

The Reading Clerk read the following communications into the record:

June 7, 1993

LEGISLATIVE ADVISORY #13

FROM: Office of Counsel to the Governor

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

6/1/93 - HB 61 aab SA 1, HB 105 aab SA 1. 6/02/93 - HB 197. 6/03/93 - SB 73 aab SA 1, SB 114 & SB 25.

Mr. Speaker Spence introduced a guest.

Representative Fallon made a comment.

Representative George announced that he was absent for the roll call on HB 186 on June 3, 1993.

Had he been present, he would have had to declare a possible conflict of interest.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #18

DATE: June 8, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-314	Quillen	5/25/93	T	MD, DE & Washington, D.C. Club/Recognizing Roots
H137-315	Wagner	5/28/93	T	Fulton & Madeline Lynch/64 Years Marriage
H137-316	Sorenson	6/01/93	T	Brandon Warner/Eagle Scout
H137-317	Wagner	6/12/93	T	B.P.O.E. Dover Lodge #1903/40th Anniversary
H137-318	Amick	5/15/93	T	Robert McBride/Civic League Good Government Award
H137-319	Quillen	4/24/93	T	Gordon L. Quillen, Jr./Nat. Semifinals/Bassmaster Casting
H137-320	Davis	6/08/93	T	David Cloughley/Republican Volunteer of Year/58th Birthday
H137-321	Brady	5/20/93	T	George & Mary Williams, Sr. /60th Wedding Anniversary
H137-322	Brady	5/29/93	T	Julia Ellen Brady/Graduation U. of D.
H137-323	D. Ennis	6/09/93	T	Mrs. Marie Moses/Mt. Pleasant/ Excellence in Health Ed.
H137-324	Oberle	6/03/93	T	Keri Fields/Participation in "Prom Promise"
H137-325	Smith	6/03/93	T	Jim Jones/Penn St. University/ Class of 1993
H137-326	Wagner	6/08/93	T	Erick Van Hamilton/Grad./ Princeton/Electrical Eng.
H137-327	Caulk	4/10/93	T	John & Linda Mori/50th Wedding Anniversary
H137-328	Wagner	4/17/93	T	James Dwight Pate Jr. & Susan Allen Skillman/Marriage
H137-329	Wagner	6/12/93	T	Lara Christian Hughes & Shannon Bruce Dailey/Marriage
H137-330	Brady	5/22/93	T	Leonard E. & Helen A. Zaroda/ 50th Wedding Anniversary

T - Tribute

Representatives Smith, Clark & Bennett requested that they be marked present.

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

The Majority Leader moved to recess for caucus at 2:14 p.m.

The House reconvened at 4:10 p.m.

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

ECON DEV, B & I: HB 240 - 2F,5M.

Representatives Bunting, Mack, Buckworth, Reynolds & Brady requested that they be marked present.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to lift HB 2 w/HA 1 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Oberle brought HB 2 w/HA 1, jointly sponsored by Representative Davis & cosponsored by Senator Marshall, before the House for consideration.

HB 2 - An Act to Amend Chapter 69, Title 29 of the Delaware Code Relating to Public Works Contracts.

Representative Oberle made comments.

Representatives Holloway, Schroeder & West requested that they be marked present.

Representative West requested that HB 69 be stricken.

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

YES: 24.

NO: Representatives Bennett, Bunting, Carey, Fallon, Lee, Maroney, Petrilli, Quillen, Roy, Schroeder, Smith, Sorenson, Taylor, Wagner, Wojewodzki - 15.

ABSENT: Representatives Buckworth, DiPinto - 2.

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

Representatives Roy & Jonkiert requested that they be marked present during the roll call.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative George introduced and brought HR 40, jointly sponsored by Representatives Gilligan, Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, Holloway, Houghton, Jonkiert, Plant, Schroeder, VanSant, West & Wojewodzki, before the House for consideration.

HR 40 - Extending Congratulations and Best Wishes to Mark Brainard as He Moves to the Department of Transportation.

WHEREAS, it has been announced that Mark Brainard, the energetic Administrative Assistant to the Minority Caucus of the Delaware House of Representatives, has been selected to serve in a new capacity with the Department of Transportation; and

WHEREAS, Mark Brainard, son of Regina, a former respected legislative attache, has served the Delaware General Assembly admirably in key roles--Legislative Assistant to the Democrat House Majority Caucus (1983-84), Administrative Assistant to the Democrat Senate Majority Caucus (1984-87), Administrative Assistant to the Democrat House Minority Caucus (1987-93); and

WHEREAS, during this 10 plus year period of dedicated service to the General Assembly, the unflappable Mark became a husband (to Charlotte) and a father (to Mark and Bridget Ann); and

WHEREAS, in addition to his legislative and parental duties, Mark has maintained a busy classroom schedule at the Widener Law School with a degree (hopefully!) less than a year away; and

WHEREAS, Mark Brainard, soon to assume duties at DelDot as Director of the Office of External Affairs, has left an indelible mark on the members of the House of Representatives who now wish to mark this occasion with special re-marks about the remarkable Mark.

NOW THEREFORE:

BE IT RESOLVED by the members of the House of Representatives of the 137th General Assembly of the State of Delaware that Mark Brainard be commended for an outstanding decade of service to both Houses of the Legislature.

BE IT FURTHER RESOLVED that the members of the House of Representatives extend congratulations and warm wishes for the future to Mark in his new post at DelDot and in his pursuit of a law degree at Widener Law School.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded with spark to Mark. Hark!!

Representatives George, Petrilli, Gilligan, Plant, Bennett, Oberle, D. Ennis, Spence & VanSant made comments.

HR 40 was adopted by voice vote.

Representative George requested and was granted the privilege of the floor for Mark Brainard.

Representative Spence brought HB 85, jointly sponsored by Senator Sharp, before the House for consideration.

HB 85 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to General Regulatory Provisions. (2/3 bill)

Representative Spence brought HA 1 to HB 85 before the House for consideration.

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

Representative Wagner brought HA 2 to HB 85, jointly sponsored by Representative Brady, before the House for consideration.

Representatives Wagner, Spence & Bennett made comments.

Representative Bennett requested and was granted the privilege of the floor for Scott Chambers, House Attorney.

Representatives Bennett, Davis, Spence & Oberle made comments.

Representative Wagner moved to place HA 2 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maroney introduced and brought HA 3 to HB 85 before the House for consideration. Representatives Maroney, Taylor, Davis, Wojewodzki & Spence made comments. HA 3 to HB 85 was adopted by voice vote.

Representative Spence made comments.

Representative Spence requested and was granted the privilege of the floor for Corporal Michael C. Houdek, Youth Aid Division, Delaware State Police.

Representatives Spence, Plant, Holloway, Buckworth, Gilligan, Holloway & Spence made comments.

Representative Spence requested and was granted the privilege of the floor for Jim Orth, Teacher.

Representatives Spence, Holloway & Plant made comments.

Representative Spence requested and was granted the privilege of the floor for John Lavelle, Teacher, Red Clay Consolidated School District Positive Learning Center.

Representatives Spence, Plant, Holloway, Fallon, Jonkiert & Gilligan made comments.

Representative Wagner moved to lift HA 2 to HB 85 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Wagner introduced and brought HA 1 to HA 2, jointly sponsored by Representative Brady, before the House for consideration.

Representative Wagner made comments.

HA 1 to HA 2 was adopted by voice vote.

Representatives Plant & Oberle made comments.

HA 2 w/HA 1 was adopted by voice vote.

Representative Spence made comments.

The roll call on HB 85 w/HA 1 & 3 & HA 2 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto, George - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 85 w/HA 1 & 3 & HA 2 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli made an announcement.

Representative Caulk introduced HB 258, jointly sponsored by Senator Torbert.

HB 258 - An Act to Amend Chapter 60, Title 7, Delaware Code Relating to Conservation, Environmental Control and Noxious Odors.

Mr. Acting Speaker assigned HB 258 to the Environment & Natural Resources Committee.

Representative Wagner requested that action on HS 1 for HB 189 be deferred to a Day Certain, Thursday, June 10, 1993.

The Majority Leader moved to recess to the call of the Chair at 5:51 p.m.

37th LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session
June 9, 1993

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:10 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: HB 188 w/HA 3.

Representative Roy introduced HB 263, jointly sponsored by Senator Adams.

HB 263 - An Act to Amend Chapter 15, Title 7 of the Delaware Code Relating to Conservation.

Mr. Speaker assigned HB 263 to the House Administration Committee.

Mr. Speaker assigned HB 31 to the Appropriations Committee.

Mr. Speaker reassigned HB 245 to the Economic Development, Banking & Insurance Committee.

The Majority Whip moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives DiPinto, Gilligan - 2.

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

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

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

The following prefiled legislation was introduced:

HB 259 - GEORGE; SENATOR BLEVINS - H/ADM: An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Fees for Motor Vehicle Inspections. (3/5 bill)

HB 260 - GEORGE; SENATOR BLEVINS - H/ADM: An Act to Amend Chapter 21, Title 21, the Delaware Code Relating to Motor Vehicle Registrations.

HB 261 - AMICK; SENATOR SOKOLA - TRANS & INFRA: An Act to Amend Title 17 of the Delaware Code Relating to Vacation and Abandonment of Roads, Bridges and Other Rights of Way.

HB 262 - SMITH, DIPINTO, D. ENNIS, WAGNER, BENNETT, HOUGHTON, JONKIERT; SENATOR MARSHALL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes. (3/5 bill)

HA 1 to HB 235 - MACK - HAZ WASTE MAN: Placed with the bill.

Mr. Speaker reassigned HB 256 to the Labor & Human Resource Management Committee.

Representative West requested that he be marked present.

Representative Bradley introduced HB 264, jointly sponsored by Senator Sokola & Representative Amick.

HB 264 - An Act to Amend Title 17 of the Delaware Code Relating to Vacation and Abandonment of Roads, Bridges, and Other Rights of Way.

Mr. Speaker assigned HB 264 to the Transportation & Infrastructure Committee.

Representative Amick requested that he be marked present.

Representative Amick requested that HB 261 be stricken.

The Majority Whip moved to recess for committee meetings at 2:19 p.m.

The House reconvened at 4:48 p.m. with Representative Quillen as Acting Speaker.

Representatives Mack, Bunting & Petrilli requested that they be marked present.

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

HOUSE ADM: HB 263 - 4M; SB 102 - 4M.

AG: HB 182 - 6M; HB 243 - 6M; SB 70 - 6M.

ECON DEV, B & I: SB 26 w/SA 1 & 2 - 6M.

HOUSING & COM AFF: HB 208 - 6M.

ENV & NAT RES: HB 242 - 6M; HB 254 - 6M; SB 71 - 6M.

HAZ WASTE MAN: HB 235 - 1F,3M,1U.

LABOR & HUM RES MAN: SB 108 w/SA 1 - 3M; SB 109 - 3M.

TRANS & INFRA: HB 210 - 2F,2M.

ED: HB 136 - 5M; SJR 12 - 4M; SJR 16 - 1F,4M.

APPRO: HB 209 - 5M.

HUM NEEDS & DEV: HB 98 - 6M; HB 214 - 1F,4M; SB 133 - 5M.

Representatives Taylor, Brady, Reynolds, Jonkiert & D. Ennis requested that they be marked present.

The following prefiled Consent Calendar #12 was introduced:

HR 41 - FALLON - Congratulations to the Seaford Blue Jays Baseball Team Upon Winning the State Championship.

HR 42 - AMICK, DILIBERTO, MARONEY - Mourning the Untimely Loss of Former Chief Justice Andrew J. Christie.

HCR 31 - ROY, SPENCE, PETRILLI, AMICK, BUCKWORTH, CAREY, DAVIS, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MARONEY, QUILLEN, REYNOLDS, SMITH, TAYLOR, WAGNER, BANNING, BENNETT, BRADLEY, BUNTING, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, VANSANT, WOJEWODZKI; SENATORS BAIR, SOKOLA, BLEVINS, COOK, HOLLOWAY, TORBERT, VENABLES, VOSHELL - Encouraging the Full Ways and Means Committee of the United States Senate to Approve Legislation Currently Pending Before the United States Senate to Substantially Raise the Federal Insurance Contributions Act Tax Threshold for Domestic Employment.

HCR 32 - MARONEY & SENATOR CONNOR - Extending Many, Many Thanks to Robert B. Hawkins, Jr., Chairman of the U.S. Advisory Commission on Intergovernmental Relations Who Will Eventually be Leaving the Post of Chairman of the Commission.

HCR 33 - AMICK & SENATOR NEAL; REPRESENTATIVES OBERLE, DILIBERTO, WODJEWODZKI; SENATOR MARTIN - Congratulating the 1993 Graduates of the James H. Groves Adult High School.

Consent Calendar #12 was adopted by voice vote and HCR 31, HCR 32 & HCR 33 were sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Schroeder.

Representative Schroeder brought HS 1 for HB 72, jointly sponsored by Senators McBride & Cordrey, before the House for consideration.

HB 72 - An Act to Amend Title 23 of the Delaware Code Relating to Navigation and Waters. (2/3 bill)

Representative Schroeder made comments.

The roll call on HS 1 for HB 72 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, DiPinto, Fallon, Gilligan, West - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 72 was sent to the Senate for concurrence.

Representatives Buckworth & Holloway requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought SB 58, sponsored by Senator Adams & Representative Ewing, before the House for consideration.

SB 58 - An Act to Amend Title 5 of the Delaware Code Relating to Building and Loan Associations.

Representative D. Ennis made comments.

The roll call on SB 58 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, DiPinto, Fallon, Gilligan, West - 5.

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

Representative Petrilli deferred to Representative Amick.

Representative Amick moved to lift HB 102 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Amick brought HB 102 before the House for consideration.

HB 102 - An Act to Amend Chapter 26, Title 6 of the Delaware Code Relating to Unfair Cigarette Sales Act.

Representative Amick made comments.

The roll call on HB 102 was taken and revealed:

YES: 25.

NO: Representatives Banning, Bennett, Carey, Clark, B. Ennis, Ewing, Houghton, Lofink, VanSant, Mr. Acting Speaker Quillen - 10.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Caulk, DiPinto, Fallon, Gilligan, West - 5.

Therefore, having received a constitutional majority, HB 102 was sent to the Senate for concurrence.

Representative Amick brought HB 160, jointly sponsored by Senator Blevins, before the House for consideration.

HB 160 - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.

Representative Amick made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Houghton, Amick & Bennett made comments.

Representative Amick requested and was granted the privilege of the floor for Judy Hendricks, representing the Board of Nursing.

Representatives Bennett, Sorenson, Davis, Amick, Davis & Bennett made comments.

Representative Amick moved to place HB 160 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative DiLiberto was granted personal privilege of the floor for introduction of a guest.

Representative Petrilli deferred to Representative Mack.

Representative Mack moved to suspend the rules which interfere with action on HB 229. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Mack brought HB 229, jointly sponsored by Senator Connor, before the House for consideration.

HB 229 - An Act Authorizing and Directing the Secretary of State to Convey to the City of New Castle Title to Two Parcels of Land Both of Which Are Located in the City of New Castle, Delaware, One of Which is Commonly Known as Bull Hill, and the Other Being a Small Triangular Parcel of Land Located Adjacent to Route 9, Said Lands Having Been Given to the Commissioners of the Town of New Castle in Trust by Two Separate Acts of the Delaware Legislature, Being Chapter 587, Volume 10, Laws of Delaware, and a Subsequent Supplement to the Act, Being Chapter 654, Volume 10, Laws of Delaware. (F/N)(3/4 bill)

Representatives Mack, George, Petrilli & Davis made comments.

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

Representative George made comments.

The roll call on HB 229 was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, DiPinto, Fallon, Gilligan, West - 5.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 229 was sent to the Senate for concurrence.

Representative Mack requested that HB 201 be stricken.

Mr. Speaker assigned HB 98, HB 136 & SB 71 to the Appropriations Committee.

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

P/S: SB 116 - 5M; SB 119 w/SA 1 & 2 - 6M; SB 120 - 6M; SB 127 - 6M.

JUD: HS 1/HB 199 - 1F, 4M; HB 232 - 5M; HB 238 - 6M.

LABOR & HUM RES MAN: SB 21 w/SA 1 - 3M.

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

38th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
First Session
June 10, 1993

Mr. Speaker Spence called the House to order at 2:28 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 184 w/SA 1 & 2, SB 155 w/SA 1, SB 153 w/SA 1 & 2, SB 142 & SB 156.

June 9, 1993

FOR IMMEDIATE RELEASE

PORTRAIT OF FORMER GOVERNOR CASTLE UNVEILED IN LEGISLATIVE HALL

The official portrait of former Delaware Governor Michael N. Castle was unveiled today in Legislative Hall. The oil-based portrait will be on permanent display along side paintings of other former Governors on the second floor of the statehouse.

"It is a very fitting tribute to Governor Castle that his portrait will be on display in a building where he served the citizens of this state for 22 years as a state legislator, lieutenant governor and governor", said House Speaker Terry R. Spence (R-Stratford).

The artist is Delaware native, Shawn Faust, owner of Faust Illustrations located in Bear, Delaware. "This is definitely the most honorable, most important project I have ever worked on. I feel like I am a part of history," Faust said. "I worked from slide-photographs of Governor Castle, which were taken last December, and it took me about three and a half months to paint and perfect the portrait."

Faust, 26, graduated from the University of Delaware in 1990, with a Bachelor of Fine Arts. His other works include: University of Delaware building portraits, capturing the University's architecture; he was commissioned by MBNA America to paint eight separate portraits of classic cars for MBNA America President and Chief Executive Office, Charles Cawley; and his painting of Delaware Horse Racing was featured in the Fall 1990 issue of "American Artist Magazine".

Castle's portrait is a 26" x 32", oil-based painting. Castle, who served as Governor from 1985-1992, is seated with his hands clasped, and the American and Delaware flags in the background. The portrait is framed in gold-painted, ornamental wooden frame and mounted on a white linen mat by r.j. Bloomingdale's located on Kirkwood Highway in New Castle County.

The portrait and frame cost \$5,300, which were funds set aside in the transition budget for the Office of the Governor.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Terry R. Spence, do hereby request that my name be removed as Co-Sponsor of HB 260.

Date: 6/09/93.

Signed: Terry R. Spence.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Terry R. Spence, do hereby request that my name be removed as Co-Sponsor of HB 259.

Date: 6/09/93.

Signed: Terry R. Spence.

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

R & F: HB 244 - 6M; SB 104 - 5M; SB 105 - 6M; SB 146 - 6M; SB 165 - 6M.

P/S: HB 239 - 3M; SB 128 - 4M; SB 129 - 4M; SB 131 - 4M.

JUD: HB 231 - 4M.

Mr. Speaker reassigned HB 241 to the Economic Development, Banking & Insurance Committee.

Representative Schroeder introduced HB 270, jointly sponsored by Representatives Bradley, George, Houghton, Plant, Wojewodzki, Carey, Maroney, Oberle, Roy & Wagner & Senators Blevins, Holloway & Voshell.

HB 270 - An Act to Amend Title 29, Delaware Code, Establishing a Water Resource Facilities Advisory Council, Prescribing Its Duties and Responsibilities and Authorizing the Imposition of a Fee for Funding. (3/5 bill)

Mr. Speaker assigned HB 270 to the Environment & Natural Resources Committee.

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

The Majority Leader moved to adjourn at 2:33 p.m., thereby ending the current legislative day.

The House reconvened at 2:34 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Fallon, George - 2.

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

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

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

The following prefiled legislation was introduced:

HB 265 - PETRILLI & SENATOR VAUGHN - H/ADM: An Act to Amend Title 15, Chapter 20, Sections 2011, 2041, 2049 to Provide for a Uniformed Closure Period for Registration Prior to General Election.

HB 266 - EWING - P/S: An Act to Amend Chapters 21 and 25, Title 21, Delaware Code, Directing the Division of Motor Vehicles to Implement a General Reissuance Program for the Issuance of Two Fully Reflective Number Plates.

HB 267 - REPRESENTATIVE HOLLOWAY & SENATOR HOLLOWAY - LABOR & HUM RES MAN: An Act to Amend Chapter 7, Title 19, Delaware Code, Relating to the Doctrine of Employment at Will.

HB 268 - WEST & B. ENNIS - ECON DEV, B & I: An Act to Amend Title 6, Article 9, Relating to the Disposition of Collateral After Default.

HB 269 - WEST & B. ENNIS - P/S: An Act to Amend Chapter 63, Title 21 of the Delaware Code Relating to Used Motor Vehicles.

HA 1 to HB 31 - DAVIS - APPRO: Placed with the bill.

HA 1 to HB 34 - DAVIS - ECON DEV, B & I: Placed with the bill.

HA 3 to HB 164 - CAULK, CAREY, EWING, LEE, FALLON, BANNING, BUNTING, CLARK, B. ENNIS, WEST, SCHROEDER - L.O.T.: Placed with the bill.

HA 4 to HB 164 - CAULK, CAREY, EWING, LEE, FALLON, BANNING, BUNTING, CLARK, B. ENNIS, WEST, SCHROEDER - L.O.T.: Placed with the bill.

HA 2 to HB 208 - WOJEWODZKI - AGENDA II: Placed with the bill.

HA 3 to HB 208 - WOJEWODZKI - AGENDA II: Placed with the bill.

HA 1 to HB 244 - SMITH - READY LIST: Placed with the bill.

SB 142 - HOLLOWAY, MCBRIDE, VOSHELL, CONNOR, BLEVINS, KNOX; REPRESENTATIVES DIPINTO, BRADLEY, OBERLE, CAREY, QUILLLEN, MARONEY, BUCKWORTH, ROY, WAGNER, TAYLOR, WEST, HOLLOWAY - ECON DEV, B & I: An Act to Amend Chapter 35, Title 18 of the Delaware Code Relating to Group and Blanket Health Insurance.

SB 153 w/SA 1 & 2 - BLEVINS & REPRESENTATIVES SORENSON & BRADLEY; SENATORS BAIR, CONNOR, KNOX, MARSHALL, MARTIN, MCBRIDE, NEAL, SOKOLA, STILL, VOSHELL; REPRESENTATIVES BANNING, BENNETT, BRADY, CLARK, DAVIS, DIPINTO, B. ENNIS, GILLIGAN, HOLLOWAY, HOUGHTON, JONKIERT, PLANT, SCHROEDER, WEST, WOJEWODZKI, VANSANT, WAGNER - JUD: An Act to Amend Title 10, Chapter 9 of the Delaware Code Relating to a Domestic Violence Diversion Program in the Family Court.

SB 155 w/SA 1 - BLEVINS & REPRESENTATIVES SORENSON & BRADLEY; SENATORS BAIR, CONNOR, KNOX, MARSHALL, MARTIN, MCBRIDE, NEAL, SOKOLA, STILL, VOSHELL; REPRESENTATIVES BANNING, BRADY, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, GILLIGAN, HOLLOWAY, JONKIERT, PLANT, SCHROEDER, WEST, WOJEWODZKI - JUD: An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Mandatory Training of Deputy Attorneys General.

SB 156 - BLEVINS & REPRESENTATIVES SORENSON & BRADLEY; SENATORS BAIR, CONNOR, KNOX, MARSHALL, MARTIN, MCBRIDE, NEAL, SOKOLA, STILL, VOSHELL; REPRESENTATIVES BANNING, BENNETT, BRADY, DAVIS, DIPINTO, B. ENNIS, GILLIGAN, HOLLOWAY, HOUGHTON, JONKIERT, PLANT, SCHROEDER, WEST, WOJEWODZKI, VANSANT, WAGNER - JUD: An Act to Amend Title 13 of the Delaware Code Creating a Domestic Violence Coordinating Council.

SB 184 w/SA 1 - BLEVINS & REPRESENTATIVES MARONEY & BRADLEY; SENATORS BAIR, CONNOR, KNOX, MARSHALL, MARTIN, MCBRIDE, NEAL, SOKOLA, STILL, VOSHELL; REPRESENTATIVES BANNING, BENNETT, BRADY, DAVIS, DIPINTO, GILLIGAN,

HOLLOWAY, HOUGHTON, JONKIERT, PLANT, SORENSON, VANSANT, WOJEWODZKI, WAGNER - JUD: An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Domestic Violence and Protection From Abuse Proceedings. (2/3 bill)

Representative Maroney requested that she be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #19

DATE: June 10, 1993

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

Number	Sponsor	Presentation Date	Type	Description
H137-331	Sorenson	6/04/93	T	Elizabeth Snyder & Elizabeth Stolz/Opening/Pizza Shop
H137-332	Brady	5/18/93	M	George W. Butterworth
H137-333	Quillen	5/28/93	M	Chief Justice Andrew D.
H137-334	Wagner	6/30/93	T	Frank Morris/Retirement/32 Yrs./Banking Industry
H137-335	Lofink	5/15/93	T	Janet Jones/U. of D./All North Atlantic Conf. Softball Team
H137-336	Lofink	5/15/93	T	Sean Patrick Brennan/Grad./Slippery Rock Univ.
H137-337	Ewing	6/13/93	T	Irene & Frank Abbott/Sixtieth Wedding Anniversary
H137-338	Quillen	6/02/93	M	John T. Purnell, Sr.
H137-339	Petrilli	6/09/93	T	Mehrdad Khaleghi/2nd Place State - Math League, 7th Grade
H137-340	Petrilli	6/09/93	T	Dan Edwards/1st Place/8th Grade Math League
H137-341	DiLiberto	6/08/93	T	Newark High School/100th Graduating Class
H137-342	Banning	6/08/93	T	Brandy McClure/All - American Vocational Student
H137-343	Petrilli	6/09/93	T	Tim Hodson/3rd Place State/ /National Math League
H137-344	Fallon	6/05/93	T	Susan Brinsfield Messick/DE Tech. Com. College Degree
H137-345	Ewing	6/08/93	T	Sharon & Wayne Dukes/25th Wedding Anniversary
H137-346	DiLiberto	6/08/93	T	Catherine Kelly/Courage After Being "Lost in New York City"
H137-347	DiLiberto	6/08/93	T	The Banjo Dusters/30th Anniv.
H137-348	Buckworth	6/10/93	T	Karen Hall/Outstanding Help/ Welch-Arnold Elem. Schools

T - Tribute

M - Memoriam

The Majority Leader moved to recess for caucus at 2:39 p.m.

The House reconvened at 4:40 p.m.

The Reading Clerk read the following communication into the record:

June 10, 1993

To The Members of the Delaware State House of Representatives of the 137th General Assembly:

On June 9, 1993, I received House Bill 188, as amended by House Amendment No. 3, which permits sales of alcoholic beverages in liquor stores on Sunday.

After careful thought, I have concluded that I cannot sign this legislation into law. I am philosophically opposed to this legislation. I ran for Governor in large part so that I could implement policies that strengthen the basic building blocks of our nation and state -- our families. It is my belief that the goal of promoting strong families will not be advanced by eliminating the one day of the week during which alcoholic beverages cannot be purchased at liquor stores. Simply put, liquor is already easily available to our citizens and I see no reason to make it more available.

Moreover, the liquor industry is deeply divided about the merits of the bill. Many of the employees of the industry oppose it as extending their work week with very little compensating economic benefit. The revenue advantages of the legislation's adoption are also uncertain.

For all the foregoing reasons, I am returning H.B. 188 without my signature.

Sincerely,
Thomas R. Carper

Representative Roy made comments.

Representatives Reynolds, Mack, D. Ennis, Brady & West requested that they be marked present.

Representative Wagner was granted personal privilege of the floor for the introduction of guests.

Representative Petrilli made comments.

Representatives Clark & Holloway requested that they be marked present.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought HB 130, jointly sponsored by Representatives Buckworth, Ewing & Banning & Senator Vaughn, before the House for consideration.

Representative Jonkiert requested that he be marked present.

HB 130 - An Act to Amend Chapter 43, Title 11 of the Delaware Code, Relating to the Duties of the Parole Board.

Representative Lee made comments.

The roll call on HB 130 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon, George - 2.

Therefore, having received a constitutional majority, HB 130 was sent to the Senate for concurrence.

Representative Mack requested that HB 103 be stricken.

Representative Lee brought HB 127, jointly sponsored by Representatives Amick, Buckworth & Ewing & Senator Vaughn, before the House for consideration.

HB 127 - An Act to Amend Chapter 43, Title 11 of the Delaware Code, Relating to the Compensation of Members of the Board of Parole. (F/N)

Representative Lee brought HA 1 to HB 127, jointly sponsored by Representatives Buckworth, Ewing, Banning & Plant, before the House for consideration.

Representatives Lee & Davis made comments.

The roll call on HA 1 was taken and revealed:

YES: 21.

NO: Representatives Bennett, Bradley, Caulk, Davis, DiLiberto, DiPinto, B. Ennis, Gilligan, Holloway, Houghton, Jonkiert, Maroney, Schroeder, Sorenson, Taylor, Wagner - 16.

NOT VOTING: Representatives Brady, Wojewodzki - 2.

ABSENT: Representatives Fallon, George - 2.

Therefore, having received a constitutional majority, HA 1 was adopted.

Representatives Holloway, Lee, Davis, Petrilli & Plant made comments.

Representative Lee requested and was granted the privilege of the floor for Marlene Lichtenstadter, Chairman, Board of Parole.

Representatives Plant, Holloway, Taylor & VanSant made comments.

