./Return to Senate/Recovery from Surgery
H140-1863	Miro	6/1/2000	T	D. Hugh Ferguson, Ed. D./Retirement/Christina School District
H140-1864	Stone	5/8/2000	M	Francis R. Weyandt
H140-1865	Buckworth	5/11/2000	T	Dale Farmer/Induction/Delaware Sports Hall of Fame
H140-1866	DiLiberto	5/11/2000	T	Robert Farmer/Induction/Delaware Sports Hall of Fame
H140-1867	DiPinto	5/12/2000	T	Rosemary Farley, Chairman/Wilmington Flower Market/80th Anniversary
H140-1868	Boulden	5/16/2000	T	Danielle Ameen/Teenager of Year/Newark Lions Club
H140-1869	Boulden	5/16/2000	T	Amanda Rusden/Teenager of Year/Newark Lions Club
H140-1870	Ewing	5/21/2000	T	Virgil Cannon/Dedication/Historical Marker
H140-1871	Schroeder	5/17/2000	T	Jack O'Day/Public Service Recognition Week

HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: May 18, 2000

The following Tributes & Memoriams have been issued through the Office of the Chief Clerk of the

House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1872	Schroeder	5/17/2000	T	Cindy Ingram/Public Service Recognition Week
H140-1873	Schroeder	5/17/2000	T	Bea Wright/Public Service Recognition Week
H140-1874	Schroeder	5/17/2000	T	Elaine Bisbee/Public Service Recognition Week
H140-1875	Gilligan	5/20/2000	T	Edward Malcom/Fireman of Year/Minquas Fire Company
H140-1876	Gilligan	5/20/2000	T	Anthony Graciano/Fireman of Year/Minquas Fire Company
H140-1877	Gilligan	5/20/2000	T	David Haines/Fireman of Year/Minquas Fire Company
H140-1878	Stone	5/17/2000	T	Thomas Leary/Dover Councilman/8 Years of Service
H140-1879	Stone	5/17/2000	T	Robert Lambert/Dover Councilman/8 1/2 Years of Service
H140-1880	Maier	5/17/2000	T	Father Joseph Drobinski/25 th Anniversary/Ordination
H140-1881	Smith	4/29/2000	T	James Codori/Appreciation/Work/Delaware Memorial at Gettysburg

H140-1882	Smith	4/29/2000	T	Ron Tunison/Sculptor/Delaware Memorial at Gettysburg
H140-1883	Smith	4/29/2000	T	C. Phillip Wikoff/Work/Delaware Memorial at Gettysburg
H140-1884	Smith	4/29/2000	T	E. A. Trabant, Ph.D./Work/Delaware Memorial at Gettysburg
H140-1885	Smith	4/29/2000	T	James Stewart/Work/Delaware Memorial at Gettysburg
H140-1886	Smith	4/29/2000	T	James Mohring/Work/Delaware Memorial at Gettysburg
H140-1887	Smith	4/29/2000	T	W. Barksdale Maynard, Ph.D./Work/Delaware Memorial at Gettysburg
H140-1888	Smith	4/29/2000	T	Charles Fithian/Work/Delaware Memorial at Gettysburg
H140-1889	Smith	4/29/2000	T	Richard Dayton/Work/Delaware Memorial at Gettysburg
H140-1890	Smith	4/29/2000	T	William Bell/Work/Delaware Memorial at Gettysburg
H140-1891	Smith	4/29/2000	T	Honorable Michael Battaglia/Work/Delaware Memorial at Gettysburg
H140-1892	Smith	4/29/2000	T	R. Thorpe Moeckel/Work/Delaware Memorial at Gettysburg
H140-1893	Smith	4/29/2000	T	Barbara Benson/Ph.D./Work/Delaware Memorial at Gettysburg
H140-1894	Smith	4/29/2000	T	Richard G. Elliott, Jr., Esq./Work/Delaware Memorial at Gettysburg
H140-1895	Smith	4/29/2000	T	Kim Burdick/Work/Delaware Memorial at Gettysburg
T- Tribute				
M – Memoriam				

Representative Smith introduced and brought SCR 35, jointly sponsored by Senators Bair Connor, Sorenson, Venables & Winslow & Representatives Brady, Cloutier, D. Ennis, Roy, Scott & Valihura, before the House for consideration.

SCR 35 - EXTENDING A WARM WELCOME TO THE STUDENTS FROM JOE POLOWSKI HIGH SCHOOL OF TORGAU, GERMANY.

Representative Smith made comments.

SCR 35 was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 518, jointly sponsored by Representative Spence, before the House for consideration.

HB 518 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE. (F/N)

Representative Ewing brought HA 1 to HB 518 before the House for consideration. Representative Ewing made a comment. HA 1 was adopted by voice vote.

Representative Ewing made comments.

The roll call on HB 518 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Price, VanSant & Williams - 4.

Therefore, having received a constitutional majority, HB 518 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Welch.

Representative Welch brought SB 266 w/SA 1 & 2, jointly sponsored by Senator Marshall, before the House for consideration.

SB 266 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Representative Welch introduced and brought HA 1 to SB 266 before the House for consideration.

Representative Welch made comments. HA 1 was adopted by voice vote.

Representative Welch made comments.

The roll call on SB 266 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Price, Quillen & VanSant - 4.

Therefore, having received a constitutional majority, SB 266 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 284, sponsored by Senator Sharp & Representative Spence, before the House for consideration.

SB 284 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY DISPOSITION.

Representative Ulbrich made comments.

The roll call on SB 284 was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, Price, Quillen & VanSant - 4.

Therefore, having received a constitutional majority, SB 284 was returned to the Senate.

Mr. Speaker Spence & Representative Cathcart made comments.

Representative Smith deferred to Representative Stone.

Representative Stone requested and was granted privilege of the floor to present a House Tribute to

Representative Roger P. Roy.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that action on HB 555 be deferred to a Day Certain, Thursday, June 8, 2000.

Mr. Speaker Spence assigned HB 538 to the Appropriations Committee.

Representative Smith deferred to Representative Mulrooney.

Representative Mulrooney introduced and brought HR 82 before the House for consideration.

HR 82 - COMMENDING OCCIDENTAL CHEMICAL CORPORATION'S DELAWARE CITY PLANT AND EMPLOYEES FOR APPROVAL FOR CONTINUED PARTICIPATION IN THE OSHA STAR VOLUNTARY PROTECTION PROGRAM.

Representative Mulrooney made comments.

HR 82 was adopted by voice vote.

Representative Smith deferred to Representative Valihura.

Representative Valihura introduced and brought SCR 32, jointly sponsored by Senator Sokola, before the House for consideration.

SCR 32 - RECOGNIZING THE IMPORTANCE OF SAFETY WHILE USING WIRELESS PHONES AND TO DECLARE MAY 21 THROUGH MAY 28, 2000, AS "WIRELESS COMMUNICATIONS SAFETY WEEK" IN DELAWARE.

Representative Valihura made comments.

SCR 32 was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HB 601, jointly sponsored by Representatives Buckworth, Carey, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Lofink, Miro, Oberle, Reynolds, Valihura, Gilligan, Houghton, Viola & West & Senators Bair, Sorenson, Winslow & Sharp.

HB 601 - AN ACT TO AMEND SECTION 101, CHAPTER 1, TITLE 22 OF THE DELAWARE CODE WITH REFERENCE TO THE PROCEDURES FOR ANNEXATION OF LAND; PROVIDING FOR ANY CITY, TOWN OR MUNICIPALITY LOCATED IN NEW CASTLE COUNTY SEEKING ANNEXATION OF LAND TO OBTAIN APPROVAL OF SAID ANNEXATION FROM THE NEW CASTLE COUNTY EXECUTIVE AND THE NEW CASTLE COUNTY COUNCIL.

Mr. Speaker Spence assigned HB 601 to the Land Use and Infrastructure Committee.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan made comments regarding HB 604.

Representative Gilligan introduced HB 604, jointly sponsored by Representatives Lofink & Schroeder & Senator Vaughn & cosponsored by Representative Roy.

HB 604 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND INTERSCHOLASTIC ATHLETICS.

Mr. Speaker Spence assigned HB 604 to the Education Committee.

Representative Smith deferred to Representative Capano.

Representative Capano introduced HJR 31.

HJR 31 - RECOMMENDING THE ABOLISHMENT OF COUNTY REGISTER IN CHANCERY AS AN ELECTED OFFICE THEREBY ENABLING THE COURT OF CHANCERY TO SELECT ITS OWN REGISTER IN CHANCERY.

Mr. Speaker Spence assigned HJR 31 to the Judiciary Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SS 1 to SB 329 and requests the concurrence of the House; HCR 52 and is returning same to the House; SCR 32 and requests the concurrence of the House.

The Majority Leader moved to recess to the call of the Chair at 6:44 p.m.

Mr. Speaker Spence called the House to order at 2:16 p.m. on June 6, 2000.

Representative Smith deferred to Representative Wagner.
Representative Wagner introduced HB 610, jointly sponsored by Representative Valihura & Senators DeLuca, Sharp, Winslow & Bonini.
HB 610 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER INFORMATION TRANSACTIONS.
Mr. Speaker Spence assigned HB 610 to the Judiciary Committee.
The Majority Leader moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

31st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 6, 2000

The Chief Clerk called the roll:

Members Present: 40

Member Absent: Representative D. Ennis - 1.

A prayer was offered by Reverend Tim Woodruff, Pastor, Calgary Presbyterian Church.

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

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

The following prefiled legislation was introduced:

HB 598 - BOULDEN & REPRESENTATIVES OBERLE, SPENCE, BUCKWORTH, CATHCART, DIPINTO, EWING, FALLON, HOUGHTON, KEELEY, PLANT, ULBRICH, VALIHURA; SENATOR BONINI - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving on Roadways Laned for Traffic.

HB 599 - QUILLEN & SENATOR VENABLES & REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Animals.

HB 600 - CAULK & SENATOR BUNTING; REPRESENTATIVES CAREY, CATHCART, PRICE, QUILLEN, SCHROEDER, WEST; SENATORS COOK, SIMPSON, STILL, VENABLES - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Grain Inspection, Certification, and Grain Contracts.

HB 602 - BOULDEN & REPRESENTATIVE OBERLE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income.

HB 603 - BUCKWORTH & SENATOR MCBRIDE; REPRESENTATIVES MAIER, DILIBERTO; SENATOR BONINI - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Leave for State Employees.

HA 1 to HB 538 - CAULK & REPRESENTATIVE WEST - Placed with the Bill.

HA 1 to HB 549 - MULROONEY - Placed with the Bill.

HA 1 to HB 567 - PRICE - Placed with the Bill.

HR 83 - PRICE & REPRESENTATIVE SCHROEDER & REPRESENTATIVE WEST & SENATOR BUNTING; REPRESENTATIVES CAREY, FALLON, LEE - HOUSE ADMINISTRATION - Urging Sussex County Council to Include Both Coastal and Inland Areas Within Each New Councilmatic District Created Following the 2000 Census.

HJR 29 - PRICE & SENATOR BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Requesting a Survey of Above-Ground Petroleum Storage Tanks and Report to the 141st General Assembly by May 1, 2001 Detailing the Need for Oversight Legislation or Regulations.

HJR 30 - SPENCE - HOUSE ADMINISTRATION - Encouraging Delaware's State and County Libraries to Explore the Possibility of Opening Public Libraries Seven Days Per Week.

SS 1 to SB 329 - WINSLOW & REPRESENTATIVE WAGNER; SENATORS AMICK, CONNOR, SIMPSON, SORENSON, STILL; REPRESENTATIVE SCOTT - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 11 of the Delaware Code Relating to DNA. (F/N)

HA 1 to SS 1 to SB 237 - CATHCART & REPRESENTATIVE CAPANO - Placed with the Bill.

HA 1 to SB 320 - VALIHURA - Placed with the Bill.

HA 2 to SB 320 - VALIHURA - Placed with the Bill.

Representatives VanSant, West, B. Ennis, Wagner & Gilligan requested that they be marked present. Representatives Buckworth & Price requested and were granted privilege of the floor to introduce guests.

Representative Wagner requested that HB 393 be stricken.

Mr. Speaker Spence reassigned HB 598 to the Transportation Committee.

Mr. Speaker Spence assigned SS1 for SB 237 to the Appropriations Committee.

Representatives Gilligan & Boulden requested and were granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #82

DATE: June 6, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1896	Smith	4/29/2000	T	Thomas J. Reed, Esq./Work/Delaware Memorial at Gettysburg
H140-1897	Smith	4/29/2000	T	Richard L. Raffaelli, CPA/Work/Delaware Memorial at Gettysbu
H140-1898	Smith	4/29/2000	T	Charles T. Burris/Work/Delaware Memorial/Gettysburg
H140-1899	Smith	4/29/2000	T	John Pickett/Work/Delaware Memorial at Gettysburg
H140-1900	Smith	4/29/2000	T	Ken Burns/Address/Dedication/Delaware Civil War Memorial/Gettysburg
H140-1901	Smith	4/29/2000	T	Ron Whittington/Work/Delaware Memorial/Gettysburg
H140-1902	Smith	4/29/2000	T	John Sutton/Work/Delaware Memorial at Gettysburg
H140-1903	Smith	4/29/2000	T	Marvin Schelhouse/Work/Delaware Memorial at Gettysburg
H140-1904	Smith	4/29/2000	T	Honorable G. Robert Quillen/Work/Delaware Memorial/Gettysbu
H140-1905	Smith	4/29/2000	T	Michael Newbold/Work/Delaware Memorial at Gettysburg
H140-1906	Smith	4/29/2000	T	Honorable Roger Martin/Work/Delaware Memorial/Gettysburg
H140-1907	Smith	4/29/2000	T	John La Rosch/Work/Delaware Memorial at Gettysburg
H140-1908	Smith	4/29/2000	T	Mary Ann Kelly, Esq./Work/Delaware Memorial at Gettysburg
H140-1909	Smith	4/29/2000	T	Thomas Herlihy, Esq./Work/Delaware Memorial at Gettysburg
H140-1910	Smith	4/29/2000	T	E. Bradford DuPont, Jr./Work/Delaware Memorial at Gettysburg
H140-1911	Smith	4/29/2000	T	Honorable Steven H. Amick, Esq./Work/Delaware Memorial at Gettysburg
H140-1912	Capano	5/25/2000	T	Christopher E. Gschweng/Eagle Scout
H140-1913	Smith	5/16/2000	T	Gwen Reilly/Community Service
H140-1914	Gilligan, Keeley	5/20/2000	T	David Walsh/Alexandra Stein/Marriage
cosponsors: All Representatives				
H140-1915	Roy	5/31/2000	T	Stephen S. F. Chen, Taipei Ambassador/Welcome to Delaware
H140-1916	D. Ennis	5/17/2000	T	Katherine Miller/Girl Scout Gold Award Recipient
H140-1917	Stone	5/17/2000	T	South Dover Elementary School/Superstars in Education
H140-1918	Quillen	5/20/2000	T	Focus on Learning/Academically Gifted Program/20th Anniversa
H140-1919	Carey	6/6/2000	T	Peggy Biddle/Kent-Sussex Industries/Employee of the Year

HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: June 6, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1920	Carey	6/6/2000	T	Dolores Diefenbach/KSI/Employee of the 4th Quarter
H140-1921	Carey	6/6/2000	T	Sheila Hickey/KSI/Employee of the 3rd Quarter
H140-1922	Carey	6/6/2000	T	Mary Spencer/KSI/Employee of the 2nd Quarter
H140-1923	Carey	6/6/2000	T	Harold Henry/KSI/Employee of the 1st Quarter
H140-1924	Wagner	4/29/2000	T	Sona M. Karia/Exemplary Scholar
H140-1925	Wagner	4/29/2000	T	Aaron Handler/Exemplary Scholar
H140-1926	Wagner	4/29/2000	T	Amber Chambers/Exemplary Scholar
H140-1927	Stone	4/29/2000	T	Dr. Jerome Abrams/Benjamin F. Burton Humanitarian Award Recipient
H140-1928	Quillen	4/29/2000	T	Karen Wothers/Benjamin F. Burton Humanitarian Award Recipient
H140-1929	Price	5/26/2000	T	Cheryl Jackson/22 Years of Service/Health & Social Services
H140-1930	Ewing	5/16/2000	T	Sarah Pritchett/Induction/National Junior Honor Society
H140-1931	Ewing	5/16/2000	T	Abby Pritchett/Induction/French National Honor Society
H140-1932	Valihura	5/16/2000	T	Karen Valihura/Birthday
H140-1933	Carey	5/17/2000	T	Robert VanGorder/Kent County Employee of the Year
H140-1934	Keeley	5/20/2000	T	Julio Castellanos/Arts/Sports Award Recipient
cosponsor: West				
H140-1935	Keeley	5/20/2000	T	Vincente Diego/Outstanding Hispanic Student of the Year
cosponsor: DiLiberto				
H140-1936	Keeley	5/20/2000	T	Maria Hernandez/Outstanding Achievement in School and Community Service
cosponsor: D. Ennis				
H140-1937	Keeley	5/20/2000	T	Stephanie Asion/Outstanding Hispanic Student of the

	cosponsor: Lofink			Year
H140-1938	Keeley	5/20/2000	T	Daikiri Villa/Outstanding Achievement in School and Community Service
	cosponsor: Carey			
H140-1939	Keeley	5/20/2000	T	Steven Cordero/Outstanding Hispanic Student of the Year
	cosponsor: Viola			
H140-1940	Keeley	5/20/2000	T	Miriam Zambrana/Outstanding Hispanic Student of the Year
	cosponsor: Viola			
H140-1941	Keeley	5/20/2000	T	Denise Leal/Arts Award Recipient
	cosponsor: Wagner			
H140-1942	Keeley	5/20/2000	T	John Brayman/Sports Award Recipient
	cosponsor: Boulden			

HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: June 6, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1943	Keeley	5/20/2000	T	Nicole Jimenez/Arts Award Recipient
	cosponsor: Miro			
H140-1944	Keeley	5/20/2000	T	Leah Thompson/Academics Award Recipient
	cosponsor: Quillen			
H140-1945	Stone	5/17/2000	T	Honorable Roger Roy/Legislator of the Year Recipient
	cosponsors: All Representatives			
H140-1946	Maier	5/15/2000	M	Henry Richard Anderson, Jr.
H140-1947	Maier	5/10/2000	M	Stanley C. Krzywicki
H140-1948	Spence	5/18/2000	T	Bea Simonds/Order of the First State Award Recipient
H140-1949	Caulk	5/12/2000	T	Erin Needham/Graduation/Southern Illinois
H140-1950	Buckworth	5/20/2000	T	Evalynn Brunswick/Teacher/Arnold Elementary School/Retirement
H140-1951	Buckworth	5/21/2000	T	Linda Barlow/Teacher/Dover Air Force Base Middle School/Retirement
H140-1952	Buckworth	5/21/2000	T	Gail Clark/Teacher/Welch Elementary School /Retirement
H140-1953	Buckworth	5/21/2000	T	Margaret Faulkner/Food Service/Frear Elementary School/Retirement
H140-1954	Buckworth	5/21/2000	T	Thomas Kinkus/Teacher/Caesar Rodney High /Retirement
H140-1955	Buckworth	5/21/2000	T	Patricia Latsko/Secretary/Caesar Rodney District Office/Retirement
H140-1956	Buckworth	5/21/2000	T	Ruth Lyon/Teacher/Welch Elementary School /Retirement
H140-1957	Buckworth	5/21/2000	T	Phillip McDonald/Teacher/John S. Charlton School/Retirement
H140-1958	Buckworth	5/21/2000	T	Judith Mims/Librarian/Caesar Rodney High/Retirement
H140-1959	Buckworth	5/21/2000	T	Retha Organ/Teacher/Caesar Rodney High/Retirement
H140-1960	Buckworth	5/21/2000	T	Erica Reigle/Food Service/Caesar Rodney High /Retirement
H140-1961	Buckworth	5/21/2000	T	Mary Robinson/Teacher/Frear Elementary School /Retirement
H140-1962	Buckworth	5/21/2000	T	Gwen Stevens/Teacher/Welch Elementary School /Retirement
H140-1963	Buckworth	5/21/2000	T	Glenda Threet/Food Service/Frear Elementary School/Retirement
H140-1964	Buckworth	5/21/2000	T	Nancy Benner/Teacher/Caesar Rodney High/Retirement

