

Representative Smith moved to suspend the rules which interfere with action on HA 7 to HB 185. The motion was seconded by Representative Oberle and adopted by voice vote.

Representative DiLiberto brought HA 7 to HB 185, jointly sponsored by Representative Oberle, before the House for consideration.

Representatives DiLiberto, Wagner, DiLiberto, Oberle, West & Oberle made comments.

Mr. Acting Speaker Roy declared a recess at 6:15 p.m. for the purpose of changing the recording tape.

The House reconvened at 6:25 p.m.

Representative DiPinto introduced and brought HA 1 to HA 7 to HB 185, jointly sponsored by Representative Oberle, before the House for consideration. Representative DiPinto made comments.

HA 1 to HA 7 was adopted by voice vote. HA 7 w/HA 1 was adopted by voice vote.

Representatives Viola, Oberle, Price & Oberle made comments.

The roll call on HB 185 w/HA 1, 2, 3 & 7 w/HA 1 was taken and revealed:

YES: 30.

NO: Representatives Keeley, Mulrooney, Price, Scott, Viola & Williams – 6.

NOT VOTING: Representatives Plant & VanSant – 2.

ABSENT: Representatives D. Ennis, Spence & West – 3.

Therefore, having received a constitutional majority, HB 185 w/HA 1, 2, 3 & HA 7 w/HA 1 was sent to the Senate for concurrence.

Representative Smith introduced HB 249, jointly sponsored by Representative Capano.

HB 249 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE INSURANCE CONTRACTS.

Mr. Acting Speaker assigned HB 249 to the Public Safety Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 68, SCR 3 & SCR 13 and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Timothy Boulden, do hereby request that my name be removed as co-sponsor of HB 160.

Date: 5/13/99.

Signed: Representative Timothy Boulden

May 12, 1999

LEGISLATIVE ADVISORY #14

The following amendment to the Delaware Constitution does not require the signature of Governor Carper: HB 74.

May 12, 1999

LEGISLATIVE ADVISORY #15

Governor Thomas R. Carper signed the following legislation on the date indicated: HS 1 to HB 94 aab HA 1 - 5/12/99.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 197 - 3M.

Mr. Acting Speaker assigned HB 127 to the Capital Infrastructure Committee.

The Majority Leader moved to recess to the call of the Chair at 6:40 p.m.

The House was called to order by Mr. Speaker Spence at 2:20 p.m. on June 1, 1999.

Representatives Smith & Roy made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 108 & SB 115 w/SA 2, 3, 4 & 5 and requests the concurrence of the House, HCR 18 and is returning same to House.

May 13, 1999

LEGISLATIVE ADVISORY #16

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/12/99 – HB 40, HB 38, HB 37, HB 36, HB 62, HB 105 & HB 49, SB 83 & SB 12.

Representative Maier made an announcement.

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

30th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 1, 1999

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Tina 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 out of session prefiled legislation was introduced:

May 27, 1999

HS 1 to HB 129 - REYNOLDS & SENATOR SOKOLA; REPRESENTATIVES CAREY, CATHCART, CLOUTIER, LOFINK, MAIER, MIRO, QUILLEN, STONE, ULBRICH, WAGNER, HOUGHTON, KEELEY, PLANT, PRICE, VIOLA & WILLIAMS - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Possession of a Deadly Weapon on School Property or in a Safe Recreation Zone.

HS 1 to HB 182 - WELCH & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, FALLON, REYNOLDS, BRADY, KEELEY & PRICE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Mortgages.

HS 1 to HB 213 - 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 - EDUCATION - An Act to Amend Titles 10, 11 and 14 of the Delaware Code Relating to Truancy. (2/3 bill)

HB 240 - SPENCE & SENATOR BLEVINS - APPROPRIATIONS - An Act Making a Supplemental Appropriation to Provide Funds for Municipalities, Cities, Counties, Towns and State Police, to Use to Hire Additional Police Officers, Provide for Certain Technologies, and Establishing Requirements Therefor. (3/4 bill)

HB 241 - SCOTT; REPRESENTATIVES DIPINTO & HOUGHTON; SENATOR MARSHALL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 31 of the Delaware Code Relating to Housing Projects Located Within the City of Wilmington.

HB 242 - ROY & SENATOR MCBRIDE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Computer Related Offenses.

HB 243 - SPENCE & REPRESENTATIVE ULBRICH & REPRESENTATIVE EWING & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, STONE, VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WEST & WILLIAMS; SENATORS ADAMS, BAIR, CONNOR, HENRY, MCBRIDE, SIMPSON, SORENSON, VENABLES & WINSLOW - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 16 and Title 29 of the Delaware Code Relating to the Department of Drug Control.

HB 244 - ULBRICH & SENATOR SOKOLA; REPRESENTATIVES WELCH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, FALLON, LEE, LOFINK, MAIER, MIRO, QUILLEN, REYNOLDS, STONE, WAGNER, BRADY, B. ENNIS, HOUGHTON, PLANT, PRICE, SCOTT & VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 246 - OBERLE & SENATORS MARSHALL, MCBRIDE & MCDOWELL; REPRESENTATIVES SPENCE, D. ENNIS, LOFINK, REYNOLDS, VANSANT, DILIBERTO, HOUGHTON, KEELEY, MULROONEY, PLANT, SCOTT & WILLIAMS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Fair Share Fees and the Public Employment Relations Act.

HB 251 - BUCKWORTH & REPRESENTATIVE WAGNER & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, CAPANO, CAREY, CAULK, EWING, LEE, MAIER, MIRO, HOUGHTON, PLANT, PRICE & SCOTT - NATURAL RESOURCES - An Act to Amend Title 23 of the Delaware Code Relating to the Operation of a Vessel or Boat While Under the Influence of Alcohol and/or Drugs.

HB 252 - OBERLE & SENATOR BLEVINS; REPRESENTATIVES WELCH, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DIPINTO, FALLON, LEE, LOFINK, MIRO, QUILLEN, REYNOLDS, VALIHURA, WAGNER, DILIBERTO, B. ENNIS, GILLIGAN, VANSANT, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST & WILLIAMS; SENATOR MARSHALL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HB 253 - PRICE & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 302, Volume 49, Laws of Delaware, as Amended, Relating to the Town of Fenwick Island. (2/3 bill)

HB 254 - WAGNER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Salaries and Working Conditions of School Employees.

HB 255 - SMITH & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to State and School District Residency.

HB 256 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING, GILLIGAN & VALIHURA - EDUCATION - An Act to Amend Title 14 Relating to Student Vocational and Career Enhancement.

HB 257 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING, VALIHURA, ULBRICH, REYNOLDS; SENATOR SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Legal Services.

HB 258 - SMITH; REPRESENTATIVES BRADY, CAPANO & EWING & SENATOR SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Alternative Teacher Certification.

HB 259 - SMITH; REPRESENTATIVES BRADY, CAPANO & EWING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Social Studies Instruction.

HB 260 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING & VALIHURA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Mathematics Classes.

HB 261 - SMITH; REPRESENTATIVES BRADY, CAPANO & EWING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Reading Instruction.

HB 262 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING, GILLIGAN & VALIHURA, CLOUTIER, VANSANT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Authority of School Teachers and School Administrators to Control the Disruptive Behavior of Students and to Discipline or Punish Students.

HB 263 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING & GILLIGAN - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Student Grades and Teacher Evaluations.

HB 264 - SMITH; REPRESENTATIVES BRADY, CAPANO & EWING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Duties of the Secretary of the Department of Education.

HB 265 - SMITH; REPRESENTATIVES BRADY, CAPANO, EWING, GILLIGAN & VALIHURA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Dress Codes and Uniforms.

HB 266 - CAPANO; REPRESENTATIVES SPENCE, CAREY & ULBRICH; SENATOR CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Child and Dependent Care Expense Credit.

HA 1 to HB 110 - STONE - Placed with the Bill.

HA 1 to HB 134 - ULBRICH - Placed with the Bill.

HA 1 to HB 226 - SCOTT - Placed with the Bill.

SB 68 - AMICK - HOUSE ADMINISTRATION - An Act to Amend Title 13 of the Delaware Code Relating to Solemnization of Marriages.

SB 108 - COOK; REPRESENTATIVE SMITH; SENATORS BUNTING, SOKOLA, VAUGHN & SORENSON; REPRESENTATIVES WELCH, QUILLEN, GILLIGAN & VANSANT - HOUSE ADMINISTRATION - An Act to Amend Title 9, Title 12, Title 15 and Title 29 of the Delaware Code Relating to Delaware Public Archives and Public Records.

SB 115 w/SA 2, 3, 4 & 5 - MARSHALL; SENATORS BLEVINS, MCDOWELL & CONNOR; REPRESENTATIVES MAIER, LOFINK, SCOTT & SPENCE - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety and Minimum Staffing Levels for Residential Health Facilities.

Mr. Speaker Spence introduced guests.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests and make comments.

Representative Gilligan made comments.

Representatives Gilligan & Williams requested that they be marked present.

Representative Capano made an announcement.

Mr. Speaker Spence assigned HB 110 to the Appropriations Committee.

Mr. Speaker Spence assigned HB 226 to the Policy Analysis & Government Accountability Committee.

Representative West requested that he be marked present.

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

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

The House reconvened at 4:35 p.m.

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 1, 1999

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
H140-537	Quillen	4/29/1999	T	Neo-Natal ICU Staff/Wisconsin/Life Saving Care
H140-538	Valihura	5/4/1999	T	Malcolm Cobin/Excellence and Commitment in State Service Award Recipient
H140-539	Ulbrich	5/4/1999	T	Melissa Kearney/Excellence and Commitment in State Service Award Recipient
H140-540	Ulbrich	5/4/1999	T	Christine Hitman/Excellence and Commitment in State Service Award Recipient
H140-541	Welch	5/4/1999	T	Michael Brown/Excellence and Commitment in State Service Award Recipient
H140-542	Spence	5/5/1999	T	General Motors Corporation/50 Year Member Award Recipient/DE Safety Council
H140-543	Spence	5/5/1999	T	Delaware Autistic program/Mrs. George T. Weymouth Volunteer Award Recipient
H140-544	Mulrooney	4/30/1999	T	Patricia Palmer/30 Years/Opportunity Center, Inc.
H140-545	Mulrooney	4/30/1999	T	Regina Alfes/10 Years/Opportunity Center, Inc.
H140-546	Plant	4/30/1999	T	Elzey Pinder/10 Years/Opportunity Center, Inc.
H140-547	Capano	12/1/1998	T	Thomas Fahrner/5 Years/Opportunity Center, Inc.
H140-548	Williams	12/1/1998	T	Mildred Aikens/20 Years/Opportunity Center, Inc.
H140-549	Brady	12/1/1998	T	Ann Northwood/40 Years/Opportunity Center Inc.
H140-550	VanSant	4/17/1999	T	Science Olympiad Team/Corpus Christi School/First Place
H140-551	Capano cosponsor: DiPinto	4/23/1999	M	John J. Casey, Sr.
H140-552	Maier	5/27/1999	M	Justin Kershaw, IV
H140-553	Schroeder	5/19/1999	T	Kate Johnson/Certificate of Appreciation Recipient/ Public Service Recognition Week
H140-554	Schroeder	5/19/1999	T	Joseph Harmon/Certificate of Appreciation Recipient/ Public Service Recognition Week
H140-555	Schroeder	5/19/1999	T	William Townsend/Certificate of Appreciation Recipient/Public Service Recognition Week
H140-556	Schroeder	5/19/1999	T	Bill Rutherford/Certificate of Appreciation Recipient/ Public Service Recognition Week
H140-557	Wagner	5/27/1999	T	Caroline Stanley/Retirement/Kent County Community School

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 1, 1999

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
H140-558	Wagner	5/19/1999	T	Corrine Massey/Retirement/Polytech High/22 Years
H140-559	B. Ennis	5/7/1999	T	Wayne Fretterd, Sr./President/Del-Mar-Va Volunteer Firemen
H140-560	Price	5/6/1999	T	Bethany Beach Volunteer Fire Company/ Firefighters Appreciation Day
H140-561	Price	5/6/1999	T	Indian River Volunteer Fire Company/ Firefighters Appreciation Day
H140-562	Price	5/6/1999	T	Millville Volunteer Fire Company/Firefighters Appreciation Day
H140-563	Fallon	5/8/1999	T	De Ron Speight/Mother's Day Essay Contest Winner
H140-564	Spence	6/5/1999	T	Matthew McDermott/Eagle Scout
H140-565	DiLiberto	5/13/1999	T	Rose Coco/Outstanding Community Service
H140-566	Cathcart	5/7/1999	T	Gary Parosky/Pharmacist of the Year
H140-567	Spence	5/14/1999	T	Wellness Center/William Penn High/Fifth Anniversary
H140-568	Boulden	5/18/1999	T	Joe Winter/Teenager of the Year/Newark Lions
H140-569	Boulden cosponsor: Miro	5/18/1999	T	Jennifer Smith/Teenager of the Year/ Newark Lions Club

H140-570	Price	5/6/1999	T	Roxana Volunteer Fire Company/Firefighters Appreciation Day
H140-571	Price	5/6/1999	T	Selbyville Volunteer Fire Company/Firefighters Appreciation Day
H140-572	Welch	5/7/1999	M	Gilbert Rhodes
H140-573	Cloutier	3/15/1999	T	Paul Fine/Dr. W. M. Johnson Community Service Award Recipient
H140-574	Reynolds	5/10/1999	T	Honorable John Houben/Installation/Mayor/New Castle
H140-575	DiPinto	5/15/1999	T	Lynne Frink/Christening/Oil Spill Response Vessel
H140-576	Wagner	5/16/1999	T	Class of 1949/Delaware State College/50 Years
H140-577	Brady	5/22/1999	T	Julia Brady/Graduation/Widener University/Law School
H140-578	Gilligan	5/17/1999	T	Dr. Harry West/Recognition/29 Years Service/DelTech
	cosponsor: VanSant			
H140-579	Ulbrich	5/11/1999	T	Glasgow High Cheerleaders/First Place/National Cheerleading Championships
H140-580	Boulden	5/1/1999	T	Riders Who Use Public Transportation

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 1, 1999

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
H140-581	Valihura	5/13/1999	T	Charlotte Balick/Induction/Delaware Sports Hall of Fame
	cosponsor: Brady			
H140-582	Buckworth	5/21/1999	T	Lois Clifton/Retirement/44 Years/Education
	cosponsor: B. Ennis			
H140-583	Stone	5/16/1999	T	Reverend Paul Jennings, Jr./Silver Jubilee/Ordination
H140-584	Buckworth	5/18/1999	T	Cathy Williams/Retirement/25 Years/State
H140-585	Quillen	5/18/1999	T	Melvin Scott/Retirement/21 Years/Lake Forest South Elementary
H140-586	Quillen	5/18/1999	T	G. Marlene Jarrell/Retirement/31 Years/Education
H140-587	Caulk	5/18/1999	T	Earl Griffin/Principal/Lake Forest South Elementary/Retirement
H140-588	Caulk	5/18/1999	T	James Fleming/Retirement/30 Years/Education
H140-589	Quillen	5/18/1999	T	Lawrence Drummond/Assistant Principal/Lake Forest South Elementary/Retirement
H140-590	Quillen	5/18/1999	T	Harry Biddle/Retirement/21 Years/Lake Forest Schools
H140-591	Wagner	5/18/1999	T	Julie Burns/Librarian/Lake Forest School District/Retirement/30 Years
H140-592	Keeley	6/4/1999	T	Anthony Sowinski & Christine Brodzinski/Marriage
	cosponsors: All Representatives			
H140-593	Gilligan	5/22/1999	T	Millard Widdekind/Fireman of Year/Minquas Fire Company
H140-594	Boulden	5/13/1999	T	Bob Hannah/1000th Career Coaching Victory/University of Delaware Baseball
	cosponsor: Lofink			
H140-595	DiLiberto	4/30/1999	T	Maclary Elementary School/30th Anniversary
H140-596	Ewing	5/22/1999	T	Greenwood Volunteer Fire Company/75th Anniversary
H140-597	Wagner	5/22/1999	T	Juanita Cooper/Retirement/Capital Schools/46 Years
H140-598	Carey	6/1/1999	T	Nicholas Rodriguez/KSI/Appreciation Award Recipient
H140-599	Carey	6/1/1999	T	Brenda Rutherford/KSI/Employee of the Year
H140-600	Carey	6/1/1999	T	Debbie Smith/KSI/Employee of the Year
H140-601	Capano	6/1/1999	T	Neil Freese/KSI/Employee of the Year
H140-602	Carey	6/1/1999	T	Helen Johns/KSI/Employee of the 4th Quarter
H140-603	Carey	6/1/1999	T	Helen Pavlik/KSI/Employee of the Year

HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 1, 1999

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
H140-604	Carey	6/1/1999	T	Jerome Watson/KSI/Employee of Second Quarter
H140-605	Carey	6/1/1999	T	Ellen Lutz/KSI/Employee of First Quarter
H140-606	Stone	5/15/1999	T	Randy Anderson/50th Birthday
H140-607	Quillen	5/27/1999	T	Leonard Coryell/Retirement/City Manager/Harrington

H140-608	Welch	5/23/1999	T	Bertha & J. Wallace Hudson/50th Wedding Anniversary
	cosponsor: B. Ennis			
H140-609	B. Ennis	5/12/1999	M	Philip Bates, Jr.
H140-610	Price	5/14/1999	M	I. Louise Murray
H140-611	Wagner	6/10/1999	T	Ethel Higgins/Retirement/Capital Schools/37 Years
H140-612	Buckworth	5/22/1999	T	Amy Horsey/Graduation/Wesley College
H140-613	Buckworth	5/23/1999	T	Amanda McDougall/Graduation/Wilmington College
H140-614	Schroeder	5/27/1999	T	Millard F. Murray, III/Age 72/Graduation/DelTech
H140-615	Price	5/6/1999	T	Frankford Volunteer Fire Company/Firefighters Appreciation Day
H140-616	Brady	5/19/1999	T	Margery Windolph/Dedication/Brandywine Education
	cosponsor: Smith			
H140-617	Fallon	5/19/1999	T	Edward Taylor, II/National Distinguished Principal
H140-618	DiLiberto	5/16/1999	T	Justice Randy Holland/St. Thomas More Society Award Recipient
	cosponsor: Carey			
H140-619	Fallon	5/19/1999	T	Dr. Russell Knorr/National Educational Administrator of the Year
H140-620	Brady	5/15/1999	T	Earl Lofland, Jr./Third Place/School Bus Safety
H140-621	Miro	5/15/1999	T	Sue Trotman/Second Place/School Bus Safety
H140-622	Viola	5/15/1999	T	Janis Malloch/First Place/School Bus Safety
H140-623	Welch	5/15/1999	T	Sherry Christian/Second Place/School Bus Safety
H140-624	Welch	5/15/1999	T	William Quillen, II/Third Place/School Bus Safety
H140-625	Welch	5/15/1999	T	Patricia Messinger/First Place/School Bus Safety
H140-626	Capano	5/23/1999	T	Linda & Brian Woodcock/Donation/Locomotive/ Historic Red Clay Valley

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 1, 1999

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
H140-627	Gilligan	4/23/1999	T	Paul & Kathryn Baker/50th Wedding Anniversary
H140-628	Stone	5/22/1999	T	Vicki Hutchison & Sal Leone/Marriage
H140-629	Schroeder	4/23/1999	T	Pauline & Henry Wenke, Jr./50th Wedding Anniversary
H140-630	Wagner	6/12/1999	T	Barrett Brountas & Christopher Biddle/Marriage
H140-631	Ulbrich	5/16/1999	T	US Army Golden Knights/Inspiring Performances/ Dover Air Base Air Show
H140-632	Ulbrich	6/15/1999	T	Dr. James W. Kent/Dedicated Service/Christina Schools
H140-633	Ulbrich	5/16/1999	T	US Navy Blue Angels/Inspiring Performances/ Dover Air Base Air Show
H140-634	Welch	5/23/1999	T	Reverend Dale Vroman/Service/Salem United Methodist Church
	cosponsor: Price			
H140-635	Welch	5/19/1999	T	Atiya Kai Stokes/Masters Degree/Political Science
H140-636	Reynolds	5/25/1999	T	Carlton Gray/Jane Maroney Award Recipient
	cosponsor: Viola			
H140-637	Ewing	5/25/1999	T	Dr. Paul Weatherly/Contribution/Higher Education/DelTech Board of Trustees
H140-638	Buckworth	5/31/1999	T	Dr. Samuel Billison/Visit/VFW in Camden
H140-639	Spence	6/13/1999	T	Brian Stephan/Eagle Scout
H140-640	Buckworth	5/25/1999	T	Brian Berns/Track & Field Coach of Year/ Henlopen Conference Girls
H140-641	Buckworth	5/21/1999	T	Stephanie Przygocki/Teacher of the Year/Polytech High
H140-642	Wagner	5/23/1999	M	Oliver Cooper, Jr.
H140-643	D. Ennis	5/26/1999	T	Caitlin Hartman/Junior National Honor Society Enrollment
	cosponsor: DiPinto			
H140-644	Quillen	6/1/1999	T	Jason Hobbs/Manufactured Housing Scholarship
H140-645	Quillen	6/1/1999	T	Jeff Adams/Contributions/Polytech High
	cosponsors: Buckworth, Caulk, Stone & Wagner			
H140-646	Brady	5/7/1999	T	Jean & John Eck/50th Wedding Anniversary
	cosponsor: D. Ennis			
H140-647	Brady	4/16/1999	T	Doris & Carl Ross/50th Wedding Anniversary
H140-648	Scott	5/26/1999	T	Gerald Allen/Excellence in Education
H140-649	Scott	5/20/1999	T	Jeff Starkey/Outstanding Community Service

H140-650 Scott 5/28/1999 T George Hall/Outstanding Community Service
T- Tribute
M- Memoriam

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

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

Representative Lofink requested that he be marked present.

Representative Smith brought HB 191, jointly sponsored by Senator Cook & Representatives Welch & VanSant & Senator Amick, before the House for consideration.

HB 191 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO D.N.A. SAMPLES AND DATA BANK. (FN)

Representatives Smith & Gilligan made comments.

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

The roll call on HB 191 was taken and revealed:

YES: 36.

NO: Representative Brady – 1.

NOT VOTING: Representatives Keeley & Scott – 2.

ABSENT: Representatives Caulk & West – 2.

Therefore, having received a constitutional majority, HB 191 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy requested that action on HB 113 be deferred to a Day Certain, Thursday, 6/3/99.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 116, jointly sponsored by Senator Adams, before the House for consideration.

SB 116 - AN ACT TO AMEND TITLE 12 SECTION 3302 OF THE DELAWARE CODE, RELATING TO INVESTMENT OF FIDUCIARIES.

Representative Stone made comments.

The roll call on SB 116 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & West – 2.

Therefore, having received a constitutional majority, SB 116 was returned to the Senate.

Representative Smith brought HB 199, jointly sponsored by Representative Plant & Senator Vaughn & Representatives Buckworth, Capano, Carey, Cloutier, Lee, Maier, Reynolds & Ulbrich, before the House for consideration.

HB 199 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY.

Representative Smith brought HA 1 to HB 199 before the House for consideration.

HA 1 was adopted by voice vote.

Representatives Smith, Schroeder, Smith, DiLiberto, Smith & Keeley made comments.

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

Representatives Keeley, DiLiberto, Oberle, Smith, Oberle, Smith, Scott, Houghton, Smith, Williams & Fallon made comments.

The roll call on HB 199 w/HA 1 was taken and revealed:

YES: 29.

NO: Representatives Keeley, Oberle, Price, Quillen, Scott, Viola & Williams – 7.

NOT VOTING: Representatives DiLiberto, Stone, VanSant & Wagner – 4.

ABSENT: Representative Reynolds – 1.

Therefore, having received a constitutional majority, HB 199 w/HA 1 was sent to the Senate for concurrence.

Representative Plant requested and was granted personal privilege of the floor to make comments regarding HB 199.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with deferring action on HB 113. The motion was properly seconded and adopted by voice vote.

Representative Roy requested that action on HB 113 be deferred to a Day Certain, Tuesday, June 8, 1999.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 39, jointly sponsored by Senator Henry, before the House for consideration.

SB 39 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR OPERATING A MOTOR VEHICLE WITHOUT INSURANCE.

The roll call on SB 39 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds – 1.

Therefore, having received a constitutional majority, SB 39 was returned to the Senate.

Representative Welch deferred to Representative Ewing.

Representative Ewing brought SB 40, jointly sponsored by Senator Henry, before the House for consideration.

SB 40 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS.

Representative Ewing made a comment.

The roll call on SB 40 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds – 1.

Therefore, having received a constitutional majority, SB 40 was returned to the Senate.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 41 w/SA 1, jointly sponsored by Senator Henry, before the House for consideration.

SB 41 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO CLARIFY COMMERCIAL DRIVER'S LICENSE (CDL) INFORMATION.

Representative Ewing made a comment.

The roll call on SB 41 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds – 1.

Therefore, having received a constitutional majority, SB 41 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 56, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 56 - AN ACT TO AMEND SECTION 927 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF FAMILY COURT BY GIVING CONCURRENT JURISDICTION TO THE JUSTICE OF THE PEACE COURT FOR CERTAIN CRIMES. (2/3 bill)

Representative Wagner made comments.

The roll call on SB 56 was taken and revealed:

YES: 39.

ABSENT: Representatives Reynolds & Smith – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 56 was returned to the Senate.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 197, jointly sponsored by Senator McDowell & Representatives Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, Ewing, Carey, Lee, Lofink, Maier, Miro, Oberle, B. Ennis, Keeley, Plant, Price Schroeder, Viola & Williams, before the House for consideration.

HB 197 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY.

Representative Wagner brought HA 1 to HB 197 before the House for consideration.

Representative Wagner requested that HA 1 be stricken.

Representative Wagner introduced and brought HA 2 to HB 197 before the House for consideration.

Representative Wagner made a comment. HA 2 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 197 w/HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds – 1.

Therefore, having received a constitutional majority, HB 197 w/HA 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 198 jointly sponsored by Representatives Capano & Keeley & Senators Henry & Bonini & Representatives Quillen & VanSant & Senator Vaughn, before the House for consideration.

HB 198 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO HEARINGS IN UNCONTESTED DIVORCES.

Representative Wagner made a comment.

The roll call on HB 198 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & Reynolds – 2.

Therefore, having received a constitutional majority, HB 198 was sent to the Senate for concurrence. Representative Smith deferred to Representative Capano.

Representative Capano requested that HB 145 be stricken.

Representative Capano moved to suspend the rules which interfere with introduction of and action on HB 279. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Capano introduced and brought HB 279, jointly sponsored by Senator Henry & Representatives Boulden, Caulk, Cloutier, Ewing, Fallon, Gilligan, Keeley, Lee, Lofink, Mulrooney, Plant, Price, Quillen & Roy & Senator Sorenson & Representatives Stone, Valihura, Viola & West, before the House for consideration.

HB 279 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE NAME OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL.

Representative Capano made comments.

The roll call on HB 279 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & Reynolds - 2.

Therefore, having received a constitutional majority, HB 279 was sent to the Senate for concurrence.

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

Representatives Valihura & Lee made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:40 p.m.

The House was called to order by Mr. Acting Speaker Welch at 2:23 p.m. on June 2, 1999.

The Reading Clerk read the following communications into the record:

LEGISLATIVE ADVISORY #17 5/21/99

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/18/99 - HB 156, HB 44 aab HA 1 & SA 1, HB 86, HB 26 & HB 18.

MEMORANDUM

TO: Rep. Terry R. Spence
Speaker of the House

FROM: Rep. Richard A. DiLiberto, Jr.

DATE: June 1, 1999

I respectfully request your kind attention to the fact that I will not be able to attend session on Wednesday, June 2, 1999. I have been asked to make a presentation at the annual Bench and Bar Conference in New Castle County.

Thank you, Mr. Speaker Spence.

The Senate wishes to inform the House that it has passed HB 15 w/HA 1, HB 73 w/HA 1 & 4, & SA 1, HCR 10, HCR 17, HCR 18 & HB 124 w/HA 1 & 2 and is returning same to the House.

Representative Capano made an announcement.

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day. The House reconvened at 2:26 p.m.

31st LEGISLATIVE DAY 140th GENERAL ASSEMBLY First Session June 2, 1999

The Chief Clerk called the roll.

Members Present: 35.

Members Absent: Representatives DiLiberto, B. Ennis, Lofink, Plant, West & Williams - 6.

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

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

Representative Stone requested that she be marked present.

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

The following prefiled legislation was introduced:

HB 267 - PRICE & SENATOR SOKOLA; REPRESENTATIVE BRADY, B. ENNIS, SPENCE & VANSANT; SENATOR VENABLES - CAPITAL INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

HB 268 - PRICE; REPRESENTATIVES BUCKWORTH, CAPANO, KEELEY & SCHROEDER - NATURAL RESOURCES - An Act to Amend Chapter 9 of Title 7 of the Delaware Code Relating to Headboats and Charter Boats. (2/3 bill).

HB 269 - WELCH & SENATOR SHARP; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CATHCART, CAULK, CLOUTIER, DIPINTO, FALLON, LOFINK, REYNOLDS, STONE, WAGNER, DILIBERTO, KEELEY & PLANT; SENATORS CONNOR, WINSLOW -

APPROPRIATIONS - An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police/Firefighter Pension Plan.

HB 270 - WELCH & SENATOR MCDOWELL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

HB 271 - EWING & HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 24, Delaware Code, the Medical Practices Act, Pertaining to Termination of Human Pregnancy.

HB 272 - WELCH & SENATOR AMICK - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Law-Enforcement Officers' Bill of Rights.

HB 273 - WELCH & SENATOR VENABLES & SENATOR BUNTING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's License.

HB 274 - CAREY & SENATORS SIMPSON, ADAMS & BUNTING - PUBLIC SAFETY - An Act to Amend Chapter 63, Title 21 of the Delaware Code Relating to Motor Vehicle Auctions.

HB 275 - BUCKWORTH BUSINESS/CORPORATIONS/ COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors and Regulatory Provisions.

HB 276 - BUCKWORTH - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Exemptions from Civil Liability.

HB 277 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to the New Castle County Board of Adjustment.

HB 278 - 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 Checkoff Programs.

HB 286 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HJR 9 - ULBRICH, REPRESENTATIVE CATHCART & SENATOR SORENSON; REPRESENTATIVES BOULDEN, CLOUTIER, MAIER, MIRO, MULROONEY, OBERLE, PRICE, REYNOLDS, SCHROEDER, & VIOLA - HEALTH AND HUMAN DEVELOPMENT - Pledging the House and Senate Members' Commitment to Character by Recognizing Delaware to be a State of Character and Urging the Citizens and Civic and Community Leaders of Delaware to Promote Character in Schools, Businesses, Homes, Churches, and Other Places.

HA 1 to HB 162 - CLOUTIER - Placed with the Bill.

HA 1 to HS 1 to HB 213 - MAIER - Placed with the Bill.

Representative Smith made an announcement.

Representative Boulden requested that he be marked present.

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

The House reconvened at 4:50 p.m. with Representative Quillen as Acting Speaker.

Representatives Spence, Oberle & Buckworth requested that they be marked present.

Mr. Acting Speaker reassigned HB 242 to the Telecommunications & Electric Utility Deregulation Committee.

Representatives DiPinto, Keeley, Brady, D. Ennis & Reynolds requested that they be marked present.

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

CORRECTIONS: HB 97 - 3F, 3M.

HOUSE ADMINISTRATION: HB 253 - 3M; SB 68 - 3M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 245 - 4M, 1U.

PUBLIC SAFETY: HB 228 - 6M; HB 236 - 6M; HB 249 - 6M.

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: HB 234 - 3F, 2M.

Representatives Fallon & Houghton requested that they be marked present.

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

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: HB 242 - 3F.

EDUCATION: HB 210 - 9M.

Representative Buckworth requested that HB 275 be stricken.

Representative Smith deferred to Representative Roy.

Representative Plant requested that he be marked present.

Representative Roy introduced and brought HCR 21 before the House for consideration.

HCR 21 - MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO SUPPORT THE EFFORTS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) TO PROTECT AND PRESERVE THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY (TEA-21) FUNDING GUARANTEE AND BUDGETARY "FIREWALL".

Representative Roy made comments.

HCR 21 was adopted by voice vote and sent to the Senate for concurrence.

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

Mr. Acting Speaker Oberle called the House to order at 2:15 p.m.

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

HEALTH AND HUMAN DEVELOPMENT: SB 74 - 6M.

APPROPRIATIONS - An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police/Firefighter Pension Plan.

HB 270 - WELCH & SENATOR MCDOWELL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

HB 271 - EWING & HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 24, Delaware Code, the Medical Practices Act, Pertaining to Termination of Human Pregnancy.

HB 272 - WELCH & SENATOR AMICK - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Law-Enforcement Officers' Bill of Rights.

HB 273 - WELCH & SENATOR VENABLES & SENATOR BUNTING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's License.

HB 274 - CAREY & SENATORS SIMPSON, ADAMS & BUNTING - PUBLIC SAFETY - An Act to Amend Chapter 63, Title 21 of the Delaware Code Relating to Motor Vehicle Auctions.

HB 275 - BUCKWORTH BUSINESS/CORPORATIONS/ COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors and Regulatory Provisions.

HB 276 - BUCKWORTH - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Exemptions from Civil Liability.

HB 277 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to the New Castle County Board of Adjustment.

HB 278 - 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 Checkoff Programs.

HB 286 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

HJR 9 - ULBRICH; REPRESENTATIVE CATHCART & SENATOR SORENSON; REPRESENTATIVES BOULDEN, CLOUTIER, MAIER, MIRO, MULROONEY, OBERLE, PRICE, REYNOLDS, SCHROEDER, & VIOLA - HEALTH AND HUMAN DEVELOPMENT - Pledging the House and Senate Members' Commitment to Character by Recognizing Delaware to be a State of Character and Urging the Citizens and Civic and Community Leaders of Delaware to Promote Character in Schools, Businesses, Homes, Churches, and Other Places.

HA 1 to HB 162 - CLOUTIER - Placed with the Bill.

HA 1 to HS 1 to HB 213 - MAIER - Placed with the Bill.

Representative Smith made an announcement.

Representative Boulden requested that he be marked present.

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

The House reconvened at 4:50 p.m. with Representative Quillen as Acting Speaker.

Representatives Spence, Oberle & Buckworth requested that they be marked present.

Mr. Acting Speaker reassigned HB 242 to the Telecommunications & Electric Utility Deregulation

Committee.

Representatives DiPinto, Keeley, Brady, D. Ennis & Reynolds requested that they be marked present.

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

CORRECTIONS: HB 97 - 3F, 3M.

HOUSE ADMINISTRATION: HB 253 - 3M; SB 68 - 3M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 245 - 4M, 1U.

PUBLIC SAFETY: HB 228 - 6M; HB 236 - 6M; HB 249 - 6M.

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: HB 234 - 3F, 2M.

Representatives Fallon & Houghton requested that they be marked present.

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

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: HB 242 - 3F.

EDUCATION: HB 210 - 9M.

Representative Buckworth requested that HB 275 be stricken.

Representative Smith deferred to Representative Roy.

Representative Plant requested that he be marked present.

Representative Roy introduced and brought HCR 21 before the House for consideration.

HCR 21 - MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO SUPPORT THE EFFORTS OF THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS (AASHTO) TO PROTECT AND PRESERVE THE TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY (TEA-21) FUNDING GUARANTEE AND BUDGETARY "FIREWALL".

Representative Roy made comments.

HCR 21 was adopted by voice vote and sent to the Senate for concurrence.

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

Mr. Acting Speaker Oberle called the House to order at 2:15 p.m. on June 3, 1999.

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

HEALTH AND HUMAN DEVELOPMENT: SB 74 - 6M.

HA 1 to HB 64 - SPENCE - Placed with the Bill.

HA 1 to HB 243 - SPENCE - Placed with the Bill.

HA 1 to HB 221 - SPENCE - Placed with the Bill.

HA 1 to HS 1 to HB 39 - MAIER - Placed with the Bill.

HA 1 to HB 181 - B. ENNIS - Placed with the Bill.

HA 2 to HB 226 - HOUGHTON - Placed with the Bill.

SB 69 - BLEVINS & REPRESENTATIVE CAPANO; SENATORS BAIR, BUNTING, COOK, DELUCA, HENRY, MCDOWELL, MARSHALL, SIMPSON, SOKOLA, AMICK, BONINI, CONNOR, SORENSON, STILL & WINSLOW; REPRESENTATIVES CAREY, FALLON, MAIER, MIRO, MULROONEY, STONE, ULBRICH, WAGNER, GILLIGAN, VIOLA, KEELEY, PRICE, SCHROEDER & WEST - HOUSE ADMINISTRATION - An Act Concurring in a Proposed Amendment to the Delaware Constitution of 1897, as Amended, Relating to Making the Constitution Gender Neutral. (2/3 bill)

SB 86 - BLEVINS & REPRESENTATIVE CAPANO - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Offenses.

SB 88 w/SA 2 & 3 - CONNOR & REPRESENTATIVE MULROONEY - HOUSE ADMINISTRATION - An Act to Amend Chapter 216, Volume 27 Laws of Delaware Entitled "An Act Amending, Revisiting and Consolidating the Charter of the City of New Castle," by Amending Its Charter to Provide Authority to Provide Additional Services (as defined) and Specifying Its Powers Consistent with those Authorized by Title 22, Section 802 of the Delaware Code.

SB 92 w/SA 1 - CONNOR & REPRESENTATIVE MULROONEY - HOUSE ADMINISTRATION - An Act to Amend Chapter 121, Volume 32, Laws of Delaware, as Amended, Entitled, "An Act to Establish a Board of Water and Light Commissioners for the City of New Castle" Relating to the Designation of The Board of Water and Light Commissioners as the Municipal Services Commissions, and The Authority of The Municipal Service Commission.

SB 121 - VAUGHN; SENATOR WINSLOW; REPRESENTATIVE LEE - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Regarding Probation and Parole Officers.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 86, SB 69, SB 88 w/SA 2 & 3, SB 92 w/SA1, SCR 14 & SB 121 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 96 and is returning same to the House.

Mr. Speaker Spence assigned HB 210, HB 248 & HB 266 to the Appropriations Committee.

Representatives Spence & Quillen requested that they be marked present.

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

Mr. Acting Speaker Oberle made comments.

Representative Smith introduced a guest.

Mr. Speaker Spence resumed the Chair.

Representative Smith requested and was granted privilege of the floor for Ann Grunert, representing Special Olympics, who introduced Delaware's delegation.

Representative Smith & Mr. Speaker Spence made comments.

Representative B. Ennis introduced guests.

Representatives Capano requested and was granted personal privilege of the floor to make an announcement.

Representatives Wagner, Oberle, Gilligan, DiPinto & Fallon made comments.

Representative Boulden requested that he be marked present.

Representative Plant requested and was granted personal privilege of the floor to make comments regarding HB 206.

Representative Scott requested that he be marked present.

Representative Plant made comments.

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

The Majority Leader moved to recess for caucus at 2:46 p.m.

The House reconvened at 5:04 p.m.

Representative Smith introduced HB 300, jointly sponsored by Representative Oberle & Senator Vaughn & Representatives Boulden, Brady, Capano, Cloutier, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Lofink, Maier, Miro, Roy, Spence, Ulbrich, Valihura, VanSant & Welch & Senators Bonini, Sharp & Still.

HB 300 – An Act to Amend Title 14 of the Delaware Code Relating to Neighborhood Schools.

Mr. Speaker Spence assigned HB 300 to the Desegregation Committee.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 85, jointly sponsored by Representatives Spence, Smith & Cathcart & Senators Blevins & Sokola, before the House for consideration.

HB 85 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Representative Roy introduced HA 1 to HB 85. Representative Roy made comments.
HA 1 was adopted by voice vote.

Representatives Price, Valihura, Gilligan, Roy & Cathcart made comments.

Representative Stone requested that she be marked present.

Representatives Ewing & Reynolds made comments.

Representatives Reynolds, Miro, DiPinto & Ulbrich requested that they be marked present.

The roll call on HB 85 w/HA 1 was taken and revealed:

YES: Representatives Boulden, Capano, Cathcart, Lee, Lofink, Miro, Plant, Quillen, Roy, Scott, Stone, Wagner, Welch & Williams – 14.

NO: 22.

NOT VOTING: Representatives DiLiberto & DiPinto – 2.

ABSENT: Representatives Caulk, Fallon & West – 3.

Therefore, not having received a constitutional majority, HB 85 w/HA 1 was declared defeated.

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

Representative Spence introduced a guest.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 97, jointly sponsored by Senator Vaughn & Representative Spence & Senator Sharp, before the House for consideration.

HB 97 - AN ACT TO AMEND CHAPTER 174, VOLUME 71, LAWS OF DELAWARE
RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM.

Representative Lee made comments.

The roll call on HB 97 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & West – 3.

Therefore, having received a constitutional majority, HB 97 was sent to the Senate for concurrence.

Representatives Spence, Lee, Oberle, Boulden, Spence & D. Ennis made comments.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 181, jointly sponsored by Representatives Maier, Brady, Carey, D. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Quillen, Schroeder, Scott, Viola, Wagner, West & Williams & Senators Adams, Bonini, Marshall & Winslow, before the House for consideration.

HB 181 - AN ACT TO AMEND CHAPTER 97, TITLE 16 OF THE DELAWARE CODE
RELATING TO RECOGNITION AND IMPLEMENTATION OF ADVANCED HEALTH-CARE
DIRECTIVES BY EMERGENCY MEDICAL SERVICES PROVIDERS.

Representative B. Ennis made comments.

Representative B. Ennis introduced HA 1 to HB 181. HA 1 was adopted by voice vote.

Representative B. Ennis made comments.

The roll call on HB 181 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & West – 3.

Therefore, having received a constitutional majority, HB 181 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought HB 179, jointly sponsored by Senator DeLuca & Representatives Roy, Spence, Smith, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Maier, Quillen, Reynolds, Stone, Ulbrich, Valihura & Wagner & cosponsored by Representative Price & Representative Schroeder, before the House for consideration.

HB 179 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE
POWERS OF THE DELAWARE TRANSPORTATION AUTHORITY.

Representative DiPinto made comments.

The roll call on HB 179 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Fallon, Smith & West – 4.

Therefore, having received a constitutional majority, HB 179 was sent to the Senate for concurrence.

Mr. Speaker Spence reassigned HB 205 to the Land Use & Infrastructure Committee.

Representative Welch deferred to Representative Quillen.

Representative Quillen brought jointly sponsored by Senator Vaughn & Representatives Cathcart, Price & Schroeder & Senators Bunting, Venables & Connor, before the House for consideration.

HB 245 - AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO
THE ESTABLISHMENT OF A MARINE FISHERIES ADVISORY COUNCIL.

Representatives Quillen, B. Ennis, Quillen & Price made comments.

The roll call on HB 245 was taken and revealed:

YES: 35.

NO: Representatives B. Ennis & Mulrooney – 2.
ABSENT: Representatives Caulk, Fallon, Reynolds & West – 4.
Therefore, having received a constitutional majority, HB 245 was sent to the Senate for concurrence.
Representative Smith deferred to Representative Boulden.
Representative Boulden brought HB 170, jointly sponsored by Senator DeLuca, before the House for consideration.

HB 170 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE PLANE COORDINATE SYSTEM.

Representative Boulden made comments.

The roll call on HB 170 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & West – 3.

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

Representatives Oberle, Boulden, Smith, Oberle & Gilligan made comments regarding HB 170.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 67, jointly sponsored by Senators Blevins & Adams & Representative Capano, before the House for consideration.

SB 67 - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 35, TITLE 12 OF THE DELAWARE CODE RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

Representative Stone made comments.

The roll call on SB 67 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Fallon, Miro & West – 4.

Therefore, having received a constitutional majority, SB 67 was returned to the Senate.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought HB 220, jointly sponsored by Senator McBride & Representatives DiPinto & B. Ennis, before the House for consideration.

HB 220 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE EXTREMELY HAZARDOUS SUBSTANCES RISK MANAGEMENT ACT.

Representative D. Ennis made comments.

The roll call on HB 220 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & West – 3.

Therefore, having received a constitutional majority, HB 220 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 164, jointly sponsored by Senators McDowell & Henry & Representative Keeley & Senator Blevins, before the House for consideration.

HB 164 - AN ACT TO AMEND TITLE 10 AND TITLE 31 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE INTEREST OF A CHILD AND CHILD WELFARE.

Representative Maier made comments.

The roll call on HB 164 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & West – 3.

Therefore, having received a constitutional majority, HB 164 was sent to the Senate for concurrence.

Representative Smith introduced and brought HR 28, jointly sponsored by Representatives

Schroeder, Welch, Boulden, Capano, Cloutier, D. Ennis, Lee, Maier, Stone, Ulbrich, Valihura & Wagner, before the House for consideration.

HR 28 - CREATING A PRE-QUALIFICATION TASK FORCE.

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

HR 28 was adopted by voice vote.

Representative Smith deferred to Representative Roy.

Representative Roy introduced HB 292, jointly sponsored by Senator DeLuca.

HB 292 - AN ACT AMENDING CHAPTER 20 OF TITLE 30 OF THE DELAWARE CODE RELATING TO THE TRAVELINK TRAFFIC MITIGATION ACT.

Mr. Speaker Spence assigned HB 292 to the Transportation Committee.

Representative Plant requested that action on HB 206 be deferred to a Day Certain, Thursday, 6/15/99.

Representative DiPinto made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB184 and is returning same to the House.

MEMORANDUM

To: Terry R. Spence, Speaker
From: Representative Joe Miro
Date: June 3, 1999
RE: Absence from session

Please excuse my absence from Session Tuesday, June 8, 1999, as I have business to attend to in Newark.

Thank you.

Mr. Speaker Spence declared a recess at 6:25 p.m.

The House reconvened at 6:45 p.m.

Representative Smith deferred to Representative Caulk.

Representative Caulk made an announcement.

Representative DiPinto & Cathcart made comments.

Mr. Speaker Spence made an announcement.

Representatives West & Carey made comments.

Representative Smith deferred to Representative Welch.

Representative Welch introduced HB 296, sponsored by Representatives Spence, Oberle & Quillen & Senator Adams & cosponsored by Representative Welch.

HB 296 - AN ACT TO AMEND TITLE 28, DELAWARE CODE RELATING TO PROTESTS AND MEDICATION TESTING.

Mr. Speaker Spence assigned HB 296 to the Gaming & Pari-mutuels Committee.

The Majority Whip moved to recess to the call of the Chair at 6:55 p.m.

Mr. Acting Speaker Roy called the House to order at 2:20 p.m. on June 8, 1999.

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

LABOR: HB 173 - 4M.

LAND USE AND INFRASTRUCTURE: HB 160 - 4F, 1M, 1U.

PUBLIC SAFETY: HB 274 - 5M.

REVENUE & FINANCE: HB 178 - 3F, 2M.

TRANSPORTATION: HB 212 - 1F, 5M.

Mr. Acting Speaker assigned HB 212 to the Appropriations Committee.

Representative Quillen made an announcement.

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

33rd LEGISLATIVE DAY 140th GENERAL ASSEMBLY First Session June 8, 1999

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Miro - 1.

A prayer was offered by Representative Timothy U. Boulden, Twenty-third Representative District.

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

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

The following prefiled legislation was introduced:

HB 284 - BUCKWORTH - REVENUE & FINANCE - An Act to Amend Chapter 54, Title 30 of the Delaware Code Relating to the Realty Transfer Tax.

HB 289 - SPENCE; REPRESENTATIVE OBERLE & SENATOR SHARP; REPRESENTATIVES BRADY, CAULK, B. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, PLANT, PRICE, QUILLEN, REYNOLDS, SCOTT, STONE, VALIHURA, VANSANT, VIOLA, WAGNER & WEST - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Postsecondary Education Benefits for Law Enforcement Officers.

HB 291 - SPENCE; SENATOR MCBRIDE; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, B. ENNIS, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MIRO, OBERLE, PLANT, PRICE, QUILLEN, ROY, SCOTT, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WELCH, WEST & WILLIAMS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Postsecondary Education Benefits for State Employees.

HB 293 - BUCKWORTH - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors and Regulatory Provisions.

HB 295 - LEE; SENATOR ADAMS - GAMING & PARIMUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to Harness Racing.

HB 297 - SCHROEDER; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, B. ENNIS, EWING, FALLON, LEE, QUILLEN, STONE, WAGNER, WELCH & WEST; SENATORS ADAMS, BUNTING, COOK, SIMPSON & VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Recording Satisfaction of Mortgages.

HB 298 - SCHROEDER & SENATOR CONNOR & SENATOR MCBRIDE; REPRESENTATIVES CAREY, CATHCART, CAULK, MULROONEY, PRICE, QUILLEN & WEST - NATURAL RESOURCES - An Act to Amend Chapter 22 of Title 23 of the Delaware Code Relating to Boating Safety. (2/3 bill)

HB 299 - MULROONEY; REPRESENTATIVES BUCKWORTH, CAREY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, LOFINK, MIRO, PLANT, PRICE, REYNOLDS, SCOTT, SPENCE, VANSANT, VIOLA, WEST & WILLIAMS; SENATOR DELUCA - CAPITAL INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.

HB 301 - SCHROEDER; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, EWING, HOUGHTON, KEELEY, LEE, MIRO, PLANT, PRICE, SMITH, SPENCE, STONE, VANSANT, VIOLA & WAGNER; SENATORS BLEVINS, BUNTING & SIMPSON - JUDICIARY - An Act To Amend Title 11 of the Delaware Code Relating to Offenses for Shoplifting and Possession of Tools for Shoplifting.

HB 302 - DILIBERTO; REPRESENTATIVES BOULDEN, CAREY, CAULK, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, MAIER, MIRO, MULROONEY, OBERLE, SCHROEDER, SCOTT, SMITH, ULBRICH, VALIHURA, VANSANT, VIOLA & WELCH; SENATORS BLEVINS, SHARP & WINSLOW - PUBLIC SAFETY - An Act to Amend Titles 1, 10, 11 and 29 of the Delaware Code Relating to the Director of the Administrative Office of the Courts.

HB 303 - QUILLEN & SENATOR ADAMS; REPRESENTATIVES BUCKWORTH, D. ENNIS, EWING & SCOTT - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to State Parks.

HB 304 - QUILLEN; REPRESENTATIVES SPENCE, BUCKWORTH, D. ENNIS, BRADY & HOUGHTON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Licenses.

HB 305 - CAREY - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Finishing in Tidal Waters.

HA 1 to HB 17 - WAGNER - Placed with the Bill.

HA 2 to HS 1 to HB 39 - MAIER - Placed with the Bill.

SB 6 - MCBRIDE & REPRESENTATIVE SPENCE & SENATOR STILL; SENATORS BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCDOWELL, SHARP, SOKOLA, VAUGHN, VENABLES, AMICK, BAIR, BONINI, CONNOR, SIMPSON, SORENSON & WINSLOW, REPRESENTATIVES BOULDEN, BUCKWORTH, CAREY, CATHCART, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, OBERLE, REYNOLDS, ROY, STONE, VALIHURA, WAGNER, WELCH, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA, WEST, WILLIAMS, CAPANO, CAULK & QUILLEN - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Prescription Drug Payment Assistance for Low-income Residents. (F/N)

SB 54 w/SA 1 - ADAMS & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Jurisdiction of Justice of the Peace Courts.

SB 76 - MCDOWELL & REPRESENTATIVE STONE; SENATOR COOK & REPRESENTATIVES CAPANO & DIPINTO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax Credits.

SB 78 - BUNTING & REPRESENTATIVE WELCH; SENATOR WINSLOW - HOUSE ADMINISTRATION - An Act to Amend Title 20 of the Delaware Code Relating to the Delaware National Guard. (2/3 bill)

SB 102 - CONNOR; SENATORS BLEVINS & SORENSON & REPRESENTATIVE CAPANO - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence Coordinating Council Membership and Reporting Requirements.

SB 112 - MARSHALL; SENATORS BLEVINS, MCDOWELL & CONNOR; REPRESENTATIVES LOFINK, MAIER, SPENCE & SCOTT - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Abuse, Neglect or Mistreatment of Patients and Residents of Nursing Homes and Similar Facilities. (2/3 bill)

SB 114 - SHARP; REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to Notaries Public.

SB 137 - SHARP; SENATORS VAUGHN, AMICK & WINSLOW; REPRESENTATIVES SPENCE, VALIHURA, WAGNER & DILIBERTO - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

Representatives Ulbrich, D. Ennis, Maier, Williams, Cathcart, Oberle, Buckworth, DiPinto & West requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:29 p.m.

The House reconvened at 4:20 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 6, SB 54 w/SA 1, SB 76, SB 78, SB 102, SB 112, SB 114 & SB 137 and requests the concurrence of the House & HB 104 w/HA1, HB 143 w/HA1 & 2 & HB 165 and is returning same to the House.

June 3, 1999

LEGISLATIVE ADVISORY #18

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/2/99 – HB 55, SB 73, SJR 2 aab SA 1 & SJR 3.

June 3, 1999

LEGISLATIVE ADVISORY #19

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/3/99 – HB 184.

The Senate wishes to inform the House that it has passed SB 118, SB 124 & SB 170 and requests the concurrence of the House & HB 54 w/HA 1, HB 89 & HB118 and is returning same to the House.

Representative Cloutier requested that she be marked present.

Representative Cathcart made an announcement.

Representative Lofink requested that he be marked present.

Representative Brady requested that he be marked present.

Representative DiPinto made an announcement.

Representative DiPinto introduced HB 313, jointly sponsored by Representatives Boulden, Brady, Buckworth, B. Ennis, Capano, Carey, Cloutier, D. Ennis, Ewing, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Reynolds, Roy, Ulbrich, Valihura, VanSant & Viola & Senators Vaughn & Winslow.

HB 313 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO TOBACCO PRODUCT TAX, TOBACCO PRODUCTS; PROVIDING ADDITIONAL REQUIREMENTS WITH RESPECT TO THE SALE OF CIGARETTES, AND PRESCRIBING PENALTIES. (2/3 bill)

Mr. Acting Speaker assigned HB 313 to the Revenue & Finance Committee.

Representative B. Ennis requested that he be marked present.

Representative Smith introduced HB 317, jointly sponsored by Senator Bunting & Representatives Spence, Welch, Brady, Carey, Caulk, DiPinto, Fallon, Lee, Lofink, Miro, Quillen, Roy, Wagner, Gilligan, B. Ennis, Keeley, Plant, Schroeder & Williams & cosponsored by Senator Sokola.

HB 317 – AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, § 3 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE MINIMUM AGE FOR A STATE SENATOR OR REPRESENTATIVE. (2/3 bill)

Mr. Acting Speaker assigned HB 317 to the House Administration Committee.

Representative Capano made an announcement.

Representative Smith deferred to Representative Keeley.

Representative Keeley introduced HB 315, jointly sponsored by Representatives Boulden, Brady, Buckworth, B. Ennis, Capano, Carey, Cathcart & Cloutier & Senator DeLuca & Representatives DiPinto, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink & Maier & Senators Marshall & McDowell & Representatives Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Roy, Scott, Valihura, VanSant, Viola, Welch, West & Williams.

HB 315 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO CREATE A NEW CHAPTER REGARDING RIGHTS AND TITLE TO ABANDONED PERSONAL PROPERTY.

Mr. Acting Speaker assigned HB 315 to the Housing and Community Affairs Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to restore HB 85 w/HA 1. The motion was seconded by Representative Quillen and adopted by voice vote.

HB 85 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGES.

The roll call on the motion was taken and revealed:

YES: 30.

No: Representatives Brady, B. Ennis, Houghton, Keeley, Mulrooney, Price, Schroeder, VanSant, Viola & West – 10.

ABSENT: Representative Miro – 1.

Representatives Reynolds, Spence & Stone requested that they be marked present during the roll call.

Therefore, having received a constitutional majority, HB 85 w/HA 1 was restored.

Representative Oberle deferred to Representative Roy.

Representative Roy moved to place HB 85 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought HB 166, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 166 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

Representative D. Ennis introduced and brought HA 1 to HB 166 before the House for consideration.

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

Representative D. Ennis made comments.

The roll call on HB 166 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Roy – 2.

Therefore, having received a constitutional majority, HB 166 w/HA 1 was sent to the Senate for concurrence.

Mr. Acting Speaker Welch appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 208, jointly sponsored by Representatives Brady, B. Ennis, Houghton, Oberle, Plant, VanSant & Viola & Senators Amick, Blevins, Bonini, Connor, Cook, DeLuca, Marshall, McBride, Sharp, Simpson, Sokola, Vaughn & Winslow, before the House for consideration.

HB 208 - ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST LAW ENFORCEMENT ANIMALS.

Representative Welch introduced and brought HA 1 to HB 208, jointly sponsored by Representative Keeley, before the House for consideration. Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Keeley made comments.

The roll call on HB 208 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Miro, Roy & Spence – 3.

Therefore, having received a constitutional majority, HB 208 w/HA1 was sent to the Senate for concurrence.

Representative Wagner made an announcement.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 163, jointly sponsored by Representative Schroeder & Senator Vaughn & Representatives Brady, Carey, Caulk, D. Ennis, Gilligan, Houghton, Keeley, Oberle, Plant, Price, Spence, VanSant, Viola, Welch, West & Williams, before the House for consideration.

HB 163 - AN ACT TO AMEND TITLE 5 AND TITLE 30 OF THE DELAWARE CODE RELATING TO THE RETAIL INSTALLMENT SALE OF MOTOR VEHICLES AND SURETY FOR MOTOR VEHICLE DEALERS.

Representative B. Ennis introduced and brought HA 1 to HB 163 before the House for consideration. Representative B. Ennis made a comment.

Representative B. Ennis introduced and brought HA 1 to HA 1 to HB 163 before the House for consideration. Representative B. Ennis made comments. HA 1 to HA 1 was adopted by voice vote.

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

Representatives B. Ennis & Stone made comments.

Representative Stone requested and was granted privilege of the floor for Olha Rubakoff, Deputy Attorney General and Director, Division of Consumer Protection.

Representative B. Ennis made comments.

Representative Stone requested and was granted privilege of the floor for Robert A. Glen, State Bank Commissioner.