Representative Lee moved to place HB 127 w/HA 1 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HS 1 for HB 189, jointly sponsored by Representatives Spence, Buckworth, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Mack, Oberle, Quillen, Brady, Bunting & Jonkiert & Senator Still, before the House for consideration.

HB 189 - An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Special License Plates for Members of the Benevolent Protective Order of the Elks. (3/5 bill)

Representative Wagner made comments.

The roll call on HB 189 was taken and revealed:

YES: 33.

NO: Representatives Davis, Houghton, Maroney, West - 4.

NOT VOTING: Representative Sorenson - 1.

ABSENT: Representatives Fallon, George, VanSant - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 189 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought HB 240, jointly sponsored by Senator Vaughn & Representatives DiPinto, Smith, Wagner, Bennett, Jonkiert & Houghton, before the House for consideration.

HB 240 - An Act to Amend Chapter 50, Title 18, Delaware Code Regarding the Payment of Dividends by Insurers.

Representative D. Ennis made comments.

The roll call on HB 240 was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon, George - 2.

Therefore, having received a constitutional majority, HB 240 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with action on HS 1 for HB 180.

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

Representative Lee brought HS 1 to HB 180, jointly sponsored by Senator Holloway & Representatives Buckworth, Carey, Davis, D. Ennis, Ewing, Fallon, Lofink, Mack, Oberle, Petrilli, Reynolds, Sorenson, Spence, Taylor, Wagner, Banning, Bradley, Bunting, Clark, DiPinto, B. Ennis, Schroeder, VanSant & Wojewodzki & Senators Marshall, Martin, McBride, McDowell, Voshell, Bair, Connor & Knox, before the House for consideration.

HB 180 - An Act to Amend Chapter 66, Title 16 of the Delaware Code Relating to Smoke Detectors. (2/3 bill)

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

Representative Lee made comments.

HA 1 to HS 1 to HB 180 was adopted by voice vote.

Representative Lee made comments.

Representative Lee requested and was granted the privilege of the floor for Dan Kiley, State Fire Marshall.

Representatives Jonkiert, Clark, Gilligan & Amick made comments.

The roll call on HS 1 to HB 180 w/HA 1 was taken:

Representative Oberle requested that action on HS 1 for HB 7 be deferred to a Day Certain, Thursday, June 17, 1993.

Representative Roy requested that action on HB 33 be deferred to a Day Certain, Thursday, June 17, 1993.

Representative DiPinto requested that action on HB 123 be deferred to a Day Certain, Thursday, June 17, 1993.

Mr. Speaker assigned HB 173 to the Judiciary Committee at the request of Representative Gilligan.

Representative Gilligan requested that action on HB 177 be deferred to a Day Certain, Tuesday, June 15, 1993.

The roll call on HS 1 to HB 180 w/HA 1 revealed:

YES: 37.

NOT VOTING: Representatives Jonkiert, Roy - 2.

ABSENT: Representatives Fallon, George - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 to HB 180 w/HA 1 was sent to the Senate for concurrence.

Representative Maroney requested that action on SB 46 w/SA 1 be deferred to a Day Certain, Tuesday, June 15, 1993.

The Majority Leader moved to recess to the call of the Chair at 5:48 p.m.

39th LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session

June 15, 1993

Mr. Speaker Spence called the House to order at 2:28 p.m.

The Senate wishes to inform the House that it has passed: SB 139 w/SA 2, SB 113, SB 161 w/SA 1, SB 140, SB 18, SB 134, SCR 36, SCR 38, SCR 39, HB 67 w/HA 1 & SA 1, HCR 33 & HCR 32.

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

Representative Plant was granted personal privilege of the floor for comments.

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

June 7, 1993

The Honorable AJ O. Plant, Sr.

Delaware House of Representatives
Legislative Hall
Dover, Delaware 19903

Dear Mr. Plant:

This refers to your April 29 letter to Secretary Pena regarding allegedly discriminatory hiring and promotion practices by the State of Delaware. Since the Federal Highway Administration (FHWA) provides Federal-aid highway funds to the State under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), the Departmental Office of Civil Rights has asked that we respond to your concerns.

Federal Highway Administration regulations, found in 23 Code of Federal Regulations, Part 230, Subpart C, require that each State highway agency (SHA) prepare and submit an updated equal employment opportunity (EEO) program annually. This program document must contain an affirmative action plan and internal employment data for the entire SHA work force. It is reviewed by the responsible FHWA regional office, and written comments or recommendations are provided to the SHA. Authority for FHWA monitoring of State employment practices is limited to internal employment by the State highway or transportation agency which receives Federal-aid funds under ISTEA, and does not extend to other State agencies.

In response to your inquiry, we have requested information from the Regional Civil Rights Director, Region 3, regarding the most recent review of Delaware's internal EEO program and accomplishments, findings or deficiencies noted in the review, and recommended remedial actions, if any. As soon as we have received the information, we will share it with you.

Please contact us if we can be of further assistance.

Sincerely yours,
Edward W. Morris, Jr.
Director, Office of Civil Rights
June 14, 1993

The Honorable William T. Quillen
Secretary of State
Carvel State Office Building
820 N. French Street
Wilmington, Delaware 19801
Dear Secretary Quillen:

Due to recent information that I have become aware of concerning the AIDS infection, and because of the possibility that there may have been several AIDS related deaths in the Delaware prison system, I am requesting that you instruct the State Human Relations Commission or its office director to conduct an investigation to try and determine the status of the AIDS problem in our Delaware prison system. I am also requesting that you report the findings to me, the General Assembly, and Governor Carper.

Thank you in advance for your consideration of this matter. If you have any questions, please contact me.

Sincerely,
Al O. Plant
State Representative
2nd District

AOP/rmh

Representative Plant made comments.

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

The House reconvened at 2:36 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Donald M. Clark, Twenty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

HB 271 - REYNOLDS, SPENCE, EWING, MACK - P/S: An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to License Qualifications.

HB 272 - AMICK & JONKIERT - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Civil Liability for Certain Criminal Offenders.

HB 273 - SORENSON & BLEVINS; REPRESENTATIVE SMITH; SENATOR KNOX - HUM NEEDS & DEV: An Act to Amend Chapter 74, Title 16 of the Delaware Code Relating to Radiation Control. (3/5 bill)

HB 274 - MARONEY & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, PETRILLI, AMICK, D. ENNIS, LEE, ROY, BANNING, BRADLEY, BRADY, CLARK, GILLIGAN, WEST, WOJEWODZKI; SENATORS CONNOR, NEAL, HOLLOWAY, MCDOWELL, SOKOLA - HUM NEEDS & DEV: An Act to Amend Titles 18 and 24 of the Delaware Code Relating to Nursing by Changing the Qualifications and Authorization to Practice of Advanced Nurses.

HB 275 - GEORGE & SENATOR MCDOWELL - H/ADM: An Act to Waive the Statutory Provisions of §106(a), Title 13, of the Delaware Code Relating to the Marriage of Jacqueline Loughman and Norman Powell.

HB 276 - B. ENNIS, D. ENNIS & SENATOR BLEVINS; REPRESENTATIVES BANNING, VANSANT & SENATOR TORBERT - HAZ WASTE MAN: An Act to Amend Chapter 82, Title 16 of the Delaware Code Relating to the Commission on Hazardous Materials.

HB 277 - CAULK & SENATOR ADAMS; REPRESENTATIVES CAREY, B. ENNIS - ENV & NAT RES: An Act to Amend Chapter 60, Title 7, Delaware Code, Relating to the Implementation of an Extractive Use Program.

HB 278 - MARONEY & SENATOR HOLLOWAY - HUM NEEDS & DEV: An Act to Amend Chapter 17, Title 24, Section 1768 of the Delaware Code Relating to Disclosure of Record of the Board of Medical Practice.

HA 2 to HB 171 - GILLIGAN - READY LIST: Placed with the bill.

HA 2 to HB 177 - GILLIGAN - AGENDA: Placed with the bill.

HA 3 to HB 177 - GILLIGAN - AGENDA: Placed with the bill.

HA 2 to HB 182 - GILLIGAN & CAULK - AGENDA II: Placed with the bill.

HA 1 to HCR 14 - DILIBERTO - READY LIST: Placed with the bill.

SB 18 - MARSHALL & REPRESENTATIVE OBERLE; SENATORS HOLLOWAY, MCBRIDE - LABOR & HUM RES MAN: An Act to Amend Chapter 7, Title 19 of the Delaware Code Relating to the Employment of Strikebreakers.

SB 113 - TORBERT; REPRESENTATIVE BUCKWORTH; SENATORS COOK, SHARP, BLEVINS, SOKOLA, VAUGHN, MARSHALL, VOSHELL, CONNOR, STILL; REPRESENTATIVES BRADY, CAREY, DAVIS, B. ENNIS, JONKIERT, EWING, GILLIGAN, LEE, WAGNER, QUILLEN - JUD: An Act to Amend Chapter 5, Title 11, Delaware Code, Relating to Assault in the Second Degree.

SB 134 - BLEVINS, BAIR, SOKOLA, VOSHELL; REPRESENTATIVES AMICK, BANNING, SMITH, SORENSON - HOUSING & COM AFF: An Act to Amend Chapter 29, Title 24, Delaware Code Relating to Real Estate Brokers, Salespersons and Appraisers.

SB 139 w/SA 2 - SHARP; REPRESENTATIVE SPENCE - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Casualty Insurance Contracts.

SB 140 - VAUGHN & REPRESENTATIVE B. ENNIS, SENATORS SHARP, COOK, ADAMS, VOSHELL, TORBERT; REPRESENTATIVES BANNING, ROY, SPENCE, EWING - JUD: An Act to Amend Chapter 9, Subchapter III, Title 10, Delaware Code, Relating to the Prosecution of a Delinquent Child.

SB 161 w/SA 1 - SHARP, CORDREY; REPRESENTATIVES PETRILLI, GEORGE - ECON DEV, B & I: An Act to Amend Chapter 15, Title 6 of the Delaware Code by Providing for the Formation, Registration, and Regulation of Registered Limited Liability Partnerships. (3/5 bill)

SCR 36 - BAIR & SENATORS HOLLOWAY, CONNOR; REPRESENTATIVES MARONEY, DIPINTO, SCHROEDER - HUM NEEDS & DEV: Requesting the Department of Health and Social Services to Continue Developing Delaware's Electronic Benefits Transfer System as a Means of Distributing Benefits to Clients and Report Its Progress to the Delaware General Assembly.

HA 1 to SB 81 - MARONEY - H/ADM: Placed with the bill.

Mr. Speaker reassigned SB 161 to the House Administration Committee.

Representative Carey was granted personal privilege of the floor for introduction of guests.

Representative Bennett was granted personal privilege of the floor for introduction of guests.

Representatives Roy & Buckworth requested that they be marked present.

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

The House reconvened at 4:24 p.m.

Mr. Speaker reassigned HB 273 to the Revenue & Finance Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 158.

June 14, 1993

LEGISLATIVE ADVISORY #14

Governor Thomas R. Carper vetoed the following legislation on the date indicated: 6/10/93 - HB

188 aab HA 3.

LEGISLATIVE ADVISORY #15

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
 6/11/93 - HS 1 for HB 18, HS 1 for HB 32 aab HA 1, HB 145 aab HA 1 & HB 68 aab HA 1 & HA 1 to HA 1.

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

Representative Gilligan brought HB 177, jointly sponsored by Representatives George & Brady, before the House for consideration.

HB 177 - An Act to Amend Chapter 9, Title 10, Delaware Code Relating to Extended Jurisdiction Over Juvenile Offenders by the Family Court.

Representatives Maroney & Brady requested that they be marked present.

Representative Gilligan requested that HA 1 to HB 177 be stricken.

Representative Gilligan brought HA 2 to HB 177 before the House for consideration.

Representative Gilligan made comments.

HA 2 to HB 177 was adopted by voice vote.

Representative Gilligan brought HA 3 to HB 177 before the House for consideration.

Representatives Gilligan & Oberle made comments.

HA 3 to HB 177 was adopted by voice vote.

Representative Holloway requested that he be marked present.

Representative Oberle requested and was granted the privilege of the floor for Charles M. Oberly,

Attorney General.

Representative Oberle made comments.

The roll call on HB 177 w/HA 2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 177 w/HA 2 & 3 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Maroney.

Representative Maroney requested that action on SB 46 be deferred to a Day Certain, Tuesday, June 22, 1993.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Petrilli deferred to Representative Plant.

Representative Plant brought HB 190, cosponsored by Representatives Ewing & Banning, before the House for consideration.

HB 190 - An Act to Amend Title 11, Delaware Code Relating to the Burning of Crosses or Other Religious Symbols.

Representative Plant brought HA 1 to HB 190 before the House for consideration. HA 1 was adopted by voice vote.

Representative Plant brought HA 2 to HB 190 before the House for consideration. HA 2 was adopted by voice vote.

Representatives Plant & Sorenson made comments.

The roll call on HB 190 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 190 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HB 167 before the House for consideration.

HB 167 - An Act to Amend Chapter 5, Title 11, Delaware Code Relating to the Criminal Code and the Sale of Self Defense Spray to Minors. (2/3 bill)

Representatives Wagner, DiLiberto, Davis & George made comments.

The roll call on HB 167 was taken and revealed:

YES: 21.

NO: Representatives Brady, Davis, Houghton, Jonkiert, Sorenson, West, Wojewodzki - 7.

NOT VOTING: Representatives Bennett, Bradley, Bunting, B. Ennis, Clark & Schroeder & Senators Torbert, Voshell, Holloway, Mack, Maroney, Plant, Reynolds, Schroeder, VanSant - 13.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, HB 167 was declared defeated.

Representative Petrilli deferred to Representative Amick.

Representative Amick brought HB 168, jointly sponsored by Representatives Buckworth, Carey, DiPinto, Lofink, Quillen, Wagner, Bunting, B. Ennis, Clark & Schroeder & Senators Torbert, Voshell, Neal & Still & cosponsored by Senator Hauge, before the House for consideration.

HB 168 - An Act to Amend Chapter 29, Title 24, Delaware Code, Relating to Real Estate Brokers and Salespersons, and Chapter 25, Title 6, Relating to Prohibited Trade Practices and Seller's Disclosure of the Condition of Real Property.

Representative Amick made comments.

Representative Amick brought HA 1 to HB 168 before the House for consideration.

Representative Amick made comments.

HA 1 to HB 168 was adopted by voice vote.

Representatives Amick, Fallon, Brady, B. Ennis, Oberle, Clark & West made comments.

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

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Jonkiert - 1.

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

Representative Petrilli deferred to Representative Maroney.

Representative Maroney requested that action on HS 1 for HB 45 be deferred to a Day Certain, Tuesday, June 22, 1993.

Representatives Petrilli & Holloway made comments.

Representative Spence brought HB 84, jointly sponsored by Senator Sharp, before the House for consideration.

HB 84 - An Act to Amend Chapter 41, Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

Representative Spence introduced and brought HA 1 to HB 84 before the House for consideration.

Representative Spence made comments.

HA 1 to HB 84 was adopted by voice vote.

Representatives Spence, Fallon & Schroeder made comments.

Representative Spence requested and was granted the privilege of the floor for Scott Chambers, House Attorney.

Representatives Schroeder, Plant, Taylor, Holloway & Spence made comments.

Representative Spence moved to place HB 84 w/HA 1 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Buckworth brought HB 192, jointly sponsored by Senator Martin, before the House for consideration.

HB 192 - An Act Concurring in a Proposed Amendment to Article V of the Constitution of the State of Delaware, Relating to Absentee Registration and Absentee Voting. (2/3 bill)

Representative Buckworth made comments.

The roll call on HB 192 was taken and revealed:

YES: 39.

ABSENT: Representatives George, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 192 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk brought HB 242, jointly sponsored by Senator Torbert & Representatives Buckworth, Lee, Carey, DiPinto, Smith, Reynolds, Fallon, Gilligan, Bunting, Clark, Schroeder, B. Ennis, West & Brady, before the House for consideration.

HB 242 - An Act to Amend Chapter 47, Title 7, of the Delaware Code Relating to State Parks.

Representatives Caulk & Davis made comments.

Representative Caulk moved to place HB 242 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Clark.

Representative Clark brought HB 209, jointly sponsored by Representatives Banning, B. Ennis, Quillen, Smith & West & Senators Hauge & Neal, before the House for consideration.

HB 209 - An Act to Amend Chapters 6, 11 and 101 of Title 29 of the Delaware Code Relating to Regulations and Certain Other Governmental Information. (F/N)

Representatives Clark & Smith made comments.

The roll call on HB 209 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 209 was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli brought SB 24 w/SA 1, sponsored by Senator Torbert & Representatives Spence & Ewing, before the House for consideration.

SB 24 - An Act to Amend Chapter 82, Title 29, Delaware Code, Relating to Boiler Safety.

Representative Petrilli made comments.

The roll call on SB 24 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 24 w/SA 1 was returned to the Senate.

Representative Roy introduced HS 1 for HB 51, jointly sponsored by Representatives Taylor, DiPinto, Davis, Ewing & Oberle & Senators Martin, Marshall & Sokola.

HB 51 - An Act to Amend Chapter 51, Title 30 of the Delaware Code Relating to Motor Fuel and Special Fuel Tax Law.

Mr. Speaker assigned HS 1 for HB 51 to the Transportation & Infrastructure Committee.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant brought HB 119, jointly sponsored by Representatives Banning, Brady, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Spence & West & cosponsored by Representative Ewing, before the House for consideration.

HB 119 - An Act Awarding Special Pension Benefits to LeRoy O'Neal, Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as If the Award Were Made Pursuant to Chapter 55, Title 29, Delaware Code.

Representatives VanSant & Davis made comments.

Representative VanSant moved to place HB 119 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Petrilli deferred to Representative Amick.

Representative Amick brought HB 67 w/HA 1 & SA 1, jointly sponsored by Senators Blevins, Neal & McBride, before the House for concurrence on SA 1.

HB 67 - An Act to Amend Chapter 28, Title 24, Delaware Code, Relating to Professional Engineers.

Representative Amick made comments.

The roll call on HB 67 w/HA 1 & SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 67 w/HA 1 & SA 1 was sent to the Governor.

Representative Petrilli brought Consent Agenda A before the House for consideration.

HB 142 - AMICK - An Act to Amend Chapter 20, Title 6 of the Delaware Code Relating to Trade Secrets.

HB 220 - GILLIGAN; SENATOR MCBRIDE; REPRESENTATIVE OBERLE; SENATOR MARSHALL - An Act to Amend Title 29 Chapter 52 Delaware Code Relating to Health Care Insurance.

HR 31 - WAGNER, SPENCE, AMICK, SMITH, BANNING, CAREY, BRADLEY, BUNTING, DAVIS, D. ENNIS, FALLON, HOLLOWAY, JONKIERT, MARONEY, QUILLEN, REYNOLDS, WEST, WOJEWODZKI, PETRILLI, DIPINTO, LOFINK, BRADY, BENNETT, BUCKWORTH, CLARK, B. ENNIS, EWING, GEORGE, HOUGHTON, LEE, OBERLE, TAYLOR, SCHROEDER, SORENSON - Requesting That the Delaware Development Office Immediately Look Into the Feasibility of Creating a Capital Access Program or Small Business Reserve Fund.

SCR 22 - MCBRIDE; REPRESENTATIVE CAREY - Requesting State Agencies to Purchase Products Which Contain, or Are Manufactured From, Recycled Materials and/or Components Such as (But Not Limited to) Wood Chips and Mulch That Have Been Derived From Wood Waste; Road Safety Cones That Have Been Manufactured From Recycled Rubber; Office Paper Produced From Post-Consumer Recycled Paper, Pallets Manufactured From Recycled Plastic, Etc.

HB 263 - ROY; SENATOR ADAMS - An Act to Amend Chapter 15, Title 7 of the Delaware Code Relating to Conservation.

HB 210 - TAYLOR; SENATOR SOKOLA - An Act to Amend Chapter 13, Title 9, Delaware Code Related to the New Castle County Department of Parks and Recreation.

HB 243 - CAULK, CAREY, EWING, LEE, OBERLE, REYNOLDS, WAGNER, SORENSON, DIPINTO, FALLON, LOFINK, PETRILLI, SMITH, B. ENNIS, WEST - An Act to Amend Chapter 1, Title 3 of the Delaware Code Relating to Agriculture.

SB 70 - SHARP; REPRESENTATIVES GILLIGAN, ROY, HOUGHTON, VANSANT - An Act to Amend Chapter 101, Title 3, Delaware Code, Relating to the Delaware Thoroughbred Racing Commission.

SB 98 - CORDREY - An Act to Amend Title 7 of the Delaware Code Relating to Public Hearings for Permits Relating to Use of Subaqueous Lands.

SB 102 - SHARP; REPRESENTATIVE SPENCE - An Act to Amend Chapter 59 Title 29, Section 5903 (17) Relating to the Term of Employment of Temporary Casual and Seasonal Employees.

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

YES: 41.

Therefore, having received a constitutional majority, HB 142, HB 220, HB 263, HB 210 & HB 243 were sent to the Senate for concurrence and SCR 22, SB 70, SB 98 & SB 102 were returned to the Senate.

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

HB 202 - LEE; SENATOR VENABLES - An Act to Amend an Act Being Chapter 137, Volume 61, Laws of Delaware, as Amended, to Increase the Amount Which May be Raised by the Taxation of Real Estate, to Provide for Absentee Voting at the Municipal Election to Provide for a Deputy Mayor and to Increase the Amount Which May be Expended by the Town Council Without Competitive Bidding. (2/3 bill)

SB 97 - CONNOR; REPRESENTATIVE MACK - An Act to Amend Volume 27, Chapter 216, Laws of Delaware, as Amended, Being the Charter of the City of New Castle, and Relating to the Day on Which the City Council Should Meet for the Transaction of Business. (2/3 bill)

SB 110 w/SA 1 - CORDREY; REPRESENTATIVE WEST - An Act to Amend an Act Being Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro" to Authorize Exemptions From Taxation Under Certain Circumstances and Conditions. (2/3 bill)

SB 94 w/SA 1 - VAUGHN; REPRESENTATIVE B. ENNIS, BANNING - An Act to Amend Chapter 23, Title 7, Delaware Code, Relating to Vessels Used by Crab Dredgers While Dredging for Crabs in Delaware. (2/3 bill)

Representative Petrilli requested that HB 202 be removed from 2/3 Consent Agenda.

The roll call on 2/3 Consent Agenda was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 97, SB 110 w/SA 1 & SB 94 w/SA 1 were returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 6:17 p.m.

40th LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session

June 16, 1993

Mr. Speaker Spence called the House to order at 2:39 p.m.

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

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HB 150 - DIPINTO, SPENCE, QUILLEN, CAREY, DAVIS, MACK, MARONEY, SMITH, BANNING, BRADY, BUNTING, CLARK, B. ENNIS, GEORGE, GILLIGAN; SENATORS VOSHELL, HOLLOWAY, BAIR, KNOX - HOUSING & COM AFF: An Act to Amend Title 10 and Title 25 of the Delaware Code Relating to Landlord-Tenant Relationships; and Providing for a Residential Landlord-Tenant Code.

HB 279 - DIPINTO, SPENCE, PETRILLI, GEORGE, HOLLOWAY, JONKIERT, PLANT; SENATORS HOLLOWAY, MARSHALL - JUD: An Act to Amend Titles 10, 11, and 21 of the Delaware Code to Transfer the Municipal Court for the City of Wilmington to the State of Delaware. (2/3 bill)

HB 280 - DIPINTO, SPENCE, AMICK, BUCKWORTH, D. ENNIS, EWING, LEE, LOFINK, MARONEY, SMITH, TAYLOR, WAGNER, BANNING, BUNTING, CLARK, HOUGHTON, JONKIERT, PLANT, VANSANT, WEST; SENATORS BAIR, CONNOR, HAUGE, KNOX, NEAL, STILL, HOLLOWAY - HOUSING & COM AFF: An Act to Amend Chapter 40, Title 31 of the Delaware Code Relating to the Department of Housing.

HB 281 - AMICK, EWING, LEE, DILIBERTO, BANNING, PLANT; SENATOR MCDOWELL - JUD: An Act to Amend Chapter 5, Title 10 of the Delaware Code Relating to the Superior Court.

HB 282 - AMICK; SENATOR MCDOWELL - JUD: An Act to Amend Chapter 5, Title 10 of the Delaware Code to Provide for Commissioners of the Superior Court.

HB 283 - MARONEY, SPENCE, PETRILLI, BUCKWORTH, EWING, SORENSON,

WAGNER, BANNING, BUNTING, HOUGHTON, JONKIERT, PLANT, WOJEWODZKI; SENATORS HOLLOWAY, VAUGHN, VENABLES - H/ADM: An Act to Amend Chapter 26, Title 24 of the Delaware Code Relating to Physical Therapy and Athletic Training.

HB 284 - MARONEY, DIPINTO, EWING, B. ENNIS, PLANT - H/ADM: An Act to Amend Chapter 26, Title 24 of the Delaware Code Relating to Physical Therapy and Athletic Training.

HB 285 - MARONEY - H/ADM: An Act to Amend Chapter 26, Title 24 of the Delaware Code Relating to Physical Therapy.

HB 286 - MARONEY & SENATOR HOLLOWAY; REPRESENTATIVES CAREY, DAVIS, DIPINTO, LOFINK, SMITH, SORENSON, WAGNER, BANNING, PLANT, WEST - HUM NEEDS & DEV: An Act to Amend Chapter 4, Title 31, of the Delaware Code to Expand the Composition of the Delaware Children's Trust Fund Board of Directors and to Eliminate Matching Requirements. (3/5 bill)

HB 287 - MARONEY - APPRO: An Act to Amend Section 521, Title 31 of the Delaware Code Relating to Emergency and Disaster Assistance.

HB 288 - TAYLOR & SENATOR TORBERT; REPRESENTATIVES SPENCE, PETRILLI, BUCKWORTH, CAREY, CAULK, DAVIS, DIPINTO, D. ENNIS, LEE, LOFINK, JONKIERT, PLANT, WEST; SENATORS CONNOR, STILL, ADAMS, MARSHALL - JUD: An Act to Amend Chapter 17, Title 24, and Chapter 9, Title 10 of the Delaware Code Relating to Notice of Abortions Performed on Minors.

HB 289 - CAULK & SENATOR VOSHELL; REPRESENTATIVES CAREY, CLARK, B. ENNIS; SENATOR MARTIN - ENV & NAT RES: An Act to Amend Chapter 1, Title 26, Delaware Code Relating to Public Utilities.

HB 290 - ROY - H/ADM: An Act to Amend Chapter 25, Title 24 of the Delaware Code Prohibiting Persons Licensed to Practice Medicine in the State of Delaware From Owning Pharmacies.

HB 291 - EWING & SENATOR VAUGHN - JUD: An Act to Amend Title 6 Relating to Contracts.

HB 292 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES DAVIS, OBERLE, BANNING, BRADY, CAULK, HOUGHTON, VANSANT, WEST; SENATOR TORBERT - HUM NEEDS & DEV: An Act to Amend Title 16, Delaware Code Relating to Notification of Fire Fighters, Ambulance Attendants, Emergency Medical Technicians, Correctional Officers, Law Enforcement Officers and Other Personnel of Exposure to Contagious or Infectious Disease or Virus.

HB 293 - VANSANT & SENATOR TORBERT; REPRESENTATIVES BANNING, BENNETT, BRADLEY, BRADY, CLARK, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, BUCKWORTH, BUNTING, CAULK, DIPINTO, EWING, OBERLE, WEST; SENATORS ADAMS, MARSHALL, VAUGHN, TORBERT - P/S: An Act to Amend Title 16, Chapter 98 of the Delaware Code Relating to Paramedic Services.

HB 294 - SCHROEDER; SENATOR VOSHELL - H/ADM: 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 the Procedure for Annexation When All Property Owners Are in Favor and to Provide a Procedure for Annexation When Only the Exempt Land is Involved, to Eliminate the Weighted Vote in Annexation and Bond Elections, to Eliminate Property Ownership as a Qualification to Hold Office, to Require That No Person May File as a Candidate Prior to February 1, to Designate the Members of City Council as Council Persons, and to Authorize the City Council to Sit and Act Upon the Recommendation of the City Manager Concerning the Qualifications of Candidates, to Permit a Person Who Holds Elective Office to Seek Another Elective Office in the City Without Vacating His Present Office, to Change the Name of the Vice-President of the City Council to Deputy Mayor, to Provide Regulations for Conducting the Annual Municipal Election, to Authorize the Assessment of Taxes Without Limitation to Pay Bonded Indebtedness, to Reduce the Age for Being Assessed, to Provide That Appeals From the Tax Assessment Shall be in Writing and Requiring the City Council to Fix a Time and Date to Hear Those Appeals, to Extend the Time for the Payment of Property Taxes, to Add All Utility Charges as Creating a Lien on Real Estate, to Permit Borrowing Against Anticipated Revenues to Ten Percent of Assessed Valuation of Real Estate, to Confirm the Procedure for Public Streets, to Authorize the City Council to Provide for a Board of Adjustment and to Revise the Duties and Responsibilities of the Director of Public Safety. (2/3 bill)

HB 295 - HOLLOWAY & SENATOR HOLLOWAY - JUD: An Act to Amend Chapter 41 of Title 11 of the Delaware Code by Requiring the Registration of Convicted Sexual Offenders.

HA 1 to HB 194 - DAVIS - AGENDA II: Placed with the bill.

HA 1 to HB 237 - MARONEY - HUM NEEDS & DEV: Placed with the bill.