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: June 6, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1965	Buckworth	5/21/2000	T	JoAnn Bryan/Teacher/Postlethwait Middle School /Retirement
H140-1966	Buckworth	5/21/2000	T	Monica Cohee/Food Service/Dover Air Force Base Middle School/Retirement

H140-1967	Buckworth	5/21/2000	T	Patricia Killalea/Teacher/Welch Elementary School /Retirement
H140-1968	Buckworth	5/21/2000	T	Mary Klimowski/Food Service/Frear Elementary School/Retirement
H140-1969	Buckworth	5/21/2000	T	Sylvia LaVere/Secretary/Caesar Rodney District Office/Retirement
H140-1970	Buckworth	5/21/2000	T	Roger Mason/Custodian/Caesar Rodney High /Retirement
H140-1971	Buckworth	5/21/2000	T	Doris Miller/Para Professional/Brown Elementary School/Retirement
H140-1972	Buckworth	5/21/2000	T	Frances Mosley/Food Service/Dover Air Force Base Middle School/Retirement
H140-1973	Buckworth	5/21/2000	T	Sandra Phillips/Librarian/Dover Air Force Base Middle School/Retirement
H140-1974	Buckworth	5/21/2000	T	Pauline Robinson/Teacher/Star Hill Elementary /Retirement
H140-1975	Buckworth	5/21/2000	T	Maria Sedmont/Teacher/Delaware Program/Retirement
H140-1976	Buckworth	5/21/2000	T	Kathleen Taylor/Teacher/Stokes Elementary/Retirement
H140-1977	Buckworth	5/21/2000	T	Doris Winsley/Teacher/Alternative School Coordinator /Retirement
H140-1978	Ewing	5/22/2000	T	Christopher Faulkner/Graduation/Del Tech
H140-1979	Caulk	5/24/2000	T	Nancy Green/Teacher/Lake Forest South Elementary/Retirement
H140-1980	Caulk	5/24/2000	T	Frances Grimm/Teacher/Lake Forest North Elementary /Retirement
H140-1981	Carey	5/24/2000	T	Joyce Nelson/Teacher/Lake Forest North Elementary /Retirement
H140-1982	Caulk	5/24/2000	T	Edgenell Jones/Teacher/Chipman Middle School /Retirement
H140-1983	Caulk	5/24/2000	T	Kenna Adams/Interpreter-Tutor/Lake Forest High /Retirement
H140-1984	Caulk	5/24/2000	T	George Hobbs/School Bus Driver/Retirement
H140-1985	Quillen	6/4/2000	T	Robert Tribbett/Valedictorian/Woodbridge High
H140-1986	Buckworth	5/29/2000	T	Anne Stern/World War II Nurse/Honored/Memorial Day
H140-1987	Quillen	5/27/2000	T	Patricia Smith/Appreciation/32 Years/DELDOT

T- Tribute

M - Memoriam

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

Representative Boulden introduced a guest.

Representative Stone requested that she be marked present.

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

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

Representative Roy requested and was granted privilege of the floor for Kama Boland, Miss Delaware 1999 and the Miss Delaware 2000 contestants who announced their names for the record. Miss Boland presented the official Miss Delaware 1999 portrait to the House.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments.

Representative Fallon made an announcement.

Representative Oberle requested that he be marked present.

Representatives Boulden & Fallon made announcements.

The Reading Clerk read the following communications into the record:

The Library of Congress

Ms. JoAnn Hedrick
Office of the Chief Clerk
House of Representatives
Legislative Hall
Dover, DE 19901

May 26, 2000

Dear Ms. Hedrick:

Thank you for the magnificent Tribute from the State of Delaware's House of Representatives to the Library of Congress in recognition of our Bicentennial. It is simply beautiful and will always be a treasured document honoring our 200th birthday. We do indeed have much to celebrate with the many achievements of the Library and its outstanding staff through two centuries of service to Congress and the nation, and I deeply appreciate your special recognition of our historic occasion. Please convey my appreciation to the Tribute's sponsor, Mr. DiPinto, and the Speaker of the House, Mr. Spence.

Sincerely,
James H. Billington
The Librarian of Congress

My Wilmington wife was specially thrilled!

Representative DiPinto requested that he be marked present.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Terry R. Spence
FROM: Rep. Dave Ennis
DATE: June 6, 2000
RE: Absence from Session

I will out of town on Tuesday, June 06, 2000, due to an unexpected personal bereavement issue. Please excuse my absence from session.

May 19, 2000

LEGISLATIVE ADVISORY #61

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/18/00 - HB 437 aab SA 2.

May 25, 2000

LEGISLATIVE ADVISORY #62

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/22/00 - SB 133 aab HA 2 & SB 277 aab SA 1.

June 1, 2000

LEGISLATIVE ADVISORY #63

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/26/00 - HB 196 aab SA 1, HB 313, HB 382 aab HA 1, HB 392 aab SA 3 & 5, HB 472, HB 477, HB 484, HB 505 aab HA 1, HB 507 aab HA 1, HJR 27, SB 239 & SB 339.

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

The House reconvened at 4:30 p.m. with Representative Quillen as Acting Speaker.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Buckworth, do hereby request that my name be removed as co-sponsor of HB 543.

Date: June 6, 2000

Signed: Gerald A. Buckworth

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as co-sponsor of HB 596.

Date: June 6, 2000

Signed: Terry R. Spence

The Senate wishes to inform the House that it has passed SCR 36 and requests the concurrence of the House.

Representative Welch deferred to Representative Buckworth.

Representative Buckworth brought HB 360, cosponsored by Representatives Fallon & Welch & Senators Adams & Vaughn, before the House for consideration.

HB 360 - AN ACT TO AMEND CHAPTER 7 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH.

Representatives Buckworth, West, Buckworth, West & Buckworth made comments.

Representative Buckworth requested and was granted privilege of the floor for H. Lloyd Alexander, Jr., Wildlife Administrator, Division of Fish and Wildlife, Department of Natural Resources and Environmental Control.

Representatives Buckworth, West, Caulk, B. Ennis & West made comments.

Representatives Schroeder, Reynolds & Ulbrich requested that they be marked present.

The roll call on HB 360 was taken and revealed:

YES: 35.

NO: Representatives Lee, Miro, Valihura, West & Quillen - 5.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 360 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Reynolds.

Representative Reynolds requested and was granted privilege of the floor for Cindy DiPinto and the 2000 State of Delaware Parent Partnership Award Winners.

Mr. Speaker Spence resumed the Chair.

Representative Smith made an announcement.

Representative Wagner made comments.

Representative Smith deferred to Representative Williams.

Representative Williams brought HB 541, jointly sponsored by Senator Blevins, before the House for consideration.

HB 541 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Representative Williams brought HA 1 to HB 541 before the House for consideration.

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

Representative Williams made comments.

The roll call on HB 541 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 541 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Williams.

Representative Williams brought HB 544, jointly sponsored by Senator Blevins, before the House for consideration.

HB 544 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR VICTIMS OF CRIME.

Representatives Williams, Oberle, Maier, Williams, Maier, Williams & DiPinto made comments.

The roll call on HB 544 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 544 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 550, jointly sponsored by Senator Adams, before the House for consideration.

HB 550 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE AND VOLUME 70 OF DELAWARE LAWS RELATING TO THE BANK FRANCHISE TAX. (F/N)

Representative Stone made comments.

The roll call on HB 550 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 550 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich requested that action on HB 556 be deferred to a Day Certain, Thursday, June 8, 2000.

Representative Smith deferred to Representative Maier.

Representative Maier brought HS 1 to HB 564, jointly sponsored by Senators Blevins & Winslow & Representatives Buckworth, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Lofink, Oberle, Reynolds, Stone, Wagner, DiLiberto, B. Ennis, Houghton, Plant, Price, Scott, Viola, West & Williams & Senators Bair, Connor, Sharp, Adams, McDowell, Bunting, DeLuca, Henry, Marshall, McBride, Sokola, Vaughn & Venables, before the House for consideration.

HB 564 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COVERAGE FOR COLORECTAL CANCER SCREENING, HEALTH INSURANCE, AND GROUP AND BLANKET HEALTH INSURANCE.

Representative Maier introduced and brought HA 1 to HS 1 to HB 564 before the House for consideration. Representative Maier made comments. HA 1 was adopted by voice vote.

The roll call on HS 1 to HB 564 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HS 1 to HB 564 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 301, jointly sponsored by Senator Sokola, before the House for consideration.

SB 301 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Representative Reynolds made comments.
 Representative Reynolds requested and was granted privilege of the floor for Gloria W. Homer, President, Campus Community School Board.
 Representative Reynolds requested and was granted privilege of the floor for Kathy Karsnitz, representing Delaware State Education Association.
 Representatives DiPinto, Oberle, Ulbrich, Reynolds, Oberle, Viola, Reynolds, Viola, Boulden, Oberle, Brady & Reynolds made comments.
 The roll call on SB 301 was taken and revealed:
 YES: 21.
 NO: Representatives Brady, Buckworth, Carey, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Mulrooney, Oberle, Plant, Price, Scott, VanSant, Viola, West & Williams - 17.
 NOT VOTING: Representative Schroeder - 1.
 ABSENT: Representatives D. Ennis & Roy - 2.
 Therefore, having received a constitutional majority, SB 301 was returned to the Senate.
 Mr. Speaker Spence introduced guests.
 Zachary Boulden sang a song for the House Members.
 Mr. Speaker Spence introduced a guest.
 Representative Smith deferred to Representative Fallon.
 Representative Fallon introduced and brought HJR 32, jointly sponsored by Senator Venables, before the House for consideration.
 HJR 32 - ENCOURAGING THE DELAWARE DEPARTMENT OF TRANSPORTATION TO IMPLEMENT A PREVENTIVE MAINTENANCE PROGRAM FOR THE WOODLAND FERRY AND DIRECTING IT TO IMPROVE ITS MAINTENANCE AND REPAIR SCHEDULES FOR THE WOODLAND FERRY. (F/N)
 Representative Fallon moved to suspend the rules which interfere with introduction of and action on HJR 32. The motion was seconded by Representative Welch and adopted by voice vote.
 Representative Fallon made comments.
 The roll call on HJR 32 was taken and revealed:
 YES: 36.
 ABSENT: Representatives Caulk, D. Ennis, Houghton, Viola & Welch - 5.
 Therefore, having received a constitutional majority, HJR 32 was sent to the Senate for concurrence.
 Representative Smith deferred to Representative DiPinto.
 Representative DiPinto introduced and brought SCR 36, jointly sponsored by Senators Cook & Blevins & Representative Roy & Senators Bonini, Connor, Henry, McBride, Sorenson, Vaughn, Venables & Winslow & Representatives Buckworth, Carey, DiLiberto, D. Ennis, Fallon, Houghton, Lofink, Oberle, Plant & Schroeder, before the House for consideration.
 SCR 36 - PAYING TRIBUTE TO RETIRING STATE BUDGET DIRECTOR PETER M. ROSS FOR HIS MANY SERVICES TO THE STATE OF DELAWARE, AND EXTENDING TO HIM BEST WISHES FOR HIS RETIREMENT.
 SCR 36 was adopted by voice vote and was returned to the Senate.
 The Chief Clerk read the following committee reports into the record:
 REVENUE & FINANCE: HB 551 - 1F, 5M; HB 584 - 6F.
 The Majority Leader moved to recess to the call of the Chair at 5:52 p.m.
 Mr. Acting Speaker Oberle called the House to order at 2:15 p.m. on June 7, 2000.
 The Chief Clerk read the following communications into the record:
 The Senate wishes to inform the House that it has passed SB 310 and requests the concurrence of the House.
 The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

32nd LEGISLATIVE DAY
 140th GENERAL ASSEMBLY
 Second Session
 June 7, 2000

The Chief Clerk called the roll:
 Members Present: 39.
 Members Absent: Representatives Lofink & Ulbrich - 2.
 A prayer was offered by Representative Deborah H. Capano, Twelfth Representative District.
 Mr. Acting Speaker led those present in the pledge of allegiance to the American Flag.
 The following prefiled legislation was introduced:

HB 605 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, HOUGHTON, LEE, LOFINK, MAIER, MIRO, OBERLE, REYNOLDS, ROY, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, WELCH - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 606 - ULBRICH & SENATOR DELUCA; REPRESENTATIVES CAPANO, VALIHURA, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, SIMPSON & STILL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of The Delaware Code Regarding Boilers and Title 29 of the Delaware Code Regarding Boiler Safety and the Administrative Procedures Act.

HB 607 - PRICE & SENATOR SOKOLA; REPRESENTATIVES CAREY, B. ENNIS, HOUGHTON, PLANT, WEST - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 6 of the Delaware Code Relating to Unused Property Markets.

HB 608 - VALIHURA & SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Statutes of Limitations for Certain Criminal Offenses.

HB 609 - CAPANO - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Public Health; and Providing for the Listing of Certain Dangerous Substances.

HB 611 - OBERLE & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 10 of the Delaware Code Relating to Executions as Regards the Delaware Qualified Tuition Savings Program.

HA 4 to HB 555 - WAGNER - Placed with the Bill.

SB 310 - BLEVINS & REPRESENTATIVES SPENCE & OBERLE; SENATORS VAUGHN, WINSLOW; REPRESENTATIVES DILIBERTO, VANSANT - JUDICIARY - An Act to Amend Chapter 23, Title 6 of the Delaware Code, Relating to Pre-judgment Interest for Compensatory Damages in Tort Actions.

HA 3 to SB 18 - WAGNER - Placed with the Bill.

Mr. Acting Speaker introduced guests.

The Chief Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House of Representatives
FROM: Representative Stephanie A. Ulbrich
DATE: June 7, 2000
RE: Absence from Session

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

Representatives Keeley, West & Viola requested that they be marked present.

Mr. Acting Speaker introduced guests.

Mr. Acting Speaker granted privilege of the floor to Patricia Beebe, Chief Executive Officer, Food Bank of Delaware.

Representative Carey & Mr. Acting Speaker Oberle made comments.

Representative Carey introduced a guest.

Representative Carey requested and was granted privilege of the floor for Dolly Banks, President, Mothers Against Drunk Driving.

Representative Williams requested that he be marked present.

The Majority Leader moved to recess for committee meetings at 2:26 p.m.

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

Representatives Buckworth, Miro, DiPinto, Houghton, Fallon & Cloutier requested that they be marked present.

Representative Smith introduced HB 612, sponsored by Representative Spence & Senator Sharp.

HB 612 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.

Mr. Acting Speaker assigned HB 612 to the Revenue & Finance Committee.

Representative Smith introduced HB 614, sponsored by Representative Spence & Senator Sharp.

HB 614 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS.

Mr. Acting Speaker assigned HB 614 to the Revenue & Finance Committee.

Representative Gilligan requested that he be marked present.

Representative Smith introduced and brought the following prefiled Consent Calendar #18 before the House for consideration.

HR 84 - CAPANO ON BEHALF OF ALL REPRESENTATIVES - Mourning the Death of One of Delaware's Finest Industrialists, Philanthropists and Republican Party Leaders, John W. Rollins, Sr.

HCR 53 – SMITH & SENATOR BAIR - Commemorating the 100th Anniversary of the Town of Arden and Wishing Its Citizens a Most Utopian Centennial Celebration.

Consent Calendar #18 was adopted by voice vote and HCR 53 was sent to the Senate for concurrence.

Representative Gilligan made comments regarding HR 84.

Representative Stone requested that she be marked present.

Representative Smith made comments regarding HR 84.

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

EDUCATION: SB 321 w/SA 1 - 6M.

PUBLIC SAFETY: HB 273 - 1F, 4M; SB 182 - 1F, 4M.

HOUSE ADMINISTRATION: HB 578 - 3M; HJR 30 - 1F, 2M; SB 336 - 3M.

JUDICIARY: HB 593 - 1F, 4M.

Representative Stone made an announcement.

Representative Brady requested that he be marked present.

Representative Smith introduced guests.

Representative D. Ennis requested that he be marked present.

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

Representatives Reynolds & Spence requested that they be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:30 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:04 p.m. on June 8, 2000.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 356 w/SA1 and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

33rd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 8, 2000

The Chief Clerk called the roll:

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 613 - CAREY; REPRESENTATIVES CAULK, EWING, FALLON, VALIHURA, PLANT, PRICE, VIOLA; SENATORS SIMPSON, BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Underground Storage Tanks.

HB 616 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVE LEE; SENATOR WINSLOW - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Criminal Background Checks for Ambulance Attendants and Paramedics.

HB 617 - CAPANO & SENATOR VAUGHN - REVENUE & FINANCE - An Act to Amend Title 12 of the Delaware Code Relating to Escheats.

HB 618 - CAPANO - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

HB 619 - SCHROEDER; REPRESENTATIVES BUCKWORTH, CAREY, B. ENNIS, EWING, HOUGHTON, LOFINK, MULROONEY, PLANT, PRICE, VIOLA, WAGNER, WEST, WILLIAMS; SENATORS BUNTING, SOKOLA - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Habilitative Services for Children.

HB 620 - DILIBERTO & SENATOR BLEVINS; REPRESENTATIVES BRADY, BUCKWORTH, CAREY, B. ENNIS, FALLON, HOUGHTON, MIRO, MULROONEY, PLANT, PRICE, SCOTT, VANSANT, WAGNER, CLOUTIER - HEALTH AND HUMAN DEVELOPMENT - An Act Proposing an Amendment to Article V, § 2 of the Delaware Constitution of 1897, as Amended, Relating to References to People with Mental Illness and Paupers. (2/3 bill)

HB 621 - EWING & REPRESENTATIVE SPENCE; REPRESENTATIVES DIPINTO, FALLON, LEE, B. ENNIS - PUBLIC SAFETY - An Act Making an Appropriation to Delaware Volunteer Companies.

SB 356 w/SA 1 - MCBRIDE; SENATORS BUNTING, VENABLES & CONNOR; REPRESENTATIVES CAREY, QUILLEN & PRICE - NATURAL RESOURCES & ENVIRONMENTAL

MANAGEMENT - An Act to Amend Chapter 326, Volume 67 of the Laws of Delaware and Title 7 of the Delaware Code Relating to the Hazardous Substance Cleanup Act.

HA 1 to HA 1 to SB 18 - REYNOLDS - Placed with the Bill.

Representative Stone requested that she be marked present.

Mr. Speaker Spence introduced guests.

Mr. Speaker Spence granted privilege of the floor to Gwen Davis, co-chair, Blue-Gold Football Game.

Mr. Speaker Spence introduced guests.

Representative DiLiberto requested that he be marked present.

Representative DiLiberto requested that action on HB 543 be deferred to a Day Certain, Thursday, June 15, 2000.

Representatives Gilligan, VanSant, Viola & Lofink requested that they be marked present.