Representatives Stone, B. Ennis, DiPinto, Wagner, B. Ennis, Stone, Wagner, B. Ennis, Wagner, B. Ennis, DiPinto, Welch, D. Ennis & B. Ennis made comments.

The roll call on HB 163 w/HA 1 w/HA 1 was taken and revealed:

YES: 32.

NO: Representatives Cloutier, Ewing, Lee, Quillen, Stone & Valihura – 6.

NOT VOTING: Representatives Buckworth & Capano – 2.

ABSENT: Representative Miro – 1.

Therefore, having received a constitutional majority, HB 163 w/HA 1w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Caulk.

Representative Caulk moved to suspend the rules which interfere with the introduction of and action on HS 1 to HB 250. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Caulk introduced and brought HS 1 to HB 250, jointly sponsored by Representative West & Senator Bunting & Representative Carey & Senator Adams & Representative Quillen & Senator Vaughn & Senator Venables & Representative Spence & Senator Simpson & Senator Cook & Senator Bonini & Representatives Boulden, Brady, Buckworth, Capano, Cathcart, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Reynolds, Roy, Scott, Smith, Stone, Ulbrich, Valihura, VanSant, Wagner, Welch, & Williams & Senators Amick, Maier, Connor, McDowell, Sorenson, Still & Winslow, before the House for consideration.

HB 250 – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NUTRIENT MANAGEMENT. (2/3 bill)

Representative Caulk introduced and brought HA 1 to HS 1 to HB 250 before the House for consideration. Representative Caulk made a comment. HA 1 to HS 1 to HB 250 was adopted by voice vote.

Representative Caulk made comments.

Mr. Speaker Spence resumed the Chair.

Representative West read a communication into the record.

Representatives Caulk, Lee & DiLiberto made comments.

Representative Caulk requested and was granted privilege of the floor for John Hughes, Director, Division of Soil and Water Conservation, Department of Natural Resources and Environmental Control.

Representatives DiLiberto & West made comments.

The roll call on HS 1 to HB 250 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Miro – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 to HB 250 w/HA 1 was sent to the Senate for concurrence.

Representatives Smith, Caulk, West & Speaker Spence made comments.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 113 before the House for consideration.

HB 113 - AN ACT TO AMEND TITLE 9, DELAWARE CODE, RELATING TO SUBDIVISIONS, PLATS AND DEEDS.

Representative Roy made comments.

Representative Valihura introduced and brought HA 1 to HB 113 before the House for consideration. Representatives Valihura & Roy made comments. HA 1 was adopted by voice vote.

Representative Viola introduced and brought HA 2 to HB 113 before the House for consideration.

Representative Viola requested that HA 2 be stricken.

Representative Roy introduced and brought HA 3 to HB 113 before the House for consideration.

Representative Roy made comments. HA 3 was adopted by voice vote.

Representative Roy moved to place HB 113 w/HA 1 & 3 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch deferred to Representative Schroeder.

Representative Schroeder brought HB 188, jointly sponsored by Senator Simpson, before the House for consideration.

HB 188 - AN ACT TO AMEND CHAPTER 108, VOLUME 62 OF THE LAWS OF DELAWARE REGARDING THE BOUNDARIES OF THE WARNER-GRANT TRUST LANDS.

Representative Schroeder made comments.

The roll call on HB 188 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Miro & West – 3.

Therefore, having received a constitutional majority, HB 188 was sent to the Senate for concurrence.

Representatives Ewing, Quillen, Maier, Valihura & DiPinto made announcements.

Mr. Speaker Spence assigned HB 173 to the Appropriations Committee.

Mr. Speaker Spence reassigned HB 269 to the Labor Committee & HB 300 to the Education Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 8, 1999

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
H140-651	Williams	4/21/1999	M	Maurice L. Russ, Sr.
H140-652	Welch	5/1/1999	T	Noah Clyde Grove/Birth

H140-653	Spence	5/24/1999	T	Captain William Poulterer, III/President/Pilots Association
H140-654	cosponsors: All Representatives Buckworth	5/27/1999	T	Andrea Haynes/Teacher of Year/Caesar Rodney
H140-655	Keeley	5/27/1999	T	St. Peter's Cathedral School/CYO Mid- Atlantic
H140-656	cosponsors: DiPinto, Plant, Scott, Williams Fallon	6/5/1999	T	Basketball Champions Reverend G. Dianne Burns/Host Pastor/ African Methodist Episcopal Church
H140-657	Fallon	6/5/1999	T	Michael Morgan/Church School Superintendent /African Methodist Episcopal Church
H140-658	Fallon	6/5/1999	T	Delores Drummond/Church School Superintendent/ African Methodist Episcopal Church
H140-659	Fallon	6/5/1999	T	Reverend Joseph Tull/Presiding Elder /African Methodist Episcopal Church
H140-660	Quillen	6/3/1999	T	Ed Hobbs/31 Years/School Bus Driver/Lake Forest
H140-661	Quillen	6/3/1999	T	Blanche Jefferson/34 Years/School Bus Driver/Lake Forest
H140-662	Quillen	6/3/1999	T	Ann Boone/44 Years/School Bus Driver/Lake Forest
H140-663	Quillen	6/3/1999	T	George Hobbs/47 Years/School Bus Driver/Lake Forest
H140-664	Capano	5/14/1999	T	Betsy McCoy/Women of the Century Award
H140-665	Wagner	5/28/1999	M	The Right Reverend Paul A. Kellogg
H140-666	Fallon	6/10/1999	T	Alois & Cecelia Elmer/60th Wedding Anniversary cosponsor: Gilligan
H140-667	Cathcart	6/2/1999	T	Gregory Darone/Eagle Scout
H140-668	B. Ennis	5/15/1999	M	Stephen T. Corso
H140-669	B. Ennis	9/24/1999	T	Arvilla Pendracky/82nd Birthday
H140-670	Buckworth	6/2/1999	T	Judy Manlove/Retirement/Caesar Rodney Junior High/30 Years
H140-671	Carey	6/2/1999	T	Slaughter Neck Cheer Center/25th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 8, 1999

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
H140-672	West	6/3/1999	T	Holli Wood/Special Olympics Athlete/Team USA
H140-673	Roy	5/21/1999	M	James DeWitt
H140-674	Cathcart	6/3/1999	T	Keri Laws/Special Olympics Athlete/Team USA
H140-675	Ewing	6/2/1999	T	Jenny Davis/Landscaping Artistry/Beautify Sussex
H140-676	Ewing	6/2/1999	T	Kelly Davis/Landscaping Artistry/Beautify Sussex
H140-677	Spence	6/26/1999	T	Disabled American Veterans, Inc/29th Convention
H140-678	Wagner	6/16/1999	T	Leslie Bainbridge/Retirement/25 Years/Capital Schools
H140-679	Wagner	6/16/1999	T	Eva Baxter/Retirement/10 Years/Capital School District
H140-680	cosponsor: Buckworth Roy	6/2/1999	T	Donald Hobson/Volunteerism/Zeneca's Commitment to Community
H140-681	Wagner	6/16/1999	T	Beverly Hughes/Retirement/24 Years/Capital Schools
H140-682	Wagner	6/16/1999	T	Nancy Taylor/Retirement/32 Years/Capital Schools
H140-683	Wagner	6/16/1999	T	Joan Peel/Retirement/18 Years/Capital School District
H140-684	cosponsor: Buckworth Wagner	6/16/1999	T	Linda Duncan/Retirement/7 Years/Capital School District
H140-685	cosponsor: Quillen Stone	6/16/1999	T	Ina Sanders/Retirement/32 Years/Capital School District
H140-686	cosponsor: Wagner Wagner	6/16/1999	T	Ulysses Baxter/Retirement/17 Years/Capital School District
H140-687	cosponsor: Buckworth Wagner	6/16/1999	T	Donald Crews/Retirement/14 Years/Capital School District
H140-688	cosponsor: Welch Wagner	6/16/1999	T	Dan Roberts/Retirement/28 Years/Capital School District
H140-689	cosponsor: Caulk Wagner	6/16/1999	T	W. John Layton/Retirement/33 Years/Capital Schools
H140-690	Stone	6/16/1999	T	William McGlumphy/Retirement/28+ Years/Capital School District
H140-691	cosponsor: Wagner Wagner	6/12/1999	T	Deborah Harris & Jeffrey Nock, Sr./Marriage

H140-692	Buckworth	6/8/1999	T	Sherry Moore/Volunteer at Woodburn/30+ Years
H140-693	Stone	6/8/1999	T	Helen Egan/Volunteer at Woodburn/30+ Years
H140-694	Oberle	6/14/1999	T	Cheryl Brown/Graduation/Margaret S. Sterck School
H140-695	Oberle	6/14/1999	T	Jodi Dunlap/Graduation/Margaret S. Sterck School

T- Tribute

M – Memoriam

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on HS 1 to HB 39. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Maier brought HS 1 to HB 39, jointly sponsored by Representative Spence & Senator Bair & Senator Sorenson & Senator McDowell & Representatives Capano, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lee, Lofink, Oberle, Plant, Price, Reynolds, Roy, Stone, Ulbrich, Wagner & Williams & Senators Connor, Henry, Sokola & Winslow & cosponsored by Representative Cloutier, before the House for consideration.

HB 39 – AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE OFFICE OF CHILD ADVOCATE. (F/N)

Representative Maier brought HA 1 to HS 1 to HB 39 before the House for consideration.

Representative Maier made a comment. HA 1 was adopted by voice vote.

Representative Maier brought HA 2 to HS 1 to HB 39 before the House for consideration.

Representative Maier made comments. HA 2 was adopted by voice vote.

Representative Maier deferred to Representative VanSant.

Representative VanSant introduced and brought HA 3 to HS 1 to HB 39 before the House for consideration.

Mr. Speaker Spence reassigned HB 300 to the Desegregation Committee.

Representative VanSant requested that HA 3 to HS 1 to HB 39 be stricken.

Representative Maier deferred to Representative Boulden.

Representative Boulden introduced and brought HA 4 to HS 1 to HB 39, jointly sponsored by Representative Maier, before the House for consideration. Representatives Boulden, VanSant & Welch made comments. HA 4 was adopted by voice vote.

Representative VanSant introduced and brought HA 5 to HS 1 to HB 39 before the House for consideration.

Representatives VanSant, Maier, Smith & VanSant made comments.

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

Representatives VanSant, Welch & Williams made comments.

The roll call on HA 5 to HS 1 to HB 39 was taken and revealed:

YES: 11.

NO: Representatives Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Houghton, Lee, Lofink, Maier, Quillen, Reynolds, Smith, Stone, Ulbrich, Valihura, Wagner, Welch, Williams & Spence – 25.

NOT VOTING: Representatives Oberle, Plant & Roy – 3.

ABSENT: Representatives Miro & West – 2.

Therefore, having not received a constitutional majority, HA 5 to HS 1 to HB 39 was declared defeated.

Representative Welch introduced and brought HA 6 to HS 1 to HB 39 before the House for consideration. Representative Welch made comments. HA 6 was adopted by voice vote.

Representative Maier made a comment.

The roll call on HS 1 to HB 39 w/HA 1, 2, 4 & 6 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & West – 2.

Therefore, having received a constitutional majority, HS 1 to HB 39 w/HA 1, 2, 4 & 6 was sent to the Senate for concurrence.

Mr. Speaker Spence made a comment.

Mr. Speaker Spence & Representative Maier introduced guests.

Representative Roy moved to lift HB 113 w/HA 1 & 3 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy brought HB 113 w/HA 1 & 3 before the House for consideration.

HB 113 - AN ACT TO AMEND TITLE 9, DELAWARE CODE, RELATING TO SUBDIVISIONS, PLATS AND DEED.

Representatives Roy & Oberle made comments.

The roll call on HB 113 w/HA 1 & 3 was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, D. Ennis, Maier, Miro & West – 5.

Therefore, having received a constitutional majority, HB 113 w/HA 1 & 3 was sent to the Senate for concurrence.

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

Representative Ewing made an announcement.

Representative Reynolds made a comment.

Representative Fallon made an announcement.

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

Representative Lofink made an announcement.

Representative Gilligan made a comment.

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

Mr. Speaker Spence made an announcement.

Representative Plant made comments.

Mr. Speaker Spence reassigned HB 243 to the Substance Abuse Committee.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on HS 1 to HB 213.

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

Representative Maier brought HS 1 to HB 213, jointly sponsored by Senators Bair & Sokola & Representatives Boulden, Buckworth, Capano, DiPinto, D. Ennis, Fallon, Lofink, Miro, Oberle, Reynolds, Stone, Ulbrich, Valihura, Wagner, Brady, Keeley, Plant, Price, Scott & Viola & Senators Connor, Simpson, Sorenson, Still & Winslow, before the House for consideration.

HB 213 - AN ACT TO AMEND TITLES 10, 11 AND 14 OF THE DELAWARE CODE RELATING TO TRUANCY.

Representative Maier brought HA 1 to HS 1 to HB 213 before the House for consideration.

Representative Maier made a comment. HA 1 was adopted by voice vote.

Representative Maier introduced and brought HA 2 to HS 1 to HB 213 before the House for consideration. Representative Maier made comments. HA 2 was adopted by voice vote.

Representatives Maier & Wagner made comments.

Representative Maier requested and was granted privilege of the floor for Thomas P. Brown, Justice of the Peace, New Castle County.

Representative Wagner made comments.

Representative Maier requested and was granted privilege of the floor for Battle Robinson, House Attorney.

Representative Wagner made comments.

The roll call on HS 1 to HB 213 w/HA 1 & 2 was taken and revealed:

YES: 37.

ABSENT: Representatives DiPinto, D. Ennis, Miro & West – 4.

Therefore, having received a constitutional majority, HS 1 to HB 213 w/HA 1 & 2 was sent to the Senate for concurrence.

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

LABOR: HB 246 - 5M; HB 252 - 5M; HB 270 - 1F, 4M.

REVENUE & FINANCE: HB 278 - 1F, 5M.

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

Mr. Acting Speaker Quillen called the House to order at 2:08 p.m. on June 9, 1999.

Representatives Ewing & Wagner made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 143 w/SA 1 and requests the concurrence of the House, HB 79 and is returning same to 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.

34th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 9, 1999

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Cloutier, DiPinto, B. Ennis, Keeley & Miro – 5.

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 306 - SCHROEDER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act Authorizing the Conveyance of the State of Delaware's Interest, if any, in Certain Lands Located in Sussex County, Delaware Received by Quit-Claim Conveyance from the United States of America.

HB 307 - WILLIAMS; REPRESENTATIVES EWING, GILLIGAN, LEE, PLANT, KEELEY & VANSANT - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Powers of the Secretary of the Department of Services for Children, Youth and their Families.

HB 308 - PRICE & CLOUTIER; SENATOR BUNTING; REPRESENTATIVES BRADY, CAREY, DIPINTO, GILLIGAN, QUILLEN, SPENCE, ULBRICH, OBERLE & WEST; SENATORS SIMPSON & WINSLOW - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Funeral Processions. (2/3bill)

HB 309 - BUCKWORTH; REPRESENTATIVE SMITH - REVENUE & FINANCE - An Act to Amend Titles 16 and 30 of the Delaware Code Relating to Health and Safety and State Taxes.

HB 310 - WELCH; REPRESENTATIVES SPENCE, BUCKWORTH, KEELEY & PRICE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Domestic Animals.

HB 311 - B. ENNIS; SENATOR VAUGHN; REPRESENTATIVES D. ENNIS, HOUGHTON, SPENCE & VIOLA - PUBLIC SAFETY - An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to License Fees for Certain Two-wheeled Motor Vehicles. (3/5 bill)

HB 312 - B. ENNIS; SENATOR VAUGHN; REPRESENTATIVES BRADY, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LEE, PLANT, SCOTT, VANSANT, WELCH, WEST & WILLIAMS - SUBSTANCE ABUSE - An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances.

HB 314 - WELCH & SENATOR BONINI - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Rented Property. (2/3 bill)

HB 316 - REYNOLDS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to High School Athletic Trainers.

HB 318 - BOULDEN & SENATOR MCBRIDE; REPRESENTATIVE QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 26 of the Delaware Code Relating to Underground Utility Damage Prevention and Safety.

HB 319 - ULBRICH; REPRESENTATIVES MAIER & QUILLEN - HOUSE ADMINISTRATION - An Act to Amend Title 26 of the Delaware Code Relating to the Regulation of Investor-Owned Wastewater Utilities by the Public Service Commission.

HB 320 - MAIER; SENATOR BLEVINS - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Reporting of Persons Infected with Human Immunodeficiency Virus. (2/3 bill)

HA 2 to HB 17 - WAGNER - Placed with the Bill.

HA 1 to HB 286 - ROY - Placed with the Bill.

HJR 10 - OBERLE & REPRESENTATIVE SPENCE & SENATOR ADAMS - GAMING & PARIMUTUELS - Relating to the Protection of Standardbred Horse Owners who Purchase Racehorses via a Claim at a Delaware Harness Racetrack.

HJR 11 - REYNOLDS & REPRESENTATIVE HOUGHTON & REPRESENTATIVE SCOTT & REPRESENTATIVE VIOLA & REPRESENTATIVE MULROONEY & REPRESENTATIVE SPENCE & SENATOR CONNOR & SENATOR MCBRIDE & SENATOR VAUGHN - EDUCATION - Honoring Kathleen H. Wilbur for Having Received the Award for Distinguished Service from the National School Boards Association and for her Continuing Record of Exemplary Service to Public Education.

SB 118 - SOKOLA; REPRESENTATIVE OBERLE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Qualified Tuition Savings Program.

SB 124 - SOKOLA & REPRESENTATIVE STONE; SENATORS BUNTING & SORENSON; REPRESENTATIVES BOULDEN, BRADY, CATHCART, B. ENNIS, LOFINK, MIRO, PRICE, VALIHURA & VIOLA - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 and 22 of the Delaware Code Relating to County and Municipal Planning and Zoning Provisions Regarding Transfer of Development Rights.

SB 143 w/SA 1 - COOK; REPRESENTATIVE DIPINTO - APPROPRIATIONS - An Act to Amend Title 18 and Title 29 of the Delaware Code Relating to State Employee Benefits.

SB 170 - ADAMS; SENATORS AMICK, BAIR, CONNOR, COOK, HENRY, MCBRIDE, MCDOWELL, SHARP, SIMPSON, SOKOLA, STILL, VAUGHN & VENABLES; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, MAIER, OBERLE, QUILLEN, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, VALIHURA, VANSANT, WAGNER & WEST

- NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 1, Title 23, Delaware Code Relating to Pilots Licenses.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 9, 1999

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
H140-696	Oberle	6/14/1999	T	Ann Marie Eaddy/Graduation/Margaret S. Sterck School
H140-697	Oberle	6/14/1999	T	Trevor Galloway/Graduation/Margaret S. Sterck School
H140-698	Oberle	6/14/1999	T	Johnas Johnson/Graduation/Margaret S. Sterck School
H140-699	Oberle	6/14/1999	T	Maribel Lemus/Graduation/Margaret S. Sterck School
H140-700	Oberle	6/14/1999	T	Tytisha Morris/Graduation/Margaret S. Sterck School
H140-701	Oberle	6/14/1999	T	Jason Nagowski/Graduation/Margaret S. Sterck School
H140-702	Oberle	6/14/1999	T	Lagenia Perkins/Graduation/Margaret S. Sterck School
H140-703	Oberle	6/14/1999	T	Tiffany Thompson/Graduation/Margaret S. Sterck
H140-704	Oberle	6/14/1999	T	Tanesha Wharton/Graduation/Margaret S. Sterck School
H140-705	Reynolds	6/1/1999	T	Mary Ann Hall/Dedication to Education
H140-706	Reynolds	6/1/1999	T	Dottie Sheats/Dedication to Education
H140-707	Reynolds	6/1/1999	T	Ruth Travers/Dedication to Education
H140-708	Reynolds	6/1/1999	T	William Roberts/Dedication to Education
H140-709	Smith	6/3/1999	T	Second Regiment Delaware Volunteers, Smyth's Brigade/Civil War Re-enactment
H140-710	Smith	6/3/1999	T	Phil Katcher/Civil War Re-enactment
H140-711	Smith	6/3/1999	T	John Pickett/Civil War Re-enactment
H140-712	Stone	5/29/1999	M	William Wolstenholme, Jr.
H140-713	Stone	6/2/1999	M	Randall W. Rogers
H140-714	Price	5/31/1999	T	Larry Ide/90th Birthday
H140-715	Welch	6/5/1999	T	Aaron Hallett/Graduation/Caesar Rodney High
	cosponsor: Buckworth			
H140-716	Lee	6/8/1999	T	Kathryn Onken/Graduation/Holy Cross
H140-717	Quillen	6/6/1999	T	Jeffrey Outten/Graduation/Lake Forest High
H140-718	Wagner	6/4/1999	T	Betty Mestro/Retirement/Capital School District
H140-719	Stone	6/4/1999	T	Alice Carter/Retirement/Capital School District
	cosponsor: Wagner			
H140-720	Buckworth	5/29/1999	T	John Coveleski/Coach/Caesar Rodney High Lacrosse/ State Champions

HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 9, 1999

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
H140-721	Buckworth	5/29/1999	T	Caesar Rodney High Lacrosse Team/State Champions
H140-722	Price	6/9/1999	T	Troop 4, Delaware State Police/Police Appreciation Day
H140-723	Price	6/9/1999	T	Troop 7, Delaware State Police/Police Appreciation Day
H140-724	Price	6/9/1999	T	Ocean View Police/Police Appreciation Day
H140-725	Price	6/9/1999	T	Bethany Beach Police /Police Appreciation Day
H140-726	Price	6/9/1999	T	South Bethany Police /Police Appreciation Day
H140-727	Price	6/9/1999	T	Fenwick Island Police /Police Appreciation Day
H140-728	Price	6/9/1999	T	Selbyville Police/Police Appreciation Day
H140-729	Carey	5/14/1999	T	Beatrice Collins/25 Year Volunteer Award
H140-730	Carey	5/14/1999	T	Milton Century Club/Volunteer Award/Sussex County
H140-731	Buckworth	6/8/1999	T	William Maroon/Teacher of Year/Caesar Rodney High
H140-732	Buckworth	6/8/1999	T	Kevin LeMaire/Teacher of Year/Caesar Rodney Junior High
H140-733	Quillen	6/8/1999	T	Valerie White/Teacher of Year/W. Reily Brown Elementary
H140-734	Stone	6/8/1999	T	Stephanie Shields/Teacher of the Year/John S. Charlton School
H140-735	Carey	6/8/1999	T	Carol Sutcliffe/Teacher of the Year/Allen Frear Elementary
H140-736	Stone	6/8/1999	T	Nancy Lambert/Teacher of the Year/W. B.

	cosponsor: Buckworth		Simpson Elementary
H140-737	Buckworth	6/8/1999	T Theo O'Brien/Teacher of Year/Star Hill
H140-738	Stone	6/8/1999	T Carolyn Baith/Teacher of Year/Dover Air Base Middle School
	cosponsor: Buckworth		
H140-739	Buckworth	6/8/1999	T Paula Bukewicz/Teacher of Year/Arnold Elementary
H140-740	Wagner	6/8/1999	T Theresa Levins/Teacher of Year/Welch Elementary
	cosponsor: Buckworth		
H140-741	Spence	6/28/1999	T Dominic Scatasti, Sr., Lions International President's Award Recipient
	cosponsor: Buckworth		
H140-742	Ulbrich	5/16/1999	T Lieutenant Chris Kane/Performance/Dover AFBASE
H140-743	Ulbrich	5/16/1999	T Captain John York/Performances/Dover Air Force Base
H140-744	Spence	6/8/1999	T Honorable William V. Roth/Congressional Lifetime Achievement Award Recipient

T- Tribute

M - Memoriam

Mr. Acting Speaker Quillen made an announcement.

The Reading Clerk read the following communication into the record:

June 9, 1999

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

I am unable to attend session on Thursday, June 10, 1999, as I will be out of state on business.

Representative Cathcart requested that he be marked present.

Representative Roy requested and was granted privilege of the floor for Alan V. Sokolow and Senator William Doyle, representing the Council of State Governments.

Representatives VanSant, Williams & D. Ennis requested that they be marked present.

Mr. Acting Speaker assigned HB 217 to the Appropriations Committee.

Representative Welch requested that he be marked present.

The Majority Leader moved to recess for committee meetings at 2:20 p.m.

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

Representatives Buckworth, Reynolds & Oberle requested that they be marked present.

Mr. Acting Speaker assigned HCR 23 to the House Administration Committee.

Representative Smith introduced and brought the following prefiled Consent Calendar #8 before the House for consideration:

HCR 19 - Spence & Senator Sharp - TO CREATE A PENSION EXCLUSION STUDY COMMITTEE TO STUDY THE ISSUE OF PENSION EXCLUSION UNDER DELAWARE LAW.

HCR 22 - B. Ennis & Representatives Price, Vaughn, Brady, D. Ennis, Houghton & Spence - ESTABLISHING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE.

HCR 23 - Fallon & Representative Price on behalf of All Representatives & Senator Henry on behalf of All Senators - MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO RATIFY THE CONVENTION ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN.

HCR 24 - Welch & Senator Bunting & Representatives Spence, Buckworth, D. Ennis, Ewing, Fallon, Ulbrich, Brady, Houghton, Keeley & Senators Adams, Venables, Connor & Simpson - REJECTING THE CONCLUSIONS IN A RECENT ARTICLE PUBLISHED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION THAT SUGGESTED THAT SEXUAL RELATIONSHIPS BETWEEN ADULTS AND CHILDREN MIGHT BE POSITIVE FOR CHILDREN AND REJECTING THE SUGGESTION MADE BY THE AUTHORS THAT THE DEFINITION OF CHILD SEXUAL ABUSE BE CHANGED TO A VALUE NEUTRAL TERM SUCH AS ADULT-CHILD SEX TO ALLOW FOR INSTANCES OF WILLING SEXUAL ENCOUNTERS WITH POSITIVE REACTIONS.

SCR 14 - Marshall & Representative Maier & Senators Blevins, McDowell & Connor & Representatives Lofink, Spence & Scott. - RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE.

Representative Oberle requested that HCR 19 removed from the Consent Calendar.

Mr. Acting Speaker assigned HCR 19 to the Revenue and Finance Committee.

Consent Calendar #8 was adopted by voice vote and HCR 22 & HCR 24 were sent to the Senate for concurrence and SCR 14 was returned to the Senate.

Representative Fallon requested that she be marked present.

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

CORRECTIONS: SB 121 - 6M.

DESEGREGATION: HB 300 - 6F.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: SB 87 w/SA 1 - 2F, 4M.

EDUCATION: HB 257 - 7M; HB 262 - 7M.
HOUSE ADMINISTRATION: HB 222 - 3M, 1U; SB 82 - 4M; SB 88 w/SA 2 & 3 - 4M; SB 92 w/SA 1 - 4M.
JUDICIARY: HB 290 - 6M; SB 86 - 8M; SB 114 - 7M; SB 137 - 7M.
NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 251 - 2F, 2M; HB 268 - 5F; HB 298 - 4F; SB 170 - 4F.
PUBLIC SAFETY: HB 288 - 8M; HB 308 - 5M; HB 311 - 8M.
Representatives Houghton & Spence requested that they be marked present.
Representative Spence requested that HCR 19 be stricken.
Mr. Speaker Spence resumed the Chair.
Mr. Speaker Spence made an announcement.
The Majority Leader moved to recess to the call of the Chair at 4:30 p.m.
Mr. Acting Speaker Welch called the House to order at 2:05 p.m. on June 10, 1999.
The Chief Clerk read the following committee reports into the record:
APPROPRIATIONS: HB 212 - 4M; HB 248 - 4F.
HEALTH AND HUMAN DEVELOPMENT: HB 285 - 6M; HJR 9 - 6M; SB 8 w/SA 1, 4, 5, & 6 - 2F, 6M.
LAND USE AND INFRASTRUCTURE: HB 218 - 1F, 5M; SB 34 w/SA 1 - 1F, 3M, 2U; SB 124 - 6F.
Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

35th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 10, 1999

The Chief Clerk called the roll.
Members Present: 39.
Members Absent: Representatives Oberle & Quillen - 2.
A prayer was offered by Representative Clifford G. Lee, Fortieth 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 prefilled legislation was introduced:
HB 321 - SPENCE; REPRESENTATIVE CLOUTIER - 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 Contractors'. (3/5 bill)
HB 322 - REYNOLDS; REPRESENTATIVE SCHROEDER & SENATOR SOKOLA - EDUCATION - 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.
HB 323 - B. ENNIS; SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVE VANSANT - PUBLIC SAFETY - An Act to Amend Section 1457 of Chapter 5 of Title 11 of the Delaware Code Relating to the Unlawful Possession, Use or Display of a Deadly Weapon in a Safe School and Recreation Zone.
HB 324 - ROY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders.
HB 325 - SMITH; REPRESENTATIVE EWING & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, DIPINTO, FALLON, ULBRICH, GILLIGAN, LEE, MAIER, OBERLE, PLANT, QUILLEN & SCHROEDER; SENATOR BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Drug Educational Programs.
HB 326 - DIPINTO; SENATOR MCDOWELL - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.
HB 327 - WELCH; SENATORS VENABLES, BUNTING & SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Attendance.
HB 328 - OBERLE; SENATOR MARSHALL; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, VALIHURA, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VIOLA, WEST & WILLIAMS; SENATORS MCDOWELL, BLEVINS, SOKOLA, BAIR, CONNOR, SORENSON & STILL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HA 1 to HB 180 - CAPANO - Placed with the Bill.

HA 1 to HB 310 - WELCH - Placed with the Bill.

HA 1 to HB 317 - SMITH - Placed with the Bill.

SS 1/SB 101 w/SA 1 - BLEVINS; SENATOR HENRY & REPRESENTATIVE MAIER; SENATORS BUNTING, MARSHALL, MCDOWELL, SOKOLA, VENABLES, BAIR, SIMPSON & SORENSON; REPRESENTATIVES CAPANO, DILIBERTO, B. ENNIS, GILLIGAN, KEELEY, PRICE & SPENCE - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Creating the Delaware Welfare Reform Education and Training Assistance Act.

SB 130 - MCBRIDE & REPRESENTATIVES SMITH & GILLIGAN; SENATORS ADAMS, AMICK, VENABLES & WINSLOW; REPRESENTATIVES BUCKWORTH, CAPANO, CATHCART, DIPINTO, D. ENNIS, LOFINK, OBERLE, SPENCE & VANSANT - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 25 of the Delaware Code Relating to Mechanics' Liens.

SB 133 - MCBRIDE; REPRESENTATIVES BUCKWORTH, SPENCE & VANSANT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.

SB 153 - BAIR & SENATOR BLEVINS & REPRESENTATIVE ULBRICH; SENATORS AMICK, CONNOR & SIMPSON; REPRESENTATIVES BRADY & SPENCE - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of Tattoo Parlors and Body Piercing Establishments. (3/5 bill)

HCR 23 - FALLON; SENATOR HENRY, ON BEHALF OF ALL REPRESENTATIVES, & ON BEHALF OF ALL SENATORS - HOUSE ADMINISTRATION - Memorializing the Congress of the United States to Ratify the Convention on the Elimination of Discrimination Against Women.

SB 8 w/SA 1, SA 4, SA 5, SA 6 - BLEVINS & REPRESENTATIVE MAIER; SENATORS BAIR, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, STILL & VENABLES; REPRESENTATIVES GILLIGAN, HOUGHTON, PLANT, PRICE, SCHROEDER & VANSANT; SENATORS CONNOR, SIMPSON, SORENSON & WINSLOW - APPROPRIATIONS - An Act To Amend Title 16 of the Delaware Code Regarding the Creation of the Delaware Health Fund.

SB 76 - MCDOWELL & REPRESENTATIVE STONE; SENATOR COOK & REPRESENTATIVES CAPANO & DIPINTO - APPROPRIATIONS - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax Credits.

SB 87 w/SA 1 - HENRY; REPRESENTATIVE STONE; SENATORS BLEVINS, DELUCA, MARSHALL, MCDOWELL, SHARP, SOKOLA, VENABLES, BAIR, SORENSON & WINSLOW; REPRESENTATIVES CAPANO, CLOUTIER, OBERLE, WAGNER, KEELEY, PLANT, PRICE & VIOLA - APPROPRIATIONS - An Act to Amend Title 18 of the Delaware Code Relating to Health Care Benefits and Equity Prescription Coverage.

Representative Buckworth requested that he be marked present.

Representative Wagner introduced HB 329, jointly sponsored by Representative Spence & Senator McBride & Representatives Smith, Welch, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Fallon, Lee, Lofink, Maier, Oberle, Quillen, Reynolds, Stone, Ulbrich, Valihura, Gilligan, VanSant, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, Viola & Williams & Senators Bair & Connor.

HB 329 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE EFFICIENT AND EFFECTIVE ACQUISITION AND USE OF MODERN INFORMATION AND TELECOMMUNICATION TECHNOLOGY ACT.

Mr. Acting Speaker assigned HB 329 to the Telecommunications & Electric Utility Deregulation Committee.

Representative Smith deferred to Representative Carey.

Representative Carey requested and was granted personal privilege of the floor for Barbara Frush, a Member of the Maryland House of Delegates and presented her with a House Tribute.

Representatives Williams, Caulk, Roy & Plant requested to be marked present.

Mr. Acting Speaker assigned HB 257, HB 288, HB 300, HB 1, SB 8 & SB 87 to the Appropriations Committee.

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

HOUSING & COMMUNITY AFFAIRS: HB 171 - 5F, 2M; HB 297 - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 226 - 1F, 2M; HB 283 - 5M.

REVENUE & FINANCE: HB 1 - 6F; HB 209 - 5F, 2M; HB 231 - 2F, 5M; HB 313 - 2F, 4M; SB 76 - 1F, 6M.

Mr. Acting Speaker assigned HB 1 & SB 76 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 SS 1 to SB 101 w/SA 1, SB 130, SB 133 & SB 153 and requests the concurrence of the House, HB 53 w/HA 2, HB 80, HS 1 to HB 250 w/HA 1 and is returning same to the House.

TO: Speaker Spence

FROM: Representative Quillen
DATE: June 10, 1999
RE: Absence from Session

Please excuse my absence from session on Thursday, June 10, 1999. I will be out of state on business.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative G. Robert Quillen, do hereby request that my name be removed as co-sponsor of HB 214.

Date: 6/10/99.

Signed: Robert Quillen

Representative Smith deferred to Representative Fallon.

Representative Fallon introduced and brought HCR 26, jointly sponsored by Representatives Wagner, Capano, Cloutier, Maier, Stone, Ulbrich, Keeley & Price, on behalf of All Representatives & Senators Bair, Sorenson, Blevins, Cook & Henry, on behalf of All Senators, before the House for consideration.

HCR 26 – RECOGNIZING SUNDAY, JUNE 20, 1999 AS FATHER’S DAY IN DELAWARE.

Representative Fallon made comments.

HCR 26 was adopted by voice vote and was sent to the Senate for concurrence.

Representatives West & Viola requested that they be marked present.

Representative Smith made an announcement.

Representatives Maier & Miro requested that they be marked present.

Representative Maier requested and was granted privilege of the floor for Cindy Piconis, teacher, Richardson Park Learning Center, and her students.

Representative Maier moved to suspend the rules which interfere with introduction of and action on SB 85. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier introduced and brought SB 85, jointly sponsored by Senators McBride, Blevins, DeLuca, Henry, Sokola, Amick, Bair, Bonini, Connor, Simpson, Sorenson, Still & Winslow & Representatives DiPinto, Lofink, Spence, Gilligan, Houghton, Plant & Williams, before the House for consideration.

SB 85 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF TIGER SWALLOWTAIL AS THE OFFICIAL STATE BUTTERFLY.

The roll call on SB 85 was taken and revealed:

YES: 33.

ABSENT: Representatives Brady, B. Ennis, D. Ennis, Keeley, Oberle, Price, Quillen & Reynolds – 8.

Therefore, having received a constitutional majority, SB 85 was returned to the Senate.

Representatives Schroeder & Spence requested that they be marked present during the roll call.

Representatives Spence & Maier made comments.

Representative Smith requested and was granted personal privilege of the floor for the students and teachers to announce their names for the record.

Representative Price requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:38 p.m.

The House reconvened at 4:54 p.m.

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

BUSINESS/CORPORATIONS/COMMERCE: HB 233 - 4F, 2M; SB 63 w/SA 1 - 1F, 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 85, SB 66, SB 119, SB 168 and requests the concurrence of the House, HS1/HB 100 w/HA 1 & SA 2 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, J. Benjamin Ewing, do hereby request that my name be removed as co-sponsor of HS1/HB 129.

Date: 6/10/99.

Signed: J. B. Ewing

I, Nancy Wagner, do hereby request that my name be removed as co-sponsor of HS1/HB 129.

Date: 6/10/99.

Signed: Nancy Wagner

I, Catherine Cloutier, do hereby request that my name be removed as co-sponsor of HS1/HB 129.

Date: 6/10/99.

Signed: Catherine Cloutier

I, Clifford Lee, do hereby request that my name be removed as co-sponsor of HS1/HB 129.

Date: 6/10/99.

Signed: Representative Clifford Lee

I, V. George Carey, do hereby request that my name be removed as co-sponsor of HS1/HB 129.

Date: 6/10/99.

Signed: V. George Carey

The House observed a moment of silence in memory of Brian Bushweller’s mother at the request of Representative Ewing.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 73 w/HA 1 & 4 & SA 1, jointly sponsored by Senator Sokola & Representatives Welch, Boulden, Cloutier, DiPinto, Lee, Lofink, Maier, Roy, Stone, Ulbrich, Valihura, Wagner & Keeley & Senator Sharp, before the House for concurrence on SA 1.

HB 73 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. (2/3 bill)

Representative Capano made a comment.

The roll call on HB 73 w/HA 1 & 4 & SA 1 was taken and revealed:

YES: 39.

ABSENT: Representative Oberle & Quillen – 2.

Therefore having received a constitutional majority of at least two-thirds Members of the House, HB 73 w/HA 1 & 4 & SA 1 was sent to the Governor.

Representatives D. Ennis and Reynolds requested that they be marked present during the roll call.

Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 248, jointly sponsored by Senator McBride & Representatives Cathcart, DiPinto & Valihura & Senators Amick, Bair, Connor, Simpson, Sorenson, Still & Winslow, before the House for consideration.

HB 248 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAX CREDITS. (F/N)

Representative Capano made comments.

The roll call on HB 248 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, HB 248 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 215, jointly sponsored by Senator Marshall, before the House for consideration.

HB 215 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES. (3/5 bill)

Representative Capano made comments.

The roll call on HB 215 was taken and revealed:

YES: 37.

ABSENT: Representatives Miro, Oberle, Quillen & Roy – 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 215 was sent to the Senate for concurrence.

Representative Capano moved to rescind the roll call on HB 215. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Capano moved to place HB 215 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 moved to lift HB 17 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner brought HB 17, jointly sponsored by Senator Blevins, before the House for consideration.

HB 17 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIM'S BILL OF RIGHTS. (F/N)

Representative Wagner requested that HA 1 to HB 17 be stricken.

Representative Wagner brought HA 2 to HB 17 before the House for consideration. Representative Wagner made comments. HA 2 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 17 w/HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, HB 17 w/HA 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought SCR 3, jointly sponsored by Senators Venables, Adams, Bunting, Marshall, Sokola, Still & Winslow & Representatives Cloutier, Brady, DiLiberto & West, before the House for consideration.

SCR 3 - REQUESTING THAT THE GOVERNOR, THE ATTORNEY GENERAL AND THE JOINT FINANCE COMMITTEE ADDRESS THE MATTER OF LOW COMPENSATION FOR DELAWARE'S DEPUTIES ATTORNEY GENERAL AND PROBLEMS RESULTING THEREFROM.

Representatives Wagner & DiPinto made comments.

SCR 3 was adopted by voice vote and was returned to the Senate.

Representative Welch deferred to Representative Wagner.

Representative Wagner requested and was granted personal privilege of the floor to make comments.
Representative Welch brought SB 16, jointly sponsored by Senator Marshall, before the House for consideration.

SB 16 - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO THE WORKERS' COMPENSATION FUND.

Representative Welch made comments.

The roll call on SB 16 was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Quillen & Smith – 3.

Therefore, having received a constitutional majority, SB 16 was returned to the Senate.

Representative Welch brought SB 17, jointly sponsored by Senator Marshall, before the House for consideration.

SB 17 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE ASSESSMENTS.

Representative Welch made comments.

The roll call on SB 17 was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Quillen & Smith – 3.

Therefore, having received a constitutional majority, SB 17 was returned to the Senate.

Representative Welch brought HB 178, jointly sponsored by Senator Cook & Representatives Lee, Quillen & Price & Senators Adams & Venables, before the House for consideration.

HB 178 - AN ACT TO AMEND CHAPTER 448, VOLUME 71 OF THE LAWS OF DELAWARE ENTITLED "AN ACT TO AMEND TITLE 12 AND TITLE 26 OF THE DELAWARE CODE RELATING TO COOPERATIVE ELECTRIC UTILITIES". (F/N)

Representative Welch made comments.

The roll call on HB 178 was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Quillen & Smith – 3.

Therefore, having received a constitutional majority, HB 178 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Roy.

Representative Roy brought HB 234, jointly sponsored by Senator McDowell, before the House for consideration.

HB 234 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE REGULATION OF CELLULAR TELEPHONE SERVICE.

Representative Roy made comments.

The roll call on HB 234 was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Quillen & Smith – 3.

Therefore, having received a constitutional majority, HB 234 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HS 1 to HB 242. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HS 1 to HB 242, jointly sponsored by Senator McBride, before the House for consideration.

HB 242 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPUTER RELATED OFFENSES.

Representatives Roy, Keeley, Roy, Reynolds & Roy made comments.

The roll call on HS 1 to HB 242 was taken and revealed:

YES: 36.

NOT VOTING: Representative Brady – 1.

ABSENT: Representatives B. Ennis, Oberle, Quillen & West – 4.

Therefore, having received a constitutional majority, HS 1 to HB 242 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 35, sponsored by Senator Sorenson & Representative Welch & Senators Bair, Simpson & Sokola, before the House for consideration.

SB 35 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF ENROLLMENT INFORMATION.

Representative Reynolds deferred to Representative Welch.

Representative Welch requested that HA 1 to SB 35 be stricken.

Representatives Reynolds & Wagner made comments.

The roll call on SB 35 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, SB 35 was returned to the Senate.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 46, jointly sponsored by Senator Blevins & Representatives Brady, Buckworth, Capano, Carey, Cloutier, DiLiberto, DiPinto, Ewing, Fallon, Houghton, Keeley, Miro, Plant, Ulbrich, Wagner & Williams & Senators Cook, DeLuca, Henry, Marshall, McDowell & Sokola & cosponsored by Representatives Spence, Viola & Price & Senator Sorenson, before the House for consideration.

HB 46 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE.

Representative Scott requested that HA 1 to HB 46 be stricken.

Representative Scott introduced and brought HA 2 to HB 46 before the House for consideration.

Representatives Wagner & Scott made comments. HA2 was adopted by voice vote.

Representative Scott made a comment.

The roll call on HB 46 w/HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, HB 46 w/HA2 was sent to the Senate for concurrence.

Representative Scott made comments.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 180, jointly sponsored by Senator Blevins, before the House for consideration.

HB 180 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE TOBACCO SETTLEMENT ACT OF 1999.

Representative Spence appointed Representative Welch as Acting Speaker.

Representative Capano introduced and brought HA 1 to HB 180 before the House for consideration.

Representative Capano made a comment. HA 1 was adopted by voice vote.

Representative Capano made a comment.

The roll call on HB 180 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore have received a constitutional majority, HB 180 w/HA1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 278, jointly sponsored by Senator Cook, before the House for consideration.

HB 278 – AN ACT TO AMEND TITLES 7, 16, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS.

Representative Capano made a comment.

The roll call on HB 278 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, HB 278 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 216, jointly sponsored by Senator Marshall, before the House for consideration.

HB 216 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. (3/5 bill)

Representative Capano made a comment.

The roll call on HB 216 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 216 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price brought HB 237, jointly sponsored by Representatives Cathcart, Keeley & Schroeder & Senators Venables & Winslow, before the House for consideration.

HB 237 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Representative Price made a comment.
The roll call on HB 237 was taken and revealed:
YES: 39.
ABSENT: Representatives Oberle & Quillen – 2.
Therefore, having received a constitutional majority, HB 237 was sent to the Senate for concurrence.
Representative Smith deferred to Representative Price.
Representative Price brought HB 238, jointly sponsored by Representatives Cathcart, Keeley & Schroeder & Senators Venables & Winslow, before the House for consideration.
HB 238 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS COMPENSATION.
Representative Price made a comment.
The roll call on HB 238 was taken and revealed:
YES: 38.
ABSENT: Representatives Capano, Oberle & Quillen – 3.
Therefore, having received a constitutional majority, HB 238 was sent to the Senate for concurrence.
Representative Smith deferred to Representative Carey.
Representative Carey brought HB 274, jointly sponsored by Representative Welch & Senators Simpson, Adams & Bunting, before the House for consideration.
HB 274 - AN ACT TO AMEND CHAPTER 63, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE AUCTIONS.
Representative Carey made a comment.
The roll call on HB 274 was taken and revealed:
YES: 39.
ABSENT: Representatives Oberle & Quillen – 2.
Therefore, having received a constitutional majority, HB 274 was sent to the Senate for concurrence.
Representative Smith made an announcement.
Representative Valihura requested and was granted personal privilege of the floor to introduce guests.
Representative Smith deferred to Representative Cathcart.
Mr. Speaker Spence resumed the Chair.
Representative Cathcart introduced HB 331, jointly sponsored by Representatives Spence, Boulden, Buckworth, Capano, Caulk, DiPinto, Ewing, Lee, Lofink, Maier, Quillen, Reynolds, Ulbrich, Wagner, Keeley, Plant & West & Senators Amick, Bair, Bonini, Connor, Sorenson, Winslow, Blevins & Henry.
HB 331 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PENSIONERS.
Mr. Speaker Spence assigned HB 331 to the Labor Committee.
Representative Smith deferred to Representative Capano.
Representative Capano moved to lift HB 215 from the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.
Representative Capano brought HB 215, jointly sponsored by Senator Marshall before the House for consideration.
HB 215 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES. (3/5 bill)
Representative Capano introduced and brought HA 1 to HB 215 before the House for consideration.
Representative Capano made comments. HA 1 was adopted by voice vote.
Representative Capano made comments.
The roll call on HB 215 w/HA1 was taken and revealed:
YES: 39.
ABSENT: Representatives Oberle & Quillen – 2.
Therefore, having received its constitutional requirement of at least three-fifths Members of the House, HB 215 w/HA1 was sent to the Senate for concurrence.
Mr. Speaker Spence introduced guests.
Representative Smith brought Consent Agenda A before the House for consideration.
HB 196 - OBERLE & SENATOR SOKOKA - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM.
HB 229 - SCOTT, BUCKWORTH, CAULK, B. ENNIS, EWING, KEELEY, PRICE, SPENCE, WILLIAMS; SENATOR MARSHALL - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIENS.
SB 14 - BONINI - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BRAKE FLUIDS.
SB 68 - AMICK - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO SOLEMNIZATION OF MARRIAGES.

SB 103 – WINSLOW & REPRESENTATIVE CLOUTIER – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL JURISDICTION OF JUSTICE OF THE PEACE COURTS.

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

YES: 39.

ABSENT: Representatives Oberle & Quillen – 2.

Therefore, having received a constitutional majority, HB 196 & HB 229 were sent to the Senate for concurrence and SB 14, SB 68, SB 103 were returned to the Senate.

Representative Smith made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought HCR 27, jointly sponsored by Senator Still, before the House for consideration.

HCR 27 – URGING THE DELAWARE MERIT EMPLOYEE RELATIONS BOARD AND THE DELAWARE DEPARTMENT OF TRANSPORTATION TO ENSURE THAT THE EMPLOYEE GRIEVANCE PROCEDURE OPERATES IN A MORE USER FRIENDLY, EFFICIENT AND TIMELY MANNER.

Representative Wagner made comments.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on HCR 27. The motion was seconded by Representative Welch and adopted by voice vote.

HCR 27 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Reynolds made a comment.

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

Representative Smith requested that HJR 3 be stricken.

Representatives Smith & Ulbrich made announcements.

Representative Maier made a comment.

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

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

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

HOUSING & COMMUNITY AFFAIRS: HB 315 - 1F, 7M.

LABOR: HB 269 - 1F, 5M.

BUSINESS/CORPORATIONS/COMMERCE: HB 233 - 4F, 2M.

Mr. Speaker Spence reassigned HB 325 to the Substance Abuse Committee.

The Majority Leader moved to recess to the call of the Chair at 6:43 p.m.

Mr. Speaker Spence called the House to order at 2:08 p.m. on June 15, 1999.

Mr. Speaker Spence assigned HB 270 to the Appropriations Committee.

Representative Quillen made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 18 w/SA 1, 3, 5, & 7, SB 150 & SB 159 w/SA 1 and requests the concurrence of the House, HB 183 w/HA 1 & SA 1 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator David McBride, do hereby request that my name be removed as co-sponsor of HB 331.

Date: 6/10/99.

Signed: David McBride

June 10, 1999

TO: Speaker Terry R. Spence

FROM: Representative Donna D. Stone

SUBJECT: Absence from Session

I will be absent from session on Tuesday, Wednesday, and Thursday. June 15, 16 and 17, 1999.

June 10, 1999

LEGISLATIVE ADVISORY # 20

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 124 aab HA 1 & HA 2 & SB 85 - 6/10/99

Representative Smith introduced HB 339, jointly sponsored by Representative Gilligan & Senator Bair & Senator Sokola & Senator Venables.

HB 339 – AN ACT CREATING THE GEORGE WASHINGTON MEMORIAL SCHOLARSHIP FUND.

Mr. Speaker Spence assigned HB 339 to the House Administration Committee.

Representative Smith made an announcement.

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.

36th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 15, 1999

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Stone – 1.

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

JERRY CLIFTON, NEWARK CITY COUNCILMAN, 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 330 - VIOLA; REPRESENTATIVES ROY & VALIHURA - TRANSPORTATION - An Act to Amend Title 25 of the Delaware Code Relating to Contracts for the Purchase of Real Property.

HB 333 - WELCH - PUBLIC SAFETY - An Act to Amend Title 16 of the Delaware Code Relating to State Fire Marshall Duties and Powers.

HB 334 - SCHROEDER; REPRESENTATIVE PRICE & SENATOR BUNTING & SENATOR SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax.

HB 335 - CAULK; SENATOR ADAMS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxation of Construction Transportation Contractors. (3/5 bill)

HB 337 - WELCH; REPRESENTATIVE VIOLA - LABOR - An Act to Amend Title 6 of the Delaware Code Relating to Building Construction Payments.

HB 338 - WELCH & SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Certain Births.

HA 1 to HB 276 - BUCKWORTH - Placed with the Bill.

SB 18 w/SA 1, 3, 5 & 7 - MCDOWELL; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, SHARP, SOKOLA, VAUGHN & VENABLES; REPRESENTATIVES CATHCART, D. ENNIS, FALLON, MAIER, MIRO, SPENCE, STONE, WAGNER, DILIBERTO, GILLIGAN, HOUGHTON, KEELEY, PRICE, SCHROEDER & WEST - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education. (F/N)

SB 66 - VAUGHN; SENATORS STILL, BAIR, SIMPSON, SORENSON & WINSLOW; REPRESENTATIVES STONE, VANSANT & WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Minimum Limits of Automobile Liability Insurance and the Minimum Amounts Required by Delaware's Financial Responsibility Law.

SB 119 - VENABLES; SENATOR BUNTING; REPRESENTATIVES EWING & WEST - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Prevailing Wage Requirements.

SB 150 - DELUCA & SENATOR BLEVINS; SENATORS BUNTING, SOKOLA & STILL; REPRESENTATIVES ULBRICH, KEELEY & PRICE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Worker's Compensation.

SB 159 w/SA 1 - DELUCA & REPRESENTATIVE WAGNER; SENATORS BONINI, SOKOLA, BLEVINS, MCDOWELL, HENRY, SORENSON, ADAMS, BAIR, COOK, BUNTING, MARSHALL, SHARP, VAUGHN, VENABLES & WINSLOW; REPRESENTATIVES CAPANO, SPENCE, WELCH, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCOTT & VIOLA - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Regarding the Expungement of Arrest Records.

SB 168 - BUNTING - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres" to Correct Certain Typographical and Numbering Errors. (2/3 bill)

The House observed a moment of silence in memory of Richard Weigel at the request of Representative Wagner and Secretary of Public Safety Brian Bushweller's mother at the request of Representative Spence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: June 15, 1999

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>
H140-745	Buckworth	8/1/1999	T	Elizabeth Degano/Retirement/25 Years/Caesar Rodney

H140-746	Buckworth	11/1/1998	T	Ruth Bryant/Retirement/15 Years/Caesar Rodney
H140-747	Buckworth	10/1/1998	T	Lawrence Craig/Retirement/31 Years/Caesar Rodney
H140-748	Welch	3/1/1999	T	Ulysses Sammons/Retirement/29 Years/Caesar Rodney
	cosponsor: Buckworth			School District
H140-749	Stone	6/30/1999	T	Lawrence Hinkle/Retirement/32 Years/Caesar Rodney
	cosponsor: Buckworth			School District
H140-750	Caulk	6/30/1999	T	Peggy Bundek/Retirement/30 Years/Caesar
	cosponsor: Buckworth			Rodney School District
H140-751	Buckworth	6/30/1999	T	Mary Kaczka/Retirement/30 Years/Caesar
				Rodney School District
H140-752	Buckworth	6/30/1999	T	Joanna Simms/Retirement/22 Years/Caesar Rodney
H140-753	Buckworth	6/30/1999	T	Shirley Kruppa/Retirement/30 Years/Caesar Rodney
H140-754	Brady	6/9/1999	T	Claymont High School/Class of 1949/50th Anniversary
H140-755	Wagner	6/30/1999	T	Kenneth Edwards/Retirement/27
	cosponsor: Buckworth			Years/Caesar Rodney School District
H140-756	Wagner	6/30/1999	T	Ruby Coppadge/Retirement/34
	cosponsor: Buckworth			Years/Caesar Rodney School District
H140-757	Stone	6/30/1999	T	Judith Aylward/Retirement/28 Years/Caesar
	cosponsor: Buckworth			Rodney School District
H140-758	Keeley	6/12/1999	T	James Keeley/70th Birthday
H140-759	Fallon	6/10/1999	T	The Cunningham Family/Additions to
				Family/Stephanie, Kristen & Michael Dun
H140-760	Fallon	6/15/1999	T	Reverend Richard Stazesky/Retirement/
	cosponsor: Ewing			United Methodist Homes, Inc.
H140-761	Wagner	6/19/1999	T	John Kennedy & Emi Suzuki/Marriage
H140-762	Wagner	6/27/1999	T	Lisa Wolfe & Bruce Solov/Marriage
H140-763	Wagner	6/12/1999	T	Elizabeth Jackson & Thad Jones/Marriage
H140-764	Schroeder	5/21/1999	T	Florence & Raymond Stanley/50th Wedding
				Anniversary
H140-765	Buckworth	6/9/1999	T	Kimberly Ogden/Caesar Rodney Softball/First Team
				All-State
H140-766	Buckworth	6/9/1999	T	Jeff Savage/Henlopen Conference Softball Coach of
				the Year
H140-767	Oberle	6/9/1999	M	Dale L. Wingo, Sr.
H140-768	Carey	6/10/1999	T	Honorable Barbara Frush/Maryland House/Visit

HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: June 15, 1999

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
H140-769	Oberle	6/10/1999	T	Krystle Eacho/Testimony in Support of HB 88/Seat
	cosponsors: Spence & Welch			
H140-770	Viola	6/10/1999	T	John Matthias/Nominee/National Science
				Foundation Presidential Award/Elementary Math
H140-771	Mulrooney	6/10/1999	T	Kathleen McAneny/Nominee/National
				Science Foundation Presidential Award/Secondary Math
H140-772	DiPinto	7/10/1999	T	Nick Bayard/Eagle Scout
H140-773	DiPinto	6/5/1999	T	Matthew McDermott/Eagle Scout
H140-774	DiLiberto	7/18/1999	T	Daniel Criel/Eagle Scout
H140-775	Fallon	7/16/1999	T	Lorraine Kouts/Retirement/23 Years/Seaford Chamber
				of Commerce
H140-776	Stone	6/10/1999	T	Christine Meade/Retirement/31 Years/Delaware
	cosponsor: Wagner			State University
H140-777	Maier	6/12/1999	T	Elizabeth & John Pollinger, Sr./50th Wedding
				Anniversary
H140-778	Maier	6/10/1999	T	St. Mark's Baseball Team/State Champions
	cosponsors: Gilligan, Keeley, Ulbrich & Williams			
H140-779	Maier	6/10/1999	T	St. Mark's Girls Lacrosse Team/State Champions
	cosponsors: Gilligan, Keeley, Ulbrich & Williams			
H140-780	Lofink	6/5/1999	T	Cookie Homiak/Statistician/Caravel Softball/State
				Champions

H140-781	Lofink	6/5/1999	T	Jeff Campbell/Assistant Coach/Caravel Softball/State Champions
H140-782	Lofink	6/5/1999	T	Mike Salony/Assistant Coach/Caravel Softball/State Champions
H140-783	Lofink	6/5/1999	T	Charlie Marioni/Assistant Coach/Caravel Softball/State Champions
H140-784	Lofink	6/5/1999	T	Steve Baker/Coach/Caravel Softball/State Champions
H140-785	Lofink	6/5/1999	T	Christen Steward/Caravel Softball Team/State Champions
H140-786	Lofink	6/5/1999	T	Lindsay Long/Caravel Softball Team/State Champions
H140-787	Lofink	6/5/1999	T	Alexis Niggebrugge/Caravel Softball Team/State Champions
H140-788	Lofink	6/5/1999	T	Emily Irish/Caravel Softball Team/State Champions
H140-789	Lofink	6/5/1999	T	Jackie Homiak/Caravel Softball Team/State Champions

T- Tribute

M -Memoriam

Representative Williams requested that he be marked present.