HA 2 to HB 244 - SMITH - READY LIST: Placed with the bill.

HA 1 to HB 254 - CAULK - READY LIST: Placed with the bill.

SB 158 - CORDREY & ADAMS; REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Chapter 23 of Title 5, Delaware Code, Relating to Regulating the Sale of Checks, Drafts and Money Orders.

HA 2 to SB 44 - EWING - P/S: Placed with the bill.

HA 1 to SB 116 - EWING - READY LIST: Placed with the bill.

HA 1 to SB 118 - EWING - P/S: Placed with the bill.

Representatives Fallon, Wagner & Wojewodzki requested that they be marked present.

Representative Plant introduced HB 296.

HB 296 - An Act to Amend Title 16, Delaware Code Relating to Distribution, Delivery or Possession of Controlled Substances Within 3,000 Feet of Certain Properties.

Mr. Speaker assigned HB 296 to the Substance Abuse Committee.

Representatives Jonkiert requested that he be marked present.

Representative Bradley was granted personal privilege of the floor for introduction of a guest.

The House observed a moment of silence in memory of the mother of former Representative Robert Byrd.

Representative George requested that he be marked present.

Representative Bennett was granted personal privilege of the floor for a comment.

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

Representative Plant:

SOCIAL CONCERNS MINISTRY

"What good is it, my brother, if a man claims to have faith but has no deeds? ...Suppose a brother or sister is without clothes and daily food. If one of you says to him, "Go, I wish you well; keep warm and well fed," but does nothing about his physical needs, what good is it? In the same way, faith by itself, if it is not accompanied by action, is dead...

Show me your faith without deeds, and I will show you my faith by what I do".

James 2:14 - 18

As Christians we are required to reach out to humanity and offer our assistance. In this first general letter of the New Testament, we are taught that our faith is made complete by what we do.

The Social Concerns Ministry, attempts to address some of the social needs of our community.

After surveying the congregation, it was decided that our work for the balance of this year would be focused largely on our youth and education. Last month the Social Concerns Ministry and the Youth Ministry hosted a Youth Summit. This was the first in what is planned to be a series of rap sessions. These sessions are intended to give the youth of Cornerstone and the general community an opportunity to express their views and concerns.

The Social Concerns Ministry is open to all members of Cornerstone Fellowship Baptist and welcomes your suggestion.

Possible Future Activities

Youth Rap Sessions

Needs Network

Informational Meetings On Proposed Changes In Court Ordered Busing

Representative Plant made comments.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #19

DATE: June 16, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-349	Clark	6/09/93	T	Matthew John Cristiano/Grad./ Smyrna High School
H137-350	D. Ennis	6/09/93	T	Mt. Pleasant Elementary School/
	cosponsors: Bradley, Brady			/Statewide Drug Free Conf.
H137-351	DiLiberto	6/09/93	T	Joseph & Lena Angotti/Birth of First Grandchild
H137-352	Quillen	5/28/93	M	Gardner E. Nickerson
H137-353	Oberle	6/10/93	T	Richard E. McDonough, Sr. /Ded. Serv./U.A.W.
H137-354	Clark	5/26/93	T	Hallie Sheppard Thompson/ G.E.D. After 60 Years
H137-355	Spence	6/02/93	T	Britney Tayler DeFord/Grand-daughter of Charles B. DeFord
H137-356	Brady	5/29/93	T	Kevin D. Onizuk/Grad./U. of D.
H137-357	Spence	6/17/93	T	Howard Stanely, Sr./90th Birthday
H137-358	Fallon	6/15/93	T	Pam Moore/Career in Education

H137-359 Fallon	6/15/93	T	Chet A. Baltz/Career in Education
H137-360 Oberle	6/15/93	T	Virginia Cahill/Award/Attendance/Athlete/Honor Roll
H137-361 DiPinto	5/25/93	T	Marion S. Thompson/100th Birthday Anniversary
H137-362 Gilligan	6/15/93	T	Patricia Kerr/Minquas Fire Co./Member of the Year
cosponsor: VanSant			
H137-363 Buckworth	6/15/93	M	Raymond H. Johnson
H137-364 Brady	6/05/93	T	John Charles Carney, Jr. & Tracey Tatem Quillen/Wedding
H137-365 Buckworth	6/17/93	T	Lois M. Clifton/Teacher of Year/Arnold Elementary School
H137-366 Reynolds	6/11/93	T	Jim Brazill/Head Coach/Salesianum High School
cosponsor: Lofink			
H137-367 Reynolds	6/15/93	T	George Glenn/Football Coach/Cape Henlopen High School
cosponsor: Lofink			

T - Tribute

M - Memoriam

Representatives Clark, Schroeder & Roy requested that they be marked present.

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

The House reconvened at 4:44 p.m.

Representatives Petrilli, Davis & DiPinto requested that they be marked present.

Representative Wagner introduced HB 297, jointly sponsored by Senator Holloway &

Representatives Spence, Petrilli, Amick, Buckworth, Carey, Caulk, Davis, D. Ennis, Ewing, Lee, Lofink, Mack, Maroney, Quillen, Reynolds, Smith, Sorenson, Taylor, Banning, Brady, Bunting, Clark, DiLiberto, B. Ennis, Jonkiert, Plant, Schroeder & Wojewodzki & Senators Bair, Connor, Still, Sokola, Torbert & Vaughn.

HB 297 - An Act to Amend Chapter 65, Title 14, Delaware Code, Relating to Changing the Name of Delaware State College to Delaware State University.

Mr. Speaker assigned HB 297 to the Education Committee.

Representative VanSant requested that he be marked present.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought SB 95 w/SA 2 & 3, jointly sponsored by Senator Cordrey, before the House for consideration.

SB 95 - An Act to Amend Chapters 1,3,7,8,9, 21, and 27 of Title 5, Delaware Code, and Chapter 303 of 68 Delaware Laws Relating to Banks, Building and Loans and Other Financial Institutions. (2/3 bill)

Representative D. Ennis made comments.

The roll call on SB 95 w/SA 2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 95 w/SA 2 & 3 was returned to the Senate.

Representatives West, Taylor, Holloway, Brady, Mack, Reynolds, Maroney & Buckworth requested that they be marked present during the roll call.

Representative Maroney introduced HCR 36, jointly sponsored by Senator Sokola.

HCR 36 - Commending Elizabeth R. Schantz and Barbara P. Bennett by the State Council for Persons With Disabilities in Recognition of Their Service to Disabled Delawareans.

HCR 36 was placed on Consent Calendar #13.

The following prefiled Consent Calendar #13 was introduced:

HR 43 - DIPINTO - Honoring the Delaware Gold Juniors, the United States Volleyball Association's 14 and Under, Upon Winning the Chesapeake Regional Finals.

HR 44 - OBERLE, AMICK, DAVIS, LOFINK, WOJEWODZKI - Honoring Dr. F. Eugene Thomure as He Leaves the Sterck School After Devoting 17 Years of Service to the Hearing-Impaired Children of Delaware.

HR 45 - ROY & TAYLOR, PETRILLI, GILLIGAN, GEORGE - Congratulating the St. Marks Soccer Team Upon Winning Their Third Straight Championship.

HCR 34 - HOUGHTON, JONKIERT, & MARONEY ON BEHALF OF ALL REPRESENTATIVES & SENATORS BAIR, ADAMS, BLEVINS, COOK, CORDREY, HOLLOWAY, MARSHALL, MCBRIDE, MCDOWELL, SHARP, SOKOLA, TORBERT, VAUGHN, VENABLES,

VOSHELL, CONNOR, HAUGE, KNOX, NEAL, STILL - Extending Congratulations to the Honorable Robert H. Wahl Upon His Retirement as Chief Judge of the Court of Common Pleas for the State of Delaware.

HCR 35 - CLARK, BANNING; SENATORS VAUGHN, COOK - Honoring State Representative Bruce C. Ennis Upon Being Named "President Emeritus" of the Delaware Volunteer Fireman's Association, Inc. at Its 72nd Annual Convention.

SCR 38 - SOKOLA & REPRESENTATIVES AMICK & TAYLOR & ROY - Saluting Minor League Baseball for Banning the Use of Tobacco Products at All Levels of the Minor Leagues.

SCR 39 - BAIR & REPRESENTATIVE SORENSON; SENATORS BLEVINS, COOK, HOLLOWAY, STILL, NEAL, HAUGE; REPRESENTATIVES MARONEY, WAGNER, FALLON, AMICK, SMITH, DIPINTO, BRADLEY, WOJEWODZKI, BRADY - Commending Kay Wood Bailey, Carolyn Smithson Burger, and Vera C. Murray, Three Professional Women Recently Honored as Recipients of the "She Knows Where She's Going" Award by Girls Inc. of Delaware and the Wilmington Women in Business Organizations.

Consent Calendar #13 was adopted by voice vote and HCR 34, HCR 35 & HCR 36 were sent to the Senate for concurrence and SCR 38 & SCR 39 were returned to the Senate.

Representative Jonkiert made comments.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant moved to lift HB 119 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative VanSant brought HB 119, jointly sponsored by Representatives Banning, Brady, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Spence & West & cosponsored by Representative Ewing, before the House for consideration.

HB 119 - An Act Awarding Special Pension Benefits to LeRoy O'Neal, Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as If the Award Were Made Pursuant to Chapter 55, Title 29, Delaware Code.

Representative Davis made comments.

The roll call on HB 119 was taken and revealed:

YES: 31.

NOT VOTING: Representatives Amick, Bennett, Davis, Fallon, Maroney, Petrilli, Smith - 7.

ABSENT: Representatives Carey, Lofink, Taylor - 3.

Therefore, having received a constitutional majority, HB 119 was sent to the Senate for concurrence.

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

H/ADM: HB 265 - 4M; HB 275 - 4M; HB 294 - 4M; SB 76 - 4M; SB 81 w/SA 3 - 4M; SB 161 w/SA 1 - 4F.

SUBS ABUSE: HB 251 - 3F,1M.

HOUSING & COM AFF: HB 150 - 6M; HB 230 - 6M; HB 255 - 5M; HB 280 - 6M; SB 148 - 5M.

R & F: HB 233 - 5M; HB 253 - 6M.

ENV & NAT RES: HB 249 - 5M; HB 258 - 4M; HB 270 - 1F,3M.

ECON DEV, B & I: HB 54 - 7M; HB 241 - 7M; HB 245 - 7M; SB 142 - 4M.

ED: HB 247 - 5M.

HUM NEEDS & DEV: HB 228 - 5F,2M; HB 236 - 6M; HB 278 - 1F,4M.

Representative Holloway was granted the privilege of the floor for an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:13 p.m.

41st LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session
June 17, 1993

Mr. Acting Speaker Quillen called the House to order at 2:07 p.m.

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

JUD: HB 257 - 1F,5M; HB 281 - 1F,6M; HB 282 - 6M; HB 291 - 6M; HB 295 - 4M; SB 113 - 7M; SB 140 - 7M; SB 153 w/SA 1 & 2 - 7M; SB 155 w/SA 1 - 7M; SB 156 - 7M; SB 184 w/SA 1 & 2 - 7M.

P/S: HB 234 - 1F,4M; SB 118 - 5M; SB 132 w/SA 1 - 5M.

APPRO: SB 99 - 3F,3M; SB 29 w/SA 2 - 1F,2M,1U.

HUM NEEDS & DEV: HB 153 - 1F,3M; HB 286 - 6M; HB 292 - 1F,5M.

TRANS & INFRA: HS 1/HB 51 - 4M; HB 117 - 4M; HB 264 - 1F,3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 168, SB 163, SB 166 w/SA 1, SB 138 w/SA 1, SJR 17, HB 146, HB 191, HB 120 w/HA 1, SB 124 w/SA 1 & 3 & SB 167.

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

The House reconvened at 2:10 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

Mr. Acting Speaker assigned HB 247 to the Appropriations Committee.

Representatives Taylor, Wagner, Oberle, Houghton, Roy, Smith & Carey requested that they be marked present.

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

The following prefiled legislation was introduced:

HB 298 - CAREY & SENATOR VENABLES - ENV & NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Fishing Seasons. (2/3 bill)

HB 299 - PLANT - JUD: An Act to Amend Chapter 9, Title 10, Delaware Code Relating to General Jurisdiction of the Family Court.

HA 1 to HB 160 - AMICK - L.O.T.: Placed with the bill.

HA 4 to HB 208 - WOJEWODZKI - AGENDA II: Placed with the bill.

HA 1 to HB 231 - DILIBERTO - AGENDA III: Placed with the bill.

HA 1 to HB 241 - BENNETT - AGENDA: Placed with the bill.

HA 1 to HB 242 - CAULK - L.O.T.: Placed with the bill.

HA 1 to HB 245 - DAVIS - READY LIST: Placed with the bill.

HA 1 to HB 269 - WEST - P/S: Placed with the bill.

SB 124 w/SA 1 & 3 - MCBRIDE & REPRESENTATIVE CAREY - ENV & NAT RES: An Act to Amend Chapter 80, Title 29 of the Delaware Code Relating to the Powers and Duties of the Secretary of the Department of Natural Resources and Environmental Control.

SB 138 w/SA 1 - HOLLOWAY & REPRESENTATIVE BENNETT; ALL SENATORS; REPRESENTATIVES CLARK, QUILLEN, WAGNER, SORENSON, FALLON, MARONEY, PLANT, WOJEWODZKI, CAREY, BUCKWORTH, CAULK - ED: An Act to Amend Chapter 65, Title 14, Delaware Code, Relating to Changing the Name of Delaware State College to Delaware State University.

SB 163 - VAUGHN & REPRESENTATIVE DAVIS - JUD: An Act to Amend Chapter 9, Title 29 of the Delaware Code to Provide for Impact Information on Criminal Justice Related Legislation.

SB 166 w/SA 1 - VAUGHN; REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Title 18, Delaware Code to Bring the Delaware Insurance Code Into Compliance With National Solvency Standards.

SB 167 - HOLLOWAY; REPRESENTATIVE MARONEY - HUM NEEDS & DEV: An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the State Public Assistance Code.

SB 168 - SHARP - LABOR & HUM RES MAN: An Act to Amend Chapter 40, Title 14 of the Delaware Code and Chapters 13 and 16, Title 19 of the Delaware Code Relating to Arbitration Provisions in Collective Bargaining Agreements. (F/N)

SJR 17 - SHARP, HOLLOWAY, VENABLES, CORDREY; REPRESENTATIVE SPENCE - HUM NEEDS & DEV: Urging Governor Thomas R. Carper to Appoint a Task Force to Study the High Rates of Cancer in Delaware.

HA 1 to SB 26 - D. ENNIS & WAGNER - AGENDA: Placed with the bill.

HA 1 to SB 46 - MARONEY - DEFERRED: Placed with the bill.

HA 1 to SJR 14 - AMICK - READY LIST: Placed with the bill.

Representative DiLiberto was granted personal privilege of the floor for the introduction of guests.

Representative Schroeder requested that he be marked present.

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

The House reconvened at 4:48 p.m. with Representative Oberle as Acting Speaker.

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

Representative Petrilli brought SB 161 w/SA 1, jointly sponsored by Senators Sharp & Cordrey & Representative George, before the House for consideration.

SB 161 - An Act to Amend Chapter 15, Title 6 of the Delaware Code by Providing for the Formation, Registration, and Regulation of Registered Limited Liability Partnerships. (3/5 bill)

Representatives Petrilli & George made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on SB 161 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Clark, Holloway, Schroeder - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 161 w/SA 1 was returned to the Senate.

Representatives Bradley, Brady, DiPinto, D. Ennis, Reynolds & B. Ennis requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought SB 26 w/SA 1 & 2, sponsored by Senator Sharp & Representative Oberle & Senators Vaughn, Holloway, McBride, McDowell & Connor & Representatives West, Spence & Wagner & cosponsored by Senator Marshall, before the House for consideration.

SB 26 - An Act to Amend Title 19 of the Delaware Code Relating to Workmen's Compensation Insurers' Subrogation Rights and Title 21 of the Delaware Code Relating to Insurance Benefits.

Representative D. Ennis brought HA 1 to SB 26, jointly sponsored by Representative Wagner, before the House for consideration.

Representative D. Ennis made comments.

HA 1 to SB 26 was adopted by voice vote.

Representative D. Ennis made comments.

The roll call on SB 26 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Clark, Holloway - 2.

Therefore, having received a constitutional majority, SB 26 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Roy introduced and brought HCR 37, jointly sponsored by Senator Marshall on Behalf of All Representatives and Senators, before the House for consideration.

HCR 37 - Commending Delegates for the 1993 Boys' State Program and Thanking the American Legion, Department of Delaware, for Continuing This Valuable Educational Experience.

Representative Roy made comments.

HCR 37 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with introduction of and action on HB 301. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lee introduced and brought HB 301, jointly sponsored by Senator Venables, before the House for consideration.

HB 301 - An Act to Amend an Act Entitled "An Act to Re-Incorporate the Town of Delmar", Being Chapter 137, Volume 61, Laws of Delaware, as Amended, to Increase the Amount Which May be Raised by the Taxation of Real Estate, to Provide for Absentee Voting at the Municipal Election to Provide for a Deputy Mayor and to Increase the Amount Which May be Expended by the Town Council Without Competitive Bidding. (2/3 bill)

Representative Lee made comments.

The roll call on HB 301 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 301 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk moved to suspend the rules which interfere with lifting HB 242 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Caulk brought HB 242, jointly sponsored by Senator Torbert & Representatives Buckworth, Lee, Carey, DiPinto, Smith, Reynolds, Fallon, Gilligan, Bunting, Clark, Schroeder, B. Ennis, West & Brady, before the House for consideration.

HB 242 - An Act to Amend Chapter 47, Title 7, of the Delaware Code Relating to State Parks.

Representative Caulk brought HA 1 to HB 242 before the House for consideration.

Representative Caulk made comments.

HA 1 to HB 242 was adopted by voice vote.

The roll call on HB 242 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

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

Representative Petrilli deferred to Representative Oberle.

Representative Oberle was granted personal privilege of the floor for the introduction of a guest.

Representative Oberle brought HS 1 for HB 7 before the House for consideration.

HB 7 - An Act to Amend Subchapter XII, Chapter 41, Title 21, Delaware Code Relating to the Rules of the Road. (2/3 bill)

Representative Oberle introduced and brought HA 1 to HS 1 for HB 7 before the House for consideration.

Representative Oberle made comments.

HA 1 to HS 1 for HB 7 was adopted by voice vote.

Representatives Oberle, Caulk, Sorenson, Gilligan & Roy made comments.

Representative Oberle requested and was granted the privilege of the floor for Fred Townsend, House Attorney.

Representatives Roy, Oberle & DiLiberto made comments.

Representative Roy introduced and brought HA 2 to HS 1 for HB 7 before the House for consideration.

Representatives Roy & Oberle made comments.

HA 2 to HS 1 for HB 7 was adopted by voice vote.

Representative Oberle moved to place HS 1 for HB 7 w/HA 1 & 2 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought HB 123, jointly sponsored by Representatives Bennett, Ewing, Petrilli, Quillen, VanSant, Buckworth, Caulk & Senators Holloway, Cordrey, Adams, McBride, Connor, Sharp, Vaughn, Martin & Marshall, before the House for consideration.

HB 123 - An Act to Amend Titles 16 and 19 of the Delaware Code Relating to Health, Safety, Employment and Privacy Rights of Non-Smokers and Smokers; and Providing for Balanced Protection and Accommodation Safeguards Therefore Through Clean Indoor Air Prohibitions and Requirements in Public Places and in the Work Place; and Further Providing Protection Against UnWarranted Government Intrusion Into and Regulation of Private Spheres of Conduct and Choice With Respect to the Use or Nonuse of Tobacco Products in Certain Designated Public and Private Places; and Further Affording Protections to Persons From Discriminatory and Retaliatory Employers' Actions for Private Conduct and Choice Concerning Tobacco Product Use or Nonuse. (F/N)

Representative DiPinto requested that HA 1 to HB 123 be stricken.

Representative Holloway requested that he be marked present.

Representative DiPinto made comments.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HA 2 to HB 123. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative DiPinto introduced and brought HA 2 to HB 123, jointly sponsored by Representative Petrilli, before the House for consideration.

Representatives DiPinto & Roy made comments.

HA 2 to HB 123 was adopted by voice vote.

Representatives DiPinto, Roy, Sorenson, Petrilli, Taylor, Amick, Bunting, Wagner, Davis, Petrilli, Amick, Roy & Holloway made comments.

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

YES: 22.

NO: Representative Amick, Bradley, Bunting, Davis, DiLiberto, D. Ennis, George, Gilligan, Mack, Maroney, Oberle, Roy, Schroeder, Smith, Sorenson, Taylor, Wojewodski - 17.

ABSENT: Representatives Jonkiert, West - 2.

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

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 33, jointly sponsored by Representatives Gilligan, Amick, Carey, Davis, D. Ennis, Lee, Mack, Caulk, Maroney & Taylor & Senators Marshall, Knox, Bair, Connor & Sokola, before the House for consideration.

HB 33 - An Act to Amend Title 16 of the Delaware Code Relating to Limiting Exposure to Tobacco Smoke in Public Places Through the Creation of a Clean Indoor Air Act. (F/N)

Representative Roy made comments.

The roll call on HB 33 was taken and revealed:

YES: 34.

NO: Representatives Banning, Houghton - 2.

NOT VOTING: Representatives Bennett, B. Ennis, Quillen, VanSant - 4.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority, HB 33 was sent to the Senate for concurrence.

Representative Clark introduced & brought SCR 41, jointly sponsored by Senator McDowell On Behalf of All Senators & On Behalf of All Representatives, before the House for consideration.

SCR 41 - Wishing a Speedy Recovery to Pennsylvania Governor Robert P. Casey After Successful Heart and Liver Transplant Surgery.

SCR 41 was adopted by voice vote and returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 151 w/SA 1, SB 78 w/SA 1 & 2 &

SCR 41.

Representative Petrilli deferred to Representative Brady.

Representative Brady requested that HB 169 & HB 198 be stricken.

Representative Lee requested that HB 202 be stricken.

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

P/S: HB 293 - 4M.

HUM NEEDS & DEV: SB 167 - 6M; SJR 17 - 5M; SCR 36 - 6M.

ECON DEV, B & I: SB 158 - 7M; SB 166 w/SA 1 - 7M.

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

42nd LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session

June 22, 1993

Mr. Speaker Spence called the House to order at 2:10 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 40, HCR 37, HCR 34, HCR 35 & HCR 36.

Representative Smith introduced HB 308, jointly sponsored by Senator Sokola.

HB 308 - An Act to Amend Title 14, Delaware Code Pertaining to Education and the Promotion of Volunteerism Among High School Students and the Delaware Office of Volunteerism.

Mr. Speaker assigned HB 308 to the Education Committee.

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

The House reconvened at 2:13 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Reverend Grace Ruth Batton, Pastor, Mount Zion Church, Milton.

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

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

The following prefiled legislation was introduced:

HB 302 - SPENCE & SENATOR SHARP; REPRESENTATIVES PETRILLI, AMICK, BUCKWORTH, DAVIS, D. ENNIS, EWING, LOFINK, QUILLEN, ROY, TAYLOR, WAGNER, BENNETT, BRADLEY, GEORGE, GILLIGAN, HOUGHTON, JONKIERT, WOJEWODZKI; SENATOR CONNOR - JUD: An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure. (2/3 bill)

HB 303 - OBERLE - LABOR & HUM RES MAN: An Act to Amend Chapter 69, Title 29, Delaware Code Relating to the Award of Public Works Contracts.

HB 304 - AMICK & BRADLEY & SENATORS SOKOLA & KNOX; REPRESENTATIVES SPENCE, PETRILLI, CAULK, DAVIS, D. ENNIS, EWING, FALLON, LEE, MACK, MARONEY, REYNOLDS, BENNETT, BUNTING, WOJEWODZKI; SENATOR VOSHELL - H/ADM: An Act to Amend Chapter 80, Title 15, Delaware Code Relating to Campaign Contributions and Expenditures.

HB 305 - BENNETT, BANNING, BRADLEY, CLARK, GILLIGAN, HOUGHTON, JONKIERT, WEST, EWING - JUD: An Act to Amend Chapter 43, Title 10 of the Delaware Code Relating to Chain of Custody.

HB 306 - CLARK, BANNING, B. ENNIS, GILLIGAN, JONKIERT, WEST, EWING, SORENSON; SENATORS COOK, VAUGHN, VENABLES, VOSHELL, KNOX - TRANS & INFRA: An Act to Amend Chapter 9, Title 17, Delaware Code, Relating to Draining Surface Floodwater From Private Lands.

HB 307 - BANNING, DILIBERTO, B. ENNIS, JONKIERT & SENATORS MCBRIDE &

VAUGHN; REPRESENTATIVES BRADY, CLARK, GEORGE, GILLIGAN, PLANT, WEST, DAVIS - HOUSING & COM AFF: An Act to Amend Chapter 30, Title 9 of the Delaware Code Relating to the Issuance of Occupancy Permits.

HCR 38 - DIPINTO & BUNTING, SPENCE, CAULK, DAVIS, D. ENNIS, LEE, SMITH, WAGNER, CLARK, JONKIERT, SCHROEDER, VANSANT; SENATORS BAIR, VOSHELL - HOUSING & COM AFF: Creating a Study Committee to Make a Comprehensive Analysis of the Landlord Tenant Law and Propose Necessary Revisions as It Relates to Manufactured Housing.

HA 3 to HS 1 for HB 7 - OBERLE - L.O.T.: Placed with the bill.

HA 2 to HS 1 for HB 45 - OBERLE & DAVIS - AGENDA: Placed with the bill.

HA 2 to HB 84 - SPENCE - L.O.T.: Placed with the bill.

HA 1 to HB 206 - FALLON - ED: Placed with the bill.

HA 1 to HB 216 - SMITH - AGENDA II: Placed with the bill.

HA 1 to HB 238 - HOUGHTON - READY LIST: Placed with the bill.

HA 2 to HB 241 - BENNETT - AGENDA: Placed with the bill.

HA 1 to HB 257 - BANNING & SCHROEDER - READY LIST: Placed with the bill.

SB 78 w/SA 1 & 2 - BLEVINS, CONNOR & HOLLOWAY; REPRESENTATIVES BRADLEY, BRADY, GILLIGAN, WOJEWODZKI - HUM NEEDS & DEV: An Act to Amend Title 16 and Title 18 of the Delaware Code Providing for a Childhood Lead Poisoning Prevention Act Relating to Mandatory Lead Poisoning Testing and Health Insurance Coverage. (F/N)

SB 151 w/SA 1 - CORDREY; REPRESENTATIVE SCHROEDER - ENV & NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Fishing Seasons.

SB 170 w/SA 1 - SOKOLA & REPRESENTATIVE DIPINTO - HOUSING & COM AFF: An Act to Amend Chapter 79, Title 29, Delaware Code Relating to Volunteer Services.

SB 173 w/SA 1 - SOKOLA & REPRESENTATIVE SORENSON; SENATOR VENABLES; REPRESENTATIVES BUCKWORTH, CAREY, DAVIS, B. ENNIS, LOFINK, QUILLEN, REYNOLDS, SPENCE, SCHROEDER, WEST - ED: An Act to Amend Chapter 40, Title 14 of the Delaware Code Relating to the Public School Employment Relation Act.

SB 187 - SOKOLA & REPRESENTATIVE SORENSON - ED: An Act to Amend Chapter 90, Title 14, Delaware Code, Relating to the College and University Security Information Act.

HA 1 to SB 18 - DIPINTO - LABOR & HUM RES MAN: 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 170 w/SA 1, SB 173 w/SA 1 & SB

187.

June 18, 1993

LEGISLATIVE ADVISORY #16

The following legislation was signed by Governor Thomas R. Carper on the date indicated:

6/17/93 - SB 58.

Representative Bennett requested that he be marked present.

Representative DiPinto introduced HB 309, jointly sponsored by Representatives George, Caulk, Holloway, Houghton, Jonkiert & Plant & Senators Holloway & Marshall.

HB 309 - An Act to Amend Chapter 61, Title 30 of the Delaware Code Relating to State Taxes. (3/5 bill)

Mr. Speaker assigned HB 309 to the Housing & Community Affairs Committee.

Representative Sorenson made comments.

Representative Sorenson was granted the privilege of the floor for the introduction of guests.

Representative Sorenson introduced and brought HCR 39, jointly sponsored by Senator Sokola, before the House for consideration.

Representative George requested that he be marked present.

HCR 39 - Commending Clealyn B. Wilson for Being Selected Delaware Teacher of the Year.

Representative George requested that he be marked present.

WHEREAS, some 6,000 teachers work each day with the 98,000 children who attend Delaware public schools; and

WHEREAS, teachers are encouraged to strive for excellence when they know the community supports them and appreciates their efforts on behalf of our children; and

WHEREAS, the Teacher of the Year Program identifies representatives of the best traits of all Delaware teachers; and

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

WHEREAS, Clealyn B. Wilson of East Dover Elementary, Capital School District, has been named as Delaware Teacher of the Year for 1993; and

WHEREAS, other school districts declared local Teachers of the Year, namely: Karen McLaughlin, Appoquinimink; Barbara Houston, Brandywine; Joanna Simnis, Caesar Rodney; Laurie Chetelat, Cape Henlopen; Jane McFann, Christiana; Tracy Bunnell, Colonial; Denise Speicher, Delmar; Robert Kichline, Indian River; Charles Shinsky, Polytech; Linda Gregory, Lake Forest; Carmen Carosone, Laurel; Dawn Willis, Milford; Susan White, New Castle County Vo-Tech; Jacqueline Faulcon, Red Clay; John Darden, Seaford; Russell Stinson, Smyrna; Scott Steedman, Sussex County Vo-Tech; Jodi Tieman-Jones, Woodbridge.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 137th General Assembly of the State of Delaware, the Senate concurring therein, that commendations and appreciations are hereby extended to Mrs. Wilson on being selected as Delaware Teacher of the Year for 1993.