Representative Smith made an announcement.

Representative Schroeder requested that he be marked present.

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

The House reconvened at 4:29 p.m.

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

HEALTH AND HUMAN DEVELOPMENT: HB 595 - 6M; SS 1 to SB 329 - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 286 - 1F, 4M; SB 287 - 1F, 4M; SB 288 w/SA 1 - 1F, 4M; SB 294 - 1F, 3M.

REVENUE & FINANCE: SB 304 - 3F, 2M.

Mr. Speaker Spence assigned HB 570, HB 584 & 304 to the Appropriations Committee.

Representatives Cloutier & Lee requested that they be marked present.

Representative Smith brought the following Consent Agenda B, which requires a two-thirds vote, before the House for consideration.

HJR 30 - SPENCE - Encouraging Delaware's State and County Libraries to Explore the Possibility of Opening Public Libraries Seven Days Per Week.

SB 336 - BUNTING & REPRESENTATIVE PRICE - An Act to Amend an Act Being Chapter 295, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bethany Beach" to Modify the Limit on the Amount for Any Special Tax For Sinking Funds. (2/3 bill)

HB 578 - BUCKWORTH; REPRESENTATIVE STONE - An Act to Amend Chapter 189, Volume 43 of the Laws of Delaware, as Amended, Relating to the Town of Wyoming. (2/3 bill)

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

The roll call on Consent Agenda B was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Reynolds - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 578 & HJR 30 were sent to the Senate for concurrence & SB 336 was returned to the Senate.

Representatives D. Ennis, Oberle, Cathcart, DiPinto & B. Ennis requested that they be marked present during the roll call.

Representative Plant requested and was granted personal privilege of the floor to make comments regarding SB 350.

Representative Smith introduced HB 628, jointly sponsored by Representative Miro & Senator Sokola.

HB 628 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A LOCAL SCHOOL BOARD CODE OF CONDUCT.

Mr. Speaker Spence assigned HB 628 to the Education Committee.

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

Representatives Plant, DiPinto & Plant made comments regarding SB 350.

Representative Fallon introduced a guest.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced and brought HCR 54, jointly sponsored by Senator Bunting, before the House for consideration.

Representative Reynolds requested that he be marked present.

HCR 54 - URGING THE UNITED STATES DEPARTMENT OF JUSTICE TO EXPEDITE APPROVAL ON PERDUE FARM INCORPORATED'S ACQUISITION FROM CARGILL, INC. OF CARGILL'S NORFOLK, VIRGINIA SOYBEAN PROCESSING PLANT AND SEAFORD, DELAWARE GRAIN ELEVATOR.

Representative Caulk made comments.

HCR 54 was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith brought HB 556, sponsored by Representatives Ulbrich & Wagner & Senator Sokola & Representatives Boulden, Brady, Buckworth, Capano, Caulk, Cloutier, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Maier, Miro, Oberle, Plant, Price, Reynolds, Spence & Valihura & Senators Simpson & Winslow, before the House for consideration.

HB 556 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT PERFORMANCE, TEACHER EVALUATION, AND PARENT ACCOUNTABILITY.

Representative Smith made an announcement.

Representative Smith brought HA 1 to HB 556, sponsored by Representative Ulbrich, before the House for consideration. Representative Smith made comments. HA 1 was adopted by voice vote.

Representatives Smith, Wagner, Oberle & Ulbrich made comments.

The roll call on HB 556 w/HA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Scott - 1.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, HB 556 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 582, jointly sponsored by Senator Blevins & Representative Ulbrich & Senator Connor & Representatives Spence, Smith, Welch, Boulden, Capano, D. Ennis, DiLiberto, DiPinto & Oberle & Senators McDowell, Bunting, Marshall, Venables & Still and cosponsored by Representative Cloutier, before the House for consideration.

HB 582 - AN ACT TO AMEND TITLES 14, 15 AND 30 OF THE DELAWARE CODE TO PROVIDE FOR A "SCHOOL BOARD ACCOUNTABILITY ACT" PERTAINING TO THE QUALIFICATIONS, ELECTIONS, AND TAX CREDITS FOR MEMBERS OF SCHOOL BOARDS OF THE STATE'S REORGANIZED SCHOOL DISTRICTS. (F/N)

Representative Maier moved to lift HB 582 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier deferred to Representative Gilligan.

Representative Gilligan brought HA 1 to HB 582 before the House for consideration. Representative Gilligan made comments.

Representative Oberle deferred to Representative Wagner.

Representative Wagner announced that she will not be voting on HB 582 because of a possible conflict of interest.

Representatives Oberle, Gilligan, Maier & Gilligan made comments.

Representative Gilligan moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier deferred to Representative Oberle.

Representative Oberle brought HA 2 to HB 582 before the House for consideration. Representatives Oberle, Reynolds, Oberle, Viola, Oberle & Viola made comments. HA 2 was adopted by voice vote.

Representative Maier deferred to Representative Boulden.

Representative Boulden brought HA 3 to HB 582 before the House for consideration. Representative Boulden made comments. HA 3 was adopted by voice vote.

Representative Oberle moved to recess for caucus at 5:16 p.m.

The House reconvened at 5:32 p.m.

Representative Smith moved to place HB 582 w/HA 2 & 3 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 555, jointly sponsored by Representative Maier & Senator Bair & Senator Blevins & Representatives Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lofink, Miro, Mulrooney, Plant, Reynolds, Scott, Spence, Stone, Ulbrich, Valihura & Williams & Senators Winslow, Sokola, Sorenson & Venables and cosponsored by Representative Cloutier, before the House for consideration.

HB 555 - AN ACT TO AMEND TITLES 11, 13, AND 16 OF THE DELAWARE CODE RELATING TO ABANDONED NEWBORN INFANTS. (F/N)

Representative Wagner made comments.

Representative Wagner requested and was granted privilege of the floor for Steve Wood, Deputy Attorney General.

Representatives Wagner, Capano, Caulk, Scott, Reynolds & Wagner made comments.

Representative Wagner requested that HA 1 be stricken.

Representative Wagner requested that HA 2 be stricken.

Representative Wagner requested that HA 3 be stricken.

Representative Wagner requested that HA 4 be stricken.

Representative Wagner introduced and brought HA 5 to HB 555 before the House for consideration. Representatives Wagner, Schroeder & Wagner made comments. HA 5 was adopted by voice vote.

Representative Wagner introduced and brought HA 6 to HB 555 before the House for consideration. Representatives Wagner, Caulk, Wagner, VanSant, Wagner, Price, Wagner, Price, Wagner, Ewing, Wagner, Mulrooney & Wagner made comments. Representative Wagner requested that HA 6 be stricken.

Representative Wagner introduced and brought HA 7 to HB 555 before the House for consideration. Representative Wagner made comments. HA 7 was adopted by voice vote.

Representative Wagner introduced and brought HA 8 to HB 555 before the House for consideration. Representative Wagner made comments. HA 8 was adopted by voice vote.

Representative Wagner introduced and brought HA 9 to HB 555 before the House for consideration. Representative Wagner made comments. HA 9 was adopted by voice vote.

Representative Wagner made comments.

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

Mr. Speaker Spence made comments.

Representative Wagner moved to place HB 555 w/HA 5, 7, 8 & 9 on the Speaker's Table. The motion was seconded by Representative Maier and adopted by voice vote.

Representative Smith made an announcement.

Representative Smith deferred to Representative Mulrooney.

Representative Mulrooney brought HB 549, jointly sponsored by Senator McDowell & Representatives Brady, Buckworth, DiLiberto, B. Ennis, Houghton, Keeley, Lee, Plant, Price, Reynolds, Schroeder, Scott, Spence, VanSant, Viola, West & Williams, before the House for consideration.

HB 549 - AN ACT TO AMEND CHAPTER 13, TITLE 26 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A TEMPORARY WATER COORDINATOR AND A WATER SUPPLY COORDINATING COUNCIL.

Representative Mulrooney moved to place HB 549 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith made comments.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 350 w/SA 1. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith brought SB 350 w/SA 1, sponsored by Senators Henry & McDowell & Representative Maier & Senator Winslow & Representatives Keeley, Plant, Viola & Williams, before the House for consideration.

SB 350 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO FELON VOTING RIGHTS.

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

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

Mr. Speaker Spence introduced guests.

Representative Plant made comments.

The roll call on SB 350 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Miro - 2.

Therefore, having received a constitutional majority, SB 350 w/SA 1 was returned to the Senate.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Mulrooney.

Representative Mulrooney moved to lift HB 549 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Mulrooney brought HB 549, jointly sponsored by Senator McDowell & Representatives Brady, Buckworth, DiLiberto, B. Ennis, Houghton, Keeley, Lee, Plant, Price, Reynolds, Schroeder, Scott, Spence, VanSant, Viola, West & Williams, before the House for consideration.

HB 549 - AN ACT TO AMEND CHAPTER 13, TITLE 26 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A TEMPORARY WATER COORDINATOR AND A WATER SUPPLY COORDINATING COUNCIL.

Representative Mulrooney brought HA 1 to HB 549 before the House for consideration. Representative Mulrooney requested that HA 1 be stricken.

Representative Mulrooney introduced and brought HA 2 to HB 549 before the House for consideration. Representative Mulrooney requested that HA 2 be stricken.

Representative D. Ennis made comments.

Representative Mulrooney introduced and brought HA 3 to HB 549, jointly sponsored by Representative Cathcart, before the House for consideration. Representatives Mulrooney, D. Ennis,

Mulrooney, D. Ennis, Smith, Mulrooney, Houghton, Cathcart, Reynolds, DiPinto & Mulrooney made comments. HA 3 was adopted by voice vote.

Representatives Stone, Mulrooney, Stone, Mulrooney, Reynolds, Mulrooney, Reynolds, Mulrooney, Lee, Mulrooney, Lee, Lofink, Mulrooney, Wagner, Mulrooney, Wagner, Oberle, Ewing & D. Ennis made comments.

The roll call on HB 549 w/HA 3 was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, DiLiberto, Gilligan, Miro & Williams - 5.

Therefore, having received a constitutional majority, HB 549 w/HA 3 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representatives Cathcart, Keeley & D. Ennis made comments.

Mr. Speaker Spence reassigned HB 597 to the Gaming & Pari-mutuels Committee.

Mr. Speaker Spence assigned HB 381 to the Capital Infrastructure Committee.

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

HOUSING & COMMUNITY AFFAIRS: HB 536 - 5M.

LABOR: HB 530 - 5M; HB 592 - 5M; HB 594 - 5M; HB 603 - 5M.

LAND USE AND INFRASTRUCTURE: HB 571 - 1F,5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HJR 29 - 1F, 4M, 1U.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 293 w/SA 2 - 1F, 4M.

TRANSPORTATION: HB 598 - 5M, 1U.

Representative Cathcart requested that HB 601 be stricken.

Representative Miro requested that he be marked present.

Representative Smith deferred to Representative Price.

Representative Price made an announcement.

Representative Price introduced HB 626, jointly sponsored by Representatives Brady, Keeley, Schroeder & Viola & Senators Henry & Sokola.

HB 626 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INLAND BAYS WATERSHED.

Mr. Speaker Spence assigned HB 626 to the Land Use and Infrastructure Committee.

Representative Cathcart made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:10 p.m.

Mr. Speaker Spence called the House to order at 2:25 p.m. on June 13, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SS 1/SB 368 w/SA 1, SB 379 w/SA 1 & SS 1/SB 312 w/SA 1, 2 & 3 and requests the concurrence of the House; HB 427, 526 w/SA 1 & HCR 54, HB 318 w/HA 1, HS 1/HB 200 and is returning same to House; SB 337, SB 346 & SB 350 w/SA 1 and requests the concurrence of the House; HB 463, HB 525 w/SA 1, HB 510 & HB 469 and is returning same to the House.
June 8, 2000

LEGISLATIVE ADVISORY #64

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/7/00 – SB 87 aab SA 1 & SB 308 aab SA 1.

MEMORANDUM

TO: The Honorable Terry Spence

FROM: Helene M. Keeley
Representative, 5th District

DATE: June 8, 2000

RE: HB 555

I wish to request that my name be removed as a co-sponsor of HB 555.

Thank you for your assistance.

Representative Quillen made an announcement.

The Majority Leader moved to adjourn at 2:27 p.m., thereby ending the current legislative day. The House reconvened at 2:28 p.m.

34th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 13, 2000

The Chief Clerk called the roll:
Members Present: 40.

Members Absent: Representative Stone – 1.

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

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

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

The following prefiled legislation was introduced:

HB 622 - CAPANO & REPRESENTATIVE GILLIGAN - GAMING & PARIMUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Thoroughbred Racing Commission.

HB 623 - VIOLA; REPRESENTATIVES FALLON, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, WEST, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Design of Sediment and Stormwater Management Facilities.

HB 624 - SPENCE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Credit for Expenses Incurred by Active Volunteer Firefighters and Others.

HB 627 - SPENCE; REPRESENTATIVES OBERLE, LOFINK, REYNOLDS, VIOLA; SENATORS MCBRIDE, SHARP, CONNOR, DELUCA - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to Police Powers.

HB 629 - VANSANT; REPRESENTATIVES CAPANO, CAREY, B. ENNIS, EWING, HOUGHTON, KEELEY, MULROONEY, PLANT, WEST, WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Board of Adjustment.

HB 630 - DILIBERTO; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, B. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, MIRO, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, SMITH, STONE, VANSANT, VIOLA, WAGNER, WELCH, WEST, WILLIAMS; SENATORS AMICK, BAIR, BUNTING, CONNOR, VAUGHN, WINSLOW - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Juries.

HB 631 - LOFINK & SENATOR SHARP - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical Service Systems.

HB 634 - MIRO & SENATOR SOKOLA; REPRESENTATIVE SMITH - EDUCATION - An Act to Amend Title 29 of the Delaware Code Relating to a Local School Board Code of Conduct.

HA 5 to HB 582 - MAIER - Placed with the Bill.

HA 1 to HB 598 - VIOLA & REPRESENTATIVE ROY - Placed with the Bill.

HA 1 to HB 603 - BUCKWORTH - Placed with the Bill.

HR 85 - SPENCE - PUBLIC SAFETY - Forming a Committee to Recommend Streamlined Procedures for Salvaging Abandoned Vehicles and to Investigate Challenges Faced by Tow Truck Operators Throughout the State.

HR 86 - EWING - PUBLIC SAFETY - Requesting that the Office of the Controller General Conduct a Study of the Costs Associated with Expanding the "Are You Okay?" Program Statewide.

SS 1 to SB 312 w/SA 1, 2 & 3 - HENRY & REPRESENTATIVE EWING; REPRESENTATIVE WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Insurance.

SB 337 - BLEVINS & REPRESENTATIVE VANSANT - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Conservation and State Parks.

SB 346 - DELUCA & REPRESENTATIVE OBERLE; SENATORS ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SHARP, SOKOLA, VAUGHN, VENABLES, AMICK, BAIR, BONINI, CONNOR, SIMPSON, SORENSON, STILL, WINSLOW; REPRESENTATIVES SPENCE, VANSANT, KEELEY, B. ENNIS, HOUGHTON - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation. (2/3 bill)

SS 1 to SB 368 w/SA 1 - ADAMS; SENATOR SHARP & REPRESENTATIVE CAPANO - JUDICIARY - An Act Proposing an Amendment to §§ 22 and 23, Article III, and Article IV of the Delaware Constitution of 1897, as Amended, Relating to the Appointment by the Court of Chancery of a Register in Chancery and the Powers and Duties of the Register in Chancery. (2/3 bill)

SB 379 w/SA 1 - HENRY & SENATOR MCDOWELL; REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Chapter 3, Title 21 of the Delaware Code Relating to the Privacy Act Governing the Release of Motor Vehicle Driving History and License Records.

The House observed a moment of silence in memory of former Representative Robert Dodge at the request of Representative Quillen and Karl Dorzback, Jr., father of Representative Donna D. Stone, at the request of Mr. Speaker Spence.

Representative Roy introduced HS 1 to HB 519.

HB 519 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY

Mr. Speaker Spence assigned HS 1 to HB 519 to the House Administration Committee.

Representative West requested that he be marked present.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 613 - 6M.

Mr. Speaker Spence assigned HB 594 to the Appropriations Committee.

The Reading Clerk read the following communication into the record:

June 13, 2000

TO : Speaker of the House, Terry R. Spence
FROM : Representative Donna D. Stone
SUBJECT : Absence from Session

I am unable to attend session today, June 13, 2000, due to the passing of my father.

Representatives Miro & Gilligan requested that they be marked present.

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

The House reconvened at 4:46 p.m. with Representative Oberle as Acting Speaker.

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

TRANSPORTATION: SB 320 w/SA 1, 2, 3 & 4 - 1F,5M.

Representative Schroeder requested that he be marked present.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 547, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 547 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (F/N)

Representatives Ewing, Scott, Ewing, Scott & Ewing made comments.

The roll call on HB 547 was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, HB 547 was sent to the Senate for concurrence.

Representatives Boulden, Brady, Cathcart, DiPinto, Reynolds, Ulbrich, Williams, Lee, Plant & B.

Ennis requested that they be marked present during the roll call.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 557, jointly sponsored by Senator Henry, before the House for consideration.

HB 557 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HOME IMPROVEMENT FRAUD.

Representative Wagner made a comment.

The roll call on HB 557 was taken and revealed:

YES: 37.

NOT VOTING: Representative Keeley - 1.

ABSENT: Representatives Cathcart, Caulk & Stone - 3.

Therefore, having received a constitutional majority, HB 557 was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 533, jointly sponsored by Senator Winslow, before the House for consideration.

HB 533 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Representative Oberle made comments.

The roll call on HB 533 was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, HB 533 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 442, jointly sponsored by Representative Viola & Senator Vaughn & Representatives Buckworth, DiLiberto, DiPinto, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lee, Miro, Mulrooney, Oberle, Plant, Quillen, Spence, Stone, VanSant, West & Williams, before the House for consideration.

HB 442 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FLASHING LAMPS ON SCHOOL BUSES. (F/N)

Representative B. Ennis brought HA 1 to HB 442 before the House for consideration. Representative B. Ennis made comments. HA 1 was adopted by voice vote.

Representatives B. Ennis, Maier, B. Ennis, Cathcart & B. Ennis made comments.

The roll call on HB 442 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, HB 442 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 410, jointly sponsored by Senator Sorenson, before the House for consideration.

HB 410 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE RETAIL SALE OF KEGS AND SIMILAR CONTAINERS. (2/3 bill)

Representative Ulbrich made comments.

Representative Ulbrich requested and was granted privilege of the floor for J. Richard Armitage, representing the University of Delaware.

Representatives Wagner, Ewing, Quillen & Keeley made comments.

Representative D. Ennis announced that he will not be voting on HB 410 because of a possible conflict of interest.

Representatives Williams & Ulbrich made comments.

The roll call on HB 410 was taken and revealed:

YES: 9.

NO: Representatives Brady, Houghton, Keeley, Lee, Mulrooney, Price, Quillen, Scott, Welch, West & Williams - 11.

NOT VOTING: Representatives Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Lofink, Oberle, Plant, Roy, Schroeder, VanSant, Viola, Wagner & Spence - 20.

ABSENT: Representative Stone - 1.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, HB 410 was declared defeated.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought HB 551, jointly sponsored by Representatives Carey & Caulk, before the House for consideration.

HB 551 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX. (F/N)

Representatives Quillen, Schroeder & Quillen made comments.