Mr. Speaker Spence introduced and granted privilege of the floor to George Wright representing the League of Local Governments, Donald H. Mulrine, Jr., Lynn R. Bullock, representing Sussex County Association of Towns and Harold A. Peterman representing Kent County Levy Court, who presented Resolutions to the House.

Representatives Spence, Smith, Gilligan, Ulbrich, Plant & Smith made comments.

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

Representatives Price & Wagner made comments.

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

Mr. Speaker Spence requested that each Mayor announce his/her name for the record.

Representatives DiPinto, Maier, Miro, Lofink & B. Ennis requested that they be marked present.

Representative Ewing introduced HB 341, jointly sponsored by Senator Adams & Representatives Cathcart, Roy & Schroeder & Senator Winslow.

HB 341 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING PENSIONS FOR MEMBERS OF STATE JUDICIARY.

Mr. Speaker Spence assigned HB 341 to the Judiciary Committee.

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

Mr. Speaker Spence granted privilege of the floor to the Girls' State Speaker of the House.

The Majority Leader moved to recess for caucus at 2:48 p.m.

The House reconvened at 5:12 p.m. with Representative Quillen as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 75, SB 125, SB 126 w/SA 1, SB 128, SB 147, SB 148 & SB 149 and requests the concurrence of the House, HB 124 w/HA 1 & HCR 7 and is returning same to the House.

June 15, 1999

LEGISLATIVE ADVISORY # 21

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 54 aab HA1, HB 89, HB 15 aab HA1, HB 96, HB 165, HB 104 aab HA 1, HB 143 aab HA 1 & 2, HB 79, HB 80, SB 56, SB 116, SB 41 aab SA 1, SB 40, SB 39 & SB 67 – 6/14/99.

Representative Schroeder requested that he be marked present.

Representative Smith deferred to Representative Plant.

Representative Plant brought HB 206, jointly sponsored by Senator Henry & cosponsored by Representatives Welch, Williams, Lee, Schroeder, Valihura, Brady, DiPinto, Cloutier, Caulk, Carey, VanSant, Scott, Ulbrich, B. Ennis, Keeley, Price, Mulrooney & Buckworth, before the House for consideration.

HB 206 - AN ACT TO AMEND CHAPTER 41, TITLE 14 OF THE DELAWARE CODE RELATING TO NONSECTARIAN, NONPROSELYTIZING, STUDENT-INITIATED VOLUNTARY PRAYER ON PUBLIC SCHOOL PROPERTY, OTHER PUBLIC PROPERTY OR OTHER PROPERTY AT SCHOOL-RELATED ACTIVITIES, INCLUDING STUDENT SPORTING EVENTS, GRADUATION OR COMMENCEMENT CEREMONIES AND OTHER STUDENT ASSEMBLIES AND EVENTS.

Representative Plant made comments.

Representative Plant requested and was granted privilege of the floor for Reverend Lawrence W. Wright, Pastor, Mount Olive Baptist Church.

Representative Plant requested and was granted privilege of the floor for Koy Stewart, Executive Director, New Life Ministries.

Representative Plant requested and was granted privilege of the floor for Elder Louis McDuffy Jr., Pastor, Hillside Church of Christ.

The following communication was read into the record at the request of Representative Plant
CHRISTIAN FAITH AND MORALITY SHOULD BE ENCOURAGED, NOT CENSORED

By Representative Al O. Plant

“Public prayer in public schools violates the constitutional separation of church and state.”

“Government must remain neutral toward religion, promoting neither any particular one nor religion itself.”

“HB 206 imposes prayer on others.”

“HB 206 would subject students to Satan worship and pagan rituals.”

“HB 206 would authorize disruptive behavior in class.”

Such statements, and similar others, reveal a basic misunderstanding of the First Amendment to the United States Constitution and the provisions of House Bill 206. Despite what some have said, religious speech is presently censored in public schools in Delaware and across the nation. House Bill 206 does not impose an obligation to pray upon anyone, neither does it violate the Establishment Clause (the provision of the First Amendment from which the phrase “separation of church and state” is derived, although such language does not appear anywhere in the Constitution). It is important to remember that the First Amendment guarantees freedom of religion, not freedom from religion. Instead, HB 206 protects the right to freely exercise one’s religion and the right of free speech expressly guaranteed to all citizens, including public school students, under the First Amendment.

A HISTORY LESSON

During his farewell address in September 1796, President George Washington stated “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.” It is not by accident that America has become a great nation. It is because we were willing to embrace Christian principals publicly. John Quincy Adams described the Declaration of Independence as the cornerstone of government, laid on the precepts of Christianity. Our state and federal constitutions, public buildings and currency bear references to God. It was even a common practice for public buildings to be used as churches in the early days of our nation. In an entry to his diary dated October 30, 1803, John Quincy Adams wrote “Attended public service at the Capitol where Mr. Ratoon, an Episcopalian clergyman from Baltimore preached a sermon. Religious services are usually performed on Sundays at the Treasury Office and the Capitol. I went both forenoon and afternoon to the Treasury.” In the original Supreme Court, jurors did not begin their work until a minister came into the chambers and prayed for the Court, for the jurors, and for their deliberations. Our founding fathers never saw this as a problem, as they never envisioned the hostility that we see today toward religion, nor any exclusion of religion or faith from public life. Any suggestion that the Constitution requires the maintenance of a secular, religion free government or public society is clearly erroneous.

A NATIONAL DECLINE OF MORALITY

The social and economic consequences caused by the decline in morality following the censorship of religion in public schools is astounding. Since school prayer and bible reading were banned in 1963, teenage pregnancies have increased more than 400%, and the United States now has the highest incidence of teenage motherhood of any Western country. By 1970, the percentage of out of wedlock births to teens climbed to 29%, and had skyrocketed to 69% by 1988. About 50% of all teen mothers go on welfare within one year following the birth of their first child, and 77% join the welfare roles within five years. Of those families headed by a mother age 14 to 25, two-thirds live below the poverty level.

Since we no longer teach internal restraint, we are forced to pursue external restraints in the form of prison construction. I am told that the present multimillion-dollar prison expansion project that we are currently undertaking in Delaware will be insufficient to meet the demand when it is completed. In the period from 1965 through 1992, overall crimes increased nationally by 350% among thirteen and fourteen year old girls; by 449% among fifteen year old girls; by 520% among sixteen year old girls; and by 572% among seventeen year old girls.

We all know that an environment where disrespect, immorality and violence prevails is not conducive to effective learning, which is evidenced by the drop in national SAT scores from an average of 970 in 1963 to an average of just more than 900 in 1994. (The test was changed in 1995, making more recent direct comparison impossible).

A CALL TO ACTION

In his farewell address, George Washington advised us to “indulge with caution the supposition that morality may be maintained without religion”, and it was Abraham Lincoln who warned us that the only thing necessary for evil to triumph is for good people to do nothing. Jesus Christ said we are salt and light. Salt to preserve and light so that the truth of the gospel may be seen by all. Likewise, I call upon all people

of good conscience who are concerned about the moral and spiritual decline of our society to voice your support for HB 206.

Representatives Capano, Plant, Caulk, Plant, Ewing, Spence & Smith made comments.

Representative Reynolds requested that he be marked present.

Representative Plant deferred to Representative Scott.

Representative Scott made comments.

The roll call on HB 206 was taken and revealed:

YES: 40.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority, HB 206 was sent to the Senate for concurrence.

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

Representative Gilligan requested and was granted personal privilege of the floor to make comments regarding HB 341.

Representatives Ewing, Oberle & Smith made comments regarding HB 341.

Representative Plant requested and was granted personal privilege of the floor to make comments regarding HB 206.

Representative Smith made comments regarding HB 206.

Representative Smith made an announcement.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 134, jointly sponsored by Senator Blevins & Representative Maier, before the House for consideration.

HB 134 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (3/5 bill)

Representative Oberle deferred to Representative Ulbrich.

Representative Ulbrich brought HA 1 to HB 134, before the House for consideration.

Representative Ulbrich moved to place HA 1 to HB 134 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich moved to lift HA 1 to HB 134 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich introduced and brought HA 1 to HA 1 to HB 134, before the House for consideration. Representative Ulbrich made a comment. HA 1 to HA 1 was adopted by voice vote.

Representative Ulbrich made a comment. HA 1 w/HA 1 was adopted by voice vote.

The roll call on HB 134 w/HA 1 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Lofink, Stone & Welch – 4.

Therefore, having received a constitutional majority, HB 134 w/HA 1w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 99 w/SA 1, sponsored by Senators Sorenson, Blevins, Bair, Henry, Simpson, Sokola & Winslow & Representatives Buckworth, Keeley, Maier, Quillen & Valihura, before the House for consideration.

SB 99 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS. (2/3 bill)

The roll call on SB 99 w/SA 1 was taken and revealed:

Representative Capano made a comment.

YES: 38.

ABSENT: Representatives Fallon, Scott & Stone – 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 99 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought HB 160, jointly sponsored by Representatives Schroeder, Brady, B. Ennis, Lofink, Miro, Price, Spence & Viola & Senators Bair, Bunting, Sorenson & Still, before the House for consideration.

HB 160 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING COORDINATION.

Representative Cathcart made comments.

The roll call on HB 160 was taken and revealed:

YES: 36.

NOT VOTING: Representatives Oberle & Boulden – 2.

ABSENT: Representatives Fallon, Stone & Viola – 3.

Therefore, having received a constitutional majority, HB 160 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 203, jointly sponsored by Representatives Spence, Lee, Buckworth, Cathcart, Wagner & Gilligan & Senators McDowell, Sokola & Bonini, before the House for consideration.

HB 203 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION. (F/N)

Representative Welch made comments.

The roll call on HB 203 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Stone – 2.

Therefore, having received a constitutional majority, HB 203 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 236, jointly sponsored by Representatives Spence, Capano, Maier, B. Ennis, West, Buckworth, Carey, Stone, Price & West & Senators McDowell, Sokola & Venables, before the House for consideration.

HB 236 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIREMENT OF INSURANCE FOR MOTOR VEHICLES AND PENALTIES.

Representative Welch moved to place HB 236 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

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

GAMING & PARIMUTUELS: HB 296 - 5F.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 21, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators Henry, McDowell & Connor, before the House for consideration.

SB 21 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES. (2/3 bill)

Representative Maier made a comment.

The roll call on SB 21 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Stone – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 21 was returned to the Senate.

Representative Smith brought HB 262, jointly sponsored by Representatives Brady, Capano, Ewing, Gilligan & Valihura & cosponsored by Representatives Cloutier & VanSant, before the House for consideration.

HB 262 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF SCHOOL TEACHERS AND SCHOOL ADMINISTRATORS TO CONTROL THE DISRUPTIVE BEHAVIOR OF STUDENTS AND TO DISCIPLINE OR PUNISH STUDENTS.

Representatives Smith, Ulbrich, Buckworth, Keeley, Smith, Reynolds, Gilligan, Miro & Smith made comments.

The roll call on HB 262 was taken and revealed:

YES: 37.

NOT VOTING: Representative Keeley – 1.

ABSENT: Representatives Fallon, Scott & Stone – 3.

Therefore, having received a constitutional majority, HB 262 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on HB 328. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HB 328, jointly sponsored by Senator Marshall & All Representatives & Senators McDowell, Blevins, Sokola, Bair, Connor, Sorenson & Still, before the House for consideration.

HB 328 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Representative Oberle made comments.

The roll call on HB 328 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Stone – 2.

Therefore, having received a constitutional majority, HB 328 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that action on HJR 10 be deferred to a Day Certain, Thursday, June 17, 1999.

Mr. Acting Speaker Quillen appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought SB 170, jointly sponsored by Representative Spence & Senators Adams, Amick, Bair, Connor, Cook, Henry, McBride, McDowell, Sharp, Simpson, Sokola, Still, Vaughn & Venables & Representatives Boulden, Buckworth, Capano, Carey, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Maier, Oberle, Quillen, Roy, Schroeder, Scott, Smith, Stone, Valihura, VanSant, Wagner & West, before the House for consideration.

SB 170 - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE RELATING TO PILOTS LICENSES.

Representative Quillen made a comment.

The roll call on SB 170 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Stone – 2.

Therefore, having received a constitutional majority, SB 170 was returned to the Senate.

Representative Capano made a comment.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested that action on HB 218 be deferred to a Day Certain, Thursday, June 17, 1999.

Representatives Reynolds, Wagner, Ulbrich & Maier made announcements.

Representative Maier requested that HB 146 & HB 320 be stricken.

Representative Boulden made an announcement.

Representative Miro introduced HB 345, jointly sponsored by Representative Maier & Senator Sokola.

HB 345 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VIDEO LOTTERIES.

Mr. Acting Speaker assigned HB 345 to the Business/Corporations/Commerce Committee.

The Majority Leader moved to recess to the call of the Chair at 6:43 p.m.

Mr. Acting Speaker Roy called the House to order at 2:30 p.m. on June 16, 1999.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 37, SB 162, SS1 to SB 117, SB 134, SB 158, SB 167, SB 169, SB 179 & SB 180 and requests the concurrence of the House.

Representative Quillen made an announcement.

Representative Quillen introduced HB 348, jointly sponsored by Representatives DiPinto, Fallon, Lee & Schroeder.

HB 348 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Mr. Acting Speaker assigned HB 348 to the Natural Resources and Environmental Management Committee.

Representative Miro introduced HB 346, jointly sponsored by Representative Quillen & Senator Adams & Representatives Buckworth, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Fallon, Lee, Maier, Reynolds, Ulbrich, B. Ennis, Houghton, Mulrooney, Plant, Scott, VanSant & Williams.

HB 346 – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS.

Mr. Acting Speaker assigned HB 346 to the Natural Resources and Environmental Management Committee.

Representative Quillen made an announcement.

Representative Gilligan introduced guests.

Representative Wagner introduced HB 349, jointly sponsored by Senator Bunting.

HB 349 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DUTIES OF OFFICER HAVING A CHILD IN CUSTODY.

Mr. Acting Speaker assigned HB 349 to the Judiciary Committee.

Representative DiLiberto made an announcement.

Representatives Wagner & Capano requested and were granted personal privilege of the floor to make announcements.

Representatives Spence & Gilligan requested and were granted privilege of the floor to introduce guests.

The Majority Leader moved to adjourn at 2:40 p.m., thereby ending the current legislative day. The House reconvened at 2:41 p.m.

37th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 16, 1999

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lofink & Stone – 2.

Mr. Speaker Spence resumed the Chair.

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:

HS 1 to HB 207 - CAPANO & REPRESENTATIVE VALIHURA; SENATOR BLEVINS -

JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Definition of Neglect of a Child.

HB 336 - STONE - PUBLIC SAFETY - An Act Amending Chapter 41, Title 21 of the Delaware Code Relating to Parking Controls.

HB 340 - WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicle Fines Payable by Mail.

HB 342 - BUCKWORTH; REPRESENTATIVES ULBRICH & SCHROEDER; SENATORS BUNTING, SOKOLA & SIMPSON - EDUCATION - An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to School Secretaries.

HB 343 - BUCKWORTH; REPRESENTATIVES REYNOLDS & SCHROEDER; SENATORS BUNTING & SOKOLA - EDUCATION - An Act to Amend Chapter 13, Title 14 of the Delaware Code, Relating to the Employment of Assistant Principals in Schools.

HB 344 - BOULDEN; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, CATHCART, CAULK, CLOUTIER, FALLON, LEE, MAIER, MIRO, REYNOLDS, ULBRICH & VALIHURA - TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION - An Act to Amend Title 26 of the Delaware Code Relating to Caller Identification Service and Telemarketing.

HA 1 to HB 252 - OBERLE - Placed with the Bill.

HA 1 to HB 257 - SMITH - Placed with the Bill.

HA 1 to HB 301 - SCHROEDER - Placed with the Bill.

HA 2 to HB 310 - WELCH - Placed with the Bill.

SB 37 - SHARP; SENATORS SOKOLA & WINSLOW; REPRESENTATIVES OBERLE & WAGNER - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to the Court Approval of Tort Settlements for Minors or Incompetents.

SB 75 - MCBRIDE; REPRESENTATIVE ROY - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Refunds of Tax Paid by Importers or Wholesalers. (F/N)

SS 1 to SB 117 - BLEVINS; REPRESENTATIVE MAIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Board of Nursing.

SB 125 - MARSHALL; REPRESENTATIVE OBERLE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Deductions for Education Expenses. (F/N)

SB 126 w/SA 1 - BUNTING; REPRESENTATIVE CAULK - AGRICULTURE - An Act to Amend Title 7 and Title 3 of the Delaware Code Relating to Forestry. (3/4 bill)

SB 128 - MARSHALL; REPRESENTATIVE CAPANO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Manufacturers. (F/N)

SB 134 - MARSHALL; SENATORS BLEVINS, BUNTING, DELUCA, HENRY, MCBRIDE, MCDOWELL, SOKOLA & VENABLES; REPRESENTATIVES OBERLE, SPENCE, WELCH, KEELEY & SCOTT - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax. (F/N)

SB 147 - COOK; REPRESENTATIVE CAPANO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

SB 148 - COOK; REPRESENTATIVE CAPANO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes. (3/5 bill)

SB 149 - COOK; REPRESENTATIVE CAPANO - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Mailing of Personal Income Tax Returns.

SB 158 - SHARP - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Formal Communications with Teachers.

SB 162 - DELUCA & REPRESENTATIVE BOULDEN; SENATORS SOKOLA, COOK, WINSLOW & HENRY; REPRESENTATIVES BRADY & VALIHURA - TRANSPORTATION - An Act to Amend Title 29, Delaware Code, Relating to the Department of Transportation and Transportation Priority Planning.

SB 167 - ADAMS & REPRESENTATIVE WAGNER; SENATORS VENABLES & AMICK; REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Probation Before Judgment. (2/3 bill)

SB 169 - ADAMS - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to the Motor Vehicle Sales Finance Act.

SB 179 - ADAMS; SENATORS SHARP, VAUGHN & BAIR; REPRESENTATIVES BUCKWORTH, EWING & SPENCE - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Regarding Indemnification of Parties Pursuant to a Police Mutual Aid Agreement.

SB 180 - ADAMS; SENATORS SHARP, VAUGHN & BAIR; REPRESENTATIVES BUCKWORTH, EWING & SPENCE - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Regarding State Police Request for Assistance from Other Delaware Police Agencies.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced HB 351, jointly sponsored by Senator Bunting.

HB 351 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SALARIES AND WORKING CONDITIONS OF SCHOOL EMPLOYEES.

Mr. Speaker Spence assigned HB 351 to the Education Committee.

Representative Spence introduced guests.

Representative Williams requested that he be marked present.

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

HB 186 – PRICE & SENATOR BUNTING – 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.” (2/3 bill)

HB 253 – PRICE & SENATOR BUNTING– An Act to Amend Chapter 302, Volume 49, Laws of Delaware, as Amended, Relating to the Town of Fenwick Island. (2/3 bill)

SB 88 w/SA 1 & 2 – CONNOR & REPRESENTATIVE MULROONEY – An Act to Amend Chapter 216, Volume 27 Laws of Delaware Entitled “An Act Amending, Revisiting and Consolidating the Charter of the City of New Castle,” by Amending its Charter to Provide Authority to Provide Additional Services (as defined) and Specifying its Powers Consistent with Those Authorized by Title 22, Section 802 of the Delaware Code. (2/3 bill)

SB 92 w/SA 1 – CONNOR & REPRESENTATIVE MULROONEY – An Act to Amend Chapter 121, Volume 32, Laws of Delaware, as Amended, Entitled, “An Act to Establish a Board of Water and Light Commissioners for the City of New Castle” Relating to the Designation of the Board of Water and Light Commissioners as the Municipal Services Commissions, and the Authority of the Municipal Service Commission. (2/3 bill)

SB 95 – BUNTING & REPRESENTATIVE WEST – An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled “An Act to Reincorporate the Town of Millsboro”, to Correct an Error and to Clarify by Adding Authorization to Collect Penalties and Interest on Delinquent Taxes. (2/3 bill)

HB 186, SB 88 w/SA 1 & 2 & SB 92 w/SA 1 were removed from Consent Agenda B at the request of Representative Smith.

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

YES: 38.

ABSENT: Representatives Boulden, Lofink & Stone – 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 253 was sent to the Senate for concurrence and SB 95 was returned to the Senate.

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

Representative Smith deferred to Representative Price.

Representative Price brought HB 186, jointly sponsored by Senator Bunting, before the House for consideration.

HB 186 - 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.” (2/3 bill)

Representative Price introduced and brought HA 1 to HB 186 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 186 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Lofink & Stone – 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 186 w/HA 1 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda C before the House for consideration.

HJR 9 – ULBRICH & REPRESENTATIVE SPENCE & REPRESENTATIVE CATHCART & SENATOR SORENSON; REPRESENTATIVES BOULDEN, CLOUTIER, MAIER, MIRO, MULROONEY, OBERLE, PRICE, REYNOLDS, SCHROEDER, VIOLA – Pledging the House and Senate Members' Commitment to Character by Recognizing Delaware to be a State of Character and Urging the Citizens and Civic and Community Leaders of Delaware to Promote Character in Schools, Businesses, Homes, Churches, and Other Places.

HB 171 – CAPANO & SENATORS BLEVINS & WINSLOW – An Act to Amend Title 25 of the Delaware Code Relating to Mortgages on Real Estate.

HB 233 – PRICE & SENATOR DELUCA & REPRESENTATIVE KEELEY - An Act to Amend Title 4 of the Delaware Code Related to Substantive Changes in Licenses or the Premises to Which They Apply.

HB 269 – WELCH & SENATOR SHARP; REPRESENTATIVES SPENCE, BOULDEN, BUCKWORTH, CATHCART, CAULK, CLOUTIER, DIPINTO, FALLON, LOFINK, REYNOLDS, STONE, WAGNER, DILIBERTO, KEELEY & PLANT; SENATORS CONNOR & WINSLOW – An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police/Firefighter Pension Plan.

HB 297- SCHROEDER; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, B. ENNIS, EWING, FALLON, LEE, QUILLEN, STONE, WAGNER, WELCH, WEST; SENATORS ADAMS, BUNTING, COOK, SIMPSON, VENABLES – An Act to Amend Title 25 of the Delaware Code Relating to Recording Satisfaction of Mortgages.

SB 82 – SHARP & REPRESENTATIVE SPENCE; SENATORS ADAMS, AMICK, BAIR, VAUGHN; REPRESENTATIVES GILLIGAN, SMITH, VANSANT, WELCH – An Act to Amend Chapters 11 and 101, Title 29, Delaware Code, Relating to the Register of Regulations and Proposed and Promulgated Regulations.

SB 114 – SHARP & REPRESENTATIVE WAGNER – An Act to Amend Title 29 of the Delaware Code Relating to Notaries Public.

HB 290 – SPENCE & REPRESENTATIVE EWING & REPRESENTATIVE OBERLE & SENATOR SHARP; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DILIBERTO, D. ENNIS, GILLIGAN, KEELEY, LEE, LOFINK, MULROONEY, PLANT, PRICE, QUILLEN, ROY, SMITH, WAGNER, WELCH, WILLIAMS – An Act to Amend Title 11 and Title 16 of the Delaware Code Relating to Officers or Agents of the Office of Narcotics and Dangerous Drugs.

SB 74 – BLEVINS & REPRESENTATIVE DIPINTO; SENATORS ADAMS, BONINI, CONNOR, COOK, HENRY, MARSHALL, SIMPSON, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, FALLON, GILLIGAN, HOUGHTON, MAIER, PRICE, QUILLEN, ROY, SCHROEDER, WAGNER – An Act to Amend Title 16 of the Delaware Code Relating to Health Planning and Resources Management.

SB 47 w/SA 1 – MARSHALL & SENATORS DELUCA, MCBRIDE, SHARP; REPRESENTATIVE OBERLE – An Act to Amend Title 19 of the Delaware Code Relating to Mileage Reimbursement for Employees.

HB 13 – OBERLE & SENATOR ADAMS – An Act to Amend Title 28, Delaware Code, Relating to the Delaware Standardbred Development Fund.

HB 233 was removed from Consent Agenda C at the request of Representative Smith.

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

YES: 38.

ABSENT: Representatives Boulden, Lofink & Stone – 3.

Therefore, having received a constitutional majority, HB 13, HB 290, HB 171, HB 269, HB 297 & HJR 9 were sent to the Senate for concurrence and SB 82, SB 47 w/SA 1, SB 74 & SB 114 were returned to the Senate.

Representative Buckworth made an announcement.

Mr. Speaker Spence reassigned HB 345 to Gaming & Pari-mutuels Committee.

The Reading Clerk read the following communication into the record:

TO: Terry R. Spence, Speaker of the House
FROM: Vincent A. Lofink
DATE: June 16, 1999
RE: Absence from Session

Please excuse me from session today, June 16, 1999 due to sickness.

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

The Majority Leader moved to recess for committee meetings at 3:00 p.m.

The House reconvened at 4:30 p.m.

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

CAPITAL INFRASTRUCTURE: HB 239 - 2F, 2M; HB 267 - 1F, 3M.

HOUSE ADMINISTRATION: HB 225 - 1F, 3M; HB 227 - 1F, 3M; HB 277 - 1F, 3M; HB 317 - 1F, 3M; HB 339 - 1F, 3M; SB 69 - 1F, 3M; SB 78 - 1F, 3M; SB 93 w/SA 1 - 1F, 3M; SB 108 - 1F, 3M; SB 168 - 4M.

JUDICIARY: HB 301 - 8M; HB 314 - 5M; HB 324 - 5M.

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

HR 30 – PRICE & REPRESENTATIVE SCHROEDER & SENATOR BUNTING - Establishing a Working Committee Comprised of Representatives of Sussex County, the Office of State Planning Coordination, the Department of Natural Resources and Environmental Control, the Department of Agriculture, the Sussex County Association of Towns and the Center for the Inland Bays with the Purpose of 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.

HR 31 – WELCH – Reorganizing the Child Protection Review Task Force as Re-Established by House Resolution No. 3 of the 140th General Assembly.

HCR 25 – BRADY – Extending the Date for the Task Force Investigating the Financing Need for Those Libraries not Funded Sufficiently Established by House Concurrent Resolution No. 37 to Report Its Findings.

HCR 28 – STONE & SENATOR STILL; REPRESENTATIVES BUCKWORTH, CAULK, B. ENNIS, QUILLEN, WAGNER, WELCH; SENATORS BONINI, COOK, SIMPSON, VAUGHN – Commemorating the 80th Anniversary of the Central Delaware Chamber of Commerce.

Consent Calendar #9 was adopted by voice vote and HCR 25 & HCR 28 were sent to the Senate for concurrence.

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

Mr. Speaker Spence called the House to order at 2:19 p.m. on June 17, 1999.

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

APPROPRIATIONS: HB 210 - 4M; HB 266 - 2F, 2M; SB 20 w/SA 1 & 2 - 4M.

HEALTH AND HUMAN DEVELOPMENT: HB 281 - 6M; HB 326 - 6M; SS 1 to SB 101 w/SA 1 - 7M; SB 112 - 6M; SB 115 w/SA 2, 3, 4 & 5 - 7M; SB 153 - 6M.

PUBLIC SAFETY: HB 323 - 7M.

TRANSPORTATION: HB 292 - 6M; HB 330 - 2F, 4M.

EDUCATION: HB 316 - 7M; HJR 11 - 6M; SB 100 - 7M; SB 118 - 6M.

REVENUE & FINANCE: HB 158 - 5F; HB 175 - 1F, 4M; HB 204 - 6F; HB 284 - 3F, 2M; HB 309 - 4F, 1M; HB 334 - 6F; HB 335 - 2F, 3M; SB 128 - 3F, 2M; SB 147 - 5M; SB 148 - 5M; SB 149 - 5M.

SUBSTANCE ABUSE: HB 243 - 6M; HB 312 - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 157 w/SA 1, SB 161, SB 181, SB 27 w/SA 1, SB 141 w/SA 1 & 2, SB 164 w/SA1, SB 183, SB 184 and requests the concurrence of the House, HB 161 w/HA 1 & 2 & SA 1 & HB 164 and is returning same to the House.

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

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

The House reconvened at 2:23 p.m.

38th LEGISLATIVE DAY 140th GENERAL ASSEMBLY

First Session
June 17, 1999

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Stone - 1.

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

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

The following prefiled legislation was introduced:

HB 347 - WEST & REPRESENTATIVE CATHCART - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Fees Charged by the Secretary of State.

HB 350 - EWING & REPRESENTATIVE BUCKWORTH, SENATOR BONINI & SENATOR VENABLES - PUBLIC SAFETY - An Act to Amend Title 9, Title 10 and Title 22 of the Delaware Code Relating to Certain Actions.

HB 352 - EWING & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21, Chapter 41, of the Delaware Code Relating to Open Containers of Alcoholic Beverages. (2/3 bill)

HB 353 - OBERLE; SENATORS VAUGHN, COOK & ADAMS; REPRESENTATIVES QUILLEN, CAPANO & B. ENNIS - GAMING & PARIMUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Standardbred Breeder's Program Fund.

HB 354 - WAGNER; REPRESENTATIVE SCHROEDER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAREY, CATHCART, CAULK, CLOUTIER, D. ENNIS, EWING, FALLON, LOFINK, MIRO, REYNOLDS, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCOTT & WILLIAMS - JUDICIARY - An Act to Amend Titles 10 and 13 of the Delaware Code Relating to Family Court.

HB 355 - WAGNER; SENATOR ADAMS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code to Increase the Number of Family Court Judges to 15 to Provide for Additional Family Court Judges in Kent County and Sussex County.

HB 356 - BUCKWORTH & SENATOR VENABLES; REPRESENTATIVE SPENCE & REPRESENTATIVE WAGNER & REPRESENTATIVE EWING & SENATOR MCDOWELL; REPRESENTATIVES CAPANO, CAREY, CATHCART, D. ENNIS, FALLON, LEE, LOFINK, MAIER, QUILLEN, REYNOLDS, STONE, ULBRICH, GILLIGAN, BRADY, B. ENNIS, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, VIOLA & WEST; SENATORS BAIR, BONINI & WINSLOW - EDUCATION - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to Salaries and Working Conditions of School Employees and In-service Training for School Bus Drivers and School Bus Attendants.

HA 1 to HB 135 - QUILLEN - Placed with the Bill.

HA 1 to HB 241 - SCOTT - Placed with the Bill.

HA 1 to HB 251 - BUCKWORTH - Placed with the Bill.

HA 2 to HB 252 - WELCH - Placed with the Bill.

SB 27 w/SA 1 - MARSHALL & REPRESENTATIVE OBERLE - LABOR - An Act to Amend Title 19, Delaware Code, Chapter 13 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Public Employment Relations Act.

SB 141 w/SA 1 & 2 - MCDOWELL; REPRESENTATIVE MAIER - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Responsibilities and Duties for All Aspects of Custody, Including Treatment and Evaluation, of Youth Offenders Who are Lawfully Sentenced as Adults or Who are Lawfully Transferred to Department of Correction.

SB 157 w/SA 1 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 33, Title 24 of the Delaware Code Relating to Veterinarians.

SB 161 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 7, Title 24 of the Delaware Code Relating to the Board of Chiropractic.

SB 164 w/SA 1 - BLEVINS; REPRESENTATIVE MAIER; SENATORS ADAMS, BONINI, HENRY, SOKOLA, CONNOR, SORENSON & WINSLOW; REPRESENTATIVES EWING, FALLON, VALIHURA, WAGNER, B. ENNIS, KEELEY, PLANT, SCOTT, VANSANT, WEST & WILLIAMS - EDUCATION - An Act to Amend Title 14 Relating to Free Schools; Ages; Attendance Within School District; and Nonresidents of Delaware as it Pertains to Relative Caregivers.

SB 181 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 14, Title 24 of the Delaware Code Relating to the Board of Electrical Examiners.

SB 183 - VAUGHN & REPRESENTATIVE STONE; SENATORS BUNTING & STILL - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Viatical Settlements. (3/5 bill)

SB 184 - SOKOLA & REPRESENTATIVE REYNOLDS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

HA 1 to SB 88 - MULROONEY - Placed with the Bill.

HA 1 to SB 92 - MULROONEY - Placed with the Bill.

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

Representatives Wagner & Plant requested and were granted personal privilege of the floor to make comments.

Representative Smith introduced and brought HR 16, jointly sponsored by Representatives Spence, Welch, Gilligan & VanSant, on behalf of All Representatives before the House for consideration.

Representative Smith requested and was granted privilege of the floor for former Representative Richard F. Davis.

HR 16 – CELEBRATING RICH DAVIS' FIFTEEN YEARS OF PUBLIC SERVICE TO THE STATE OF DELAWARE.

WHEREAS, Rich Davis entered public service in 1983 when he was elected to the Delaware House of Representatives; and

WHEREAS, for 15 years, the competence, diligence, and eagerness to help others that he brought to elected office distinguished him as a leader among his elected peers; and

WHEREAS, during his term as State Representative, Rich Davis made significant contributions to public policy through his participation on several House committees including Chairman of the Corrections Committee; Chairman of the Labor Committee; and perhaps most notably as Chairman of the influential Joint Finance Committee where Rich consistently earned high marks from lawmakers and the Governor for writing budgets that met legitimate state needs while maintaining responsible budget growth and looking out for the taxpayers of Delaware; and

WHEREAS, hard work and accomplishment were trademarks of Rich Davis' legislative service and something for which he earned local and national awards including the coveted Outstanding State Legislator Award from the American Legislative Exchange Council; the Friend of Education Award presented by the Delaware State Education Association and Friend of the Court recognition from the Delaware Superior Court; and

WHEREAS, another well known Davis trademark was his habit of reading every vowel, consonant and punctuation mark of every bill - a habit no doubt linked to his training in chemistry which holds that poor directions often lead to unintended, even explosive, consequences; and

WHEREAS, Rich Davis was never one to dwell on the glamour of elected office preferring instead to roll up his sleeves and work with the residents of his burgeoning 26th District to improve the quality of life in the community on matters involving education reform, land use, public safety, traffic flow and criminal justice reform; and

WHEREAS, throughout his busy schedule, Rich Davis always kept his wife and family first from birthdays and driving lessons to college and career choices, he was a devoted husband and father, a role model and leader who was blessed with his family's abiding encouragement and support; and

WHEREAS, Rich Davis' service to his constituents and to the people of Delaware was nothing short of outstanding and something from which we all profited as individuals and as a legislative body; and

WHEREAS, Rich Davis' absence from the Delaware Legislature is a constant reminder that his loss in November was also a loss for each and every one of us.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 140th General Assembly of the State of Delaware that we do hereby extend a heartfelt thank you to our friend Rich Davis for his 15 years of unselfish service to the people of this state.

BE IT FURTHER RESOLVED that Rich Davis set a new and indelible standard with his work, accomplishment and uncommon wholesomeness of character that continues in his absence.

BE IT FURTHER RESOLVED that Delaware is a better place due to Rich Davis' public service.

BE IT FURTHER RESOLVED that should Rich Davis decide to return to public service we will be the first to welcome him to Legislative Hall.

BE IT FURTHER RESOLVED that a suitably prepared rendition of this House Resolution be presented to our dear friend and colleague Richard F. Davis.

Mr. Speaker Spence made comments and made a presentation to Mr. & Mrs. Davis.

HR 16 was adopted by voice vote.

Representative Smith made comments.

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

Representative Carey requested that he be marked present and made comments.

Representatives DiPinto, Gilligan, D. Ennis & Scott made comments.

Representative Williams requested that he be marked present.

Representatives Williams & Wagner made comments.

Representative Ulbrich requested that she be marked present.

Representatives Ulbrich, Fallon, Oberle & Reynolds made comments.

Mr. Richard Davis made comments.

Representative Gilligan made a comment.

Mr. Speaker Spence introduced guests.

Representatives Spence, Oberle, Maier & Gilligan requested and were granted personal privilege of the floor to introduce guests.

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

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

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

HEALTH AND HUMAN DEVELOPMENT: SB 102 - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SS 1 to SB 117 - 4M.

Mr. Speaker Spence assigned HB 158, HB 204, HB 284, HB 316, HB 334, SB 115 & SB 128 to the Appropriations Committee.

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

The House reconvened at 5:31 p.m.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on HJR 10. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HJR 10, jointly sponsored by Representative Spence & Senator Adams, before the House for consideration.

HJR 10 - RELATING TO THE PROTECTION OF STANDARD BRED HORSE OWNERS WHO PURCHASE RACEHORSES VIA A CLAIM AT A DELAWARE HARNESS RACETRACK.

Representative Oberle made comments.

The roll call on HJR 10 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Quillen & Stone – 3.

Therefore, having received a constitutional majority, HJR 10 was sent to the Senate for concurrence.

Representatives Brady, Lofink, Schroeder & West requested that they be marked present during the roll call.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought HB 218, jointly sponsored by Senator Winslow & Representatives Spence, Welch, Boulden, Capano, Cloutier, Ewing, Lofink, Maier, Miro, Oberle, Reynolds, Valihura, Gilligan, Houghton, Keeley, Plant & Viola & Senators Blevins, Bunting, Vaughn, Connor & Simpson, before the House for consideration.

HB 218 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (F/N)

Representative Cathcart introduced and brought HA 1 to HB 218 before the House for consideration. Representative Cathcart made comments. HA 1 was adopted by voice vote.

Representative Cathcart introduced and brought HA 2 to HB 218 before the House for consideration. Representative Cathcart made comments. HA 2 was adopted by voice vote.

Representative Cathcart made comments.

The roll call on HB 218 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Reynolds & Stone – 2.

Therefore, having received a constitutional majority, HB 218 w/HA 1 & 2 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Miro.

Representative Miro brought HB 222, jointly sponsored by Senator Winslow & Representatives Spence, Boulden, Cathcart, Cloutier, DiPinto, Oberle, Ulbrich, Valihura & Wagner, before the House for consideration.

HB 222 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Representative Miro made comments.

Representative Smith introduced and brought HA 1 to HB 222 before the House for consideration.

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

Representatives B. Ennis & Miro made comments.

The roll call on HB 222 w/HA 1 was taken and revealed:

YES: 39.

NO: Representative Cathcart – 1.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority, HB 222 w/HA 1 was sent to the Senate for concurrence.

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

Mr. Speaker Spence introduced a guest.

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

Representative Smith brought SB 88 w/SA 2 & 3, sponsored by Senator Connor & Representative Mulrooney, before the House for consideration.

SB 88 - AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE ENTITLED "AN ACT AMENDING, REVISITING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE," BY AMENDING ITS CHARTER TO PROVIDE AUTHORITY TO PROVIDE ADDITIONAL SERVICES (AS DEFINED) AND SPECIFYING ITS POWERS CONSISTENT WITH THOSE AUTHORIZED BY TITLE 22, SECTION 802 OF THE DELAWARE CODE. (2/3 bill)

Representative Smith deferred to Representative Mulrooney.

Representative Mulrooney made a comment.

Representative Mulrooney brought HA 1 to SB 88 before the House for consideration. HA 1 was adopted by voice vote. Representative Smith made a comment.

The roll call on SB 88 w/SA 2 & 3 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 88 w/SA 2 & 3 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith brought SB 92 w/SA 1, sponsored by Senator Connor & Representative Mulrooney, before the House for consideration.

SB 92 - AN ACT TO AMEND CHAPTER 121, VOLUME 32, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO ESTABLISH A BOARD OF WATER AND LIGHT COMMISSIONERS FOR THE CITY OF NEW CASTLE" RELATING TO THE DESIGNATION OF THE BOARD OF WATER AND LIGHT COMMISSIONERS AS THE MUNICIPAL SERVICES COMMISSIONS, AND THE AUTHORITY OF THE MUNICIPAL SERVICE COMMISSION. (2/3 bill)

Representative Smith made a comment.

Representative Mulrooney requested that HA 1 to SB 92 be stricken.

Representative Mulrooney introduced and brought HA 2 to SB 92 before the House for consideration.

Representative Mulrooney made a comment. HA 2 was adopted by voice vote.

Representative Smith made a comment.

The roll call on SB 92 w/SA 1 & HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 92 w/SA 1 & HA 2 was returned to the Senate for concurrence on HA 2.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 84, jointly sponsored by Senators Sokola & Amick & Representative Cathcart, before the House for consideration.

HB 84 - AN ACT TO AMEND SECTION 5, TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE LICENSING.

Representative Roy made comments.

The roll call on HB 84 was taken and revealed:

YES: 40.

ABSENT: Representative Stone – 1.

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

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 23 w/SA 1, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell, Henry & Connor & Representative Spence, before the House for consideration.

SB 23 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION.

Representative Maier moved to place SB 23 w/SA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Mr. Speaker Spence introduced a guest.

Representative Smith brought Consent Agenda D before the House for consideration.

HS 1 FOR HB 100 w/HA 1 & SA 2 – KEELEY; PRICE – An Act to Amend Title 11 of the Delaware Code Relating to the Invasion of Privacy.

HB 183 w/HA1 & SA 1 – PRICE & SPENCE & SENATOR BUNTING; REPRESENTATIVES BRADY, CAREY, DIPINTO, B. ENNIS, GILLIGAN, KEELEY, MAIER, QUILLEN, ULBRICH & WELCH; SENATORS SIMPSON, SOKOLA, STILL – An Act to Amend Title 21 of the Delaware Code Relating to the Use of Ignition Interlock Devices. (F/N)

SB 93 w/SA 1- SENATOR COOK; REPRESENTATIVE DIPINTO; SENATORS HENRY, MCBRIDE, VAUGHN, SORENSON, WINSLOW; REPRESENTATIVES BUCKWORTH, D. ENNIS, FALLON, DILIBERTO, HOUGHTON – An Act to Amend Title 29 of the Delaware Code Relating to Contracts With Public Library Systems.

HB 161 w/HA 1 & 2 + SA 1- CAPANO & SENATOR BLEVINS – An Act to Amend Title 11 of the Delaware Code Relating to Deadly Weapons. (F/N)

Representative Smith requested that HS 1 for HB 100 w/HA 1 & SA 2 be removed from Consent

Agenda D

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

YES: 40.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority, HB 161 w/HA 1 & 2 & SA 1 & HB 183 w/HA 1 & SA 1 were sent to the Governor & SB 93 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Keeley.

Representative Keeley deferred to Representative Smith.

Representative Smith made comments.

Representative Smith brought HS 1 for HB 100 w/HA 1 & SA 2, sponsored by Representatives Keeley & Price, before the House for concurrence on SA 2.

HB 100 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INVASION OF PRIVACY.

Representative Smith introduced and brought HA 2 to HS 1 for HB 100 before the House for consideration. Representative Smith made a comment. HA 2 to HS 1 was adopted by voice vote.

The roll call on HS 1 for HB 100 w/HA 1 & SA 2 & HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Stone – 1.

Therefore, having received a constitutional majority, HS 1 for HB 100 w/HA 1 & SA 2 & HA 2 was sent to the Senate for concurrence HA 2.

Representatives DiLiberto & Smith made comments.

Representative Smith deferred to Representative Maier.

Representative Maier introduced and brought SCR 15, jointly sponsored by Senator Cook, on behalf of All Senators & All Representatives, before the House for consideration.

SCR 15 – EXTENDING A WARM WELCOME TO THE YOUNG WOMEN PARTICIPATING IN THE 1999 DELAWARE GIRLS' STATE, COMMENDING THEM FOR THEIR INTEREST IN AND DEVOTION TO DELAWARE STATE GOVERNMENT, AND COMMENDING THE LADIES AUXILIARY OF THE AMERICAN LEGION FOR THEIR SPONSORSHIP OF THIS OUTSTANDING PROGRAM.

Representative Maier made comments.

SCR 15 was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought SB 124, jointly sponsored by Senator Sokola & Representative Stone & Senators Bunting & Sorenson & Representatives Boulden, Brady, B. Ennis, before the House for consideration.

SB 124 – AN ACT TO AMEND TITLE 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING PROVISIONS REGARDING TRANSFER OF DEVELOPMENT RIGHTS.

Representative Cathcart made comments.

The roll call on SB 124 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, SB 124 was returned to the Senate.

Representative Smith deferred to Representative Brady.

Representative Brady brought HB 212, jointly sponsored by Representatives Boulden, Buckworth, Carey, Cathcart, DiLiberto, B. Ennis, D. Ennis, Ewing, Houghton, Keeley, Mulrooney, Plant, Price, Quillen, Scott, Stone, Viola, Wagner & West & Senators Amick, Blevins, Cook, DeLuca, McDowell & Venables, before the House for consideration.

HB 212 – AN ACT TO AMEND TITLE 2, CHAPTER 13 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE FOR THE DELAWARE TRANSIT CORPORATION. (F/N)

Representative Brady made comments.

The roll call on HB 212 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, HB 212 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee brought SB 121, jointly sponsored by Senators Vaughn & Winslow, before the House for consideration.

SB 121 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING PROBATION AND PAROLE OFFICERS.

Representative Lee made comments.

The roll call on SB 121 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, SB 121 was returned to the Senate.

Representative Smith deferred to Representative Williams.

Representative Williams moved to suspend the rules which interfere with action on HB 307. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Williams brought HB 307, jointly sponsored by Senator McDowell & Representatives Ewing, Gilligan, Lee, Plant & VanSant & cosponsored by Representative Keeley, before the House for consideration.

HB 307 – AM ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE SECRETARY OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (F/N)

Representatives Williams & Ewing made comments.

The roll call on HB 307 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, HB 307 was sent to the Senate for concurrence.

Representative Williams made a comment.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis introduced HB 332, jointly sponsored by Representative Ewing & Representative Maier & Senator Blevins & Senator Henry & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Miro, Mulrooney, Plant, Price, Reynolds, Roy, Schroeder, Scott, Spence, Ulbrich, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Adams, Amick, Bair, Bonini, Connor, Cook, DeLuca, Marshall, McBride, McDowell, Simpson, Sokola, Sorenson, Still, Vaughn, Venables & Winslow.

HB 332- AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICE SYSTEMS.

Mr. Speaker Spence assigned HB 332 to the Health and Human Development Committee.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought HB 313, jointly sponsored by Representatives Boulden, Buckworth, Capano, Carey, Cloutier, D. Ennis, Ewing, Lee, Lofink, Maier, Miro, Oberle, Reynolds, Roy, Ulbrich, Valihura VanSant, Brady, B. Ennis, Mulrooney, Plant, Price & Viola & Senators Vaughn & Winslow, before the House for consideration.

HB 313 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE, RELATING TO TOBACCO PRODUCT TAX, TOBACCO PRODUCTS; PROVIDING ADDITIONAL REQUIREMENTS WITH RESPECT TO THE SALE OF CIGARETTES, AND PRESCRIBING PENALTIES. (2/3 bill)

Representative DiPinto made comments.

The roll call on HB 313 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 313 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto moved to suspend the rules which interfere with action on HB 302. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiLiberto brought HB 302, jointly sponsored by Representatives Buckworth, Boulden, Carey, Caulk, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Maier, Miro, Mulrooney, Oberle, Schroeder, Scott, Smith, Ulbrich, Valihura, VanSant, Viola & Welch & Senators Blevins, Sharp & Winslow, before the House for consideration.

HB 302 – AN ACT TO AMEND TITLES 1, 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS.

Representative DiLiberto made comments.

The roll call on HB 302 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, HB 302 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 311, jointly sponsored by Representative Price & Senator Vaughn & Representatives D. Ennis, Houghton, Spence & Viola, before the House for consideration.

HB 311 – AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE FEES FOR CERTAIN TWO-WHEELED MOTOR VEHICLES. (3/5 bill)

Representative B. Ennis made comments.

The roll call on HB 311 was taken and revealed:

YES: 38.

NO: Representative Welch – 1.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 311 was sent to the Senate for concurrence.

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

Representatives Smith, Oberle, DiPinto, Scott & D. Ennis made comments.

Representative Smith deferred to Representative West.

Representative West introduced HB 357.

HB 357 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM PROPERTY TAXES.

Mr. Speaker Spence assigned HB 357 to the Land Use and Infrastructure Committee.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 315, jointly sponsored by Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Cloutier, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Roy, Scott, Valihura, VanSant, Viola, Welch, West & Williams & Senators DeLuca, Marshall & McDowell, before the House for consideration.

HB 315 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO CREATE A NEW CHAPTER REGARDING RIGHTS AND TITLE TO ABANDONED PERSONAL PROPERTY.

Representative Keeley introduced and brought HA 1 to HB 315 before the House for consideration. Representative Keeley made comments. HA 1 was adopted by voice vote.

The roll call on HB 315 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority, HB 315 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 285, jointly sponsored by Senator Blevins & Representatives Ewing, Fallon, Valihura, Wagner, VanSant, B. Ennis, Keeley, Plant, Price, Scott, West & Williams & Senators Adams, Henry, Sokola, Connor, Sorenson & Winslow, before the House for consideration.

HB 285 – AN ACT TO AMEND TITLE 13, CHAPTER 7 OF THE DELAWARE CODE PERTAINING TO CAREGIVERS' CONSENT FOR MEDICAL TREATMENT OF MINORS. (2/3 bill)

Representative Maier introduced and brought HA 1 to HB 285 before the House for consideration. Representative Maier made a comment. HA1 was adopted by voice vote.

Representative Maier made comments.

The roll call on HB 285 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Stone – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 285 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 176, jointly sponsored by Representative Ewing & Representative Price & Senator Bunting & Representatives Buckworth, Carey, Cathcart, Caulk, B. Ennis, D. Ennis, Fallon, Keeley, Lee, Oberle, Plant, Reynolds, Schroeder, Scott, Smith, Spence & Wagner, before the House for consideration.

HB 176 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY SERVICE.

Representative West introduced and brought HA 1 to HB 176 before the House for consideration. HA 1 was adopted by voice vote.

Representative West deferred to Representative Price.

Representatives Price, DiPinto, Price, West, Ewing & West made comments.

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

Representatives D. Ennis, West, Smith, Price, D. Ennis, Wagner & Welch made comments.

Representative West moved to place HB 176 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth.

Representatives DiLiberto & Williams made comments.

Representative West moved to place HB 176 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought HB 317, jointly sponsored by Senator Bunting & Representatives Spence, Welch, Brady, Carey, Caulk, DiPinto, Fallon, Lee, Lofink, Miro, Quillen, Roy, Wagner, Gilligan, B. Ennis, Keeley, Plant, Schroeder & Williams & cosponsored by Senator Sokola, before the House for consideration.

HB 317 – AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, § 3 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE MINIMUM AGE FOR A STATE SENATOR OR REPRESENTATIVE. (2/3 bill)

Representative Smith made a comment.

Representative Smith brought HA 1 to HB 317 before the House for consideration.

Representative Smith made a comment. HA 1 was adopted by voice vote.

Representative Smith made a comment.

Representative Smith requested and was granted privilege of the floor for Bradley H. Layfield, an advocate for the bill.

Representatives Smith, Fallon, Smith, Ulbrich, Gilligan, Oberle, West, Scott, Gilligan, West, Plant, Keeley, Reynolds, Smith, Williams, Gilligan, Oberle, Gilligan, West, Smith, D. Ennis, Oberle, VanSant, Smith & Keeley made comments.

The roll call on HB 317 w/HA 1 was taken and revealed:

YES: 28.

NO: Representatives B. Ennis, Maier, Oberle, Reynolds, Scott, Viola & West – 8.

NOT VOTING: Representatives Cathcart & VanSant – 2.

ABSENT: Representatives Miro, Roy & Stone – 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 317 w/HA 1 was sent to the Senate for concurrence.

Representative Smith made a comment.

Mr. Speaker Spence reassigned SB 169 to the Economic Development, Banking & Insurance Committee.

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

EDUCATION: HB 168 - 6M; HB 322 - 7M.

JUDICIARY: HB 341 - 5M; HB 349 - 4M, 1U; HB 354 - 6M; SB 54 w/SA 1 - 5M.

LABOR: HB 331 - 4M; HB 337 - 4M; SB 150 - 4M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 304 - 2F, 2M; HB 305 - 1F, 3M; HB 306 - 2F, 2M; HB 346 - 2F, 2M; HB 348 - 1F, 3M.

REVENUE & FINANCE: HB 280 - 5M; HB 244 - 1F, 4M.

TELECOMMUNICATIONS & ELECTRIC UTILITY DEREGULATION: HB 135 - 4F; HB 329 - 4M.

Mr. Speaker Spence assigned HB 168 to the Appropriations Committee.

Mr. Speaker Spence assigned HB 330 to the Housing & Community Affairs Committee.

The Majority Leader moved to recess to the call of the Chair at 8:24 p.m.

Mr. Acting Speaker Welch called the House to order at 2:19 p.m. on June 22, 1999.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 204 w/SA 5, SB 28 w/SA 1 & 2, SB 29 w/SA 1 & 2 & SCR 15 and requests the concurrence of the House, HCR 20, HCR 21 HCR 22, HCR 24, HCR 25, HCR 26 & HCR 28 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Helene M. Keeley, do hereby request that my name be removed as co-sponsor of HB 189.

Date: 6/17/99

Signed: Helene M. Keeley

June 17, 1999

LEGISLATIVE ADVISORY #22

Governor Thomas R. Carper signed the following legislation on the date indicated: HS 1 to HB 250 aab HA 1 - 6/17/99.

Representative Stone requested that she 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 2:21 p.m.

39th LEGISLATIVE DAY 140th GENERAL ASSEMBLY

First Session

June 22, 1999

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 minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 1 to HB 267 - PRICE & SENATOR SOKOLA; REPRESENTATIVES BRADY, B. ENNIS, SPENCE & VANSANT; SENATOR VENABLES - CAPITAL INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

HB 358 - EWING - PUBLIC SAFETY - An Act to Amend Title 21, Delaware Code, Directing the Division of Motor Vehicles to Implement a Replacement Program for the Issuance of Two Fully Reflective Number Plates. (3/5 bill)

HB 359 - WAGNER; REPRESENTATIVE SPENCE & SENATOR BLEVINS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to General Provisions.

HB 360 - BUCKWORTH & REPRESENTATIVE WELCH; REPRESENTATIVE FALLON; SENATORS ADAMS, VAUGHN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 7 of Title 7 of the Delaware Code Relating to the Regulations and Prohibitions Concerning Game and Fish.

HB 361 - WELCH & REPRESENTATIVE CAPANO & SENATOR BUNTING; REPRESENTATIVES SPENCE, QUILLEN, BRADY, DILIBERTO & B. ENNIS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Prohibition Against Sunday Hunting.

HB 362 - CAPANO & SENATOR BONINI; REPRESENTATIVES WELCH, CAREY, MIRO, QUILLEN - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code to Provide for an Education Tax Credit.

HB 363 - OBERLE & REPRESENTATIVE SPENCE & REPRESENTATIVE WELCH & REPRESENTATIVE LOFINK & SENATOR SHARP & SENATOR MARSHALL & SENATOR MCBRIDE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

HB 364 - OBERLE & SENATOR HENRY; REPRESENTATIVES WELCH, BOULDEN, BUCKWORTH, EWING, FALLON, LOFINK, QUILLEN, REYNOLDS, WAGNER, BRADY, B. ENNIS, KEELEY & WILLIAMS; SENATORS MCDOWELL, BLEVINS, DELUCA, MARSHALL, SOKOLA, BAIR, CONNOR, SORENSON & STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Aggressive Driving. (2/3 bill)

HB 365 - WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

HA 2 to HB 241 - DIPINTO - Placed with the Bill.

HA 1 to HB 308 - PRICE - Placed with the Bill.

HA 1 to HB 322 - REYNOLDS - Placed with the Bill.

HA 1 to HB 329 - WAGNER - Placed with the Bill.

HA 1 to HB 338 - WELCH - Placed with the Bill.

HA 1 to HB 351 - WAGNER - Placed with the Bill.

SB 28 w/SA 1 & 2 - MARSHALL & REPRESENTATIVE OBERLE - LABOR - An Act to Amend Title 19, Delaware Code, Chapter 16 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges under the Police Officers' and Firefighters' Employment Relations Act.

SB 29 w/SA 1 & 2 - MARSHALL & REPRESENTATIVE OBERLE - LABOR - An Act to Amend Title 14, Delaware Code, Chapter 40 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges under the Public School Employment Relations Act.

SB 204 w/SA 5 - SHARP; SENATORS BLEVINS & DELUCA; REPRESENTATIVES MULROONEY & VIOLA - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Chapter 69, Title 29 of the Delaware Code Relating to State Procurement.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: June 22 1999

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>
H140-790	Lofink	6/5/1999	T	Nancy Tokar/Caravel Softball Team/State Champions
H140-791	Lofink	6/5/1999	T	Kim Helm/Caravel Softball Team/State Champions
H140-792	Lofink	6/5/1999	T	Stephanie Campbell/Caravel Softball Team/State Champions
H140-793	Lofink	6/5/1999	T	Erin Bilbrough/Caravel Softball Team/State Champions
H140-794	Lofink	6/5/1999	T	Danielle Austin/Caravel Softball Team/State Champions
H140-795	Lofink	6/5/1999	T	Megan Richardson/Caravel Softball/State Champions
H140-796	Lofink	6/5/1999	T	Ashley Niggebrugge/Caravel Softball/State Champions

H140-797	Lofink	6/5/1999	T	Erin McGlynn/Caravel Softball Team/State Champions
H140-798	Lofink	6/5/1999	T	Erica Richardson/Caravel Softball/State Champions
H140-799	Lofink	6/5/1999	T	Stephanie Rice/Caravel Softball Team/State Champions
H140-800	Lofink	6/5/1999	T	Melissa Beatson/Caravel Softball/State Champions
H140-801	Lofink	6/5/1999	T	Debbie Austin/Caravel Softball Team/State Champions
H140-802	Miro	6/10/1999	T	Douglas Adams/Eagle Scout
H140-803	Miro	6/10/1999	T	Peter Muller/Eagle Scout
H140-804	Fallon	6/13/1999	T	Francis Lewis/Service/Division Director /Children and Families First
H140-805	Fallon	6/14/1999	T	Seaford BPW/Commitment/Women in Workplace
H140-806	Lofink	6/13/1999	T	Kerrie Smith/Middletown High Valedictorian
H140-807	Wagner	6/9/1999	M	Harry Washington, III
H140-808	Wagner	6/10/1999	M	Helen M. Bushweller
H140-809	B. Ennis	6/4/1999	M	James Cody Knotts
H140-810	Wagner	6/15/1999	M	Martha M. Pancoast
H140-811	B. Ennis	6/19/1999	T	Sabina Schofield/100th Birthday
H140-812	Wagner	2/14/1999	T	Pamela Mears & M. Kenneth Watkins/Marriage cosponsor: Welch
H140-813	West	6/21/1999	T	Loriann White/Teacher of the Year/Indian River T- Tribute

M - Memoriam

Representative Quillen requested that HB 303 be stricken.