BE IT FURTHER RESOLVED that upon passage of this Resolution a suitably prepared copy be forwarded to Mrs. Wilson at East Dover Elementary School.

HCR 39 was adopted by voice vote and sent to the Senate for concurrence.

Representative Sorenson requested and was granted the privilege of the floor for Clealyn B. Wilson.

Representatives Bennett, George, Wagner & Fallon made comments.

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

LABOR & HUM RES MAN: HB 256 - 3M; SB 18 - 3M.

The House observed a moment of silence in memory of former First Lady Patricia Nixon.

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

The House reconvened at 4:31 p.m. with Representative Quillen as Acting Speaker.

Representative Buckworth requested that he be marked present.

Representative Plant was granted personal privilege of the floor for the introduction of guests.

Representative Holloway requested that he be marked present.

Representative Spence introduced HB 310, jointly sponsored by Senator Sharp.

HB 310 - An Act to Amend Chapter 23, Title 30, Delaware Code Relating to Occupational License Fees and Taxes and to Amend Chapter 29, Title 30 Relating to Retail and Merchants' License Requirements and Taxes.

Mr. Acting Speaker assigned HB 310 to the House Administration Committee.

Representative Petrilli deferred to Representative Holloway.

Representative Holloway introduced and brought HR 46, jointly sponsored by Representatives Amick, Banning, Bennett, Bradley, Brady, Buckworth, Bunting, Carey, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Schroeder, Smith, Sorenson, Spence, Taylor, VanSant, Wagner, West & Wojewodzki, before the House for consideration.

HR 46 - Extending Best Wishes and a Speedy Recovery to Correctional Officer Alfred Cipolla, Who Was Seriously Injured by an Inmate Serving an Indefinite Sentence at the Plummer House Work-Release Center on Todds Lane.

Representative Holloway made comments.

HR 46 was adopted by voice vote.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought SB 46 w/SA 1, sponsored by Senator Vaughn & Representatives Spence & Plant, before the House for consideration.

SB 46 - An Act to Amend Chapters 15, 37 and 39 of Title 12, Delaware Code, by Repealing Chapter 37 in Its Entirety and by Enacting Certain Laws Relating to the Appointment of Guardians for Disabled Persons.

Representative Maroney made comments.

Representative Maroney brought HA 1 to SB 46 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Maroney & Davis made comments.

Representative Maroney requested and was granted the privilege of the floor for Patricia High, representing Delaware State Bar Association.

Representatives Davis, Plant & Fallon made comments.

The roll call on SB 46 w/SA 1 & HA 1 was taken and revealed:

YES: 38.

NOT VOTING: Representatives Caulk, Davis, Holloway - 3.

Therefore, having received a constitutional majority, SB 46 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

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

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HS 1 for HB 45, jointly sponsored by Senator Holloway, before the House for consideration.

HB 45 - An Act to Amend Chapter 9, Title 16, of the Delaware Code Relating to the Abuse of Children, and to Amend Subchapter I, Chapter 9, Title 10, of the Delaware Code Relating to the Family Court of the State of Delaware.

Mr. Speaker Spence resumed the Chair.

Representatives Maroney, Oberle & Davis made comments.

Representative Maroney requested and was granted the privilege of the floor for Matthew Lynch, Chairperson, Delaware Action for Families and Children, Inc.

Representatives Davis & Maroney made comments.

Representative Davis brought HA 1 to HS 1 for HB 45, jointly sponsored by Representative Oberle, before the House for consideration.

Representatives Davis & Oberle made comments.

Representative Maroney requested and was granted the privilege of the floor for Matthew Lynch, Chairperson, Delaware Action for Families and Children, Inc.

Representatives Maroney, Caulk, Plant, Oberle, Holloway, Caulk, Davis, Holloway, Oberle, Wagner, Davis & Taylor made comments.

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

HA 1 was adopted by voice vote.

Representative Maroney rose on a point of order. Mr. Speaker did not concur.

Representatives Maroney made comments.

Representative Maroney moved to place HS 1 for HB 45 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli brought Consent Agenda B before the House for consideration.

HS 1/HB 51 - ROY, TAYLOR, DAVIS, OBERLE; SENATOR MARSHALL; REPRESENTATIVES DIPINTO, EWING; SENATORS MARTIN, SOKOLA - An Act to Amend Chapter 51, Title 30 of the Delaware Code Relating to Motor Fuel and Special Fuel Tax Law. (F/N)

HB 230 - CAREY, EWING; SENATOR ADAMS; REPRESENTATIVE LEE; SENATOR VENABLES - An Act to Amend Title 9, Chapter 69, of the Delaware code Relating to the Power of the Board of Adjustments of Sussex County, to Hear Variances.

SB 104 - SHARP; REPRESENTATIVE SPENCE - An Act to Amend Chapter 5, Title 8, of the Delaware Code Relating to Corporation Franchise Tax.

SB 105 - SHARP; REPRESENTATIVE SPENCE - An Act to Amend Chapter 5, Title 8, of the Delaware Code Relating to Corporation Franchise Tax.

SB 93 w/SA 1 & 2 - VAUGHN; REPRESENTATIVES B. ENNIS, BANNING - An Act to Amend Chapter 5, Title 7, Delaware Code, Relating to Mandatory Trapper Education Training Before Issuance of a License.

SJR 1 - COOK, ADAMS, BLEVINS, CORDREY, HOLLOWAY, MARSHALL, MCBRIDE, NEAL, SOKOLA, TORBERT, VENABLES; REPRESENTATIVES SPENCE, GEORGE, BUCKWORTH, QUILLEN, BENNETT, CAULK, CLARK; SENATORS BAIR, CONNOR, HAUGE, KNOX, MARTIN, MCDOWELL, SHARP, STILL, VAUGHN, VOSHELL; REPRESENTATIVES PETRILLI, GILLIGAN, DAVIS, ROY, DIPINTO, D. ENNIS, WEST - Commending Donald F. McArdle, State Pension Administrator, for a Job Well Done and Extending Best Wishes to Him for a Long and Happy Retirement.

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

YES: 41.

Therefore, having received a constitutional majority, HS 1 for HB 51 & HB 230 were sent to the Senate for concurrence and SB 104, SB 105, SB 93 w/SA 1 & 2 & SJR 1 were returned to the Senate.

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

SB 22 w/SA 1 - ADAMS, VOSHELL, CORDREY; REPRESENTATIVE EWING; SENATOR SHARP; REPRESENTATIVE PETRILLI - An Act to Amend Chapter 15 of Title 13 of the Delaware Code Relating to the Disposition of Marital Property.

SB 167 - HOLLOWAY; REPRESENTATIVE MARONEY - An Act to Amend Chapter 5, Title 31, Delaware Code, Relating to the State Public Assistance Code.

HB 265 - PETRILLI; SENATOR VAUGHN - An Act to Amend Title 15, Chapter 20, Section 2011, 2041, 2049 to Provide for a Uniformed Closure Period for Registration Prior to General Election.

HB 275 - GEORGE; SENATOR MCDOWELL - An Act to Waive the Statutory Provisions of Section 106(A), Title 13, of the Delaware Code Relating to the Marriage of Jacqueline Loughman and Norman Powell.

HB 93 - AMICK - An Act to Amend Chapter 33, Title 23, Delaware Code, Relating to the Board of Veterinarians.

HB 278 - MARONEY; SENATOR HOLLOWAY - An Act to Amend Chapter 17, Title 24, Section 1768 of the Delaware Code Relating to Disclosure of Record of the Board of Medical Practice.

HB 292 - B. ENNIS; SENATOR VAUGHN; REPRESENTATIVES OBERLE, HOUGHTON, BRADY, WEST, DAVIS, BANNING, VANSANT; SENATOR TORBERT - An Act to Amend Title 16, Delaware Code Relating to Notification of Fire Fighters, Ambulance Attendants, Emergency Medical Technicians, Correctional Officers, Law Enforcement Officers and Other Personnel of Exposure to Contagious or Infectious Disease or Virus.

HB 253 - SMITH & SENATOR VAUGHN - An Act to Amend Chapter 12 of Title 38 of the Delaware Code Relating to Business Trusts.

HB 254 - CAREY & SENATOR VAUGHN - An Act to Amend Chapter 23, Title 7 of the Delaware Code Relating to the Commercial Crab Pot License.

HB 255 - CAREY, BUNTING; SENATOR VENABLES - An Act to Amend Chapter 70, Title 9 of the Delaware Code Relating to Sussex County Procedure.

HB 218 - SMITH & PETRILLI - An Act to Amend Chapter 9, Title 29, Delaware Code, Relating to the Legislative Process and Political Subdivisions of the State and School Districts.

HB 280 - DIPINTO, SPENCE, AMICK, BUCKWORTH, D. ENNIS, EWING, LEE, LOFINK, MARONEY, SMITH, TAYLOR, WAGNER, BANNING, BUNTING, CLARK, HOUGHTON, JONKIERT, PLANT, VANSANT, WEST; SENATORS BAIR, CONNOR, HAUGE, KNOX, NEAL, STILL, HOLLOWAY - An Act to Amend Chapter 40, Title 31 of the Delaware Code Relating to the Department of Housing.

Representative Petrilli requested that HB 255 be removed from Consent Agenda C.

Representative Davis requested that HB 218 be removed from Consent Agenda C.

Representative DiPinto requested that HB 280 be removed from Consent Agenda C.

Representative Petrilli requested that HB 253 be removed from Consent Agenda C.

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

YES: 41.

Therefore, having received a constitutional majority, HB 265, HB 275, HB 93, HB 278 & HB 292 were sent to the Senate for concurrence and SB 22 w/SA 1 & SB 167 were returned to the Senate.

Mr. Speaker Spence declared a recess at 6:04 p.m. for the purpose of changing the recording tape.

The House reconvened at 6:07 p.m.

Representative Amick was granted the privilege of the floor for an announcement and the presentation of a tribute.

Mr. Speaker Spence granted the privilege of the floor to Michelle Carroll.

Representative Petrilli requested and was granted the privilege of the floor for Sam Brunelli, Executive Director, American Legislative Exchange Council.

Representative Jonkiert introduced HB 311, jointly sponsored by Senator Marshall & Representatives Banning, Bradley, Brady, Bunting, Clark, DiLiberto, D. Ennis, Plant, Schroeder, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Reynolds & Spence.

HB 311 - An Act to Amend Chapter 11, Title 28 of the Delaware Code Relating to Bingo Prizes.

Mr. Speaker assigned HB 311 to the Housing & Community Affairs Committee.

Representative Jonkiert introduced HB 312, jointly sponsored by Senator Marshall & Representatives Banning, Bennett, Bradley, Bunting, DiLiberto, B. Ennis, George, Gilligan, Schroeder, VanSant, West, Wojewodzki, Carey, Caulk, Ewing, Fallon & Roy & Senators Adams & Cordrey & cosponsored by Representative Lee.

HB 312 - An Act to Amend Chapter 13, Title 10, Delaware Code Relating to Judges of the Court of Common Pleas.

Mr. Speaker assigned HB 312 to the Judiciary Committee.

Representative B. Ennis introduced HB 313, jointly sponsored by Representative D. Ennis & Senator Blevins & Representatives Banning & VanSant & Senator Torbert.

HB 313 - An Act to Amend Chapter 82, Title 29 of the Delaware Code Relating to the Commission on Hazardous Materials.

Mr. Speaker assigned HB 313 to the Hazardous Waste Management Committee.

Representative Davis introduced HB 300, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, VanSant & West & Senators Cook, Holloway, McBride, Neal, Still & Vaughn.

Representative Davis made comments.

HB 300 - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1994; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.

Mr. Speaker assigned HB 300 to the Appropriations Committee.

Representative George was granted personal privilege of the floor for comments.

Representatives Bennett, DiPinto & Spence made comments.

Representative Smith requested that HB 253 be stricken.

Representative Mack brought HB 235, jointly sponsored by Representatives D. Ennis & Smith & Senator Vaughn, before the House for consideration.

HB 235 - An Act to Amend Titles 7 and 30 of the Delaware Code Relating to Fees and Taxes Imposed to Fund the Cleanup of Hazardous Substances. (3/5 bill)

Representative Wojewodzki announced that she will not be voting on HB 235 because of a possible conflict of interest.

Representative Mack brought HA 1 to HB 235 before the House for consideration.

Representatives Mack & George made comments.

HA 1 to HB 235 was adopted by voice vote.

Representatives Mack, B. Ennis, George & VanSant made comments.

The roll call on HB 235 w/HA 1 was taken and revealed:

YES: 26.

NO: Representatives Banning, Bennett, B. Ennis, Gilligan, Taylor, VanSant, Wagner, West - 8.

NOT VOTING: Representatives Fallon, George, Holloway, Jonkiert, Wojewodzki - 5.

ABSENT: Representatives Maroney, Reynolds - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 235 w/HA 1 was sent to the Senate for concurrence.

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

HOUSING & COM AFF: HB 309 - 2F,3M,2U; HCR 38 - 6F.

APPRO: SB 71 - 5F,1M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 115 w/SA 2,5 & 7, HCR 39, SB 202, SB 203, SB 204, SB 206, SB 200 w/SA 1, SB 194 w/SA 1 & 2, HS 1 for HB 72, SB 174 & SB 180.

The Majority Leader moved to recess to the call of the Chair at 6:48 p.m.

43rd LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session

June 23, 1993

Mr. Acting Speaker Quillen called the House to order at 2:58 p.m.

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

ED: HB 73 - 4M,1U; HB 187 - 4M; HB 308 - 5M; SB 138 w/SA 1 - 5M; SB 173 w/SA 1 - 4M.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, G. Robert Quillen, do hereby request that my name be removed as Co-Sponsor of HB 283.

Date: June 23, 1993.

Signed: G. Robert Quillen.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, G. Robert Quillen, do hereby request that my name be removed as Co-Sponsor of HB 284.

Date: June 23, 1993.

Signed: G. Robert Quillen.

The Majority Leader moved to adjourn at 3:00 p.m., thereby ending the current legislative day.

The House reconvened at 3:01 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Reverend K. Wayne Grier, Pastor, Asbury United Methodist Church, Smyrna.

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

Representatives B. Ennis & Buckworth made comments.

Representative Wagner was granted the privilege of the floor for the introduction of guests.

Representative Ewing was granted the privilege of the floor for the introduction of guests.

Representative Plant was granted personal privilege of the floor for comments.

Representative Wojewodzki requested that she be marked present.

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

Fifth Annual Father's Day Award presented to Representative Al O. Plant in recognition of your outstanding achievement as a citizen and father, we, the Brandywine Trinity United Methodist Church, award you this plaque June 19, 1993.

Representatives Davis, Spence, Roy, Oberle & Sorenson requested that they be marked present.

Representative Sorenson made a comment.

Representative Taylor requested that he be marked present.

Representative Fallon made comments.

Representative West requested that he be marked present.

Representative Wojewodzki was granted the privilege of the floor for the introduction of guests.

Representative B. Ennis requested that HB 276 be stricken.

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

The following prefiled legislation was introduced:

HB 314 - SMITH & SENATOR VAUGHN - R & F: An Act to Amend Chapter 38 of Title 12 of the Delaware Code Relating to Business Trusts.

HB 315 - CAREY - ENV & NAT RES: An Act to Amend Chapter 19, Part II, Title 7, Delaware Code and Add a New Chapter 28 to Part II, Title 7, Delaware Code Relating to Fishing, Potting, or Dredging for Conchs. (2/3 bill)

HB 316 - MARONEY & SENATOR SOKOLA - HUM NEEDS & DEV: An Act to Amend Subchapter V, Chapter 85, Title 11 of the Delaware Code Relating to Criminal Background Checks for Child Care Providers.

HB 317 - JONKIERT; SENATOR MARSHALL - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Civil Liability for Certain Criminal Offenders.

HB 318 - BRADY & SCHROEDER, BANNING, BENNETT, BRADLEY, BUNTING, CLARK, B. ENNIS, HOUGHTON, JONKIERT, VANSANT, WEST, AMICK, CAREY, CAULK, DAVIS, D. ENNIS, EWING, LEE, LOFINK, MACK, OBERLE, QUILLEN, REYNOLDS, ROY, SORENSON, SMITH, SPENCE, WAGNER; SENATORS HOLLOWAY, SOKOLA, VAUGHN, VOSHELL, KNOX, NEAL, STILL - JUD: An Act to Amend Chapter 47, Title 29 of the Delaware Code Relating to DNA Analysis and Data Bank, and to Amend Chapter 35, Title 11 of the Delaware Code to Provide DNA Profile Admissibility. (2/3 bill)

HA 4 to HS 1 for HB 7 - OBERLE - L.O.T.: Placed with the bill.

HA 2 to HB 165 - BRADY - JUD: Placed with the bill.

HA 2 to HB 245 - OBERLE - AGENDA IV: Placed with the bill.

HA 3 to HB 245 - DAVIS - AGENDA IV: Placed with the bill.

HA 2 to HB 257 - SCHROEDER & BANNING - AGENDA III: Placed with the bill.

SB 115 w/SA 2,5 & 7 - ADAMS; REPRESENTATIVES AMICK & PETRILLI; SENATOR CORDREY; REPRESENTATIVES DIPINTO, B. ENNIS, EWING, GEORGE, ROY, SPENCE - H/ADM: An Act Supplementing the Provisions of Title 26 of the Delaware Code Annotated Relating to the Regulation of Public Utilities Providing Telecommunications Services.

SB 174 - MARSHALL, CONNOR, HOLLOWAY, MCDOWELL, MARTIN & SHARP; REPRESENTATIVES JONKIERT & OBERLE - LABOR & HUM RES MAN: An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

SB 180 - SOKOLA - HOUSING & COM AFF: An Act to Amend Section 1451, Title 9 of the Delaware Code to Increase the Number of New Castle County Personnel Board Members.

SB 194 w/SA 1 & 2 - TORBERT & REPRESENTATIVE DAVIS; SENATORS SOKOLA, HAUGE, COOK; REPRESENTATIVES PETRILLI, GEORGE - H/ADM: An Act to Amend Title 29 of the Delaware Code Relating to State Vehicles.

SB 200 w/SA 1 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend Title 24 of the Delaware Code by Establishing a New Chapter Relating to Registered Professional Foresters.

SB 202 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend §5129, Chapter 51, Title 6 of the Delaware Code Relating to the Standard Weights and Measures Laws of the State of Delaware.

SB 203 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend Chapter 12, Title 3 of the Delaware Code Relating to the Regulation of Pesticide Use and Application.

SB 204 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend §5135, Chapter 51, Title 6 of the Delaware Code Relating to Offenses and Penalties for Violations of the Standard Weights and Measures Laws of the State of Delaware.

SB 206 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend §3508, Chapter 35, Title 3 of the Delaware Code Relating to Egg Sanitation.

HA 1 to SB 6 - DAVIS - AGENDA II: Placed with the bill.

HA 1 to SB 32 - EWING - P/S: Placed with the bill.

Representative Bradley was granted the privilege of the floor for introduction of guests.

Representative George requested that he be marked present.

Mr. Speaker Spence resumed the Chair.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: June 23, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-368	Gilligan cosponsor: George	6/15/93	M	Helen Byrd Achtenberg Gourley
H137-369	Gilligan cosponsor: DiPinto	6/15/93	M	Reverend Vincent F. Freiberg O. Praem
H137-370	Wojewodzki	5/20/93	T	Bettie von Frankenberg/1993 Woman of the Year
H137-371	Carey	9/25/93	T	Walter D. and Theda L. Biggs/ 50th Wedding Anniversary
H137-372	Wagner	7/31/93	T	Susan Marie Conner & Patrick Walsh Zolper/Marriage
H137-373	Wagner	8/07/93	T	Amy Louise Parks & Brian W. Lantz/Marriage
H137-374	Houghton	6/15/93	T	Evan Clawson/Eagle Scout
H137-375	Wagner	7/03/93	T	Christy L. Oehlstrom & Bernard P. Floriani/Marriage
H137-376	Amick cosponsors: Ewing, Lee	6/22/93	T	Michelle Carroll/Outstanding Work as Committee Assistant
H137-377	Wagner	6/22/93	T	Amy Cuthrell/Presidential Scholar
H137-378	Carey	6/11/93	M	Fred Cephas/Community Leader
H137-379	Caulk	6/11/93	M	Stanley Hicks/Community Leader
H137-380	Wagner	6/20/93	M	George Massey
H137-381	Fallon	6/12/93	T	Madeline Stoops/93rd Birthday
H137-382	Roy	6/11/93	T	Christopher Martin/World Championship/Taekwondo
H137-383	VanSant	6/16/93	T	Elizabeth & John Snyder/50th Wedding Anniversary
H137-384	Banning	6/22/93	T	Heather Lynnette Massey/ Medals/DE Spec. Olympics
H137-385	Banning	6/22/93	T	Mathew J. Marco/Gold Medal/ De. Spec. Olympics
H137-386	DiLiberto	6/22/93	T	Maclary Elementary School/25th Anniversary

T - Tribute

M - Memoriam

Mr. Speaker reassigned HB 288 to the Public Safety Committee.

The Majority Leader moved to recess for caucus at 3:16 p.m.

The House reconvened at 4:41 p.m.

Representative Ewing brought HB 239, jointly sponsored by Representatives Spence, Petrilli & Quillen & Senator Adams, before the House for consideration.

HB 239 - An Act to Redesignate Existing Chapter 74A of Title 16 of the Delaware Code as Chapter 100 of Title 16 of the Delaware Code, and to Add a New Chapter 101 to Chapter 16 of the Delaware Code to Provide for the Establishment and Operation of a Trust Fund to be Used to Reimburse Governmental Costs Associated With 911-Enhanced Emergency Reporting Systems.

Representatives Ewing & Davis made comments.

Representative Davis requested a ruling from the Speaker.

Mr. Speaker Spence ruled that the Title of HB 239 is incorrect.

Representative Ewing moved to place HB 239 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative West brought HB 203, jointly sponsored by Representatives B. Ennis, Banning, VanSant & Lee, before the House for consideration.

HB 203 - An Act to Amend Chapter 272, 66 Laws of Delaware, Relating to the Beverage Container Act.

Representative West brought HA 1 to HB 203 before the House for consideration.

Representative West made comments.

HA 1 to HB 203 was adopted by voice vote.

The roll call on HB 203 w/HA 1 was taken and revealed:

YES: 27.

NO: Representatives Amick, Bradley, Bunting, DiLiberto, D. Ennis, Maroney, Schroeder, Smith, Sorenson, Wojewodzki - 10.

NOT VOTING: Representatives Buckworth, Mack - 2.

ABSENT: Representatives B. Ennis, Ewing - 2.

Therefore, having received a constitutional majority, HB 203 w/HA 1 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Bennett.

Representative Bennett brought HB 241, jointly sponsored by Representatives Houghton, Jonkier, DiPinto, D. Ennis, Smith & Wagner & Senator Cordrey, before the House for consideration.

HB 241 - An Act to Amend Title 19 of the Delaware Code Relating to Workmen's Compensation Loss Costs Rating.

Representative Bennett brought HA 1 to HB 241 before the House for consideration.

Representative Bennett made comments.

HA 1 to HB 241 was adopted by voice vote.

Representative Bennett brought HA 2 to HB 241 before the House for consideration.

Representatives Bennett, Oberle & Davis made comments.

Representative Bennett moved to place HA 2 to HB 241 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Bennett moved to place HB 241 w/HA 1 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought HB 153, jointly sponsored by Senator Holloway & Representatives Carey, Davis, Ewing, Lofink, Mack, Petrilli, Quillen, Reynolds, Banning, Brady, Bradley, Bunting, Plant, Houghton, VanSant & West & Senators Hauge, Still, Blevins, Marshall, Sharp, McBride & Torbert, before the House for consideration.

HB 153 - An Act to Amend Chapter 21, Title 24, Delaware Code, Relating to the Definition of the Practice of Optometry, the Use of Drugs or Surgery in the Practice of Optometry, and the Licensing and Certification Thereof.

Representative D. Ennis introduced and brought HA 1 to HB 153 before the House for consideration.

Representative D. Ennis made comments.

HA 1 to HB 153 was adopted by voice vote.

Representatives D. Ennis, Petrilli & Oberle made comments.

Representative Oberle introduced and brought HA 2 to HB 153, jointly sponsored by Representative Bennett, before the House for consideration.

Representative Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Dorothy M. Moore, M.D., Pediatric Ophthalmologist.

Representatives Oberle, D. Ennis, Wagner, Lee, Smith & DiLiberto made comments.

Representative D. Ennis requested and was granted the privilege of the floor for Dr. Carol Maschauer, Optometrist.

Representatives Oberle & D. Ennis made comments.

The roll call on HA 2 to HB 153 was taken and revealed:

YES: Representatives Amick, Bennett, Buckworth, Clark, George, Gilligan, Jonkier, Lofink, Oberle, Roy, Schroeder, Sorenson, Taylor, Wagner, Wojewodzki, Mr. Speaker Spence - 16.

NO: 23.

NOT VOTING: Representative Plant - 1.

ABSENT: Representative Maroney - 1.

Therefore, not having received a constitutional majority, HA 2 was declared defeated.

Representatives Maroney & D. Ennis made comments.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HA 3 to HB 153. The motion was properly seconded.

The roll call on the motion was taken and revealed:

YES: 26.

NO: Representatives Bradley, Brady, Bunting, Carey, Davis, DiLiberto, D. Ennis, Ewing, Fallon, Holloway, Houghton, Lee, Quillen, VanSant, West - 15.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Oberle introduced & brought HA 3 to HB 153, jointly sponsored by Representative Bennett, before the House for consideration.

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

The roll call on HA 3 to HB 153 was taken and revealed:

YES: 21.

NO: Representatives Bradley, Brady, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Holloway, Houghton, Lee, Lofink, Mack, Petrilli, Quillen, Reynolds, Smith, VanSant, West - 20.

Therefore, having received a constitutional majority HA 3 to HB 153 was adopted.

The roll call on HB 153 w/HA 1 & 3 was taken and revealed:

YES: 25.

NO: Representatives Amick, Banning, Bennett, Buckworth, Clark, George, Gilligan, Jonkiert, Maroney, Oberle, Roy, Schroeder, Sorenson, Taylor, Wojewodzki, Mr. Speaker Spence - 16.

Therefore, having received a constitutional majority, HB 153 w/HA 1 & 3 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Bennett.

Representative Bennett moved to lift HB 241 w/HA 1 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Bennett brought HB 241, jointly sponsored by Representatives Houghton, Jonkiert, DiPinto, D. Ennis, Smith & Wagner & Senator Cordrey, before the House for consideration.

HB 241 - An Act to Amend Title 19 of the Delaware Code Relating to Workmen's Compensation Loss Costs Rating.

Representative Bennett introduced and brought HA 3 to HB 241 before the House for consideration.

Representative Bennett made comments.

HA 3 to HB 241 was adopted by voice vote.

Representative Oberle introduced and brought HA 4 to HB 241 before the House for consideration.

Representatives Oberle & Bennett made comments.

HA 4 to HB 241 was adopted by voice vote.

Representative Bennett made comments.

The roll call on HB 241 w/HA 1, 3 & 4 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 241 w/HA 1, 3 & 4 was sent to the Senate for concurrence.

Representative Petrilli brought SB 54, sponsored by Senators Cordrey, Adams, Venables & Voshell & Representatives Carey & West, before the House for consideration.

SB 54 - An Act to Authorize and Approve the Transfer of Certain Real Property in Georgetown Hundred, Sussex County, to Mr. & Mrs. Alfred Chavez. (3/4 bill)

Representative Petrilli made comments.

The roll call on SB 54 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 54 was returned to the Senate.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought HB 212, jointly sponsored by Representatives Reynolds, DiPinto, Wagner, Smith, Jonkiert, Houghton & Bennett, before the House for consideration.

HB 212 - An Act to Amend Title 21, Delaware Code to Permit Issuance of Insurance I.D. Cards for One Year if the Insurance Has Been Paid in Advance for One Year.

Representative D. Ennis made comments.

Representative Ewing brought HA 1 to HB 212 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 212 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 212 w/HA 1 was sent to the Senate for concurrence.

Representative Maroney brought SB 133, jointly sponsored by Senator Holloway, before the House for consideration.

SB 133 - An Act to Amend Chapter 5, Title 13, Delaware Code Relating to Child Support Enforcement.

Representatives Maroney, Amick, Holloway & Wagner made comments.

Representative Maroney requested and was granted the privilege of the floor for Barbara Paulin, Director, Division of Child Support Enforcement.

Representatives Wagner, Plant, Amick, DiPinto, Bennett & Plant made comments.

The roll call on SB 133 was taken and revealed:

YES: 28.

NO: Representatives Amick, Brady, Caulk, DiPinto, Lee, Petrilli - 6.