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

Representatives Schroeder, Caulk, Schroeder, Quillen, Schroeder, Caulk, Schroeder & Quillen made comments.

The roll call on HB 551 was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, HB 551 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HB 598, jointly sponsored by Representative Oberle & Representative Spence & Representatives Buckworth, Cathcart, DiPinto, Ewing, Fallon, Houghton, Keeley, Plant, Ulbrich & Valihura & cosponsored by Senator Bonini, before the House for consideration.

HB 598 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING ON ROADWAYS LANED FOR TRAFFIC.

Representative Boulden made a comment.

Representative Viola brought HA 1 to HB 598, jointly sponsored by Representative Roy, before the House for consideration. Representatives Viola, Boulden, D. Ennis, Viola, D. Ennis, Viola, Boulden, Valihura, Viola, Gilligan, Boulden, Gilligan, Boulden, Gilligan, DiPinto, Viola, DiPinto, Viola, DiPinto, Roy, VanSant, D. Ennis & Viola made comments. HA 1 was defeated by voice vote.

Representatives Capano, Boulden, Scott, Boulden, Scott, Boulden, Oberle, Keeley, West, VanSant, D. Ennis, Ewing, Brady & Boulden made comments.

The roll call on HB 598 was taken and revealed:

YES: 24.

NO: Representative Capano, Carey, D. Ennis, Gilligan, Houghton, Lee, Mulrooney, Price, Schroeder, Scott, VanSant, Viola, West & Williams - 14.

ABSENT: Representatives Cathcart, DiPinto & Stone - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, HB 598 was declared defeated.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 527, jointly sponsored by Representatives Brady, Capano, Cathcart, Caulk, Cloutier, Gilligan, Houghton, Lofink, Mulrooney, Price, Scott, Smith, VanSant, Viola, Welch & Williams & Senators DeLuca, McDowell & Sokola, before the House for consideration.

HB 527 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTING PROCEDURE.

Representative DiLiberto made comments.

The roll call on HB 527 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, Stone & West - 3.

Therefore, having received a constitutional majority, HB 527 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro requested that HB 628 be stricken.

Representative Miro made an announcement.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 593, jointly sponsored by Representative Wagner & Senators Adams & Winslow, before the House for consideration.

HB 593 - AN ACT PROPOSING THE AMENDMENT OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE BY THE ADDITION OF A NEW SECTION 39 CREATING THE JUDICIAL OFFICE OF SENIOR JUDGE. (F/N) (2/3 bill)

Representative DiLiberto made comments.

The roll call on HB 593 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, Stone & West - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 593 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing requested that action on SB 182 be deferred to a Day Certain, Thursday, June 15, 2000.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 314, jointly sponsored by Senator Sharp, before the House for consideration.

SB 314 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE AFFIDAVIT TO CLEAR TITLE TO JOINTLY-OWNED REAL ESTATE WHEN PROBATE IS NOT REQUIRED.

Representative Wagner made comments.

The roll call on SB 314 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, DiPinto, Stone & West - 4.

Therefore, having received a constitutional majority, SB 314 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 318, jointly sponsored by Senator Sharp, before the House for consideration.

SB 318 - AN ACT TO AMEND TITLE 12, DELAWARE CODE RELATING TO THE QUALIFIED DISPOSITIONS IN TRUST ACT.

Representative Wagner made comments.

The roll call on SB 318 was taken and revealed:

YES: 35.

ABSENT: Representatives Boulden, DiPinto, Miro, Stone, Viola & West - 6.

Therefore, having received a constitutional majority, SB 318 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SS 1 to SB 329, jointly sponsored by Senators Winslow, Amick, Connor, Simpson, Sorenson & Still & cosponsored by Representative Scott, before the House for consideration.

SB 329 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DNA. (F/N)

Representatives Wagner & Scott made comments.

Representative Scott introduced and brought HA 1 to SS1 to SB 329 before the House for consideration.

Representative Wagner requested and was granted privilege of the floor for Steve Wood, Deputy Attorney General. Representative Wagner made comments.

Representative Scott moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative Welch and was defeated by voice vote.

Representative Smith moved to lay HA 1 on the Speaker's Table. The motion was seconded by Representative Wagner and adopted by voice vote.

Representatives Scott, Wagner, Schroeder, Wagner, Schroeder, Wagner, Schroeder & Wagner made comments.

The roll call on SS 1 to SB 329 was taken and revealed:

YES: 34.

ABSENT: Representatives Boulden, DiPinto, Miro, Roy, Stone, Viola & West - 7.

Therefore, having received a constitutional majority, SS 1 to SB 329 was returned to the Senate.

Mr. Speaker Spence & Representative Capano made announcements.

Representative Maier introduced HB 636, jointly sponsored by Senator Blevins & Representatives Boulden, Capano, Cloutier, Keeley, Price, Stone & Ulbrich & Senators Henry, Simpson & Sorenson.

HB 636 - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH CARE COMMISSION, THE DELAWARE INSTITUTE FOR DENTAL EDUCATION AND RESEARCH AND THE PRACTICE OF DENTISTRY IN DELAWARE.

Mr. Speaker Spence assigned HB 636 to the Health and Human Development Committee.

Representative Keeley introduced HB 639, jointly sponsored Representatives Brady, Caulk, D. Ennis, Ewing, Fallon, Oberle, Plant, Price, Schroeder, Scott, West & Williams.

HB 639 - AN ACT TO AMEND TITLE 29 RELATING TO THE PROCUREMENT OF MATERIAL AND NONPROFESSIONAL SERVICES BY BONA FIDE NONPROFIT ORGANIZATIONS.

Mr. Speaker Spence assigned HB 639 to the House Administration Committee.

Representative Cathcart introduced HCR 55, jointly sponsored Senator Vaughn.

HCR 55 - REQUESTING ACTIONS FOR PRESERVATION OF FARMLAND AND OPEN SPACE IN LOWER NEW CASTLE COUNTY, AND CREATING A PORT PENN AREA PRESERVATION TASK FORCE TO SUPPORT THIS EFFORT AND PROVIDE FURTHER RECOMMENDATIONS.

Mr. Speaker Spence assigned HCR 55 to the Land Use and Infrastructure Committee.

Representatives Cathcart, Smith & Maier made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:56 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on June 14, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 352, SB 363, SB 364 & SB 374 w/SA 1 and requests the concurrence of the House; HB 17 w/HA 2 and is returning same to the House; SS 1/SB 306, SB 347 w/SA 1 & SB 348 and requests the concurrence of the House; HB 514 w/HA 1, 3 & 5 & HS 1/HB 213 w/HA 1 & 2 & SA 2 and is returning same to the House.

Representative Stone requested that she be marked present for the current legislative day.

Representatives Capano & Ulbrich made announcements.

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

35th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 14, 2000

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Boulden, Mulrooney & Williams - 3.

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

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

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

The following prefiled legislation was introduced:

HB 615 - CLOUTIER; REPRESENTATIVES D. ENNIS, FALLON, VALIHURA, KEELEY, PRICE; SENATORS MCBRIDE, BAIR - REVENUE & FINANCE - An Act to Amend Chapter 61, Title 30, Delaware Code Relating to Lodging Tax and Recipient Reporting and Operating Conditions.

HB 632 - OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

HB 633 - BRADY - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to Charitable Gambling and Video Lotteries.

HB 635 - PRICE & SENATOR BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Water Utilities.

HB 637 - EWING; REPRESENTATIVES SPENCE, SMITH, WELCH, BUCKWORTH, CAREY, CATHCART, WEST; SENATORS VENABLES, BAIR, BONINI - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Taxes.

HB 638 - SCHROEDER - AGRICULTURE - An Act to Amend Title 3, Chapter 80 of the Delaware Code to Prohibit Killing of Animals Under False Pretenses. (2/3 bill)

HB 641 - ROY; REPRESENTATIVE VANSANT; SENATOR COOK - PUBLIC SAFETY - An Act to Amend Section 2118 of Title 21 of the Delaware Code Relating to Motor Vehicles.

HB 642 - BOULDEN - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Prescription Drugs.

HB 643 - WAGNER & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to the Utilization of Professional Educators In Critical Curricular Areas.

HB 644 - WAGNER & SENATOR BLEVINS - EDUCATION - An Act to Amend Chapter 12, Title 14 and Chapter 55, Title 29 of the Delaware Code Relating to Substitute Teachers.

HB 645 - CLOUTIER & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, CATHCART, D. ENNIS, KEELEY, PRICE, SMITH, VALIHURA - TRANSPORTATION - An Act to Amend Title 29 of the Delaware Code Relating to Department of Transportation Program and Project Reports.

HA 2 to HB 398 - CLOUTIER - Placed with the Bill.

HA 6 to HB 582 - SMITH - Placed with the Bill.

HA 7 to HB 582 - OBERLE - Placed with the Bill.

HA 8 to HB 582 - ULBRICH - Placed with the Bill.

HA 1 to HB 596 - BUCKWORTH - Placed with the Bill.

HA 2 to HB 596 - BUCKWORTH - Placed with the Bill.

SS 1 to SB 306 - CONNOR & REPRESENTATIVE WAGNER; SENATORS AMICK, BAIR, BLEVINS, HENRY, SOKOLA, SORENSON; REPRESENTATIVES CAPANO, CLOUTIER, KEELEY, MAIER, PRICE, REYNOLDS, ULBRICH - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Appointing a Poet Laureate.

SB 347 w/SA 1 - SOKOLA & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Concerning Driver Education, Licenses, Learner Permits, and License Classifications. (3/5 bill)

SB 348 - VAUGHN & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code, Relating to Health Insurance.

SB 352 - VAUGHN & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Rehabilitation and Liquidation of Insurers.

SB 363 - SHARP & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

SB 364 - SHARP & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 374 w/SA 1 - VENABLES; SENATORS BLEVINS, BUNTING, HENRY, SIMPSON; REPRESENTATIVES KEELEY, PRICE, SMITH, SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Unlawful Trade of Dog or Cat Byproducts.

Mr. Speaker Spence introduced guests.

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

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

Representatives West & Maier requested that they be marked present.

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

Representatives Fallon & Houghton requested that they be marked present.

Mr. Speaker Spence introduced guests.

Representative Gilligan requested that he be marked present.

Representative VanSant requested and was granted privilege of the floor to present a House Tribute to Dave Tiberi, Middleweight Boxing Champion of the World.

Representatives Scott, Cathcart, Welch, Plant, Oberle, Miro & Ewing made comments.

Mr. Speaker Spence introduced a guest.

Representative DiLiberto requested that he be marked present.

Representative Maier introduced a guest.

The Reading Clerk read the following communication into the record:

June 14, 2000

The Honorable Terry R. Spence
Speaker of the House
House of Representatives
Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend Legislative Session on Wednesday, June 14, 2000, due to personal business. Thank you.

Sincerely,
Dennis P. Williams
State Representative
1st District

Representative Stone introduced a guest.

Representative Gilligan requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence made comments.

Representative Capano introduced HB 640, jointly sponsored by Representative Oberle & Representatives Spence, Smith, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Maier, Miro, Quillen, Stone & Valihura & Senators Bunting, Amick, Bonini & Sorenson.

HB 640 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO LICENSE FEES AND GROSS RECEIPTS TAX.

Mr. Speaker Spence assigned HB 640 to the Revenue & Finance Committee.

Representative Ulbrich introduced HB 646, jointly sponsored by Senator DeLuca & Representatives Capano, Valihura, Keeley & Price & Senators Bunting, Sokola, Simpson & Still.

HB 646 - AN ACT TO AMEND TITLES 4, 11 AND 29 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Mr. Speaker Spence assigned HB 646 to the Policy Analysis & Government Accountability Committee.

Representative Lee introduced HB 647, jointly sponsored by Senator Venables.

HB 647 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY KNOWN AS THE LAUREL READINESS CENTER.

Mr. Speaker Spence assigned HB 647 to the House Administration Committee.

Representative Capano introduced HB 650, jointly sponsored by Senator Marshall.

HB 650 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Mr. Speaker Spence assigned HB 650 to the Revenue & Finance Committee.

The Majority Leader moved to recess for committee meetings at 2:47 p.m.

The House reconvened at 4:20 p.m. with Representative Welch as Acting Speaker.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name removed as co-sponsor of HB 626.

Date: June 14, 2000

Signed: Terry R. Spence

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

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: HB 618 - 9M.

JUDICIARY: HB 585 - 6M; HB 589 - 5M; HB 599 - 5M; HB 608 - 5M; HJR 31 - 5M; SB 302 - 5M; SB 310 - 4M, 1U.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: SB 356 w/SA 1 - 4M.

PUBLIC SAFETY: HB 621 - 5M.

Representative Cloutier requested that she be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: June 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-1988	Price	5/22/2000	T	Phillip Showell Elementary School/Nationally Distinguished School
H140-1989	Spence	4/27/2000	T	Jordan David Thomas/Birth
H140-1990	Williams	5/15/2000	M	Harry Gardner
H140-1991	Williams	5/15/2000	M	Nicole Parson
H140-1992	Spence	5/18/2000	T	Joli Martine/Ph.D./Pharmaceutical Research
H140-1993	Mulrooney	5/24/2000	T	Occidental Chemical Corporation's Plant & Employees/Participation/OSHA Program
H140-1994	Maier	5/12/2000	M	Franklin Duff Sykes
H140-1995	Oberle	6/5/2000	T	Christopher Witkowski/Graduation/Margaret S. Sterck School

H140-1996	Oberle	6/5/2000	T	Catherine Anderson/Graduation/Margaret S. Sterck School
H140-1997	Oberle	6/5/2000	T	Maranda Donnelly/Graduation/Margaret S. Sterck School
H140-1998	Oberle	6/5/2000	T	Dawn Price/Graduation/Margaret S. Sterck School
H140-1999	Oberle	6/5/2000	T	Melissa VanAlstyne/Graduation/Margaret S. Sterck School
H140-2000	Oberle	6/5/2000	T	Keith Brown, II/Graduation, Margaret S. Sterck School
H140-2001	Oberle	6/5/2000	T	Russell Brown/Graduation/Margaret S. Sterck School
H140-2002	Oberle	6/5/2000	T	Vincent Jackson, Jr./Graduation/Margaret S. Sterck School
H140-2003	Oberle	6/5/2000	T	Andrew Underwood/Graduation/Margaret S. Sterck School
H140-2004	DiPinto	5/23/2000	T	Honorable Alfred Fraczkowski/Retirement
H140-2005	DiPinto	5/20/2000	T	St. Ann's School/100th Anniversary
H140-2006	Wagner	5/20/2000	T	Angela Foor & George Rowland, III/Marriage
H140-2007	DiPinto	5/21/2000	T	Lillian Shah/Retirement/Montessori School
H140-2008	Welch	5/1/2000	T	Jeffrey Clark/Belle Everett Award Recipient
H140-2009	West	6/21/2000	T	Diane Hitchens/Dedication/Gumboro Community Center
H140-2010	West	6/21/2000	T	Donald Orendorf/Dedication/Gumboro Community Center
H140-2011	Brady	6/4/2000	T	Patricia & Herman O'Quinn/35th Wedding Anniversary
H140-2012	Wagner	5/26/2000	T	William Neaton/Citizen of the Year/Elks Club

HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: June 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-2013	B. Ennis	5/14/2000	M	Calvin E. Foxwell, Sr.
H140-2014	B. Ennis	5/20/2000	M	C. Elmer Ross
H140-2015	Maier	6/1/2000	T	Jim Montebell/National Teacher of the Year/Junior Achievement
H140-2016	Stone; Wagner & Welch	5/28/2000	M	Andre L. Christiansen
cosponsors: All Representatives				
H140-2017	Stone	5/26/2000	M	Synneva Jacobsen Thompson
H140-2018	Wagner	6/1/2000	T	Lacy Myers/Because We Care Principal/Dedication
H140-2019	DiLiberto	5/6/2000	T	Mary & Charles Rose/50th Wedding Anniversary
H140-2020	VanSant	4/22/2000	T	Jean & Andrew Haught/50th Wedding Anniversary
H140-2021	Houghton	4/15/2000	T	Sadie & Robert Dayett/50th Wedding Anniversary
H140-2022	Scott	6/3/2000	T	A. R. Shane Black/Eagle Scout
H140-2023	Scott	5/11/2000	T	Howard Ferrell/Induction/Delaware Sports Hall of Fame
H140-2024	Wagner	5/18/2000	T	Charlene Dean & Antonio Sisco/Marriage
H140-2025	Carey	6/10/2000	T	Bishop Grace Batten/30th Anniversary
H140-2026	Quillen	9/17/2000	T	Arlene & Alfred Yerger/50th Wedding Anniversary
H140-2027	Wagner	6/13/2000	T	Olivia Smith/Retirement/35 Years/Capital School District
H140-2028	Stone	6/13/2000	T	Marge Hall/Retirement/22 Years/Capital School District
H140-2029	Wagner	6/13/2000	T	Jim Orth/Retirement/29 Years/Capital School District
H140-2030	Wagner	6/13/2000	T	Albert Krupka/Retirement/20 Years/Capital School District
H140-2031	Buckworth	6/13/2000	T	John Krum/Retirement/30 Years/Capital School District
H140-2032	Wagner	6/13/2000	T	Frank Gregory/Retirement/27 Years/Capital School District
H140-2033	B. Ennis	6/13/2000	T	Larry Buckley/Retirement/36 Years/Capital School District
H140-2034	Wagner	6/13/2000	T	Cecil Wilson/Retirement/35 Years/Education
H140-2035	Buckworth	5/3/2000	T	Kristy Vodvarka/Delaware Top Scholar Honors

HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: June 14, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-2036	Buckworth	5/3/2000	T	Stephanie Ryan/Delaware Top Scholar Honors
H140-2037	Buckworth	5/3/2000	T	Rocky Myers/Delaware Top Scholar Honors
H140-2038	Buckworth	5/3/2000	T	Catherine Boyd/Delaware Top Scholar Honors
H140-2039	Buckworth	5/3/2000	T	Colleen Evans/Delaware Top Scholar Honors
H140-2040	Quillen	9/11/1999	T	Michele Bennetti & William Wilson/Marriage
H140-2041	D. Ennis	6/3/2000	T	Delaware Greenway, Inc./Establishment/Blue Ball Section/Northern DE Greenway
H140-2042	Oberle	6/5/2000	T	Susanna Lee, Ed.D./25 Years/Margaret S. Sterck School for the Deaf
H140-2043	Stone	6/6/2000	T	Tom Bursler/Teacher of the Year/Dover High School
H140-2044	Wagner	6/6/2000	T	Tammy Augustus/Teacher of the Year/William Henry Middle School
H140-2045	Wagner	6/6/2000	T	Gina Scanlon/Teacher of the Year/Central Middle School
H140-2046	Wagner	6/6/2000	T	Joyce Morton-Elzie/Teacher of the Year/Kent County Community School
H140-2047	Buckworth	6/6/2000	T	Evelyn Jocson/Teacher of the Year/Towne Point Elementary
H140-2048	Quillen	6/6/2000	T	Allison Morehart/Teacher of the Year/South Elementary
H140-2049	Wagner	6/6/2000	T	Sandra Spangler/Teacher of the Year/North Elementary
H140-2050	Welch	6/6/2000	T	Carel Morris/Teacher of the Year/Hartly Elementary
H140-2051	Wagner	6/6/2000	T	Mitzi Bratten/Teacher of the Year/Fairview Elementary
H140-2052	Stone	6/6/2000	T	Carol McFann/Teacher of the Year/East Elementary
H140-2053	Quillen	6/6/2000	T	Julie Suber/Teacher of the Year/Capital School District
H140-2054	Brady	6/9/2000	T	Stephanie McCreedy/Student of the Year/Claymont Lions Club
H140-2055	Brady	6/9/2000	T	Jillian Stevens/Student of Year/Claymont Lions Club
H140-2056	Wagner	6/4/2000	M	Sarah Mosley Pleasanton
H140-2057	Price	6/7/2000	T	Herbert Schaeffer/16 Years Service/South Bethany

T - Tribute

M - Memoriam

Representatives Brady & Reynolds requested that they be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:29 p.m.