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

Representatives Ewing, VanSant & Quillen made comments.

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

BUSINESS/ CORPORATIONS/ COMMERCE: SB 130 - 1F, 5M.

TRANSPORTATION: SB 162 - 6M.

CORRECTIONS: SB 141 w/SA 1 & 2 - 7M.

Mr. Acting Speaker assigned HB 280, HB 341 & HB 355 to the Appropriations Committee.

Representative Cathcart requested that he be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy made comments.

Representative Roy requested and was granted privilege of the floor for Kama Boland, Miss

Delaware 1999. Representative Roy presented Miss Delaware with a House Tribute.

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

Representative Smith made an announcement.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 4:45 p.m.

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

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced HB 373, jointly sponsored by Senator Marshall & Representatives

Lofink, Houghton, Mulrooney, Plant, Scott, Viola & Williams & Senators McDowell, DeLuca, Henry, McBride, Vaughn & Connor & cosponsored by Representative Keeley.

HB 373 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

Mr. Acting Speaker assigned HB 373 to the Labor Committee.

Representative Oberle introduced HB 375, jointly sponsored by Senator Marshall & Representatives

Lofink, Houghton, Mulrooney, Plant, Scott, Viola & Williams & Senators McDowell, DeLuca, Henry, McBride, Vaughn & Connor & cosponsored by Representative Keeley.

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

Mr. Acting Speaker assigned HB 375 to the Labor Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 197, SB 211, SB 191, SB 192, SB 188, SB 194 & SB 195 and requests the concurrence of the House, HB 97 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John J. Viola, do hereby request that my name be removed as co-sponsor of HB 354.

Date: 6/22/99.

Signed: John J. Viola

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 86, jointly sponsored by Senator Blevins, before the House for consideration.

SB 86 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES.

Representative Capano made a comment.

The roll call on SB 86 was taken and revealed:

YES: 40.

ABSENT: Representative DiPinto - 1.

Therefore, having received a constitutional majority, SB 86 was returned to the Senate.

Representatives D. Ennis, Maier, Reynolds, Schroeder, Spence, Williams & Ulbrich requested that they be marked present during the roll call.

Representative Smith brought Consent Agenda E before the House for consideration, which requires a three-fifths vote.

HB 231 - GILLIGAN: REPRESENTATIVES B. ENNIS, HOUGHTON, KEELEY, PLANT & WILLIAMS - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PENALTIES FOR FAILURE TO OBTAIN BUSINESS LICENSES. (3/5 BILL)

SB 148 - COOK: REPRESENTATIVE CAPANO - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (3/5 BILL)

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

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 231 was sent to the Senate for concurrence and SB 148 was returned to the Senate.

Acting Speaker Welch appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on HB 85 w/HA 1. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy moved to lift HB 85 w/HA 1 from the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Roy brought HB 85 w/HA 1, jointly sponsored by Representatives Spence & Cathcart & Senators Blevins & Sokola, before the House for consideration.

HB 85 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Representative Roy introduced and brought HA 2 to HB 85 before the House for consideration.

Representative Roy made comments. HA 2 was adopted by voice vote.

The roll call on HB 85 w/HA 1 & 2 was taken and revealed:

YES: 24.

NO: Representatives Brady, Carey, Caulk, Cloutier, B. Ennis, D. Ennis, Keeley, Maier, Mulrooney, Oberle, Price, Reynolds, Smith, Valihura, VanSant, Viola & Williams - 17.

Therefore, having received a constitutional majority, HB 85 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Roy made comments.

Representative Smith brought Consent Agenda F before the House for consideration.

HB 326 - DiPinto & Senator McDowell - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.

HB 324 - Roy & Senator Sharp - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS.

HB 348 - Quillen & Representatives DiPinto, Fallon, Lee & Schroeder - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

HB 306 - Schroeder & Senator Simpson - AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE'S INTEREST, IF ANY, IN CERTAIN LANDS LOCATED IN SUSSEX COUNTY, DELAWARE RECEIVED BY QUIT-CLAIM CONVEYANCE FROM THE UNITED STATES OF AMERICA.

SB 149 - Cook & Representative Capano - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MAILING OF PERSONAL INCOME TAX RETURNS.

HB 305 - Carey & Senator Simpson - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FINFISHING IN TIDAL WATERS.

Representative Smith requested that HB 326 and HB 348 be removed from Consent Agenda F.

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

YES: 41.

Therefore, having received a constitutional majority, HB 306, HB 305 & HB 324 were sent to the Senate for concurrence and SB 149 was returned to the Senate.

Representative Smith brought Consent Agenda G before the House for consideration.

HB 227 – Welch & Representative Gilligan & Senator McDowell - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE FOR PER DIEM AND CONTRACTUAL EMPLOYEES OF THE DELAWARE GENERAL ASSEMBLY.

HB 228 – Gilligan & Representatives Roy, Carey, Houghton, Keeley, Plant, Price, Spence, VanSant & Viola – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO INSURANCE ON MOTOR VEHICLES.

SB 147- Cook & Representative Capano - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES.

SB 20 w/SA 1 & 2 – Marshall & Senator Blevins & Representatives Maier, Lofink, Scott & Spence & Senators McDowell, Henry & Connor - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS.

SB 108 – Cook & Representatives Smith, Welch, Quillen, Gilligan & VanSant & Senators Bunting, Sokola, Vaughn & Sorenson - AN ACT TO AMEND TITLE 9, TITLE 12, TITLE 15 AND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE PUBLIC ARCHIVES AND PUBLIC RECORDS.

SB 118 – Sokola & Representative Oberle - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM.

Representative Smith requested that HB 228 & SB 20 w/SA1 & 2 be removed from Consent Agenda G.

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

YES: 41.

Therefore, having received a constitutional majority, HB 227 was sent to the Senate for concurrence and SB 108, SB 118 and SB 147 were returned to the Senate.

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

HB 268 – Price & Senator Venables & Representatives Buckworth, Capano, Keeley & Schroeder - AN ACT TO AMEND CHAPTER 9 OF TITLE 7 OF THE DELAWARE CODE RELATING TO HEADBOATS AND CHARTER BOATS. (2/3 bill)

SB 168 – Bunting & Representative Schroeder - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO CORRECT CERTAIN TYPOGRAPHICAL AND NUMBERING ERRORS. (2/3 bill)

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 268 was sent to the Senate for concurrence and SB 168 was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought HB 326, jointly sponsored by Senator McDowell, before the House for consideration.

HB 326 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.

Representatives DiPinto, Price, Oberle & DiPinto made comments.

The roll call on HB 326 was taken and revealed:

YES: 40.

NOT VOTING: Representative Oberle – 1.

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

Representative Smith deferred to Representative Quillen.

Representative Quillen brought HB 348, jointly sponsored by Representatives DiPinto, Fallon, Lee & Schroeder, before the House for consideration.

HB 348 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Representative Quillen introduced and brought HA 1 to HB 348 before the House for consideration. Representative Quillen made a comment. HA 1 was adopted by voice vote.

Representatives Quillen, DiLiberto, Ulbrich, Valihura, Quillen, Valihura, Fallon, Quillen, Scott & Quillen made comments.

The roll call on HB 348 w/HA 1 was taken and revealed:

YES: 24.

NO: Representatives DiLiberto, Gilligan, Houghton, Keeley, Maier, Mulrooney, Price, Reynolds, Scott, Ulbrich, VanSant, Viola, Williams & Oberle – 15.

NOT VOTING: Representative D. Ennis – 1.

ABSENT: Representative Spence – 1.

Therefore, having received a constitutional majority, HB 348 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought HB 228, jointly sponsored by Representatives Roy, Carey, Houghton, Keeley, Plant, Price, Spence, VanSant & Viola, before the House for consideration.

HB 228 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO INSURANCE ON MOTOR VEHICLES.

Representative Gilligan introduced and brought HA 1 to HB 228 before the House for consideration. Representative Gilligan made a comment. HA 1 was adopted by voice vote.

The roll call on HB 228 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Roy & Spence – 2.

Therefore, having received a constitutional majority, HB 228 w/HA 1 was sent to the Senate for concurrence.

Representative Ewing requested that HB 341 be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 20 w/SA 1 & 2, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell, Henry & Connor & Representative Spence, before the House for consideration.

SB 20 - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS.

Representative Maier moved to place SB 20 w/SA 1 & 2 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought SB 137, jointly sponsored by Senators Sharp, Vaughn, Amick & Winslow & Representatives Spence, Wagner & DiLiberto, before the House for consideration.

SB 137 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative Valihura made comments.

The roll call on SB 137 was taken and revealed:

YES: 40.

ABSENT: Representative B. Ennis – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 137 was returned to the Senate.

Mr. Acting Speaker Oberle made a comment.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought HB 298, jointly sponsored by Senators Connor & McBride & Representatives Carey, Cathcart, Caulk, Mulrooney, Price, Quillen & West, before the House for consideration.

HB 298 - AN ACT TO AMEND CHAPTER 22 OF TITLE 23 OF THE DELAWARE CODE RELATING TO BOATING SAFETY. (2/3 bill)

Representative Capano introduced and brought HA 1 to HB 298 before the House for consideration.

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

Representative Schroeder made comments.

The roll call on HB 298 w/HA 1 was taken and revealed:

YES: 40.

NOT VOTING: Representative Brady – 1.

Therefore, having received a constitutional majority, HB 298 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with action on HS 1 to HB 207. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Capano brought HS 1 to HB 207, jointly sponsored by Representative Valihura & Senator Blevins, before the House for consideration.

HS 1 to HB 207 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF NEGLECT OF A CHILD.

Representative Capano made a comment.

The roll call on HS 1 to HB 207 was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan – 1.

Therefore, having received a constitutional majority, HS 1 to HB 207 was sent to the Senate for concurrence.

Mr. Acting Speaker declared a recess at 5:55 p.m.

The House reconvened at 6:15 p.m.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 241, jointly sponsored by Representatives DiPinto & Houghton & Senator Marshall, before the House for consideration.

HB 241 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING PROJECTS LOCATED WITHIN THE CITY OF WILMINGTON.

Representative Scott brought HA 1 to HB 241 before the House for consideration. HA 1 was adopted by voice vote.

Representative DiPinto brought HA 2 to HB 241 before the House for consideration.

Representative DiPinto made comments. HA 2 was adopted by voice vote.

The following communication was made a part of the record at the request of Representative Scott.

All projects of an authority shall be subject to the comprehensive development plan, including the housing component thereof, planning, zoning, sanitary, and building laws, ordinances and regulations applicable to the locality in which the project is to be situated.

Where a local community has failed to adopt equivalent or higher standards, the state code applies, and that community has the responsibility to enforce the same throughout its confines. There are no exceptions. SEE §§ 4105 & 4108.

Again, there is no exception for WHA, or any other corporate body, public or otherwise. Nor does this statutory scheme evidence any legislative intent to create the same.

The foregoing leads to the inescapable conclusion that the General Assembly did not intend to cloak WHA with immunity from suit or prosecution for violations of the City of Wilmington Housing Code.

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

The roll call on HB 241 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart – 1.

Therefore, having received a constitutional majority, HB 241 w/HA 1 & 2 was sent to the Senate for concurrence.

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

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: SB 169 - 1F, 4M; SB 183 - 2F, 3M.

EDUCATION: HB 327 - 7M.

JUDICIARY: HB 276 - 5M; HB 338 - 6M; SB 37 - 6M; SB 159 w/SA 1 - 6M; SB 167 - 6M.

LABOR: HB 363 - 5M; HB 373 - 5M; HB 375 - 5M; SB 27 w/SA 1 - 4M; SB 28 w/SA 1 & 2 - 4M; SB 29 w/SA 1 & 2 - 4M.

PUBLIC SAFETY: HB 364 - 6M.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Quillen.

Representative Quillen requested that HB 304 be stricken.

Representative Ulbrich made an announcement.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 239, jointly sponsored by Senator DeLuca, before the House for consideration.

HB 239 - AN ACT TO AMEND CHAPTER 20, TITLE 2, DELAWARE CODE, RELATING TO THE PUBLIC-PRIVATE INITIATIVES PROGRAM.

Representative Roy made comments.

The roll call on HB 239 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 239 was sent to the Senate for concurrence.

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

Representative Smith brought HB 339, jointly sponsored by Representative Gilligan & Senators Bair, Sokola & Venables, before the House for consideration.

HB 339 - AN ACT CREATING THE GEORGE WASHINGTON MEMORIAL SCHOLARSHIP FUND. (F/N)

Representatives Smith & Roy made comments.

Representative Smith moved to suspend the rules which interfere with action on HB 339. The motion was seconded by Representative Buckworth and adopted by voice vote.

The roll call on HB 339 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 339 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 277 before the House for consideration.

HB 277 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT.

Representative Roy made a comment.

The roll call on HB 277 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 277 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Buckworth.

Representative Buckworth brought HB 251, jointly sponsored by Representative Wagner, before the House for consideration.

HB 251- AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO THE OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

Representative Buckworth requested that HA 1 to HB 251 be stricken.

Representative Buckworth made a comment.

Representative Buckworth introduced and brought HA 2 to HB 251 before the House for consideration. Representative Buckworth made a comment. HA 2 was adopted by voice vote.

Representatives Buckworth & Brady made comments.

Representative Buckworth requested and was granted privilege of the floor for Major James Graybeal, Chief of Enforcement, Division of Fish and Wildlife.

Representatives Brady & Buckworth made comments.

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

Representative Brady made comments.

The roll call on HB 251 w/HA 2 was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.

Therefore, having received a constitutional majority, HB 251 w/HA 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative DiPinto.

Representative Reynolds requested that HJR 11 be stricken.

Representative DiPinto introduced HB 400, jointly sponsored by Senator Cook & Representatives Fallon, Buckworth, D. Ennis, DiLiberto & Houghton & Senators Henry, McBride, Vaughn, Sorenson & Winslow.

HB 400 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2000; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Spence assigned HB 400 to the Appropriations Committee.

Representatives DiPinto, Spence, Buckworth, D. Ennis & Fallon made comments.

Representative Welch deferred to Representative Oberle.

Representative Oberle brought HB 246, jointly sponsored by Senators Marshall, McDowell & McBride & Representatives Spence, D. Ennis, Lofink, Reynolds, VanSant, DiLiberto, Houghton, Keeley, Mulrooney, Plant, Scott & Williams, before the House for consideration.

HB 246 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO FAIR SHARE FEES AND THE PUBLIC EMPLOYMENT RELATIONS ACT.

Representative Oberle made comments.

The roll call on HB 246 was taken and revealed:

YES: 36.

NOT VOTING: Representative Valihura – 1.

ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.

Therefore, having received a constitutional majority, HB 246 was sent to the Senate for concurrence.

Representative Oberle brought HB 252, jointly sponsored by Senator Blevins & Representatives Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, Fallon, Lee, Lofink, Miro, Quillen, Reynolds, Valihura, Wagner, DiLiberto, B. Ennis, Gilligan, VanSant, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, West & Williams & cosponsored by Senator Marshall, before the House for consideration.

HB 252 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Representative Oberle introduced and brought HA 1 to HB 252 before the House for consideration. Representative Oberle made a comment. HA 1 was adopted by voice vote.

Representative Oberle deferred to Representative Welch.

Representative Welch brought HA 2 to HB 252 before the House for consideration.

Representatives Welch & Oberle made comments. HA 2 was adopted by voice vote.

Representative Oberle made comments.
The roll call on HB 252 w/HA 1 & 2 was taken and revealed:
YES: 37.
ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.
Therefore, having received a constitutional majority, HB 252 w/HA 1& 2 was sent to the Senate for concurrence.
Representative Welch deferred to Representative Caulk.
Representative Caulk brought HB 335, jointly sponsored by Senator Adams, before the House for consideration.
HB 335 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION OF CONSTRUCTION TRANSPORTATION CONTRACTORS. (3/5 bill) (F/N)
Representative Caulk made comments.
The roll call on HB 335 was taken and revealed:
YES: 36.
ABSENT: Representatives B. Ennis, Gilligan, Roy, Smith & VanSant – 5.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 335 was sent to the Senate for concurrence.
Representative Welch deferred to Representative Lofink.
Representative Lofink requested that action on SB 112 be deferred to a Day Certain, Thursday, June 24, 1999.
Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.
Representative Welch deferred to Representative Spence.
Representative Spence brought HB 296, jointly sponsored by Representatives Oberle & Quillen & Senator Adams & cosponsored by Representative Welch, before the House for consideration.
HB 296 - AN ACT TO AMEND TITLE 28, DELAWARE CODE RELATING TO PROTESTS AND MEDICATION TESTING.
Representatives Spence & Oberle made comments.
The roll call on HB 296 was taken and revealed:
YES: 37.
ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.
Therefore, having received a constitutional majority, HB 296 was sent to the Senate for concurrence.
Mr. Acting Speaker Oberle made a comment.
Representative Welch deferred to Representative Caulk.
Representative Caulk brought SB 34 w/SA 1, jointly sponsored by Senators Vaughn, Adams, Bunting & Still & Representatives Carey, Quillen, Mulrooney & Price, before the House for consideration.
SB 34 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND THE VALUATION, ASSESSMENT AND TAXATION OF PROPERTY. (F/N)
Representatives Caulk & Cathcart made comments.
Mr. Speaker Spence resumed the Chair.
Representatives Oberle & Caulk made comments.
The roll call on SB 34 w/SA 1 was taken and revealed:
YES: 26.
NO: Representatives Cathcart, Cloutier, Keeley, Maier, Miro, Oberle, Stone, Ulbrich & Valihura – 10.
NOT VOTING: Representative D. Ennis – 1.
ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.
Therefore, having received a constitutional majority, SB 34 w/SA 1 was returned to the Senate.
Representative Welch requested and was granted personal privilege of the floor to make an announcement.
Representative Welch brought SB 78, jointly sponsored by Senator Vaughn & Senators Adams, Bunting & Still & Representatives Carey, Cathcart, Caulk, Quillen, Mulrooney & Price, before the House for consideration.
SB 78 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD. (2/3 bill)
Representative Welch made comments.
Representative Welch requested and was granted privilege of the floor for Lieutenant Colonel Earl G. Jaques, Jr., representing Delaware National Guard.
Representatives Williams & Welch made comments.
The roll call on SB 78 was taken and revealed:
YES: 37.
ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 78 was returned to the Senate.

Representative Welch deferred to Representative Maier.

Representative Maier brought SS 1 to SB 101 w/SA 1, jointly sponsored by Senators Blevins, Henry, Bunting, Marshall, McDowell, Sokola, Venables, Bair, Simpson & Sorenson & Representatives DiLiberto, B. Ennis, Gilligan, Keeley, Price & Spence, before the House for consideration.

SB 101- AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE CREATING THE DELAWARE WELFARE REFORM EDUCATION AND TRAINING ASSISTANCE ACT.

Representatives Maier & Ulbrich made comments.

The roll call on SS 1 to SB 101 w/SA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Gilligan, Roy, Smith, VanSant & West – 5.

Therefore, having received a constitutional majority, SS 1 to SB 101 w/SA 1 was returned to the Senate.

Representative Welch deferred to Representative Buckworth.

Representative Buckworth requested that action on HB 281 be deferred to a Day Certain, Thursday, June 24, 1999.

Representative Welch deferred to Representative Price.

Representative Price brought HB 233, jointly sponsored by Senator DeLuca & cosponsored by Representative Keeley, before the House for consideration.

HB 233 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO SUBSTANTIVE CHANGES IN LICENSES OR THE PREMISES TO WHICH THEY APPLY.

Representative Price introduced and brought HA 1 to HB 233 before the House for consideration.

Representatives Price & Wagner made comments.

Representative Price requested and was granted the privilege of the floor for John S. Giles, Jr., Deputy Director, Division of Alcoholic Beverage Control.

Representatives Wagner, Oberle & Miro made comments. HA 1 was adopted by voice vote.

Representatives Price & Keeley made comments.

The roll call on HB 233 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Roy, Smith & VanSant – 3.

Therefore, having received a constitutional majority, HB 233 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative West.

Representative West moved to suspend the rules which interfere with lifting HB 176 w/HA 1 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative West brought HB 176 w/HA 1, jointly sponsored by Representatives Ewing & Price & Senator Bunting & Representatives Buckworth, Carey, Cathcart, Caulk, B. Ennis, D. Ennis, Fallon, Keeley, Lee, Oberle, Plant, Reynolds, Schroeder, Scott, Smith, Spence & Wagner, before the House for consideration.

HB 176 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY SERVICE.

Representative West introduced and brought HA 2 to HB 176 before the House for consideration. HA 2 was adopted by voice vote.

Representatives Capano, West, Price, Wagner, Valihura, Reynolds, Miro, Oberle, Ewing, Ulbrich, Reynolds, Gilligan, Capano & Wagner made comments.

The House declared a recess at 8:25 p.m. for the purpose of changing the recording tape.

The House reconvened at 8:40 p.m.

The roll call on HB 176 w/HA 1 & 2 was taken and revealed:

YES: 21.

NO: Representatives Brady, Capano, Cloutier, DiLiberto, DiPinto, Fallon, Gilligan, Lee, Maier, Miro, Mulrooney, Quillen, Stone, Ulbrich, Valihura, VanSant & Viola – 18.

NOT VOTING: Representative D. Ennis – 1.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, HB 176 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Welch, Mr. Speaker Spence & Representative Reynolds made announcements.

The Majority Whip moved to recess to the call of the Chair at 8:44 p.m.

Mr. Speaker Spence called the House to order at 2:35 p.m. on June 23, 1999.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 173 and requests the concurrence of the House and HB 46 w/HA 2 & SA 1 and is returning same to the House.

June 15, 1999

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

Thank you for providing me with a copy of House Concurrent Resolution No. 15 expressing the sense of the 140th General Assembly of the State of Delaware, with respect to the tragedy at Columbine High School and urging that the Congressional Gold Medal be awarded to Dave Sanders.

On April 27 the House and Senate passed a concurrent resolution, H. Con. Res. 92, expressing the sense of Congress with respect to the tragic shooting at Columbine High School in Littleton, Colorado. Regarding the recommendation of the Award of the Congressional Gold Medal to Dave Sanders in recognition of his heroic behavior on behalf of his students at the cost of his own life, I have shared the resolution of our General Assembly with the Senators of Colorado, Senator Wayne Allard and Senator Ben Nighthorse Campbell, in deference to their role as Colorado's voice in the Senate.

I appreciate your taking the time to apprise me of the action taken by the General Assembly.

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

WVR:aca

The Majority Leader moved to adjourn at 2:37 p.m., thereby ending the current legislative day. The House reconvened at 2:38 p.m.

40th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 23, 1999

The Chief Clerk called the roll.

Members Present: 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 minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:

HS 1 to HB 283 - ULBRICH & REPRESENTATIVE BOULDEN; REPRESENTATIVE QUILLEN; SENATOR DELUCA, AMICK & SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 29 of the Delaware Code Relating to the Real Estate Guaranty Fund.

HB 294 - KEELEY & REPRESENTATIVE ULBRICH & REPRESENTATIVE OBERLE & REPRESENTATIVE MAIER & SENATORS BLEVINS & HENRY; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CATHCART, EWING, FALLON, LEE, LOFINK, QUILLEN, ROY, GILLIGAN, VANSANT, DILIBERTO, B. ENNIS, HOUGHTON, PLANT, SCOTT, VIOLA & WILLIAMS - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

HB 366 - DIPINTO - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the Physician Collective Negotiation Act.

HB 367 - GILLIGAN; REPRESENTATIVES BRADY, CAPANO, CAREY, CATHCART, CAULK, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, MAIER, MIRO, MULROONEY, PLANT, PRICE, REYNOLDS, SCOTT, ULBRICH, VANSANT, VIOLA, WAGNER & WEST; SENATORS SHARP & SOKOLA - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Possession of Poisonous Snakes.

HB 368 - LEE & SENATOR BUNTING - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Executions.

HB 369 - D. ENNIS & REPRESENTATIVE STONE - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to Qualified Dispositions in Trust.

HB 370 - D. ENNIS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT, BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Restrictions on Fraudulent Transfers.

HB 371 - VALIHURA & REPRESENTATIVE SMITH; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CLOUTIER, EWING, FALLON, LEE, REYNOLDS, GILLIGAN, BRADY, B. ENNIS &

HOUGHTON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Delaware Code Relating to Licensing of Plumbers.

HB 372 - VALIHURA; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, MIRO, REYNOLDS, ULBRICH & PRICE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Temporary Shelters and Transitional Housing for the Homeless.

HB 374 - CAPANO; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Local Government Investment Pool.

HB 376 - OBERLE & SENATOR COOK; REPRESENTATIVES QUILLEN & B. ENNIS; SENATORS ADAMS & VAUGHN - GAMING & PARIMUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to Harness Racing. (3/5 bill)

HB 377 - CLOUTIER; SENATORS ADAMS & CONNOR; REPRESENTATIVES CAREY, EWING, LEE & WAGNER; SENATORS BAIR, BONINI & SIMPSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping and Fishing Licenses.

HB 378 - CATHCART & SENATOR VAUGHN & REPRESENTATIVE MULROONEY - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act Authorizing and Directing the Department of Natural Resources and Environmental Control, Division of Fish and Wildlife, to Issue a Commercial Gill Netting License to Tony W. Costango, Sr. of Delaware City, Delaware, Who is Presently Prohibited from Obtaining a Permit under Title 7 of the Delaware Code.

HA 1 to HB 217 - WILLIAMS - Placed with the Bill.

HA 1 to HB 240 - SPENCE - Placed with the Bill.

HA 1 to HB 332 - SPENCE - Placed with the Bill.

HA 1 to HB 353 - OBERLE - Placed with the Bill.

HA 1 to HB 366 - DIPINTO - Placed with the Bill.

SB 173 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 31, Title 24 of the Delaware Code Relating to the Board of Funeral Services.

SB 188 - BLEVINS & REPRESENTATIVE ULBRICH - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

SB 191 - BLEVINS & REPRESENTATIVE ROY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Criminal Code and Witnesses.

SB 192 - BLEVINS & REPRESENTATIVE ROY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Child Victims and Witnesses.

SB 194 - DELUCA; SENATORS MARSHALL, MCBRIDE & VAUGHN; REPRESENTATIVES D. ENNIS, QUILLEN, REYNOLDS, ULBRICH, WAGNER & B. ENNIS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Optometry.

SB 195 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 5, Title 24 of the Delaware Code Relating to Podiatry.

SB 197 - SIMPSON; REPRESENTATIVES CAREY & CAULK - HOUSE ADMINISTRATION - An Act to Reincorporate the City of Milford. (2/3 bill)

SB 211 - SOKOLA & REPRESENTATIVE WAGNER; SENATORS MARSHALL & AMICK - EDUCATION - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Adoption and Birth Leave for School and State Employees.

HA 1 to SB 20 - MAIER - Placed with the Bill.

HA 1 to SB 23 - MAIER - Placed with the Bill.

HA 1 to SB 126 - CAULK - Placed with the Bill.

Mr. Speaker Spence made an announcement.

Representatives D. Ennis, Miro, Stone, Mulrooney, Williams, Houghton, DiPinto & Roy requested that they be marked present.

Mr. Speaker Spence assigned HB 209 to the Appropriations Committee.

Representative Reynolds made an announcement.

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

The House reconvened at 5:59 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 176, SB 166, SB 206, SB 177, SB 178 and requests the concurrence of the House. HB 174 w/HA 1, HB 48 w/HA 1 & SA 1 & 2 & HB 167 w/SA 1 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Dennis P. Williams, do hereby request that my name be removed as co-sponsor of HB 90.

Date: 6/23/99.

Signed: Dennis P. Williams

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced SB 166, jointly sponsored by Senator Henry & Representatives DiPinto & Spence.

SB 166 - AN ACT TO AMEND SECTION 9203 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE NUMBER OF JUSTICES OF THE PEACE.

Mr. Acting Speaker assigned SB 166 to the Judiciary Committee.

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

Representative Cloutier requested that action on HB 152 be deferred to a Day Certain, Thursday, June 24, 1999.

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

Representative Plant made a comment.

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

APPROPRIATIONS: HB 150 - 6M.

CAPITAL INFRASTRUCTURE: HS 1 to HB 267 - 6M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 378 - 4M; HB 318 - 4M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 157 w/SA 1 - 4M; SB 161 - 4M; SB 181 - 4M; SB 194 - 4M.

Representative Smith introduced and brought the following prefiled Consent Calendar #10 before the House for consideration:

HR 32 - Price - ESTABLISHING A WORKING COMMITTEE COMPRISED OF REPRESENTATIVES OF SUSSEX COUNTY, THE OFFICE OF STATE PLANNING COORDINATION, THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DEPARTMENT OF AGRICULTURE, THE SUSSEX COUNTY ASSOCIATION OF TOWNS AND THE CENTER FOR THE INLAND BAYS WITH THE PURPOSE OF 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.

HR 33 - Welch - AMENDING HOUSE RESOLUTION NO. 4, PERMANENT RULES OF HOUSE TO CORRECT COMMITTEE NAMES.

HCR 30 - D. Ennis & Representatives Brady, Plant & B. Ennis & Senators McDowell, Henry & Winslow - COMMENDING BRANDYWINE FIRE COMPANY NO. 1, OF BELLEFONTE, DELAWARE, AS IT CELEBRATES 75 YEARS OF SERVICE TO RESIDENTS OF THIS STATE.

HCR 31 - DiPinto & Senator Henry - COMMENDING CONTACT DELAWARE ON THEIR 25TH ANNIVERSARY OF SERVICE TO DELAWARE'S COMMUNITIES.

HCR 32 - Reynolds & Representatives Houghton, Scott, Viola, Mulrooney & Spence & Senators Connor, McBride & Vaughn - HONORING KATHLEEN H. WILBUR FOR HAVING RECEIVED THE AWARD FOR DISTINGUISHED SERVICE FROM THE NATIONAL SCHOOL BOARDS ASSOCIATION AND FOR HER CONTINUING RECORD OF EXEMPLARY SERVICE TO PUBLIC EDUCATION.

HCR 33 - Lofink on behalf of All Representatives & Senator Vaughn on behalf of All Senators - WISHING JAMES W. LUTRZYKOWSKI WELL AS HE RETIRES FROM THE DELAWARE DEPARTMENT OF TRANSPORTATION AFTER 40 YEARS OF LOYAL SERVICE.

HCR 34 - Welch & Representative Plant & Senator DeLuca - ESTABLISHING A DELAWARE STATE EMPLOYEES PENSION BENEFITS TASK FORCE TO REVIEW DELAWARE'S EMPLOYEE RETIREMENT BENEFIT CALCULATION RATE AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY.

Consent Calendar #10 was adopted by voice vote and HCR 30, HCR 31, HCR 32, HCR 33 & HCR 34 were sent to the Senate for concurrence.

Representative Buckworth requested that he be marked present.

Representative Smith brought Consent Agenda I before the House for consideration.

SS 1 to SB 117 - Blevins & Representative Maier - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE BOARD OF NURSING.

HB 349 - Wagner & Senator Bunting - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DUTIES OF OFFICER HAVING A CHILD IN CUSTODY.

SB 102 – Connor & Senators Blevins & Sorenson & Representative Capano - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE COORDINATING COUNCIL MEMBERSHIP AND REPORTING REQUIREMENTS.

SB 169 – Adams & Representative Stone - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE MOTOR VEHICLE SALES FINANCE ACT.

Therefore, having received a constitutional majority, HB 349 was sent to the Senate for concurrence and SB 102, SB 169 & SS 1 to SB 117 were returned to the Senate.

Representatives Oberle, Ulbrich & Maier requested that they be marked present during the roll call.

Representative Smith brought Consent Agenda J before the House for consideration.

SB 183 – Vaughn & Representative Stone & Senators Bunting & Still - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO VIATICAL SETTLEMENTS. (3/5 bill)

SB 153 – Bair & Senator Blevins & Representative Ulbrich & Senators Amick, Connor & Simpson & Representatives Brady & Spence - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF TATTOO PARLORS AND BODY PIERCING ESTABLISHMENTS. (3/5 bill)

Representative Houghton requested that SB 183 be removed from Consent Agenda J.

The roll call on SB 153 was taken and revealed:

YES: 40.

ABSENT: Representative Miro – 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 153 was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 292, jointly sponsored by Senator DeLuca, before the House for consideration.

HB 292- AN ACT AMENDING CHAPTER 20 OF TITLE 30 OF THE DELAWARE CODE RELATING TO THE TRAVELINK TRAFFIC MITIGATION ACT. (F/N)

Representative Roy made comments.

The roll call on HB 292 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 292 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto requested and was granted privilege of the floor for the Members of the House Appropriations and Capital Infrastructure Committees to present a House Tribute to Russ Larsen, Controller General.

Representatives DiPinto, Roy, Gilligan & D. Ennis made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 244, jointly sponsored by Senator Sokola & Representatives Welch, Capano, Carey, Cathcart, Caulk, Cloutier, DiPinto, Fallon, Lee, Lofink, Maier, Miro, Quillen, Reynolds, Stone, Wagner, Brady, B. Ennis, Houghton, Plant, Price, Scott & Viola, before the House for consideration.

HB 244 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (F/N)

Representative Ulbrich made a comment.

The roll call on HB 244 was taken and revealed:

YES: 39.

NOT VOTING: Representatives Keeley & Price – 2.

Therefore, having received a constitutional majority, HB 244 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 312, jointly sponsored by Representative Spence & Senator Vaughn & Representatives Brady, D. Ennis, Ewing, Gilligan, Houghton, Keeley, Lee, Plant, Scott, VanSant, Welch, West & Williams, before the House for consideration.

HB 312 - AN ACT TO AMEND CHAPTER 47 OF TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES.

Representative B. Ennis made comments.

The roll call on HB 312 was taken and revealed:

YES: 40.

ABSENT: Representative Roy – 1.

Therefore, having received a constitutional majority, HB 312 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Mr. Acting Speaker Welch appointed Representative Oberle as Acting Speaker.

Representative Reynolds introduced and brought HCR 29, jointly sponsored by Senator Sokola on behalf of All Representatives & All Senators, before the House for consideration.

HCR 29 – COMMENDING LYN NEWSOM FOR BEING SELECTED AS DELAWARE’S STATE TEACHER OF THE YEAR FOR 1999 AND COMMENDING EACH SCHOOL DISTRICT’S TEACHER OF THE YEAR.

Representative Reynolds & Mr. Acting Speaker Oberle made comments.

HCR 29 was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle introduced a guest.

Representative Welch deferred to Representative Wagner.

Representative Wagner requested that action on HB 354 be deferred to a Day Certain, Thursday, June 24, 1999.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 90, jointly sponsored by Representatives Bouden, Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Lee, Lofink, Maier, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, DiLiberto, B. Ennis, Price, Scott & VanSant & Senator McDowell, before the House for consideration.

HB 90 - AN ACT TO AMEND CHAPTER 16, TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE EDUCATION. (F/N)

Representative Wagner made comments.

The roll call on HB 90 was taken and revealed:

YES: 36.

NO: Representative Williams – 1.

NOT VOTING: Representative Scott – 1.

ABSENT: Representative Caulk, Smith & Spence – 3.

Therefore, having received a constitutional majority, HB 90 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought SB 54 w/SA 1, jointly sponsored by Senator Adams, before the House for consideration.

SB 54 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JURISDICTION OF JUSTICE OF THE PEACE COURTS. (2/3 bill)

Representatives Wagner & Cloutier made comments.

The roll call on SB 54 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Smith & Spence – 3.

Therefore, having received a constitutional majority of two-thirds members of the House, SB 54 w/SA 1 was returned to the Senate.

Representatives Oberle, Gilligan, Stone, Reynolds, D. Ennis, West & Stone made comments.

Representative Welch brought HB 338, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 338 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN BIRTHS.

Representative Welch made comments.

Representative Welch brought HA 1 to HB 338 before the House for consideration.

Representative Welch made a comment. HA 1 was adopted by voice vote.

Representatives Welch, Cloutier & Wagner made comments.

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

Representatives Wagner, D. Ennis, Acting Speaker Oberle, Stone, Keeley, Welch, Keeley, Wagner, Ewing & D. Ennis made comments.

Welch moved to place HB 338 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 329, jointly sponsored by Representative Spence & Senator McBride & Representatives Smith, Welch, Buckworth, Capano, Carey, Reynolds, Maier, Lofink, D. Ennis, Fallon, Lee, Lofink, Oberle, Quillen, Stone, Ulbrich, Valihura, VanSant, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott, Viola & Williams & Senators Bair & Connor, before the House for consideration.

HB 329 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE EFFICIENT AND EFFECTIVE ACQUISITION AND USE OF MODERN INFORMATION AND TELECOMMUNICATION TECHNOLOGY ACT.

Representative Wagner brought HA 1 to HB 329 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 329 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 329 w/HA 1 was sent to the Senate for concurrence.

Representative Smith brought SB 69, sponsored by Senator Blevins & Representative Capano & Senators Bair, Bunting, Cook, DeLuca, Henry, McDowell, Marshall, Simpson, Sokola, Amick, Bonini, Connor, Sorenson, Still & Winslow & Representatives Carey, Fallon, Maier, Miro, Mulrooney, Stone, Ulbrich, Wagner, Gilligan, Keeley, Price, Schroeder & West & cosponsored by Representative Viola, before the House for consideration.

SB 69 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. (2/3 bill)

Representatives Smith, Wagner, Smith & Gilligan made comments.

The roll call on SB 69 was taken and revealed:

YES: 40.

NO: Representative Schroeder - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 69 was returned to the Senate.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 100, jointly sponsored by Senators Sokola & DeLuca & Representative Ulbrich, before the House for consideration.

SB 100 - AN ACT TO AMEND TITLE 14 RELATING TO CHARTER SCHOOLS REGARDING SPECIAL EDUCATION REQUIREMENTS, STUDENT ADMISSIONS, NUMBER OF DAYS ALLOWABLE TO REVIEW AND APPROVE A NEW CHARTER SCHOOL, FINANCIAL AND ADMINISTRATIVE REQUIREMENTS FOR FUTURE CHARTER SCHOOLS AND MEMBERSHIP OF A CHARTER SCHOOL BOARD.

Representative Reynolds made comments.

The roll call on SB 100 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 100 was returned to the Senate.

Representative Smith deferred to Representative Miro.

Representative Miro brought SB 130, sponsored by Senator McBride & Representatives Smith & Gilligan & Senators Adams, Amick, Venables & Winslow & Representatives Buckworth, Capano, Cathcart, DiPinto, D. Ennis, Lofink, Oberle, Spence & VanSant, before the House for consideration.

SB 130 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS.

Representative Miro introduced and brought HA 1 to SB 130 before the House for consideration.

Representative Miro made a comment. HA1 was adopted by voice vote.

Representative Miro made comments.

The roll call on SB 130 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 130 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder brought HB 301, jointly sponsored by Representatives Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lee, Miro, Plant, Price, Scott, Smith, Spence, Stone, VanSant, Viola & Wagner & Senators Blevins, Bunting & Simpson, before the House for consideration.

HB 301- AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES FOR SHOPLIFTING AND POSSESSION OF TOOLS FOR SHOPLIFTING.

Representative Schroeder brought HA 1 to HB 301 before the House for consideration.

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

Representatives Schroeder, Welch, Schroeder, Maier, Schroeder & Wagner made comments.

The roll call on HB 301 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 301 w/HA 1 was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle introduced a guest.

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

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: HB 370 - 5M.

HEALTH AND HUMAN DEVELOPMENT: SB 6 - 4F, 2M.

HOUSE ADMINISTRATION: HB 347 - 4M.

JUDICIARY: HB 368 - 7M; HB 369 - 7M; SB 166 - 7M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 377 - 1F, 3M.

SUBSTANCE ABUSE: HB 325 – 8M.

EDUCATION: HB 254 – 7M. HB 256 – 8M; HB 289 – 8M; HB 291 – 8M; HB 342 – 1F, 8M; HB 343 – 2F, 7M; HB 351 – 6M; SB 18 w/SA 1, 3, 5 & 7 – 4M, 5U; SB 164 w/SA 1 – 9M; SB 184 – 9M.

Mr. Speaker Spence resumed the Chair.

Representatives Caulk & Stone made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 37, jointly sponsored by Senator Sharp & Senators Sokola & Winslow & Representative Oberle, before the House for consideration.

SB 37- AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE COURT APPROVAL OF TORT SETTLEMENTS FOR MINORS OR INCOMPETENTS.

Representative Wagner made a comment.

The roll call on SB 37 was taken and revealed:

YES: 39.

ABSENT: Representatives West & Williams – 2.

Therefore, having received a constitutional majority, SB 37 was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HB 384, jointly sponsored by Senator Vaughn & Representatives Carey, Lofink, Miro, B. Ennis & Plant & Senators Connor & Winslow.

HB 384 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ZONING.

Mr. Speaker Spence assigned HB 384 to the Land Use and Infrastructure Committee.

Representative Cathcart introduced HB 383, jointly sponsored by Senator Sharp & Representatives Carey, Fallon, Miro, Oberle, VanSant, B. Ennis & Plant & Senators Vaughn, Connor & Winslow.

HB 383 – AN ACT TO AMEND TITLES 9, 14 AND 22 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING AND EDUCATION. (2/3 bill)

Mr. Speaker Spence assigned HB 383 to the Land Use and Infrastructure Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced HJR 12, jointly sponsored by Representative Plant & Senator Winslow.

HJR 12 – 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.

Mr. Speaker Spence assigned HJR 12 to the Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HB 382. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought HB 382, jointly sponsored by Senator Sharp, before the House for consideration.

HB 382 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT.

Representative Oberle moved to place HB 382 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith brought HB 46 w/HA 2 & SA 1, sponsored by Senators Cook & Vaughn & cosponsored by Representative Valihura, before the House for concurrence on SA 1.

HB 46 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE.

Representative Smith made a comment.

The roll call on HB 46 w/HA 2 & SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative West – 1.

Therefore, having received a constitutional majority, HB 46 w/HA 2 & SA 1 was sent to the Governor.

Representative Smith deferred to Representative Lee.

Representative Lee brought SB 141 w/SA 1 & 2, sponsored by Senator McDowell & Representative Maier, before the House for consideration.

SB 141 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE RESPONSIBILITIES AND DUTIES FOR ALL ASPECTS OF CUSTODY, INCLUDING TREATMENT AND EVALUATION, OF YOUTH OFFENDERS WHO ARE LAWFULLY SENTENCED AS ADULTS OR WHO ARE LAWFULLY TRANSFERRED TO DEPARTMENT OF CORRECTION.

Representative Lee made comments.

The roll call on SB 141 w/SA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 141 w/SA 1 & 2 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 159 w/SA 1, jointly sponsored by Senator DeLuca & Senators Bonini, Sokola, Blevins, McDowell, Henry, Sorenson, Adams, Bair, Cook, Bunting, Marshall, Sharp, Vaughn, Venables & Winslow & Representatives Capano, Spence, Welch, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Scott & Viola, before the House for consideration.

SB 159 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE REGARDING THE EXPUNGEMENT OF ARREST RECORDS.

Representative Wagner made a comment.

The roll call on SB 159 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 159 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 167 jointly sponsored by Senators Adams, Venables & Amick & Representative Spence, before the House for consideration.

SB 167 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT. (2/3 bill)

Representative Wagner made a comment.

The roll call on SB 167 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 167 was returned to the Senate.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought HB 175, jointly sponsored by Representatives Brady, Buckworth, Carey, Cathcart, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lofink, Mulrooney, Oberle, Plant, Price, Scott, VanSant, Viola, West & Williams, before the House for consideration.

HB 175 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX. (F/N)

Representative Gilligan introduced and brought HA 1 to HB 175 before the House for consideration.

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

The roll call on HB 175 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Capano - 1.

Therefore, having received a constitutional majority, HB 175 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Miro.

Representative Miro brought HB 346 jointly sponsored by Representative Quillen & Senator Adams & Representatives Buckworth, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Lee, Maier, Reynolds, Ulbrich, B. Ennis, Houghton, Mulrooney, Plant, Scott, VanSant & Williams, before the House for consideration.

HB 346 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS.

Representative Price introduced and brought HA 1 to HB 346 before the House for consideration.

Representative Price moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative Miro and adopted by voice vote.

Representative Miro introduced and brought HA 2 to HB 346 before the House for consideration. Representative Miro made a comment. HA 2 was adopted by voice vote.

Representatives Miro, Gilligan, Miro, Keeley, Miro & West made comments.

Representative Price requested and was granted privilege of the floor for Charles Salkin, Director, Division of Parks and Recreation.

Representatives Price, D. Ennis & Ewing made comments.

The roll call on HB 346 w/HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano & DiPinto - 2.

Therefore, having received a constitutional majority, HB 346 w/HA 2 was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 364, jointly sponsored by Senator Henry & Representatives Welch, Boulden, Buckworth, Ewing, Fallon, Lofink, Quillen, Reynolds, Wagner, Brady, B. Ennis, Keeley & Williams & Senators McDowell, Marshall, Sokola, Bair, Connor, Sorenson & Still, before the House for consideration.

HB 364 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AGGRESSIVE DRIVING. (2/3 bill)

Representatives Oberle, Reynolds, Gilligan, Oberle, Smith, Valihura, Williams & Keeley made comments.

The roll call on HB 364 was taken and revealed:

YES: 36.

NOT VOTING: Representative Scott – 1.

ABSENT: Representative Capano, DiPinto, Quillen & Roy – 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 364 was sent to the Senate for concurrence.

Representative Smith moved to restore SB 69. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith brought SB 69, sponsored by Senator Blevins & Representative Capano & Senators Bair, Bunting, Cook, DeLuca, Henry, McDowell, Marshall, Simpson, Sokola, Amick, Bonini, Connor, Sorenson, Still & Winslow & Representatives Carey, Fallon, Maier, Miro, Mulrooney, Stone, Ulbrich, Wagner, Gilligan, Keeley, Price, Schroeder & West, before the House for consideration.

SB 69 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. (2/3 bill)

Representative Smith moved to rescind the roll call on SB 69. The motion was properly seconded and adopted by voice vote.

The roll call on SB 69 was taken and revealed:

YES: 37.

ABSENT: Representatives Capano, DiPinto, Quillen & Roy – 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 69 was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and on action on HB 389. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought HB 389, jointly sponsored by Representative Spence & Senator Blevins, before the House for consideration.

HB 389 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES INVOLVING ABUSE OR NEGLECT.

Representative Oberle made comments.

The roll call on HB 389 was taken and revealed:

YES: 37.

ABSENT: Representatives Capano, DiPinto, Quillen & Roy – 4.

Therefore, having received a constitutional majority, HB 389 was sent to the Senate for concurrence.

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

JUDICIARY: SB 191 - 5M; SB 192 - 5M.

Representative Smith deferred to Representative Welch.

Representative Welch introduced and brought HCR 35, jointly sponsored by Representatives Spence, Smith, Wagner, Gilligan & VanSant & Senator Still, before the House for consideration.

HCR 35 - HONORING CITY OF DOVER POLICE OFFICER, CPL. JAMES E. HOSFELT JR., FOR HIS OUTSTANDING SERVICE TO THE CITIZENS OF DELAWARE AND HIS SELECTION AS THE LAW ENFORCEMENT OFFICER OF THE YEAR (1998) BY THE NATIONAL RIFLE ASSOCIATION.

Representative Welch made comments.

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

The Majority Leader moved to recess to the Call of the Chair at 9:17 p.m.

Mr. Acting Speaker Welch called the house to order at 2:28 p.m. on June 24, 1999.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 310 – 3F, 1M.

Mr. Acting Speaker assigned HB 254, HB 291, HB 342, SB 6, SB 18 & SB 166 to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 13, HB 51, HB 63, HB 82, HB 188, HB 203, HB 215 w/HA1, HB 216, HB 229, HS 1 to HB 242, HB 328 & HB 179 w/SA 1 and is returning same to the House.

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

41st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 24, 1999

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:

HB 379 - WELCH & SENATOR BUNTING; REPRESENTATIVES BRADY, CAPANO, DILIBERTO, B. ENNIS, PRICE, QUILLEN, SPENCE, VALIHURA; SENATORS BONINI, CONNOR & SIMPSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 5, Title 7 of the Delaware Code Relating to Licenses.

HB 380 - ROY & REPRESENTATIVE DIPINTO & SENATOR SOKOLA & STILL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 9, 14 and 24 of the Delaware Code Relating to the Assessment of Real Property for the Purpose of Ad Valorem Taxation.

HB 381 - SCOTT; REPRESENTATIVES BRADY, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PRICE, SCHROEDER, VANSANT, VIOLA & WEST - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

HB 385 - CAPANO & SENATOR HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public Education.

HB 386 - CATHCART; REPRESENTATIVES SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, D. ENNIS, EWING, LEE, LOFINK, MAIER, MIRO, STONE, ULBRICH, VALIHURA, WAGNER, HOUGHTON & PLANT; SENATORS CONNOR & WINSLOW - CAPITAL INFRASTRUCTURE - Amend Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

HB 390 - B. ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Salaries of Members of the Kent County Board of Assessment.

HA 2 to HB 21 - WAGNER - Placed with the Bill.

HA 2 to HB 77 - WAGNER - Placed with the Bill.

HA 1 to HB 168 - SPENCE - Placed with the Bill.

HA 3 to HB 226 - HOUGHTON - Placed with the Bill.

HA 1 to HB 323 - B. ENNIS - Placed with the Bill.

HA 2 to HB 332 - CAPANO - Placed with the Bill.

HA 3 to HB 332 - LEE - Placed with the Bill.

HA 4 to HB 332 - B. ENNIS - Placed with the Bill.

HA 5 to HB 332 - LEE - Placed with the Bill.

HA 6 to HB 332 - SPENCE; REPRESENTATIVE B. ENNIS & REPRESENTATIVE PLANT, REPRESENTATIVES SMITH, WELCH, BOULDEN, CAPANO, CATHCART, CLOUTIER, DIPINTO, D. ENNIS, LOFINK, MAIER, MIRO, OBERLE, REYNOLDS, ROY, ULBRICH, VALIHURA, GILLIGAN, VANSANT, BRADY, DILIBERTO, HOUGHTON, KEELEY, MULROONEY, PRICE, SCHROEDER, SCOTT, VIOLA & WILLIAMS - Placed with the Bill.

HA 7 to HB 332 - LEE - Placed with the Bill.

HA 1 to HB 354 - WAGNER - Placed with the Bill.

HA 1 to HB 367 - GILLIGAN - Placed with the Bill.

SB 176 - SHARP; SENATORS VAUGHN, AMICK, & WINSLOW; REPRESENTATIVES SPENCE, VALIHURA, WAGNER & DILIBERTO - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade and the Adoption of the Delaware Revised Uniform Partnership Act. (3/5 bill)

SB 177 - SHARP & REPRESENTATIVE SPENCE; SENATORS VAUGHN & WINSLOW; REPRESENTATIVES OBERLE, WAGNER, PLANT & SCOTT - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 178 - SHARP & REPRESENTATIVE SPENCE; SENATORS VAUGHN & WINSLOW; REPRESENTATIVES OBERLE, WAGNER, PLANT & SCOTT - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

SB 206 - ADAMS & REPRESENTATIVE WAGNER; SENATOR COOK - JUDICIARY - An Act to Amend Title 10 of the Delaware Code to Increase the Number of Court of Common Pleas Judges to 9 to Provide for Additional Court of Common Pleas Judges for Kent County and Sussex County. (F/N)

HA 1 to SB 18 - REYNOLDS; REPRESENTATIVE ULBRICH, REPRESENTATIVES BOULDEN, CAREY, CATHCART, CLOUTIER & MIRO - Placed with the Bill.

HA 1 to SB 64 - QUILLEN - Placed with the Bill.

Representatives Buckworth, D. Ennis, Wagner, Quillen, DiPinto, Reynolds, Ulbrich, B. Ennis, Spence, Stone & Gilligan requested that they be marked present.

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

GAMING AND PARI-MUTUELS: HB 353 – 5M.

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

The House reconvened at 4:20 p.m. with Representative Oberle as Acting Speaker.

The reading clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 190, SB 199 & SB 203, SB 48 w/SA 1, SB 70 w/SA 1 & 2 & SB 72 and requests the concurrence of the House.

Mr. Acting Speaker Oberle introduced a guest and granted privilege of the floor to former Speaker John Ferguson.

Representatives Gilligan & Price made comments.

Representatives Williams & DiLiberto requested that they be marked present.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced HA 2 to HB 351. HA 2 was placed with the bill.

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

SB 27 w/SA 1- Marshall & Representative Oberle - AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 13 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC EMPLOYMENT RELATIONS ACT.

SB 28 w/SA 1 & 2 – Marshall & Representative Oberle -AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 16 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

SB 28 w/SA 1 & 2 – Marshall & Representative Oberle -AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 16 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

SB 29 w/SA 1 & 2 – Marshall & Representative Oberle - AN ACT TO AMEND TITLE 14, DELAWARE CODE, CHAPTER 40 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT.

HB 327 – Welch & Senators Simpson, Venables, Bunting & Sorenson - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ATTENDANCE.

HJR 12 - D. Ennis & Representative Plant & Senator Winslow - 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.

Representative Smith requested that HB 327 be removed from Consent Agenda K.

Representative Smith moved to suspend the rules which would interfere with action on Consent Agenda K. The motion was seconded by Representative Welch and adopted by voice vote.

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

YES: 40.

ABSENT: Representative Schroeder – 1.

Therefore, having received a constitutional majority, SB 27 w/SA 1, SB 28 w/SA 1 & 2 & SB 29 w/SA 1 & 2 were returned to the Senate and HJR 12 was sent to the Senate for concurrence.

Representatives Boulden, Maier & Plant requested that they be marked present during the roll call.

Representative Smith brought Consent Agenda L before the House for concurrence on Senate amendments.

HB 48 w/HA 1 & SA 1 & 2 – West & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier,

Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Scott, Spence, Stone, VanSant, Viola, Wagner & Williams - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO VOTER REGISTRATION INFORMATION.

HB 167 w/SA 1 – Spence & Representative Oberle & Senator Vaughn & Representatives Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Miro, Quillen, Reynolds, Roy, Valihura, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Scott, Viola & Stone & Senators McBride, Bonini, Simpson, Still & Winslow & Representatives Price & Schroeder - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE.

HB 179 w/SA 1- DiPinto & Senator DeLuca & Representatives Roy, Spence, Smith, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Maier, Quillen, Reynolds, Stone, Ulbrich, Valihura, Wagner, Price & Schroeder - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DELAWARE TRANSPORTATION AUTHORITY.

Representative Smith requested that HB 48 w/HA 1 & SA 1 & 2 be removed from Consent Agenda L. The roll call on Consent Agenda L was taken and revealed:

YES: 39.

ABSENT: Representatives Schroeder & Spence – 2.

Therefore, having received a constitutional majority, HB 179 w/SA 1 & HB 167 w/SA 1 were sent to the Governor.

Representative Smith brought HB 48 w/HA 1 & SA 1 & 2, sponsored by Representatives West, Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Scott, Spence, Stone, VanSant, Viola, Wagner & Williams, before the House for concurrence on SA 1 & 2.

HB 48 – AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO VOTER REGISTRATION INFORMATION.

The roll call on HB 48 w/HA 1 & SA 1 & 2 was taken and revealed:

YES: 38.

NO: Representative Valihura – 1.

ABSENT: Representatives Schroeder & Spence – 2.

Therefore, having received a constitutional majority, HB 48 w/HA 1 & SA 1 & 2 was sent to the Governor.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis moved to suspend the rules which interfere with action on HB 332. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative B. Ennis brought HB 332, jointly sponsored by Representatives Ewing & Maier & Senators Blevins & Henry & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Miro, Mulrooney, Plant, Price, Reynolds, Roy, Schroeder, Scott, Spence, Ulbrich, Valihura, VanSant, Viola, Wagner, West & Williams & Senators Adams, Amick, Bair, Bonini, Connor, Cook, DeLuca, Marshall, McBride, McDowell, Simpson, Sokola, Sorenson, Still, Vaughn, Venables & Winslow, before the House for consideration.

HB 332- AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICE SYSTEMS.

Representative B. Ennis made comments.

Representative B. Ennis deferred to Representative Spence.

Representative Spence brought HA 1 to HB 332 before the House for consideration.

Representative Spence made comments.

Representative B. Ennis requested and was granted privilege of the floor for Brian Bushweller, Secretary, Department of Public Safety.

Representative B. Ennis made a comment.

Representative Spence moved to place HA 1 to HB 332 on the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Capano brought HA 2 to HB 332 before the House for consideration.

Representatives Capano & B. Ennis made comments. HA 2 was adopted by voice vote.

Representative Lee requested that HA 3 to HB 332 be stricken.

Representative B. Ennis brought HA 4 to HB 332 before the House for consideration.

Representative B. Ennis made comments. HA 4 was adopted by voice vote.

Representative Lee brought HA 5 to HB 332 before the House for consideration.

Representatives Lee & B. Ennis made comments. HA 5 was adopted by voice vote.

Representative Spence brought HA 6 to HB 332, jointly sponsored by Representatives Lee, B. Ennis, Plant, Smith, Welch, Boulden, Capano, Cathcart, Cloutier, DiPinto, D. Ennis, Lofink, Maier, Miro, Oberle, Reynolds, Roy, Ulbrich, Valihura, Gilligan, VanSant, Brady, DiLiberto, Houghton, Keeley, Mulrooney, Price, Schroeder, Scott, Viola & Williams, before the House for consideration.

Representative Spence made comments.

Representative B. Ennis requested and was granted privilege of the floor for Brian Bushweller, Secretary, Department of Public Safety.

Representatives B. Ennis & Spence made comments. HA 6 was adopted by voice vote.

Representative Lee brought HA 7 to HB 332 before the House for consideration.

Representatives Lee & B. Ennis made comments. HA 7 was adopted by voice vote.

Representative Cathcart made an announcement.

Representative B. Ennis introduced and brought HA 8 to HB 332 before the House for consideration.