NOT VOTING: Representatives D. Ennis, Fallon, Holloway, Oberle, Plant - 5.

ABSENT: Representatives Ewing, VanSant - 2.

Therefore, having received a constitutional majority, SB 133 was returned to the Senate.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 54, jointly sponsored by Representatives Oberle, D. Ennis, DiPinto, Jonkiert & VanSant & Senator Holloway, before the House for consideration.

HB 54 - An Act to Amend Title 18, Delaware Code Relating to Insurance and Creating the HIV Testing for Insurance Act.

Representative Davis brought HA 1 to HB 54 before the House for consideration.

Representative Davis & Oberle made comments.

HA 1 to HB 54 was adopted by voice vote.

The roll call on HB 54 w/HA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Sorenson - 1.

ABSENT: Representative Maroney - 1.

Therefore, having received a constitutional majority, HB 54 w/HA 1 was sent to the Senate for concurrence.

Representative Smith was granted personal privilege of the floor for introduction of guests.

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

Representative Petrilli introduced and brought SJR 18, sponsored by Senators Neal, Martin & Vaughn & Representatives Oberle, Lofink & Wojewodzki & Senators Connor & Knox & Representatives Amick & Davis, before the House for consideration.

SJR 18 - Commending Christina School District/Glasgow High School for Hosting the 1993 National Association of Student Councils (NASC) Conference in Newark, and Welcoming the 2,000 Students and Faculty Advisors From 50 States, Guam, Puerto Rico, Canada and Mexico Who Will Visit Delaware During June 26-30, 1993.

Representative Petrilli requested that SJR 18 be added to Consent Agenda D.

Representative Petrilli brought Consent Agenda D before the House for consideration.

HB 251 - DAVIS; SENATOR VAUGHN - An Act to Amend Chapter 48A, Title 16, Delaware Code Relating to the Substance Abuse Rehabilitation, Treatment, Education and Prevention Fund.

SB 158 - CORDREY, ADAMS; REPRESENTATIVE D. ENNIS - An Act to Amend Chapter 23 of Title 5, Delaware Code, Relating to Regulating the Sale of Checks, Drafts and Money Orders.

SCR 2 - HOLLOWAY - Authorizing the President Pro Tempore of the Senate and the Speaker of the House of Representatives to Appoint a Two-Member Committee to Keep the 20-Year Honor Roll Plaque Up to Date.

SCR 36 - BAIR, HOLLOWAY; REPRESENTATIVES MARONEY, SCHROEDER; SENATOR CONNOR; REPRESENTATIVE DIPINTO - Requesting the Department of Health and Social Services to Continue Developing Delaware's Electronic Benefits Transfer System as a Means of Distributing Benefits to Clients and Report Its Progress to the Delaware General Assembly.

SJR 17 - SHARP, HOLLOWAY, CORDREY, VENABLES; REPRESENTATIVE SPENCE - Urging Governor Thomas R. Carper to Appoint a Task Force to Study the High Rates of Cancer in Delaware.

SJR 12 - VOSHALL; REPRESENTATIVES CAREY, SORENSON; SENATOR SOKOLA - Establishing an Assessment Practice Review Committee to Further Develop a Recommendation of the Local Subcommittee of the Education Finance Reform Committee as Set Forth in the Report Provided by This Group.

HB 291 - EWING; SENATOR VAUGHN - An Act to Amend Title 6 Relating to Contracts.

SB 119 w/SA 1 & 2 - BLEVINS, VOSHALL; REPRESENTATIVE EWING - An Act to Amend Chapter 27, Title 21 Delaware Code Relating to Requirements and Qualifications for Licensing School Bus Drivers.

SB 128 - VOSHALL, BLEVINS; REPRESENTATIVE EWING - An Act to Amend Chapter 45, Title 21 of the Delaware Code Relating to Size and Weight of Vehicles and Loads.

SJR 18 - NEAL, MARTIN, VAUGHN; REPRESENTATIVES OBERLE, LOFINK, WOJEWODZKI; SENATORS CONNOR, KNOX; REPRESENTATIVES AMICK, DAVIS -

Commending Christina School District/Glasgow High School for Hosting the 1993 National Association of Student Councils (NASC) Conference in Newark, and Welcoming the 2,000 Students and Faculty Advisors From 50 States, Guam, Puerto Rico, Canada and Mexico Who Will Visit Delaware During June 26-30, 1993.

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

YES: 41.

Therefore, having received a constitutional majority, HB 251 & HB 291 were sent to the Senate for concurrence and SB 158, SCR 2, SCR 36, SJR 17, SJR 12, SB 119 w/SA 1 & 2, SB 128 & SJR 18 were returned to the Senate.

Representative Petrilli brought Consent Agenda E, which requires a three-fifths vote, before the House for consideration.

SB 165 - SHARP; REPRESENTATIVE SPENCE - An Act to Amend Title 8 of the Delaware Code Relating to General Corporation Law. (3/5 bill)

HB 236 - MARONEY - An Act to Amend Chapter 1, Title 13, Delaware Code to Provide for the Establishment of a Marriage License Surcharge for the Delaware Children's Trust Fund. (3/5 bill)

HB 286 - MARONEY; SENATOR HOLLOWAY; REPRESENTATIVES DAVIS, LOFINK, SORENSON, BANNING, WEST, CAREY, DIPINTO, SMITH, WAGNER, PLANT - An Act to Amend Chapter 4, Title 31, of the Delaware Code to Expand the Composition of the Delaware Children's Trust Fund Board of Directors and to Eliminate Matching Requirements. (3/5 bill)

SB 127 - VOSHELL, BLEVINS; REPRESENTATIVE EWING - An Act to Amend Chapter 25 of Title 21 of the Delaware Code Relating to Application for Certificate of Title and Late Fee. (3/5 bill)

Representative Davis requested that HB 236 be removed from Consent Agenda E.

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

YES: 41.

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

HB 286 was sent to the Senate for concurrence and SB 165 & SB 127 were returned to the Senate.

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

SB 146 - SHARP; REPRESENTATIVE SMITH - An Act to Amend Chapter 1, Title 8 of the Delaware Code, Relating to the General Corporation Law. (2/3 bill)

HB 294 - SCHROEDER; SENATOR VOSHELL - 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 the Procedure for Annexation When All Property Owners Are in Favor and to Provide a Procedure for Annexation When Only the Exempt Land is Involved, to Eliminate the Weighted Vote in Annexation and Bond Elections, to Eliminate Property Ownership as a Qualification to Hold Office, to Require That No Person May File as a Candidate Prior to February 1, to Designate the Members of City Council as Council Persons, and to Authorize the City Council to Sit and Act Upon the Recommendation of the City Manager Concerning the Qualifications of Candidates, to Permit a Person Who Holds Elective Office to Seek Another Elective Office in the City Without Vacating His Present Office, to Change the Name of the Vice-President of the City Council to Deputy Mayor, to Provide Regulations for Conducting the Annual Municipal Election, to Authorize the Assessment of Taxes Without Limitation to Pay Bonded Indebtedness, to Reduce the Age for Being Assessed, to Provide That Appeals From the Tax Assessment Shall be in Writing and Requiring the City Council to Fix a Time and Date to Hear Those Appeals, to Extend the Time for the Payment of Property Taxes, to Add All Utility Charges as Creating a Lien on Real Estate, to Permit Borrowing Against Anticipated Revenues to Ten Percent of Assessed Valuation of Real Estate, to Confirm the Procedure for Public Streets, to Authorize the City Council to Provide for a Board of Adjustment and to Revise the Duties and Responsibilities of the Director of Public Safety. (2/3 bill)

SB 120 - BLEVINS, VOSHELL; REPRESENTATIVE EWING - An Act to Amend Chapter 42 Title 21 of the Delaware Code Relating to Reports of Accidents; Penalties; Interpretation of Laws.

Representative Petrilli requested that SB 120 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 of at least two-thirds Members of the House, HB 294 was sent to the Senate for concurrence and SB 146 was returned to the Senate.

Representative Petrilli deferred to Representative Maroney.

Representative Petrilli brought Consent Agenda G before the House for consideration.

SB 129 - VOSHELL, BLEVINS; REPRESENTATIVE EWING - An Act to Amend Chapter 23, Title 21, of the Delaware Code Relating to Age Requirement for Application for Certificate of Title.

SB 131 - VOSHELL, BLEVINS; REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Certificate of Title Issuance.

SB 138 w/SA 1 - HOLLOWAY; REPRESENTATIVE BENNETT; SENATORS STILL, TORBERT; REPRESENTATIVES QUILLEN, SORENSON; SENATOR ADAMS, ALL SENATORS; REPRESENTATIVES CLARK, WAGNER, FALLON, MARONEY, PLANT, WOJEWODZKI, CAREY, BUCKWORTH, CAULK - An Act to Amend Chapter 65 Title 14, Delaware Code, Relating to Changing the Name of Delaware State College to Delaware State University.

HB 82 - SPENCE, MACK; SENATOR SHARP - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to Education.

HB 75 - BENNETT, B. ENNIS - An Act to Amend Chapter 8, Title 29, Delaware Code Relating to the Composition of and Reapportionment of the General Assembly.

HB 228 - MARONEY - An Act to Amend Title 31 of the Delaware Code Relating to the Bringing or Sending of Nonresident Children Into the State of Delaware.

Representative Sorenson requested that SB 138 w/SA 1 be removed from Consent Agenda G.

Representative Caulk requested that HB 228 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 82 & HB 75 were sent to the Senate for concurrence and SB 129 & SB 131 were returned to the Senate.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HB 228 before the House for consideration.

HB 228 - An Act to Amend Title 31 of the Delaware Code Relating to the Bringing or Sending of Nonresident Children Into the State of Delaware.

Representatives Caulk & Maroney made comments.

The roll call on HB 228 was taken and revealed:

YES: 37.

NO: Representative Caulk - 1.

NOT VOTING: Representative Holloway - 1.

ABSENT: Representatives Reynolds, Wojewodzki - 2.

Therefore, having received a constitutional majority, HB 228 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HB 236 before the House for consideration.

HB 236 - An Act to Amend Chapter 1, Title 13, Delaware Code to Provide for the Establishment of a Marriage License Surcharge for the Delaware Children's Trust Fund. (3/5 bill)

Representatives Davis & Oberle made comments.

The roll call on HB 236 was taken and revealed:

YES: 30.

NO: Representatives Bennett, Brady, B. Ennis, Fallon, Jonkiert, Taylor, VanSant, West - 8.

NOT VOTING: Representatives Plant, Wagner - 2.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 236 was sent to the Senate for concurrence.

Representative Petrilli was granted the privilege of the floor for an announcement.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to lift HS 1 for HB 7 w/HA 1 & 2 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

HB 7 - An Act to Amend Subchapter XII, Chapter 41, Title 21, Delaware Code Relating to the Rules of the Road. (2/3 bill)

Representative Oberle brought HA 3 to HS 1 for HB 7 before the House for consideration.

Representative Oberle made comments.

HA 3 to HS 1 for HB 7 was adopted by voice vote.

Representative Oberle brought HA 4 to HS 1 for HB 7 before the House for consideration.

Representative Oberle made comments.

HA 4 to HS 1 for HB 7 was adopted by voice vote.

Representatives Oberle, Caulk, Taylor, Houghton, West & Caulk made comments.

The roll call on HS 1 for HB 7 w/HA 1,2,3 & 4 was taken and revealed:

YES: Representatives Bradley, Bunting, Davis, DiLiberto, D. Ennis, Lofink, Mack, Maroney, Oberle, Roy, Sorenson, Wojewodzki, Mr. Speaker Spence - 13.

NO: 17.

NOT VOTING: Representatives Buckworth, Clark, DiPinto, B. Ennis, Ewing, Fallon, Holloway, Plant, Schroeder, Smith - 10.

ABSENT: Representative Reynolds - 1.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 7 w/HA 1,2,3 & 4 was declared defeated.

The following prefiled Consent Calendar #14 was introduced:

HR 47 - WAGNER - Celebrating the Golden Anniversary of the National Federation of Independent Business During the Week of June 27, 1993 - the Time They Are So Honored Nationally.

HCR 38 - DIPINTO & BUNTING, SPENCE, CAULK, DAVIS, D. ENNIS, LEE, SMITH, WAGNER, CLARK, JONKIERT, SCHROEDER, VANSANT; SENATORS BAIR, VOSHELL - Creating a Study Committee to Make a Comprehensive Analysis of the Landlord Tenant Law and Propose Necessary Revisions as It Relates to Manufactured Housing.

HCR 40 - SORENSON & SENATOR SOKOLA - Honoring the 1993 Participants of Girls State and Thanking the Ladies' Auxiliary of the Delaware Chapter of the American Legion for Providing Such a Rewarding Experience for Our State's Youth.

SCR 40 - TORBERT ON BEHALF OF ALL SENATORS; REPRESENTATIVE BENNETT ON BEHALF OF ALL HOUSE MEMBERS - Mourning the Death and Commemorating the Life of Helen Byrd Achtenberg Gourley, Former Member of the House and Senate Staffs and Democratic Activist.

Consent Calendar #14 was adopted by voice vote and HCR 38 & HCR 40 were sent to the Senate for concurrence and SCR 40 was returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 221, SB 101, SB 164, HB 243, HB 263 w/SA 1, SB 217 w/SA 1 & SJR 18.

June 23, 1993

JoAnn Hedrick
Chief Clerk
Legislative Hall
Dover, Delaware 19903
Dear Mrs. Hedrick:

Please find attached a copy of Senator Voshell's memorandum requesting Senate Bill No. 4 to be returned to the Senate.

Thank you for your cooperation in reference to this matter.

Awaiting your reply,

I am,

Sincerely yours,
Bernard J. Brady
Secretary of the Senate

BJB:jcb

TO: Bernard J. Brady

Secretary of the Senate

FROM: Senator Robert J. Voshell

DATE: June 23, 1993

RE: Return of Bill

Please request the return of Senate Bill No. 4 which is currently on the House Ready List.

June 23, 1993

Bernard J. Brady
Secretary of the Senate
Delaware State Senate
Legislative Hall
Dover, DE 19903
Dear Mr. Brady:

Please find attached Senate Bill No. 4 which is being returned per Senator Voshell's request which was communicated by you.

Very truly yours,
JoAnn M. Hedrick
Chief Clerk of the House

Attachment

JMH/gmr

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

ENV & NAT RES: HB 277 - 4M.

HUM NEEDS & DEV: HB 316 - 5M; SB 147 - 4M

ED: SB 187 - 4M.

JUD: SB 61 w/SA 1 & 2 - 7M.

P/S: HB 271 - 4M.

HOUSING & COM AFF: HB 311 - 1F,4M,1U.

TRANS & INFRA: HB 252 - 5M.

The Majority Leader moved to recess to the call of the Chair at 7:15 p.m.

44th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
First Session
June 24, 1993

Mr. Speaker Spence called the House to order at 3:12 p.m.

The Majority Leader moved to adjourn at 3:13 p.m., thereby ending the current legislative day.

The House reconvened at 3:14 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Holloway - 1.

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

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

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

The following prefiled legislation was introduced:

HB 319 - EWING, SPENCE, PETRILLI, QUILLEN; SENATOR ADAMS - P/S: An Act to Redesignate Existing Chapter 74A of Title 16 of the Delaware Code as Chapter 100 of Title 16 of the Delaware Code, and to Add a New Chapter 101 to Title 16 of the Delaware Code to Provide for the Establishment and Operation of a Trust Fund to Be Used to Reimburse Governmental Costs Associated With 911-Enhanced Emergency Reporting Systems. (3/5 bill)

HB 320 - VANSANT - P/S: An Act to Amend Chapter 48, Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act.

HB 321 - SCHROEDER - ENV & NAT RES: An Act to Amend Title 29, Delaware Code, Establishing a Water Resource Facilities Advisory Council.

HA 1 to HB 215 - BENNETT - AGENDA II: Placed with the bill.

HA 1 to HB 249 - DAVIS - AGENDA IV: Placed with the bill.

HA 1 to HB 252 - TAYLOR - READY LIST: Placed with the bill.

HA 2 to HB 254 - CAULK & CAREY - AGENDA III: Placed with the bill.

HA 3 to HB 254 - CAREY & CAULK - AGENDA III: Placed with the bill.

HA 1 to HB 296 - EWING - SUBS ABUSE: Placed with the bill.

HA 1 to HB 305 - BENNETT - JUD: Placed with the bill.

SB 101 - VAUGHN, COOK, SHARP & ADAMS; REPRESENTATIVE DAVIS - JUD: An Act to Amend Titles 11 and 21, Delaware Code, Relating to the Proceeds From Violations of Chapter 48 of Title 21 and Creating the "Victims Rights Fund".

SB 164 - VAUGHN, BLEVINS; REPRESENTATIVES B. ENNIS, JONKIERT - HUM NEEDS & DEV: An Act to Amend Chapter 9, Subchapter III, Title 10, Delaware Code, Relating to Grandparents Visitation Rights.

SB 195 w/SA 2 - MCBRIDE, COOK, NEAL, SOKOLA; REPRESENTATIVES GEORGE, DAVIS, WOJEWODZKI - H/ADM: An Act to Amend Title 7, Chapter 60, Delaware Code Relating to the Creation and Funding of the Clean Air Act Title V Operating Permit Program to Comply With the Federal Clean Air Act Amendments of 1990. (3/5 bill)

SB 217 w/SA 1 - MARSHALL; REPRESENTATIVES JONKIERT & SPENCE - SUBS ABUSE: An Act to Amend Title 16 of the Delaware Code Relating to Distribution Delivery, or Possession of Controlled Substances in or Within 300 Feet of a Park or Recreation Area.

SB 221 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - ENV & NAT RES: An Act to Amend Title 3 and Title 7 of the Delaware Code Relating to Aquaculture and Fishing.

HA 2 to SB 81 - MARONEY - AGENDA IV: Placed with the bill.

HA 2 to SB 116 - EWING - AGENDA: Placed with the bill.

HA 1 to SB 151 - BUNTING - ENV & NAT RES: Placed with the bill.

HA 1 to SB 156 - SORENSON - READY LIST: Placed with the bill.

HA 1 to SB 168 - OBERLE - LABOR & HUM RES MAN: Placed with the bill.

HA 1 to SB 184 - SORENSON - READY LIST: Placed with the bill.

Representative Wagner was granted the privilege of the floor for the introduction of guests.

Representative Buckworth was granted the privilege of the floor for introduction of guests.

Representative Gilligan was granted personal privilege of the floor for introduction of guests.

Representatives Bennett, Davis & Caulk requested that they be marked present.

Mr. Speaker Spence introduced guests to the Chamber.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 195 w/SA 2.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Patricia Blevins, do hereby request that my name be removed as Co-Sponsor of HB 194.

Date: 6/24/93.

Signed: Patricia M. Blevins.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John C. Still, do hereby request that my name be removed as Co-Sponsor of HB 249.

Date: 6/24/93.

Signed: John Still.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John C. Still, do hereby request that my name be removed as Co-Sponsor of HB 250.

Date: 6/24/93.

Signed: John Still.

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

R & F: HB 314 - 5M.

Representative Petrilli deferred to Representative Sorenson.

Representative Sorenson made comments.

Representative Sorenson deferred to Representative Wagner.

Representative Wagner made comments.

Representative Wagner brought SB 138 w/SA 1, jointly sponsored by Senator Holloway & Representative Bennett & Senators Cook, Still, Vaughn & Torbert & Representatives Clark, Quillen & Wagner & cosponsored by Representatives Carey, Buckworth, Caulk, Fallon, Maroney, Plant & Wojewodzki & all Senators, before the House for consideration.

SB 138 - An Act to Amend Chapter 65, Title 14, Delaware Code, Relating to Changing the Name of Delaware State College to Delaware State University.

Representatives Gilligan, Bennett, Spence, Maroney & Fallon made comments.

Representative Wagner requested and was granted the privilege of the floor for Dr. William B. DeLauder, President, Delaware State College.

Representatives Gilligan, Bennett, Spence, Maroney & Fallon made comments.

The roll call on SB 138 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, SB 138 w/SA 1 was returned to the Senate.

Representatives George, Mack, Oberle, Reynolds, Roy, Schroeder, Taylor & Wojewodzki requested that they be marked present during the roll call.

Mr. Speaker Spence made comments.

Representative Reynolds requested and was granted the privilege of the floor for Bill Collick, Football Coach, Delaware State College.

Representatives Plant & Spence made comments.

Mr. Speaker Spence declared a recess at 3:39 p.m.

The House reconvened at 3:50 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 210 w/SA 2, SB 152, SB 26 w/SA 1 & 2 & HA 1 & SA 3.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Nancy Wagner, do hereby request that my name be removed as Co-Sponsor of HB 194.

Date: 6/25/93.

Signed: Nancy Wagner.

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

ENV & NAT RES: HB 321 - 2F,3M.

SUBS ABUSE: SB 217 w/SA 1 - 5M.

LABOR & HUM RES MAN: SB 174 - 3M.

Representative Petrilli deferred to Representative Gilligan.

Representative Gilligan brought HB 182, jointly sponsored by Representative Spence, before the House for consideration.

HB 182 - An Act to Amend Chapter 72, Title 3, Delaware Code Relating to Possession of Mammals or Reptiles Exotic to Delaware.

Representative Gilligan brought HA 1 to HB 182 before the House for consideration.

Representative Gilligan made comments.

HA 1 to HB 182 was adopted by voice vote.

Representative Gilligan brought HA 2 to HB 182, jointly sponsored by Representative Caulk, before the House for consideration.

Representative Gilligan made comments.

HA 2 to HB 182 was adopted by voice vote.

Representatives Gilligan & Sorenson made comments.

The roll call on HB 182 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 182 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Caulk made comments.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle made comments.

Representative Oberle brought SB 29 w/SA 2, jointly sponsored by Senators Marshall, Blevins, Holloway, Martin, McBride, McDowell, Vaughn & Connor & Representatives Mack, Reynolds, Roy, Spence, Banning, Brady, B. Ennis, Gilligan, Holloway, Houghton, Plant & VanSant & cosponsored by Representative Bunting, before the House for consideration.

SB 29 - An Act to Amend Chapter 69 Section 6912, Title 29, Delaware Code Relating to Public Works Contracts and Prevailing Wage Rates. (F/N)

Representatives Oberle & George made comments.

Representative Oberle moved to place SB 29 w/SA 2 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Taylor.

Representative Taylor brought HB 196, jointly sponsored by Senator Martin, before the House for consideration.

HB 196 - An Act to Amend Title 21, Chapter 27 and Chapter 41 of the Delaware Code, Relating to Driver's Licenses and Violations of Rules of the Road.

Representative Taylor introduced and brought HA 1 to HB 196, jointly sponsored by Senator Martin, before the House for consideration.

Representative Taylor made comments.

HA 1 to HB 196 was adopted by voice vote.

Representatives Taylor & Davis made comments.

Representative Taylor requested and was granted the privilege of the floor for Captain Douglas Hancock, Delaware State Police.

Representatives Davis, Brady, Davis, D. Ennis, Bunting, Gilligan, Oberle, Taylor & Schroeder made comments.

Representative Taylor moved to place HB 196 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on HB 319. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Ewing brought HB 319, jointly sponsored by Representatives Spence, Petrilli & Quillen & Senator Adams, before the House for consideration.

HB 319 - An Act to Redesignate Existing Chapter 74A of Title 16 of the Delaware Code as Chapter 100 of Title 16 of the Delaware Code, and to Add a New Chapter 101 to Title 16 of the Delaware Code to Provide for the Establishment and Operation of a Trust Fund to be Used to Reimburse Governmental Costs Associated With 911-Enhanced Emergency Reporting Systems. (3/5 bill)

Representatives Ewing & Caulk made comments.

Representative Ewing requested and was granted the privilege of the floor for Robert L. Stickels, Sussex County Administrator.

Representatives Caulk, Bennett, B. Ennis, Houghton, Ewing, VanSant, West, Ewing, Brady, Caulk & Wagner made comments.

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

Representatives VanSant, Banning & Lee made comments.

Representative George requested and was granted the privilege of the floor for Karen Johnson, Secretary, Department of Public Safety.

Representatives George & Davis made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative West made comments.

Representative Ewing requested and was granted the privilege of the floor for Robert L. Stickels, Sussex County Administrator.

Representatives Ewing, George, B. Ennis, Ewing & Petrilli made comments.

Representative Ewing moved to place HB 319 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 211, jointly sponsored by Senators Blevins & Voshell, before the House for consideration.

HB 211 - An Act to Amend Chapter 1, Title 21, of the Delaware Code Relating to the Definition of a Vehicle Dealer.

Representative Ewing made comments.

Representative Ewing moved to place HB 211 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative D. Ennis brought SB 166 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 166 - An Act to Amend Title 18, Delaware Code to Bring the Delaware Insurance Code Into Compliance With National Solvency Standards.

Representative D. Ennis made comments.

The roll call on SB 166 w/SA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Holloway - 1.

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

Mr. Speaker Spence resumed the Chair.

Representative Ewing brought SB 116, jointly sponsored by Senators Blevins & Voshell, before the House for consideration.

SB 116 - An Act to Amend Chapter 27, Title 21 Delaware Code Relating to Requirements and Qualifications for Licensing School Bus Drivers. (2/3 bill)

Representative Ewing brought HA 1 to SB 116 before the House for consideration.

Representative Ewing made comments.

HA 1 to SB 116 was adopted by voice vote.

Representative Ewing brought HA 2 to SB 116 before the House for consideration.

Representative Ewing made comments.

HA 2 to SB 116 was adopted by voice vote.

Representative Ewing requested and was granted the privilege of the floor for Michael Shahan, Director, Division of Motor Vehicles.

Representative Gilligan made comments.

The roll call on SB 116 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Holloway, Jonkiert - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 116 w/HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 126 w/SA 1,2 & 3.

SB 126 - CORDREY, VAUGHN, ADAMS - An Act to Amend Chapters 1 and 4, Title 18 of the Delaware Code Relating to the Delaware Insurance Authority.

Mr. Speaker assigned SB 126 w/SA 1,2 & 3 to the Economic Development, Banking & Insurance Committee.

Representative Ewing brought SB 118, jointly sponsored by Senators Blevins & Voshell, before the House for consideration.

SB 118 - An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to Suspension or Revocation.

Representative Ewing brought HA 1 to SB 118 before the House for consideration. HA 1 was adopted by voice vote.

Representative Ewing requested and was granted the privilege of the floor for Michael Shahan, Director, Division of Motor Vehicles.

Representative DiLiberto made comments.

The roll call on SB 118 w/HA 1 was taken and revealed:

YES: Representatives Bennett, Bradley, Buckworth, Davis, Ewing, Lee, Schroeder, Taylor, Mr. Speaker Spence - 9.

NO: 22.

NOT VOTING: Representatives Bunting, Caulk, B. Ennis, D. Ennis, Fallon, Maroney, Roy, Sorenson, Wagner - 9.

ABSENT: Representative Holloway - 1.

Therefore, not having received a constitutional majority, SB 118 w/HA 1 was declared defeated.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Petrilli deferred to Representative Spence.

Representative Spence brought HB 232, jointly sponsored by Senator Sharp & Representatives Buckworth, Carey, Davis, DiPinto, Ewing, Lofink, Mack, Reynolds, Roy, Smith, Sorenson, Wagner, Banning, Clark & Jonkiert & Senators Connor & McBride, before the House for consideration.

HB 232 - An Act to Amend Chapter 7, Title 13, of the Delaware Code Relating to Parents and Children.

Representatives Spence, Fallon, Amick, Sorenson, Maroney & Amick made comments.

The roll call on HB 232 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 232 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lofink.

Representative Lofink made comments.

Representative Lofink introduced and brought HR 48, jointly sponsored by Representatives Reynolds & Gilligan, before the House for consideration.

HR 48 - Declaring July 15, 1993 Terry R. Spence Day Honoring the 35th Anniversary of His No Hitter.

WHEREAS, baseball is truly the national pastime played by our youth in parks, fields, and cow pastures; and

WHEREAS, 1958 was a special year; a much simpler time of pleasant optimism with President Eisenhower and Governor Boggs in command of our nation and our beloved Diamond State; and

WHEREAS, Elvis Presley was firmly enthroned as the "King of Rock and Roll"; and

WHEREAS, 1958 was a benchmark year for baseball as the feisty Brooklyn Dodgers and stately New York Giants left New York City for the riches of Los Angeles and San Francisco; and

WHEREAS, Ernie "Bingo" Banks won the Most Valuable Player Award for the last place Cubs, and there was another far away finish for our beloved Phillies and Orioles; and

WHEREAS, on July 15, 1958 a tall slender, dark haired, good looking 16-year-old right-handed pitcher named Terry Spence took the mound that day in historic New Castle for New Castle in the American Legion League; and

WHEREAS, this fire-balling side-arm pitcher so dominated his opponent, First State, that they got nary a hit in the ball game and were vanquished 2-0; and

WHEREAS, this resulted in exultation and jubilation in historic New Castle as coach Hoagland, the Spence family, and assorted friends and hangers-on celebrated this magic moment long into the night.

WHEREAS, the Wilmington Morning News recounted the tale of this magnificently pitched no hitter the next day helping to establish the legend of Terry Spence and to begin his current reign as a beloved hero, a man's man, and a bonafide local legend in New Castle and the State of Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 137th General Assembly of the State of Delaware that July 15, 1993 be declared Terry Spence Day in honor of the 35th anniversary of this great athletic accomplishment and a copy of this Resolution be forwarded to Representative Spence.