Mr. Acting Speaker Welch called the House to order at 2:10 p.m. on June 15, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 367 and requests the concurrence of the House; HB 439 w/SA 1 & 2 and is returning same to the House.

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

APPROPRIATIONS: HB 77 - 4M; HB 224 - 4M; HB 432 - 4M; SB 115 w/SA 2, 3, 4 & 5 - 4M.

EDUCATION: HB 611 - 7M; HB 634 - 6M.

HEALTH AND HUMAN DEVELOPMENT: HB 607 - 1F, 5M; HB 631 - 6M; HB 636 - 6M.

LAND USE AND INFRASTRUCTURE: HB 626 - 8M; HCR 55 - 1F, 7M.

Representative Mulrooney requested that he be marked present for the current legislative day.

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

36th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 15, 2000

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Boulden - 1.

A prayer was offered by Representative Vincent A. Lofink, Twenty-seventh Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 to HB 584 - DIPINTO & SENATOR ADAMS & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES BRADY, CAPANO, CAREY, B. ENNIS, D. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, MIRO, PLANT, PRICE, SCHROEDER, SCOTT, SPENCE, ULBRICH, VALIHURA, WILLIAMS; SENATORS AMICK, BAIR, BLEVINS, BUNTING, CONNOR, HENRY, MCBRIDE, STILL, WINSLOW - APPROPRIATIONS - An Act to Amend Title 5 and Title 30 of the Delaware Code Relating to Taxes; and Providing for a Historic Preservation Tax Credit Act.

HB 648 - B. ENNIS & SENATOR STILL; REPRESENTATIVES CAULK, WAGNER - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Leipsic. (2/3 bill)

HB 649 - SPENCE & SENATOR MCBRIDE - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Offices of Public Defender and Attorney General.

HB 651 - CAPANO & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes.

HB 652 - CAPANO & SENATOR COOK - REVENUE & FINANCE - An Act to Amend Titles 7, 16, 29, 30, and 31 of the Delaware Code Relating to Delaware Personal Income Tax Check-Off Programs.

HB 653 - PRICE & REPRESENTATIVE SCHROEDER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 76 of Title 7 of the Delaware Code to Create an Inland Bays Wetlands and Subaqueous Lands Buffer Program.

HA 1 to HB 635 - PRICE - Placed with the Bill.

SS 1 to SB 325 - WINSLOW & REPRESENTATIVE CATHCART; SENATORS BAIR, BONINI, SIMPSON, STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Compliance with the Military Selective Service Act.

SB 326 - WINSLOW & REPRESENTATIVE CATHCART; SENATOR BONINI - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Leave to Serve on Veteran Funeral Detail.

SS 1 to SB 355 w/SA 3 & SA 1 to SA 3 - MCBRIDE & REPRESENTATIVE MAIER; SENATORS BLEVINS, MARSHALL, SOKOLA & SIMPSON; REPRESENTATIVES SPENCE & OBERLE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 17 of Title 7 of the Delaware Code Relating to Dangerous and Potentially Dangerous Dogs.

SB 359 - VAUGHN & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to Property.

SB 365 - ADAMS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Chapter 38, Title 12 of the Delaware Code Relating to Business Trusts.

SB 366 - ADAMS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.

SB 367 - SHARP & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

SB 371 - SHARP & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend the Delaware Revised Uniform Partnership Act, Chapter 15, Title 6 of the Delaware Code, Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)

Representatives Miro & Carey requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SS 1/SB 325, SB 326 & SS 1/SB 355 w/SA 1 & 3 and requests the concurrence of the House; HB 482, HB 511, HB 550, HB 425 & HB 534 w/HA 1 and is returning same to the House; SB 359, SB 365, SB 366 & SB 371 and requests the concurrence of the House.

Representatives Keeley, West, Scott & Cathcart requested that they be marked present.

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

HOUSE ADMINISTRATION: HB 639 - 3M; HB 647 - 3M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 596 - 1F, 2M, 1U; HB 606 - 5M; HB 646 - 5M.

REVENUE & FINANCE: HB 605 - 8M; HB 617 - 1F, 4M.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: SB 190 - 6M.

APPROPRIATIONS: HB 567 - 4F.

Representative Roy requested that he be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy requested and was granted privilege of the floor for Stephen S. Chen, Ambassador, Republic of China on Taiwan.

Representative Spence requested that he be marked present and resumed the Chair.

Representative Roy presented a House Tribute and Mr. Speaker Spence presented a gift to Ambassador Chen.

Representative Roy introduced and brought HR 87, jointly sponsored by Representatives DiPinto, Capano & Gilligan, before the House for consideration.

HR 87 - HONORING AND WELCOMING REPRESENTATIVE STEPHEN S. F. CHEN ON HIS VISIT TO THE STATE OF DELAWARE AND FOR HIS EFFORTS IN SUPPORT OF STATE OF DELAWARE TRADE OFFICE IN TAIPEI.

HR 87 was adopted by voice vote.

Representative Roy deferred to Representative Smith.

Representative Smith deferred to Representative Capano.

Representative Stone introduced a guest.

Representative Williams requested that he be marked present.

Representative Capano introduced and brought HR 88, jointly sponsored by Representatives Roy, DiPinto & Gilligan & Stone, before the House for consideration.

HR 88 - SUPPORTING AND ENCOURAGING TRADE-RELATIONS, GOODWILL, AND FRIENDSHIP BETWEEN THE PEOPLE OF TAIWAN AND THE PEOPLE OF DELAWARE.

Representative Capano made comments.

HR 88 was adopted by voice vote.

Representative Capano made an announcement.

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

Mr. Speaker Spence made comments.

Representative D. Ennis requested that he be marked present.

Representative Wagner made comments.

Representative West requested that he be marked present.

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

The House reconvened at 4:45 p.m. with Representative Welch as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 358, SB 375 & SB 377 and requests the concurrence of the House; HB 562 and is returning same to the House; SB 381 and requests the concurrence of the House.

June 14, 2000

LEGISLATIVE ADVISORY #65

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/12/00 - SB 284; 6/13/00 - SB 350 aab SA 1.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence assigned HB 605, HB 617, HB 636 & HJR 31 to the Appropriations Committee.

Mr. Speaker Spence reassigned HB 645 to the Appropriations Committee.

Mr. Speaker Spence assigned HB 273 to the Education Committee.

Mr. Speaker Spence reassigned HB 615 to the Tourism Committee.

Mr. Speaker Spence assigned HB 626 to the Natural Resources & Environmental Management Committee.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 543, jointly sponsored by Senator Marshall & Representatives Brady, Cathcart, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Mulrooney, Plant, Valihura, VanSant, Viola & Williams & Senators Henry, Sharp, Sokola & Winslow, before the House for consideration.

HB 543 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO FRAUDULENT CLAIMS.

Representative DiLiberto introduced and brought HA 1 to HB 543 before the House for consideration. Representative DiLiberto made comments. HA 1 was adopted by voice vote.

Representative DiLiberto made comments.

The roll call on HB 543 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & Reynolds - 2.

Therefore, having received a constitutional majority, HB 543 w/HA 1 was sent to the Senate for concurrence.

Representatives Brady, Buckworth, B. Ennis, Oberle, Gilligan, Cloutier, Schroeder & Maier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 182, jointly sponsored by Senators Adams, Sharp & Vaughn & Representatives Buckworth & Spence, before the House for consideration.

SB 182 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS.

Representative Ewing made comments.

The roll call on SB 182 was taken and revealed:

YES: 36.

NO: Representative Williams - 1.

NOT VOTING: Representatives Plant & Scott - 2.

ABSENT: Representatives Boulden & Cathcart - 2.

Therefore, having received a constitutional majority, SB 182 was returned to the Senate.

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

Mr. Speaker Spence introduced a guest.

Representative Smith brought Consent Agenda C before the House for consideration and for concurrence on Senate Amendments.

HS 1 to HB 213 w/HA 1 & 2 & SA 2 - MAIER & SENATOR SOKOLA; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, DIPINTO, D. ENNIS, FALLON, LOFINK, MIRO, OBERLE, REYNOLDS, STONE, ULBRICH, VALIHURA, WAGNER, BRADY, KEELEY, PLANT, PRICE, SCOTT, VIOLA; SENATORS AMICK, BAIR, CONNOR, SIMPSON, SORENSON, STILL, WINSLOW - An Act to Amend Titles 10, 11 and 14 of the Delaware Code Relating to Truancy. (F/N)

HB 525 w/SA 1 - EWING & REPRESENTATIVES SPENCE, FALLON, MIRO - An Act to Amend Section 621, Title 11, Delaware Code, Pertaining to Penalties for Terroristic Threatening.

HB 526 w/SA 1 - EWING; REPRESENTATIVES SPENCE, FALLON - An Act to Amend Title 14, Delaware Code, to Require Schools to Notify Students and Their Parents of the Penalties for Certain School Related Offenses and of the Reporting of School Crimes.

HB 439 w/SA 1 & 2- MAIER & SENATOR BLEVINS; REPRESENTATIVES CAREY, QUILLEN, SCHROEDER, SCOTT, BOULDEN; SENATORS BUNTING, CONNOR, SIMPSON, WINSLOW - An Act to Amend Title 24 of The Delaware Code Relating to an Interstate Nurse Licensure Compact.

HB 613 - CAREY & REPRESENTATIVES CAULK, EWING, FALLON, VALIHURA, PLANT, PRICE, VIOLA; SENATORS SIMPSON, BUNTING - An Act to Amend Title 7 of the Delaware Code Relating to Underground Storage Tanks.

HJR 29 - PRICE & SENATOR BUNTING - Requesting a Survey of Above-Ground Petroleum Storage Tanks and Report to the 141st General Assembly by May 1, 2001 Detailing the Need for Oversight Legislation or Regulations.

SB 281 - HENRY & REPRESENTATIVE EWING - An Act to Amend Title 11 of the Delaware Code Relating to the Location of State Police Stations.

Representative Smith requested that HB 526 w/SA 1 be removed from Consent Agenda C.

The roll call on Consent Agenda C was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HS 1 to HB 213 w/HA 1 & 2 & SA 2, HB 525 w/SA 1 & HB 439 w/SA 1 & 2 were sent to the Governor & HB 613 & HJR 29 were sent to the Senate for concurrence & SB 281 was returned to the Senate.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 526 w/SA 1, jointly sponsored by Representatives Spence & Fallon & cosponsored by Representative Miro, before the House for concurrence on SA 1.

HB 526 - AN ACT TO AMEND TITLE 14, DELAWARE CODE, TO REQUIRE SCHOOLS TO NOTIFY STUDENTS AND THEIR PARENTS OF THE PENALTIES FOR CERTAIN SCHOOL RELATED OFFENSES AND OF THE REPORTING OF SCHOOL CRIMES.

Representative Ewing announced that he had an amendment to introduce. Representative Smith made an announcement. Mr. Acting Speaker ruled that the amendment is out of order.

Representative Ewing made a comment.

Representative Ewing moved to place HB 526 w/SA 1 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative West.

Representative West brought HB 537, jointly sponsored by Representative Caulk & Senators Bunting & Simpson & All Representatives & Senators Connor & Winslow, before the House for consideration.

HB 537 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING CHANGES.

Representative West brought HA 1 to HB 537, jointly sponsored by Representative Caulk, before the House for consideration. Representative West requested that HA 1 be stricken.

Representative West introduced and brought HA 2 to HB 537 before the House for consideration. Representative West made a comment. HA 2 was adopted by voice vote.

Representative Keeley made comments.

The roll call on HB 537 w/HA 2 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Gilligan, Miro & Spence - 4.

Therefore, having received a constitutional majority, HB 537 w/HA 2 was sent to the Senate for concurrence.

Representative Smith moved to restore HB 525 w/SA 1. The motion was seconded by Representative Welch and adopted by voice vote.

HB 525 – AN ACT TO AMEND SECTION 621, TITLE 11, DELAWARE CODE, PERTAINING TO PENALTIES FOR TERRORISTIC THREATENING.

Representative Smith moved to rescind the roll call on HB 525 w/SA 1. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith moved to place HB 525 w/SA 1 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift HB 555 w/HA 5, 7, 8 & 9 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner brought HB 555 w/ HA 5, 7, 8 & 9, jointly sponsored by Representative Maier & Senator Bair & Senator Blevins & Representatives Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lofink, Miro, Mulrooney, Plant, Reynolds, Scott, Spence, Stone, Ulbrich, Valihura & Williams & Senators Winslow, Sokola, Sorenson & Venables & cosponsored by Representative Cloutier, before the House for consideration.

HB 555 – AN ACT TO AMEND TITLES 11, 13 AND 16 OF THE DELAWARE CODE RELATING TO ABANDONED NEWBORN INFANTS. (F/N)

Representative Wagner introduced and brought HA 10 to HB 555 before the House for consideration. Representative Wagner made comments. HA 10 was adopted by voice vote.

Representative Wagner made comments.

Representative Wagner requested and was granted privilege of the floor for Steve Wood, Deputy Attorney General.

Representatives Wagner, Schroeder, Wagner, Schroeder, Wagner, Keeley, Williams, Keeley, Viola, Valihura, Wagner, Valihura & Cloutier made comments.

Representative Keeley requested and was granted privilege of the floor for Tania Culley, Delaware's Child Advocate and Executive Director, Child Protection Accountability Commission.

Representatives Keeley, Wagner, DiLiberto, Scott, Plant, Schroeder, Wagner & Plant made comments.

The roll call on HB 555 w/HA 5, 7, 8, 9 & 10 was taken and revealed:

YES: 33.

NO: Representatives Carey, B. Ennis, Quillen, Welch & West - 5.

NOT VOTING: Representatives Keeley & Schroeder - 2.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 555 w/HA 5, 7, 8, 9 & 10 was sent to the Senate for concurrence.

Representatives Keeley & Smith made comments regarding HB 555.

Representative Smith deferred to Representative Stone.

Representative Stone brought HB 314, jointly sponsored by Representative Welch & Senator Bonini, before the House for consideration.

HB 314 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RENTED PROPERTY. (2/3 bill)

Mr. Speaker Spence resumed the Chair.

Representative Stone made comments.

The roll call on HB 314 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Lee & Smith - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 314 was sent to the Senate for concurrence.

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

AGRICULTURE: HB 600 - 2F, 4M.

APPROPRIATIONS: HS 1 to HB 584 - 3F, 1M; HB 552 - 4M.

HOUSE ADMINISTRATION: HB 648 - 3M; SS 1 to SB 306 - 3M.

PUBLIC SAFETY: HR 85 - 5M; HR 86 - 5M.

REVENUE & FINANCE: HB 579 - 5M; HB 612 - 5M; HB 614 - 5M; HB 640 - 1F, 4M; HB 650 - 1F, 4M; HB 651 - 1F, 4M; HB 652 - 1F, 4M.

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

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

TOURISM: HB 615 - 8M.

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

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on June 20, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 370 w/SA 1 and requests the concurrence of the House.

Mr. Acting Speaker assigned HB 530, HB 589, HB 603, HB 612 & HB 640 to the Appropriations Committee.

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

37th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 20, 2000

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Boulden -1.

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

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

The following prefiled legislation was introduced:

HB 654 - BUCKWORTH & SENATOR BLEVINS; REPRESENTATIVES MAIER, PRICE; SENATORS SOKOLA, AMICK, SORENSON - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Adoptions and Termination of Parental Rights.

HA 1 to HB 337 - VIOLA - Placed with the Bill.

HA 1 to HB 525 - EWING - Placed with the Bill.

HA 1 to HS 1 to HB 584 - DIPINTO - Placed with the Bill.

HA 1 to HB 592 - BUCKWORTH - Placed with the Bill.

HA 3 to HB 596 - CAPANO - Placed with the Bill.

HA 4 to HB 596 - CATHCART; REPRESENTATIVES CAREY, OBERLE - Placed with the Bill.

HA 2 to HB 635 - PRICE - Placed with the Bill.

HA 1 to HB 646 - ROY & REPRESENTATIVE MIRO & REPRESENTATIVE GILLIGAN - Placed with the Bill.

SB 358 - ADAMS; REPRESENTATIVES OBERLE & SPENCE - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Pensions. (F/N)

SB 370 w/SA 1 - MCDOWELL & REPRESENTATIVE CATHCART; SENATORS BUNTING & SIMPSON; REPRESENTATIVE PRICE - LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 7, 16 and 26 of the Delaware Code Relating to the Certification and Regulation of Water Utilities and Well Permits and to Transfer to the Public Service Commission the Jurisdiction to Issue Certificates of Public Convenience and Necessity for Water Utilities Beginning July 1, 2000. (F/N)

SB 375 - BUNTING & REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - An Act to Amend the Charter of The Town of South Bethany, Chapter 268, Volume 69, Laws of Delaware, as Amended, to Clarify that the Treasurer May Be Absent from a Council Meeting So Long as a Person Is Delegated to Attend in the Treasurer's Stead. (2/3 bill)

SB 377 - BUNTING & REPRESENTATIVE SCHROEDER - HOUSE ADMINISTRATION - An Act to Amend Chapter 197, Volume 54, Laws of Delaware, the Charter of the City of Rehoboth Beach, as Amended, with Regard to When the Commissioners of Rehoboth Beach Hold their Monthly Meetings. (2/3 bill)

SB 381 - COOK; REPRESENTATIVE SPENCE; SENATORS VAUGHN, MCBRIDE, MCDOWELL; REPRESENTATIVES OBERLE, EWING, GILLIGAN, VANSANT, B. ENNIS - PUBLIC SAFETY - An Act to Amend Title 11 Delaware Code Relating to Eligibility for Retirement for the "New" State Police Pension Plan.

HA 2 to SB 302 - MAIER - Placed with the Bill.

Representatives Mulrooney, West, Miro & Price requested that they be marked present.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Representative Terry Spence
Speaker of the House
FROM: Representative Timothy U. Boulden
DATE: June 16, 2000
SUBJECT: Absence from session

Due to unforeseen and unavoidable situations at work, I will be forced to miss session until Tuesday, June 27, 2000.

DATE: June 20, 2000
TO: Bernard J. Brady, Secretary of the Senate
FROM: George H. Bunting, Jr., State Senator, 20th District
SUBJECT: Removal of Name as a Cosponsor of HB #626

By means of this memorandum, please have my name removed as a cosponsor of House Bill #626 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INLAND BAYS WATERSHED. Thank you.

Representatives B. Ennis, Caulk, Williams, Lee & DiLiberto requested that they be marked present. The Majority Whip moved to recess for caucus at 2:17 p.m.

The House reconvened at 4:46 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 38 and requests the concurrence of the House; SB 369 & SB 344 and requests the concurrence of the House; HB 496 and is returning same to the House; SB 290 w/SA 1 and requests the concurrence of the House.

HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: June 20, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-2058	Quillen	6/11/2000	T	Luiz Cireno/Exchange Student/Safe Return to Homeland
H140-2059	Gilligan	3/25/2000	T	Carl & Virginia Hurley/50th Wedding Anniversary
H140-2060	Gilligan	2/23/2000	T	Salvatore & Marie Catullo/50th Wedding Anniversary
H140-2061	Reynolds	6/7/2000	T	Harvey Smith, Jr./Reverend David Mulford Safety Excellence Award Recipient
H140-2062	Welch	6/22/2000	T	Bobbi Hettel-Minner/40th Birthday
H140-2063	VanSant	6/30/2000	T	Edwin Gray, III/Eagle Scout
H140-2064	Wagner	6/14/2000	T	Judy Patton/Retirement/31 Years/Capital School District
H140-2065	Wagner	6/14/2000	T	Sally Orth/Retirement/31 Years/Capital School District
H140-2066	Stone	6/14/2000	T	Virginia Greene/Retirement/32 Years/Capital Schools
H140-2067	Stone	6/14/2000	T	Barbara White/Retirement/33 Years/Capital Schools
H140-2068	Smith	6/7/2000	T	John Latcher & Staff/Gettysburg National Military Park/Assistance/Delaware Memorial
H140-2069	Gilligan	4/30/2000	T	George & Veronica Trader/60th Wedding Anniversary
H140-2070	Lofink	6/3/2000	T	Steve Baker, Head Coach/Caravel Academy Softball/State High School Championship
H140-2071	Lofink	6/3/2000	T	Jeff Campbell, Coach/Caravel Academy Softball/State High School Championship
H140-2072	Lofink	6/3/2000	T	Dana Hicken, Coach/Caravel Academy Softball/State High School Championship
H140-2073	Lofink	6/3/2000	T	Mike Salony, Coach/Caravel Academy Softball/State High School Championship
H140-2074	Lofink	6/3/2000	T	Cookie Homiak, Statistician/Caravel Softball/State High School Championship
H140-2075	Lofink	6/3/2000	T	Marty Yuhas, Trainer/Caravel Academy Softball/State High School Championship
H140-2076	Lofink	6/3/2000	T	Christin Mills/Caravel Academy Softball/State High School Championship
H140-2077	Lofink	6/3/2000	T	Erin Bilbrough/Caravel Academy Softball/State High School Championship
H140-2078	Lofink	6/3/2000	T	Nancy Tokar/Caravel Academy Softball/State High School Championship
H140-2079	Lofink	6/3/2000	T	Nicole Shallcross/Caravel Academy Softball/State High School Championship
H140-2080	Lofink	6/3/2000	T	Emily Irish/Caravel Academy Softball/State High School Championship

HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: June 20, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-2081	Lofink	6/3/2000	T	Kim Helm/Caravel Academy Softball/State High School Championship
H140-2082	Lofink	6/3/2000	T	Lindsay Long/Caravel Academy Softball/State High School Championship
H140-2083	Lofink	6/3/2000	T	Danielle Austin/Caravel Academy Softball/State High School Championship
H140-2084	Lofink	6/3/2000	T	Alexis Niggebrugge/Caravel Academy Softball/State High School Championship
H140-2085	Lofink	6/3/2000	T	Amber Hicken/Caravel Academy Softball/State High School Championship
H140-2086	Lofink	6/3/2000	T	Ashley Niggebrugge/Caravel Academy Softball/State High School Championship
H140-2087	Lofink	6/3/2000	T	Stephanie Campbell/Caravel Academy Softball/State High School Championship
H140-2088	Lofink	6/3/2000	T	Erin McGlynn/Caravel Academy Softball/State High School Championship
H140-2089	Lofink	6/3/2000	T	Jackie Homiak/Caravel Academy Softball/State High School Championship
H140-2090	Lofink	6/3/2000	T	Megan Richardson/Caravel Academy Softball/State High School Championship
H140-2091	B. Ennis	6/8/2000	T	Brooks Keen/Leadership/Restoring "Plank House" /Smyrna
H140-2092	Ewing	6/8/2000	T	Minnie Missouri Short O'Day/90th Birthday
H140-2093	Stone	5/19/2000	T	Dover Rent-All/George & David Clapp, Owners/Small Business Persons of the Year
H140-2094	Stone, Wagner	6/12/2000	T	Mayor James Hutchison/Two Bays District Distinguished Citizen Award Recipient/Boy Scouts
	cosponsors: All Representatives			
H140-2095	Stone	6/6/2000	M	Jane Burton Truitt
H140-2096	Smith	6/7/2000	T	Delaware National Guard/Support/Gettysburg Memorial
H140-2097	B. Ennis	6/8/2000	M	Christopher Edward Wilson
H140-2098	B. Ennis	6/8/2000	M	Arthur F. Wicks
H140-2099	Wagner	6/14/2000	T	Claudia Young/Retirement/16 Years/Capital School District
H140-2100	Wagner	6/9/2000	M	Karl D. Dorzback, Jr.
	cosponsors: All Representatives			
H140-2101	Stone	6/14/2000	T	Mary Jane Ralston/Retirement/14 Years/Capital School District
H140-2102	Buckworth	6/14/2000	T	Jacqueline Bates/Retirement/23 Years/Capital School District
H140-2103	Wagner	6/14/2000	T	Robert Neylan/Retirement/28 Years/Capital School District

HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: June 20, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Date</u>	<u>Type</u>	<u>Description</u>
H140-2104	Wagner	6/14/2000	T	Robert Fortier/Retirement/17 Years/Capital Schools
H140-2105	Quillen	6/14/2000	T	Charles Josephson/Retirement/33 Years/Capital Schools
H140-2106	Stone	6/14/2000	T	Hector Villa/Retirement/34 Years/Capital School
H140-2107	Buckworth	6/13/2000	T	Flavous Statham/Caesar Rodney High/Retirement
H140-2108	Buckworth	6/13/2000	T	Gilbert Myers/Caesar Rodney High/Retirement
H140-2109	Buckworth	6/13/2000	T	Lois Finley/Caesar Rodney High/Retirement
H140-2110	Buckworth	6/13/2000	T	Clarence Dyer/Caesar Rodney District Office /Retirement
H140-2111	Buckworth	6/13/2000	T	Sarah Barlow/W. Reily Brown Elementary/Retirement
H140-2112	Wagner	7/1/2000	T	Rebecca Emmons & Ean Lambert/Marriage
	cosponsor: Buckworth			
H140-2113	Wagner	6/24/2000	T	Ann Greco & Stephen Devine, Sr./Marriage
H140-2114	Ulbrich	6/13/2000	T	Dr. Joseph Deardorff/Appointment/Superintendent/New Castle County Vo-Tech
H140-2115	Ulbrich	6/13/2000	T	Dennis Loftus/Retirement/Superintendent/New Castle

H140-2116	Ulbrich	6/13/2000	T	County Vo-Tech Tim Bush/Dedication/Professional Standards Council
H140-2117	Ulbrich	6/13/2000	T	Barbara Grogg/Dedication/Professional Standards Council
H140-2118	Ulbrich	6/13/2000	T	Gene Kerns/Dedication/Professional Standards Council
H140-2119	Ulbrich	6/13/2000	T	Mary Ellen Kotz/Dedication/Professional Standards Council
H140-2120	Ulbrich	6/13/2000	T	Cheryl Krehbiel/Dedication/Professional Standards Council
H140-2121	Ulbrich	6/13/2000	T	Michele Porter/Dedication/Professional Standards Council
H140-2122	Ulbrich	6/13/2000	T	Linda Rogers/Dedication/Professional Standards Council

T- Tribute

M – Memoriam

Representative Smith deferred to Representative Buckworth.

Representative Buckworth made comments.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 350, jointly sponsored by Representative Buckworth & Senators Bonini & Venables, before the House for consideration.

HB 350 - AN ACT TO AMEND TITLE 9, TITLE 10 AND TITLE 22 OF THE DELAWARE CODE RELATING TO CERTAIN ACTIONS. (F/N)

Representative Smith requested that he be marked present.

Representative Ewing made a comment.

Representative Ewing moved to place HB 350 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Ewing brought HB 473, jointly sponsored by Senator Henry, before the House for consideration.

HB 473 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE EXAMINATION OF DRIVERS.

Representative Ewing made comments.

Representative Ewing brought HA 1 to HB 473 before the House for consideration.

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

Representatives West, Ewing, West, Ewing & Mr. Acting Speaker Oberle made comments.

The roll call on HB 473 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & D. Ennis - 2.

Therefore, having received a constitutional majority, HB 473 w/HA 1 was sent to the Senate for concurrence.

Representatives Gilligan, Roy, Schroeder, Spence, Ulbrich, VanSant, Viola & Wagner requested that they be marked present during the roll call.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier brought HB 615, jointly sponsored by Representatives D. Ennis, Fallon, Valihura, Keeley & Price & Senators McBride & Bair, before the House for consideration.

HB 615 - AN ACT TO AMEND CHAPTER 61, TITLE 30, DELAWARE CODE RELATING TO LODGING TAX AND RECIPIENT REPORTING AND OPERATING CONDITIONS.

Representative Cloutier made comments.

The roll call on HB 615 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & D. Ennis - 2.

Therefore, having received a constitutional majority, HB 615 was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 592, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 592 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN.

Representative Buckworth brought HA 1 to HB 592 before the House for consideration.

Representative Buckworth made comments. HA 1 was adopted by voice vote.

Representative Buckworth introduced and brought HA 2 to HB 592 before the House for consideration. Representative Buckworth made a comment. HA 2 was adopted by voice vote.

Representative Buckworth introduced and brought HA 3 to HB 592 before the House for consideration.

Representatives Buckworth & Oberle made comments.

Representative Buckworth requested and was granted privilege of the floor for Clay Jester, Member, Family Law Section of the Delaware State Bar Association.

Representatives Oberle, Ewing, Wagner & DiLiberto made comments.

HA 3 was adopted by voice vote.

The roll call on HB 592 w/HA 1, 2 & 3 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 592 w/HA 1, 2 & 3 was sent to the Senate for concurrence.

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

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

Representative Smith deferred to Representative Lee.

Representative Lee brought HJR 24, jointly sponsored by Senator Vaughn & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Cloutier, Houghton, Miro, Plant, Price, Reynolds, Scott, Smith, Ulbrich & Viola & Senators Bonini, Simpson & Winslow & cosponsored by Senators Bair & Sorenson, before the House for consideration.

HJR 24 - DIRECTING THE SENTENCING ACCOUNTABILITY COMMISSION TO CONDUCT AN IN-DEPTH EXAMINATION OF SENTENCING PRACTICES. (F/N)

Representatives Lee, Maier, Lee, Maier, Lee, Maier, Lee & Williams made comments.

The roll call on HJR 24 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Cathcart & Schroeder - 3.

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

Representative Smith deferred to Representative Quillen.

Representative Quillen brought HB 599, jointly sponsored by Senator Venables & Representative Spence, before the House for consideration.

HB 599 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ANIMALS.

Representative Quillen made a comment.

The roll call on HB 599 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 599 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought HB 608, jointly sponsored by Senator Henry, before the House for consideration.

HB 608 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATUTES OF LIMITATIONS FOR CERTAIN CRIMINAL OFFENSES.

Representative Valihura made comments.

The roll call on HB 608 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 608 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda D before the House for consideration.

HB 611 - OBERLE & SENATOR SOKOLA - An Act to Amend Title 10 of the Delaware Code Relating to Executions as Regards the Delaware Qualified Tuition Savings

HB 618 - CAPANO & SENATOR SORENSON - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

HB 631 - LOFINK & SENATOR SHARP - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical Service Systems.

HCR 55 - CATHCART & SENATOR VAUGHN - Requesting Actions for Preservation of Farmland and Open Space in Lower New Castle County, and Creating a Port Penn Area Preservation Task Force to Support this Effort and Provide Further Recommendations.

The roll call on Consent Agenda D was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 611, HB 618, HB 631 & HCR 55 were sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on HB 643. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner brought HB 643, jointly sponsored by Senator Sokola, before the House for consideration.

HB 643 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF PROFESSIONAL EDUCATORS IN CRITICAL CURRICULAR AREAS.

Representative Wagner made comments.

The roll call on HB 643 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 643 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought HB 634, jointly sponsored by Senator Sokola & Representative Smith, before the House for consideration.

HB 634 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A LOCAL SCHOOL BOARD CODE OF CONDUCT.

Representative Miro introduced and brought HA 1 to HB 634 before the House for consideration.

Representative Miro made comments.

Representative Wagner announced that she will not be voting on HA 1 to HB 634 because of a possible conflict of interest.

HA 1 was adopted by voice vote.

Representative Miro made comments.

The roll call on HB 634 w/HA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Wagner - 1.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 634 w/HA 1 was sent to the Senate for concurrence.

Representative Miro introduced a guest.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 647, jointly sponsored by Senator Venables, before the House for consideration.

HB 647 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY KNOWN AS THE LAUREL READINESS CENTER. (F/N)

Representative Lee moved to suspend the rules which interfere with action on HB 647. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Lee made comments.

The roll call on HB 647 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 647 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Fallon.

Representative Fallon requested that HB 552 be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 190, jointly sponsored by Senator Blevins & Senators Henry, Sokola, Adams, Cook, DeLuca, Marshall, McBride, McDowell, Sharp, Vaughn & Bunting & Representatives Keeley, Price, Schroeder & Miro & cosponsored by Representative Cloutier, before the House for consideration.

SB 190 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE COVERAGE.

Representative Maier deferred to Representative Capano.

Representative Capano introduced and brought HA 1 to SB 190 before the House for consideration.

Representative Capano made comments. HA 1 was adopted by voice vote.

Representative Maier made comments.

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

YES: 39.

ABSENT: Representatives Boulden & Roy - 2.

Therefore, having received a constitutional majority, SB 190 w/HA 1 was returned to the Senate for concurrence on HA 1.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 579, jointly sponsored by Senator Simpson & Representatives Buckworth, Carey, Quillen, Valihura & Welch, before the House for consideration.

HB 579 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES AND RELATED PENALTIES. (F/N)

Representative Caulk introduced and brought HA 1 to HB 579 before the House for consideration. Representative Caulk made comments. HA 1 was adopted by voice vote.

Representatives Caulk, Schroeder, Caulk, Schroeder, Caulk, B. Ennis & Caulk made comments.

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

Representative Schroeder made comments.

Representative Schroeder requested and was granted privilege of the floor for Michael Strine, Executive Assistant, Office of the Secretary, Department of Finance.

Representatives Schroeder & Caulk made comments.

The roll call on HB 579 w/HA 1 was taken and revealed:

YES: 28.

NO: Representatives DiLiberto, Gilligan, Houghton, Keeley, Mulrooney, Schroeder, Scott, VanSant, Viola & Williams - 10.

ABSENT: Representatives Boulden, Price & Roy - 3.

Therefore, having received a constitutional majority, HB 579 w/HA 1 was sent to the Senate for concurrence.

Representative Smith moved to recess at 6:20 p.m. for the purpose of changing the recording tape.

The House reconvened at 6:55 p.m. with Representative Welch as Acting Speaker.

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

JUDICIARY: SB 371 - 7M.

PUBLIC SAFETY: HB 641 - 5M.

HOUSE ADMINISTRATION: SB 377 - 4M.

LAND USE AND INFRASTRUCTURE: SB 370 w/SA 1 - 3F, 4M.

Mr. Acting Speaker assigned SB 358 & SB 370 to the Appropriations Committee.

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

Representatives Oberle & Carey made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich requested that HB 646 be stricken.

Representative Ulbrich brought HB 660, jointly sponsored by Senator DeLuca & Representatives Capano, Valihura, Keeley & Price & Senators Bunting, Sokola, Simpson & Still.

HB 660 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND TOBACCO ENFORCEMENT.

Mr. Acting Speaker assigned HB 660 to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on HB 644. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Wagner brought HB 644, jointly sponsored by Senator Blevins, before the House for consideration.

HB 644 - AN ACT TO AMEND CHAPTER 12, TITLE 14 AND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS.

Representative Wagner made comments.

Representative Wagner introduced and brought HA 2 to HB 644 before the House for consideration.

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

The roll call on HB 644 w/HA 2 was taken and revealed:

YES: 34.

ABSENT: Representatives Boulden, Caulk, Fallon, Quillen, Roy, West & Williams - 7.

Therefore, having received a constitutional majority, HB 644 w/HA 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift HB 582 w/HA 2 & 3 from the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Maier brought HB 582 w/HA 2 & 3, jointly sponsored by Senator Blevins & Representative Ulbrich & Senator Connor & Representatives Spence, Smith, Welch, Boulden, Capano, D.

Ennis, DiLiberto, DiPinto & Oberle & Senators McDowell, Bunting, Marshall, Venables & Still & cosponsored by Representative Cloutier, before the House for consideration.

HB 582 - AN ACT TO AMEND TITLES 14, 15 AND 30 OF THE DELAWARE CODE TO PROVIDE FOR A "SCHOOL BOARD ACCOUNTABILITY ACT" PERTAINING TO THE QUALIFICATIONS, ELECTIONS, AND TAX CREDITS FOR MEMBERS OF SCHOOL BOARDS OF THE STATE'S REORGANIZED SCHOOL DISTRICTS. (F/N)

Representative Maier deferred to Representative Gilligan.

Mr. Speaker Spence resumed the Chair.

Representative Gilligan brought HA 4 to HB 582 before the House for consideration.

Representative Gilligan made comments.

Representative Wagner announced that she will not be voting HB 582 and the amendments because of a possible conflict of interest.

Representatives Oberle & Gilligan made comments.

Representative Gilligan moved to place HA 4 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Maier brought HA 5 to HB 582 before the House for consideration.

Representative Maier moved to place HA 5 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith brought HA 6 to HB 582 before the House for consideration.

Representative Smith moved to place HA 6 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HA 7 to HB 582 before the House for consideration. Representative Oberle made comments. Representative Oberle moved to place HA 7 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ulbrich brought HA 8 to HB 582 before the House for consideration.

Representative Ulbrich moved to place HA 8 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier introduced guests.

Representative Maier introduced and brought HA 9 to HB 582 before the House for consideration.

Representative Maier made comments.

Representative Maier requested and was granted privilege of the floor for Thomas J. Cook, Commissioner of Elections.

Representatives Maier, Viola, Oberle, Ewing, Maier, Lee, Maier & Miro made comments.

Representative Maier introduced and brought HA 1 to HA 9 to HB 582 before the House for consideration. Representative Maier made comments. HA 1 to HA 9 was adopted by voice vote.

Representatives B. Ennis & Maier made comments.

HA 9 w/HA 1 was adopted by voice vote.

Representative Maier made comments.

Representative Cathcart requested and was granted privilege of the floor for Susan Shupard, Executive Director, Delaware School Boards Association.

Representatives Cathcart, Cloutier, Oberle, Gilligan, Smith, Ulbrich & Maier made comments.

The roll call on HB 582 w/HA 2, 3 & 9 w/HA 1 to HA 9 was taken and revealed:

YES: 22.

NO: Representatives Carey, B. Ennis, Gilligan, Houghton, Lee, Mulrooney, Reynolds, Scott & VanSant - 9.

NOT VOTING: Representatives Buckworth, Plant & Wagner - 3.

ABSENT: Representatives Boulden, Caulk, Fallon, Quillen, Roy, West & Williams - 7.

Therefore, having received a constitutional majority, HB 582 w/HA 2, 3 & 9 w/HA1 to HA 9 was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative Maier made comments.

SB 344, sponsored by Senator Cook & Representative Smith, was given its first reading.

SB 344 - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE PUBLIC ARCHIVES AND PUBLIC RECORDS.

Mr. Speaker Spence assigned SB 344 to the House Administration Committee.

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

APPROPRIATIONS: HB 660 - 4M.