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

Representative B. Ennis made a comment. HA 8 was adopted by voice vote.

Representative Lee requested and was granted privilege of the floor for Brian Bushweller, Secretary, Department of Public Safety.

Representatives Lee, Schroeder, Welch, Lee, B. Ennis, Lee, B. Ennis & Welch made comments.

The roll call on HB 332 w/HA 2, 4, 5, 6, 7 & 8 was taken and revealed:

YES: 39.

NO: Representative Welch – 1.

ABSENT: Representative West – 1.

Therefore, having received a constitutional majority, HB 332 w/HA 2, 4, 5, 6, 7 & 8 was sent to the Senate for concurrence.

Representative Gilligan made comments regarding HB 332.

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

Representative Spence requested and was granted privilege of the floor to present a House Tribute to Wilmington City Councilman Norman M. Oliver.

Representatives Gilligan, DiPinto, D. Ennis, Plant, Reynolds & Acting Speaker Oberle made comments.

Representative Smith moved to restore SB 69 and to rescind the roll call. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought SB 69, sponsored by Senator Blevins & Representative Capano & Senators Bair, Bunting, Cook, DeLuca, Henry, Marshall, Simpson, Sokola, Amick, Bonini, Connor, Sorenson, Still & Winslow & Representatives Carey, Fallon, Maier, Miro, Mulrooney, Stone, Ulbrich, Wagner, Gilligan, Keeley, Price, Schroeder, West & Viola, before the House for consideration.

SB 69 – AN ACT CONCURRING IN A PROPOSED AMENDMENT TO DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. (2/3 bill)

Representative Smith made a comment.

The roll call on SB 69 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 69 was returned to the Senate.

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

APPROPRIATIONS: HB 110 - 4M.

BUSINESS/ CORPORATIONS/COMMERCE: SB 75 - 6M; SB 204 w/SA 5 - 7M.

EDUCATION: SB 211 - 7M.

JUDICIARY: SB 176 - 2F, 4M; SB 177 - 6M; SB 178 - 6M; SB 206 - 4F, 2M.

LABOR: SB 119 - 5M.

PUBLIC SAFETY: SB 179 - 6M; SB 180 - 6M.

SB 48 w/SA 1, sponsored by Senators Blevins, Henry, Marshall, McDowell, Sokola & Bair & Representatives Maier, Buckworth, Carey, Cloutier & Ewing was given its first reading.

SB 48 – AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO MANAGED CARE ORGANIZATIONS.

Mr. Acting Speaker assigned SB 48 w/SA 1 to the Health and Human Development Committee.

Representative Smith deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with action on SB 204 w/SA 5. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Miro brought SB 204 w/SA 5, sponsored by Senators Sharp, Blevins & DeLuca & Representatives Mulrooney & Viola, before the House for consideration.

SB 204 - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

Representative Miro made comments.

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

Representative Cathcart made comments.

Mr. Acting Speaker Oberle appointed Representative Roy as Acting Speaker.

Representative Cathcart made comments.

Acting Speaker Roy appointed Representative Oberle as Acting Speaker.

Representatives Ewing, Smith, Ewing Miro, Roy, Smith, Roy, Cathcart & Miro made comments.

The roll call on SB 204 w/SA 5 was taken and revealed:

YES: 33.

NO: Representatives Caulk, Lee, Quillen & Roy – 4.

NOT VOTING: Representatives Buckworth, Ewing & Fallon – 3.

ABSENT: Representative B. Ennis – 1.

Therefore, having received a constitutional majority, SB 204 w/SA 5 was returned to the Senate.

Mr. Acting Speaker Oberle & Representative Miro made comments.

Representative DiLiberto & Mr. Acting Speaker Oberle requested and were granted privilege of the floor to introduce guests.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought SB 112, jointly sponsored by Senators Marshall, Blevins, McDowell & Connor & Representatives Maier, Spence & Scott, before the House for consideration.

SB 112 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. (2/3 bill)

Representative Lofink made comments.

The roll call on SB 112 was taken and revealed:

YES: 40.

ABSENT: Representative Williams – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 112 was returned to the Senate.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier brought HB 162, jointly sponsored by Representatives Fallon, Lofink, Maier, Stone & Plant & Senators Blevins, Henry, Marshall, Bair & Bonini, before the House for consideration.

HB 162 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF MIDWIFERY IN THE STATE OF DELAWARE.

Representative Cloutier brought HA 1 to HB 162 before the House for consideration.

HA 1 was adopted by voice vote.

Representatives Cloutier, Gilligan, VanSant, Gilligan, Reynolds, Lofink, DiPinto, B. Ennis, Plant, Cloutier, Carey, DiPinto & Boulden made comments.

The roll call on HB 162 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 162 w/HA 1 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Price.

Representative Price brought HB 210, jointly sponsored by Representatives Miro & Keeley & Senator Marshall & Representatives Carey, B. Ennis, Maier, Spence & VanSant & Senators Sokola & Venables, before the House for consideration.

HB 210 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE APPROPRIATIONS FOR LIMITED ENGLISH PROFICIENCY STUDENTS. (F/N)

Representative Price introduced and brought HA 1 to HB 210 before the House for consideration.

Representative Price requested that HA 1 be stricken.

Representative Miro introduced and brought HA 2 to HB 210 before the House for consideration.

Representative Miro requested that HA 2 be stricken.

Representative Miro introduced and brought HA 3 to HB 210 before the House for consideration.

Representative Miro made comments. HA 3 was adopted by voice vote.

Representatives Smith, Price, Ewing, Miro, Keeley, Wagner & DiPinto made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on HB 210 w/HA 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 210 w/HA 3 was sent to the Senate for concurrence.

Representative Miro requested and was granted personal privilege of the floor to make comments regarding HB 210.

Representative Smith deferred to Representative Stone.

Representative Stone requested that SB 183 be deferred to a Day Certain, Tuesday, June 29, 1999.
 Representative Smith deferred to Representative Wagner.
 Representative Wagner requested that HB 354 be stricken.
 Representative Ewing requested and was granted personal privilege of the floor to make comments.
 Representative Ewing introduced HB 394, jointly sponsored by Senator Henry.
HB 394 – AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO COLLECTION OF BLOOD SAMPLES.
 Mr. Speaker Spence assigned HB 394 to the Public Safety Committee.
 Representative Smith deferred to Representative Valihura.
 Representative Valihura introduced and brought HR 36, jointly sponsored by Representatives Smith, Cloutier, D. Ennis & Brady, before the House for consideration.
HR 36 – URGING THE DELAWARE CONGRESSIONAL DELEGATION TO INQUIRE ABOUT THE IMPACT ON NORTHERN DELAWARE OF INCREASING AIR TRAFFIC FLYING INTO AND OUT OF THE PHILADELPHIA INTERNATIONAL AIRPORT.
 Mr. Speaker Spence assigned HR 36 to the House Administration Committee.
 Representative Valihura made comments.
 The Chief Clerk read the following committee reports into the record:
LAND USE AND INFRASTRUCTURE: HB 383 - 1F, 4M, 1U; HB 384 - 5M, 1U.
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 371 - 2F, 3M; SB 173 - 5M; SB 181 - 4M. SB 188 - 2F, 3M; SB 195 - 5F.
 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 2:03 p.m. on June 29, 1999.
 The Chief Clerk read the following committee reports into the record:
HEALTH AND HUMAN DEVELOPMENT: SB 48 w/SA 1 - 6M.
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HS 1 to HB 283 - 3M.
 The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day.
 The House reconvened at 2:05 p.m.

42nd LEGISLATIVE DAY
 140th GENERAL ASSEMBLY
 First Session
 June 29, 1999

The Chief Clerk called the roll.
 Members Present: 41.
 Representatives Ulbrich, Scott & Wagner requested that they be marked present.
 A prayer was offered by Representative George Robert Quillen, Thirtieth 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 300 - SMITH; SENATOR SOKOLA & REPRESENTATIVE OBERLE;
REPRESENTATIVES BOULDEN, BRADY, CAPANO, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS,
EWING, GILLIGAN, LOFINK, MAIER, MIRO, ROY, SPENCE, ULBRICH, VALIHURA, VANSANT,
VIOLA & WELCH; SENATORS BONINI, SHARP & STILL - APPROPRIATIONS - An Act to Amend
Title 14 of the Delaware Code Relating to Neighborhood Schools.
HB 387 - SPENCE & SENATOR SIMPSON; REPRESENTATIVES BUCKWORTH, CAULK,
EWING, QUILLEN & B. ENNIS; SENATORS BUNTING, VAUGHN & VENABLES -
TRANSPORTATION - An Act to Amend Title 2 of the Delaware Code Relating to the Imposition of Tolls
on the U.S. 13 Relief Route.
HB 388 - CAPANO; SENATOR HENRY - EDUCATION - An Act to Amend Chapter 5, Title 14 of
the Delaware Code Relating to Public Education and Title 30 of the Delaware Code Relating to State Tax.
HB 391 - LOFINK (By Request) - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title
6 of the Delaware Code Relating to Deposits of Money for the Purchase of Homes.
HB 392 - VANSANT & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Part IV,
Title 10 of the Delaware Code Relating to Settlements in Civil Actions; and Providing for a Structured
Settlement Protection Act.
HB 393 - WAGNER & SENATOR SHARP - JUDICIARY - An Act to Amend Title 6 of the
Delaware Code Relating to the Uniform Commercial Code.
HB 395 - LOFINK (By Request) - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title
25 of the Delaware Code Relating to Equitable Title Holder's Right to Inspection.
HA 1 to HB 318 - BOULDEN - Placed with the Bill.
HA 1 to HB 336 - STONE - Placed with the Bill.

HR 35 - SCOTT - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT -

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.

SB 55 w/SA 1, SA 4 - BUNTING & REPRESENTATIVE CAREY - AGRICULTURE - An Act to Amend Title 3 Relating to Pesticides.

SB 70 w/SA 1 & 2 - SOKOLA & REPRESENTATIVE ROY; SENATORS BLEVINS, DELUCA & MCBRIDE; REPRESENTATIVES BRADY, BUCKWORTH, MAIER, MIRO, QUILLEN, SPENCE, VALIHURA & WEST - BUSINESS/ CORPORATIONS/ COMMERCE - An Act to Amend Titles 6 and 18 of the Delaware Code Relating to Non-Mechanical Automotive Repair Work.

SB 72 - BUNTING & REPRESENTATIVE CAREY - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Regulation of Sale and Use of Pesticides and Devices. (3/5 bill)

SB 120 w/SA 1, SA 2 - DELUCA; REPRESENTATIVE BOULDEN - TRANSPORTATION - An Act Amending Title 17 Relating to Inspection Requirements for Bridge Owners.

SS 1 to SB 144 - MCBRIDE; SENATOR CONNOR & HENRY; REPRESENTATIVE QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Environmental Control and Environmentally Sound Management of Scrap Tire Piles. (2/3 bill)

SB 186 - SHARP & REPRESENTATIVE QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Subaqueous Lands.

SB 190 - BLEVINS & REPRESENTATIVE MAIER; SENATORS HENRY, SOKOLA, ADAMS, COOK, DELUCA, MARSHALL, MCBRIDE, MCDOWELL, SHARP, VAUGHN & BUNTING; REPRESENTATIVES KEELEY, PRICE, SCHROEDER, MIRO, CLOUTIER - ECONOMIC DEVELOPMENT; BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Coverage.

SB 199 - MARSHALL & REPRESENTATIVE OBERLE; SENATOR VENABLES & REPRESENTATIVE MIRO; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MCBRIDE, MCDOWELL, SHARP, SOKOLA, VAUGHN, BONINI, CONNOR, SIMPSON, SORENSON, STILL & WINSLOW; REPRESENTATIVES WELCH, BRADY, DILIBERTO, 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 Unemployment Compensation.

SB 200 - ADAMS & REPRESENTATIVE WAGNER - PUBLIC SAFETY - An Act to Amend Section 2756 of Title 21 of the Delaware Code Relating to Penalties for Driving While License is Suspended or Revoked.

SB 203 - HENRY & REPRESENTATIVE KEELEY; SENATORS BLEVINS, BUNTING, MARSHALL, MCDOWELL, SOKOLA, VENABLES, BAIR, BONINI, CONNOR & SORENSON; REPRESENTATIVES PLANT & VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax. (F/N)

SB 207 w/SA 1 - MCBRIDE & SENATORS BUNTING & CONNOR; REPRESENTATIVES CAREY, DIPINTO, D. ENNIS & QUILLEN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act To Amend Title 7 Of The Delaware Code Relating To The Clean Air Act Title V Operating Permit Program.

HA 2 to SB 63 - WAGNER - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 207 w/SA1, SB 55 w/SA 1 & 4, SB 120 w/SA 1 & 2, SB 200, SS 1 to SB 144 & SB 186 and requests the concurrence of the House and HB 170, HB 220, HB 274 & HS1 for HB 39 w/HA 1, 2, 4 & 6 & SA 1 & 4 and is returning same to the House.

June 24, 1999

LEGISLATIVE ADVISORY #23

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 161 aab HA 1 & 2 & SA 1, HB 46 aab HA 2 & SA 1, SB 99 aab SA 1, SB 74, SB 114 & SB 102 - 6/24/99

June 25, 1999

LEGISLATIVE ADVISORY #24

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 118 - 6/21/99

June 28, 1999

LEGISLATIVE ADVISORY #25

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 97 - 6/25/99

June 28, 1999

LEGISLATIVE ADVISORY #26

Governor Thomas R. Carper signed the following legislation on the date indicated: HB 73 aab HA 1 & 4 & SA 1, HB 53 aab HA 2, HB 48 aab HA1 & SA 1 & 2, HB 179 aab SA 1, HB 203, HB 13, HB 63, HB

142 aab HA 1, HB 164, HB 229, SB 16, SB 17, SB 35, SB 68, SB 103, SB 14, SB 47, SB 95, SB 170, SB 82, SB 21 & SB 34 aab SA 1 – 6/28/99

Representatives Keeley, B. Ennis & Plant requested that they be marked present.

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

Representative DiLiberto requested that he be marked present.

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

Representatives Williams & Stone requested that they be marked present.

Representative Oberle introduced guests.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: June 29, 1999

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
H140-814	Ewing	6/16/1999	T	Greenwood Cheer Mature Lifestyle Center/25th Anniversary
H140-815	Ewing	6/16/1999	T	Sarah Pritchett/Academic Awards/Woodbridge Schools
H140-816	DiPinto	6/15/1999	T	Dr. Curtis Layton/48 Years of Caring Service/Retirement
H140-817	Fallon	6/18/1999	T	Lee & Ruth Boyle/50th Wedding Anniversary
H140-818	Gilligan	5/21/1999	T	Haldy & Doloris Magaw/50th Wedding Anniversary
H140-819	Keeley	5/28/1999	T	Julia & Stanley Rydel/50th Wedding Anniversary
H140-820	Keeley	5/14/1999	T	Helen & Thomas Hnatowski/50th Wedding Anniversary
H140-821	Williams	5/29/1999	T	Pauline & Percell Wyatt/50th Wedding Anniversary
H140-822	VanSant	5/21/1999	T	Louise & John Myers/50th Wedding Anniversary
H140-823	Houghton	6/7/1999	T	Susan & Raymond Hopkins, Jr./50th Wedding Anniversary
H140-824	Houghton	4/20/1999	T	Helen & James Watson/55th Wedding Anniversary
H140-825	Mulrooney	5/13/1999	T	Mary & Reuben McVey, Sr./60th Wedding Anniversary
H140-826	Capano	7/5/1999	T	Brian Drysdale/Eagle Scout
H140-827	Williams	6/4/1999	T	Marjorie & Hugh Horning/50th Wedding Anniversary
H140-828	Smith	6/22/1999	T	Jim Bowers/Service to Democracy
H140-829	Roy	6/12/1999	T	Kama Boland/Miss Delaware 1999
H140-830	DiPinto	6/19/1999	T	Mary Ann Esposito/Chef, Teacher, Author and Historian
H140-831	Buckworth	6/28/1999	T	Donald Smith/Bachelor of Science Degree/Southern Illinois University
H140-832	DiPinto	6/17/1999	T	Contact Delaware/25th Anniversary
H140-833	Spence	6/17/1999	T	Honorable G. Wallace Caulk, Jr./Leadership/Agricultural Community
H140-834	Welch	6/15/1999	T	Phillip Moore, Sr./75th Birthday
H140-835	Smith	6/17/1999	T	Ruby Hinson/23 Years of Teaching
H140-836	Smith	6/17/1999	T	Frank Livoy/29 Years of Teaching
H140-837	Smith	6/17/1999	T	Paul Wellborn/38 Years Teaching/35 Years Coaching

HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: June 29, 1999

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
H140-838	Ulbrich	6/17/1999	T	Emily Wardrop/Girls State Speaker of the House
H140-839	Miro	6/17/1999	T	Dr. Peter Grandell/48 Years/Wilmington High School
H140-840	DiPinto	6/17/1999	T	All "Red Devils"/Commemoration of Closing/Wilmington High
H140-841	Quillen	6/14/1999	M	Richard D. Weigel
H140-842	Buckworth	6/17/1999	T	Monica Waldrige/Outstanding Student Achievement
H140-843	Buckworth	6/17/1999	T	Sean Tann/Outstanding Student Achievement
H140-844	Buckworth	6/17/1999	T	Jasmine Johnson/Outstanding Student Achievement

H140-845	Buckworth	6/17/1999	T	Maria Wood/Outstanding Student Achievement
	cosponsor: B. Ennis			
H140-846	Buckworth	6/17/1999	T	Billy Bachel/Outstanding Student Achievement
H140-847	Buckworth	6/17/1999	T	Lauren Greif/Outstanding Student Achievement
	cosponsor: Price			
H140-848	Stone	6/29/1999	T	Patricia Little/30 Years State Service/Retirement
H140-849	Fallon	6/22/1999	T	Fogelman Family/Special Part of the Community
H140-850	Capano	5/21/1999	T	Viola & Grover Penn/50th Wedding Anniversary
H140-851	Spence	6/27/1999	T	Jason Hewes/Eagle Scout
H140-852	VanSant	8/13/1999	T	Charles Donaldson/Eagle Scout
H140-853	Keeley	7/23/1999	T	Mary Lafferty/89th Birthday
H140-854	Keeley	7/3/1999	T	Edna Romano/94th Birthday
H140-855	Lofink	6/22/1999	T	Jackie Homiak/All-State Softball
H140-856	Lofink	6/22/1999	T	Megan Richardson/All-State Softball
H140-857	Lofink	6/22/1999	T	Kim Helm/All-State Softball
H140-858	Quillen	7/16/1999	T	Harrington Senior Center/32nd Anniversary
H140-859	Buckworth	6/22/1999	T	Erica Grieder/Presidential Scholar
H140-860	Spence	6/19/1999	M	Ernest S. Spence, V
H140-861	Fallon	6/23/1999	T	Lieutenant Robert Rosales/Outstanding Citizen
H140-862	DiPinto	6/23/1999	T	Russ Larson/50th Birthday
	cosponsors: Buckworth, D. Ennis & Fallon			
H140-863	Ewing	6/26/1999	T	Katherine & Richard Lewis/40th Wedding Anniversary

T- Tribute

M- Memoriam

Representative Welch introduced HB 396, jointly sponsored by Representatives Spence, Smith, Buckworth, Carey, Cathcart, Ewing & West & Senators Venables, Bair & Bonini.

HB 396 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES.

Mr. Acting Speaker assigned HB 396 to the Revenue & Finance Committee.

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

Representative Smith introduced a guest.

Representative Brady requested that he be marked present.

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

The House reconvened at 4:55 p.m.

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

APPROPRIATIONS: HB 121 - 4M; HB 217 - 4M; SB 6 - 4F; SB 8 w/SA 1, 4, 5 & 6 - 4F; SB 76 - 4F; SB 143 w/SA 1 - 4F.

HOUSE ADMINISTRATION: SB 197 - 3M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 379 - 1F,3M; SB 186 - 2F,2M; SB 207 w/SA 1 - 2F,2M.

Representative Smith moved to suspend the rules which interfere with introduction of and action on HS 1 to HB 300. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Smith introduced and brought HS 1 to HB 300, 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, before the House for consideration.

HB 300 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NEIGHBORHOOD SCHOOLS.

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

Representative Price requested that she be marked present.

Representatives Price, Smith, Price, Scott, Smith, Scott, Smith & Scott made comments.

Representative Viola requested that he be marked present.

Representatives Viola, Smith, Viola, Smith, Scott, Smith, Oberle, Scott, Oberle, Price, Smith, Price, Viola, Smith, Williams, D. Ennis & Smith made comments.

The roll call on HS 1 to HB 300 was taken and revealed:

YES: 29.

NO: Representatives Houghton, Keeley, Mulrooney, Price, Scott & Williams - 6.

NOT VOTING: Representatives B. Ennis, D. Ennis, Plant, Schroeder, Viola & West - 6.

Therefore, having received a constitutional majority, HS 1 to HB 300 was sent to the Senate for concurrence.

Representatives Boulden, Maier, Spence, Valihura, Lofink, Cathcart & Miro requested that they be marked present during the roll call.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 183, jointly sponsored by Senators Vaughn, Bunting & Still, before the House for consideration.

SB 183 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO VIATICAL SETTLEMENTS. (3/5 bill)

Representative Stone made comments.

The roll call on SB 183 was taken and revealed:

YES: 40.

ABSENT: Representative Scott – 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 183 was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 373, 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 consideration.

HB 373 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

Representative Oberle introduced and brought HA 1 to HB 373 before the House for consideration.

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

Representative Oberle introduced and brought HA 2 to HB 373 before the House for consideration.

Representative Oberle made comments. HA 2 was adopted by voice vote.

Representatives Oberle, Maier & Oberle made comments.

The roll call on HB 373 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 373 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 375, 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 consideration.

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

Mr. Speaker Spence resumed the Chair.

Representative Oberle introduced and brought HA 1 to HB 375 before the House for consideration.

Representative Oberle made a comment. HA 1 was adopted by voice vote.

Representative Oberle introduced and brought HA 2 to HB 375 before the House for consideration.

Representative Oberle made a comment. HA 2 was adopted by voice vote.

Representative Oberle made comments.

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

YES: 38.

NOT VOTING: Representatives Buckworth & Ewing – 2.

ABSENT: Representative Smith – 1.

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

Mr. Speaker Spence granted the privilege of the floor to Kristin Mills, representing the Caravel Academy Basketball Team, and Senator Dori Connor. Mr. Speaker Spence presented a House Tribute to Kristin.

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

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought HB 322, jointly sponsored by Representatives DiPinto & Schroeder & Senator Sokola, before the House for consideration.

HB 322 - HA 1- 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.

Representative Reynolds made comments.

Representative Reynolds introduced and brought HA 1 to HB 322 before the House for consideration.

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

Representative Reynolds introduced and brought HA 2 to HB 322 before the House for consideration.

Representative Reynolds made comments. HA 2 was adopted by voice vote.

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

YES: 41.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought HB 331, jointly sponsored by Representatives Spence, Boulden, Buckworth, Capano, Caulk, DiPinto, Ewing, Lee, Lofink, Maier, Quillen, Reynolds, Ulbrich, Wagner, Keeley, Plant & West & Senators Amick, Bair, Bonini, Connor, Sorenson, Winslow, Blevins & Henry, before the House for consideration.

HB 331- AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PENSIONERS.

Representative Cathcart introduced and brought HA 1 to HB 331 before the House for consideration. Representatives Cathcart, Wagner & Cathcart made comments. HA 1 was adopted by voice vote.

Representatives Cathcart, Ewing & Keeley made comments.

The roll call on HB 331 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 331 w/HA 1 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda M before the House for consideration.

HB 369 - D. Ennis & Representative Stone - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

HS 1 to HB 283 - Ulbrich & Senator Blevins & Representatives Boulden, Quillen, DeLuca, Amick & Simpson - AN ACT TO AMEND TITLE 24, CHAPTER 29 OF THE DELAWARE CODE RELATING TO THE REAL ESTATE GUARANTY FUND.

HB 368 - Lee & Senator Bunting -AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTIONS.

HB 370 - D. Ennis & Representative Stone - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RESTRICTIONS ON FRAUDULENT TRANSFERS.

SB 161 - DeLuca & Representative Ulbrich & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

SB 179 - Adams & Senators Vaughn & Bair & Representatives Buckworth, Ewing & Spence. - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING INDEMNIFICATION OF PARTIES PURSUANT TO A POLICE MUTUAL AID AGREEMENT.

SB 180 - Adams & Senators Vaughn & Bair & Representatives Buckworth, Ewing & Spence. - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING STATE POLICE REQUEST FOR ASSISTANCE FROM OTHER DELAWARE POLICE AGENCIES.

Representative Stone requested that HB 368 be removed from Consent Agenda M.

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

YES: 41.

Therefore, having received a constitutional majority, HS 1 to HB 283, HB 370 & HB 369 were sent to the Senate for concurrence and SB 161, SB 179 & SB 180 were returned to the Senate.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 368, jointly sponsored by Senator Bunting, before the House for consideration.

HB 368 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTIONS.

Representatives Lee & West made comments.

Representative Lee requested and was granted the privilege of the floor for Robert L. Stickles, Sussex County Administrator.

Representative West made comments.

The roll call on HB 368 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 368 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda N before the House for consideration, which requires a three-fifths vote.

SB 177 - Sharp & Representative Spence & Senators Vaughn & Winslow & Representatives Oberle, Wagner, Plant & Scott - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (3/5 bill)

SB 178 - Sharp & Representative Spence & Senators Vaughn & Winslow & Representatives Oberle, Wagner, Plant & Scott - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (3/5 bill)

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

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House and SB 177 & SB 178 were returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift SB 23 w/SA 1 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier brought SB 23 w/SA 1, jointly sponsored by Senators Marshall & Blevins & Representatives Lofink & Scott & Senators McDowell, Henry & Connor & Representative Spence, before the House for consideration.

SB 23 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION.

Representative Maier made comments.

Representative Maier brought HA 1 to SB 23 before the House for consideration.

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

The roll call on SB 23 w/SA 1 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 23 w/SA 1 & HA 1 was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 194, jointly sponsored by Senators DeLuca, Marshall, McBride & Vaughn & Representatives D. Ennis, Quillen, Reynolds, Wagner & B. Ennis, before the House for consideration.

SB 194 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF OPTOMETRY.

Representative Ulbrich introduced and brought HA 1 to SB 194 before the House for consideration.

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

Representatives Ulbrich & DiPinto made comments.

Representative Ulbrich moved to place SB 194 w/HA 1 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on HB 355. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Wagner brought HB 355, jointly sponsored by Senator Adams, before the House for consideration.

HB 355 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO INCREASE THE NUMBER OF FAMILY COURT JUDGES TO 15 TO PROVIDE FOR ADDITIONAL FAMILY COURT JUDGES IN KENT COUNTY AND SUSSEX COUNTY. (F/N)

Representatives Wagner, Gilligan & DiPinto made comments.

The roll call on HB 355 was taken and revealed:

YES: 40.

ABSENT: Representative Williams – 1.

Therefore, having received a constitutional majority, HB 355 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules that would interfere with action on HB 376. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HB 376, jointly sponsored by Senator Cook & Representatives Quillen & B. Ennis & Senators Adams & Vaughn, before the House for consideration.

HB 376 – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO HARNESS RACING. (3/5 bill) (F/N)

Representatives Oberle, Maier, Oberle, Ewing, Oberle, Ewing, Reynolds, Welch, Oberle, Ulbrich & Caulk made comments.

The roll call on HB 376 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 376 was sent to the Senate for concurrence.

The Majority Leader moved to recess for dinner at 7:06 p.m.

Mr. Speaker Spence called the House to order at 8:20 p.m.

Mr. Speaker Spence reassigned SB 66 to the Economic Development, Banking & Insurance Committee.

Representative Smith brought HB 325, jointly sponsored by Representatives Spence & Ewing & Senator Sokola & Representatives Buckworth, Carey, Cathcart, DiPinto, Fallon, Gilligan, Lee, Maier,

Oberle, Plant, Quillen & Schroeder & Senator Bonini & cosponsored by Representative Ulbrich, before the House for consideration.

HB 325 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRUG EDUCATIONAL PROGRAMS.

Representatives Smith, Price, Ewing, Smith, D. Ennis, Williams, Plant, Schroeder, Fallon & Ewing made comments.

The roll call on HB 325 was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth – 1.

Therefore, having received a constitutional majority, HB 325 was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 8:34 p.m.

Mr. Speaker Spence called the House to order at 9:15 p.m.

Representatives Smith, Gilligan, Smith & Caulk made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to lift SB 194 w/HA 1 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ulbrich brought SB 194, jointly sponsored by Senators DeLuca, Marshall, McBride & Vaughn & Representatives D. Ennis, Quillen, Reynolds, Wagner & B. Ennis, before the House for consideration.

SB 194 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF OPTOMETRY.

Representative Ulbrich introduced and brought HA 2 to SB 194 before the House for consideration.

Representative Ulbrich made comments. HA 2 was adopted by voice vote.

Representative Ulbrich made comments.

The roll call on SB 194 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, SB 194 w/HA 1 & 2 was declared passed the House.

Representative Ulbrich made a comment.

Representative Welch moved to rescind the roll call on SB 194 w/HA 1 & 2. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representative Ulbrich moved to place SB 194 w/HA 1 & 2 on the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought SB 176, jointly sponsored by Senators Sharp, Vaughn, Amick & Winslow & Representatives Spence, Valihura & DiLiberto, before the House for consideration.

SB 176 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE AND THE ADOPTION OF THE DELAWARE REVISED UNIFORM PARTNERSHIP ACT. (3/5 bill)

Representative Wagner made comments.

The roll call on SB 176 was taken and revealed:

YES: 40.

ABSENT: Representatives Smith – 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 176 was returned to the Senate.

Representative Welch deferred to Representative Oberle.

Representative Oberle moved to lift HB 382 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HB 382, jointly sponsored by Senator Sharp, before the House for consideration.

HB 382 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY BOARD OF ADJUSTMENT.

Representative Oberle introduced and brought HA 1 to HB 382 before the House for consideration. Representative Oberle made comments. HA 1 was adopted by voice vote.

Representatives Oberle, Reynolds & Oberle made comments.

The roll call on HB 382 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, HB 382 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Oberle.

Representative Oberle brought HB 353, jointly sponsored by Senators Vaughn, Cook & Adams & Representatives Quillen & B. Ennis & cosponsored by Representative Capano, before the House for consideration.

HB 353 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE STANDARD BREEDER'S PROGRAM FUND.

Representative Oberle brought HA 1 to HB 353 before the House for consideration.

Representative Oberle made a comment. HA 1 was adopted by voice vote.

Representatives Oberle, Maier & Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Michael Strine, Executive Assistant, Office of the Secretary, Department of Finance.

Representatives Maier & Oberle made comments.

The roll call on HB 353 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 353 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Welch deferred to Representative Ewing.

Representative Ewing brought HB 211, jointly sponsored by Senator Henry, before the House for consideration.

HB 211 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES.

Representative Ewing made comments.

The roll call on HB 211 was taken and revealed:

YES: 40.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, HB 211 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Spence.

Representative Spence brought HB 150, 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 & Williams & Senators Bonini & Henry & cosponsored by Representatives Brady & Plant, before the House for consideration.

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

Representatives Spence & DiPinto made comments.

The roll call on HB 150 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 150 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Spence.

Representative Spence brought HB 135, jointly sponsored by Representative Price & Senator Sharp & Representatives Valihura, Boulden, Buckworth, Capano, Cathcart, Miro, Stone, Gilligan, Brady, B. Ennis & West & Senators Blevins, Bunting, Henry, Marshall, Sokola, Bair, Connor & Sorenson & cosponsored by Representative Cloutier, before the House for consideration.

HB 135 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF TELEMARKETING AND ESTABLISHING REGISTRATION AND STANDARDS OF CONDUCT FOR PERSONS ENGAGING IN TELEMARKETING IN THIS STATE. (3/5 bill)

Representative Spence deferred to Representative Quillen.

Representative Quillen brought HA 1 to HB 135 before the House for consideration.

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

Representative Spence made comments.

Representative Spence introduced and brought HA 2 to HB 135 before the House for consideration.

Representative Spence made comments. HA 2 was adopted by voice vote.

Representatives Spence, Price & Spence made comments.

The roll call on HB 135 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 135 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought SB 162, jointly sponsored by Senators DeLuca, Sokola, Cook, Winslow & Henry & Representatives Brady & Valihura, before the House for consideration.

SB 162 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE DEPARTMENT OF TRANSPORTATION AND TRANSPORTATION PRIORITY PLANNING.

Representative Boulden made a comment.

The roll call on SB 162 was taken and revealed:

YES: 40.

ABSENT: Representative Spence – 1.

Therefore, having received a constitutional majority, SB 162 was returned to the Senate.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HB 318, jointly sponsored by Senator McBride & Representative Quillen, before the House for consideration.

HB 318 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO UNDERGROUND UTILITY DAMAGE PREVENTION AND SAFETY. (F/N)

Representative Boulden brought HA 1 to HB 318 before the House for consideration.

Representative Boulden made a comment. HA 1 was adopted by voice vote.

The roll call on HB 318 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth – 1.

Therefore, having received a constitutional majority, HB 318 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 121, jointly sponsored by Senator Vaughn & Representatives Brady, Buckworth, Carey, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, 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, West & Williams & Senators Blevins, Bonini, McDowell & Still & cosponsored by Senator Connor, before the House for consideration.

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 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 121 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Mr. Speaker Spence resumed the Chair.

Representative Capano moved to suspend the rules which interfere with the introduction of and action on HJR 14. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Capano introduced and brought HJR 14, jointly sponsored by Representatives DiPinto & Gilligan, before the House for consideration.

HJR 14 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1999.

Representative Capano made a comment.

The roll call on HJR 14 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 14 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with the introduction of and action on HJR 15. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Capano introduced and brought HJR 15, jointly sponsored by Representatives DiPinto & Gilligan, before the House for consideration.

HJR 15 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2000.

Representative Capano made a comment.

The roll call on HJR 15 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 15 was sent to the Senate for concurrence.

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

AGRICULTURE: HB 367 – 3M, 1U; SB 55 w/SA 1 & 4 – 4M; SB 72 – 4M; SB 126 w/SA 1 – 4M.

APPROPRIATIONS: HB 284 – 4F; SB 166 – 5F; HB 400 – 6F.

HOUSE ADMINISTRATION: HR 36 – 3F.

HOUSING & COMMUNITY AFFAIRS: HB 330 – 3F, 3M.

JUDICIARY: HB 392 – 5M; HB 393 – 5M.

PUBLIC SAFETY: SB 200 – 5M.

TRANSPORTATION: SB 120 w/SA 1 & 2 – 5M.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought HB 400, jointly sponsored by Senator Cook & Representatives Buckworth, D. Ennis, Fallon, DiLiberto & Houghton & Senators Henry, McBride, Vaughn, Sorenson & Winslow, before the House for consideration.

HB 400 – AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2000; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

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

The roll call on HB 400 was taken and revealed:

YES: 40.

NO: Representative Caulk – 1.

Therefore, having received a constitutional majority, HB 400 was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Gerald Buckworth, do hereby request that my name be removed as co-sponsor of HB 383.

Date: 6/29/99

Signed: Gerald A. Buckworth

The Senate wishes to inform the House that it has passed SB 175 w/SA 1, SB 196, SB 214 & SB 209 and requests the concurrence of the House and HB 163 w/HA 1 & HB 285 w/HA 1 & SA 1 and is returning same to the House.

The Majority Leader moved to recess to the call of the Chair at 10:40 p.m.

Mr. Speaker Spence called the House to order at 4:47 p.m. on June 30, 1999.

Representative Smith introduced and brought the following prefiled Consent Calendar #11 before the House for consideration.

HR 34 – Roy on behalf of All Representatives - HONORING DELAWARE NATIVE JAMIE NATALIE FOR HIS OUTSTANDING ACHIEVEMENTS AND THE SHINING EXAMPLE HE HAS SET FOR OTHER YOUNG PEOPLE.

HR 37 – DiPinto - WISHING A HAPPY ONE HUNDRETH BIRTHDAY TO OUR DEAR FRIEND SABINA ADELPHUS CLARKE SCHOFIELD, ONE OF DELAWARE'S CHERISHED CITIZENS.

HCR 36 – Valihura & Representatives Smith, Cloutier, D. Ennis & Brady - ESTABLISHING A MEDICAL NEGLIGENCE STATUTE REVIEW TASK FORCE TO REVIEW THE CURRENT MEDICAL NEGLIGENCE STATUTE OF LIMITATIONS AND ITS RELATED ISSUES.

Representative Stone requested that HCR 36 be removed from Consent Calendar #11.

Consent Calendar #11 was adopted by voice vote.

Representative Stone requested that HCR 36 be stricken.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 136, SB 208 w/SA 1, SB 218, SB 220, SB 230 & SB 225 w/SA 1 and requests the concurrence of the House and HB 228 w/HA 1 & SA 1 & HB 326 w/SA 1 and is returning same to the House.

June 29, 1999

LEGISLATIVE ADVISORY #27

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/29/99 – SB 108.

**43rd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Session
June 30, 1999**

The Majority Leader moved to adjourn at 4:51 p.m., thereby ending the current legislative day.
The House reconvened at 4:52 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

The Speaker led those present in 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 200 - WILLIAMS; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CATHCART, CLOUTIER, DILIBERTO, B. ENNIS, EWING, HOUGHTON, KEELEY, LOFINK, MULROONEY, OBERLE, PLANT, PRICE, REYNOLDS, SCHROEDER, SCOTT, SPENCE, ULBRICH, VANSANT, VIOLA, WAGNER, WELCH & WEST; SENATORS BUNTING, HENRY, CONNOR - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Public Notification of Property Contaminated by Hazardous Substances.

HS 1 to HB 257 - SMITH & REPRESENTATIVE ULBRICH; REPRESENTATIVES REYNOLDS, BRADY, CAPANO, EWING, VALIHURA & SENATOR SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Legal Services.

HB 397 - WELCH; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, CATHCART, EWING & WEST; SENATORS VENABLES, BAIR & BONINI - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Taxes.

HB 398 - CLOUTIER & SENATOR BLEVINS & SENATOR BAIR; REPRESENTATIVES MAIER & ULBRICH - HEALTH and HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code to Provide for the Uniform Child Custody Jurisdiction and Enforcement Act.

HB 399 - BOULDEN - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the Uniform Statewide Construction Code.

HB 402 - ULBRICH; REPRESENTATIVES CAPANO, VALIHURA, BUCKWORTH & KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

HB 403 - BOULDEN & REPRESENTATIVE SCHROEDER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Notice of Waiver for Maximum Student-Instructor Ratio Requirements.

HB 405 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES D. ENNIS, VIOLA, HOUGHTON, PLANT, OBERLE, SPENCE, WEST, SCOTT & BRADY - LABOR - An Act Authorizing and Directing the Board of Pension Trustees to Grant Death Benefits for Retired Members of the Delaware Transit Corporation.

HA 1 to HB 363 - OBERLE - Placed with the Bill.

SB 136 - SHARP - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 196 - HENRY & REPRESENTATIVE DIPINTO; SENATORS BLEVINS, COOK, DELUCA, MARSHALL, MCDOWELL, SOKOLA, VENABLES, BAIR, BONINI, CONNOR, SIMPSON, SORENSON & STILL & REPRESENTATIVES SPENCE, KEELEY & WELCH - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Business Tax Credits and Deductions. (F/N)

SB 209 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY, & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 27, Title 24 of the Delaware Code Relating to Land Surveyors and Title 29 of the Delaware Code.

SB 214 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 37, Title 24 of the Delaware Code Relating to Speech Pathologists, Audiologists and Hearing Aid Dispensers. (2/3 bill)

SB 220 - DELUCA & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, SIMPSON & STILL; REPRESENTATIVES CAPANO, VALIHURA, KEELEY & PRICE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 30, Title 24 of the Delaware Code Relating to Professional Counselors. (2/3 bill)

SB 225 w/SA 1 - MCBRIDE; SENATORS HENRY & CONNOR & REPRESENTATIVES HOUGHTON, KEELEY, MULROONEY & SCOTT - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Coastal Zone Act.

HA 1 to SB 6 - DIPINTO - Placed with the Bill.

HA 1 to SB 87 - STONE - Placed with the Bill.

HA 2 to SB 87 - STONE - Placed with the Bill.

HA 3 to SB 87 - SMITH; REPRESENTATIVES BRADY & QUILLEN; SENATORS SIMPSON & STILL - Placed with the Bill.

HA 1 to SB 208 - SPENCE - Placed with the Bill.

Representative Fallon requested and was granted personal privilege of the floor to introduce guests.
Mr. Speaker Spence introduced a guest.

Representatives Lee & Oberle requested that they be marked present.

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

Representative Plant made comments regarding HB 206.

Representatives Williams & Plant made comments.

Representatives Wagner, Carey, Plant & Boulden requested and were granted personal privilege of the floor to introduce guests.

Representative Maier requested that she be marked present.

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

Representatives Reynolds & Plant made comments.

Representative Smith deferred to Representative Welch.

Representative Welch requested and was granted the privilege of the floor to present a House Tribute to Corporal James E. Hosfelt, Jr., NRA Law Enforcement Officer of the Year, and to introduce guests.

Representative Wagner made comments.

Representative West requested that he be marked present.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to lift SB 194 w/HA 1 & 2 from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich brought SB 194 w/HA 1 & 2, jointly sponsored by Senators DeLuca, Marshall, McBride & Vaughn & Representatives D. Ennis, Quillen, Reynolds, Wagner & B. Ennis before the House for consideration.

SB 194 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF OPTOMETRY.

Representative Ulbrich introduced and brought HA 3 to SB 194 before the House for consideration.

Representative Ulbrich made comments. HA 3 was adopted by voice vote.

Representative Ulbrich made comments.

The roll call on SB 194 w/HA 1, 2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 194 w/HA 1, 2 & 3 was returned to the Senate for concurrence on HA 1, 2 & 3.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought HB 243, jointly sponsored by Representatives Ulbrich & Ewing & Senator Vaughn & Representatives Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Reynolds, Roy, Schroeder, Scott, Smith, Stone, Valihura, VanSant, Viola, Wagner, Welch, West & Williams & Senators Adams, Bair, Connor, Henry, McBride, Simpson, Sorenson, Venables & Winslow, before the House for consideration.

HB 243 - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF DRUG CONTROL. (F/N)

Representatives Spence, Plant & Spence made comments.

Representative Spence moved to place HB 243 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith introduced and brought the following prefiled Consent Calendar #12 before the House for consideration.

HR 36 – Valihura & Representatives Smith, Cloutier, D. Ennis & Brady - URGING THE DELAWARE CONGRESSIONAL DELEGATION TO INQUIRE ABOUT THE IMPACT ON NORTHERN DELAWARE OF INCREASING AIR TRAFFIC FLYING INTO AND OUT OF THE PHILADELPHIA INTERNATIONAL AIRPORT.

HR 38 – Keeley & Representatives Maier & Oberle - CREATING A MENTAL HEALTH PARITY TASK FORCE TO STUDY AND INVESTIGATE THE TREATMENT OF DRUG ADDICTION, ALCOHOLISM AND SERIOUS MENTAL HEALTH ILLNESS RELATED TO DRUG ADDICTION AND ALCOHOLISM TREATMENT.

HR 39 – Wagner - CREATING A CHARITABLE GAMING TASK FORCE TO STUDY DELAWARE'S CHARITABLE GAMING LAWS AND REGULATIONS AND THE REASONS FOR DECLINING CHARITABLE REVENUES AND TO MAKE RECOMMENDATIONS THEREON TO THE GENERAL ASSEMBLY.

HR 40 – Spence & Representative Valihura - ESTABLISHING A COMMERCIAL LEASES COMMITTEE TO STUDY THE LAW AND PRACTICES RELATING TO COMMERCIAL REAL ESTATE RENTAL TRANSACTIONS.

HR 41 – Valihura - CALLING FOR THE DELAWARE DEPARTMENT OF TRANSPORTATION TO SUBMIT A MAINTENANCE PLAN FOR RETENTION BASINS THROUGHOUT THE STATE BY SEPTEMBER 15TH, 1999.

HCR 37 – Cloutier & Representatives DiPinto & Fallon & Senators Bair, Bonini, Connor, Sorenson, Still & Winslow - DIRECTING THE STATE TOURISM OFFICE AND THE CONTROLLER GENERAL'S OFFICE TO COOPERATE IN FASHIONING A MEANINGFUL MATCHING GRANT PROGRAM TO ASSIST DELAWARE'S COUNTY TOURISM AGENCIES IN PROMOTING AND MARKETING THE TOURIST ATTRACTIONS OF THE FIRST STATE.

HCR 38 – Stone & Representatives Wagner, Oberle & Spence & Senators McDowell, Henry, McBride, Sorenson & Vaughn - ESTABLISHING A MEDICAL NEGLIGENCE STATUTE REVIEW TASK FORCE TO REVIEW THE CURRENT MEDICAL NEGLIGENCE STATUTE OF LIMITATIONS AND ITS RELATED ISSUES.

SCR 16 – McBride & Representative Wagner - DIRECTING THE DEPARTMENT OF EDUCATION TO PROVIDE CURRICULUM OUTLINES TO COSMETOLOGY SCHOOLS IN THIS STATE THAT MORE CLOSELY REFLECT THE STANDARDS USED BY NATIONALLY ACCREDITED COSMETOLOGY SCHOOLS.

Representative Smith requested that HR 38 be removed from Consent Calendar #12.

Consent Calendar #12 was adopted by voice vote and HCR 37 & HCR 38 were sent to the Senate for concurrence and SCR 16 was returned to the Senate.

Representative Smith moved to place HR 38 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Keeley made comments.

Representative Smith deferred to Representative Price.

Representative Price brought HS 1 to HB 267, jointly sponsored by Senator Sokola & Representatives Brady, B. Ennis, Spence & VanSant & Senator Venables, before the House for consideration.

HB 267 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION CAPITAL IMPROVEMENTS.

Representative Price made comments.

The roll call on HS 1 to HB 267 was taken and revealed:

YES: 40.

ABSENT: Representative Spence – 1.

Therefore, having received a constitutional majority, HS 1 to HB 267 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Viola.

Representative Viola brought HB 330, jointly sponsored by Representatives Roy & Valihura, before the House for consideration.

HB 330 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO CONTRACTS FOR THE PURCHASE OF REAL PROPERTY.

Representative Viola introduced and brought HA 1 to HB 330 before the House for consideration.

Representatives Viola, Ulbrich, Reynolds & Viola made comments. HA 1 was adopted by voice vote.

Representatives Viola, Wagner, Viola, Wagner, Viola & Ewing made comments.

Mr. Acting Speaker Welch appointed Representative Oberle as Acting Speaker.

Representatives Reynolds, B. Ennis, Viola, Schroeder, Viola, Stone, DiPinto & West made comments.

The roll call on HB 330 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Spence – 1.

Therefore, having received a constitutional majority, HB 330 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought HB 367, jointly sponsored by Representatives Brady, Capano, Carey, Cathcart, Caulk, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier, Miro, Mulrooney, Plant, Price, Reynolds, Scott, Ulbrich, VanSant, Viola, Wagner & West & Senators Sharp & Sokola, before the House for consideration.

HB 367 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF POISONOUS SNAKES.

Representative Gilligan brought HA 1 to HB 367 before the House for consideration.

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

Representatives Gilligan, Smith & Valihura made comments.

Representative Valihura requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

Representative Roy made comments.

The roll call on HB 367 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Scott, Spence & Welch – 3.

Therefore, having received a constitutional majority, HB 367 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on HB 404. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier introduced and brought HB 404, jointly sponsored by Representative Spence & Senators Bair, Sorenson, McDowell & Blevins & Representatives Capano, DiPinto, Ewing, Lee, Lofink, Oberle, Reynolds Roy, Stone, Ulbrich, Wagner, Houghton, B. Ennis, Keeley, Plant, Price & Williams & Senators Connor, Sokola, Henry & Winslow, before the House for consideration.

HB 404 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE OFFICE OF CHILD ADVOCATE. (F/N)

Representative Maier made comments.

The roll call on HB 404 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 404 was sent to the Senate for concurrence.

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

Mr. Acting Speaker Oberle & Representative Smith made comments.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 48 w/SA 1, jointly sponsored by Senators Blevins, Henry, Marshall, McDowell, Sokola & Bair & Representatives Buckworth, Carey, Cloutier & Ewing, before the House for consideration.

SB 48 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO MANAGED CARE ORGANIZATIONS.

Representative Maier made comments.

The roll call on SB 48 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 48 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Welch.

Representative Welch brought SB 119, sponsored by Senators Venables & Bunting &

Representatives Ewing & West, before the House for consideration.

SB 119 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PREVAILING WAGE REQUIREMENTS.

Representative Welch made a comment.

The roll call on SB 119 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 119 was returned to the Senate.

Representative Cathcart requested and was granted personal privilege of the floor to make comments regarding SB 119.

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

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

SB 197 – Simpson & Representatives Carey & Caulk - AN ACT TO REINCORPORATE THE CITY OF MILFORD. (2/3 bill)

SB 218 – Bunting & Representative Price - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW, IN SUSSEX COUNTY" AS IT RELATES TO THE CONDUCT OF ELECTIONS. (2/3 bill)

SB 213 – Simpson & Representative Schroeder - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" TO REVISE CERTAIN SECTIONS THEREOF PERTAINING TO OFFICERS AND OTHER OFFICIALS AND THE APPOINTMENT AND REMOVAL PROCESS THEREFOR AND TO PROVIDE FOR OTHER CLARIFICATION THROUGHOUT. (2/3 bill)

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

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 197, SB 213 & SB 218 were returned to the Senate.

Representative Smith brought Consent Agenda Q before the House for concurrence on Senate Amendments.

HB 228 w/HA 1 & SA 1 - Gilligan & Representatives Roy, Carey, Houghton, Keeley, Plant, Price, Spence, VanSant & Viola - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO INSURANCE ON MOTOR VEHICLES.

HB 262 w/SA 1 – Smith & Representatives Brady, Capano, Ewing, Gilligan, Valihura, Cloutier & VanSant - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE

AUTHORITY OF SCHOOL TEACHERS AND SCHOOL ADMINISTRATORS TO CONTROL THE DISRUPTIVE BEHAVIOR OF STUDENTS AND TO DISCIPLINE OR PUNISH STUDENTS.

HB 285 w/SA 1 + HA 1 – Maier & Senator Blevins & Representatives Ewing, Fallon, Valihura, Wagner, VanSant, B. Ennis, Keeley, Plant, Price, Scott, West & Williams & Senators Adams, Henry, Connor, Sokola, Connor, Sorenson & Winslow - AN ACT TO AMEND TITLE 13, CHAPTER 7 OF THE DELAWARE CODE PERTAINING TO CAREGIVERS' CONSENT FOR MEDICAL TREATMENT OF MINORS. (2/3 bill)

HB 326 w/SA 1 – DiPinto & Senator McDowell - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATNG TO HEALTH AND SAFETY.

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

YES: 40.

ABSENT: Representative B. Ennis – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 228 w/HA 1 & SA 1, HB 285 w/SA 1 & HA 1, HB 262 w/SA 1 & HB 326 w/SA 1 were sent to the Governor.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: June 30, 1999

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
H140-864	Buckworth	6/24/1999	T	Megan Collins/All-State Girls Soccer/First Team
H140-865	Buckworth	6/24/1999	T	Ian Snell, Jr./All-State Baseball/First Team
H140-866	Spence	6/24/1999	T	Irena Brzoska/Commitment/Polish American Community
H140-867	Spence	6/24/1999	T	Stefan Skielnik/Commitment/Polish American Community
H140-868	Welch	6/24/1999	T	Joann Lane/First Place/Congressional Art Competition
H140-869	B. Ennis	6/15/1999	M	Harry J. Still
H140-870	Cathcart	6/24/1999	T	Janet Miller/Appoquinimink Teacher of the Year
H140-871	Cathcart	6/24/1999	T	Matt Smiley/Coach/Blue Hen Conference Flight B Champions/Middletown High
H140-872	Cathcart	6/24/1999	T	Jim Brosch/Coach/Blue Hen Conference Flight B Champions/Middletown High
H140-873	Cathcart	6/24/1999	T	Middletown High Girls Softball Team/Blue Hen Conference Flight B Champions
H140-874	Brady	6/27/1999	T	Eric Barrowclough/Eagle Scout
H140-875	Capano	6/11/1999	M	Francis J. Jamison
H140-876	Oberle	6/22/1999	M	Benjamin J. Patton, Jr.
H140-877	Wagner	6/30/1999	T	Sonia Karia/1999 Girls' State Governor
H140-878	Wagner	7/17/1999	T	Kelly Beirnes & Adam Baughman/Marriage
H140-879	Capano	6/30/1999	T	Peg Martin/Presidential Award for Excellence/Math and Science Teaching
H140-880	Smith	6/30/1999	T	Mark Dylan Smith/Arrival in This World
H140-881	Cloutier	10/1/1999	T	Kathleen Connors & Michael Hanson/Marriage
H140-882	D. Ennis	6/30/1999	T	Anthony Stella/Participation in PBS Cooking Show
H140-883	Gilligan	6/30/1999	T	Mindy Weller/Legislative Fellow/Outstanding Performance
H140-884	Reynolds	6/30/1999	T	Mari Johnson/Legislative Fellow/ Outstanding cosponsors: Boulden, Cloutier, Maier, Performance Miro, Mulrooney, Oberle, Price, Schroeder Ulbrich & Viola

T- Tribute

M -Memoriam

Representative Smith deferred to Representative Capano.

Representative Capano requested that HB 374 be stricken.

Representative Capano requested and was granted personal privilege of the floor to present a House

Tribute to Raina Fishbane.

Representative Welch & Mr. Acting Speaker Oberle made comments.

The Majority Leader moved to recess for caucus and dinner at 6:30 p.m.

The House reconvened at 8:45 p.m. with Representative Welch as Acting Speaker.

Mr. Acting Speaker assigned HB 343 to the Appropriations Committee.

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

APPROPRIATIONS: SB 128 - 4M.

JUDICIARY: SB 136 - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 402 - 5M; SB 209 - 5M;
SB 214 - 5M; SB 220 - 5M.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on SB 208 w/SA 1. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Ewing introduced and brought SB 208 w/SA 1, jointly sponsored by Senator Henry & Representative Wagner & Senators Blevins, DeLuca & Amick & Representative Keeley, before the House for consideration.

SB 208 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WIRETAPPING, ELECTRONIC SURVEILLANCE, AND INTERCEPTION OF COMMUNICATIONS. (2/3 bill)

Representative Ewing made comments.

Representative Ewing brought HA 1 to SB 208, sponsored by Representative Spence, before the House for consideration.

Representatives Ewing & Lee made comments.

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

Mr. Acting Speaker Welch appointed Representative Oberle as Acting Speaker.

Representative Spence made comments.

Representative Spence requested that HA 1 be stricken.

Representative Ewing made comments.

The roll call on SB 208 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Smith & VanSant – 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 208 w/SA 1 was returned to the Senate.

Representative Welch deferred to Representative Schroeder.

Representative Schroeder introduced a guest and made comments.

Representative Welch deferred to Representative Caulk.

Representative Caulk brought SB 72, sponsored by Senator Bunting & Representative Carey, before the House for consideration.

SB 72 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. (3/5 bill) (F/N)

Representative Caulk made comments.

The roll call on SB 72 was taken and revealed:

YES: 35.

ABSENT: Representatives B. Ennis, Ewing, Gilligan, Roy, Smith & VanSant – 6.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 72 was returned to the Senate.

Mr. Acting Speaker Oberle made comments.

Representative Welch moved to suspend the rules which interfere with action on SB 199. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch brought SB 199, jointly sponsored by Senator Marshall & Representatives Oberle & Miro & Senators Adams, Blevins, Bunting, Cook, DeLuca, Henry, McBride, McDowell, Sharp, Sokola, Vaughn, Bonini, Connor, Simpson, Sorenson, Still & Winslow & Representatives Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, VanSant, Viola, West & Williams, before the House for consideration.

SB 199 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Representative Welch made comments.

The roll call on SB 199 was taken and revealed:

YES: 36.

ABSENT: Representatives Gilligan, Roy, Smith, Spence & VanSant – 5.

Therefore, having received a constitutional majority, SB 199 was returned to the Senate.

Representative Welch deferred to Representative Quillen.

Representative Quillen brought SB 207 w/SA 1, jointly sponsored by Senators McBride, Bunting & Connor & Representatives Carey, DiPinto & D. Ennis, before the House for consideration.

SB 207 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (3/5 bill)

Representative Quillen deferred to Representative DiPinto.

Representative DiPinto made comments.

The roll call on SB 207 w/SA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Roy, Smith & VanSant – 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 207 w/SA 1 was returned to the Senate.

Representative Welch deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on SB 230. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier introduced and brought SB 230, jointly sponsored by Senator McDowell, before the House for consideration.

SB 230 - AN ACT TO AMEND TITLE 13 AND 16 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS, AND THE REPORTING OF ABUSE OR NEGLECT.

Representatives Maier, Wagner, Fallon, Maier, Ulbrich & Plant made comments.

The roll call on SB 230 was taken and revealed:

YES: 40.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, SB 230 was returned to the Senate.

Mr. Acting Speaker Oberle introduced a guest.

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

Mr. Acting Speaker Oberle made comments.

Representative Welch deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on HS 1 to HB 383. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Cathcart introduced and brought HS 1 to HB 383, jointly sponsored by Senator Sharp & Representatives Carey, Fallon, Miro, Oberle, VanSant, B. Ennis & Plant & Senators Vaughn, Connor & Winslow, before the House for consideration.

HB 383 - AN ACT TO AMEND TITLES 9, 14, AND 22 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING AND EDUCATION. (2/3 bill) (F/N)

Representative Cathcart introduced and brought HA 2 to HS 1 to HB 383 before the House for consideration.

Representative Cathcart moved to place HA 2 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Cathcart introduced and brought HA 1 to HS 1 to HB 383 before the House for consideration.

Representative Cathcart requested that HA 1 be stricken.

Representative Cathcart moved to lift HA 2 to HS 1 to HB 383 off the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Cathcart made comments.

HA 2 was adopted by voice vote.