Representatives Lofink, Gilligan, Smith, Petrilli, Reynolds & B. Ennis made comments.

HR 48 was adopted by voice vote.

Representatives Gilligan & Spence made comments.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HCR 41.

Mr. Speaker Spence resumed the Chair.

The motion to suspend rules was seconded by Representative Petrilli and adopted by voice vote.

Representative DiPinto introduced and brought HCR 41, jointly sponsored by Representative Davis & Senator Cordrey & Representatives Spence, Petrilli, Quillen, Amick, Buckworth, Carey, Caulk, D. Ennis, Ewing, Lee, Lofink, Mack, Maroney, Oberle, Reynolds, Roy, Smith, Sorenson, Taylor, Wagner, Banning, Bennett, Bunting, Clark, B. Ennis, Gilligan, Jonkiert, Houghton, VanSant, West &

Wojewodzki & Senators Sokola, Vaughn, Venables, Bair, Connor, Hauge, Knox, Neal & Still, before the House for consideration.

HCRC 41 - Directing the Department of Natural Resources and Environmental Control and the Delaware Development Office to Provide an Economic Impact Analysis of the Clean Air Act Amendments of 1990 on Delaware Business and Industry and on Individual Delawareans; to Create a Private Institute of Environmental Sciences to Devise a Cost Efficient Means of Implementation; to Have State Agencies Refine Their Programs and Consider Alternatives That Will Meet the Clean Air Act While Minimizing Its Negative Impact; and to Encourage the State to Take Action to Remove Delaware From Its Current Classification as a Severe Ozone Non-Attainment Area.

Representative DiPinto made comments.

HCRC 41 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought **HB 233**, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 233 - An Act to Amend Title 12, Chapter 45 of the Delaware Code to Make Further Provision for the Recovery of Certain Assets by Custodians.

Representative Smith made comments.

The roll call on **HB 233** was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, **HB 233** was sent to the Senate for concurrence.

Representative West introduced **HB 322**, jointly sponsored by Representative Fallon.

HB 322 - An Act to Amend Chapter 11, Title 14, Delaware Code, Relating to the Requirement of Advanced Academic Degrees for Classroom Teachers in the Public School System of This State.

Mr. Speaker assigned **HB 322** to the Education Committee.

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

AG: **SB 200 w/SA 1** - 7M; **SB 202** - 7M; **SB 203** - 7M; **SB 204** - 7M; **SB 206** - 7M.

ENV & NAT RES: **SB 221** - 6M.

HUM NEEDS & DEV: **SB 78 w/SA 1 & 2** - 1F,4M; **SB 164** - 5M.

P/S: **SB 32** - 4M.

Representative Bradley was granted personal privilege of the floor for the introduction of a guest.

Representative Reynolds was granted personal privilege of the floor for the introduction of a guest.

The Majority Leader moved to recess to the call of the Chair at 6:04 p.m.

45th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
First Session
June 28, 1993

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

The Senate wishes to inform the House that it has passed: **SB 196 w/SA 1, SB 172, SB 225, SB 179 w/SA 1, SB 218, SCR 43, SCR 44, SCR 45, SCR 46, SCR 47, SCR 48, SCR 49, SJR 21, HCR 38, HCR 40, SB 162 w/SA 1, SB 208, SB 224, SB 189, SB 199, SB 176 w/SA 1, SB 178 w/SA 1, SB 186 w/SA 1, SB 177 w/SA 1, SB 169 & SS 1 for SB 80.**

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Fallon, do hereby request that my name be removed as Co-Sponsor of **HB 194**.

Date: June 28, 1993.

Signed: Tina Fallon.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Bennett, do hereby request that my name be removed as Co-Sponsor of **HB 328**.

Date: June 24, 1993.

Signed: Edward J. Bennett.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, V. George Carey, do hereby request that my name be removed as Co-Sponsor of **HB 311**.

Date: June 28, 1993.

Signed: V. George Carey.

June 25, 1993

LEGISLATIVE ADVISORY #17

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
6/24/93 - **SJR 18**.

June 25, 1993

LEGISLATIVE ADVISORY #18

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
6/24/93 - HB 120 aab HA 1.

June 25, 1993

LEGISLATIVE ADVISORY #19

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
6/24/93 - SB 161 aab SA 1.

June 28, 1993

LEGISLATIVE ADVISORY #20

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
6/25/93 - HB 67 aab HA 1 & SA 1, HB 146 & HB 191, SB 24 aab SA 1, SB 70, SB 97, SB 102, SB 98, SB 110 aab SA 1 & SB 165.

The Majority Whip moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HS 1 to HB 234 - BUCKWORTH; SENATORS VAUGHN & VOSHELL; REPRESENTATIVES SPENCE, DIPINTO, D. ENNIS, LEE, LOFINK, OBERLE, SMITH, BANNING, BENNETT, CLARK, B. ENNIS, JONKIERT, VANSANT, WEST - P/S: An Act to Amend Title 11, Chapter 92, Relating to Law Enforcement Officers' Bill of Rights.

HB 323 - PETRILLI & SENATOR TORBERT - H/ADM: An Act to Amend Chapter 69, Title 29 of the Delaware Code Relating to the Awarding of Competitive Sealed Proposals.

HB 324 - MACK - ED: An Act to Amend Title 14, Delaware Code Relating to Establishing a Speech Language Pathologist Incentive Program.

HB 325 - BUCKWORTH - ED: An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to the Employment of Assistant Principals in Schools.

HB 326 - BUCKWORTH - ED: An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to Days of Employment for Certain School Employees.

HB 327 - DAVIS & SENATORS COOK, MCDOWELL - NAT RES: An Act to Amend Chapter 72, Title 7 of the Delaware Code, Relating to Lease Fees for Structures Over Public Subaqueous Lands.

HB 328 - LEE & EWING, CAREY, CAULK, DAVIS, FALLON, QUILLEN, SMITH, BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, JONKIERT, PLANT, VANSANT - NAT RES: An Act to Amend Chapter 7, Title 7 of the Delaware Code Relating to the Use of Firearms for Hunting.

HB 329 - OBERLE, SORENSON; SENATORS HOLLOWAY, KNOX - LABOR & HUM RES MAN: An Act to Amend Chapter 7, Title 19, Delaware Code Relating to Unlawful Employment Practices and Sexual Orientation.

HJR 4 - SPENCE & SENATOR CORDREY - ECON DEV, B & I: Creating an Insurance Industry Economic Development Task Force to Investigate and Report on Proposals to Attract Insurance Industry Employment Opportunities to the State of Delaware.

HA 1 to HB 282 - DAVIS - AGENDA III: Placed with the bill.

HR 49 - CLARK - SM BUS: Requesting the Delaware Development Office to Establish a Program to Assist Qualified Entrepreneurs in Paying Certain Costs of Opening a New Commercial Enterprise.

SS 1 to SB 80 - COOK, VAUGHN, CORDREY, SHARP, HOLLOWAY, ADAMS, BLEVINS, MARSHALL, MARTIN, MCBRIDE, MCDOWELL, SOKOLA, TORBERT, VENABLES, VOSHELL, BAIR, CONNOR, HAUGE, KNOX, NEAL, STILL; REPRESENTATIVES OBERLE, PETRILLI, SPENCE, QUILLEN, DAVIS, GEORGE, GILLIGAN, AMICK, BANNING, BENNETT, BRADLEY, BRADY, BUCKWORTH, BUNTING, CAREY, CAULK, CLARK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOLLOWAY, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, MARONEY, PLANT, REYNOLDS, ROY, SCHROEDER, SMITH, SORENSON, TAYLOR, VANSANT, WAGNER, WEST, WOJEWODZKI - APPRO: An Act to Amend Chapters 55 and 56, Title 29, of the Delaware Code and Subchapter III, Chapter 83, Title 11 of the Delaware Code to Provide a Mechanism to Fund Post Retirement Increases for Retired State Employees.

SB 152 - SOKOLA, BLEVINS & VENABLES; REPRESENTATIVES DAVIS & WOJEWODZKI - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Condemnation Procedures. (F/N)

SB 162 w/SA 1 - SOKOLA, BLEVINS & VENABLES; REPRESENTATIVES DAVIS & WOJEWODZKI - TRANS & INFRA: An Act to Amend Title 17 of the Delaware Code Relating to the Disposition of Surplus Property.

SB 169 - MCBRIDE & REPRESENTATIVE TAYLOR; SENATORS BLEVINS, CONNOR, COOK, MARSHALL, MCDOWELL, SOKOLA, TORBERT; REPRESENTATIVES BENNETT, BRADLEY, BRADY, DAVIS, LEE, ROY, SPENCE, WEST, WOJEWODZKI - HOUSING & COM AFF: An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to the Authority of the Public Service Commission to Enact Regulations Concerning Cable Television Systems.

SB 172 - CONNOR & REPRESENTATIVE MACK - H/ADM: An Act to Amend Volume 27, Chapter 216, Laws of Delaware, as Amended, Relating to the Charter of the City of New Castle and the Power of the Council of the City of New Castle to Remit All or Any Part of City Taxes Which May be Levied or Imposed Upon Any Real Estate in the City of New Castle. (2/3 bill)

SB 176 w/SA 1 - MCBRIDE, ADAMS, BLEVINS, COOK, HOLLOWAY, MARSHALL, MARTIN, MCDOWELL, SHARP, SOKOLA, TORBERT, VAUGHN, VENABLES, VOSHELL, BAIR, CONNOR, HAUGE, KNOX, NEAL, STILL; ALL REPRESENTATIVES - JUD: An Act to Amend Chapter 94, Title 11 of the Delaware Code to Provide Conformity With the Uniform Victim of Crimes Act.

SB 177 w/SA 1 - VENABLES, MARSHALL & STILL - LABOR & HUM RES MAN: An Act to Amend Chapter 21, Title 19 of the Delaware Code Relating to the Industrial Accident Board.

SB 178 w/SA 1 - VENABLES & STILL - LABOR & HUM RES MAN: An Act to Amend Chapter 21, Title 19 of the Delaware Code Relating to the Industrial Accident Board. (F/N)

SB 179 w/SA 1 - VENABLES, MARSHALL & STILL - LABOR & HUM RES MAN: An Act to Amend Title 19, Chapter 23 of the Delaware Code, Relating to Worker's Compensation, by Protecting Against Retaliatory Discharge or Other Action of an Employer in Response to the Exercise by Employees of Rights Under the Worker's Compensation Act.

SB 186 w/SA 1 - VAUGHN; REPRESENTATIVE QUILLEN - JUD: An Act to Amend Title 11, Delaware Code Relating to Theft of Rental Property. (2/3 bill)

SB 189 - VOSHELL & BLEVINS; REPRESENTATIVE EWING - P/S: An Act to Amend Chapter 64, Title 21 of the Delaware Code Relating to Odometer Mileage Disclosures and Record Retention. (2/3 bill)

SB 196 w/SA 1 - BLEVINS & REPRESENTATIVE VANSANT - ECON DEV & B & I: An Act to Amend Title 29 Delaware Code Relating to Health Care Insurance.

SB 199 - VAUGHN & REPRESENTATIVE SPENCE - H/ADM: An Act to Amend Chapter 31, Title 15, Delaware Code, Relating to Nominations of Candidates by Parties.

SB 208 - MARSHALL & REPRESENTATIVE OBERLE - LABOR & HUM RES MAN: An Act to Amend Chapter 9, Title 19 of the Delaware Code Relating to the Minimum Wage.

SB 210 w/SA 2 - SOKOLA & REPRESENTATIVE SORENSON; SENATORS BLEVINS, BAIR, HAUGE, MARSHALL & MCBRIDE; REPRESENTATIVES AMICK, GILLIGAN, JONKIERT, PETRILLI & SMITH - ED: An Act to Amend Chapter 85, Title 11 of the Delaware Code Relating to Criminal Background Checks for Public School Related Employment.

SB 218 w/SA 1 - BLEVINS & REPRESENTATIVE AMICK; SENATORS SOKOLA, TORBERT, VOSHELL; REPRESENTATIVES BUCKWORTH & JONKIERT - H/ADM: An Act to Amend Chapters 4, 6 and 51, Title 24 of the Delaware Code Relating to Cosmetology and Barbering.

SB 224 - VOSHELL; REPRESENTATIVE CAREY - H/ADM: An Act to Reincorporate the Town of Slaughter Beach. (2/3 bill)

SB 225 - MCDOWELL; REPRESENTATIVES AMICK, EWING, LEE, DILIBERTO, BANNING, PLANT - JUD: An Act to Amend Chapter 5, Title 10 of the Delaware Code Relating to the Superior Court.

SJR 21 - VAUGHN & REPRESENTATIVE BANNING - NAT RES: Recognizing the Event Entitled "Delaware Decoy Festival and Carving Championship" as Delaware's Official State Decoy Carving Championship.

HA 1 to SB 78 - MARONEY - READY LIST: Placed with the bill.

HA 3 to SB 81 - MARONEY - AGENDA IV: Placed with the bill.

HA 4 to SB 81 - BENNETT - AGENDA IV: Placed with the bill.

HA 1 to SB 134 - AMICK & SENATOR BLEVINS - HOUSING & COM AFF: Placed with the bill.

SCR 46 - MCBRIDE, VAUGHN & VOSHELL; REPRESENTATIVES D. ENNIS, CAREY, MACK, EWING & BUCKWORTH - NAT RES: Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Federal Oil Pollution Act Amendments of 1990 and the Establishment of a Permanent Delaware River and Bay Oversight Commission.

SCR 48 - NEAL & REPRESENTATIVE MARONEY; SENATOR HOLLOWAY; REPRESENTATIVE BRADLEY - ECON DEV, B & I: Encouraging and Supporting a Fall Briefing Session With Key Policy Makers Working for Improved Health Care in the State of Delaware.

SCR 49 - MARTIN, TORBERT, KNOX, MCBRIDE, BLEVINS, NEAL, HAUGE, SOKOLA, VAUGHN, HOLLOWAY - NAT RES: Calling for the Creation of a Committee to Draft Legislation Addressing the Problem of Illegal Disposal of Used Tires.

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

ECON DEV, B & I: SB 126 w/SA 1,2 & 3 - 7M.

Representative Plant introduced HB 330.

HB 330 - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to the Conduct of Officers and Employees of the State.

Mr. Acting Speaker assigned HB 330 to the House Administration Committee.

Representative Smith requested that he be marked present.

Mr. Acting Speaker Oberle introduced a guest.

Representative Roy requested that he be marked present.

Representative Roy requested and was granted the privilege of the floor for Jennifer Lin

Kaczmarczyk, Miss Delaware, 1993.

Representative Taylor made comments.

Representative George requested that he be marked present.

Representatives Oberle & Roy made comments.

Representative Ewing brought SB 120, jointly sponsored by Senators Blevins & Voshell, before the House for consideration.

SB 120 - An Act to Amend Chapter 42, Title 21 of the Delaware Code Relating to Reports of Accidents; Penalties; Interpretation of Laws.

Representative Ewing made comments.

The roll call on SB 120 was taken and revealed:

YES: 38.

ABSENT: Representatives Brady, Holloway, Spence - 3.

Therefore, having received a constitutional majority, SB 120 was returned to the Senate.

Representatives Carey, Petrilli, Wojewodzki & DiPinto requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Amick.

Representative Amick moved to lift HB 160 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Amick brought HB 160, jointly sponsored by Senator Blevins, before the House for consideration.

HB 160 - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.

Representative Amick made comments.

Representative Amick brought HA 1 to HB 160 before the House for consideration.

Representative Amick made comments.

HA 1 to HB 160 was adopted by voice vote.

Representative Amick made comments.

The roll call on HB 160 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Holloway, Schroeder, Spence - 4.

Therefore, having received a constitutional majority, HB 160 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Amick.

Representative Amick brought HB 34, jointly sponsored by Senator Sharp, before the House for consideration.

HB 34 - An Act Concurring in a Proposed Amendment to Section 22, Article III, and Article IV of the Delaware Constitution Relating to the Appointment by the Court of Chancery of a Register in Chancery in Each County and the Powers and Duties of Registers in Chancery. (2/3 bill)

Representative Amick made comments.

The roll call on HB 34 was taken and revealed:

YES: 39.

ABSENT: Representatives Holloway, Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 34 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 117, jointly sponsored by Representative Davis & Senators Cook & Martin, before the House for consideration.

HB 117 - An Act to Amend Chapter 13, Title 2, Delaware Code Relating to Auditing and the Delaware Transportation Authority. (F/N)

Representatives Roy, George, Smith, B. Ennis, Taylor, Bunting, Davis, George, Caulk, Roy, Taylor, George & Caulk requested that they be marked present.

Representative Holloway requested that he be marked present.

Representative Roy requested and was granted the privilege of the floor for Steve Kubico, Controller General's Office.

Representatives Roy, Caulk & George made comments.

The roll call on HB 117 was taken and revealed:

YES: 20.

NO: Representatives Banning, Bradley, Brady, Clark, DiLiberto, B. Ennis, George, Gilligan, Holloway, Houghton, Jonkiert, Schroeder, VanSant, West, Wojewodzki - 15.

NOT VOTING: Representatives Bennett, Bunting, Caulk, Mack, Plant - 5.

ABSENT: Representative Spence - 1.

Therefore, not having received a constitutional majority, HB 117 was declared defeated.

Representative Petrilli deferred to Representative Banning.

Representative Banning brought HB 200, jointly sponsored by Representative Brady & Senator McDowell, before the House for consideration.

HB 200 - An Act to Amend Chapter 43, Title 21 of the Delaware Code Relating to When Lighted Lamps Are Required. (2/3 bill)

Representative Lee introduced and brought HA 1 to HB 200 before the House for consideration.

Mr. Speaker Spence requested that he be marked present.

Representative Lee made comments.

HA 1 to HB 200 was adopted by voice vote.

Representative Banning made comments.

Mr. Speaker Spence resumed the Chair.

Representatives DiPinto, Banning, Maroney, Plant, Brady & Fallon made comments.

The roll call on HB 200 w/HA 1 was taken and revealed:

YES: 39.

NO: Representative Taylor - 1.

ABSENT: Representative Amick - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 200 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli brought SB 6 w/SA 1 & 3, jointly sponsored by Senators McDowell, Adams, Blevins, Cordrey, Sokola, Sharp, Martin, McBride, Torbert, Holloway, Marshall, Vaughn, Still, Voshell, Bair, Knox, Neal, Connor & Hauge & Representatives Banning, Bennett, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, George, Gilligan, Holloway, Houghton, Jonkiert, Plant, Schroeder, VanSant, West, Wojewodzki, Ewing, Sorenson, Maroney, Oberle, Spence & Reynolds, before the House for consideration.

SB 6 - An Act to Amend Chapter 20, Title 15, Delaware Code, Relating to Agency Based Registration. (F/N)

Representative Petrilli made comments.

Representative Davis brought HA 1 to SB 6 before the House for consideration.

Representative Davis made comments.

HA 1 to SB 6 was adopted by voice vote.

The roll call on SB 6 w/SA 1 & 3 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 6 w/SA 1 & 3 & HA 1 was returned to the Senate for concurrence on HA 1.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought HB 216, jointly sponsored by Senator Marshall & Representatives Amick, Davis, DiPinto, Mack, Maroney, Reynolds, Sorenson, Wagner, Jonkiert, Houghton, Plant & Wojewodzki & Senators Blevins, Knox, Hauge, Bair & Still, before the House for consideration.

HB 216 - An Act to Amend Chapter 20, Title 30, Delaware Code Concerning Tax Credits and the Donation of Computers to School Districts. (F/N)

Representative Smith made comments.

Representative Smith brought HA 1 to HB 216 before the House for consideration. HA 1 was adopted by voice vote.

Representative Smith made comments.

The roll call on HB 216 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, HB 216 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Bennett.

Representative Bennett brought HB 215, jointly sponsored by Representative Wagner & Senators Torbert & Still, before the House for consideration.

HB 215 - An Act to Amend Section 305, Chapter 3, Title 22 of the Delaware Code Relating to Municipalities.

Representative Bennett brought HA 1 to HB 215 before the House for consideration.

Representative Bennett made comments.

HA 1 to HB 215 was adopted by voice vote.

Representatives Bennett & Davis made comments.

Mr. Speaker Spence resumed the Chair.

Representatives DiPinto & Bennett made comments.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Bennett moved to place HB 215 w/HA 1 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Petrilli deferred to Representative Carey.

Representative Carey brought HB 255, jointly sponsored by Representative Bunting & Senator Venables, before the House for consideration.

HB 255 - An Act to Amend Chapter 70, Title 9 of the Delaware Code Relating to Sussex County Procedure.

Representatives Carey & Caulk made comments.

The roll call on HB 255 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Reynolds - 2.

Therefore, having received a constitutional majority, HB 255 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought HB 280, jointly sponsored by Representatives Spence, Amick, Buckworth, D. Ennis, Ewing, Lee, Lofink, Maroney, Smith, Taylor, Wagner, Banning, Bunting, Clark, Houghton, Jonkiert, Plant, VanSant & West & Senators Bair, Connor, Hauge, Knox, Neal, Still & Holloway, before the House for consideration.

HB 280 - An Act to Amend Chapter 40, Title 31 of the Delaware Code Relating to the Department of Housing.

Representative DiPinto introduced and brought HA 1 to HB 280 before the House for consideration.

Representative DiPinto made comments.

HA 1 to HB 280 was adopted by voice vote.

Representative DiPinto made comments.

The roll call on HB 280 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 280 w/HA 1 was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle introduced guests.

Representative Petrilli deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on HB 310. The motion was properly seconded and adopted by voice vote.

Representative Spence brought HB 310, jointly sponsored by Senator Sharp, before the House for consideration.

HB 310 - An Act to Amend Chapter 23, Title 30, Delaware Code Relating to Occupational Licenses Fees and Taxes and to Amend Chapter 29, Title 30 Relating to Retail and Merchants' License Requirements and Taxes. (F/N)

Representative Roy introduced and brought HA 1 to HB 310 before the House for consideration.

Representatives Roy & Spence made comments.

HA 1 to HB 310 was adopted by voice vote.

Representative Spence made comments.

The roll call on HB 310 w/HA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representatives Bennett, Bunting, Clark, Holloway - 4.

Therefore, having received a constitutional majority, HB 310 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 3:59 p.m.

The House reconvened at 4:48 p.m. with Representative Quillen as Acting Speaker.

Representative Maroney introduced HB 331, jointly sponsored by Representative Gilligan & Senator Holloway & Representatives DiPinto, Jonkiert & Bradley.

HB 331 - An Act to Amend Chapter 93, Title 16, Delaware Code Relating to Health Planning and Resources Management. (3/5 bill)

Mr. Acting Speaker Quillen assigned HB 331 to the Human Needs & Development Committee.

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

HR 50. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Lee introduced and brought HR 50 before the House for consideration.

HR 50 - Urging the Appointment of a Committee to Investigate Whether or Not Delaware Could Benefit From the Establishment of a "Boot Camp" Prison Alternative; and If So, Under What Circumstances Would a "Boot Camp" Alternative be Feasible.

Representative Lee made comments.

HR 50 was adopted by voice vote.

Representative Petrilli deferred to Representative Amick.

Representative Amick moved to restore HS 1 for HB 7 w/HA 1,2,3 & 4, sponsored by Representative Oberle. The motion was seconded by Representative Petrilli and adopted by voice vote.

HB 7 - An Act to Amend Subchapter XII, Chapter 41, Title 21, Delaware Code Relating to the Rules of the Road. (2/3 bill)

Representative Oberle moved to place HS 1 for HB 7 w/HA 1,2,3 & 4 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HB 181, jointly sponsored by Representatives Bennett, Buckworth, Clark, B. Ennis & Quillen & Senator Still & cosponsored by Representative Ewing, before the House for consideration.

HB 181 - An Act to Amend Chapter 41, Title 9, of the Delaware Code Relating to Kent County.

Representatives Wagner & Caulk made comments.

The roll call on HB 181 was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

ABSENT: Representative George - 1.

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

Representative DiLiberto brought HB 231, jointly sponsored by Senator Sokola & Representatives Banning, Bennett, Bradley, Brady, B. Ennis, Holloway, Houghton, Jonkiert, Schroeder, West, DiPinto, Ewing, Quillen & Wagner & Senators Adams, Blevins, Martin & Sharp, before the House for consideration.

HB 231 - An Act to Amend Chapter 23, Title 12, Delaware Code, Relating to the Effect of Manslaughter or Murder on Estate Distribution.

Representative DiLiberto brought HA 1 to HB 231 before the House for consideration.

Representatives DiLiberto, Amick & B. Ennis made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Ewing, Reynolds & DiLiberto made comments.

HA 1 to HB 231 was adopted by voice vote.

Representatives DiLiberto, DiPinto & Davis made comments.

The roll call on HB 231 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, HB 231 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli brought Consent Agenda H before the House for consideration.

HB 316 - MARONEY; SENATOR SOKOLA - An Act to Amend Subchapter V, Chapter 85, Title 11 of the Delaware Code Relating to Criminal Background Checks for Child Care Providers.

HB 314 - SMITH; SENATOR VAUGHN - An Act to Amend Chapter 38 of Title 12 of the Delaware Code Relating to Business Trusts.

SJR 16 - SOKOLA; REPRESENTATIVE SORENSON; SENATORS BLEVINS, MCDOWELL;

REPRESENTATIVES MARONEY, BRADLEY; SENATORS BAIR, MARTIN, VOSHELL; REPRESENTATIVE WOJEWODZKI - Requesting the Interagency Resource Management Committee to Study Early Intervention Alternatives for the Education of Children at Risk of Failure in School and to Report the Findings to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

SCR 14 - MCBRIDE, CONNOR; REPRESENTATIVE LOFINK - Requesting That a Working Glossary of Definitions for Key Words, Terms and Phrases in Solid Waste Management be Developed Jointly by the Department of Natural Resources and Environmental Control, and the Delaware Solid Waste Authority.

SB 99 - HOLLOWAY; REPRESENTATIVE GEORGE; SENATOR BLEVINS; REPRESENTATIVE WEST; SENATORS NEAL, SOKOLA - An Act Authorizing and Directing the Department of Health and Social Services of the State of Delaware to Amend the Spousal Impoverishment Provisions of the State Plan Under Title XIX (Medicaid) of the Social Security Act. (F/N)

SB 187 - SOKOLA; REPRESENTATIVE SORENSON - An Act to Amend Chapter 90, Title 14, Delaware Code, Relating to the College and University Security Information Act.

HB 263 w/SA 1 - ROY; SENATOR ADAMS - An Act to Amend Chapter 15, Title 7 of the Delaware Code Relating to Conservation.

HB 323 - PETRILLI; SENATOR TORBERT - An Act to Amend Chapter 69, Title 29 of the Delaware Code Relating to the Awarding of Competitive Sealed Proposals.

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

YES: 40.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, HB 316, HB 314 & HB 323 were sent to the Senate for concurrence and SJR 16, SCR 14, SB 99 & SB 187 were returned to the Senate & HB 263 w/SA 1 was sent to the Governor.

Representative Quillen deferred to Representative DiLiberto.

Representative DiLiberto brought HCR 14, jointly sponsored by Senator Sharp, before the House for consideration.

HCR 14 - Requesting the Professional Standards Council to Investigate the Feasibility of Requiring Discipline Training for the Certification of Teachers and Encouraging the Department of Public Instruction and the Delaware Teacher Center to Offer Workshops as Part of Its In-Service Program.

Representative DiLiberto brought HA 1 to HCR 14 before the House for consideration.

Representative DiLiberto made comments.

HA 1 to HCR 14 was adopted by voice vote.

Representatives DiLiberto & Oberle made comments.

HCR 14 w/HA 1 was adopted by voice vote and sent to the Senate for concurrence.

Representative Quillen deferred to Representative Amick.

Representative Amick brought HB 281, jointly sponsored by Representatives Ewing, Lee, DiLiberto, Banning & Plant & Senator McDowell, before the House for consideration.

HB 281 - An Act to Amend Chapter 5, Title 10 of the Delaware Code Relating to the Superior Court. (F/N)

Representative Amick moved to place HB 281 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Amick moved to suspend the rules which interfere with action on SB 225. The motion was properly seconded and adopted by voice vote.

Representative Amick brought SB 225, jointly sponsored by Senator McDowell & Representatives Ewing, Lee, DiLiberto, Banning & Plant, before the House for consideration.

SB 225 - An Act to Amend Chapter 5, Title 10 of the Delaware Code Relating to the Superior Court. (F/N)

Representatives Davis, Amick & Bennett made comments.

The roll call on SB 225 was taken and revealed:

YES: 37.

NO: Representative West - 1.

ABSENT: Representatives George, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, SB 225 was returned to the Senate.

Representative Amick brought HB 282, jointly sponsored by Senator McDowell, before the House for consideration.

HB 282 - An Act to Amend Chapter 5, Title 10 of the Delaware Code to Provide for Commissioners of the Superior Court. (F/N)

Representative Amick moved to place HB 282 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Quillen deferred to Representative Smith.

Representative Smith brought HB 308, jointly sponsored by Senator Sokola, before the House for consideration.

HB 308 - An Act to Amend Title 14, Delaware Code Pertaining to Education and the Promotion of Volunteerism Among High School Students and the Delaware Office of Volunteerism.

Representative Smith made comments.

The roll call on HB 308 was taken and revealed:

YES: 37.

NO: Representative Bennett - 1.