HOUSE ADMINISTRATION: SB 375 - 3M.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on HB 660. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich brought HB 660, jointly sponsored by Senator DeLuca & Representatives Capano, Valihura, Keeley & Price & Senators Bunting, Sokola, Simpson & Still, before the House for consideration.

HB 660 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND TOBACCO ENFORCEMENT. (F/N)

Mr. Speaker Spence introduced a guest.

Representative Miro introduced and brought HA 1 to HB 660, jointly sponsored by Representatives Roy & Gilligan, before the House for consideration.

Representatives Miro & Ulbrich made comments.

HA 1 was adopted by voice vote.

Representatives Ulbrich, Ewing, Ulbrich, Ewing, Ulbrich, Maier, Lee, Ulbrich, Miro & Ulbrich made comments.

The roll call on HB 660 w/HA 1 was taken and revealed:

YES: 27.

NO: Representatives Brady, DiLiberto, B. Ennis, Gilligan, Houghton & VanSant - 6.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Boulden, Caulk, Fallon, Quillen, Roy, West & Williams - 7.

Therefore, having received a constitutional majority, HB 660 was sent to the Senate for concurrence.

Mr. Speaker Spence & Representatives Ulbrich & Smith made comments.

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

HOUSE ADMINISTRATION: SB 344 - 3M.

LABOR: HB 554 - 4M.

The Majority Leader moved to recess to the call of the Chair at 8:06 p.m.

Mr. Speaker Spence called the House to order at 2:05 p.m. on June 21, 2000.

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

38th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
June 21, 2000

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Boulden -1.

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

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

The following prefiled legislation was introduced:

HB 656 - WAGNER; REPRESENTATIVES CAULK, D. ENNIS, QUILLEN, STONE, CAREY, DILIBERTO, DIPINTO, FALLON, HOUGHTON, LOFINK, MAIER, OBERLE, PLANT, PRICE, SCOTT, VALIHURA, VANSANT, VIOLA, WELCH, WEST, WILLIAMS; SENATORS BONINI, STILL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Delaware Laws to Name the State Owned Railroad Station Building in Dover the George V. Massey Station.

HB 657 - OBERLE - SUBSTANCE ABUSE - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances.

HB 658 - DILIBERTO - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Pesticides.

HB 659 - WAGNER & SENATOR BLEVINS; REPRESENTATIVES EWING, OBERLE, QUILLEN, REYNOLDS, STONE, BRADY, DILIBERTO, PLANT, PRICE, VANSANT - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to Deaths from Prescription Drugs.

HB 661 - SPENCE - TRANSPORTATION - An Act to Amend Title 17, Delaware Code Relating to Design Standards for Road and Bridges.

HB 662 - SPENCE - TRANSPORTATION - An Act to Amend Title 17, of the Delaware Code Relating to the Department of Transportation and Contracting.

HB 663 - FALLON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court, and Providing for the Mailing of Notice and Other Appropriate Court Papers.

HB 664 - ULBRICH & SENATOR DELUCA; REPRESENTATIVES CAPANO, KEELEY, PRICE, VALIHURA; SENATORS BUNTING, SIMPSON, SOKOLA, STILL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 and Title 29 of the Delaware Code Relating to Medical Examiners.

HB 665 - ULBRICH & SENATOR DELUCA; REPRESENTATIVES CAPANO, KEELEY, PRICE, VALIHURA; SENATORS BUNTING, SIMPSON, SOKOLA, STILL - JUDICIARY - An Act to Amend Title 11 and Title 29 of the Delaware Code Relating to the Obtaining, Storage and Use of DNA Information.

HB 666 - ULBRICH & SENATOR DELUCA; REPRESENTATIVES CAPANO, KEELEY, PRICE, VALIHURA; SENATORS BUNTING, SIMPSON, SOKOLA, STILL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 47, Title 29 of the Delaware Code Relating to Medical Examiners.

HB 667 - SPENCE & SENATOR MCBRIDE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 25, Title 24 of the Delaware Code Regarding Substitution of Drugs.

HB 669 - LOFINK & SENATOR VIOLA & SENATOR HENRY - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Dam Safety. (2/3 bill)

HB 670 - MIRO & SENATOR SOKOLA; REPRESENTATIVE SMITH - EDUCATION - An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to the Autistic Monitoring Review Board.

HJR 34 - SMITH & REPRESENTATIVE DIPINTO & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, B. ENNIS, CAULK, CAPANO, PLANT, SCOTT, WILLIAMS; SENATORS HENRY, MARSHALL - HOUSE ADMINISTRATION - Establishing the Defunct and Historical Cemetery Preservation Task Force to Research and Review the Condition of Delaware's Cemeteries and Make Recommendations to the General Assembly.

HA 4 to HB 226 - HOUGHTON - Placed with the Bill.

HA 5 to HB 226 - HOUGHTON - Placed with the Bill.

HA 2 to HB 525 - EWING - Placed with the Bill.

HA 1 to HB 605 - WAGNER - Placed with the Bill.

HA 1 to HB 617 - CAPANO - Placed with the Bill.

HA 1 to HB 626 - PRICE - Placed with the Bill.

HA 1 to HB 639 - KEELEY - Placed with the Bill.

SB 290 w/SA 1 - HENRY & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the State Criminal Code and Agents of the State Division of Alcoholic Beverage Control.

SB 296 w/SA 1 - HENRY & REPRESENTATIVE BUCKWORTH; SENATORS BUNTING, MCDOWELL, SORENSON, VENABLES; REPRESENTATIVES KEELEY, PLANT, SPENCE, VIOLA - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Department of Correction. (F/N)

SB 353 - MARSHALL - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Licenses.

SB 354 - MARSHALL - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (F/N)

SB 369 - SHARP & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

SB 376 - MARSHALL & REPRESENTATIVE WELCH - LABOR - An Act to Amend Chapter 15, Title 31 and Chapter 85, Title 29 of the Delaware Code Relating to the Welfare Employment Committee and the Workforce Development Council.

SB 383 - MCBRIDE; SENATORS BLEVINS, BONINI, CONNOR, COOK, DELUCA, HENRY, MARSHALL, SIMPSON, WINSLOW; REPRESENTATIVES BUCKWORTH, CAREY, DILIBERTO, DIPINTO, B. ENNIS, LEE, MAIER, QUILLEN, SMITH, SPENCE, STONE, OBERLE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Specific Speed Limits. (F/N)

SB 385 - VAUGHN & REPRESENTATIVE WAGNER; SENATORS COOK, MCBRIDE, SOKOLA; REPRESENTATIVES CAULK, MAIER, REYNOLDS, STONE, B. ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Occupational-Vocational Unit Funding.

SB 391 - BLEVINS & REPRESENTATIVE MAIER; SENATORS HENRY, SIMPSON, SORENSON; REPRESENTATIVES BOULDEN, CAPANO, CLOUTIER, KEELEY, PRICE, STONE, ULBRICH - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Regulation of Dentists and Dental Hygienists.

HA 3 to SB 63 - CAPANO - Placed with the Bill.

HA 2 to SB 186 - B. ENNIS; REPRESENTATIVES CAREY, CAULK, QUILLEN, WEST - Placed with the Bill.

HA 1 to SS 1 to SB 355 - MAIER - Placed with the Bill.

Representatives Keeley, Plant, Scott, West, B. Ennis, Gilligan, Price & Miro requested that they be marked present.

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

Mr. Speaker Spence made an announcement.

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

The House reconvened at 4:18 p.m.

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

APPROPRIATIONS: SB 358 – 4M; SB 370 w/SA 1 – 4M.

JUDICIARY: HB 659 – 5M; SB 290 w/SA 1 – 5M; SB 369 – 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 588 – 2F, 3M; SS 1/SB 355 – 5M; SB 337 – 5M.

PUBLIC SAFETY: SB 383 – 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 296 w/SA 1, SB 353, SB 354 & SB 385 and requests the concurrence of the House; HB 474 w/SA 1 & HB 489 and is returning same to the House; SB 376, SB 383 & SB 391 and requests the concurrence of the House; HB 540 w/HA 1 & 2 & SA 1 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Clifford G. Lee, do hereby request that my name be removed as co-sponsor of HB 582.

Date: June 20, 2000

Signed: Clifford G. Lee

June 20, 2000

LEGISLATIVE ADVISORY #66

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/16/00 - SB 262 & SB 301; 6/20/00 - SB 182, SB 185 aab SA 1 & HA 2, SB 266 aab SA 1 & 2 & HA 1, SS 1 to SB 329, SB 336, HS 1 to HB 200, HB 318 aab HA 1, HB 427, HB 463, HB 469, HB 482, HB 510, HB 511, HB 514 aab HA 1, 3 & 5 & HB 550.

Representatives DiLiberto, Mulrooney, Viola & Reynolds requested that they be marked present.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 381, jointly sponsored by Senator Cook & Representatives Spence, Oberle, Gilligan, VanSant & B. Ennis & Senators Vaughn, McBride & McDowell, before the House for consideration.

SB 381 - AN ACT TO AMEND TITLE 11 DELAWARE CODE RELATING TO ELIGIBILITY FOR RETIREMENT FOR THE "NEW" STATE POLICE PENSION PLAN.

Representative Ewing deferred to Representative Oberle.

Representatives Oberle, Wagner, Ewing & Oberle made comments.

The roll call on SB 381 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Brady & Plant - 3.

Therefore, having received a constitutional majority, SB 381 was returned to the Senate.

Representatives Schroeder, Ulbrich, D. Ennis & DiPinto requested that they be marked present during the roll call.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 600, jointly sponsored by Senator Bunting & Representatives Carey, Cathcart, Price, Quillen, Schroeder & West & Senators Cook, Simpson, Still & Venables, before the House for consideration.

HB 600 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO GRAIN INSPECTION, CERTIFICATION, AND GRAIN CONTRACTS. (F/N)

Representative Caulk made comments.

The roll call on HB 600 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority, HB 600 was sent to the Senate for concurrence.

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

Mr. Speaker Spence introduced guests.

Representative Wagner requested and was granted personal privilege of the floor to make comments regarding HB 555.

Representative Reynolds & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 432, jointly sponsored by Representatives Keeley & Spence, before the House for consideration.

HB 432 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR, AND ESTABLISHING A VICTIMS OF DOMESTIC VIOLENCE EMPLOYMENT LEAVE ACT. (F/N)

Representative Scott introduced and brought HA 1 to HB 432 before the House for consideration.

Representatives Scott, Smith, Scott, Smith & Scott made comments. HA 1 was adopted by voice vote.

Representatives Scott & Schroeder made comments.

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

Representatives Schroeder, Wagner, Schroeder, Scott, Stone, Scott, Stone, Scott, Ulbrich, Scott, Ewing, Scott, Ewing, Scott, Ewing, Scott, Williams, Keeley, B. Ennis & Scott made comments.

The roll call on HB 432 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority, HB 432 w/HA 1 was sent to the Senate for concurrence.

Representative Scott made comments.

Mr. Speaker Spence introduced a guest.

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

Representative Smith deferred to Representative Price.

Representative Price brought HB 567, jointly sponsored by Representatives Keeley, Miro & Schroeder & Senators Bunting & Sokola, before the House for consideration.

HB 567 - AN ACT DIRECTING THE DEPARTMENT OF EDUCATION TO DEVELOP, IMPLEMENT, AND ENHANCE PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY. (F/N)

Representative Price brought HA 1 to HB 567 before the House for consideration.

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

Representatives Price, Smith, Price, Miro & DiPinto made comments.

The roll call on HB 567 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority, HB 567 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative West requested and was granted personal privilege of the floor to introduce a guest and to make an announcement.

Representatives Caulk, West, Reynolds & West made comments.

Representative West introduced a guest.

Representative Keeley brought HB 639, jointly sponsored by Representatives Brady, Caulk, D. Ennis, Ewing, Fallon, Oberle, Plant, Price, Schroeder, Scott, West & Williams, before the House for consideration.

HB 639 - AN ACT TO AMEND TITLE 29 RELATING TO THE PROCUREMENT OF MATERIAL AND NONPROFESSIONAL SERVICES BY BONA FIDE NONPROFIT ORGANIZATIONS.

Representative Keeley brought HA 1 to HB 639 before the House for consideration. Representative Keeley made a comment. HA 1 was adopted by voice vote.

Representative Keeley made a comment.

The roll call on HB 639 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Miro & Plant - 3.

Therefore, having received a constitutional majority, HB 639 w/HA 1 was sent to the Senate for concurrence.

Representative Keeley made comments regarding HB 639.

Representative Smith deferred to Representative Houghton.

Representative Houghton moved to lift HB 226 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Houghton brought HB 226, jointly sponsored by Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Price, Quillen, Reynolds, Schroeder, Smith, Spence, Stone, Ulbrich, Valihura, VanSant, Viola, Wagner, Welch & Senators Adams, Bonini, Connor, DeLuca, McBride, McDowell, Sharp, Sokola, Still, Vaughn, Venables & Winslow, before the House for consideration.

HB 226 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BOUNTY HUNTERS AND BAIL ENFORCEMENT AGENTS. (F/N)

Representative Scott brought HA 1 to HB 226 before the House for consideration. Representatives Scott & Houghton made comments. Representative Scott moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Houghton brought HA 2 to HB 226 before the House for consideration.

Representative Houghton moved to place HA 2 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Houghton brought HA 3 to HB 226, jointly sponsored by Representative Scott, before the House for consideration. Representative Houghton made a comment. Representative Houghton moved to place HA 3 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Houghton made a comment.

Representative Houghton brought HA 4 to HB 226 before the House for consideration.

Representative Houghton moved to place HA 4 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Houghton brought HA 5 to HB 226 before the House for consideration.

Representatives Houghton & Williams made comments. HA 5 was adopted by voice vote.

Representative Houghton made comments.

Representative Scott requested and was granted privilege of the floor for Steve Wood, Deputy Attorney General.

Representatives Scott, Houghton & Scott made comments.

Representative Houghton requested and was granted privilege of the floor for Brian Shirey, House Attorney. Mr. Shirey was not available.

Representatives VanSant & Scott made comments.

Representative Oberle requested and was granted privilege of the floor for Steve Wood, Deputy Attorney General.

Representative Oberle made comments.

Representative Houghton moved to place HB 226 w/HA 5 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

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

Representative Scott made comments regarding HB 226.

Representative Smith brought Consent Agenda E, which requires a two-thirds vote, before the House for consideration and concurrence on Senate Amendments.

SB 286 – HENRY & REPRESENTATIVE CAPANO - An Act to Amend Title 4 of the Delaware Code Relating to the Holders of a License to Sell Alcoholic Beverages in a Taproom or Tavern. (2/3 bill)

SB 288 w/SA 1 – HENRY & REPRESENTATIVE CAPANO - An Act to Amend Title 4 of the Delaware Code Relating to Criminal Offenses and Penalties Involving Alcoholic Liquors. (2/3 bill)

SB 293 w/SA 2 – HENRY & REPRESENTATIVE CAPANO - An Act to Amend Title 4 of the Delaware Code Relating to Individuals Under Age 21 Who Enter or Remain in a Taproom, Tavern or Package Store.

SB 294 – HENRY & REPRESENTATIVE CAPANO - An Act to Amend Title 4 of the Delaware Code Relating to the Authority of the Alcoholic Beverage Control Commission to Impose Fines.

SB 356 w/SA 1 – MCBRIDE & SENATORS BUNTING, VENABLES & CONNOR, REPRESENTATIVES CAREY, QUILLEN & PRICE - An Act to Amend Chapter 326, Volume 67 of the Laws of Delaware and Title 7 of the Delaware Code Relating to the Hazardous Substance Cleanup Act.

SS 1 to SB 306 – CONNOR & REPRESENTATIVE WAGNER; SENATORS AMICK, BAIR, BLEVINS, HENRY, SOKOLA & SORENSON; REPRESENTATIVES CAPANO, CLOUTIER, KEELEY, MAIER, PRICE, REYNOLDS & ULBRICH - An Act to Amend Title 29 of the Delaware Code Relating to Appointing a Poet Laureate.

HB 648 - B. ENNIS & SENATOR STILL; REPRESENTATIVES CAULK & WAGNER - An Act to Reincorporate the Town of Leipsic. (2/3 bill)

HB 652 – CAPANO & SENATOR COOK - An Act to Amend Titles 7, 16, 29, 30, and 31 of the Delaware Code Relating to Delaware Personal Income Tax Check-Off Programs.

HB 474 w/SA 1 – EWING & SENATOR HENRY - An Act to Amend Title 21 of the Delaware Code to Enable the Issuance of a Driver License and Identification Card to Persons Ineligible for a Social Security Account.

HB 540 w/HA 1 & 2 & SA 1 – MAIER & SENATOR BLEVINS; SENATOR SORENSON; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CLOUTIER, DILIBERTO, EWING, HOUGHTON, KEELEY, LOFINK, OBERLE, REYNOLDS & STONE; SENATOR HENRY - An Act to Amend Titles 10, 14, 29, and 31 of the Delaware Code Relating to the Child Placement Review Act and the Child Placement Review Board.

The roll call on Consent Agenda E was taken and revealed:

YES: 39.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 648 & HB 652 were sent to the Senate for concurrence; SB 286, SB 288 w/SA 1, SB 293 w/SA 2, SB 294, SS 1 to SB 356 w/SA 1 & SB 306 were returned to the Senate & HB 474 w/SA 1 & HB 540 w/HA 1 & 2 & SA 1 were sent to the Governor.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on SB 383. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought SB 383, jointly sponsored by Senator McBride, Blevins, Bonini, Connor, Cook, DeLuca, Henry, Marshall, Simpson & Winslow & Representatives Buckworth, Carey, DiLiberto, B. Ennis, Lee, Maier, Quillen, Smith, Spence, Stone & Oberle, before the House for consideration.

SB 383 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIFIC SPEED LIMITS. (F/N)

Representative DiPinto deferred to Representative Roy.

Representative Roy introduced and brought HA 1 to SB 383, jointly sponsored by Representative Cathcart, before the House for consideration. Representatives Roy, Wagner & Roy made comments. HA 1 was adopted by voice vote.

Representative DiPinto deferred to Representative Cathcart.

Representatives Cathcart, Wagner, Cathcart, D. Ennis, Roy, Keeley & Roy made comments.

Representative DiPinto requested and was granted privilege of the floor for Anne P. Canby, Secretary, Department of Transportation.

Representatives Roy, D. Ennis, Cathcart, DiPinto, Valihura, Roy & Smith made comments.

Representative DiPinto requested and was granted privilege of the floor for Nicholas DiPasquale, Secretary, Department of Natural Resources and Environmental Control.

Representatives Roy, VanSant & DiPinto made comments.

The roll call on SB 383 w/HA 1 was taken and revealed:

YES: 38.

NO: Representative Williams - 1.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority, SB 383 w/HA 1 was returned to the Senate for concurrence on HA 1.

Mr. Speaker Spence reassigned HB 645 to the House Administration Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought SB 310, jointly sponsored by Representative Spence & Senators Blevins, Vaughn & Winslow & Representatives DiLiberto & VanSant, before the House for consideration.

SB 310 - AN ACT TO AMEND CHAPTER 23, TITLE 6 OF THE DELAWARE CODE, RELATING TO PRE-JUDGMENT INTEREST FOR COMPENSATORY DAMAGES IN TORT ACTIONS. (F/N)

Representative Oberle made comments.

Representative Oberle deferred to Representative Smith.

Representative Smith made comments.