Representative Cathcart introduced and brought HA 3 to HS 1 to HB 383 before the House for consideration. Representative Cathcart made comments. HA 3 was adopted by voice vote.

Representatives Plant, Cathcart, Gilligan, B. Ennis, Cathcart, Boulden, Cathcart, Caulk, Price, Cathcart, Capano, Cathcart, Stone & Cathcart made comments.

The Majority Leader moved to recess for caucus at 9:53 p.m.

The House reconvened at 10:31 p.m. with Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart deferred to Representative Boulden.

Representative Boulden introduced and brought HA 4 to HS 1 to HB 383 before the House for consideration.

Mr. Acting Speaker Roy appointed Representative Oberle as Acting Speaker.

Representatives Boulden, Cathcart, Miro & Boulden made comments.

The roll call on HA 4 was taken and revealed:

YES: 9.

NO: Representatives Brady, Buckworth, Carey, Cathcart, Keeley, Maier, Miro, Mulrooney, Plant, Quillen, Roy, Scott, Valihura, Viola, Williams & Oberle – 16.

NOT VOTING: Representatives Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lofink, Schroeder, Spence, VanSant, Wagner & West – 15.

ABSENT: Representative Lee – 1.

Therefore, not having received a constitutional majority, HA 4 was declared defeated.

Representative Smith made an announcement.

Representatives Miro, Cathcart, Caulk, Cathcart, Lee, Cathcart, Boulden, Cathcart & Boulden made comments.

Representative Lee requested and was granted the privilege of the floor for Robert L. Stickles, Sussex County Administrator.

Representatives Lee, Wagner, Cathcart & Boulden made comments.

The roll call on HS 1 to HB 383 w/HA 2 & 3 was taken and revealed:

YES: 31.

NO: Representatives Boulden, B. Ennis, Price, Stone, Ulbrich, West, Caulk, DiLiberto & Lee – 9.

NOT VOTING: Representative Schroeder – 1.

Therefore, having received a constitutional majority of at least two-thirds vote Members of the House, HS 1 to HB 383 w/HA 2 & 3 was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle introduced guests.

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

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on SB 8 w/SA 1, 4, 5, & 6. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier brought SB 8 w/SA 1, 4, 5 & 6, jointly sponsored by Senators Blevins, Bair, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sokola, Still & Venables; Representatives Gilligan, Houghton, Plant, Price, Schroeder & VanSant, before the House for consideration.

SB 8 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING THE CREATION OF THE DELAWARE HEALTH FUND. (F/N)

Representative Maier introduced and brought HA 1 to SB 8, jointly sponsored by Representatives Capano, Smith, DiPinto, D. Ennis, Oberle, Roy, Stone, Ulbrich, Valihura & Gilligan, before the House for consideration.

Representative Maier deferred to Representative Capano.

Representative Capano made comments.

HA 1 was adopted by voice vote.

Representatives Maier, Keeley & Maier made comments.

The roll call on SB 8 w/SA 1, 4, 5 & 6 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 8 w/SA 1, 4, 5 & 6 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Maier made comments.

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

Mr. Speaker Spence resumed the Chair.

Representative Smith requested and was granted the privilege of the floor for Pam Price, Director of Constituent Services, for the purpose of presenting House Tributes to the Legislative Fellows.

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

Representative Smith deferred to Representative Capano.

Representative Capano brought SB 175 w/SA 1, jointly sponsored by Senators Sorenson, Bair, Blevins, McDowell & Still & Representatives Keeley, Miro, Quillen, Smith & Welch, before the House for consideration.

SB 175 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SHIPMENT OF ALCOHOLIC LIQUORS.

Representative Capano moved to suspend the rules which interfere with action on SB 175 w/SA 1. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Miro introduced and brought HA 1 to SB 175 before the House for consideration. Representative Miro made comments. HA 1 was adopted by voice vote.

Representative Capano made comments.

The roll call on SB 175 w/SA 1 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative DiPinto – 1.

Therefore, having received a constitutional majority, SB 175 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested that HB 276 be stricken.

Representative Oberle requested that HB 152 be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier requested that HS 1 to HB 39 be stricken.

Representative Smith deferred to Representative Roy.

Representative Roy brought SB 191, jointly sponsored by Senator Blevins, before the House for consideration.

SB 191 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMINAL CODE AND WITNESSES.

Representatives Roy & Wagner made comments.

The roll call on SB 191 was taken and revealed:

YES: 39.

NOT VOTING: Representative Wagner – 1.

ABSENT: Representative Cathcart – 1.

Therefore, having received a constitutional majority, SB 191 was returned to the Senate.

Representative Roy brought SB 192, jointly sponsored by Senator Blevins, before the House for consideration.

SB 192 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD VICTIMS AND WITNESSES.

Representative Roy made a comment.

The roll call on SB 192 was taken and revealed:

YES: 40.

ABSENT: Representative Welch – 1.

Therefore, having received a constitutional majority, SB 192 was returned to the Senate.

Representative Smith brought Consent Agenda O before the House for consideration.

SB 188 – Blevins & Representative Ulbrich - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.

SB 173 – DeLuca & Representative Ulbrich & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF FUNERAL SERVICES.

SB 195 – DeLuca & Representative Ulbrich & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price - AN ACT TO AMEND CHAPTER 5, TITLE 24 OF THE DELAWARE CODE RELATING TO PODIATRY.

HB 371 – Valihura & Representatives Smith, Spence, Welch, Buckworth, Cloutier, Ewing, Fallon, Lee, Reynolds, Gilligan, Brady, B. Ennis & Houghton - AN ACT TO AMEND TITLE 24, DELAWARE CODE RELATING TO LICENSING OF PLUMBERS.

SB 55 w/SA 1 & 4 – Bunting & Representative Carey - AN ACT TO AMEND TITLE 3 RELATING TO PESTICIDES.

HB 392 - VanSant & Representative Ewing - AN ACT TO AMEND PART IV, TITLE 10 OF THE DELAWARE CODE RELATING TO SETTLEMENTS IN CIVIL ACTIONS; AND PROVIDING FOR A STRUCTURED SETTLEMENT PROTECTION ACT.

SB 120 w/SA 1 & 2 – DeLuca & Representative Boulden - AN ACT AMENDING TITLE 17 RELATING TO INSPECTION REQUIREMENTS FOR BRIDGE OWNERS.

SB 200 – Adams & Representative Wagner - AN ACT TO AMEND SECTION 2756 OF TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR DRIVING WHILE LICENSE IS SUSPENDED OR REVOKED.

HB 379 – Welch & Senator Bunting & Representatives Brady, Capano, DiLiberto, B. Ennis, Price, Quillen, Spence & Valihura & Senators Bonini, Connor & Simpson - AN ACT TO AMEND CHAPTER 5, TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES.

Representative Smith deferred to Representative Welch.

Representative Welch requested that HB 379 be removed from Consent Agenda O.

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

YES: 41.

Therefore, having received a constitutional majority, HB 371 & HB 392 were sent to the Senate for concurrence and SB 55 w/SA 1 & 4, SB 195, SB 173, SB 120 w/SA 1 & 2, SB 200, SB 188 were returned to the Senate.

Representative Smith moved to place HB 379 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought Consent Agenda R before the House for consideration, which requires a three-fifths vote.

SB 143 w/SA 1- Cook & Representative DiPinto - AN ACT TO AMEND TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS.

SS 1 to SB 144 – McBride & Senators Connor & Henry & Representative Quillen - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND ENVIRONMENTALLY SOUND MANAGEMENT OF SCRAP TIRE PILES.

SB 136 – Sharp - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED

PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (3/5 bill)

SB 128 – Marshall & Representative Capano - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS. (F/N)

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

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 143 w/SA 1, SB 128, SB 136 & SS 1 to SB 144 were returned to the Senate.

Representative B. Ennis requested and was granted personal privilege of the floor to make comments regarding SB 143.

Representative Smith deferred to Representative Keeley.

Representative Keeley moved to lift HR 38 from the Speaker's Table. The motion was seconded by Representative Wagner and adopted by voice vote.

Representative Keeley brought HR 38, jointly sponsored by Representatives Maier & Oberle, before the House for consideration.

HR 38 – CREATING A MENTAL HEALTH PARITY TASK FORCE TO STUDY AND INVESTIGATE THE TREATMENT OF DRUG ADDICTION, ALCOHOLISM AND SERIOUS MENTAL ILLNESS AND HEALTH INSURANCE COVERAGE RELATED TO DRUG ADDICTION AND ALCOHOLISM TREATMENT.

Representative Keeley made a comment.

HR 38 was adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to lift SB 20 w/SA 1 & 2 from the Speaker's Table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought SB 20 w/SA 1 & SA 2, sponsored by Senators Marshall & Blevins & Representatives Maier, Lofink & Scott & Senators McDowell, Henry & Connor & Representative Spence, before the House for consideration.

SB 20 - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS. (F/N)

Representative DiPinto deferred to Representative Maier.

Representative Maier brought HA 1 to SB 20 before the House for consideration.

Representative DiPinto made a comment. HA 1 was adopted by voice vote.

Representative DiPinto made comments.

The roll call on SB 20 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano & Cathcart – 2.

Therefore, having received a constitutional majority, SB 20 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Welch.

Representative Welch moved to suspend the rules which interfere with introduction of and action on SB 201 w/SA 1 & 5. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representative Welch introduced and brought SB 201 w/SA 1 & 5, jointly sponsored by Senator McDowell, before the House for consideration.

SB 201 - AN ACT TO AMEND TITLES 11, 14, AND 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE CRIMINAL CODE, THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES, THE PUBLIC HEALTH AND SAFETY AND THE PROTECTION OF CHILDREN FROM ACTS OF ABUSE OR NEGLECT.

Representatives Welch Wagner, Welch, Wagner & Welch made comments.

The roll call on SB 201 w/SA 1 & SA 5 was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & DiPinto – 2.

Therefore, having received a constitutional majority, SB 201 w/SA 1 & 5 was returned to the Senate.

Representative Welch made comments.

The Majority Leader moved to adjourn the first session of the 140th General Assembly at 12:00 p.m.

1st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Special Session
July 1, 1999

Mr. Speaker Spence called the House to order at 12:01 a.m.

The Reading Clerk read the following communication into the record:

TO: The Members of the 140th General Assembly
FROM: Terry R. Spence, Speaker of the House of Representatives
Ruth Ann Minner, Lieutenant Governor of the State of Delaware
SUBJECT: Special Session
DATE: June 30, 1999

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 140th General Assembly of the State of Delaware in Special Session.

Terry R. Spence
Speaker of the House of Representatives

Ruth Ann Minner
Lieutenant Governor and
President of the Senate

The Chief Clerk called the roll.

Members Present: 41.

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

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

Mr. Speaker Spence announced that the minutes of the previous legislative day are available in the Chief Clerk's office.

Representative Smith deferred to Representative DiPinto.

The Chief Clerk read the following communications into the record:

June 30, 1999

Hon. Terry Spence

House Speaker

Delaware Legislature

Dover, DE

Dear Mr. Speaker:

It has been seven years since I last covered the closing ceremonies of the Legislature, but I am still recovering. As you read this, I will most likely be thinking of you from the vantage point of an establishment known as Beach Nutt's in Maderia Beach, FL in an attempt to continue the recovery process. Otherwise, I am doing just fine in Wisconsin, thanks for asking.

I enjoyed my days in Delaware, and I actually miss the festivities of this evening and the people who made them fun.

So I write to say congratulations on completing another session to all of my old friends.

But, Mr. Speaker, I would also like to congratulate you on a tremendous run as speaker. You have served well and honorably and with integrity that should make Delawareans proud. Of course, circumstances beyond your control may force you to return as Speaker next year—and I'm sure your colleagues, everyone but Bill Oberle anyway, would have the wisdom to return you to the Speaker's chair next year if you are not occupying another chair in an office upstairs. If you do return, simply read this message next year and the year after.

In any event, congratulations. If I had a choice between your job and that of a cat shepherd, I think cat shepherd would be much easier.

I wish everyone the best.

Sincerely,

Bill Zaferos

PS – The Chief Clerk deserves a fat raise. Now.

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

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HB 401. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto introduced and brought HB 401, jointly sponsored by Representatives Buckworth, D. Ennis, Fallon, DiLiberto & Houghton & Senators Cook, Henry, McBride, Vaughn, Sorenson & Winslow, before the House for consideration.

HB 401 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2000; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2000 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.
(3/4 bill)

Representative DiPinto made comments.

The roll call on HB 401 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 401 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch brought SB 150, sponsored by Senators DeLuca, Blevins, Bunting, Sokola & Still & Representatives Ulbrich, Keeley & Price, before the House for consideration.

SB 150 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION.

Representative Welch made comments.

The roll call on SB 150 was taken and revealed:

YES: 40.

ABSENT: Representative Smith – 1.

Therefore, having received a constitutional majority, SB 150 was returned to the Senate.

Representative Welch deferred to Representative Caulk.

Representative Caulk brought SB 126 w/SA 1, jointly sponsored by Senator Bunting, before the House for consideration.

SB 126 - AN ACT TO AMEND TITLE 7 AND TITLE 3 OF THE DELAWARE CODE RELATING TO FORESTRY. (3/4 bill)

Representative Caulk brought HA 1 to SB 126 w/SA 1 before the House for consideration.

HA 1 was adopted by voice vote.

Representative Caulk made comments.

The roll call on SB 126 w/SA 1 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart – 1.

Therefore, having received a constitutional majority of at least three-quarters Members of the House, SB 126 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 166, jointly sponsored by Senator Henry & Representatives DiPinto & Spence, before the House for consideration.

SB 166 - AN ACT TO AMEND SECTION 9203 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE NUMBER OF JUSTICES OF THE PEACE. (F/N)

Representative Wagner made a comment.

The roll call on SB 166 was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Gilligan, Schroeder & Viola – 4.

Therefore, having received a constitutional majority, SB 166 was returned to the Senate.

Representative Wagner made a comment.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on SS 1 to SB 89. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto introduced and brought SS 1 to SB 89, jointly sponsored by Senator Cook & Representative Oberle & Senators Henry, McBride, Vaughn, Sorenson & Winslow & Representatives Buckworth, D. Ennis, Fallon, DiLiberto & Houghton & cosponsored by Representatives Carey, Ewing, Keeley & Price, before the House for consideration.

SB 89 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS. (F/N)

Representative DiPinto made comments.

The roll call on SS 1 to SB 89 was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart – 1.

Therefore, having received a constitutional majority, SS 1 to SB 89 was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on SB 232. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto introduced and brought SB 232, jointly sponsored by Senator Cook & Representative Oberle & All Senators & All Representatives, before the House for consideration.

SB 232 - AN ACT TO AMEND TITLE 29, DELAWARE CODE, TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS.

Representatives DiPinto, D. Ennis, Ewing, DiPinto & B. Ennis made comments.

The roll call on SB 232 was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart – 1.

Therefore, having received a constitutional majority, SB 232 was returned to the Senate.

Representative Smith deferred to Representative Miro.

Representative Miro introduced HB 407, jointly sponsored by Senators Amick & Bonini & Representatives Spence, Ewing, Fallon, Reynolds, Ulbrich, Plant & Williams.

HB 407 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Mr. Speaker Spence assigned HB 407 to the House Administration Committee.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich introduced HB 410, jointly sponsored by Senator Sorenson.

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)

Mr. Speaker Spence assigned HB 410 to the Business/Corporations/Commerce Committee.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought SB 164 w/SA 1, sponsored by Senator Blevins & Representative Maier & Senators Adams, Henry, Sokola, Connor, Sorenson & Winslow & Representatives Ewing, Fallon, Valihura, Wagner, B. Ennis, Keeley, Plant, Scott, VanSant, West & Williams, before the House for consideration.

SB 164 - AN ACT TO AMEND TITLE 14 RELATING TO FREE SCHOOLS; AGES; ATTENDANCE WITHIN SCHOOL DISTRICT; AND NONRESIDENTS OF DELAWARE AS IT PERTAINS TO RELATIVE CAREGIVERS.

Representatives Reynolds & Wagner made comments.

The roll call on SB 164 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, SB 164 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HJR 16.

HJR 16 - CREATING A SCHOOL CONSTRUCTION AND DEVELOPMENT TASK FORCE TO STUDY THE WAYS IN WHICH SCHOOLS ARE CURRENTLY DESIGNED, CONSTRUCTED, AND FINANCED.

Mr. Speaker Spence assigned HJR 16 to the Land Use and Infrastructure Committee.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 211, jointly sponsored by Senators Sokola, Marshall & Amick, before the House for consideration.

SB 211 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ADOPTION AND BIRTH LEAVE FOR SCHOOL AND STATE EMPLOYEES. (F/N)

Representative Wagner made comments.

The roll call on SB 211 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SB 211 was returned to the Senate.

Representative Stone requested and was granted personal privilege of the floor to make comments regarding SB 211.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 157 w/SA 1, jointly sponsored by Senators DeLuca, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price, before the House for consideration.

SB 157 - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARIANS.

Representative Ulbrich made a comment.

The roll call on SB 157 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SB 157 w/SA1 was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SB 181, jointly sponsored by Senators DeLuca, Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price, before the House for consideration.

SB 181 - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELECTRICAL EXAMINERS.

Representative Ulbrich made a comment.

The roll call on SB 181 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SB 181 was returned to the Senate.

Representative Smith deferred to Representative Wagner.
Representative Wagner brought SB 206, jointly sponsored by Senators Adams & Cook, before the House for consideration.

SB 206 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE TO INCREASE THE NUMBER OF COURT OF COMMON PLEAS JUDGES TO 9 TO PROVIDE FOR ADDITIONAL COURT OF COMMON PLEAS JUDGES FOR KENT COUNTY AND SUSSEX COUNTY. (F/N)

Representative Wagner made a comment.

The roll call on SB 206 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, B. Ennis & Quillen – 3.

Therefore, having received a constitutional majority, SB 206 was returned to the Senate.

Representative Smith deferred to Representative Boulden.

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

Representatives Lofink, Gilligan & Lofink made comments.

The Majority Leader moved to recess at 1:08 a.m.

The House reconvened at 1:30 a.m. with Representative Oberle as Acting Speaker.

Representative Smith brought HB 339 w/SA 2, jointly sponsored by Representative Gilligan & Senators Bair, Sokola & Venables, before the House for concurrence on SA 2.

HB 339 - AN ACT CREATING THE GEORGE WASHINGTON MEMORIAL SCHOLARSHIP FUND. (F/N)

Representative Smith made a comment.

The roll call on HB 339 w/SA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, HB 339 w/SA 2 was sent to the Governor.

Representative Smith brought HB 138 w/SA 1, sponsored by Representative Ulbrich & Senator Sokola, before the House for concurrence on SA 1.

HB 138 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRIVER EDUCATION.

Representative Smith made a comment.

The roll call on HB 138 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, HB 138 w/SA 1 was sent to the Governor.

Representatives Smith & Ulbrich made comments.

Representative Smith deferred to Representative Spence.

Representative Spence introduced and brought HR 45, sponsored on behalf of All Representatives, before the House for consideration.

HR 45 - COMMENDING ATTORNEY GENERAL M. JANE BRADY FOR HER OUTSTANDING EFFORTS IN RESOLVING THE TOBACCO SETTLEMENT ISSUE FOR THE BENEFIT OF ALL DELAWAREANS.

Representatives Spence & Gilligan made comments.

HR 45 was adopted by voice vote.

Representative Smith deferred to Representative Spence.

Representative Spence introduced and brought HR 42, jointly sponsored by Representatives Smith & Welch on behalf of All Representatives, before the House for consideration.

HR 42 - RECOGNIZING TODD SPANGLER OF THE DOVER BUREAU OF THE ASSOCIATED PRESS FOR HIS DEDICATION AS A GENERAL ASSEMBLY REPORTER AND WISHING HIM WELL AS HE PURSUES A CAREER IN PITTSBURGH, PENNSYLVANIA.

Representatives Spence, Gilligan & Welch made comments.

HR 42 was adopted by voice vote.

Representative Spence introduced and brought HR 43, jointly sponsored by Representatives Smith, Welch, Gilligan & VanSant on behalf of All Representatives, before the House for consideration.

HR 43 - BIDDING A FOND FAREWELL TO NEWS JOURNAL REPORTER ROBERT MOORE WHO IS LEAVING HIS POSITION TO EXPLORE A PROFESSIONAL OPPORTUNITY IN OUR NATION'S CAPITAL.

Representatives Spence, Gilligan, Welch, Cathcart & Acting Speaker Oberle made comments.

HR 43 was adopted by voice vote.

Representatives Smith, Spence, Gilligan & Welch made comments.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on SB 234. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought SB 234, sponsored by Senators Blevins, Cook, McBride & Venables & Representatives Plant & Schroeder, before the House for consideration.

SB 234 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2000; 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; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)

Representative Roy made comments.

Representative Roy introduced and brought HA 1 to SB 234, jointly sponsored by Representatives Carey, Lofink, Oberle, Boulden, Cathcart, Lee & Stone, before the House for consideration.

Representatives Roy & Gilligan made comments.

Representative Roy requested and was granted the privilege of the floor for Russell Larson, Controller General.

Representatives Roy, Gilligan & Roy made comments.

Representative Gilligan requested and was granted the privilege of the floor for Peter M. Ross, Budget Director.

Representatives Gilligan & Roy made comments. HA 1 was adopted by voice vote.

Representative Gilligan made a comment.

The roll call on SB 234 w/HA 1 was taken and revealed:

YES: 33.

NO: Representatives B. Ennis, Gilligan, Keeley, Mulrooney, VanSant, Viola & West – 7.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 234 w/HA 1 was sent to the Senate for concurrence on HA 1.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on SB 216. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner introduced and brought SB 216, jointly sponsored by Senator McBride, before the House for consideration.

SB 216 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING.

Representative Wagner made a comment.

Mr. Speaker Spence resumed the Chair.

The roll call on SB 216 was taken and revealed:

YES: 34.

ABSENT: Representatives Caulk, Ewing, Gilligan, Roy, Schroeder, VanSant & Williams – 7.

Therefore, having received a constitutional majority, SB 216 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on SB 217. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Wagner introduced and brought SB 217, sponsored by Senator McBride, before the House for consideration.

SB 217 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF COSMETOLOGY AND BARBERING.

Representative Wagner made a comment.

The roll call on SB 217 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Ewing, Schroeder, VanSant & Williams – 5.

Therefore, having received a constitutional majority, SB 217 was returned to the Senate.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on SCR 17. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto introduced and brought SCR 17, jointly sponsored by Senator McDowell on behalf of All Senators & All Representatives, before the House for consideration.

SCR 17 – RELATING TO THE CONTINUING EFFORT TO ESTABLISH A SOLUTION TO PROVIDE LASTING PEACE IN CYPRUS.

Representative DiPinto made a comment.

SCR 17 was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on SB 238. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought SB 238, jointly sponsored by Senators McDowell & Cook & Sokola, before the House for consideration.

SB 238 – An Act to Amend Title 14 of the Delaware Code Providing for Leaves of Absence and Teaching Partners.

Representative Oberle made comments.

The roll call on SB 238 was taken and revealed:

YES: 33.

ABSENT: Representatives Buckworth, Carey, Caulk, Ewing, Quillen, Schroeder, VanSant & Williams – 8.

Representative Capano made a comment.

Therefore, having received a constitutional majority, SB 238 was returned to the Senate.

Representatives Capano, Oberle & Smith made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought HCR 39, jointly sponsored by Senator Cook on behalf of All Senators & All Representatives, before the House for consideration.

HCR 39 - COMMENDING DAVID M. TRUESDALE OF THE STATE BUDGET OFFICE UPON HIS RETIREMENT FROM THE STATE BUDGET OFFICE.

Representative DiPinto made comments.

HCR 39 was adopted by voice vote and was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 2:38 a.m.

1st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Special Session
August 3, 1999

The House reconvened at 2:20 p.m. on August 3, 1999.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: August 3, 1999

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

Number	Sponsor	Date	Type	Description
H140-885	Cathcart	6/30/1999	T	Theresa Kohler/Legislative Fellow/Outstanding cosponsors: Boulden, Brady, Caulk, Performance B. Ennis, Lofink, Miro, Price, Valihura, Viola, West
H140-886	Quillen	6/30/1999	T	Dawn Thompson/Legislative Fellow/Outstanding cosponsors: Carey, Cathcart, Caulk, Performance Price, Schroeder, West
H140-887	Wagner	6/30/1999	T	David Fekete/Legislative Fellow/Outstanding cosponsors: Buckworth, Cathcart, Performance DiLiberto, Ewing, Keeley, Lee, Plant, Williams
H140-888	Capano	6/30/1999	T	Michael Tweedy/Legislative Fellow/Outstanding cosponsors: Brady, Carey, D. Ennis, Performance Fallon, Houghton, Keeley, Price, Stone, Valihura

H140-889	Welch	6/30/1999	T	Klara Sogindolska/Legislative Fellow/ cosponsors: Brady, Capano, D. Ennis, Outstanding Performance Fallon, Houghton, Keeley, Lofink, Miro, Mulrooney, Oberle, Reynolds, Scott, Stone, Ulbrich, Viola, Wagner, West
H140-890	DiPinto	6/28/1999	T	Donald Crossan/Liberty Bell Award Recipient cosponsor: Ulbrich
H140-891	Capano	6/30/1999	T	Raina Fishbane/Five Years Service to Victims of Domestic Violence cosponsor: D. Ennis
H140-892	Carey	7/10/1999	T	Christopher Love/Eagle Scout
H140-893	Price	6/4/1999	T	Mary Lou & Herb Murray/50th Wedding Anniversary
H140-894	Price	6/18/1999	T	Cal & Dot Ritterson/50th Wedding Anniversary
H140-895	Price	6/30/1999	T	Jill Schwartz/Girls State Participant
H140-896	Price	6/30/1999	T	Veronica Ford/Girls State Participant
H140-897	Price	6/30/1999	T	Elizabeth duPont/Girls State Participant
H140-898	Schroeder	7/11/1999	T	Jonathan Hastings/Eagle Scout
HOUSE TRIBUTE ANNOUNCEMENT #40				

DATE: August 3, 1999

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

Number	Sponsor	Date	Type	Description
H140-899	DiPinto	6/26/1999	M	Thomas B. Krapf, Sr. cosponsors: D. Ennis, Miro & Valihura
H140-900	Fallon	6/26/1999	M	Douglas J. Mordes
H140-901	Cathcart	6/30/1999	T	Lauren Shaw/All-State Softball Team Member
H140-902	Maier	6/30/1999	T	Paul Wellborn/38 Years Service/Teacher/Retirement
H140-903	VanSant	6/30/1999	T	Robert Seinsoth/24 Years Service/Stanton Campus/DelTech
H140-904	Welch	6/5/1999	T	Mark Thomas/Graduation/Caesar Rodney High
H140-905	Welch	6/5/1999	T	Valerie Thompson/Graduation/Caesar Rodney High
H140-906	Welch	6/12/1999	T	Amy Wasko/Graduation/Dover High
H140-907	Welch	6/12/1999	T	Rachel Thompson/Graduation/Dover High
H140-908	Welch	6/12/1999	T	Kristin Skocik/Graduation/Dover High
H140-909	Welch	6/12/1999	T	Andrea Rosica/Graduation/Dover High
H140-910	Welch	6/12/1999	T	Rebekah Quick/Graduation/Dover High
H140-911	Welch	6/12/1999	T	Charese Messina/Graduation/Dover High
H140-912	Welch	6/12/1999	T	Nicole Hemphill/Graduation/Dover High
H140-913	Welch	6/12/1999	T	Carrie Biddle/Graduation/Dover High
H140-914	Welch	6/12/1999	T	Northen Thomas/Graduation/Dover High
H140-915	Welch	6/12/1999	T	John Oldigs/Graduation/Dover High
H140-916	Welch	6/12/1999	T	Michael Morris/Graduation/Dover High
H140-917	Welch	6/12/1999	T	David Larson/Graduation/Dover High
H140-918	Welch	6/12/1999	T	Jason Gorlich/Graduation/Dover High
H140-919	Welch	6/4/1999	T	Christine Syva/Graduation/Polytech High
H140-920	Welch	6/4/1999	T	Jason Strauss/Graduation/Polytech High
H140-921	Welch	6/4/1999	T	Christopher Strauss/Graduation/Polytech High
H140-922	Welch	6/4/1999	T	Heather Eisenbrey/Graduation/Polytech High
H140-923	Welch	6/4/1999	T	Jennifer Curley/Graduation/Polytech High
H140-924	Wagner	7/10/1999	T	Melanie Size & Robert Buckley/Marriage

T- Tribute

M – Memoriam

Representative Smith made an announcement.

Representative Smith deferred to Representative Fallon.

Representative Fallon requested and was granted privilege of the floor to present House Tributes to

Speaker Terry R. Spence & Representative David H. Ennis.

Speaker Spence, Representatives D. Ennis, Fallon, B. Ennis, Smith, Speaker Spence, Representatives Gilligan, Wagner & Fallon made comments.

Representative Smith deferred to Representative Ewing.

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

HB 411. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ewing introduced and brought HB 411, jointly sponsored by Senator Sokola & All Representatives & All Senators, before the House for consideration.

HB 411 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (F/N)

Representative Ewing made comments.

The roll call on HB 411 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, HB 411 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with introduction of and action on
HB 413. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Capano introduced and brought HB 413, jointly sponsored by Senator McBride & All Representatives & All Senators, before the House for consideration.

HB 413 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAX CREDITS. (F/N)

Representatives Capano, Gilligan, Valihura & Oberle made comments.

The roll call on HB 413 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, HB 413 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with introduction of and action on
HB 414. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Capano introduced and brought HB 414, jointly sponsored by Senator Sharp & All Representatives & All Senators, before the House for consideration.

HB 414 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (F/N)

Representative Capano made comments.

The roll call on HB 414 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, HB 414 was sent to the Senate for concurrence.

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

HB 412. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought HB 412, jointly sponsored by Senator Adams & All Representatives & All Senators, before the House for consideration.

HB 412 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (F/N)

Representative Smith made comments.

The roll call on HB 412 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, HB 412 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on
HS 1 to HB 64. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Spence introduced and brought HS 1 to HB 64, jointly sponsored by Senator Sharp & All Representatives & All Senators, before the House for consideration.

HB 64 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX CREDIT FOR EXPENSES INCURRED BY ACTIVE VOLUNTEER FIREFIGHTERS AND OTHERS. (F/N)

Representatives Spence, Wagner, Spence, B. Ennis, Lee, Smith, Gilligan & Spence made comments.

The roll call on HS 1 to HB 64 was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority, HS 1 to HB 64 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch moved to suspend the rules which interfere with introduction of and action on
HS 1 to HB 115. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch introduced and brought HS 1 to HB 115, jointly sponsored by Senator Cook & All Representatives & All Senators, before the House for consideration.

**HB 115 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE
RELATING TO THE STATE EMPLOYEE'S PENSION PLAN. (F/N)**

Representatives Welch & Gilligan made comments.

The roll call on HS 1 to HB 115 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HS 1 to HB 115 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

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

Representative Cathcart introduced and brought HS 1 to HB 1, jointly sponsored by Senator Vaughn & Representatives Spence, Smith, Gilligan & VanSant & Senators Sharp, Adams, McDowell, Amick & Bair & Representatives Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Ulbrich, Valihura, Wagner, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Viola, West & Williams & Senators Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Sokola, Venables, Connor, Simpson, Sorenson & Winslow, before the House for consideration.

**HB 1 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE
RELATING TO EDUCATION, THE ESTABLISHMENT OF A SCHOOL PROPERTY TAX
REDUCTION PROGRAM AND SCHOOL CONSTRUCTION CAPITAL IMPROVEMENTS.**

Representatives Cathcart, Smith, Caulk, Smith, Fallon, Roy & Smith made comments.

Representative Roy requested and was granted the privilege of the floor for John C. Carney, Jr., Secretary, Department of Finance.

Representatives Roy, Smith, Cathcart, Miro, Cathcart, Wagner, Miro, Smith, Miro, Caulk, Wagner, Cathcart, Roy, Valihura & Cathcart made comments.

The roll call on HS 1 to HB 1 was taken and revealed:

YES: 40.

NO: Representative Caulk - 1.

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

Representative Smith deferred to Representative Welch.

Mr. Speaker Spence resumed the Chair.

Representative Welch introduced HB 415, jointly sponsored by Representative Oberle.

**HB 415 - AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE AS
AMENDED BY HOUSE SUBSTITUTE NO. 1 FOR HOUSE BILL NO. 115 OF THE 140TH GENERAL
ASSEMBLY RELATING TO THE STATE EMPLOYEE'S PENSION PLAN.**

Mr. Speaker Spence assigned HB 415 to the Labor Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis made comments.

Representative D. Ennis introduced and brought HR 49, jointly sponsored by Representatives Spence & Valihura, before the House for consideration.

**HR 49 - SUPPORTING AND ENCOURAGING FULL AND PERMANENT FUNDING OF THE
FEDERAL LAND AND WATER CONSERVATION FUND.**

Representative D. Ennis made comments.

HR 49 was adopted by voice vote.

Representative Reynolds introduced HB 416.

Representative Reynolds made comments.

**HB 416 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO
TERRORISTIC THREATS DIRECTED AT SPORTS OFFICIALS.**

Mr. Speaker Spence assigned HB 416 to the Judiciary Committee.

Representative Reynolds introduced HB 417.

**HB 417 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO
ASSAULT ON A SPORTS OFFICIAL.**

Mr. Speaker Spence assigned HB 417 to the Judiciary Committee.

Representative Wagner made comments regarding HB 416.

Representative Wagner introduced and brought HR 46, jointly sponsored by Representatives Welch, Buckworth, Caulk, Quillen, Stone & B. Ennis, before the House for consideration.

**HR 46 - HONORING AND EXTENDING APPRECIATION TO THE JUDGES, ATTORNEYS
AND EMPLOYEES OF THE COURTS OF KENT COUNTY UPON THE 300TH ANNIVERSARY OF
THEIR FIRST MEETING ON THE DOVER GREEN.**

Representative Wagner made a comment.

HR 46 was adopted by voice vote.

The Majority Leader moved to recess for caucus at 3:48 p.m.

The House reconvened at 4:50 p.m.

Representative Smith introduced and brought HR 48, jointly sponsored by Representative Spence & Senator Sharp on behalf of All Representatives & All Senators, before the House for consideration.

HR 48 - COMMENDING GOVERNOR PIERRE S. DU PONT IV ON THE TWENTIETH ANNIVERSARY OF THE CREATION OF JOBS FOR DELAWARE GRADUATES.

HR 48 was adopted by voice vote.

Representative Smith introduced and brought HR 47, sponsored by Representative Spence & Senator Bonini, before the House for consideration.

HR 47 - COMMENDING PFIZER, INC. AS IT CELEBRATES 150 YEARS OF SERVICE.

HR 47 was adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought HB 418, jointly sponsored by Senator Cook & Representatives Spence, Smith, Welch, Gilligan & VanSant & Senators Sharp, Adams, McDowell, Amick & Bair, before the House for consideration.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HB 418. The motion was seconded by Representative Smith and adopted by voice vote.

HB 418 - AN ACT AMENDING THE FISCAL YEAR 2000 APPROPRIATIONS ACT.

Representatives DiPinto made comments.

Mr. Speaker Spence introduced a guest.

Representative Brady made comments.

The roll call on HB 418 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & West – 2.

Therefore, having received a constitutional majority, HB 418 was sent to the Senate for concurrence.

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

Representative Oberle introduced and brought SB 245, jointly sponsored by Senator Sharp & All Senators & All Representatives, before the House for consideration.

SB 245 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (F/N)

Representative Smith moved to suspend the rules which interfere with introduction and action on SB 245. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representatives Oberle & Valihura made comments.

The roll call on SB 245 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 245 was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on SB 242. Representative Roy withdrew the motion.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 243. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith introduced and brought SB 243, jointly sponsored by Senator Marshall & Representative Capano & All Senators & All Representatives, before the House for consideration.

SB 243 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (F/N)

Representative Smith made a comment.

The roll call on SB 243 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 243 was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 248. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 242. Representative Smith made an announcement. Representative Smith withdrew the motion.

Representative Smith introduced and brought SB 248, jointly sponsored by Senator Henry & Representative DiPinto & All Senators & All Representatives, before the House for consideration.

SB 248 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE BUSINESS TAX CREDITS AND DEDUCTIONS. (F/N)

Representatives Smith & Fallon made comments.

The roll call on SB 248 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SB 248 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 244. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Smith introduced and brought SB 244, jointly sponsored by Senator Cook & Representative Capano & All Senators & All Representatives, before the House for consideration.
SB 244 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES AND PERSONAL INCOME. (F/N)

Representative Smith made comments.
The roll call on SB 244 was taken and revealed:
YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 244 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 247. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought SB 247, jointly sponsored by Senator DeLuca & All Senators & All Representatives, before the House for consideration.
SB 247 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES.

(F/N)
Representative Smith deferred to Representative Ulbrich.
Representative Ulbrich made a comment.

The roll call on SB 247 was taken and revealed:
YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 247 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SS 1 to SB 90. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought SS 1 to SB 90, jointly sponsored by Senator Adams & Representative Ulbrich & All Senators & All Representatives, before the House for consideration.
SB 90 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES.

(F/N)
Representative Smith deferred to Representative Ulbrich.
Representative Ulbrich made comments.

The roll call on SS 1 to SB 90 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, SS 1 to SB 90 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 249. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Smith introduced and brought SB 249, jointly sponsored by Senator Blevins & Representative Roy & Senators Sharp, Adams, McDowell, Amick & Bair & Representatives Spence, Welch, Gilligan & VanSant, before the House for consideration.

SB 249 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO REVENUES FROM ABANDONED OR UNCLAIMED PROPERTY AND THE TRANSPORTATION TRUST FUND. (F/N)

Representative Smith deferred to Representative Roy.
Representatives Roy, D. Ennis, DiPinto, Smith & Roy made comments.
The roll call on SB 249 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, SB 249 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SJR 7. The motion was seconded by Representative Boulden and adopted by voice vote.

Representative Smith introduced and brought SJR 7, sponsored by Senators Cook & Still & Representatives Capano, DiPinto & Gilligan, before the House for consideration.
SJR 7 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 1999.

Representative Smith made a comment.
The roll call on SJR 7 was taken and revealed:
YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SJR 7 was returned to the Senate.
Representative Smith moved to suspend the rules which interfere with introduction of and action on SJR 8. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought SJR 8, sponsored by Senators Cook & Still & Representatives Capano, DiPinto & Gilligan, before the House for consideration.

SJR 8 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2000.

Representative Smith made a comment.

The roll call on SJR 8 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SJR 8 was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on SB 242. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought SB 242, jointly sponsored by Senators Blevins, Cook, McBride, Venables, Bonini & Connor & Representatives Carey, Lofink, Oberle, Plant, Schroeder, Boulden, Cathcart, Lee, Stone & Williams, before the House for consideration.

SB 242 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2000; 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)

Representatives Roy, Oberle, Plant, Roy & B. Ennis made comments.

The roll call on SB 242 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 242 was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SS 2 to SB 80. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought SS 2 to SB 80, jointly sponsored by Senators Sokola & DeLuca & Venables & Representative Lee & All Representatives & All Senators, before the House for consideration.

SB 80 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FUNDING FOR PLACEMENT OF THE HANDICAPPED. (F/N)

Representative Smith deferred to Representative Reynolds.

Representative Reynolds made comments.

The roll call on SS 2 to SB 80 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & West – 2.

Therefore, having received a constitutional majority, SS 2 to SB 80 was returned to the Senate.

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

Representative Smith introduced and brought SS 1 to SB 1, jointly sponsored by Senator McDowell & Representative Oberle & All Senators & All Representatives, before the House for consideration.

SB 1 - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES.

Representative Smith deferred to Representative Oberle.

Representative Oberle made comments.

The roll call on SS 1 to SB 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, SS 1 to SB 1 was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SS 1 to SB 6. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought SS 1 to SB 6, sponsored by Senator McBride & Representative Spence & Senator Still & All Senators & All Representatives, before the House for consideration.

SB 6 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO
PRESCRIPTION DRUG PAYMENT ASSISTANCE FOR LOW-INCOME RESIDENTS.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representatives Spence, Wagner, Gilligan & Wagner made comments.

The roll call on SS 1 to SB 6 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SS 1 to SB 6 was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with introduction of and action on
HB 419. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith introduced and brought HB 419, jointly sponsored by Representatives Spence
& Welch, before the House for consideration. .

HB 419 - AN ACT TO AMEND TITLE 15 REGARDING PRIMARY ELECTIONS.

Representatives Smith, Gilligan, Smith & Gilligan made comments.

The roll call on HB 419 was taken and revealed:

YES: 26.

NO: Representatives DiLiberto, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder;
Scott, VanSant, Viola, West & Williams – 13.

NOT VOTING: Representatives Brady & B. Ennis – 2.

Therefore, having received a constitutional majority, HB 419 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro introduced and brought HR 50, jointly sponsored by Representatives Spence &
Boulden, before the House for consideration.

HR 50 - ESTABLISHING A COMMITTEE TO INVESTIGATE THE JULY 15, 1999 RAILROAD
CROSSING ACCIDENT AT MAIN STREET IN NEWARK, DELAWARE TO CONSIDER POSSIBLE
TRAINING, POLICY, SAFETY OR OTHER CHANGES TO AVOID SIMILAR FUTURE INCIDENTS.

Representative Miro made comments.

HR 50 was adopted by voice vote.

Representative Smith deferred to Representative Gilligan.

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

Representatives Roy, D. Ennis & DiPinto made comments.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested that HB 309 be stricken.

The Majority Leader moved to recess to the call of the Chair at 6:33 p.m.

Mr. Speaker Spence resumed the chair.

Mr. Speaker Spence called the House to order at 5:34 p.m. on October 28, 1999.

The Reading Clerk read the following communication into the record:

PROCLAMATION

By virtue of the authority vested in me as Governor of the State of Delaware by Article III, §
16 of the Constitution of the State of Delaware, I, Thomas R. Carper, hereby convene by proclamation an
extraordinary session of the Delaware General Assembly on Thursday, October 28, 1999, for consideration
of legislation relating to educator accountability and compensation and such other business as may come
properly before the General Assembly.

IN WITNESS WHEREOF, I, THOMAS R. CARPER, Governor of
the State of Delaware, have set my Hand and caused the Great
Seal of said State to be affixed at Wilmington, this 25th day of
October, in the year of our Lord One Thousand Nine Hundred
Ninety Nine and or the Independence of the United States of
America, the Two Hundred and twenty-third.

Thomas R. Carper

Governor

Attest:

Edward J. Freel

Secretary of State

1st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
First Extraordinary Session
October 28, 1999

The Chief Clerk called the roll.
Members Present: 41.

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

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

The following prefiled legislation was introduced:

HB 406 - HOUGHTON & REPRESENTATIVES MULROONEY, VANSANT & VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Private Investigators, Private Security Guards and Businesses and Armored Car Guard Agencies and Businesses.

HB 408 - DILIBERTO - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Composition of the Criminal Justice Council.

HB 409 - SCHROEDER - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections and Voting.

HJR 13 - SPENCE & REPRESENTATIVE GILLIGAN - PUBLIC SAFETY - Establishing a Toll-free Hot line to Assist Motor Vehicle Operators with the Growing Problem of "Road Rage".

HR 44 - SPENCE - SUBSTANCE ABUSE - 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.

HA 1 to HB 384 - CATHCART - Placed with the Bill.

HA 1 to HJR 16 - CATHCART - Placed with the Bill.

SS 1 to SB 77 - BLEVINS & REPRESENTATIVE ROY; SENATORS BONINI, SORENSON, HENRY, BAIR & SOKOLA; REPRESENTATIVES QUILLEN, CAREY, GILLIGAN, CAPANO, KEELEY & PRICE - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 6, Delaware Code Creating a Delaware Pet Warrant Law.

SB 185 w/SA 1 - SOKOLA; SENATORS DELUCA, AMICK, CONNOR & BAIR; REPRESENTATIVES OBERLE, & VIOLA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Debris Disposal Remediation.

SB 226 w/SA 1 - VAUGHN & REPRESENTATIVES CAULK & B. ENNIS - LAND USE and INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to Counties and the Valuation, Assessment and Taxation of Property.

SB 227 - DELUCA & REPRESENTATIVES BOULDEN & PRICE - TRANSPORTATION - An Act to Amend Section 149 of Title 17 of the Delaware Code Relating to Classification of Misdemeanor Offenses.

SB 233 - HENRY; REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety and Liability for 911 Enhanced Emergency Service.

HA 2 to SB 18 - REYNOLDS - Placed with the Bill.

The House observed a moment of silence in memory of Judge William Bush at the request of Representative Stone, Ron Darling at the request of Representative Welch and Loretta Ianni at the request of Mr. Speaker Spence.

Representative D. Ennis requested that he be marked present.

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

Representatives Boulden & VanSant requested that they be marked present.

Mr. Speaker Spence introduced a guest.

Representative Wagner requested and was granted personal privilege of the floor for herself and the Members of the Joint Finance Committee to present a House Tribute to Garry L. Gaukler, Controller General's Office.

Mr. Gaukler made comments.

Representative D. Ennis made comments.

Representative DiPinto introduced and brought HR 57, sponsored on behalf of All Representatives, before the House for consideration.

HR 57 - HONORING SENIOR LEGISLATIVE ANALYST GARRY L. GAUKLER ON THE OCCASION OF HIS RETIREMENT FOR HIS 26 YEARS OF DEDICATED WORK IN THE SERVICE OF THE GENERAL ASSEMBLY AND THE CITIZENS OF DELAWARE.

WHEREAS, Garry L. Gaukler has faithfully served the people of Delaware since 1973 as senior legislative analyst in the Controller General's Office; and

WHEREAS, Mr. Gaukler has gained an expertise in compensation issues and has been instrumental in the development of the annual Grant-in-Aid process; and

WHEREAS, through Mr. Gaukler's yearly work on the Grant-in-Aid bill he has assisted virtually every senior center in the state as well as other numerous community organizations; and

WHEREAS, the impressive tenure of Mr. Gaukler has enabled him to provide valuable "institutional memory" to both the Controller General's Office and the General Assembly; and

WHEREAS, over the course of his career Mr. Gaukler has built an extensive set of personal contacts throughout state government, enhancing his effectiveness and value; and

WHEREAS, Mr. Gaukler will be greatly missed upon his departure.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 140th General Assembly that we hereby thank Garry Gaukler for his dedicated service and wish him a happy and healthy retirement.

BE IT FURTHER RESOLVED by the House of Representatives that it also extends its gratitude to Lydia Gaukler for the loan of her husband in the service of the State over the past twenty-six years.

BE IT FURTHER RESOLVED that a suitably framed copy of this resolution be presented to Mr. & Mrs. Gaukler for display in their home.

HR 57 was adopted by voice vote.

Representatives DiPinto, Buckworth, Cathcart, Ewing, B. Ennis & Plant, Mr. Speaker Spence & Representative Welch made comments.

The Reading Clerk read the following communications into the record:

Consulado de Mexico

September 14, 1999

The Hon. Terry R. Spence

Speaker of the House

State House of Delaware

Legislative Hall

Dover, DE 19903

Dear Speaker Spence:

Concerned about the tragic accident in which Mr. Pedro Guerra, a Mexican national, died last Thursday, July 15, 1999 in Newark, DE, I am sending you the attached Diplomatic Note, which I would like to ask you to turn to the appropriate office of the State House of Delaware in order to be known by all its members.

Thanking you for your kind consideration, I remain,

Respectfully yours,

Manuel Lombera

Consul of Mexico

The Consulate of Mexico in Philadelphia presents its compliments to the Honorable State House of Delaware, and communicate its members the following information:

That the Government of Mexico has learned that the Honorable State House of Delaware has initiated an investigation on safety/training policies as a result of the tragic accident that took place in Newark, Delaware, on Thursday, July 15, 1999 when a detention by two police officers ended up causing the death of Pedro Guerra and the injury of another passenger, both Mexican nationals.

Concerned about this misfortune and based upon Article VI, paragraphs 2 and 3 of the *Consular Officers Convention between the United States of America and Mexico* (1942), and Article 36 of the *Vienna Convention on Consular Relations and Optional Protocol on Disputes* (1963), duly signed by both the United States of America and Mexico, the Consulate of Mexico in Philadelphia respectfully urges the Honorable State House of Delaware to complete the above mentioned investigation, which will also help to clarify responsibilities on the accident.

The Consulate of Mexico in Philadelphia avails itself of this opportunity to renew the Honorable State House of Delaware the assurance of its highest esteem and consideration.

Philadelphia, Pennsylvania, September 14, 1999.

September 23, 1999

Manuel Lombera, Consul of Mexico

Consulado de Mexico en Filadelfia

111 S. Independence Mall East, Suite 310

Philadelphia, PA 19106

Dear Mr. Consul:

The Delaware House of Representatives has received the Diplomatic Note on behalf of the Government of Mexico in response to House Resolution 50. This Resolution establishes a Committee to investigate the July 15, 1999 tragic railroad crossing accident which involved Mr. Pedro Guerra, a citizen of Mexico. The Delaware House of Representatives appreciates this special acknowledgement and will take the necessary steps to ensure this communiqué is read to the entire Delaware House of Representatives and becomes a part of our permanent record.

Representative Joseph Miro, the Sponsor of the legislation, will serve as the Committee Chair. Results of the investigation will be completed by April 2000.

Thank you again for this acknowledgement. I can assure you that Representative Miro and his committee will conduct an extensive and fair investigation.

Very truly yours,

Terry R. Spence

Speaker of the House

The Senate wishes to inform the House that it has passed: HB 400, HJR 14, HJR 15, HB 292, HB 332 w/HA 2, 4, 5, 6, 7 & 8, HCR 29, HCR 30, HCR 31, HCR 32, HCR 33, HCR 34, HCR 35, HB 5, HB 60, HB 171, HB 178, HB 186 w/HA 1, HB 212, HB 253, HB 297, HB 239, HB 311, HB 315 w/HA 1 & HB 364 and is returning same to the House; SS 1 to SB 89, SB 227, SB 232, SB 201 w/SA 1 & 5 and requests the concurrence of the House; HB 302, HB 307, HB 312, HB 389, HCR 8 & HJR 12 and is returning same to the House; SB 185 w/SA 1, SB 233, SS 1 to SB 77, SB 216, SB 217, SB 226 & SCR 17 and requests the concurrence of the House; HB 339 w/SA 2 and is returning same to the House; SB 234 and requests the concurrence of the House; HB 102, HB 197 w/HA 2 & HB 138 w/SA 1 and is returning same to the House; SB 238 and requests the concurrence of the House; HB 404 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Cloutier, do hereby request that my name be removed as co-sponsor of HS 1 to HB 383.

Date: 6/30/99

Signed: Catherine A. Cloutier

June 30, 1999

LEGISLATIVE ADVISORY #28

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/30/99 – HB 183 aab HA 1 & SA 1 & SB 93 aab SA 1.

The Senate wishes to inform the House that it has passed HB 401 and is returning same to the House.
July 1, 1999

LEGISLATIVE ADVISORY #29

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/30/99 – HJR 14, HJR 15 & HB 400.

July 1, 1999

LEGISLATIVE ADVISORY #30

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/1/99 - HB 170, HB 220, HB 274, HB 167 aab SA 1, HB 188, HB 51, HB 215 aab HA 1, HB 401, HB 328, HB 216, HB 174 aab HA 1, SB 78, SB 199, SB 121, SB 86, SB 168, SB 147, SB 148, SB 149, SB 118, SB 88 aab SA 2 & 3 & HA 1 & SB 92 aab SA 1 & HA 2.

The Senate wishes to inform the House that it has passed HB 231, HB 233 w/HA 1, HB 234, HB 237, HB 238, HB 269, HB 277, HB 301 w/HA 1, HB 306, HB 335, HB 355, HB 368, HB 369, HB 370, HB 376, HS 1 to HB 383 w/HA 2 & 3, HB 52, HB 59 w/HA 1, HB 68, HB 75 w/HA1, HB 130 w/HA 1, 2 & 3, HB 162 w/HA 1, HB 175 w/HA 1, HB 180 w/HA 1 & HB 222 w/HA1 and is returning same to the House.

July 6, 1999

LEGISLATIVE ADVISORY # 31

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/2/99 – SB 37, SB 100, SS 1 to SB 101 aab SA 1, SB 112, SS 1 to SB 117, SB 124, SB 137, SB 153, SB 161, SB 167, SB 169, SB 177, SB 178, SB 179, SB 180, SB 183, SB 204 aab SA 5, HB 82 & HS 1 to HB 242.

The following amendment to the Delaware Constitution does not require the signature of Governor Carper: SB 69.

The Senate wishes to inform the House that it has passed HS 1 to HB 100 w/HA 1 & 2 & SA 1 & HB 218 w/HA 1 & 2 and is returning same to the House.

July 9, 1999

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

Dear Ms. Hedrick:

Thank you for contacting me with your support for the American Association of State Highway and Transportation Officials' (AASHTO) efforts to protect and preserve the funding levels for federal highway and transit guaranteed in the Transportation Equity Act for the 21st Century (TEA-21). I appreciate reading your views, and I am pleased to have this opportunity to respond.

First, you will be pleased to know that the House passed version of the FY 2000 Transportation Appropriations bill includes full funding for highway and transit spending as guaranteed by TEA-21. However, you should also be aware that when further cuts were needed to help pass all thirteen appropriations bills, funding for Amtrak was threatened even though Amtrak had volunteered a seven-percent funding cut from FY 1999. Furthermore, the pressures these guaranteed funding levels have placed on the rest of the federal budget can reduce the likelihood of federal tax relief and adequate federal funding for other social programs Delaware relies on, such as housing aid and other social services. While I agree that highway and transit infrastructure spending should be a priority, it's funding should not endanger other important programs. TEA-21's guaranteed spending levels only restrict the federal government's ability to balance all the nation's priorities as well as Delaware's priorities.

Again, thanks for writing. Please keep in touch.

Sincerely,
Michael N. Castle
Member of Congress

July 12, 1999

LEGISLATIVE ADVISORY #32

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/12/99 – HB 332 aab HA 2, 4, 5, 6, 7, & 8.

July 13, 1999

LEGISLATIVE ADVISORY #33

Governor Thomas R. Carper signed the following legislation on the dates indicated: 7/12/99 – HB 60, HB 68, HB 102, HB 171, HB 178, HJR 12, SB 27 aab SA 1, SB 28 aab SA 1 & 2, SB 29 aab SA 1 & 2, SB 54 aab SA 1, SB 197, SB 141 aab SA 1 & 2, SB 159 aab SA 1 & SB 176, 7/13/99 – HB 269; 7/9/99 – SB 232.

July 13, 1999

Ms. JoAnn M. Hedrick
Chief Clerk of the House
House of Representatives
Legislative Hall, Room 107
Dover, DE 19903
Dear Ms. Hedrick:

I would like to confirm receipt of House Concurrent Resolution 21 and 24 passed by the 140th General Assembly.

Thank you for the copies.

Sincerely,
Joseph R. Biden, Jr.
United States Senator

July 19, 1999

LEGISLATIVE ADVISORY #34

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/16/99 – HB 5, HB 52, HB 59 aab HA 1, HB 75 aab HA 1, HB 130 aab HA 1, 2 & 3, HB 138 aab SA 1, HB 197 aab HA 2, HB 212, HB 218 aab HA 1 & 2, HB 222 aab HA 1, HB 234, HB 239, HB 277, HB 335, HB 404, SB 20 aab SA 1 & 2 & HA 1, SS 1 to SB 89, SB 119, SB 188, SB 194 aab HA 1, 2 & 3, SB 201 aab SA 1 & 5, SB 211, SB 213, SB 216, SB 217, SB 218 & SB 230.

July 20, 1999

Ms. JoAnn Hedrick
Office of the Chief Clerk
Delaware House of Representatives
Legislative Hall
Dover, Delaware 19901
Dear JoAnn:

Thank you for sending me a copy of House Concurrent Resolution No. 8 as adopted recently by the 140th General Assembly.

The Congress will need to act to strengthen and preserve the Social Security program for future generations, and I will keep this resolution in mind as we proceed.

Sincerely,
William V. Roth, Jr.
Chairman

July 21, 1999

LEGISLATIVE ADVISORY #35

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/20/99 – HS 1 to HB 100 aab HA 1 & 2 & SA 2, HB 162 aab HA 1, HB 180 aab HA 1, HB 186 aab HA 1, HB 237, HB 238, HB 253, HB 285 aab HA 1 & SA 1, HB 292, HB 297, HB 302, HB 312, HB 315 aab HA 1, HB 326 aab SA 1, HB 368, HB 369, HB 339 aab SA 2, HB 389, SB 8 aab SA 1, 4, 5 & 6 & HA 1, SB 23 aab SA 1 & HA 1, SB 48 aab SA 1, SB 120 aab SA 1 & 2, SB 128, SB 130 aab HA 1, SB 143 aab SA 1, SS 1 to SB 144, SB 150, SB 157 aab SA 1, SB 164 aab SA 1, SB 173, SB 181, SB 191, SB 192, SB 195, SB 207 aab SA 1 & SB 238.

July 23, 1999

LEGISLATIVE ADVISORY #36

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/22/99 – HB 364.

July 26, 1999

LEGISLATIVE ADVISORY #37

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/23/99 – HB 175 aab HA 1, HB 163 aab HA 1 & HA 1 to HA 1, HB 228 aab HA 1 & SA 1, HB 231, HB 233 aab HA 1, HB 301 aab HA 1, HB 306, HB 307, HB 311, HB 370, HB 376, SB 136, SB 162, SB 175 aab SA 1 & HA 1, SB 200 & SB 208 aab SA 1.

July 29, 1999

LEGISLATIVE ADVISORY #38

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/29/99 – SB 72, SB 55 aab SA 1 & 4 & SB 126 aab SA 1 & HA 1.

August 2, 1999

LEGISLATIVE ADVISORY #39

Governor Thomas R. Carper signed the following legislation on the dates indicated: 7/30/99 - HB 262 aab SA 1, HS 1 to HB 383 aab HA 2 & 3, 7/27/99 - HB 355, SB 166 & SB 206.