ABSENT: Representatives George, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, HB 308 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Sorenson.

Representative Sorenson brought HB 213, jointly sponsored by Senator Sokola & Representatives Spence, Amick, Bradley, Brady, Davis, DiLiberto, DiPinto, Ewing, Fallon, Gilligan, Lofink, Maroney, Oberle, Petrilli, Plant, Reynolds, Roy, Smith, VanSant, Wagner & Wojewodzki & Senators Blevins & McDowell, before the House for consideration.

HB 213 - An Act to Amend Title 14, Chapter 17 of the Delaware Code Relating to State Appropriations.

Representative Sorenson made comments.

The roll call on HB 213 was taken and revealed:

YES: 34.

NO: Representatives Houghton, Lee - 2.

NOT VOTING: Representative Jonkiert - 1.

ABSENT: Representatives Bennett, George, Petrilli, Roy - 4.

Therefore, having received a constitutional majority, HB 213 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Schroeder.

Representative Schroeder brought HB 256 before the House for consideration.

HB 256 - An Act to Awarding Special Pension Benefits to Louise P. Smarrelli, Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware; and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as If the Award Were Made Pursuant to Chapter 55, Title 29, Delaware Code.

Representative Schroeder made comments.

The roll call on HB 256 was taken and revealed:

YES: 37.

ABSENT: Representatives Davis, George, Petrilli, Roy - 4.

Therefore, having received a constitutional majority, HB 256 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Smith.

Representative Smith brought HB 244, jointly sponsored by Representatives DiPinto, D. Ennis, Wagner, Bennett, Houghton & Jonkiert & Senator Marshall, before the House for consideration.

HB 244 - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes. (3/5 bill)

Representative Smith brought HA 1 to HB 244 before the House for consideration.

Representatives Smith & Davis made comments.

HA 1 to HB 244 was adopted by voice vote.

Representative Smith brought HA 2 to HB 244 before the House for consideration.

Representative Smith made comments.

HA 2 to HB 244 was adopted by voice vote.

Representatives Smith & Oberle made comments.

The roll call on HB 244 w/HA 1 & 2 was taken and revealed:

YES: 35.

NO: Representative Banning - 1.

NOT VOTING: Representatives Brady, Holloway - 2.

ABSENT: Representatives George, Petrilli, Roy - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 244 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Carey.

Representative Carey brought HB 254, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 254 - An Act to Amend Chapter 23, Title 7 of the Delaware Code Relating to the Commercial Crab Pot License. (3/5 bill)

Representative Carey deferred to Representative Caulk.

Representative Caulk brought HA 1 to HB 254 before the House for consideration.

Representative Caulk moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Caulk brought HA 2 to HB 254, jointly sponsored by Representative Carey, before the House for consideration.

Representative Caulk made comments.

HA 2 to HB 254 was adopted by voice vote.

Representative Carey brought HA 3, jointly sponsored by Representative Caulk, before the House for consideration.

Representatives Carey & Schroeder made comments.

Representative Carey requested and was granted the privilege of the floor for Rick Cole, Program Manager, Division of Fish & Wildlife.

Representatives Schroeder, Bennett, Carey & B. Ennis made comments.

Representative B. Ennis requested and was granted the privilege of the floor for Craig Eliason, House Attorney.

Representative B. Ennis made comments.

HA 3 to HB 254 was adopted by voice vote.

Representatives Carey & Mack made comments.

Representative B. Ennis introduced and brought HA 4 to HB 254 before the House for consideration.

Representative B. Ennis made comments.

Representative Carey requested and was granted the privilege of the floor for Rick Cole, Program Manager, Division of Fish & Wildlife.

Representatives B. Ennis, Schroeder, Caulk & B. Ennis made comments.

Representative B. Ennis requested and was granted the privilege of the floor for Craig Eliasson, House Attorney.

Representatives Carey, Schroeder & B. Ennis made comments.

Representative B. Ennis moved to place HA 4 to HB 254 on the Speaker's table. The motion was seconded by Representative Holloway and adopted by voice vote.

Representative Carey moved to place HB 254 w/HA 2 & 3 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 6:22 p.m.

46th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
First Session
June 29, 1993

Mr. Acting Speaker Quillen called the House to order at 2:33 p.m.

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

P/S: HS 1/HB 234 - 1F,3M; HB 320 - 4M.

ENV & NAT RES: HB 298 - 5M,2U.

CORR: SB 135 w/SA 1 - 4M,1U.

ECON DEV, B & I: HJR 4 - 6M,1U.

JUD: SB 186 w/SA 1 - 7M; SB 152 - 5M.

HAZ WASTE MAN: HB 313 - 7M.

TRANS & INFRA: SB 162 w/SA 1 - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 190 w/SA 1, SB 216, SB 226, SB 233, SCR 50, HB 35, SB 222, SB 235, SJR 24, HB 177 w/HA 2 & 3, HB 85 w/HA 1 & 3 & HA 2 w/HA 1, HB 75, HB 125 w/SA 1 & HB 131 w/SA 1.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Richard A. Hauge, do hereby request that my name be removed as Co-Sponsor of HB 283.

Date: 6/28/93.

Signed: Richard A. Hauge.

The Majority Leader moved to adjourn at 2:35, thereby ending the current legislative day. The House reconvened at 2:36 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Peggy G. Bradley, Eleventh Representative District.

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

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

The following prefiled legislation was introduced:

HB 332 - SPENCE, PETRILLI, AMICK, CAREY, D. ENNIS, LEE, OBERLE, BANNING, B. ENNIS, HOUGHTON, BENNETT; SENATORS ADAMS, COOK, CORDREY, MCBRIDE, SHARP, VAUGHN, EWING - JUD: An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure. (3/5 bill)

HB 333 - AMICK, DAVIS & SENATOR BLEVINS; REPRESENTATIVES CAREY, CAULK, DIPINTO, EWING, LEE, LOFINK, MARONEY, QUILLEN, REYNOLDS, SMITH, SORENSON, WAGNER, BANNING, BENNETT, BRADLEY, BUNTING, CLARK, DILIBERTO, B. ENNIS, GEORGE, GILLIGAN, HOUGHTON, PLANT, VANSANT, WEST; WOJEWODZKI; SENATORS BAIR, COOK - JUD: An Act to Amend Chapter 5, Title 11, Delaware Code to Increase the Penalty for Assault in the First Degree When the Assault is Upon a Pregnant Victim.

HB 334 - ROY - LABOR & HUM RES MAN: An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

HB 335 - EWING, FALLON, SCHROEDER; SENATOR CORDREY - ENVIR & NAT RES: An Act to Amend Chapter 17, Title 7, Delaware Code, Relating to Penalties for Failure to License Dogs; Dogs Running at Large; Female Dogs at Large, in Heat; Stealing of Dogs and Generally Relating to Dogs. (2/3 bill)

HB 336 - EWING & SCHROEDER; SENATOR CORDREY - JUD: An Act to Amend Chapter 42, Title 11, Delaware Code, Relating to Fines for Class A Misdemeanors as They Relate to Cruelty to Animals.

HB 337 - B. ENNIS, EWING, BENNETT, DILIBERTO, LEE & SENATOR VAUGHN; REPRESENTATIVES BRADY, BUNTING, CAULK, CLARK, DIPINTO, D. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, LOFINK, OBERLE, QUILLEN, REYNOLDS, ROY, SCHROEDER, VANSANT, WAGNER, WEST; SENATORS BAIR, BLEVINS, HOLLOWAY, MCBRIDE, MARSHALL, STILL, TORBERT - P/S: An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Issuance of Special Registration Plates. (3/5 bill)

HJR 5 - GILLIGAN; SENATOR SHARP & REPRESENTATIVE ROY - TRANS & INFRA: Urging the Delaware Administration for Regional Transit to Grant a Survivors Pension to Lorretta L. Logan, Widow of Edward F. Logan, Sr.

HA 1 to HB 271 - EWING - AGENDA VI: Placed with the bill.

HA 1 to HB 309 - DIPINTO - AGENDA VI: Placed with the bill.

HA 2 to HB 309 - DIPINTO & GEORGE - AGENDA VI: Placed with the bill.

HA 1 to HB 320 - VANSANT - READY LIST: Placed with the bill.

SB 190 w/SA 1 - TORBERT; REPRESENTATIVE BUCKWORTH; SENATOR STILL; REPRESENTATIVES BRADY, B. ENNIS, BENNETT, BANNING, PLANT - HOUSING & COM AFF: An Act to Amend Chapters 51 and 55, Title 25, Delaware Code, Relating to the Landlord-Tenant Code.

SB 216 - MARSHALL & REPRESENTATIVE OBERLE - LABOR & HUM RES MAN: An Act to Amend §5903(17), Chapter 59, Title 29 of the Delaware Code Relating to the Term of Employment of Temporary, Casual, and Seasonal Employees.

SB 222 - BAIR, BLEVINS, HOLLOWAY, TORBERT; REPRESENTATIVES AMICK, MARONEY, SCHROEDER - HUM NEEDS & DEV: An Act to Amend Title 6 of the Delaware Code Relating to the Elderly and Disabled.

SB 226 - TORBERT & REPRESENTATIVE PETRILLI - H/ADM: An Act to Amend Title 29 of the Delaware Code Relating to the Sale of State-Owned Material.

SB 233 - VOSHELL; REPRESENTATIVE QUILLEN - H/ADM: An Act to Reincorporate the City of Harrington. (2/3 bill)

SB 235 - CORDREY; REPRESENTATIVE BUNTING - H/ADM: An Act to Amend Chapter 78, Volume 67, Laws of Delaware, Entitled "An Act to Reincorporate the Town of South Bethany", to Correct and Clarify the Procedures for the Notice of Candidacy for Annual Municipal Election Procedures, and to Increase the Aggregate Amount Involved in Contracts for Purchase or Lease of Materials or Service Without Competitive Bidding. (2/3 bill)

SJR 24 - TORBERT & REPRESENTATIVE QUILLEN; SENATORS ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES BUCKWORTH, EWING, WAGNER, BENNETT, B. ENNIS - HOUSING & COM AFF: Establishing a Kent County Task Force to Review the Provisions of Title 9 of the Delaware Code Relating to Kent County Levy Court and Consider Whether a County Council Form of Government Should be Created.

SCR 50 - MARSHALL & HOLLOWAY; REPRESENTATIVES BUCKWORTH & JONKIERT - HOUSING & COM AFF: Requesting That the Appropriate State Agencies Develop a Mechanism for Consultation, Coordination and Information Sharing on Site Selection of Community Residential Facilities and Requesting the Delaware State Housing Authority to Take the Lead in Developing This Mechanism.

HA 1 to SB 218 - AMICK - H/ADM: Placed with the bill.

Representatives B. Ennis, D. Ennis, West, Wojewodzki, George, Wagner, Amick & Taylor requested that they be marked present.

Representative Davis brought HB 245, jointly sponsored by Representatives Spence, Buckworth, Ewing & Wagner & Senators Adams, Cordrey, Holloway, Sharp & Still, before the House for consideration.

HB 245 - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

Representative Davis made comments.

Representative Davis requested that HA 1 to HB 245 be stricken.

Representative Oberle brought HA 2 to HB 245 before the House for consideration.

Representatives Oberle, Davis, DiLiberto, Plant & Davis made comments.

Mr. Speaker Spence requested that he be marked present.

Representatives Taylor & Davis made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Oberle & Fallon made comments.

Representatives Holloway & Jonkiert requested that they be marked present.

The roll call on HA 2 to HB 245 was taken and revealed:

YES: 22.

NO: Representatives Amick, Bennett, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Maroney, Petrilli, Quillen, Roy, Smith, Sorenson - 15.

NOT VOTING: Representatives Buckworth, Bunting, Holloway, Reynolds - 4.

Therefore, having received a constitutional majority, HA 2 was adopted.

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

Representative Davis brought HA 3 to HB 245 before the House for consideration.

Representative Davis made comments.

HA 3 to HB 245 was adopted by voice vote.

Representatives Davis & Holloway made comments.

The roll call on HB 245 w/HA 2 & 3 was taken and revealed:

YES: 38.

NOT VOTING: Representatives Brady, Holloway, Plant - 3.

Therefore, having received a constitutional majority, HB 245 w/HA 2 & 3 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Taylor.

Representative Taylor moved to suspend the rules which interfere with introduction of and action on HB 338. The motion was properly seconded and adopted by voice vote.

Representative Taylor introduced and brought HB 338 before the House for consideration.

HB 338 - An Act to Amend Title 21, Chapter 27 and Chapter 41 of the Delaware Code, Relating to Driver's Licenses and Violations of Rules of the Road and Title 18 of the Delaware Code Relating to the Consequences of License Suspension for Non-Driving-Related Drug Offenders.

Representatives Taylor & Schroeder made comments.

The roll call on HB 338 was taken and revealed:

YES: 34.

NO: Representatives Holloway, Houghton - 2.

NOT VOTING: Representatives Banning, Bennett, Bradley, Brady, Plant - 5.

Therefore, having received a constitutional majority, HB 338 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle introduced HB 339.

HB 339 - An Act to Amend Chapter 5, Title 11, Delaware Code Relating to Cruelty to Animals. (2/3 bill)

Mr. Speaker assigned HB 339 to the Judiciary Committee.

Representative Quillen deferred to Representative Caulk.

Representative Caulk brought HB 258, jointly sponsored by Senator Torbert, before the House for consideration.

HB 258 - An Act to Amend Chapter 60, Title 7, Delaware Code Relating to Conservation, Environmental Control and Noxious Odors.

Representative Caulk moved to place HB 258 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Quillen deferred to Representative Davis.

Representative Davis brought HB 249, jointly sponsored by Representatives DiPinto, Maroney & Holloway & Senators Hauge & Neal, before the House for consideration.

HB 249 - An Act to Amend Chapter 17, Title 7, Delaware Code Relating to Dogs. (3/5 bill)

Representative Davis made comments.

Representative Davis brought HA 1 to HB 249 before the House for consideration.

Representative Davis made comments.

HA 1 to HB 249 was adopted by voice vote.

Representatives Davis, West, DiLiberto & Sorenson made comments.

Representative West introduced and brought HA 2 to HB 249 before the House for consideration.

Representatives West & Davis made comments.

HA 2 to HB 249 was defeated by voice vote.

Representative West introduced and brought HA 3 to HB 249 before the House for consideration.

Representatives Davis & West made comments.

The roll call on HA 3 was taken and revealed:

YES: 17.

NO: Representatives Amick, Bradley, Davis, DiPinto, D. Ennis, Houghton, Lofink, Mack, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Sorenson, Taylor, Mr. Speaker Spence - 17.

NOT VOTING: Representatives Bennett, Buckworth, Wagner, Wojewodzki - 4.

ABSENT: Representatives B. Ennis, George, Petrilli - 3.

Therefore, not having received a constitutional majority, HA 3 was declared defeated.

Representatives West, Davis & Clark made comments.

Representative Davis moved to place HB 249 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Quillen deferred to Representative Amick.

Representative Amick brought SJR 14 w/SA 1, jointly sponsored by Senators Cordrey, Sharp, Bair, Adams, Vaughn & Hauge & Representatives Spence, George & Wagner & cosponsored by Representatives Quillen, Buckworth, Bradley, DiLiberto & Wojewodzki, before the House for consideration.

SJR 14 - Establishing a Futures Commission, to be Known as "Commission on Delaware Courts 2000", to Operate as a Task Force on Court Structures and Long-Range Planning for Court Systems in the State of Delaware. (F/N)

Representative Amick made comments.

Representative Amick brought HA 1 to SJR 14 before the House for consideration.

Representative Amick made comments.

HA 1 to SJR 14 was adopted by voice vote.

Representatives Amick & Davis made comments.

The roll call on SJR 14 w/SA 1 & HA 1 was taken and revealed:

YES: 40 made

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority, SJR 14 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with lifting HB 254 w/HA 2 & 3 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Carey moved to lift HB 254 w/HA 2 & 3 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Carey brought HB 254 w/HA 2 & 3, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 254 - An Act to Amend Chapter 23, Title 7 of the Delaware Code Relating to the Commercial Crab Pot License. (3/5 bill)

Representatives Carey & B. Ennis made comments.

Representative B. Ennis requested and was granted the privilege of the floor for Charles Lesser, Fisheries Administrator, Department of Natural Resources and Environmental Control.

Representative B. Ennis made comments.

The roll call on HB 254 w/HA 2 & 3 was taken and revealed:

YES: 33.

NOT VOTING: Representatives Banning, Brady, B. Ennis, George, Gilligan, VanSant, West - 7.

ABSENT: Representative Jonkiert - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 254 w/HA 2 & 3 was sent to the Senate for concurrence.

Representative Petrilli brought SB 81 w/SA 3, sponsored by Senators Blevins, McDowell & Still & Representatives Amick, Houghton, Gilligan & Oberle, before the House for consideration.

SB 81 - An Act to Amend Chapter 26 Title 24 of the Delaware Code Relating to Physical Therapy.

Representative Petrilli deferred to Representative Amick.

Representative Amick made comments.

Representative Maroney requested that HA 1 to SB 81 be stricken.

Representative Maroney brought HA 2 to SB 81 before the House for consideration.

Representatives Maroney, Amick & Reynolds made comments.

The roll call on HA 2 to SB 81 was taken and revealed:

YES: Representatives Bennett, Clark, DiPinto, Jonkiert, Maroney, Smith, Sorenson, Taylor - 8.

NO: 31.

NOT VOTING: Representative Bunting - 1.

ABSENT: Representative George - 1.

Therefore, not having received a constitutional majority, HA 2 was declared defeated.

Representative Maroney brought HA 3 to SB 81 before the House for consideration.

Representatives Maroney & Amick made comments.

HA 3 to SB 81 was adopted by voice vote.

Representative Bennett brought HA 4 to SB 81 before the House for consideration.

Representatives Bennett, Amick, Oberle & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Stephen Permut, M.D., representing the Medical Society of Delaware.

Representatives Maroney, D. Ennis, Davis, Clark & Amick made comments.

Representative Amick requested and was granted the privilege of the floor for Greg Rybicki, representing the Delaware Physical Therapy Association.

Representatives Clark, Reynolds, Bennett, Ewing, Oberle & Bennett made comments.

The roll call on HA 4 to SB 81 was taken and revealed:

YES: Representatives Bennett, Bunting, Clark, DiPinto, B. Ennis, Maroney, Sorenson - 7.

NO: 30.

NOT VOTING: Representatives George, Roy, Schroeder, Smith - 4.

Therefore, not having received a constitutional majority, HA 4 was declared defeated.

Representatives Amick, Maroney, Bunting & Plant made comments.

The roll call on SB 81 w/SA 3 & HA 3 was taken and revealed:

YES: 36.

NO: Representatives George, Jonkiert, Maroney, Roy - 4.

NOT VOTING: Representative Clark - 1.

Therefore, having received a constitutional majority, SB 81 w/SA 3 & HA 3 was returned to the Senate for concurrence on HA 3.

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

P/S: SB 44 w/SA 2 & 4 - 4M; SB 189 - 4M; HB 337 - 4M.

H/ADM: SB 218 w/SA 1 - 5M.

ENV & NAT RES: SB 151 w/SA 1 - 6M; SJR 21 - 6M.

APPRO: HB 300 - 6F; SS 1/SB 80 - 6F.

HOUSING & COM AFF: SB 170 w/SA 1 - 6M.

ECON DEV, B & I: SCR 48 - 7M.

HOUSING & COM AFF: SB 169 - 4M.

LABOR & HUM RES MAN - SB 122 - 4M.

ED: SB 210 w/SA 2 - 5M.

Representative Petrilli deferred to Representative Jonkiert.

Representative Jonkiert moved to restore HB 117, sponsored by Representatives Roy & Davis & Senators Cook & Martin. The motion was seconded by Representative Quillen and adopted by voice vote.

HB 117 - An Act to Amend Chapter 13, Title 2, Delaware Code Relating to Auditing and the Delaware Transportation Authority. (F/N)

Representative Roy moved to place HB 117 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Amick.

Representative Amick moved to suspend the rules which interfere with action on SB 115 w/SA 2,5 & 7. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Amick brought SB 115 w/SA 2,5 & 7, jointly sponsored by Senator Adams & Representative Petrilli & Senator Cordrey & Representatives DiPinto, B. Ennis, Ewing, George, Roy & Spence, before the House for consideration.

SB 115 - An Act Supplementing the Provisions of Title 26 of the Delaware Code Annotated Relating to the Regulation of Public Utilities Providing Telecommunications Services.

Representative Amick made comments.

Representative Amick requested and was granted the privilege of the floor for Carolyn Burger, President and Chief Executive Officer, Diamond State Telephone Company.

Representative Bennett made comments.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representatives Plant, Caulk, Holloway & Amick made comments.

Mr. Speaker Spence resumed the Chair.

Representatives West, Wagner, Davis & VanSant made comments.

Representative VanSant requested and was granted the privilege of the floor for Debra Beary, Diamond State Telephone Company employee.

Representatives VanSant & Brady made comments.

Representative Buckworth requested and was granted the privilege of the floor for Alexander Apostolina, representing American Association of Retired People.

Representative Caulk requested and was granted the privilege of the floor for John J. Lloyd, President, United Telephone Workers of Delaware.

Representatives Plant & Amick made comments.

Representative Amick requested and was granted the privilege of the floor for Patricia Stowell, Public Advocate of the State of Delaware.

Representatives Holloway & Caulk made comments.

Representative Oberle introduced and brought HA 1 to SB 115 before the House for consideration.

Representatives Oberle, Petrilli, Amick, Plant & Holloway made comments.

The roll call on HA 1 was taken and revealed:

YES: Representatives Banning, Brady, Caulk, Clark, DiLiberto, B. Ennis, Holloway, Houghton, Lee, Lofink, Mack, Oberle, Plant, Reynolds, VanSant, West, Mr. Speaker Spence - 17.

NO: 22.

ABSENT: Representatives Jonkiert, Roy - 2.

Therefore, not having received a constitutional majority, HA 1 was declared defeated.

The roll call on SB 115 w/SA 2.5 & 7 was taken and revealed:

YES: 23.

NO: Representatives Banning, Bennett, Bunting, Carey, Caulk, Clark, DiLiberto, B. Ennis, Holloway, Houghton, Lee, Oberle, Reynolds, VanSant, West - 15.

NOT VOTING: Representatives Brady, Mack, Plant - 3.

Therefore, having received a constitutional majority, SB 115 w/SA 2.5 & 7 was returned to the Senate.

Representative Davis introduced HB 340, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, VanSant & West & Senators Cook, Holloway, McBride, Neal, Still & Vaughn.

HB 340 - An Act to Make a Supplementary Appropriation for Certain Grants-in-Aid for the Fiscal Year Ending June 30, 1994; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Davis made comments.

Mr. Speaker assigned HB 340 to the Appropriations Committee.

Representative Petrilli introduced HJR 6, jointly sponsored by Representatives Davis & George & Senators Cordrey, Cook & Neal.

HJR 6 - The Official Estimate of General Fund Revenues for Fiscal Year 1993.

Representative Petrilli moved to suspend the rules which interfere with action on HJR 6. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli made comments.

The roll call on HJR 6 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 6 was sent to the Senate for concurrence.

Representative Petrilli moved to suspend the rules which interfere with introduction of and action on HJR 7. The motion was properly seconded and adopted by voice vote.

Representative Petrilli introduced & brought HJR 7, jointly sponsored by Representatives Davis & George & Senators Cordrey, Cook & Neal, before the House for consideration.

HJR 7 - The Official Estimate of General Fund Revenues for Fiscal Year 1994.

Representative Petrilli moved to suspend the rules which interfere with introduction of and action on HJR 7. The motion was properly seconded and adopted by voice vote.

Representative Petrilli made comments.

The roll call on HJR 7 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 7 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 300, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, VanSant & West & Senators Cook, Holloway, McBride, Neal, Still & Vaughn, before the House for consideration.

HB 300 - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1994; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.

Representative Davis made comments.

Representative Fallon introduced and brought HA 1 to HB 300, jointly sponsored by Representative Caulk, before the House for consideration.

Representatives Fallon & Petrilli made comments.

Representative Petrilli moved to place HA 1 to HB 300 on the Speaker's table. The motion was seconded by Representative Quillen.

The roll call on the motion was taken and revealed:

YES: 37.

NO: Representatives Bunting, Caulk, Fallon - 3.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, the motion was adopted and HA 1 to HB 300 was laid on the Speaker's table.

Representatives George, Petrilli, Gilligan, Maroney, Quillen, Jonkiert, Roy, Davis & Fallon made comments.

The roll call on HB 300 was taken and revealed:

YES: 40.

NO: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 300 was sent to the Senate for concurrence.

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

H/ADM: SB 194 w/SA 1 & 2 - 1F,3M.

HOUSING & COM AFF: SJR 24 - 4M.

ECON DEV, B & I: SB 196 w/SA 1 - 7M.

JUD: SB 101 - 7M.

The Majority Leader moved to recess to the call of the Chair at 7:23 p.m.

47th LEGISLATIVE DAY 137th GENERAL ASSEMBLY

First Session
June 30, 1993

Mr. Speaker Spence called the House to order at 3:08 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 188, SJR 23 w/SA 1, HB 168 w/HA 1, HB 292, HB 230, HB 242 w/HA 1, HB 275, HJR 2, HB 241 w/HA 1,3 & 4 & w/SA 1, SB 227 w/SA 1, SB 239, SB 240 w/SA 1, HB 220, HB 182 w/HA 1, HB 294, SB 242, SB 241, SB 209, HB 144, HB 159 w/HA 1, HB 185, HB 190 w/HA 1 & 2, HB 192, HB 209, HB 210 & HB 310 w/HA 1.

The Majority Leader moved to adjourn at 3:10 p.m., thereby ending the current legislative day. The House reconvened at 3:11 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

Mr. Speaker Spence introduced guests.

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

JUD: SB 176 w/SA 1 - 4M; SB 227 w/SA 1 - 4M.

The following prefiled legislation was introduced:

HB 341 - DIPINTO, PETRILLI, BUCKWORTH, CAREY, CAULK, DAVIS, D. ENNIS, EWING, FALLON, LEE, MARONEY, QUILLEN, REYNOLDS, ROY, TAYLOR, BANNING, BENNETT, BRADLEY, BUNTING, CLARK, B. ENNIS, HOUGHTON, JONKIERT, PLANT, VANSANT; SENATORS KNOX, HOLLOWAY, MARSHALL - ECON DEV, B & I: An Act to Amend Chapter 73, Title 6 of the Delaware Code Relating to the Regulation of Securities, Broker-Dealers, Investment Advisers and Agents.

HB 342 - SORENSON & SENATOR SOKOLA; REPRESENTATIVES CAREY, DAVIS, DIPINTO, D. ENNIS, EWING, LEE, LOFINK, BRADLEY, BRADY, DILIBERTO, PLANT, WOJEWODZKI - ED: An Act to Amend Delaware Code, Title 14, Relating to the Allocation of Interpreter/Tutors in School Districts Which Enroll Deaf Students.

HB 343 - CLARK, BANNING, B. ENNIS - P/S: An Act to Amend Chapter 68, Title 21 of the Delaware Code Relating to Off-Highway Vehicles.

HB 344 - BRADLEY & SENATORS VAUGHN, SOKOLA, BLEVINS; REPRESENTATIVES BENNETT, BRADY, BUNTING, CLARK, GILLIGAN, WOJEWODZKI, D. ENNIS - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Insurance Fraud.

HB 345 - BANNING & B. ENNIS, HOLLOWAY, PLANT, QUILLEN; SENATORS HOLLOWAY, MCBRIDE, VAUGHN - H/ADM: An Act to Amend Chapter 48, Title 29, Delaware Code, Relating to Coin-Operated Lotteries.

HA 3 to HB 309 - PETRILLI, DIPINTO, GEORGE - AGENDA VI: Placed with the bill.

HA 2 to HB 320 - VANSANT - READY LIST: Placed with the bill.

SB 188 - VENABLES - H/ADM: An Act to Amend Chapter 87, Title 29 of the Delaware Code Relating to the Department of State.

SB 209 - MARSHALL & REPRESENTATIVE OBERLE - LABOR HUM RES MAN: An Act to Amend Chapter 11, Title 19 of the Delaware Code, Relating to the Payment of Workers on Regular Paydays.

SB 227 w/SA 1 - MCDOWELL - JUD: An Act to Amend Chapter 9, Title 10 of the Delaware Code Relating to Commissioners of the Family Court. (F/N)

SB 239 - SHARP - H/ADM: An Act to Amend Chapter 43, Title 29, Delaware Code Relating to Residency Requirements for Notaries Public.

SB 240 w/SA 1 - VAUGHN; REPRESENTATIVE MACK - H/ADM: An Act to Amend Chapter 251, Volume 61, Laws of Delaware, as Amended, Being the Charter of the City of Delaware City, Relating to Qualifications for Mayor and Councilpersons, Forfeiture of Office, and Supplemental Assessments. (2/3 bill)

SB 241 - TORBERT, MCBRIDE, BLEVINS, COOK, STILL & VOSHELL; REPRESENTATIVES CAREY, CAULK - ENV & NAT RES: An Act to Amend Chapter 64, Title 7 of the Delaware Code to Require the Delaware Solid Waste Authority to Conduct an Environmental Study, Focusing Upon the Dangers and Costs of Any Proposed Resource Recovery Facility or Any Proposed Waste Incinerator, Before Proceeding With Site Selection and Construction of Same.