Representative Smith introduced and brought HA 1 to SB 310 before the House for consideration. Representatives Smith & Oberle made comments. HA 1 was adopted by voice vote.

Representative Oberle deferred to Representative Lee.

Representative Lee introduced and brought HA 2 to SB 310 before the House for consideration.

Representative Lee made comments.

Representative Lee requested and was granted privilege of the floor for Clifford B. Hearn, representing the American Insurance Association.

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

Representative Oberle requested and was granted privilege of the floor for Beverly Bove, Past President, Delaware Trial Lawyers Association.

Representatives Oberle, Maier, Valihura, Lee & Oberle made comments.

Representative Oberle deferred to Representative Lee.

Representative Lee requested and was granted privilege of the floor for Michael McLaughlin, Deputy Director, Administrative Office of the Courts.

Representatives Lee, Maier, Smith, Oberle, Wagner, DiLiberto & Oberle made comments.

Representative Oberle deferred to Representative Lee.

HA 2 was defeated by voice vote.

The roll call on SB 310 w/HA 1 was taken and revealed:

YES: 36.

NO: Representatives Lee, Smith & Ulbrich - 3.

ABSENT: Representatives Boulden & Plant - 2.

Therefore, having received a constitutional majority, SB 310 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 63 w/SA 1, jointly sponsored by Senator Sokola, Blevins, DeLuca & Sharp & Representatives Maier, Wagner & DiPinto & cosponsored by Senator Bonini & Representative Spence, before the House for consideration.

SB 63 - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS AND PROHIBITED TRADE PRACTICES. (2/3 bill)

Representative Capano made comments.

Representative Wagner brought HA 1 to SB 63 before the House for consideration.

Representatives Wagner, Capano, Wagner, Capano, Oberle, Capano, Price, Capano, Price, Wagner & DiPinto made comments.

Representative Capano requested and was granted privilege of the floor for Dr. Gregg Sylvester, Secretary, Department of Health and Social Services.

Representatives Capano & Wagner made comments.

The roll call on HA 1 was taken and revealed:

YES: 30.

NO: Representatives Capano, DiLiberto, Houghton, Keeley, Maier, Schroeder & Valihura - 7.

NOT VOTING: Representative Scott - 1.

ABSENT: Representatives Boulden, B. Ennis & Plant - 3.

Therefore, having received a constitutional majority, HA 1 was adopted.

Representative Capano made comments.

Representative Capano moved to place SB 63 w/SA 1 & HA 1 on the Speaker's Table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced and brought HJR 35, jointly sponsored by Senator Bunting & Representatives Carey, Cathcart, Quillen, Price, Schroeder & West & Senators Adams, Cook, Venables, Simpson & Still, before the House for consideration.

HJR 35 - ESTABLISHING THE TASK FORCE FOR THE FUTURE OF DELAWARE AGRICULTURE TO REVIEW THE STATE OF DELAWARE'S AGRICULTURAL INDUSTRY AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY TO PROVIDE ASSISTANCE TO THE INDUSTRY.

Representative Caulk moved to suspend the rules which interfere with introduction of and action on HJR 35. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Caulk made a comment.

The roll call on HJR 35 was taken and revealed:

YES: 36.

ABSENT: Representatives Boulden, Plant, Scott, Viola & Williams - 5.

Therefore, having received a constitutional majority, HJR 35 was sent to the Senate for concurrence.

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

APPROPRIATIONS: HB 603 - 5F.

EDUCATION: HB 670 - 1F, 8M; SB 385 - 7M.

HEALTH AND HUMAN DEVELOPMENT: HB 654 - 6M; SB 391 - 6M.

HOUSE ADMINISTRATION: HB 645 - 4F; HJR 34 - 5M.

JUDICIARY: SB 374 w/SA 1 - 1F, M.

LAND USE AND INFRASTRUCTURE: HB 669 - 6M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 635 - 5M.

Representative Smith brought the following prefiled Consent Calendar #19 before the House for consideration.

HR 85 - SPENCE - Forming a Committee to Recommend Streamlined Procedures for Salvaging Abandoned Vehicles and to Investigate Challenges Faced by Tow Truck Operators Throughout the State.

HR 86 - EWING - Requesting that the Office of the Controller General Conduct a Study of the Costs Associated with Expanding the "Are You Okay?" Program Statewide.

SCR 38 - SORENSON & SENATOR DELUCA ON BEHALF OF ALL SENATORS; REPRESENTATIVES CLOUTIER & DILIBERTO ON BEHALF OF ALL REPRESENTATIVES - Commending the 1999 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America.

Representative Smith deferred to Representative West.

Representative West introduced and brought HCR 56, jointly sponsored by Representatives Cathcart, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Mulrooney, Plant, Price, Scott, Spence, VanSant & Williams, before the House for consideration.

HCR 56 - URGING DELAWARE'S CONGRESSIONAL DELEGATION TO ADDRESS THE INJUSTICES THAT DELAWAREANS WHO OWN PROPERTY ADJACENT TO THE PRIME HOOK NATIONAL WILDLIFE REFUGE FACE WHEN THEIR RIGHTS TO DEVELOP THEIR PROPERTY

HAVE BEEN ENCUMBERED BY FEDERAL REGULATION BUT THEY HAVE NOT BEEN COMPENSATED FOR THE ENCUMBRANCE.

HCR 56 was placed on Consent Calendar #19.

Consent Calendar #19 was adopted by voice vote and SCR 38 was returned to the Senate & HCR 56 was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 7:50 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:20 p.m. on June 22, 2000.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Terry R. Spence, do hereby request that my name be removed as co-sponsor of HB 604.

Date: June 21, 2000

Signed: Terry R. Spence

The Senate wishes to inform the House that it has passed SB 240 w/SA 1, SB 357 w/SA 1 & 2, SB 395 w/SA 1, SB 384 w/SA 1 & SS 1 to SB 300 and requests the concurrence of the House; HB 109 w/HA 1 & 3 & SA 1, HB 360 & HB 464 w/SA 2 & 3 and is returning same to the House.

State of West Virginia

Legislative Resolution

HOUSE CONCURRENT RESOLUTION NO. 32

(By Delegates Boggs, McGraw, Thompson, Mahan, C. White, Prunty, Hutchins, Varner, Martin, Shelton, Tucker, Pino, Proudfoot, Johnson, Wright, Yeager, Fletcher, Wills, Pettit, Ennis, Givens, Hines, Davis, Spencer, Dalton, Louisos, Butcher, Manuel, Hubbard, Smirl, Caputo, Coleman, Paxton, Hatfield, Michael, Compton, Flanigan, Trump, Rowe, Capito, Laird, Fleischauer, Warner, Manchin, Douglas, Linch, Ross, Angotti, H. White, Amores, Harrison, Calvert, Susman, Kuhn, Evans, Pethel, Willis, Faircloth, L. White, Sparks, Romaine, L. Smith and Doyle)

Urging the passage of national legislation to increase benefits to surviving spouses under the Railroad Retirement Act of 1974.

WHEREAS, For years many in the railroad industry have argued that annuities paid widows and widowers under the Railroad Retirement Act of 1974 are grossly inadequate; and

WHEREAS, Under current law, during the lifetime of a railroad employee and his or her spouse, the employee and the spouse receive a full annuity.

WHEREAS, After the employee's death, only a widow's or widower's annuity is payable in an amount the widow or widower received as a spouse in the month before the employee's death; and

WHEREAS, the widow's or widower's annuity is inadequate and often leaves the survivor with less than the amount of income needed to meet ordinary and necessary living expenses; and

WHEREAS, To remedy this inequity, no outside contributions from the American taxpayer are needed; and

WHEREAS, Any changes in law will be paid for from within the railroad industry itself; therefore, be it

Resolved by the Legislature of West Virginia:

That all parties of the railroad community, including labor, management and retirement organizations, actively support legislation to guarantee widow's or widower's annuities at amounts no less than that which the employee was receiving in the month before his or her death, irrespective of any other railroad retirement issue; and be it

Further Resolved, That the Congress of the United States enact annuity legislation that recognizes the concern of many that the widow's or widower's annuity under current law is inadequate to meet ordinary and necessary living expenses; and be it

Further Resolved, That all other States join in this effort of support for modification of the guaranteed minimum benefit for widows and widowers whose annuities are converted from spousal annuity to a widow's or widower's annuity; and, be it

Further Resolved, That the Clerk of the House of Delegates is directed to provide a copy of this resolution to the State's Congressional Delegation, and the respective Legislatures of the remaining forty-nine states.

I, GREGORY M. GRAY, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Concurrent Resolution 32, which was adopted by the Legislature on the 8th day of March 2000.

Gregory M. Gray

Clerk of the House of Delegates

March 25, 2000

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

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Boulden - 1.

A prayer was offered by Representative J. Benjamin Ewing, Thirty-fifth Representative District. Mr. Acting Speaker led those present in the pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

HB 655 - ULBRICH & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN & SENATOR DELUCA; REPRESENTATIVES CAPANO, MAIER, PRICE, SCHROEDER, SPENCE, VALIHURA, VANSANT; SENATORS ADAMS, AMICK, MCDOWELL, SIMPSON, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Exemptions in the Practice of Optometry.

HB 668 - SPENCE & SENATOR MCBRIDE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to the Establishment of a Board of Heating, Ventilation, Air-conditioning, and Refrigeration Examiners. (3/5 bill)

HB 671 - CATHCART; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, D. ENNIS, MAIER, MIRO, MULROONEY, QUILLEN, REYNOLDS, ULBRICH, VALIHURA, BRADY, B. ENNIS, PRICE, SCOTT, VIOLA, WEST; SENATORS AMICK, CONNOR, SIMPSON - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Combined Sewer Overflows.

HB 672 - ULBRICH & REPRESENTATIVE GILLIGAN & REPRESENTATIVES OBERLE, SPENCE, CAPANO, MAIER, VALIHURA, VANSANT, PRICE; SENATORS ADAMS, MCDOWELL, AMICK, SIMPSON, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Related to the Practice of Optometry.

HB 673 - KEELEY; REPRESENTATIVE BRADY, CAPANO, CATHCART, CLOUTIER, D. ENNIS, HOUGHTON, LEE, LOFINK, MAIER, OBERLE, PRICE, REYNOLDS, VIOLA, WAGNER; SENATOR MCDOWELL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Employment Practices.

HB 674 - OBERLE & REPRESENTATIVE BOULDEN; REPRESENTATIVES CAPANO, CAULK, CLOUTIER, DIPINTO, FALLON, LOFINK, MAIER, MIRO, REYNOLDS, ULBRICH, BRADY, B. ENNIS, PRICE - EDUCATION - An Act to Amend Title 14 of the Delaware Code to Provide Certain Rights to Public School Pupils, the Parents or Guardians of Such Pupils and to Public School Employees.

HB 675 - CLOUTIER & SENATOR SOKOLA & REPRESENTATIVES SMITH, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, D. ENNIS, EWING, FALLON, LEE, LOFINK, MIRO, REYNOLDS, STONE, VALIHURA, WAGNER, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, SCHROEDER, VIOLA, WEST - EDUCATION - An Act to Amend Various Titles of the Delaware Code by Updating and Replacing Remaining References to the "Department of Public Instruction", the "Superintendent of Public Instruction", and the "State Board of Education".

HB 676 - QUILLEN - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Regulations Controlling Lifeguard Requirements at Swimming Pools.

HJR 33 - MAIER & SENATOR HENRY - HEALTH AND HUMAN DEVELOPMENT - Establishing a Committee to Study the Practice of Midwifery in Delaware and to Make Recommendations to the General Assembly.

HJR 36 - D. ENNIS & REPRESENTATIVE PLANT & REPRESENTATIVE BRADY & SENATOR HENRY & SENATOR WINSLOW - ECONOMIC DEVELOPMENT; BANKING & INSURANCE - Directing the Delaware Economic Development Office to Work with the Residents of Northern Wilmington and Brandywine Hundred to Develop a Strategy for the Economic Revitalization of the Merchant's Square Shopping Center and Overall Economic Development Along the Delaware River.

HJR 37 - LEE & REPRESENTATIVE B. ENNIS & SENATOR VAUGHN & SENATOR WINSLOW - PUBLIC SAFETY - Establishing a Task Force to Review and Report on Basic Life Support Financial Issues Relating to Delaware Volunteer Fire Companies and Volunteer Ambulance Companies.

HJR 38 - DIPINTO; REPRESENTATIVES PLANT, SCOTT, WILLIAMS, KEELEY, HOUGHTON, ON BEHALF OF ALL REPRESENTATIVES; SENATORS MCDOWELL, HENRY, MARSHALL, ON BEHALF OF ALL SENATORS - JUDICIARY - Honoring the Honorable Judge Alfred Richard Fraczkowski Upon His Retirement after Over 47 Years of Serving the Citizens of Delaware.

HCR 57 - CATHCART - LAND USE AND INFRASTRUCTURE - Establishing the Municipal Annexation Review Task Force to Review the Annexation Process in the State of Delaware and Provide Recommendations to the General Assembly.

HA 2 to HB 308 - PRICE - Placed with the Bill.

HA 2 to HS 1 to HB 584 - DIPINTO - Placed with the Bill.

HA 1 to HB 607 - PRICE - Placed with the Bill.

HA 1 to HA 1 to HB 626 - PRICE - Placed with the Bill.

HA 2 to HB 626 - PRICE & REPRESENTATIVE WEST - Placed with the Bill.

HA 1 to HB 645 - CLOUTIER - Placed with the Bill.

SB 240 w/SA 1 - MCDOWELL; SENATORS HENRY, AMICK, & SORENSON;

REPRESENTATIVES SPENCE & GILLIGAN - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Volume 63 Laws of Delaware Chapter 135 Relating to the Title of Property Known as 1300 West Seventh Street, Wilmington, Delaware. (3/4 bill)

SS 1 to SB 300 - MARSHALL & SENATORS BLEVINS & MCDOWELL; REPRESENTATIVES SPENCE, CAPANO, CLOUTIER, MAIER, PLANT & SCOTT - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of Nursing Facilities and Similar Facilities.

SS 1 to SB 357 w/SA 1 & 2 - MARSHALL - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services, Home Health Agencies and Home Caregivers. (F/N)

SB 384 w/SA 1 - VAUGHN & REPRESENTATIVE LEE - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Board of Pardons.

SB 395 w/SA 1 - MCBRIDE & REPRESENTATIVE QUILLEN; SENATORS BLEVINS, VENABLES & CONNOR; REPRESENTATIVES CAREY, DIPINTO, OBERLE, & SCHROEDER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 29 of the Delaware Code Relating to Procurement of Recycled Products.

HA 3 to SB 302 - MAIER - Placed with the Bill.

Representative West requested and was granted personal privilege of the floor to make comments regarding HCR 56.

Representative Carey made comments.

Representatives Scott, Wagner & Ulbrich requested that they be marked present.

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

Representative Capano requested that HB 597 be stricken.

Representatives Plant & B. Ennis requested and were granted personal privilege of the floor to make comments.

Representative Viola requested that he be marked present.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 664 - 2F, 1M; HB 666 - 1F, 2M.

Representative D. Ennis requested that he be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 252 w/HA 1 & 2 and is returning same to the House.

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

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

Representative Oberle requested that he be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 342 and requests the concurrence of the House.

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

ECONOMIC DEVELOPMENT; BANKING & INSURANCE: SB 365 - 5M; SB 366 - 5M.

Representatives Lee, Stone, DiPinto, Cloutier, Spence & Smith requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: June 22, 2000

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-2123	Ulbrich	6/13/2000	T	Patricia Carlson/Dedication/Professional Standards Council
	cosponsor: Lee			
H140-2124	Ulbrich	6/13/2000	T	Karen Cannon/Dedication/Professional Standards Council
	cosponsor: Buckworth			
H140-2125	Ulbrich	6/13/2000	T	Carol Vukelich/Dedication/Professional Standards Council
	cosponsor: Mulrooney			
H140-2126	Ulbrich	6/13/2000	T	Aleta Hannah/Dedication/Professional Standards Council

H140-2127	Ulbrich	6/13/2000	T	Council Michael Guilfoyle/Dedication/Professional Standards Council
H140-2128	Ulbrich cosponsor: Viola	6/13/2000	T	Marge Tansley/Dedication/Professional Standards Council
H140-2129	Ulbrich	6/13/2000	T	Pierre Stevens/Dedication/Professional Standards Council
H140-2130	Cathcart	6/13/2000	T	Louis L. Redding Intermediate School/Honors Day
H140-2131	D. Ennis	6/3/2000	T	Scott Henning/Mount Pleasant High/State Baseball Championship
H140-2132	D. Ennis	6/3/2000	T	Kevin Leach/Mount Pleasant High/State Baseball Championship
H140-2133	D. Ennis	6/3/2000	T	T. J. Quinney/Mount Pleasant High/State Baseball Championship
H140-2134	D. Ennis	6/3/2000	T	Andrew Savage/Mount Pleasant High/State Baseball Championship
H140-2135	D. Ennis	6/3/2000	T	Jared Savage/Mount Pleasant High/State Baseball Championship
H140-2136	D. Ennis	6/3/2000	T	Dennis Winter/Mount Pleasant High/State Baseball Championship
H140-2137	D. Ennis	6/3/2000	T	Ricky Montana/Mount Pleasant High/State Baseball Championship
H140-2138	D. Ennis	6/3/2000	T	Matt Greenberg/Mount Pleasant High/State Baseball Championship
H140-2139	D. Ennis	6/3/2000	T	Adam Pfister/Mount Pleasant High/State Baseball Championship
H140-2140	D. Ennis	6/3/2000	T	Brent Rogers/Mount Pleasant High/State Baseball Championship
H140-2141	D. Ennis	6/3/2000	T	Brad Geiger/Mount Pleasant High/State Baseball Championship
H140-2142	D. Ennis	6/3/2000	T	Bryon Geiger/Mount Pleasant High/State Baseball Championship
H140-2143	D. Ennis	6/3/2000	T	Daryl Holcomb/Mount Pleasant High/State Baseball Championship
H140-2144	D. Ennis	6/3/2000	T	T. J. Proud/Mount Pleasant High/State Baseball Championship
H140-2145	D. Ennis	6/3/2000	T	Aimee Gullo, Manager/Mount Pleasant High/State Baseball Championship

HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: June 22, 2000

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Date	Type	Description
H140-2146	D. Ennis	6/3/2000	T	Jackie Picciotti, Team/Mount Pleasant High/State Baseball Championship
H140-2147	D. Ennis	6/3/2000	T	Joseph Limmina, Coach/Mount Pleasant High/State Baseball Championship
H140-2148	D. Ennis	6/3/2000	T	Robert Limmina, Head Coach/Mount Pleasant High/State Baseball Championship
H140-2149	D. Ennis	6/3/2000	T	Rosario Limmina, Coach/Mount Pleasant High/State Baseball Championship
H140-2150	Spence, VanSant	6/12/2000	T	Dave Tiberi/World Championship/Middleweight Boxing
H140-2151	DiLiberto	6/13/2000	T	Joe Pierce, Assistant Coach/Midway Girls Softball/Undefeated Champions
H140-2152	DiLiberto	6/13/2000	T	Michelle Shaw, Head Coach/Midway Girls Softball/Undefeated Champions
H140-2153	DiLiberto	6/13/2000	T	Ken Hilbeck, Assistant Coach/Midway Girls Softball/Undefeated Champions
H140-2154	West	6/15/2000	T	Erica Donaway/National Award in Science
H140-2155	Quillen	6/18/2000	T	Jennifer Curtis/16th Birthday
H140-2156	West	3/4/2000	T	Ruth Dorey/90th Birthday