The Senate wishes to inform the House that it has passed SS 1 to SB 90, SB 247 & SB 248, SJR 7, SJR 8 & SB 249 and requests the concurrence of the House; HB 411 & HB 418 and is returning same to the House; SS 1 to SB 1, SS 2 to SB 80, & SB 242 and requests the concurrence of the House; HS 1 to HB 64, HS 1 to HB 115, HB 414, HS 1 to HB 1, HB 412, HB 413 & HB 418 and is returning same to the House.

TO: Bernard Brady
FROM: Senator David B. McBride
DATE: August 3, 1999
SUBJECT: S.B. 6

Please have Senate Bill 6 returned from the House.

TO: Sally Baker, Assistant Clerk of the House
FROM: Bernard Brady, Secretary of the Senate
DATE: August 3, 1999
SUBJECT: S.B. 6

Attached please find a memo from Senator David B. McBride requesting return of S.B. 6 from the House.

Thank you for your time and cooperation.

MEMORANDUM

TO: The Honorable Bernard J. Brady
Secretary of the Senate
FROM: Sally A. Baker
Assistant Chief Clerk of the House
RE: SB 6
DATE: August 3, 1999

Per the Senate request, I hereby return SB 6 to the Senate.

Thank you for your anticipated cooperation.

August 5, 1999

LEGISLATIVE ADVISORY #40

Governor Thomas R. Carper signed the following legislation on the date indicated 8/4/99 – HB 411, HB 414, HB 412, HS 1 to HB 64, SS 1 to SB 90, SB 245, SB 244, SB 243, SB 247, SB 248, SB 249, SJR 7 & SJR 8.

August 5, 1999

LEGISLATIVE ADVISORY #41

Governor Thomas R. Carper signed the following legislation on the date indicated: 8/5/99 – HS 1 to HB 1, HS 1 to HB 115, HB 413, HB 418, SS 1 to SB 1, SS 2 to SB 80 & SB 242.

August 25, 1999

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

Thank you for sending me the resolution passed by the General Assembly opposing changes to the funding guarantees in the Transportation Equity Act of the 21st Century (TEA-21). I will keep it in mind should the full Senate consider any legislation to alter TEA-21.

Again, thank you for writing.

Sincerely,

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

August 31, 1999

LEGISLATIVE ADVISORY #42

Governor Thomas R. Carper signed the following legislation on the date indicated: 8/31/99 – SS 1 to SB 6.

September 28, 1999

Ms. Sally A. Baker
Assistant Chief Clerk of the House
General Assembly
Legislative Hall
Dover, Delaware 19901
Dear Ms. Baker:

Thank you for sending me a copy of House Resolution No. 49 which supports full and permanent funding of the federal Land and Water Conservation Fund.

I appreciate your providing me with this information.

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

Mr. Speaker Spence introduced guests.

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

Mr. Speaker Spence made comments.

Representatives Oberle & Plant made comments.

Representative Williams requested that he be marked present.

Representatives Welch, Buckworth & Carey requested and were granted personal privilege of the floor to introduce guests.

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

Representative Oberle made comments.

Representative Gilligan requested that he be marked present.

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

Representative Plant made comments.

The Majority Whip moved to recess for caucus at 6:10 p.m.

The House reconvened at 8:38 p.m.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: October 28, 1999

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
H140-925	Welch	6/12/1999	T	Jayne Jones/Graduation/Dover High
H140-926	Wagner	7/15/1999	T	Zachary Kopp/Eagle Scout
H140-927	Capano	5/22/1999	T	Liborio Ramunno, Jr./Graduation/Widener School of Law/Cum Laude
H140-928	Brady	7/8/1999	T	Christopher & Jacqueline Evans/United States Citizenship
H140-929	B. Ennis	5/9/1999	T	Virginia Bonneson/80th Birthday
H140-930	DiPinto	7/17/1999	T	Rachel "Polly" Sutton/85th Birthday
	cosponsor: Smith			
H140-931	D. Ennis	6/30/1999	T	Lt. Douglas Dillon/Retirement/U.S. Coast Guard
H140-932	Buckworth	7/14/1999	T	Ryan Tripp/Lawnmower Boy/Promoting Organ Donation
H140-933	Fallon	7/2/1999	M	Irvin R. Wheatley
H140-934	Fallon	7/4/1999	M	Donald "Chip" Vane, Jr.
H140-935	Wagner	7/10/1999	M	Kevin B. Bradley
H140-936	Welch	8/7/1999	T	Monica Rossi & Scott Clifford/Marriage
H140-937	DiLiberto	7/15/1999	T	Tommy Ryan/Finding & Returning Money
	cosponsor: Gilligan			Bank Robbery
H140-938	DiLiberto	7/15/1999	T	Josh Schmidt/Finding & Returning Money/ Bank Robbery
H140-939	Gilligan	7/17/1999	T	Belvedere Volunteer Fire Company/50th Anniversary
H140-940	Wagner	7/25/1999	T	Shannon Sydell & Sean Mercer/Marriage
H140-941	Wagner	7/10/1999	M	James E. Washington

H140-942	DiLiberto	7/15/1999	T	Justin Schmidt/Finding & Returning Money/ Bank Robbery
H140-943	B. Ennis	7/9/1999	T	Fred Willey/Retirement/30 Years/DELDOT
H140-944	Buckworth	8/7/1999	T	Emma Moore/80th Birthday
H140-945	Spence	7/17/1999	T	Adam Meyer/Eagle Scout
H140-946	Stone	8/24/1999	T	Albert & Lois LaMarche/25th Wedding Anniversary
H140-947	Smith	7/19/1999	T	Dr. Howard Horne, Jr./President General/Sons of the American Revolution
H140-948	Spence	8/19/1999	T	Captain Mickey Neal/Retirement/30 Years/Delaware State Police
H140-949	Fallon	8/7/1999	T	VFW Virgil Wilson Post/100th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: October 28, 1999

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
H140-950	Fallon	6/4/1999	T	Dick & June Drummond/50th Wedding Anniversary
H140-951	Fallon	7/27/1999	T	Jamie Hancock/Won Men's Singles/Seagull Classic Tennis Tournament
H140-952	Fallon	5/20/1999	T	Nathaniel Beale/Designed NASA Logo and Patch
H140-953	Lee	7/30/1999	T	Bill Collins/Retirement/DELDOT/37 Years
H140-954	Wagner	8/7/1999	T	Michele Miller & Danny Waite/Marriage
H140-955	Buckworth	7/21/1999	T	Edith Clites/99th Birthday
H140-956	Lofink	7/24/1999	M	Elaine C. Brierley
H140-957	Wagner	8/7/1999	T	Mark & Barbara McNulty/30th Wedding Anniversary
H140-958	Welch	8/8/1999	T	Ian Christopher Logan/Baptism
H140-959	Welch	8/29/1999	T	Benjamin White/God & Church Award/Boy Scouts
H140-960	Welch	8/29/1999	T	Byron White/God & Church Award/Boy Scouts
H140-961	Welch	8/29/1999	T	Matthew Dunham/God & Family Award/Boy Scouts
H140-962	Welch	8/29/1999	T	James Bedwell/God & Family Award/Boy Scouts
H140-963	B. Ennis	8/27/1999	T	Nancy & Walter Lamon/50th Wedding Anniversary
H140-964	Mulrooney	6/25/1999	T	Betty & Robert Senseny/50th Wedding Anniversary
H140-965	VanSant	6/18/1999	T	Elvira & John Samecky, Jr./50th Wedding Anniversary
H140-966	Gilligan	6/25/1999	T	Edward & Ann Stevens/50th Wedding Anniversary
H140-967	Gilligan	6/12/1999	T	Oliver & Renata Burkum/50th Wedding Anniversary
H140-968	Gilligan	6/13/1999	T	Michael & Helen Lahuta/50th Wedding Anniversary
H140-969	Gilligan	6/25/1999	T	John & Eleanor Keating/50th Wedding Anniversary
H140-970	Gilligan	6/10/1999	T	Alois & Cecilia Elmer/60th Wedding Anniversary
H140-971	Caulk	8/1/1999	M	Alvin L. Moore
H140-972	Fallon	7/28/1999	T	John & Jessie Conley/65th Wedding Anniversary
H140-973	Fallon	7/27/1999	T	Honorable David H. Ennis/Legislator of the Year Award Recipient
H140-974	Fallon	7/27/1999	T	Honorable Terry R. Spence/Leader of the Year Award Recipient

HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: October 28, 1999

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
H140-975	Spence	7/16/1999	M	Carlton F. Seymour
H140-976	Spence	7/26/1999	T	Sergeant Douglas Salter/13 Years/Delaware State Police
H140-977	D. Ennis	7/24/1999	M	Cecilia A. Falihee Cashman
H140-978	Spence	8/3/1999	T	David H. Rash/Support of the Disabled
H140-979	Spence	8/3/1999	T	Kristen Shew/News Journal's Girls Golfer of the Year
H140-980	Spence	6/10/1999	T	Delaware Elwyn/25th Anniversary
H140-981	Spence	9/11/1999	T	Nanticoke Indian Powwow/22nd Cultural Celebration
H140-982	Lofink	7/17/1999	T	Assistant Coach Roy Johnson/Newark Cardinals/Babe Ruth Playoff Win
H140-983	Lofink	7/12/1999	T	Coach John Truitt/Newark Cardinals Playoff Win
H140-984	Lofink	7/17/1999	T	Rich Lofink/Newark Cardinals Babe Ruth Playoff Win
H140-985	Lofink	7/17/1999	T	Levi McDonough/Newark Cardinals Playoff Win

H140-986	Lofink	7/17/1999	T	Jesse McNulty/Newark Cardinals Babe Ruth Playoff Win
H140-987	Lofink	7/17/1999	T	Mike Mangini/Newark Cardinals Babe Ruth Playoff Win
H140-988	Lofink	7/17/1999	T	Russ Ulrich/Newark Cardinals Babe Ruth Playoff Win
H140-989	Lofink	7/17/1999	T	Andrew Ulrich/Newark Cardinals Babe Ruth Playoff Win
H140-990	Lofink	7/17/1999	T	Chris Comegys/Newark Cardinals Playoff Win
H140-991	Lofink	7/17/1999	T	Shaun Gravell/Newark Cardinals Babe Ruth Playoff Win
H140-992	Lofink	7/17/1999	T	Nick Bucci/Newark Cardinals Babe Ruth Playoff Win
H140-993	Lofink	7/17/1999	T	Jonathan Truitt/Newark Cardinals Playoff Win
H140-994	Lofink	7/17/1999	T	Chris Kubasek/Newark Cardinals Playoff Win
H140-995	Lofink	7/17/1999	T	Jesse Johnson/Newark Cardinals Babe Ruth Playoff Win
H140-996	Lofink	7/17/1999	T	Mike Harman/Newark Cardinals Babe Ruth Playoff Win
H140-997	Roy	8/18/1999	T	Nathan Ryan Winn/Eagle Scout
H140-998	Roy	8/18/1999	T	Jarom Royce Winn/Eagle Scout

HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: October 28, 1999

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
H140-999	Maier	9/9/1999	T	Marion Jarrett/80th Birthday
H140-1000	Brady	9/3/1999	T	Barbara & Eugene Reed, Sr./50th Wedding Anniversary
H140-1001	Spence	8/15/1999	T	Kathleen & Alfred Rawlins, Jr/50th Wedding Anniversary
H140-1002	Welch	7/17/1999	M	Richard J. H. Street
H140-1003	Carey	8/6/1999	T	John Lynch/Appointment/Merchant Marine Academy
H140-1004	Caulk	8/4/1999	M	Wilbur C. Warner
H140-1005	Spence	8/3/1999	T	Pierre S. duPont, IV/20th Anniversary/Jobs for Delaware Graduates
H140-1006	B. Ennis	8/4/1999	M	Edna H. W. Dukes
H140-1007	B. Ennis	7/27/1999	M	Homer C. Lowman
H140-1008	Spence	8/20/1999	T	John Rollins/Birthday
H140-1009	Spence	8/5/1999	M	Joseph C. Fulgham, III
H140-1010	Schroeder	7/16/1999	T	Dorothy & Bill Morgan/50th Wedding Anniversary
H140-1011	Gilligan	8/2/1999	T	Edgar & Keitha Webb/66th Wedding Anniversary
H140-1012	Maier	8/16/1999	T	Catherine Hamill/Assistance/Child Advocate Bill
H140-1013	Maier	8/16/1999	T	Janice Mink/Assistance/Child Advocate Bill
H140-1014	Maier	8/16/1999	T	Stephanie Mantegna/Assistance/Child Advocate Bill
H140-1015	VanSant	8/13/1999	T	Fred Giroud/84 Round of Golf/"Shot his Age"
H140-1016	Wagner	8/21/1999	T	Frances Riddle & James Frazier/Marriage
H140-1017	DiLiberto	8/6/1999	T	Mr. & Mrs. Claude Holloway/50th Wedding Anniversary
H140-1018	Wagner cosponsor: Stone	8/19/1999	T	Rudolph Coleman/70th Birthday
H140-1019	Wagner	8/7/1999	T	Betty Ely & Dave Wilkerson/Marriage
H140-1020	Fallon cosponsor: Lee	8/26/1999	T	Penco Corporation/50th Anniversary
H140-1021	Wagner	6/9/1999	T	Kenneth Edwards/Retirement/30 Years/W. Reily Brown Elementary School
H140-1022	Fallon	8/15/1999	M	Sally Ann Foster Allen
H140-1023	Fallon	8/3/1999	M	Reese W. Smith

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: October 28, 1999

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
H140-1024	Fallon	8/11/1999	M	Francis O. McPherson
H140-1025	B. Ennis	8/15/1999	M	James O. Leager, Jr.
H140-1026	B. Ennis	8/15/1999	M	Ralph Lester Berghorn
H140-1027	D. Ennis	8/18/1999	M	James Murphy
H140-1028	Brady	7/23/1999	T	Laura & Marty Ziegler/50th Wedding Anniversary
H140-1029	Wagner	7/10/1999	T	Stephanie Scottton & Jonathan League/Marriage
H140-1030	Schroeder	8/28/1999	T	Marjorie Siebert/91st Birthday
H140-1031	Spence	6/4/1999	T	Regan Hicks Goldstein/Excellence in Teaching

	cosponsor: Wagner			Award Recipient
H140-1032	Buckworth	8/24/1999	T	Ashley Coleman/Miss Teen USA
H140-1033	B. Ennis	8/19/1999	M	Ray R. Foraker
H140-1034	Spence	9/11/1999	T	Michael Kirylik/Eagle Scout
H140-1035	Viola	7/31/1999	M	Eric A. Skibicki
H140-1036	Wagner	9/18/1999	T	Nicole Bramwell & Reginald Bowden/Marriage
H140-1037	Buckworth	9/25/1999	T	Philip Greene/70th Birthday
	cosponsor: Quillen			
H140-1038	B. Ennis	8/29/1999	T	Bessie Moore/82nd Birthday
H140-1039	Roy	8/21/1999	T	Ryan Biliski/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1040	Roy	8/21/1999	T	Michelle Maykut/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1041	Roy	8/21/1999	T	Lauren Robino/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1042	Roy	8/21/1999	T	Michelle Biliski/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1043	Roy	8/21/1999	T	Chuck Biliski, Coach/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1044	Miro	8/21/1999	T	Keri Baker/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1045	Miro	8/21/1999	T	Wendall Davis, Coach/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1046	Miro	8/21/1999	T	Angela Miller/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1047	Gilligan	8/21/1999	T	Krissi Dugan/Girls Softball World Champions
H140-1048	Gilligan	8/21/1999	T	Kim Joyce/Girls Softball World Champions

HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: October 28, 1999

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
H140-1049	Gilligan	8/21/1999	T	Jillian Zielinski/Girls Softball World Champions
H140-1050	Gilligan	8/21/1999	T	Tom Joyce, Manager/Girls Softball World Champions
H140-1051	Gilligan	8/21/1999	T	Sandy Joyce/Girls Softball World Champions
H140-1052	VanSant	8/21/1999	T	Valerie White/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1053	Maier	8/21/1999	T	Dana Travis/Girls Softball World Champions
	cosponsors: Miro & Gilligan			
H140-1054	Maier	8/21/1999	T	Elaine Dvorak/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1055	Miro	8/21/1999	T	Laura Colosi/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1056	Capano	8/21/1999	T	Jennifer Joseph/Girls Softball World Champions
	cosponsor: Gilligan			
H140-1057	Capano	8/21/1999	T	Kelley Louth/Girls Softball World Champions
	cosponsors: Miro & Gilligan			
H140-1058	Wagner	9/17/1999	T	Ruth & Harry Adams, Jr./50th Wedding Anniversary
	cosponsor: Price			
H140-1059	Wagner	9/11/1999	T	Kelly Rock & David Blaeuer/Marriage
	cosponsor: Caulk			
H140-1060	Fallon	9/4/1999	T	John & Betty Owings/Renewal of Marriage Vows
H140-1061	Miro	9/10/1999	T	Latin American Community Center/30th Anniversary
H140-1062	Scott	10/2/1999	T	Howard High School Class of 1956
H140-1063	DiPinto	9/8/1999	M	John O'Meara
H140-1064	Spence	9/1/1999	M	William G. Burke
	cosponsors: Smith, Gilligan & Brady			
H140-1065	Capano	10/1/1999	T	Dwight Lanmon/Retirement/Winterthur Museum
H140-1066	B. Ennis	9/1/1999	M	Ernest Reed
H140-1067	Spence	9/2/1999	T	Carla Blackburn/97th Birthday
H140-1068	Smith	9/10/1999	T	Ray & Judith Hester/Good Citizens of Claymont
H140-1069	DiLiberto	9/14/1999	T	Ethel & Hayes Thompson/Love of Music and Dance

H140-1070	Wagner	9/13/1999	M	Rebecca Wolcott Terry
	cosponsor: Stone			
H140-1071	Welch	9/17/1999	T	Bill Holmes/50th Birthday
	HOUSE TRIBUTE ANNOUNCEMENT #47			

DATE: October 28, 1999

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
H140-1072	Welch	9/19/1999	T	Ladies Auxiliary/Marydel Volunteer Fire Company/50th Anniversary
H140-1073	Smith	9/26/1999	T	B'Nai B'Rith House/20th Anniversary
H140-1074	DiPinto	10/18/1999	T	William T. McLaughlin/50 Years of Service to Community, City and State
	cosponsors: Gilligan & All Representatives			
H140-1075	DiPinto	9/15/1999	T	Sam Waltz/CEO/Public Relations Society of America
H140-1076	Capano	8/12/1999	T	Alice & William Michelinie/50th Wedding Anniversary
H140-1077	Gilligan	9/10/1999	T	Joseph & Anne Jannaman/50th Wedding Anniversary
H140-1078	Maier	9/23/1999	T	Delaware Adolescent Program, Inc./30th Anniversary
H140-1079	Quillen	9/27/1999	T	Christy Gustafson/Kent County Farm Bureau Queen
H140-1080	Quillen	10/1/1999	T	Robert & Carol Kidwell/50th Wedding Anniversary
H140-1081	Quillen	9/27/1999	T	G. Wallace Caulk, Jr./Distinguished Service to Agriculture Award Recipient
H140-1082	Miro	9/24/1999	T	Steven Todd/Eagle Scout
H140-1083	Price	8/7/1999	T	Margaret & Elwood Johnson/60th Anniversary
H140-1084	Price	8/25/1999	T	Dorothy & Jimmie Whisman/50th Wedding Anniversary
H140-1085	Viola	8/13/1999	T	Judy & Junior Hamm/50th Wedding Anniversary
H140-1086	Mulrooney	8/14/1999	T	Maxine & William Henry/50th Wedding Anniversary
H140-1087	Brady	9/9/1999	T	Elizabeth & Carlton Cox/60th Wedding Anniversary
H140-1088	Brady	5/2/1999	T	Eleanor & Joseph Burns/51st Wedding Anniversary
H140-1089	Capano	9/16/1999	M	Dr. V. Leonard Brown
H140-1090	Spence	9/16/1999	M	Barbara R. MacCoy
H140-1091	Scott	10/2/1999	T	Raymond Tate/President/Class of 1956/Howard High
H140-1092	D. Ennis	9/29/1999	T	Nancy Doorey/Distinguished Service Award Recipient/Delaware School Boards Association
H140-1093	West	10/2/1999	T	George H. Bunting, Jr./Distinguished Service to Agriculture Award Recipient
H140-1094	Quillen	9/27/1999	T	Robert Garey Family/Kent County Farm Family of Year
	HOUSE TRIBUTE ANNOUNCEMENT #48			

DATE: October 28, 1999

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
H140-1095	Williams	9/18/1999	M	Hester A. Ross
H140-1096	B. Ennis	9/25/1999	T	Georgie Harris & Christopher Cartanza/Marriage
H140-1097	Buckworth	10/2/1999	T	Jodi Hart & Christopher Kiker/Marriage
	cosponsor: Wagner			
H140-1098	Gilligan	8/18/1999	T	Ruth Bennett/100th Birthday
H140-1099	Gilligan	11/22/1999	T	Mabel Lake/100th Birthday
H140-1100	Price	9/29/1999	T	VFW Mason-Dixon Post/100th Anniversary
H140-1101	Price	8/4/1999	T	Ruth & Ralph Burbage/50th Wedding Anniversary
H140-1102	B. Ennis	10/2/1999	T	Morris King/80th Birthday
	cosponsor: Welch			
H140-1103	Buckworth	10/7/1999	T	Barbara Reamer/Camden-Wyoming Postmaster
H140-1104	Wagner	10/16/1999	T	Tara Rumell & Jonathan Kingery/Marriage
H140-1105	Wagner	10/2/1999	T	Stephanie Quimby & C. Andrew Belk/Marriage
H140-1106	West	10/13/1999	T	Loriann White/Indian River Teacher of the Year
H140-1107	West	9/27/1999	T	DelTech/Named Community College of the Year
	cosponsors: All Representatives			
H140-1108	Carey	9/30/1999	T	Heritage at Milford/Grand Opening
H140-1109	Carey	9/30/1999	T	I. G. Burton/Heritage Award of Excellence/Philanthropy

H140-1110	Carey	9/30/1999	T	Herman McNatt/Heritage Award of Excellence/Social and Civil Service
H140-1111	B. Ennis	9/20/1999	M	Pauline G. Francis
H140-1112	Carey	9/28/1999	T	Sussex County Cheer/Grand Opening
	cosponsor: West			
H140-1113	Boulden	9/24/1999	M	Frederick Mueller
H140-1114	Maier	9/30/1999	T	Foster Care Review Board/20th Anniversary
H140-1115	Fallon	10/1/1999	T	Constance Hastings/Excellence in Teaching Award Recipient
H140-1116	Fallon	10/9/1999	T	Barbara & Ben Young/50th Wedding Anniversary
H140-1117	Brady	10/2/1999	T	Lillian & James Brady, III/70th Birthdays
H140-1118	Stone	10/4/1999	T	Alice Watts/93rd Birthday
H140-1119	B. Ennis	10/3/1999	T	Smyrna/Clayton Boys and Girls Club/Dedication

HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: October 28, 1999

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
H140-1120	Spence	9/20/1999	M	Harry T. Dolson
	cosponsors: Mulrooney & All Representatives			
H140-1121	Wagner	9/24/1999	T	Lola Tue/Lifetime Achievement Award for Education Recipient
	cosponsor: Buckworth			
H140-1122	Welch	10/17/1999	T	Frances Bunting/90th Birthday
	cosponsor: Price			
H140-1123	Oberle	9/30/1999	T	Colonel Alan Ellingsworth/Retirement
	cosponsors: Spence & All Representatives			
H140-1124	Wagner	9/26/1999	M	Malcolm McArthur Arnell
H140-1125	Roy	10/8/1999	T	Double Tenth Day/Republic of China's National Holiday
	cosponsor: Miro			
H140-1126	B. Ennis	10/15/1999	T	Joan & George Dalphon/50th Wedding Anniversary
H140-1127	Price	10/1/1999	T	Emory Moore/Contributions/Bethany- Fenwick Chamber of Commerce
H140-1128	Maier	10/22/1999	T	Ruth & Jim Joyce/50th Wedding Anniversary
H140-1129	Oberle	9/30/1999	T	Robert Kinsey, Jr./First Pari-mutuel Win
H140-1130	Capano	10/14/1999	T	Alice Dewson/The Caring Bowl Award Recipient
H140-1131	Carey	10/2/1999	T	Richard & Barbara Sapp/Sussex County Farm Family of the Year
H140-1132	Fallon	10/10/1999	T	James Soles/Guest Speaker/Seaford Museum
H140-1133	Schroeder	10/5/1999	T	Dorothy Stant/DeVries BPW Woman of the Year
H140-1134	Schroeder	10/5/1999	T	Donna Davis/Employer of the Year/DeVries BPW
H140-1135	Lee	10/8/1999	T	Laurel Senior Center/30th Anniversary
H140-1136	Spence	10/6/1999	T	Bayard House/20th Anniversary
	cosponsor: Brady			
H140-1137	Spence	10/7/1999	T	Delaware Autistic Program/20th Anniversary
H140-1138	Spence	10/6/1999	T	Albert Small/Loan of Letter/Delaware History Museum
H140-1139	Spence	10/5/1999	T	Gert Satterwhite/Retirement/EDS Office of Government Affairs
H140-1140	Roy	10/7/1999	T	Pete Santoro/Dave Schultz Excellence Award Winner/High School Wrestling
H140-1141	Welch	10/7/1999	T	Hartly Elementary School/Ranked First in Third Grade DSTP
H140-1142	DiPinto	10/10/1999	T	St. Ann's School/100th Anniversary/Rededication
H140-1143	Boulden	10/4/1999	M	Maggie Richtelli

HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: October 28, 1999

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
H140-1144	Plant	10/1/1999	M	William Jenkins
H140-1145	Spence	10/15/1999	T	Officer Michael Freebery/Retirement/New Castle County Police
	cosponsor: Roy			
H140-1146	Spence	10/15/1999	T	Senior Sergeant Joseph Schofield/Retirement/New

	cosponsor: Brady			Castle County Police
H140-1147	Spence	10/15/1999	T	Sergeant Lynn Slaughter/Retirement/New Castle County Police
H140-1148	Spence	10/15/1999	T	Corporal Butch Lefebvre/Retirement/New Castle County Police
H140-1149	Spence	10/15/1999	T	Captain Dennis Godek/Retirement/New Castle County Police
	cosponsor: VanSant			
H140-1150	Spence	10/15/1999	T	Senior Sergeant Dave Stewart/Retirement/New Castle County Police
	cosponsor: Miro			
H140-1151	Spence	10/15/1999	T	Corporal Steve Scotolati/Retirement/New Castle County Police
	cosponsor: Gilligan			
H140-1152	Spence	10/15/1999	T	Senior Lieutenant Vera Briscoe/Retirement/New Castle County Police
	cosponsor: Lofink			
H140-1153	Spence	10/15/1999	T	Corporal Ken Henderson/Retirement/New Castle County Police
	cosponsor: Cathcart			
H140-1154	Quillen	10/15/1999	T	John Gardoski/35 Years of Service/Cape Henlopen School District
	cosponsor: Carey			
H140-1155	Capano	10/15/1999	T	Mario Stella/Received United States Citizenship
H140-1156	Spence	10/21/1999	T	Honorable Russell Peterson/Lifetime Achievement Award Recipient/Creative Grandparenting Life and Legacy of Dr. Al O. Plant, Sr.
	cosponsor: Capano			
H140-1157	Gilligan	10/16/1999	T	
	cosponsors: All Representatives			
H140-1158	Roy	10/16/1999	T	Dorothy DeLude/104th Birthday
H140-1159	D. Ennis	10/15/1999	T	Joseph Small & Associates/35 Years/Business
H140-1160	Spence	10/15/1999	T	National White Cane Day
H140-1161	Buckworth	9/20/1999	T	Phil Hill/Minority Small Business Person of the Year Award Recipient/Kent County
H140-1162	Buckworth	10/16/1999	T	William Courtney/Retirement/22 Years/Vision Centre
H140-1163	Fallon	10/16/1999	T	Annette Hearn/Retirement/50 Years/ Organist/Concord United Methodist Church
H140-1164	Fallon	10/13/1999	T	DuPont Company/Production of Nylon/60 Years
H140-1165	Maier	10/23/1999	T	Jim Joyce/75th Birthday
H140-1166	Wagner	10/15/1999	M	William Lee Holden, Sr.

T- Tribute

M - Memoriam

Representative Smith deferred to Representative Carey.

Representative Carey introduced and brought HR 62, jointly sponsored by Representatives Spence, Smith, Welch, Buckworth, Capano, Cathcart, Caulk, Cloutier, D. Ennis, Ewing, Lee, Maier, Quillen, Ulbrich, Stone, Wagner, Brady, Price, West & Williams & Senators Connor & Simpson, before the House for consideration.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

HR 62 - CREATING A SPECIAL COMMITTEE TO EVALUATE AND PROPOSE LEGISLATION CONCERNING THE STATE STUDENT TESTING PROGRAM.

Representatives Carey, Caulk & Wagner made comments.

HR 62 was adopted by voice vote.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced and brought HB 421, jointly sponsored by Senator Bunting, before the House for consideration.

HB 421 - AN ACT TO AMEND 72 LAWS OF DELAWARE, CHAPTER 25, RELATING TO THE NORTHEAST INTERSTATE DAIRY COMPACT.

Mr. Speaker Spence resumed the Chair.

Representative Caulk moved to suspend the rules which interfere with introduction of and action on HB 421. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Caulk made comments.

The roll call on HB 421 was taken and revealed:

YES: 40.

NOT VOTING: Representative Cathcart - 1.

Therefore, having received a constitutional majority, HB 421 was sent to the Senate for concurrence.

Representatives West & DiLiberto requested and were granted personal privilege of the floor to make comments.

Representative Ewing introduced HB 425, jointly sponsored by Representative Lee & Senator Adams.

HB 425 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LAND USE.

Mr. Speaker Spence assigned HB 425 to the Land Use and Infrastructure Committee.

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

HR 51 – Spence; Representatives Brady, Capano, Miro & Lee: URGING THE STATE DEPARTMENT OF EDUCATION TO REQUIRE EVERY BOARD OF EDUCATION ENSURE THAT ALL STUDENTS, TEACHERS, ADMINISTRATORS AND STAFF STAND, SALUTE AND PLEDGE ALLEGIANCE TO THE AMERICAN FLAG.

HR 52 – Roy: RECOGNIZING THE ACHIEVEMENTS OF DELAWARE TECHINICAL & COMMUNITY COLLEGE AS THE RECIPIENT OF THE NATIONAL ALLIANCE OF BUSINESS 1999 DISTINGUISHED PERFORMANCE AWARD FOR THE COMMUNITY COLLEGE OF THE YEAR.

HR 53 – Roy: CONGRATULATING RAY HARBESON OF THE DEPARTMENT OF TRANSPORTATION UPON HIS RECEIVING THE 1999 THOMAS H. MACDONALD MEMORIAL AWARD, WHICH RECOGNIZES OUTSTANDING ACHIEVEMENTS IN THE FIELDS OF HIGHWAY ADMINISTRATION, ENGINEERING AND RESEARCH.

HR 54 – Roy: RECOGNIZING DR. CAROL HOFFECKER FOR HER SELECTION AS ONE OF THE 1999 UNITED STATES PROFESSORS OF THE YEAR BY THE CARNEGIE FOUNDATION FOR THE ADVANCEMENT OF TEACHING AND THE COUNCIL FOR THE ADVANCEMENT AND SUPPORT OF EDUCATION.

HR 55 – Roy; Representatives DiPinto & Gilligan: EXPRESSING HEARTFELT SYMPATHY AND CONCERN TO THE PEOPLE AND GOVERNMENT OF THE REPUBLIC OF CHINA ON TAIWAN.

HR 58 – DiPinto on behalf of All Representatives: HONORING THE LONG AND IMPRESSIVE RECORD OF SERVICE BY GILPIN HALL TO DELAWARE'S NEEDIEST CITIZENS SINCE ITS FOUNDING 175 YEARS AGO IN THE CITY OF WILMINGTON.

HR 59 – Welch; Representatives Spence & B. Ennis on behalf of all Representatives: HONORING THE CONTRIBUTIONS OF THE HUNDREDS OF DELAWAREANS WHO TOOK PART IN THE ANNUAL "MAKE A DIFFERENCE DAY" ON SATURDAY, OCTOBER 23, 1999.

HR 60 – DiPinto: CELEBRATING THE 100 YEARS OF CATHOLIC EDUCATION PROVIDED BY SAINT ANN'S SCHOOL, FROM 1899 TO 1999.

HR 61 – Scott; Representatives DiPinto, Houghton & Keeley: CELEBRATING LEO T. MARSHALL'S MANY CONTRIBUTIONS TO THE CITY OF WILMINGTON AND THE STATE OF DELAWARE.

Representative Smith requested that HR 51 & HR 61 be removed from Consent Calendar #1.

Representative Smith requested that HR 51 be reinstated on Consent Calendar #1.

Representative Wagner made comments regarding HR 51.

Representative Smith introduced HR 63.

HR 63 - CONGRATULATING DR. HOWARD F. HORNE FOR BEING THE FIRST DELAWAREAN ELECTED TO THE OFFICE OF PRESIDENT GENERAL TO THE NATIONAL SOCIETY, SONS OF THE AMERICAN REVOLUTION.

HR 63 was placed on Consent Calendar #1.

Representative Price made comments regarding HR 51.

Consent Calendar #1 was adopted by voice vote.

Representative Smith deferred to Representative Scott.

Representative Scott brought HR 61, cosponsored by Representatives DiPinto, Houghton & Keeley, before the House for consideration.

HR 61 – CELEBRATING LEO T. MARSHALL'S MANY CONTRIBUTIONS TO THE CITY OF WILMINGTON AND THE STATE OF DELAWARE.

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

The roll call on HR 61 was taken and revealed:

YES: Representatives Brady, Capano, DiPinto, Fallon, Gilligan, Houghton, Keeley, Roy, Schroeder, Scott, Welch & West – 12.

NO: Representatives Boulden, Oberle, Plant, Quillen, Ulbrich & Williams – 6.

NOT VOTING: 21.

ABSENT: Representatives Lee & VanSant – 2.

Therefore, not having received a constitutional majority, HR 61 was declared defeated.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought HR 56, sponsored on behalf of All Representatives, before the House for consideration.

HR 56 - HONORING THE DELAWARE SENIOR OLYMPICS AND DELAWARE SENIOR WALKERS AND RUNNERS.

Representatives DiPinto & Gilligan made comments.

HR 56 was adopted by voice vote.

Representative Smith deferred to Representative Ewing.

Representative Ewing introduced and brought HJR 17, jointly sponsored by Senator Simpson & Representatives Spence & Carey, before the House for consideration.

HJR 17 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DELAY THE PLANNED DEMOLITION OF THE BRICK HOTEL BUILDING IN GEORGETOWN, AND TO APPOINT AN ADVISORY GROUP TO EXPLORE ALTERNATIVE PLANS AND MAKE RECOMMENDATIONS TO THE SECRETARY BEFORE FEBRUARY 1, 2000.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on HJR 17. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representatives Carey, Ewing, Mr. Speaker Spence, Representatives Welch & Ewing made comments.

The roll call on HJR 17 was taken and revealed:

YES: 37.

ABSENT: Representatives Oberle, Roy, Smith & VanSant - 4.

Therefore, having received a constitutional majority, HJR 17 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Maier.

Representative Maier requested and was granted personal privilege of the floor to present a House Tribute to Ruth Joyce.

Mr. Speaker Spence made an announcement.

Representative Smith made comments.

Representative Smith deferred to Representative Oberle.

Representatives Oberle & Plant made comments.

Representative Smith deferred to Representative West.

Representative West introduced HB 422, jointly sponsored by Representative Caulk.

HB 422 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE NUTRIENT MANAGEMENT COMMISSION.

Mr. Speaker Spence assigned HB 422 to the Agriculture Committee.

The Majority Leader moved to adjourn the extraordinary session at 9:31 p.m.

The Majority Leader moved to adjourn the first Special Session of the 140th General Assembly at 2:13 p.m. The House reconvened at 2:15 p.m. on January 11, 2000.

1st LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 11, 2000

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Caulk - 1.

A prayer was offered by the Reverend Brooks C. Reynolds.

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.

Representatives Roy, Ulbrich, D. Ennis & Boulden requested that they be marked present.

The following prefiled legislation was introduced:

HB 420 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES BRADY, HOUGHTON, PRICE, VAN SANT - HOUSING & COMMUNITY AFFAIRS - 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.

HB 423 - KEELEY & SENATOR MARSHALL - SUBSTANCE ABUSE - An Act to Amend Title 16 of the Delaware Code Relating to Distribution, Delivery or Possession of Controlled Substances.

HB 424 - KEELEY & REPRESENTATIVE OBERLE; SENATOR HENRY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Transfer of Medical Records.

SJR 9 - BLEVINS; SENATORS ADAMS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SHARP, SOKOLA, VAUGHN, VENABLES, BONINI, SORENSON; REPRESENTATIVE GILLIGAN - EDUCATION - Relating to Student Accountability.

Representative Smith deferred to Representative Mulrooney.

Representatives Mulrooney & DiLiberto requested and were granted personal privilege of the floor to introduce guests.

Representative Keeley requested that she be marked present.
 Representative D. Ennis requested and was granted personal privilege of the floor to make comments.
 Mr. Speaker Spence made comments.
 Representatives West and Maier requested that they be marked present.
 Mr. Speaker Spence introduced guests.
 Representatives Gilligan, Oberle & Gilligan requested and were granted personal privilege of the floor to make comments.
 Representative Reynolds made comments.
 Representatives Ulbrich and West requested and were granted personal privilege of the floor to make comments.
 Representatives B. Ennis & Reynolds made comments.
 Representative Plant requested that he be marked present.
 Representative Plant requested and was granted personal privilege of the floor to make comments.
 Representative Miro requested that he be marked present.
 Representative Ewing requested and was granted personal privilege of the floor to make comments.
 Representative Houghton made comments.
 The Majority Leader moved to recess for caucus at 2:37 p.m.
 The House reconvened at 4:03 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 SJR 9 and requests the concurrence of the

House.

MEMORANDUM

TO: The Honorable Terry R. Spence
 Speaker of the House
 FROM: Representative G. Wallace Caulk
 RE: Absence from Session
 DATE: January 5, 2000

Please be advised that I will be absent from session on Tuesday, January 11, Wednesday, January 12 and Thursday, January 13, 2000 due to out of town business.

Thank you

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Al. O. Plant, Sr., do hereby request that my name be removed as co-sponsor of HB 428.

Date: January 11, 2000

Signed: Al O. Plant, Sr.

Representative Smith deferred to Representative Carey.
 Representative Carey introduced HB 436, jointly sponsored by Senator Bunting & Representatives Buckworth, Caulk, Lee, Price, Quillen, Schroeder & West & Senators Simpson & Venables.
 HB 436 – AN ACT TO AMEND TITLE 29 RELATING TO THE STATE SOIL.
 Mr. Acting Speaker assigned HB 436 to the Agriculture Committee.
 Representatives Smith & Carey made comments.
 Representative Stone requested that she be marked present.
 Representatives Wagner & Carey made comments.
 Representative Cathcart requested that he be marked present.
 Representative Cathcart requested that action on HB 378 be deferred to a Day Certain, Thursday, January 13, 2000.

Representative Quillen requested that HB 187 be stricken.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 225, jointly sponsored by Representative D. Ennis & Senator Vaughn & Representatives Boulden, Brady, Buckworth, Carey, Cathcart, Cloutier, DiLiberto, Ewing, Gilligan, Houghton, Keeley, Miro, Mulrooney, Oberle, Plant, Price, Spence, VanSant, Viola, Wagner, Welch, West & Williams, before the House for consideration.

HB 225 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PAYROLL CHECKS AND DIRECT DEPOSIT ADVICE. (F/N)

Representative B. Ennis made comments.

The roll call on HB 225 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Plant, Williams & Spence - 4.

Therefore, having received a constitutional majority, HB 225 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 363, jointly sponsored by Representatives Welch & Lofink & Senators Sharp, Marshall & McBride, before the House for consideration.

HB 363 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.

Representative Oberle made comments.

Representative Oberle moved to place HB 363 on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative West.

Representative West introduced HB 434, jointly sponsored by Representative Caulk & Senator Bunting.

HB 434 – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE AND, CHAPTER 60, VOLUME 72 OF THE LAWS OF DELAWARE, RELATING TO NUTRIENT MANAGEMENT PLANS.

Mr. Acting Speaker assigned HB 434 to the Agriculture Committee.

Mr. Acting Speaker reassigned HB 436 to the Natural Resources and Environmental Management Committee.

Representative Smith requested and was granted personal privilege of the floor to make an announcement regarding HB 256.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor to present House Tributes to John Brady & Representative Richard A. DiLiberto, Jr.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: January 11, 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
H140-1213	Gilligan	9/24/1999	T	Joseph & Mary Cannelongo/50th Wedding Anniversary
H140-1214	Williams	10/12/1999	T	Antoinette & Michael Figliola/50th Wedding Anniversary
H140-1215	Williams	10/8/1999	T	Beulah & Crawford Woodruff/50th Wedding Anniversary
H140-1216	Price	10/7/1999	T	Patricia & John Samen, Sr./50th Wedding Anniversary
H140-1217	Price	9/13/1999	T	Charlotte & Paul Brooks/50th Wedding Anniversary
H140-1218	Brady	9/24/1999	T	Anne & William Roy/50th Wedding Anniversary
H140-1219	DiLiberto	10/5/1999	T	Sabra & Alfred Saindon/50th Wedding Anniversary
H140-1220	Brady	10/29/1999	T	Amy Amato & Michael Czerwinski/Marriage
H140-1221	Ewing	11/13/1999	T	Church of God/50th Anniversary
H140-1222	Brady	11/5/1999	T	W. Leo Ekins/Retirement/AgrEvoUSA Company
H140-1223	Smith	10/28/1999	T	Marie Dugan/Retirement/Headmaster /Wilmington Montessori School
H140-1224	VanSant	10/26/1999	T	Jean & Brigitte Schaeffe/United States Citizenship
H140-1225	Quillen	11/4/1999	T	Leah Wheeler/Retirement/Division of Child Support 30 Years
H140-1226	Stone	10/25/1999	M	The Honorable William G. Bush, III
cosponsors: Buckworth, Caulk, B. Ennis, Quillen, Wagner & Welch				
H140-1227	Maier	11/12/1999	T	Steve Taylor/Induction/U of D Sports Hall of Fame
H140-1228	Roy	10/28/1999	T	Raymond Harbeson/Thomas MacDonald Award
H140-1229	Wagner	10/18/1999	T	Charles Salkin/Governor's Tourism Award
H140-1230	D. Ennis	10/26/1999	T	Irena Fister/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1231	D. Ennis	10/26/1999	T	Bojan Srot/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1232	D. Ennis	10/26/1999	T	Boris Sovic/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1233	D. Ennis	10/26/1999	T	Mohor Bogataj/Visit to Delaware/USIA Municipal Administration in Slovenia Project

HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: January 11, 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
H140-1234	D. Ennis	10/26/1999	T	Tomaz Stebe/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1235	D. Ennis	10/26/1999	T	Pavel Rupar/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1236	D. Ennis	10/26/1999	T	Anton Kokalj/Visit to Delaware/USIA

H140-1237	D. Ennis	10/26/1999	T	Municipal Administration in Slovenia Project Drago Stanovnik/Visit to Delaware/USIA Municipal Administration in Slovenia Project
H140-1238	Fallon	10/28/1999	T	Ronald MacArthur/Wal-Mart Hometown Leadership Award Recipient Thomas Jacobs
H140-1239	Carey	10/28/1999	M	cosponsors: All Representatives
H140-1240	DiPinto; Scott	11/4/1999	T	Leo Marshall/Outstanding Service in Government
H140-1241	B. Ennis	11/13/1999	T	cosponsors: Houghton & Keeley
H140-1242	Price	11/7/1999	T	Sandra Shane/Installation/President/ Rebekah Assembly of Delaware
H140-1243	Price	10/18/1999	T	Cheryl Gargano/50th Birthday Bethany-Fenwick Chamber of Commerce/Hall of Fame Annual Event Award Recipient
H140-1244	Schroeder	11/8/1999	T	Lowder & Jane Mitchell/Farm Inducted into Century Farm Program
H140-1245	Price	11/8/1999	T	Iris & Danny Moore, Sr./Farm Inducted into Century Farm Program
H140-1246	Price	11/1/1999	T	Emily Parris/Phillip Showell Elementary School Teacher of the Year
H140-1247	Price	11/1/1999	T	Susan Timmons/Lord Baltimore Elementary School Teacher of the Year
H140-1248	Price	11/1/1999	T	Kelli Palumpro-White/Frankford Elementary School Teacher of the Year
H140-1249	B. Ennis	10/29/1999	M	Kenneth P. Hess
H140-1250	Carey	10/31/1999	M	Harvey George Marvel, Sr.
H140-1251	Ulbrich	11/5/1999	T	Evan Moody/31 Years Service/State Farm Insurance
H140-1252	Spence	10/24/1999	T	cosponsor: Lofink New Castle Methodist Church/179th Anniversary
H140-1253	Spence	10/30/1999	T	Kirkwood Soccer Club/25th Anniversary
H140-1254	DiPinto	11/19/1999	T	10th Annual Diabetes Ball
H140-1255	Spence	11/19/1999	T	Gloria Corrozi/Chairman/Diabetes Ball/Dedication
H140-1256	Spence	11/4/1999	T	Janet Carroll/Entrepreneurial Women's Expo Award Recipient
H140-1257	B. Ennis	10/29/1999	M	Anna A. Condon Archer

HOUSE TRIBUTE ANNOUNCEMENT #55

DATE: January 11, 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
H140-1258	West	12/4/1999	T	John Roach, III/Eagle Scout
H140-1259	West	11/28/1999	T	W. John Gordy/Eagle Scout
H140-1260	Welch	11/1/1999	M	John L. Metheny
H140-1261	Capano	11/5/1999	T	Lena Coccione/Outstanding Volunteer in Education
H140-1262	Ewing	11/1/1999	T	Dawn Cannon/George Washington Memorial Scholarship Winner
H140-1263	Carey	11/1/1999	T	Andrew Kunkle/George Washington Memorial Scholarship Winner
H140-1264	Bouliden	10/1999	T	David VonSteuben/George Washington Memorial Scholarship Winner
H140-1265	Welch	8/10/1999	T	Kaitlin Marie Canalichio/Birth
H140-1266	Carey	11/20/1999	T	Dr. Gerald Thompson/Retirement/Band Director/Milford
H140-1267	Schroeder	4/24/1999	T	Joe Jaszemski/Eagle Scout
H140-1268	Cloutier	11/10/1999	T	Arushi deFonseka/George Washington Memorial Scholarship Winner
H140-1269	D. Ennis	11/10/1999	T	Magdalena Wilson/George Washington Memorial Scholarship Winner
H140-1270	Valihura	11/10/1999	T	Melissa Shields/George Washington Memorial Scholarship Winner
H140-1271	Smith	11/10/1999	T	Katie Saturno/George Washington Memorial Scholarship Winner
H140-1272	Fallon	11/25/1999	T	Marian DeHainaut/91st Birthday

H140-1273	Lee	11/14/1999	T	Bethel United Methodist Church
H140-1274	Wagner	10/14/1999	T	Mae Simon/104th Birthday
H140-1275	Caulk	11/6/1999	M	Delbert W. Mills, Sr.
H140-1276	B. Ennis	11/13/1999	T	Marvin Sharp/President/Kent County Volunteer Firemen's Association
H140-1277	cosponsor: Carey B. Ennis	11/13/1999	T	David Harrison Post #14/American Legion Ambulance Service/75th Anniversary
H140-1278	Wagner	11/5/1999	M	William Puchalsky
H140-1279	Ewing	11/20/1999	T	Jefferson Lodge #15/150 Years/Masonic Service
H140-1280	Fallon	11/18/1999	T	Mary Pilling/90th Birthday
H140-1281	Brady	10/22/1999	T	Thomas E. Robinson/Eagle Scout
H140-1282	Gilligan	11/19/1999	T	Kenneth Brown/31 Years Service/Newark and Christina Schools

HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: January 11, 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
H140-1283	Gilligan	11/19/1999	T	Franklin Rishel/Service/New Castle County and Christina Schools
H140-1284	Houghton	12/16/1999	T	Olaf Olson/75th Birthday
H140-1285	B. Ennis	12/2/1999	T	Florence & Eugene Thompson/50th Wedding Anniversary
H140-1286	Oberle	11/2/1999	T	Nicholas Sablan/George Washington Memorial Scholarship Winner
H140-1287	Oberle	11/2/1999	T	Emily Frey/George Washington Memorial Scholarship Winner
H140-1288	Ewing	11/18/1999	T	Joan Hitchins/32+ Years Service/Delaware State Police Federal Credit Union
H140-1289	Buckworth	11/19/1999	T	Pippin Funeral Home/25th Anniversary
H140-1290	Carey	12/3/1999	T	Betty & Joe Black/50th Wedding Anniversary
H140-1291	Fallon	11/22/1999	T	New Owners of JoLy House Foods, Inc./ Wishing Them Success
H140-1292	Carey	1/11/2000	T	Milford Community Band/Diamond Anniversary
H140-1293	B. Ennis	11/17/1999	M	Prunella A. Potter
H140-1294	B. Ennis	11/14/1999	M	Theodore R. Parsell
H140-1295	Fallon	11/17/1999	T	Bertram & Lillian York/54th Wedding Anniversary
H140-1296	Carey	11/18/1999	M	Harold J. Moen
H140-1297	Buckworth	11/30/1999	T	Christy Gustafson/Farm Bureau Queen
H140-1298	Carey	11/30/1999	T	Robert Garey Family/Farm Family of the Year Award
H140-1299	Spence	11/30/1999	T	Representative G. Wallace Caulk, Jr./Distinguished Service to Agriculture Award Recipient
H140-1300	VanSant	11/27/1999	T	Jim Pletcher/Naming Conrad Field for Him
H140-1301	D. Ennis	11/21/1999	M	Beatrice Moore Blendt
H140-1302	Scott	12/18/1999	T	Marietta Whalen/Excellence in Community Service
H140-1303	Scott	12/3/1999	T	Alma Clark/Excellence in Community
H140-1304	Spence	12/3/1999	T	Delaware Association for Blind Athletes/20 th Anniversary
H140-1305	Oberle	11/26/1999	T	Michael Metrinko/90th Birthday
H140-1306	Maier	4/1/2000	T	Philip & Naomi Hufnell/50th Wedding Anniversary
H140-1307	Maier	4/9/1999	T	Joseph & Joanna Spence/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: January 11, 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
H140-1308	Welch	11/29/1999	T	Dolores Ergenzinger/Retirement/30+ Years/DELDOT
H140-1309	Stone	12/6/1999	T	Mahala Duffy/George Washington Memorial Scholarship Winner
H140-1310	B. Ennis	11/26/1999	T	Arvilla & Albert Pendracky/50th Wedding Anniversary
H140-1311	VanSant	10/22/1999	T	Theresa & Joseph McCann/50th Wedding Anniversary
H140-1312	Gilligan	9/17/1999	T	Harry & Erma Haas/50th Wedding Anniversary
H140-1313	Williams	10/29/1999	T	Mary & John Diggins/50th Wedding Anniversary

H140-1314	Mulrooney	10/15/1999	T	Theresa & Floyd Atallian/50th Wedding Anniversary
H140-1315	Mulrooney	10/25/1999	T	Margaret & Arnold Glanden/55th Wedding Anniversary
H140-1316	Gilligan	10/29/1999	T	Alexander & Dorothy Joswick, Jr./50th Wedding Anniversary
H140-1317	Spence	11/26/1999	M	Adelina E. DiPinto
cosponsors: All Representatives				
H140-1318	Spence	11/30/1999	T	Officer Wendy Forrester/Expertise/Crime Analysis Database
H140-1319	Quillen	11/30/1999	T	Jamie Burt/George Washington Memorial Scholarship Winner
H140-1320	Quillen	11/30/1999	T	Jennifer Evans/George Washington Memorial Scholarship Winner
H140-1321	Quillen	11/30/1999	T	Matthew Kindig/George Washington Memorial Scholarship Winner
H140-1322	Stone	11/19/1999	M	F. Joan Abraham
H140-1323	Wagner	12/5/1999	T	Louis Joseph Giusto/74th Birthday
on behalf of All Representatives				
H140-1324	Spence	11/28/1999	M	Hilda B. Buckmaster
cosponsor: Williams				
H140-1325	Capano	12/1/1999	T	Renee B. Kalokitis/Special Olympics Hall of Fame
H140-1326	Capano	12/1/1999	T	Connie Poultney/Special Olympics Hall of Fame
H140-1327	B. Ennis	12/2/1999	T	Harry Lindale/70th Birthday
H140-1328	B. Ennis	11/26/1999	M	Helen M. Ely
H140-1329	B. Ennis	12/4/1999	T	Dorothy G. Downs/80th Birthday
H140-1330	Maier	12/8/1999	T	Syble L. Morton/75th Birthday
H140-1331	Wagner	12/11/1999	T	Reverend Dr. Joshua Lebelo/Return to Homeland

HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: January 11, 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
H140-1332	Wagner	11/18/1999	T	Mary Skelton/E. W. "Buck" Buchanan Award
H140-1333	Caulk	11/18/1999	T	Patricia Rodriguez/E. W. "Buck" Buchanan Award
H140-1334	Spence	12/17/1999	T	Third Diamond State Holiday Basketball Tournament
H140-1335	Buckworth	12/2/1999	T	Patricia Killalea/Distinguished Teaching Achievement Award Recipient
H140-1336	Buckworth	11/18/1999	T	Debra Lawhead/Big Sister of the Year Award
H140-1337	Scott	12/3/1999	T	Deborah Deubert/Outstanding Community Service
H140-1338	Roy	12/1/1999	T	Anthony Sedlacek/Retirement/14 Years/Data Service Center
H140-1339	D. Ennis	12/2/1999	M	Mildred J. Thompson
H140-1340	Fallon	12/4/1999	M	William E. Lloyd
H140-1341	Gilligan	12/29/1999	T	Cheryl Moore/Retirement/30 Years/Director/Emily Bissell Hospital
H140-1342	Ewing	12/10/1999	T	William Ivins/Retirement/20 Years/DELDOT
H140-1343	Fallon	12/8/1999	T	Robert Seeley/ICU Nurse/Professional Care for Patient
H140-1344	Wagner	12/9/1999	T	James Hutchison/George Washington Memorial Scholarship
H140-1345	Welch	12/2/1999	T	Peggy McCarty/65th Birthday
H140-1346	Spence	12/10/1999	T	Rose Freel/Birth
cosponsors: All Representatives				
H140-1347	Wagner	12/4/1999	M	Donald K. McLeod
H140-1348	Wagner	12/6/1999	T	Patrick Kilby/Named to All-State Soccer First Team
H140-1349	Quillen	12/17/1999	T	Brenda Bonniwell/Retirement/28+Years/DELDOT
H140-1350	Ewing	12/21/1999	T	Marvin Schelhouse/Retirement/20+ Years/Department of Labor
H140-1351	DiPinto	12/15/1999	T	Charlottelee Warhus/Happy Retirement
H140-1352	Schroeder	12/17/1999	T	Dr. Kent Price/Contributions to Inland Bays/Retirement
H140-1353	Cathcart	1/16/2000	T	Edward Schabinger/20 Years/New Castle County Conservation District Board of Supervisors
H140-1354	Brady	11/25/1999	T	Gerald Charles Dickens/Visit to Church of the Ascension
cosponsor: Smith				
H140-1355	Buckworth	12/20/1999	T	Rocky Myers/Named to All-State Football First Team

T - Tribute
M - Memoriam

The Majority Leader moved to recess to the call of the Chair at 4:22 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on January 12, 2000.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 260 w/SA 1, 2, 4, 5 & 7 and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

2nd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 12, 2000

The Chief Clerk called the roll.

Members Present: 35.

Members Absent: Representatives Capano, Caulk, Lofink, Miro, Spence & Stone - 6.

Representative Fallon made comments.

A prayer was offered by Representative Tina Fallon, Thirty-ninth 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 426 - SMITH - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Tinted Number Plate Covers.

HB 427 - SMITH - HEALTH AND HUMAN DEVELOPMENT - 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.

HB 428 - SMITH; SENATOR STILL & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Student Detention, Suspension, or Placement in an Alternative Education Program.

HB 429 - SMITH - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Legal Holidays.

HB 431 - STONE; SENATOR STILL - HOUSE ADMINISTRATION - 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)

HB 432 - 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 433 - CAULK - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Helmet Requirements and Arrest without Warrant for Motor Vehicle Violations.

SB 260 w/ SA 1, 2, 4, 5 & 7 - SHARP; SENATORS ADAMS, AMICK, BAIR, & VENABLES; REPRESENTATIVES SMITH, GILLIGAN, & VANSANT - EDUCATION - An Act to Amend Titles 11, 14, and 29 of the Delaware Code Relating to Education. (F/N)
Representatives D. Ennis, VanSant, Keeley, West, Cathcart & Gilligan requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #51

DATE: January 12, 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
H140-1167	B. Ennis	10/12/1999	M	Clifford C. Ennis
H140-1168	Carey	10/28/1999	T	Sharon Morgan/Honorary American FFA Degree Recipient
H140-1169	Caulk	10/18/1999	T	Joshua Ryan Starke/Eagle Scout
	cosponsor: Quillen			
H140-1170	Caulk	10/18/1999	T	John Kevin Starke, II/Eagle Scout
	cosponsor: Quillen			
H140-1171	Lofink	10/22/1999	T	Caravel Academy/Twentieth Anniversary
H140-1172	Keeley	10/23/1999	T	Sophie Rutkowski/82nd Birthday
H140-1173	Gilligan	10/12/1999	T	American Red Cross/Services/Hurricane Floyd
H140-1174	Gilligan	10/12/1999	T	Dian Taylor/Artesian Water Company/ Services/Hurricane Floyd
	cosponsor: Reynolds			

H140-1175	Gilligan	10/12/1999	T	Tom Gordon/New Castle County Government/Services/Hurricane Floyd
	cosponsor: Roy			
H140-1176	Gilligan	10/12/1999	T	Sean Mulhern/DEMA/Services/Hurricane Floyd
H140-1177	Spence	10/20/1999	T	Leon Weiner/Recognition of Outstanding Career
H140-1178	Spence	10/15/1999	T	Sam Lathem/Bobby Clemente Humanitarian Award Recipient
	cosponsor: Lofink			
H140-1179	Spence	10/15/1999	T	Stephen P. Austin/President/Volunteer Firemen's Association
	cosponsor: DiLiberto			
H140-1180	Buckworth	10/15/1999	T	Polytech Wellness Center/5th Anniversary
H140-1181	Wagner	10/30/1999	T	Axel Anderson/Retirement/Capital School District
H140-1182	Price	10/15/1999	T	Vivian Ellingsworth/First Woman Commodore/Indian River Yacht Club
H140-1183	Spence	10/22/1999	T	Jacqueline Latson/NCCJ Community Builder
	cosponsor: Keeley			
H140-1184	Spence	10/22/1999	T	Roland Marshall, Sr./NCCJ Community Builder
	cosponsor: Plant			
H140-1185	Spence	10/22/1999	T	Leslie Newman/NCCJ Community Builder
	cosponsor: Cloutier			
H140-1186	Spence	10/22/1999	T	Reverend Richard Stazesky/NCCJ Community Builder
	cosponsor: DiPinto			
H140-1187	Spence	10/22/1999	T	Marietta Whalen/NCCJ Community Builder
	cosponsor: Plant			
H140-1188	Spence	10/15/1999	T	Michael Vincent/Past President/Volunteer Firemen's Association
	cosponsor: Fallon			
H140-1189	Fallon	4/30/1999	T	Bertie Ann Peel/85th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #52

DATE: January 12, 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
H140-1190	Gilligan	9/30/1999	M	Ruth Bennett
H140-1191	Fallon	10/27/1999	T	Catherine Brace/100th Birthday
	cosponsor: Ewing			
H140-1192	Fallon	10/21/1999	T	Natco, Inc./30th Anniversary
	cosponsor: Ewing			
H140-1193	Buckworth	10/20/1999	T	Mayor James Brown/Chosen Outstanding Community Leader
H140-1194	Buckworth	10/23/1999	T	The Home of the Brave/Make a Difference Day/Dedicated Service
	cosponsor: Carey			
H140-1195	Wagner	10/17/1999	M	Eleanor Roach Weber
H140-1196	Maier	10/17/1999	M	Carolyn J. Starrett
	cosponsor: Buckworth			
H140-1197	Lee	10/24/1999	T	Laurel Volunteer Fire Department/100th Anniversary
H140-1198	Valihura	10/21/1999	T	Creative Grandparenting, Inc./Presented Lifetime Achievement Award
H140-1199	Wagner	10/6/1999	M	Patricia Lue Isiminger
H140-1200	Fallon	10/13/1999	M	Edward Charles Maas
H140-1201	Quillen	10/20/1999	M	Ronald L. Darling
	cosponsors: All Representatives			
H140-1202	Carey	10/20/1999	T	First State Community Action Agency, Inc./Interagency Program of the Year
H140-1203	Carey	10/25/1999	T	Abbott's Mill Nature Center/Honored by National Tour of Solar Homes
H140-1204	Carey	10/25/1999	T	Dr. G. Timothy Kavel & DelTech/Owens Campus/Community College of the Year
H140-1205	Capano	10/4/1999	T	Nicolina Stella/United States Citizenship
H140-1206	DiPinto	10/28/1999	T	Delaware Senior Olympics/Led the Nation in Global Walk
H140-1207	DiPinto	10/28/1999	T	Gilpin Hall/175th Anniversary
H140-1208	B. Ennis	10/22/1999	M	Roger W. Ennis
H140-1209	Carey	10/17/1999	M	Virginia Smith Grier

H140-1210	Wagner	10/28/1999	T	Garry Gaukler/Retirement/26 Years/Controller cosponsors: DiPinto & Buckworth D. Ennis, Fallon, Houghton & DiLiberto
H140-1211	Gilligan	10/12/1999	T	Leonard & Mary Ann Cavender/50th Wedding Anniversary
H140-1212	Gilligan	10/12/1999	T	Charles & Christine Woodring/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: January 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
H140-1213	Gilligan	9/24/1999	T	Joseph & Mary Cannelongo/50th Wedding Anniversary
H140-1214	Williams	10/12/1999	T	Antoinette & Michael Figliola/50th Wedding Anniversary
H140-1215	Williams	10/8/1999	T	Beulah & Crawford Woodruff/50th Wedding Anniversary
H140-1216	Price	10/7/1999	T	Patricia & John Samen, Sr./50th Wedding Anniversary
H140-1217	Price	9/13/1999	T	Charlotte & Paul Brooks/50th Wedding Anniversary
H140-1218	Brady	9/24/1999	T	Anne & William Roy/50th Wedding Anniversary
H140-1219	DiLiberto	10/5/1999	T	Sabra & Alfred Saindon/50th Wedding Anniversary
H140-1220	Brady	10/29/1999	T	Amy Amato & Michael Czerwinski/ Marriage
H140-1221	Ewing	11/13/1999	T	Church of God/50th Anniversary
H140-1222	Brady	11/05/1999	T	W. Leo Ekins/Retirement/AgrEvo USA President
H140-1223	Smith	10/28/1999	T	Marie Dugan/Retirement/Headmaster/ Wilmington Montessori School
H140-1224	VanSant	10/26/1999	T	Jean & Brigitte Schaeffe/United States Citizenship
H140-1225	Quillen	11/04/1999	T	Leah Wheeler/Retirement/Division of Child Support 30 Years
H140-1226	Stone	10/25/1999	M	The Honorable William G. Bush, III cosponsors: Reps. Buckworth Caulk B. Ennis Quillen Wagner Welch
H140-1227	Maier	11/12/1999	T	Steve Taylor/Uof D Sports Hall of Fame
H140-1228	Roy	10/28/1999	T	Raymond Harbeson/Thomas MacDonald Award
H140-1229	Wagner	10/18/1999	T	Charles Salkin/Governor's Tourism Award Recipient
H140-1230	D. Ennis	10/26/1999	T	Irena Fister/Visit/USIA Municipal Administration in Slovenia Project
H140-1231	D. Ennis	10/26/1999	T	Bojan Srot/Visit/USIA Municipal Administration in Slovenia Project
H140-1232	D. Ennis	10/26/1999	T	Boris Sovic/Visit/USIA Municipal Administration in Slovenia Project
H140-1233	D. Ennis	10/26/1999	T	Mohor Bogataj/Visit/USIA Municipal Administration in Slovenia Project

T - Tribute

M - Memoriam

Mr. Acting Speaker assigned HB 351 to the Appropriations Committee.

The Majority Leader moved to recess for committee meetings at 2:18 p.m.

The House reconvened at 4:08 p.m.

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

Representative Gilligan introduced HB 438.

HB 438 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO

SANITARY SEWER AND WATER DISTRICTS.

Mr. Acting Speaker Oberle assigned HB 438 to the Housing & Community Affairs Committee.

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

JUDICIARY: HB 408 - 2F, 7M; HB 416 - 9M; HB 417 - 9M.

The Majority Whip moved to recess to the call of the Chair at 4:10 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:08 p.m. on January 13, 2000.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: REPRESENTATIVE SPENCE

FROM: REPRESENTATIVE BOULDEN

DATE: January 12, 2000

I would like to be excused from session tomorrow, January 13, 2000 because of personal business.

Representatives Stone & Lofink requested that they be marked present for the current legislative day.

Mr. Acting Speaker assigned HB 402 to the Policy Analysis & Government Accountability Committee.

Representative Capano requested that she be marked present for the current legislative day.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

3rd LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 13, 2000

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Boulden & Caulk - 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.

Representative Quillen requested that he be marked present.

Representative Smith introduced the seventh and eighth grade classes and their teachers from Holy Spirit School, New Castle, Delaware.

Mr. Acting Speaker made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 121 w/SA 1, HB 353 w/HA 1 & SA 1 & HJR 10 and is returning same to the House.

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

The following prefiled legislation was introduced:

HB 437 - PRICE, REPRESENTATIVES BRADY, BUCKWORTH, DIPINTO, B. ENNIS, EWING, KEELEY, MAIER, SCHROEDER, SPENCE, VANSANT, VIOLA, WAGNER; SENATORS BLEVINS, HENRY, SIMPSON, SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Identity Theft.

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

Representative Smith deferred to Representative Lee.

Representative Lee requested and was granted personal privilege of the floor to present House Tributes to guests from Argentina.

Representative Miro requested that he be marked present.

Representatives Cathcart & Lee made comments.

Mr. Acting Speaker granted privilege of the floor to Laura Jovanovich and Gloria Nicolini who introduced themselves for the record and made comments.

Representative Miro requested that he be marked present.

Representatives Miro, Cathcart & Miro made comments.

Representatives Roy, Cloutier & Williams requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 3:48 p.m.

Mr. Acting Speaker assigned HB 121 w/SA 1 to the Appropriations Committee.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 406 - 3F.

Representative Plant requested that he be marked present.

Representative Smith brought HB 353 w/HA 1 & SA 1, jointly sponsored by Senators Vaughn, Cook & Adams & Representatives Quillen & B. Ennis & cosponsored by Representative Capano, before the House for concurrence on SA 1.

HB 353 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE STANDARD BRED BREEDER'S PROGRAM FUND.

Representatives Valihura & Brady requested that they be marked present.

Mr. Acting Speaker made comments.

Representative Reynolds requested that he be marked present.

The roll call on HB 353 w/HA 1 & SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Caulk & Scott - 3.

Therefore, having received a constitutional majority, HB 353 w/HA 1 + SA 1 was sent to the Governor.

Representatives Spence, Ulbrich, DiPinto & D. Ennis requested that they be marked present during the roll call.

Mr. Acting Speaker & Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Pam Price and the year 2000 Legislative Fellows who introduced themselves and made comments.

Mr. Acting Speaker, Representative Smith & Representative Wagner made comments.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought HB 378, jointly sponsored by Representative Mulrooney & Senator Vaughn, before the House for consideration.

HB 378 - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL GILL NETTING LICENSE TO TONY W. COSTANGO, SR. OF DELAWARE CITY, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER TITLE 7 OF THE DELAWARE CODE.

Representatives Cathcart, Wagner & Cathcart made comments.

Representative Quillen requested and was granted privilege of the floor for Charles Lesser, Fisheries Administrator, Division of Fish & Wildlife, Department of Natural Resources and Environmental Control.

Representatives Quillen, Plant, Schroeder, Cathcart, DiPinto, Price, Schroeder, Price, Cathcart, Price, Cathcart, Plant, Schroeder, Carey & Cathcart made comments.

Representative Price requested and was granted privilege of the floor for Robert Tribbitt, representing Delaware Mobile Surf Fishermen.

Representatives Price, Cathcart, Schroeder, Cathcart, Schroeder, Cathcart, Schroeder, Cathcart, Schroeder, Mulrooney, Price, Cathcart, Price, Ewing, Schroeder, Ewing, Cathcart, Schroeder, Ewing & West made comments.

The roll call on HB 378 was taken and revealed:

YES: 19.

NO: Representatives Carey, DiLiberto, Gilligan, Houghton, Keeley, Lee, Mulrooney, Price, Quillen, Schroeder, Scott, Spence, VanSant, Viola, West, Williams & Oberle - 17.

NOT VOTING: Representatives Brady, Plant & Wagner - 3.

ABSENT: Representatives Boulden & Caulk - 2.

Therefore, not having received a constitutional majority, HB 378 was declared defeated.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 408 before the House for consideration.

HB 408 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CRIMINAL JUSTICE COUNCIL.

Representative DiLiberto introduced and brought HA 1 to HB 408 before the House for consideration. Representative DiLiberto made comments. HA 1 to HB 408 was adopted by voice vote.

Representative DiLiberto made comments.

The roll call on HB 408 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Caulk, Fallon & Lofink - 4.

Therefore, having received a constitutional majority, HB 408 w/HA 1 was sent to the Senate for concurrence.

Mr. Acting Speaker assigned SB 76 to the Appropriations Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that HB 351 & HB 365 be stricken.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Representative David D. Brady.

Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:45 p.m.

Mr. Speaker Spence called the House to order at 2:24 p.m. on January 18, 2000.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 135 w/HA1 & 2 and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald A. Buckworth, do hereby request that my name be removed as co-sponsor of SB 66.

Date: 1/13/00

Signed: Gerald A. Buckworth

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pam Maier, do hereby request that my name be removed as co-sponsor of SB 66.

Date: 1/13/00

Signed: Pam Maier

January 10, 2000

Ms. JoAnn Hedrick

Chief Clerk,

Delaware House of Representatives

Legislative Hall
Dover, DE 19901

To the Honorable Representatives:

I am writing to express my gratitude to each of you, and especially to my Representative, George "Bobby" Quillen, for your kindness during my hospitalization. Your cards, notes and prayers were deeply appreciated and made the long hospitalization and my recuperation much easier. Thank you for your friendship and thoughtfulness.

Sincerely,
Jean Groff

Representative Smith introduced HB 444, jointly sponsored by Senators Sokola & Still & Representatives Gilligan & Oberle.

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

Mr. Speaker Spence assigned HB 444 to the Judiciary Committee.

Representative Smith made an announcement.

The Majority Leader moved to adjourn at 2:28 p.m., thereby ending the current legislative day. The House reconvened at 2:29 p.m.

4th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 18, 2000

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Cloutier - 1.

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

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

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

The following prefiled legislation was introduced:

HB 439 - MAIER; REPRESENTATIVES CAREY, QUILLEN, BOULDEN, SCHROEDER, SCOTT; SENATORS BUNTING, CONNOR, SIMPSON, WINSLOW - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to an Interstate Nurse Licensure Compact.

HB 440 - PRICE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers Compensation.

HB 441 - KEELEY; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, MAIER, MIRO, MULROONEY, OBERLE, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, STONE, VANSANT, VIOLA, WELCH, WEST, WILLIAMS; SENATORS AMICK, BAIR, BLEVINS, BONINI, DELUCA, HENRY, MARSHALL, MCDOWELL, SIMPSON, SOKOLA, SORENSON, STILL, VENABLES, WINSLOW - HEALTH AND HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Voluntary Testing of Paramedics, Emergency Medical Technicians, and Firefighters for the Hepatitis C Virus.

Representative Smith introduced and brought HCR 40, jointly sponsored by Representatives Spence, Welch, Gilligan & VanSant & Senators Sharp, Adams, McDowell, Amick & Bair, before the House for consideration.

HCR 40 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE THOMAS R. CARPER, GOVERNOR OF THE STATE OF DELAWARE.

Representative Smith made a comment.

HCR 40 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Williams requested that he be marked present.

Representative Wagner requested that HB 254 be stricken.

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

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

The House reconvened at 5:35 p.m.

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

Representative Welch deferred to Representative Price.

Representative Price introduced HB 446, jointly sponsored by Senators Bunting & Sharp.

HB 446 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION AND THE COASTAL ZONE ACT.

Mr. Speaker Spence assigned HB 446 to the Natural Resources & Environmental Management Committee.

Representatives Lofink & Ulbrich requested that they be marked present.

Representative Quillen made an announcement.

Representatives DiPinto & Cathcart requested that they be marked present.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought SB 209, jointly sponsored by Senator DeLuca & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price, before the House for consideration.

SB 209 - AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO LAND SURVEYORS AND TITLE 29 OF THE DELAWARE CODE.

Representative Ulbrich made a comment.

The roll call on SB 209 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier & Smith - 2.

Therefore, having received a constitutional majority, SB 209 was returned to the Senate.

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

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought SB 214, jointly sponsored by Senator DeLuca & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price, before the House for consideration.

SB 214 - AN ACT TO AMEND CHAPTER 37, TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS. (2/3 bill)

Representative Ulbrich made comments.

The roll call on SB 214 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 214 was returned to the Senate.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought SB 220, jointly sponsored by Senator DeLuca & Senators Bunting, Sokola, Simpson & Still & Representatives Capano, Valihura, Keeley & Price, before the House for consideration.

SB 220 - AN ACT TO AMEND CHAPTER 30, TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL COUNSELORS. (2/3 bill)

Representative Ulbrich made a comment.

The roll call on SB 220 was taken and revealed:

YES: 39.

ABSENT: Representatives Cloutier & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 220 was returned to the Senate.

Representative Welch deferred to Representative Cathcart.

Representative Cathcart introduced and brought HR 64, jointly sponsored by Representatives Spence, Welch, Buckworth, Capano, Carey, Caulk, Cloutier, D. Ennis, Lee, Maier, Miro, Quillen, Ulbrich, Valihura & Wagner, before the House for consideration.

HR 64 - REQUIRING THE DEPARTMENT OF TRANSPORTATION TO EXPLAIN TO THE HOUSE TRANSPORTATION COMMITTEE BY MARCH 15, 2000 WHY IT HAS NOT PAID THE LIGHT BILL FOR THE HIGHWAY LIGHTS ON THE SR 1 BRIDGE CROSSING THE CHESAPEAKE AND DELAWARE CANAL AT ST. GEORGES.

Representatives Cathcart, Gilligan & DiPinto made comments.

HR 64 was adopted by voice vote.

Representative Roy introduced HB 445, jointly sponsored by Senator Sharp.

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

Representative Wagner made an announcement.

Mr. Speaker Spence assigned HB 445 to the Judiciary Committee.

Representatives DiPinto & Reynolds made announcements.

Mr. Speaker Spence made comments.

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

The Majority Whip moved to recess to the call of the Chair at 6:05 p.m.

Mr. Speaker Spence called the House to order at 2:04 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 346 w/HA 2 and is returning same to the House.

Memorandum

To: The Honorable Terry R. Spence
From: Representative Catherine Cloutier
Date: 1/18/00
Re: Absence from Session

Due to illness, I will be unable to attend Session, Wednesday, January 18, 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.

5th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 19, 2000

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Boulden & Miro - 2.

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 minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 435 - WEST; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, MULROONEY, PLANT, PRICE, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, STONE, VANSANT, WAGNER, WILLIAMS; SENATORS BUNTING, MCBRIDE, SOKOLA, STILL - AGRICULTURE - An Act to Title 3 of the Delaware Code Relating to the Delaware Nutrient Management Commission.

HB 443 - SMITH; 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 ADAMS, AMICK, BAIR, BLEVINS, BONINI, CONNOR, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SHARP, SIMPSON, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES, WINSLOW - HOUSE ADMINISTRATION - 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.

HB 447 - SPENCE; REPRESENTATIVES BUCKWORTH, CAPANO, EWING, FALLON, LEE, BRADY, SCHROEDER, SCOTT; SENATOR BUNTING - PUBLIC SAFETY - An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Special Registration Plates for Lifetime Members of the Veterans of Foreign Wars.

HB 448 - SCOTT; SENATOR MARSHALL; REPRESENTATIVES SPENCE, KEELEY - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Labor; and Establishing a Victims of Domestic Violence Employment Leave Act.

SB 259 w/SA 1 - BUNTING; REPRESENTATIVE PRICE - HOUSE ADMINISTRATION - 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 - HOUSE ADMINISTRATION - 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)

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 259 w/SA 1 & SB 261 and requests the concurrence of the House.

Representatives Williams, West, Scott & Gilligan requested that they be marked present.

Representative West requested and was granted personal privilege of the floor to make comments regarding SB 260.

Representative Plant requested that he be marked present.

Representative Quillen made a comment.

Representatives Keeley & Ulbrich requested that they be marked present.

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

Mr. Speaker Spence made comments.

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

Representatives Smith & Ulbrich made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #59

DATE: January 19, 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
H140-1356	Buckworth	12/20/1999	T	Richard Booker/Named to All-State Football First Team
H140-1357	Buckworth	12/20/1999	T	Justin Strickland/Named to All-State Football 1st Team
H140-1358	Buckworth	12/20/1999	T	Robert Young/Named to All-State Football First Team
H140-1359	Buckworth	12/20/1999	T	Steve Franklin/Named to All-State Football First Team
H140-1360	Buckworth	12/20/1999	T	Jon Berry/Named to All-State Football First Team
H140-1361	Buckworth	12/20/1999	T	James Stant/Named to All-State Boys Soccer First Team
H140-1362	B. Ennis	1/8/2000	T	Chief Master Sgt. Ronald Horton Retirement/33 Years
H140-1363	Wagner	12/31/1999	T	Anne Veach/Retirement/25 Years/Schools of Delaware
H140-1364	Smith	11/26/1999	T	Verna & Charles Taylor, Sr./65th Wedding Anniversary
H140-1365	Keeley	11/19/1999	T	Pearl & Edward Janusz/50th Wedding Anniversary
H140-1366	Wagner	12/21/1999	M	James H. Williams
H140-1367	Wagner	12/24/1999	M	Margaret C. Richter
H140-1368	B. Ennis	12/22/1999	M	Steven M. Brommer
H140-1369	Buckworth	12/26/1999	M	Deborah A. Parkowski
cosponsors: All Representatives				
H140-1370	Wagner	12/29/1999	M	J. Walter Ake
H140-1371	Carey	1/5/2000	T	Milton Public Library/125th Anniversary
H140-1372	Welch	12/31/1999	T	Mary McKenzie/Retirement/32 Years/DNREC
H140-1373	Scott	12/25/1999	T	Bob & Becky Suppe & Family/Community Service
H140-1374	Cathcart	1/8/2000	T	Christine Demczak/EMT of the
cosponsor: B. Ennis				
H140-1375	Cathcart	1/8/2000	T	Year/Townsend Volunteer Fire Company
cosponsor: B. Ennis				
H140-1376	B. Ennis	12/18/1999	T	James Walker, Jr./Fireman of the
Year/Townsend Volunteer Fire Company				
H140-1377	B. Ennis	12/18/1999	T	Harry Hurlock, Jr./Firefighter of Year/Clayton Fire
Company				
H140-1378	Price	12/2/1999	T	William Carrow, II/Fireman of Year/Clayton Fire
Company				
H140-1379	Buckworth	1/5/2000	T	Louise & H. Chandler Davies/55th Wedding Anniversary
Greg Seymour/People to People Student Ambassador				

HOUSE TRIBUTE ANNOUNCEMENT #60

DATE: January 19, 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
H140-1380	Welch	12/8/1999	T	The Moor Family/Farm Family of the Year
H140-1381	Caulk	1/11/2000	T	Diane Cahall/Support Staff Award/Kent County
Cooperative Extension Office				
H140-1382	Quillen	1/14/2000	T	Bruce Tkachuk/Retirement/19 Years/Capitol Police
cosponsor: Wagner				
H140-1383	Quillen	1/15/2000	T	Chet Stachecki/Retirement/DNREC
H140-1384	Buckworth	1/15/2000	T	Richard Neumann/Retirement/DNRE
H140-1385	Buckworth	1/14/2000	T	Stanley Rudginski/Retirement/22 Years/
Capitol Police				
H140-1386	Fallon	1/11/2000	T	Cynthia Small/7 Years Service/Sussex County
Convention & Tourism Commission				
H140-1387	Scott	12/25/1999	T	Antoinette Bullock/Community Service
H140-1388	Wagner	1/1/2000	M	Edith Johnson Hardcastle
H140-1389	B. Ennis	1/6/2000	T	Calvin Foxwell, Sr./Fireman of
Year/Citizen's Hose Company				

H140-1390	B. Ennis	1/6/2000	T	Memphis Evans/Firefighter of the Year/Citizen's Hose Company
H140-1391	B. Ennis	1/6/2000	T	Gerald Manley, Jr./Outstanding School Probational Member of the Year/Citizen's Hose Company
H140-1392	Stone cosponsor: Wagner	1/6/2000	T	Nettye Evans/Great Person of the Year Award Recipient/Dover Post
H140-1393	Cloutier	1/10/2000	T	Peg Bramble/80th Birthday
H140-1394	Quillen	1/19/2000	T	Patricia Smith/Retirement/35 Years/DNREC
H140-1395	Boulden cosponsor: Maier	1/11/2000	T	Ralph Williams/Retirement/Greater Wilmington Convention & Visitors Bureau
H140-1396	Carey	1/7/2000	T	Raymond & Anne Spicer/Special Recognition Award for Their Horse
H140-1397	Spence cosponsors: All Representatives	1/27/2000	T	Brother Ronald Giannone, OFM CAP/50th Birthday
H140-1398	Wagner cosponsors: All Representatives	1/11/2000	T	John Brady, Esquire/Widener University Outstanding Service Award Recipient
H140-1399	Wagner cosponsors: All Representatives	1/11/2000	T	Honorable Richard DiLiberto, Jr./Widener University Outstanding Service Award Recipient
H140-1400	Buckworth	1/22/2000	T	The Shepherd Place/10th Anniversary
H140-1401	Buckworth	1/22/2000	T	Reverend Lawrence Hunt, S.J./Dedication/Founding The Shepherd Place

HOUSE TRIBUTE ANNOUNCEMENT #61

DATE: January 19, 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
H140-1402	Spence	1/11/2000	T	Scott Rees, III/Retirement/27 Years/Law Enforcement
H140-1403	Spence	1/11/2000	T	John Ryan & Family/Four Generations Marching/Volunteer Fire Association Parade
H140-1404	Buckworth	1/12/2000	T	Michele Rigby/Regional All American Field Hockey
H140-1405	Buckworth	1/12/2000	T	Jill Hajec/Cross Country First Team All-State
H140-1406	Welch	11/19/1999	T	Heather Marie Gaudette/Birth
H140-1407	Price	1/5/2000	T	Robert Orem/SCAT Public Service Award Recipient
H140-1408	Price	1/28/2000	T	Mary Diggs/Retirement
H140-1409	Schroeder	1/23/2000	T	Kevin Brian Marrin/Eagle Scout
H140-1410	Schroeder	1/23/2000	T	Ryan Michael Dey/Eagle Scout
H140-1411	Spence	12/30/1999	M	Walter L. Bennett, Jr.
H140-1412	Spence	1/10/2000	M	Edward B. Kowalski, Jr.
H140-1413	Wagner cosponsors: All Representatives	1/11/2000	T	Honorable David D. Brady/Widener University Outstanding Service Award Recipient
H140-1414	Schroeder	11/13/1999	T	Pat Pollack/Cape Henlopen Girls & Boys Cross Country/State Championships
H140-1415	Schroeder	11/13/1999	T	Cindy Popovich/Cape Henlopen Girls & Boys Cross Country/State Championships
H140-1416	Schroeder	11/13/1999	T	Ray Rodriguez/Cape Henlopen Girls & Boys Cross Country State Championships
H140-1417	Schroeder	11/13/1999	T	Wendi Jo Betts/Girls Cross Country State Champions
H140-1418	Schroeder	11/13/1999	T	Lauren Cooper/Girls Cross Country State Champions
H140-1419	Schroeder	11/13/1999	T	Jennifer L. Hicks/Girls Cross Country State Champions
H140-1420	Schroeder	11/13/1999	T	Jennifer Joseph/Girls Cross Country State Champions
H140-1421	Schroeder	11/13/1999	T	Kara McFee/Girls Cross Country State Champions
H140-1422	Schroeder	11/13/1999	T	Tiffany Melendez/Girls Cross Country State Champions
H140-1423	Schroeder	11/13/1999	T	Brittany L. Morris/Girls Cross Country State Champions
H140-1424	Schroeder	11/13/1999	T	Jennafer Pavlik/Girls Cross Country State Champions
H140-1425	Schroeder	11/13/1999	T	Katherine Cole Pavlik/Girls Cross Country State Champions

T- Tribute

M - Memoriam

The Majority Leader moved to recess for committee meetings at 2:21 p.m.

The House reconvened at 4:20 p.m.

Representatives Schroeder & Lofink requested that they be marked present.

Representative Smith introduced and 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.

Representative Smith moved to place HS 1 to HB 444 on the Speaker's Table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Reynolds requested that he be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 452. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Roy introduced and 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 a comment.

Representative Roy moved to place HB 452 on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith brought the following prefiled Consent Calendar #13 before the House for consideration.

HR 66 – MAIER - ON BEHALF OF ALL REPRESENTATIVES - OBSERVING CATHOLIC SCHOOL WEEK FEBRUARY 6 THROUGH FEBRUARY 12, 2000.

HR 67 - CAPANO - EXTENDING THE DATE FOR THE PROTECTION FROM ABUSE REVIEW TASK FORCE TO SUBMIT FINAL RECOMMENDATIONS.

HCR 41 – EWING; SENATOR ADAMS; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, FALLON, LEE, MAIER, OBERLE, QUILLEN, REYNOLDS, STONE, ULBRICH, GILLIGAN, KEELEY, PLANT, WEST - RECOGNIZING EFFORTS TO COMMEMORATE THE GREAT JUBILEE YEAR OF 2000 AND CELEBRATE THE 2000TH ANNIVERSARY OF THE BIRTH OF JESUS CHRIST; AND FOR OTHER PURPOSES.

Consent Calendar #13 was adopted by voice vote and HCR 41 was sent to the Senate for concurrence.

Representative Brady requested that he be marked present.

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

HOUSE ADMINISTRATION: HB 409 - 4M; HB 429 - 1F, 4M.

JUDICIARY: HB 437 - 9M; HB 445 - 9M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 360 - 3M, 1U; HB 361 - 4M.

PUBLIC SAFETY: HB 340 - 9M; HB 381 - 1F, 6M, 1U; HB 394 - 8M; HB 426 - 8M.

The Majority Leader moved to recess to the call of the Chair at 4:29 p.m.

Mr. Speaker Spence called the House to order at 1:33 p.m. on January 27, 2000.

Representative Smith introduced & brought HCR 43, jointly sponsored by Representatives Spence, Welch, Gilligan & VanSant & Senators Sharp, Adams, McDowell, Amick & Bair, before the House for consideration.

Mr. Speaker Spence introduced a guest.

HCR 43 – PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE THOMAS R. CARPER, GOVERNOR OF THE STATE OF DELAWARE.

Representative Smith made a comment.

HCR 43 was adopted by voice vote and was sent to the Senate for concurrence.

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

LABOR: HB 405 – 4M; HB 432 – 5M; HB 440 – 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: HB 436 – 5F; HB 446 – 5F.

The Chief Clerk announced that HB 360 and HB 361 had been erroneously reported out of the Natural Resources & Environmental Management Committee on January 19, 2000.

Representative Smith deferred to Representative Capano.

Representative Capano introduced HB 455 jointly sponsored by Senator Henry & Representatives Buckworth, Maier, Stone & Ulbrich.

HB 455 –AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS.

Mr. Speaker Spence assigned HB 455 to the Judiciary Committee.

Representatives Boulden & Miro requested that they be marked present for the current legislative day.

The Majority Leader moved to adjourn at 1:43 p.m., thereby ending the current legislative day. The House reconvened at 1:45 p.m.

6th LEGISLATIVE DAY
140th GENERAL ASSEMBLY
Second Session
January 27, 2000

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Fallon & Williams - 2.

Representative Buckworth made an announcement.

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 442 - B. ENNIS; SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, DILIBERTO, DIPINTO, D. ENNIS, EWING, GILLIGAN, HOUGHTON, KEELEY, LEE, MIRO, MULROONEY, OBERLE, PLANT, QUILLEN, SPENCE, STONE, VANSANT, WEST, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Flashing Lamps on School Buses.

HB 449 - PRICE; REPRESENTATIVES BRADY, HOUGHTON, KEELEY, MAIER, VANSANT, WEST; SENATORS BUNTING, SIMPSON, SORENSON, VENABLES - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Consumer Credit Reporting.

HB 450 - WAGNER; REPRESENTATIVES SMITH, BRADY, BUCKWORTH, CAPANO, CAREY, CATHCART, DIPINTO, D. ENNIS, EWING, FALLON, LEE, MAIER, MIRO, QUILLEN, STONE, ULBRICH, VALIHURA & REPRESENTATIVES B. ENNIS, PLANT, SCHROEDER, VANSANT, VIOLA - EDUCATION - An Act to Amend Chapter 12, Title 14 of the Delaware Code Relating to Substitute Teachers.

HB 451 - WAGNER; REPRESENTATIVES SPENCE, WELCH, BUCKWORTH, CAREY, CAULK, DILIBERTO, D. ENNIS, EWING, FALLON, MAIER, OBERLE, REYNOLDS, STONE, ULBRICH, VALIHURA; REPRESENTATIVES 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.

The Majority Leader moved to recess for the Joint Session at 1:49 p.m.

JOINT SESSION
HOUSE CHAMBER
January 27, 2000

The House reconvened at 2:03 p.m.

The Sergeant-at-Arms announced the arrival of the Members of the Senate. They were admitted, welcomed and seated. The Speaker invited the President of the Senate and the President pro Tem to be his guests on the podium.

Mr. Speaker Spence introduced guests.

The Sergeant-at-Arms announced the arrival of Governor Elbert N. Carvel. He was admitted, welcomed and seated.

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

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

The Sergeant-at-Arms announced the arrival of the Governor's cabinet officials and the presidents of Delaware State University and Delaware Technical & Community College. They were admitted, welcomed and seated.

The Majority Leader moved that the House and Senate convene in Joint Session at 2:12 p.m. for the purpose of hearing an address by Thomas R. Carper, Governor of the State of Delaware. The motion prevailed.

The Majority Leader moved that the Speaker of the House preside over the Joint Session. The motion prevailed.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries to the Joint Session. The motion prevailed.

The Majority Leader moved that the Speaker of the House appoint a committee of four to escort the Governor to the Joint Session. The motion prevailed. The Speaker appointed Representative Nancy Wagner (Spokesperson), Representative Charles P. West, Senator Myrna L. Bair and Senator Thurman G. Adams, Jr. to form the committee to escort the Governor to the Joint Session.

The Speaker of the House declared a temporary recess at 2:13 p.m. to await the arrival of the Governor.

Mr. Speaker Spence introduced guests.

The Joint Session reconvened at 2:15 p.m.

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

Representative Wagner introduced Governor Thomas R. Carper to the Joint Session.

Mr. Speaker Spence welcomed the Governor.

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

Mr. Speaker, thank you. Thank you very, very much. To Lieutenant Governor Minner, to our President pro Tem, Tom Sharp; other legislative leaders that are here today, Members of the Delaware General Assembly, Chief Justice Veasey, how are you, Members of the Judiciary, other elected officials, members of my cabinet, former Governors who happened to walk in the door, ladies and gentlemen and to all of the people of Delaware who have joined us on this day.

Ladies and gentlemen, before I begin this address today, I wanted to share with you a story of a conversation I had right before New Year's, right after Christmas. I ran into an older fella and he said to me he said, 'How long have you been Governor anyway?' and I said, 'Almost seven years.' And he said, 'Were you Governor when we had the ice storm of the century?' I said, 'Yes'. 'And weren't you the Governor when we had the blizzard of the century?' I said, 'Yes, sir.' And he said, 'And weren't you the Governor last year when we had the drought of the century and the flood of the century?' And I said, 'That's right.' 'Then you know what I think?' And I said, 'No, sir.' And he said, 'I think you're bad luck.' I said, 'Well, I'm just getting warmed up, you haven't seen anything yet. Y2K is in about two days.' He said, 'With your track record, I'm going to Elkton.'

Well, Y2K came and went and New Year's Day came and went and we squashed that Y2K bug and I started feeling a little luckier. Then last Wednesday night, as I was preparing to give my State of the State, it started snowing. My State of the State was snowed out. That was the first time.

And I started thinkin' a lot about that conversation I had with that guy on Monday night, this Monday night, when it started snowin' a whole lot and my State of the State got snowed out a second time.

I got up this morning, though, I looked out there, I saw that sunshine and now blue sky, I see all your smiling faces and I know the third time is the charm. I'm glad to be here and I'm glad you're here too.

Well, ladies and gentlemen, I am proud to report to you today that, as we enter this new century, the state of our state in many respects has never been better. And while plenty of challenges lie ahead, we are richly blessed and have much to celebrate. I want to congratulate each and every one of you and the people of Delaware for what we've accomplished by doing what we do best – and that is work together.

It is my privilege to deliver this afternoon to this General Assembly and to the people of Delaware both my last State of the State message and the first such message by a Delaware governor in the 21st Century.

Among those joining us here this afternoon are three very special people in my life. My wife, Martha, and our two sons, Christopher and Ben.

Last November first, as some of you know, Martha returned to her day job of helping to manage part of duPont's lycra business, ending a fourteen month stint of leave. During that fourteen month break, she skillfully led the spouses arm of the National Governor's Association and championed literacy efforts throughout this country.

She visited over one hundred elementary schools all over Delaware, meeting with students and with parents and faculty in each one, again, to champion reading. And Martha also co-chaired the first Statewide Reading Commission here in anyone's memory, an undertaking that will do much, I think, to ensure that future Delaware students become better readers and not just better Pokemo'n players.

Last August she gathered together in Seaford dozens of women including the First Ladies of Alabama, Oklahoma and Arkansas and they built an entire house – did it in a week – for a needy family there under the auspices of Habitat for Humanity.

And finally, she led the fundraising effort and oversaw the transformation last fall of an ugly duckling, the Hall House, the Governor's guest house, turned it into a designer's showcase.

And in her spare time she raised two boys, well, make that three boys, and she managed the household too. I kid her about going back to work to get some rest but she works as hard for duPont as she did for the people of Delaware during that fourteen day stint.

Joining Martha up there today are our two sons, Christopher and Ben, now eleven and nine years old respectfully. They are the joys of our lives. I was touched last week when the boys said to me that they wanted to come and hear my State of the State address, my last State of the State address, even if it meant missing an afternoon of school. Well, whatever the motivation, I'm grateful that each of you is here today and I want to thank you for sharing your husband and your father with the people of Delaware. Thank you very much and I love you.

Well, I'd like to begin today by looking back in time. You know, Delaware is a much different place today than it was when we began the 20th Century some 100 years ago. Those who sat in our seats at that time would likely be amazed at how much our state has changed, and, I think, largely for the better. Then, as now, our citizens were concerned about their quality of life, and how to make their children's lives even better than their own.

Fewer than 200,000 people called Delaware home in 1900. We had fewer chickens then, too. And probably a lot less chicken litter. While some people worked in manufacturing plants up north, our economy -- from Talleyville to Selbyville -- was largely agrarian. There were no automobile plants in Delaware then. There were no autos. There were plenty of dirt roads and I'm told that Representative Charlie West was sitting right over there somewhere urging his colleagues to do something about it. And they did, Charlie, they did.

No woman presided over the Delaware State Senate in 1900 as Lieutenant Governor Minner does today. In fact, no women served in the Delaware General Assembly. You may recall that women could not even vote in 1900. There were no minorities sitting in the General Assembly either, or as judges. A half-Century would pass before Louis Redding would become the first African-American admitted to the Delaware Bar.

They had a new state constitution in 1900, though. It was barely 3-years-old. It provided the foundation on which a 20th Century Delaware would be built to emerge 100 years later as a model state for this nation in many respects. Delaware also has been blessed with generation after generation of exceptional leaders in government, in business and labor, in medicine, in education, in law, in our churches and throughout our communities. Leaders who were committed to leaving Delaware a better place than they found it. And boy, did they!

One of those leaders is with us here today, and I would like to pause for a moment and ask you to join me in saluting him. Elbert N. Carvel, a successful Sussex County businessman, was elected Lt. Governor of Delaware in 1944, a time when the Lt. Governor was paid, I think he told me, \$12 a day for the first 60 days that the legislature was in session, and after that, nothing. Governor, I bet the sessions were shorter then, in those days, weren't they?

Four years later, he was elected governor, served one term and was defeated by Caleb Boggs, ran unsuccessfully for the U.S. Senate and then -- as the original Comeback Kid -- returned in 1960 to become the first Democrat in state history to be elected to a second term as governor, where he served with distinction until 1965. The shadow that he cast extends to this day and beyond.

Next month, next month, on February 9, Governor Carvel celebrates his 90th birthday. You've still got it, Partner. You know, there's an old saying in politics, Governor, that in politics your friends come and go, but your enemies accumulate. I don't know that you had any enemies, but if you did, I suspect you've outlived every one of them. At the rate you're going, you're gonna outlive the rest of us, too. I just want to say welcome back to Legislative Hall! You are an inspiration to each one of us.

Governor Carvel, along with many of us, knows that things didn't always go well in the last Century. Twenty-three years ago when I sat as a newly-elected state treasurer, right over there where Jack Markell is sitting. Our state's prospects were not so bright. That day, a new Governor, Pete duPont, who went on to become an excellent governor, declared Delaware bankrupt. We weren't, but we certainly had some daunting challenges in front of us, didn't we? A few days after his speech, our credit rating was lowered to the worst in the nation, and we were literally closed out of our nation's credit markets.

At the time, our unemployment rate was nearly 9 percent --- almost triple what it is today. Our top marginal personal income tax rate was 19.8 percent -- the second highest in the nation.

The only thing in our unemployment insurance trust fund was an IOU. It said we owed the federal government nearly \$40 million. Our state employee pension plans faced enormous, unfunded liabilities.

And then to top it all off, a big story appeared in the Wall Street Journal -- you might remember it. Irving Shapiro, then the CEO of the duPont Company, was quoted as saying that he'd never recommend Delaware as a good place to do business.

Somebody said at the time that the only way we could go was up. And you know what, that's exactly what we have done.

Today, our financial controls are described as a model for this nation. We balance our budgets routinely. We spend no more than 98 percent of our available revenue every year. Our Rainy Day Fund has grown to nearly \$120 million. Our credit rating is the highest it's been in state history!

One especially smart thing that we've done is to use large portions of our budget surplus to build major construction projects using surplus cash instead of borrowing money as we might have done in the past. In fact, this General Assembly and those that preceded you have appropriated nearly \$1 billion since 1994 for pay-as-you-go financing of capital projects or to defease existing debt.

These actions will save Delawareans tens of million of dollars in future interest payments. The budget I'll send to you next week would maintain that approach by recommending far less borrowing for major construction projects than is currently allowed by law. Adhering to this policy will provide even more savings to taxpayers down the road and bring our per capita indebtedness - still among the highest of any state - to a more acceptable level within the next few years.

Turning if I could to our economy, the dawn of the 21st Century finds Delaware's economy so strong that just about anybody who wants and needs a job in this state can find one. Our welfare rolls have been reduced by half. We haven't pushed people off a cliff. What we have done is turn the old system on its head so that people who go to work are actually better off than when they're on welfare - our approach has won Delaware national acclaim and can be a source of pride to every single legislator here who voted for it. Congratulations.

Our economy is more diverse than it's been at any time in state history, too. While we still raise plenty of corn, plenty of soybeans and a lot of chickens - 260 million of them last year, in fact. Now, we probably build more cars per capita than any other state, and 60 percent of the credit cards in America are issued by banks with operations in Delaware.

Over 300,000 companies worldwide are incorporated in Delaware, too, helping to spawn a vibrant legal services community. Major science companies like duPont and Hercules and W.L. Gore have their headquarters and research facilities right here. Millions of tourists visit us each year to enjoy our beaches, our parks, historic sites, tax-free shopping, pumpkin chunkin', apple scrapple and much more.

Our economy is evolving, though, as we begin the 21st Century. New corporate citizens with names like AstraZeneca, Andersen Consulting, Astropower, CSC, Computer Aid Incorporated, Cytometrics, and Intervet now dot our landscape, offering good jobs with excellent wages and benefits. If we maintain our business-friendly environment, more will come and they will grow here. To make that happen, I'll propose this year \$5 million in additional funding for a new biotechnology center in Delaware and another \$0.5 million to expand our promising information technology initiative. Later this spring, I'll unveil legislation that's designed to ensure that Delaware remains an attractive home for financial institutions following the enactment of last year's Financial Services Modernization Act by Congress.

Our business climate has improved in no small way because of the good work of the General Assembly in reducing taxes. On the heels of significant tax cuts from the duPont and Castle administrations, we have cut taxes for another seven straight years -- personal or business, sometimes both. No longer nearly 20 percent, our top marginal personal income tax rate fell on January 1 to 5.95 percent. Ladies and gentlemen, that is the lowest it has been in more than four decades. Go ahead.

Not only that, we've eliminated the marriage penalty altogether along with the gift and inheritance taxes. The state income tax bill for the average family of four earning \$40,000 a year has been cut in half since 1993, and families living in poverty no longer pay any state income taxes at all. We've cut the school property tax in half for most Delawareans 65-and-over. We've increased the standard deduction by 150 percent and raised the pension exclusion four-fold. And the gross receipts tax -- the bane of many Delaware businesses -- has been eliminated outright for a third of our businesses and significantly reduced for every other one.

And, you know, our taxes aren't just lower, ladies and gentlemen, they're also among the fairest in America today. I feel good about that, and you should, too.

Lower taxes are putting more money back into the pockets of Delaware's families. So has the growth in Delaware's median family income, which is among the highest in the nation over the past three years. It's not just the more affluent who have benefited here either. We've also raised the minimum wage in Delaware last year, helping to lift hundreds of families out of poverty. The incidence of hunger and child poverty in Delaware are among the lowest in America.

And to improve the healthcare needs of our citizens, we turned Medicaid into a managed care program in 1996, doing so enabled us to cover all Delawareans who live in poverty. Last year, we extended healthcare coverage for children under 19 in families with income up to 200 percent of poverty -- that's roughly \$34,000 per year for a family of four. Now, listen to this, for less than a \$1 a day, 13,000 previously uninsured youngsters can have decent healthcare coverage - many for the first time in their lives.

Add to this a dozen Nemours pediatric health clinics, school nurses assigned to every public school, a wellness center for every high school that wants one, and what do you have? What do you have? You have the best healthcare coverage for children in state history and a model that's admired throughout America!

Older Delawareans are getting help, too, thanks to funds from the national tobacco settlement and the passage of last year's "Pill Bill" by the General Assembly. Starting earlier this month, thousands of additional qualified seniors and disabled residents are now eligible to secure prescription drug assistance.

How much more money Delaware ultimately receives from the tobacco settlement though depends on a number of things that are, frankly, beyond our control. I look forward to working with our Health advisory committee though and with this legislature in deciding what the Fund can help us to accomplish in the future. I just hope we can agree, in a state that's 15th in the nation in tobacco consumption and second in cancer mortality, to spend some of those funds to discourage kids from smoking and to help other smokers to quit. We should also consider using the funds to expand healthcare to uninsured Delawareans and, perhaps even equipping our emergency responders with automatic external defibrillators. Those medical devices alone could save hundreds of lives each year in Delaware, and we ought to buy them.

In any event, healthcare will continue to loom as a major issue both here and in America. As you know, the percentage of people without healthcare coverage in most states is going up. In Delaware, however, it's coming down.

If we are smart and if we work together, we can keep it coming down. The people of Delaware out there are counting on us to do just that.

In the 1990s, we expanded healthcare coverage and we overhauled welfare in Delaware. This year, we're embarking on a new effort - that's reforming public housing. Like welfare, public housing was never meant to be a life time entitlement when it was introduced decades ago. But that's what happened over time. America has changed welfare as we once knew it. We helped do that. Now, our country is looking to Delaware to help change public housing as we know it. We helped do that. Not by being punitive or heartless, but by time-limiting benefits while truly helping families in public housing to become self-sufficient and find their own places to live or even better - their own places to own. That upward mobility also would allow hundreds of Delaware families -- still lingering on waiting lists -- to secure the temporary housing assistance that they need, not years from now, but today.

Delaware was selected last year by HUD to show how public housing could return to its original intent: A safe place for families to live temporarily until they're able to get back on their feet. Here again, Delaware, the First State, can provide leadership for our nation, and I am encouraged that as we gather here today, ladies and gentlemen, that's exactly what we're going to do.

The creativity of our State Housing Authority, coupled with a robust economy and the terrific support of our General Assembly and of our financial institutions has enabled thousands of Delawareans to become homeowners in the past decade. As a result, the rate of homeownership in the State of Delaware is well above the national average. In addition, nearly 2,000 new rental housing units for low-income families have been built in partnership with the private sector, and \$15 million has been earmarked by you to fix up deteriorating neighborhoods as part of our 21st Century Fund. These are just some of the reasons why the Delaware State Housing Authority has been selected by HUD as a high performing housing authority, not just for last year or two, but for nine years in a row. And in six of those years, the State Housing Authority of our state received a perfect score! Now, who's helped make that possible? Well, among others, Susan Frank and her team at the State Housing Authority. Susan, stand up and take a bow. Imagine doing all that and finding time to raise Jeff Bullock too. You've done a great job with your husband who's also my Chief of Staff as you know.

Having a decent place in which to live is basic to a family's quality of life. So is living in a community that's safe and free from crime. No issues are of greater importance to the people of Delaware than crime and the safety of our neighborhoods. Over the past seven years, Delaware has taken bold steps to keep violent criminals off of our streets, to prevent future crimes, and to spare future victims.

Our work has paid off, too.

For the second straight year, our State Police have reported that crime dropped 7 percent in their jurisdictions statewide. From Delmar to Claymont, the tide in the battle against crime has turned. At long last, at long last, the good guys are winning, and the bad guys are finally on the run.

As you know, we're pretty good at throwing the book at people who break our laws. The percentage of time that criminals serve of their sentences here in Delaware is among the highest in America. In a state of 750,000 people, more than 6,000 of them, 6,000 of them are incarcerated today, and another 20,000 people are on probation. For every 30 people who live in our state, one is either in prison or on probation.

While it's important for those who pose a threat to our safety be dealt with sternly, we must also remember that over 95 percent of those in Delaware's prisons will be released someday.

Thanks to the support of this General Assembly, we are building a prison system that demands discipline and commitment from offenders, while giving those who want to turn their lives around that opportunity. Now, every Delaware inmate serving a sentence of a year or more enters our rigorous, nationally-acclaimed substance abuse treatment initiatives - the KEY and Crest programs. Those who complete those tough initiatives are 40 percent less likely to commit another crime. Three years ago, we opened the state's first boot camp. For those who make it through, the recidivism rate drops by another one-third. Last year, more inmates earned high school degrees than any other year in state history. And Prison Industries every day puts hundreds of inmates to work inside of our prisons.

One of the reasons why former inmates return to crime upon release is that they don't find work. Last month, we launched an initiative called Prison-to-Work where probation offices throughout Delaware are

turned into satellites of our Department of Labor's innovative resource centers. Now, probationers reporting to probation officers are electronically linked on-the-spot to potential employers and other employment resources, making it easier to find jobs and, frankly easier to stay out of trouble.

Crime is also going down because we have hired more cops, we've trained and equipped them better, and we've created a more diverse State Police workforce. We also police smarter. "Operation Safe Street" is a good example of that.

Thirty months ago, teams that included Wilmington police officers and the state's probation and parole officers began patrolling Wilmington streets not during the daytime but late into the night. They did so to ensure that probationers who had previously committed violent felonies were abiding by the terms of their probation. While one shooting is far too many, shootings in the City of Wilmington have dropped by half, by half since we started "Operation Safe Street." And with that success under our belts, folks, we have now expanded that initiative statewide.

In early February, we'll introduce a brand new weapon in our crime-fighting arsenal. It's called Real-Time Crime Reporting and you're gonna hear a lot about it. This new technology will allow us to know by noon each day what crimes were committed throughout Delaware and where they were committed. We'll have the ability to share that important information electronically and visually with police departments all over this state. That knowledge will enable police to deploy our assets far more effectively and to hold law enforcement more accountable for reducing crime, something we previously could not do.

We're taking back our streets, folks. We're winning the battle against crime and that's an accomplishment that you and I and the people of Delaware can all be justifiably proud of!

Whether it's fighting crime, or easing traffic congestion, or, oh gosh, the year 2000 is gonna see so many new initiatives by state government that use technology to better serve our citizens. Today nearly 45 percent of Delawareans have access to the Internet in their homes - - that's one of the highest rates in our nation. We have already wired every public school classroom in this state to the Internet and every public library has Internet access. In fact, today's State of the State address is being broadcast live across the Internet - I think that's a first in the history of our state. And now, the explosion of e-commerce across this country is ready to come to our state government.

The First State is already leading the way in several areas. Delaware provides its students with the most access to computers of any state. This year, we'll have a new pupil accounting system that will, among other things, allow teachers to share effective lesson plans with other teachers to better prepare our students to meet Delaware's academic standards.

Using the latest technology, businesses can download documents to incorporate in the First State - without ever visiting the Division of Incorporations or even picking up the telephone. We are also one of only seven states in the nation where citizens can file their tax returns over the Internet. Delawareans can now point, click, and file their state income taxes in around 20 minutes through an interactive website that even checks our math. Hooray. No more filling out cumbersome paper tax return forms and dashing to the post office on April 30 where I've seen some of us before.

I don't know that any of us will ever actually relish paying taxes - even lower ones -- but last November, Delaware's Division of Revenue was singled out when it earned the Merit Award for quality. That was the highest award bestowed on any Delaware business, any Delaware non-profit, or any Delaware government agency in the Delaware Quality Award competition of 1999. They didn't win one of the highest awards last year. They won the highest award that was given last year. I want to recognize Director Bill Remington and a delegation of his division employees for a job very well done.

We're just getting started in this new world of e-commerce, too. Later this year, I want our citizens to be able to visit a Division of Motor Vehicle website at their convenience -- 24 hours a day, 7 days a week -- to renew their driver's license, to register a vehicle -- even to apply for a vanity tag -- all without leaving the comfort of their homes.

I want every Delawarean to be able to go to the Department of Election's website to find out where to vote, get personalized directions on how to get there, and see who will be on their ballot when they do.

I want Delawareans to be able to go to our Natural Resources' website to get a fishing license, a hunting license or other permits -- any time of the day or night. These are just some of the ways we can make it easier for our citizens to get the government services that they need.

Before we're done, I want Delaware to lead this nation in harnessing technology to enable this government to provide our customers with service that's second to none in America. And, ladies and gentlemen, we can do that!

To provide the legal framework for e-government in Delaware, I'm gonna ask you, the General Assembly, to pass legislation that allows the use of digital signatures in facilitating these electronic transactions. It's an important step for Delaware, and I urge its quick passage. Later this month, I will announce the creation of an e-government steering committee, which will be led by our State Treasurer - - who's no stranger to technology. Their job will be to help us kick this initiative into high gear. Go get 'em, Jack.

This year will see an increasing reliance on technology to enable people to get around our state, too. We've learned in Delaware -- as other states have -- that hard as we might try, building our way out of traffic congestion with more roads alone just doesn't work. So we've got to work smarter, and we are.

Through DELDOT's website, motorists in New Castle County can now see real time traffic conditions before they leave home or before they leave work. Technology also enables DELDOT's new 24-hour-a-day Traffic Management Center to adjust the timing of traffic lights along the busiest roads in northern Delaware. Later this year, we'll expand those capabilities to Dover, to Bethany, to Fenwick, to Georgetown and more will follow.

By November of this year, EZ Pass will help motorists move more conveniently from the Delaware-Maryland line, across the Delaware Memorial Bridge, through New Jersey, up into New York, all the way up to Boston and back again. All without stopping to pay a single cash toll.

That's not all that's coming, either.

In a few weeks, DELDOT's round-the-clock radio traffic information station hits the airways. Imagine Bud Freel as a kinder, gentler Howard Stern.

And later this spring, a new commuter train station will open at Churchman's Crossing. It will allow passengers disembarking from southeastern Pennsylvania, or Claymont, or Wilmington, or Newark to take an easy shuttle ride to the nearby Del Tech campus, major employment sites, Christiana Care hospital and tax-free shopping malls, all while leaving their cars at home.

Let me just stop right there. Is anybody here from Del Tech? I don't know if Lonnie George is here. Del Tech. Our Delaware Technical and Community College, recognized last year by, who is it, Delaware Alliance for Business? Delaware Alliance for Business -- best community college in America. What do you say about that? Best in America!

The University of Delaware -- selected by U.S. News and World Report last year -- top twenty-five best public colleges and universities in America. Number twenty-two with a bullet -- University of Delaware. What do you say about that?

And if you haven't been up to Delaware State University lately, I urge you to go. A transformation has occurred there under the leadership of Dr. Bill deLauder that will knock your socks out. And not only do we have the biggest class but the best faculty and one terrific-looking university and we're proud of the Hornets. What do you say about that?

Back to transportation.

All of this is not to suggest that we've given up on building roads though. Far from it.

Before this year is out, many Delawareans will notice that their state's road system is working much better. Major construction projects like Route 896, Scarborough Road here in Dover, the Bridgeville bypass, I-495 reconstruction, Ogletown Road, Churchman's Crossing - all talked about for years - are done. The third leg of the largest highway construction project in Delaware history - SR 1 - opened in November. Puncheon Run, the leg connecting SR 1 to Rt. 13 just south of here will be completed by year's end. Construction on the final six-mile leg of SR 1 begins in March.

Meanwhile, reconstruction of I-95 between Wilmington and the Pennsylvania line also begins this spring. By the middle of October, that entire stretch of road -- both northbound and southbound -- which is now an embarrassment to our state -- will have been "rubblized," reconstructed and repaved. And, if it isn't, I owe Jeff Bullock one expensive dinner. Shortly after that I-95 project gets underway, the first piece of AstraZeneca-related improvements to Route 202 will be done. And the most accident-prone stretch of highway in Delaware will be one step closer to becoming a safe, efficient thoroughfare once again.

Folks, by the time we ring in another new year, 90 percent of Delaware's 1,300 bridges and 85 percent of over 6,000 miles of roadway will have been raised to between excellent and good condition. Will the job be done? No, but from where we started, we'll have come a long way in bringing our roads up to snuff for the 21st Century, and that my friends, is something to cheer about!

Investing wisely in our state's transportation system will do more than enable us to get to where we need to go when we need to get there. Those investments also drive many of the land-use decisions that we'll make now and in this Century.

Last month, after two years of difficult and sometimes tumultuous debate, our Cabinet Committee on State Planning -- ably led by my Chief of Staff Jeff Bullock -- adopted Delaware's first comprehensive statewide investment strategy. For the first time in our history, agreement has been reached between the state and each of the counties about where growth should occur and when it should happen.

This investment strategy will guide our state spending recommendations for transportation, open space and agland preservation, for water and wastewater investments, for school construction, and other areas.

Over the next few years, as counties revise their comprehensive plans, we need to more clearly define growth areas. By doing so, we can better target our resources and further reduce the amount of open space and farmland that's lost to unnecessary sprawl.

And one more thing: The time has come for greater legislative involvement in these smart-growth policies. Administrations, Governors, will come and go. If state government is to fulfill its land-use