SB 242 - CORDREY, MCDOWELL, SHARP - H/ADM: An Act to Waive the Statutory Provisions of §107(a), Title 13 of the Delaware Code Relating to the Marriage of Andrea Joy Barrett and Jeremy H. Boras.

SJR 23 w/SA 1 - VAUGHN, HOLLOWAY, COOK, BLEVINS; REPRESENTATIVE SORENSON - CORR: Authorizing and Directing the Delaware Corrections Commissioner, Robert J. Watson, to Name the Pre-Trial Annex at Greenbank as the John L. Webb Correctional Facility.

HA 1 to SB 91 - EWING - READY LIST: Placed with the bill.

HA 1 to SB 200 - CAULK - READY LIST: Placed with the bill.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: JoAnn Hedrick

FROM: Liane R. Sorenson

DATE: June 30, 1993

RE: S.B. 118 w/HA 1

Having voted with the prevailing side, I plan to move to restore SB 118 with HA 1. This bill has been returned to the Senate. Would you please request that the bill be returned to the House.

/Hh

June 30, 1993

The Honorable Bernard J. Brady
Secretary of the Senate
Delaware State Senate
Legislative Hall
Dover, DE 19903
Dear Mr. Brady:

Senate Bill No. 118 with House Amendment No. 1 was defeated in the House of Representatives on June 24, 1993 and thereafter was returned to the Senate.

The House wishes to recall SB 118 w/HA 1 for the purpose of restoration and reconsideration. Thank you for your anticipated cooperation.

Very truly yours,
JoAnn M. Hedrick
Chief Clerk of the House

JMH/gmr

June 30, 1993

TO: JOANN M. HEDRICK
FROM: BERNARD J. BRADY
RE: SB 118 w/HA 1

Dear Mrs. Hedrick:

Per your request and with the consent of the President Pro Tempore and the sponsor, I am returning Senate Bill 118 as amended by House Amendment 1.

June 30, 1993

TO: Bernard J. Brady, Secretary of the Senate
FROM: Senator Richard S. Cordrey

President Pro Tempore

RE: Legislation

Please obtain Senate Bill No. 242 from the House of Representatives.

June 30, 1993

TO: JoAnn Hedrick, Chief Clerk of the House
FROM: Bernard J. Brady, Secretary of the Senate
RE: Legislation

Please return Senate Bill No. 242, as per the attached request. Thank you.

MEMORANDUM

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

RE: SB 242

DATE: June 30, 1993

Per your request, please find attached SB 242.

Attachment

JMH/gmr

Representatives Bennett, Holloway, B. Ennis, West, Wojewodzki & Sorenson requested that they be marked present.

Mr. Speaker assigned SB 227 to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: June 30, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-387	VanSant	6/26/93	T	George & Frances Christy/50th Wedding Anniversary
H137-388	Holloway	6/26/93	T	Rev. Perry Davis/Outstanding Community Service
H137-389	VanSant	6/27/93	T	Victor & Rose George/50th Wedding Anniversary
H137-390	Buckworth	6/24/93	T	Jordan Zimmerman/1st Team All State Baseball - Catcher
H137-391	DiLiberto	6/23/93	T	Ingrid Zahn/Cover Model/DE Today Beach Guide
H137-392	DiLiberto	6/23/93	T	Alda Burrows/Ded. Serv./Dem. Committee Person/Dist. Chair
H137-393	Holloway cosponsor: Jonkiert	6/26/93	T	Sandra Hatch/Outstanding Community Service
H137-394	Oberle	6/23/93	T	Edward Monsen, Jr./Employee of Year/People w/Disabilities

H137-395	Sorenson	6/24/93	T	Dominic Perella/Presidential Scholar
H137-396	George	5/26/93	M	Chester Alton Talley
H137-397	Lee	6/25/93	T	Jennifer J. Moore/Governor /Girls State
H137-398	Carey	6/30/93	T	Jennifer Adkins/Outstanding Work as Committee Assistant
H137-399	Oberle	6/30/93	T	Patrick "Donnie" Hughes/ Excellent Work/Com. Asst.
H137-400	Maroney	6/30/93	T	Scott Tester/Performance/ Committee Assistant
H137-401	D. Ennis	6/30/93	T	P. Prabhu/Performance/ /Committee Assistant
H137-402	Smith	6/30/93	T	Paul T. Hart/Distinguished Service/N.C.C./Dept. of Elec.
H137-403	Smith	6/30/93	T	Peter J. Kopf/Distinguished Service/N.C.C./Dept. of Elec.

HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: June 30, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-404	Roy	6/28/93	T	Jennifer L. Kaczmarczyk/ Miss Delaware 1993
H137-405	Ewing	6/28/93	T	Miss Danna L. Vanderwende/ Girl's State/Auditor
H137-406	VanSant	6/17/93	T	Holly Beth Oboryshko/Tae Kwon Do Karate Champion
H137-407	Wojewodzki	6/28/93	T	Amanda Klockers/Athlete of Year
H137-408	Fallon	6/20/93	M	James Richardson
H137-409	Carey	6/28/93	T	Olivia Bailey/Performance/ "Up With People"
H137-410	Wagner	6/22/93	M	Viola Krommes
H137-411	Wagner	6/21/93	M	Frank F. Hindman
H137-412	Oberle	6/30/93	T	Amy Roberts/N.A.S.C. Student Leadership Conference.
H137-413	Oberle	6/30/93	T	Tori Barnes/N.A.S.C. Student Leadership Conference
H137-414	Oberle	6/30/93	T	Stacy Miller/N.A.S.C. Student Leadership Conference
H137-415	Oberle	6/30/93	T	Sierra Blumenschein/N.A.S.C. Student Leadership Conf.
H137-416	Oberle	6/30/93	T	Katie Elliott/N.A.S.C. Student Leadership Conf.
H137-417	Oberle	6/30/93	T	Sarah Williams.N.A.S.C. Student Leadership Conf.
H137-418	George	6/30/93	T	Spiros Mantzavinos/Ded. /House Minority Caucus
H137-419	Bradley	6/30/93	T	Mitchell's Family Stores/40 Yrs./Dedicated Serv.
H137-420	Banning	6/30/93	T	Amanda J. Hamby/DE Spec. Olympics Summer Games
H137-421	Bradley	6/30/93	T	Tammy Pinchin/Participation/ 137th General Assembly

T - Tribute

M - Memoriam

The following prefiled Consent Calendar #15 was introduced:

SCR 43 - MARTIN ON BEHALF OF ALL SENATORS; REPRESENTATIVE AMICK ON BEHALF OF ALL REPRESENTATIVES - Wishing a Happy Semi-Retirement to Dr. C. Roy "Doc"

Rylander, the University of Delaware's Men's Tennis Coach, After 41 Years of Remarkable Accomplishments.

SCR 44 - MARTIN ON BEHALF OF ALL SENATORS; REPRESENTATIVE AMICK ON BEHALF OF ALL REPRESENTATIVES - Congratulating Laura LeRoy, the Winningest Singles Player in University of Delaware Tennis History, on Her Appointment as the First Woman to Serve as Head Coach of a Men's Sport.

SCR 45 - SOKOLA & REPRESENTATIVE SORENSON - Commending Dr. William J. Geppert, Jr., Who is Retiring as State Supervisor of Mathematics in the Department of Public Instruction.

SCR 47 - SENATOR NEAL & ALL SENATORS; REPRESENTATIVES DAVIS, LOFINK, MACK, BUCKWORTH, D. ENNIS, CAREY, PETRILLI, QUILLEN, REYNOLDS, SPENCE, WAGNER, HOUGHTON - Commending Our Colleague Senator Robert T. Connor and Wishing Him a Productive Term of Office as President of the National Conference of State Legislatures.

Representative Holloway introduced HR 51.

HR 51 - Requesting the Governor of the State of Delaware to Ascertain Through His Office Whether the Public Service Commission Warrants Expansion From Its Present Five Member Composition to a Larger Composition So as to Enable It to Expedite Cases Pending Before It, or Some Other Alternative.

HR 51 was placed on Consent Calendar #15.

Consent Calendar #15 was adopted by voice vote and SCR 43, SCR 44, SCR 45 & SCR 47 were returned to the Senate.

Representative Maroney introduced HB 346, jointly sponsored by Senator Blevins & Representatives Spence, DiPinto, Sorenson, Bradley & Wojewodzki & Senators Sokola, Venables, Knox & Neal.

Representatives Gilligan & Mack requested that they be marked present.

HB 346 - An Act to Amend Chapter 7, Title 14, Delaware Code, Relating to the Lawful Authority of Teachers Over Pupils.

Mr. Speaker assigned HB 346 to the Education Committee.

Representative Jonkiert requested that he be marked present.

Representative Petrilli moved to suspend the rules which interfere with action on Consent Agenda

I. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli brought Consent Agenda I before the House for consideration.

SB 26 w/SA 1 & 2 & HA 1 & SA 3 - SHARP; REPRESENTATIVES OBERLE, HOLLOWAY; SENATOR MCDOWELL; REPRESENTATIVES WEST, WAGNER; SENATORS VAUGHN, MCBRIDE, CONNOR; REPRESENTATIVE SPENCE; SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Workmen's Compensation Insurers' Subrogations Rights and Title 21 of the Delaware Code Relating to Insurance Benefits.

SB 147 - VAUGHN; REPRESENTATIVES B. ENNIS, CAULK, BUCKWORTH - An Act to Amend Chapter 31, Part III, Title 16, Delaware Code, Relating to Vital Statistics.

SB 148 - VAUGHN; REPRESENTATIVES B. ENNIS, CAULK, BUCKWORTH - An Act to Amend Chapter 31, Title 24, Delaware Code, Relating to the Board of Funeral Services.

SB 142 - HOLLOWAY, MCBRIDE, CONNOR, KNOX; REPRESENTATIVES BRADLEY, CAREY, MARONEY, ROY, TAYLOR, HOLLOWAY; SENATORS VOSHELL, BLEVINS; REPRESENTATIVES DIPINTO, OBERLE, QUILLEN, BUCKWORTH, WAGNER, WEST - An Act to Amend Chapter 35, Title 18 of the Delaware Code Relating to Group and Blanket Health Insurance.

HB 277 - CAULK; SENATOR ADAMS; REPRESENTATIVES B. ENNIS, CAREY - An Act to Amend Chapter 60, Title 7, Delaware Code Relating to the Implementation of an Extractive Use Program. (F/N)

SB 221 - ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES CAREY, LOFINK, CLARK; SENATORS CORDREY, VENABLES; REPRESENTATIVES CAULK, FALLON, BUNTING, SCHROEDER - An Act to Amend Title 3 and Title 7 of the Delaware Code Relating to Aquaculture and Fishing.

SB 76 - VOSHELL, STILL, NEAL; REPRESENTATIVE WAGNER; SENATOR MARSHALL; REPRESENTATIVES QUILLEN, JONKIERT - An Act to Amend Titles 9, 20, and 29 of the Delaware Code Relating to Merchant Marines.

SB 66 - VOSHELL - An Act to Amend 65 Delaware Laws Chapter 455 Relating to Uniformed and Overseas Citizens Absentee Voting.

HJR 4 - SPENCE; SENATOR CORDREY - Creating an Insurance Industry Economic Development Task Force to Investigate and Report on Proposals to Attract Insurance Industry Employment Opportunities to the State of Delaware. (F/N)

HS 1/HB 234 - BUCKWORTH; SENATOR VAUGHN; REPRESENTATIVES SPENCE, D. ENNIS, LOFINK, SMITH, BENNETT, B. ENNIS, VANSANT; SENATOR VOSHELL;

REPRESENTATIVES DIPINTO, LEE, OBERLE, BANNING, CLARK, JONKIERT, WEST - An Act to Amend Title 11, Chapter 92, Relating to Law Enforcement Officers' Bill of Rights.

SB 226 - TORBERT; REPRESENTATIVE PETRILLI - An Act to Amend Title 29 of the Delaware Code Relating to the Sale of State-Owned Material.

HB 264 - BRADLEY; SENATOR SOKOLA; REPRESENTATIVE AMICK - An Act to Amend Title 17 of the Delaware Code Relating to Vacation and Abandonment of Roads, Bridges, and Other Rights of Way.

Representative Gilligan requested that HB 264 be removed from Consent Agenda J.

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

YES: 41.

Therefore, having received a constitutional majority, HB 277, HJR 4 & HS 1 for HB 234 were sent to the Senate for concurrence and SB 26 w/SA 1 & 2 & HA 1 & SA 3, SB 147, SB 148, SB 142, SB 221, SB 76, SB 66 & SB 226 were returned to the Senate.

Representative Bradley brought HB 264, jointly sponsored by Senator Sokola & Representative Amick, before the House for consideration.

HB 264 - An Act to Amend Title 17 of the Delaware Code Relating to Vacation and Abandonment of Roads, Bridges, and Other Rights of Way.

Representatives Bradley, DiPinto, Taylor & Ewing made comments.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representatives B. Ennis, D. Ennis, Davis, Clark & Oberle made comments.

The roll call on HB 264 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 264 was sent to the Senate for concurrence.

Representative Carey requested and was granted the privilege of the floor for Margaret Moore, Assistant to the Speaker for the purpose of introducing guests.

Representative D. Ennis presented a House Tribute to Prabhu.

Mr. Acting Speaker Oberle made comments.

Mr. Acting Speaker Oberle granted the privilege of the floor to Prabhu.

Representative Carey presented a House Tribute to Jennifer Adkins.

Mr. Acting Speaker Oberle granted the privilege of the floor to Jennifer Adkins.

Representative Maroney presented a House Tribute to Pam Price for Scott Tester who was not present.

Representative Oberle presented a House Tribute to Donnie Hughes.

Representative George presented a House Tribute to Spiros Mantzavinos.

Representative Clark made comments.

Mr. Acting Speaker Oberle was granted the privilege of the floor to Donnie Hughes.

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

Representative Petrilli moved to suspend the rules which interfere with action on Consent Agenda K. The motion was properly seconded and adopted by voice vote.

SB 224 - VOSHELL; REPRESENTATIVE CAREY - An Act to Reincorporate the Town of Slaughter Beach. (2/3 bill)

SB 186 w/SA 1 - VAUGHN; REPRESENTATIVE QUILLEN - An Act to Amend Title 11, Delaware Code Relating to Theft of Rental Property. (2/3 bill)

SB 172 - CONNOR; REPRESENTATIVE MACK - An Act to Amend Volume 27, Chapter 216, Laws of Delaware, as Amended, Relating to the Charter of the City of New Castle and the Power of the Council of the City of New Castle to Remit All or Any Part of City Taxes Which May be Levied or Imposed Upon Any Real Estate in the City of New Castle. (2/3 bill)

SB 233 - VOSHELL; REPRESENTATIVE QUILLEN - An Act to Reincorporate the Town of Harrington. (2/3 bill)

SB 202 - ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES CAREY, LOFINK, CLARK; SENATORS CORDREY, VENABLES; REPRESENTATIVES CAULK, FALLON, BUNTING, SCHROEDER - An Act to Amend Section 5129, Chapter 51, Title 6 of the Delaware Code Relating to the Standard Weights and Measures Laws of the State of Delaware.

SB 204 - ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES CAREY, LOFINK, CLARK; SENATORS CORDREY, VENABLES; REPRESENTATIVES CAULK, FALLON, BUNTING, SCHROEDER - An Act to Amend Section 5135, Chapter 51, Title 6 of the Delaware Code Relating to Offenses and Penalties for Violations of the Standard Weights and Measures Laws of the State of Delaware.

SB 235 - CORDREY; REPRESENTATIVE BUNTING - An Act to Amend Chapter 78 Volume 67, Laws of Delaware, Entitled "An Act to Reincorporate the Town of South Bethany", to Correct and

Clarify the Procedures for the Notice of Candidacy for Annual Municipal Election Procedures, and to Increase the Aggregate Amount Involved in Contracts for Purchase or Lease of Materials or Service Without Competitive Bidding. (2/3 bill)

SB 189 - VOSHELL, BLEVINS; REPRESENTATIVE EWING - An Act to Amend Chapter 64 Title 21 of the Delaware Code Relating to Odometer Mileage Disclosures and Record Retention. (2/3 bill)

SB 240 w/SA 1 - VAUGHN; REPRESENTATIVE MACK - An Act to Amend Chapter 251, Volume 61, Laws of Delaware, as Amended, Being the Charter of the City of Delaware City, Relating to Qualifications for Mayor and Councilpersons, Forfeiture of Office, and Supplemental Assessments. (2/3 bill)

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 224, SB 186 w/SA 1, SB 172, SB 233, SB 202, SB 204, SB 235, SB 189 & SB 240 w/SA 1 were returned to the Senate.

Representative Petrilli moved to suspend the rules which interfere with action on Consent Agenda M. The motion was properly seconded and adopted by voice vote.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli brought Consent Agenda M before the House for consideration.

SB 194 w/SA 1 & 2 - TORBERT; REPRESENTATIVE DAVIS; SENATOR HAUGE; REPRESENTATIVES PETRILLI; SENATORS SOKOLA, COOK; REPRESENTATIVE GEORGE - An Act to Amend Title 29 of the Delaware Code Relating to State Vehicles.

SB 210 w/SA 2 - SOKOLA; REPRESENTATIVE SORENSON; SENATORS BAIR, MARSHALL; REPRESENTATIVES AMICK, JONKIERT, SMITH; SENATORS BLEVINS, HAUGE, MCBRIDE; REPRESENTATIVES GILLIGAN, PETRILLI - An Act to Amend Chapter 85 Title 11 of the Delaware Code Relating to Criminal Background Checks for Public School Related Employment.

SB 222 - BAIR, BLEVINS, TORBERT; REPRESENTATIVE MARONEY; SENATOR HOLLOWAY; REPRESENTATIVES AMICK, SCHROEDER - An Act to Amend Title 6 of the Delaware Code Relating to the Elderly and Disabled.

SB 126 w/SA 1,2 & 3 - CORDREY, VAUGHN, ADAMS - An Act to Amend Chapters 1 and 4, Title 18 of the Delaware Code Relating to the Delaware Insurance Authority.

SB 217 w/SA 1 - MARSHALL; REPRESENTATIVES JONKIERT, SPENCE - An Act to Amend Title 16 of the Delaware Code Relating to Distribution, Delivery, or Possession of Controlled Substances in or Within 300 Feet of a Park or Recreation Area.

SB 162 w/SA 1 - SOKOLA, BLEVINS; REPRESENTATIVE DAVIS; SENATOR VENABLES; REPRESENTATIVE WOJEWODZKI - An Act to Amend Title 17 of the Delaware Code Relating to the Disposition of Surplus Property.

HJR 5 - GILLIGAN; SENATOR SHARP; REPRESENTATIVE ROY - Urging the Delaware Administration for Regional Transit to Grant a Survivors Pension to Lorretta L. Logan, Widow of Edward F. Logan, Sr.

HB 313 - B. ENNIS, D. ENNIS, BANNING; SENATORS TORBERT, BLEVINS; REPRESENTATIVE VANSANT - An Act to Amend Chapter 82, Title 29 of the Delaware code Relating to the Commission on Hazardous Materials.

SB 203 - ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES CAREY, LOFINK, CLARK; SENATORS CORDREY, VENABLES; REPRESENTATIVES CAULK, FALLON, BUNTING, SCHROEDER - An Act to Amend Chapter 12, Title 3 of the Delaware Code Relating to the Regulation of Pesticide Use and Application.

SB 206 - ADAMS, COOK, VAUGHN, STILL; REPRESENTATIVES CAREY, LOFINK, CLARK; SENATORS CORDREY, VENABLES; REPRESENTATIVES CAULK, FALLON, BUNTING, SCHROEDER - An Act to Amend Section 3508, Chapter 35, Title 3 of the Delaware Code Relating to Egg Sanitation.

SJR 21 - VAUGHN; REPRESENTATIVE BANNING - Recognizing the Event Entitled "Delaware Decoy Festival and Carving Championship" as Delaware's Official State Decoy Carving Championship.

SS 1/SB 80 - COOK & ALL SENATORS & ALL REPRESENTATIVES - An Act to Amend Chapters 55 and 56, Title 29 of the Delaware Code and Subchapter III, Chapter 83 Title 11 of the Delaware Code to Provide a Mechanism to Fund Post Retirement Increases for Retired State Employees. (F/N)

SCR 48 - NEAL; REPRESENTATIVES MARONEY, BRADLEY; SENATOR HOLLOWAY - Encouraging and Supporting a Fall Briefing Session With Key Policy Makers Working for Improved Health Care in the State of Delaware.

SB 170 w/SA 1 - SOKOLA; REPRESENTATIVE DIPINTO - An Act to Amend Chapter 79 Title 29, Delaware Code Relating to Volunteer Services.

Representative Davis requested that HJR 5 be removed from Consent Agenda M.

Representative Petrilli requested that SB 162 & SB 217 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, HB 313 was sent to the Senate for concurrence and SB 194 w/SA 1 & 2, SB 210 w/SA 2, SB 222, SB 126 w/SA 1,2 & 3, SB 203, SB 206, SJR 21, SS 1/SB 80, SCR 48 & SB 170 w/SA 1 were returned to the Senate.

Representative Gilligan moved to suspend the rules which interfere with action on HJR 5. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Petrilli deferred to Representative Gilligan.

Representative Gilligan brought HJR 5, jointly sponsored by Senator Sharp & Representative Roy, before the House for consideration.

HJR 5 - Urging the Delaware Administration for Regional Transit to Grant a Survivors Pension to Lorretta L. Logan, Widow of Edward F. Logan, Sr.

Representative Gilligan made comments.

The roll call on HJR 5 was taken and revealed:

YES: 39.

ABSENT: Representatives B. Ennis, D. Ennis - 2.

Therefore, having received a constitutional majority, HJR 5 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 178, jointly sponsored by Representatives Gilligan, Brady & George, before the House for consideration.

HB 178 - An Act to Amend Chapter 9, Title 10 and Chapter 47, Title 16, Delaware Code Relating to Drug Related Offenses.

Representatives Davis, Oberle & Holloway made comments.

The roll call on HB 178 was taken and revealed:

YES: 38.

NO: Representative Oberle - 1.

NOT VOTING: Representatives Plant, Reynolds - 2.

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

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted the privilege of the floor for Francis Morris, representing the Delaware Banking Association.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney moved to lift HB 11 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maroney brought HB 11, jointly sponsored by Senator Holloway, before the House for consideration.

HB 11 - An Act to Amend Chapter 6, Title 13, Delaware Code Relating to Uniform Interstate Family Support.

Representative Maroney made comments.

Representative Maroney brought HA 1 to HB 11 before the House for consideration.

Representative Maroney made comments.

HA 1 to HB 11 was adopted by voice vote.

Representative Maroney brought HA 2 to HB 11 before the House for consideration.

Representative Maroney made comments.

HA 2 to HB 11 was adopted by voice vote.

Representatives Maroney & Oberle made comments.

The roll call on HB 11 w/HA 1 & 2 was taken and revealed:

YES: 39.

NOT VOTING: Representatives Caulk, Holloway - 2.

Therefore, having received a constitutional majority, HB 11 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 205, jointly sponsored by Representatives Sorenson & Maroney & Senators Bair & Sokola & Representatives Smith, Oberle, Wagner, D. Ennis, Brady, Bradley & B. Ennis & Senators Blevins, Holloway, Venables, Connor & Hauge & cosponsored by Senator Knox, before the House for consideration.

HB 205 - An Act to Amend Chapter 17, Title 14 of the Delaware Code Relating to the Guaranteed Unit Count.

Representative Davis made comments.

Representative Davis brought HA 1 to HB 205 before the House for consideration.

Representative Davis made comments.

HA 1 to HB 205 was adopted by voice vote.

Representatives Jonkiert, Davis, Reynolds, Gilligan, Sorenson, Bradley, Maroney & Jonkiert made comments.

The roll call on HB 205 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, HB 205 w/HA 1 was sent to the Senate for concurrence.

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

Representative Reynolds made comments.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HS 1 to HB 199, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Ewing, Lee, VanSant, Banning, West, Clark, Amick, Spence, Caulk, Davis, Lofink, Oberle, Petrilli, Sorenson, Taylor, DiPinto, Reynolds, Jonkiert & Gilligan & Senators Torbert, Blevins, Cook, Holloway, Sokola, Voshell, Bair & Knox, before the House for consideration.

HB 199 - An Act to Amend Chapter 9, Title 10, Delaware Code Relating to the Prosecution of Homicides Committed by Juveniles.

Representative B. Ennis made comments.

The roll call on HS 1 to HB 199 was taken and revealed:

YES: 40.

NO: Representative Wojewodzki - 1.

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

Representative Petrilli deferred to Representative Houghton.

Representative Houghton brought HB 238, jointly sponsored by Representatives Banning, Bennett, Bradley, Brady, Clark, B. Ennis, VanSant, West, Amick, Buckworth, Davis, DiPinto, Ewing, Mack, Oberle, Reynolds, Smith, Spence & Taylor & Senators Blevins, Sokola, Vaughn & Voshell, before the House for consideration.

HB 238 - An Act to Amend the Model Defender Act Chapter 46, Title 29, Delaware Code. (3/5 bill)(F/N)

Representative Houghton made comments.

Representative Houghton brought HA 1 to HB 238 before the House for consideration.

Representative Houghton made comments.

HA 1 to HB 238 was adopted by voice vote.

Representatives Houghton, Holloway, Plant & D. Ennis made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative D. Ennis requested and was granted the privilege of the floor for Scott Chambers, House Attorney.

Representatives DiLiberto, Houghton, Holloway & Davis made comments.

The roll call on HB 238 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 238 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Brady.

Representative Brady brought HB 170, jointly sponsored by Representative Schroeder, before the House for consideration.

HB 170 - An Act to Amend Chapter 21, Title 11 of the Delaware Code Pertaining to Noncompliance With Conditions of Bail.

Representative Brady brought HA 1 to HB 170 before the House for consideration.

Representative Brady made comments.

HA 1 to HB 170 was adopted by voice vote.

The roll call on HB 170 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative B. Ennis - 1.

Therefore, having received a constitutional majority, HB 170 w/HA 1 was sent to the Senate for concurrence.

Representative Brady brought HB 171, jointly sponsored by Representative Schroeder, before the House for consideration.

HB 171 - An Act to Amend Subchapter II, Subpart D, Section 761(G)(3) of Title 11 of the Delaware Code Relating to the Definition of "Without Consent" in Sex Crime Prosecutions.

Representative Brady brought HA 1 to HB 171 before the House for consideration.

Representative Brady made comments.

HA 1 to HB 171 was adopted by voice vote.

Representative Gilligan requested that HA 2 to HB 171 be stricken.

The roll call on HB 171 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative B. Ennis - 1.

Therefore, having received a constitutional majority, HB 171 w/HA 1 was sent to the Senate for concurrence.

Representative Holloway brought HB 295, jointly sponsored by Senator Holloway, before the House for consideration.

HB 295 - An Act to Amend Chapter 41 of Title 11 of the Delaware Code by Requiring the Registration of Convicted Sexual Offenders.

Representative Holloway made comments.

The roll call on HB 295 was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

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

Representative Petrilli deferred to Representative Sorenson.

Representative Sorenson brought SB 153 w/SA 1 & 2, jointly sponsored by Senator Blevins & Representative Bradley & Senators Bair, Connor, Knox, Marshall, Martin, McBride, Neal, Sokola, Still & Voshell & Representatives Banning, Bennett, Brady, Clark, Davis, DiPinto, B. Ennis, Gilligan, Holloway, Houghton, Jonkiert, Plant, Schroeder, West, Wojewodzki, VanSant & Wagner, before the House for consideration.

SB 153 - An Act to Amend Title 10, Chapter 9 of the Delaware Code Relating to a Domestic Violence Diversion Program in the Family Court.

Representative Sorenson made comments.

The roll call on SB 153 w/SA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, SB 153 w/SA 1 & 2 was returned to the Senate.

Representative Petrilli deferred to Representative Sorenson.

Representative Sorenson brought SB 155 w/SA 1, jointly sponsored by Senator Blevins & Representative Bradley & Senators Bair, Connor, Knox, Marshall, Martin, McBride, Neal, Sokola, Still & Voshell & Representatives Banning, Brady, Davis, DiLiberto, DiPinto, B. Ennis, Gilligan, Holloway, Jonkiert, Plant, Schroeder, West & Wojewodzki, before the House for consideration.

SB 155 - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Mandatory Training of Deputy Attorneys General.

Representatives Sorenson & Amick made comments.

The roll call on SB 155 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 155 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Sorenson.

Representative Sorenson brought SB 156, jointly sponsored by Senator Blevins & Representative Bradley & Senators Bair, Connor, Knox, Marshall, Martin, McBride, Neal, Sokola, Still & Voshell & Representatives Banning, Bennett, Brady, Davis, DiPinto, B. Ennis, Gilligan, Holloway, Houghton, Jonkiert, Plant, Schroeder, West, Wojewodzki, VanSant & Wagner, before the House for consideration.

SB 156 - An Act to Amend Title 13 of the Delaware Code Creating a Domestic Violence Coordinating Council.

Representative Sorenson brought HA 1 to SB 156 before the House for consideration.

Representative Sorenson made comments.

HA 1 to SB 156 was adopted by voice vote.

Representatives Sorenson, Plant & George made comments.

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

YES: 41.

Therefore, having received a constitutional majority, SB 156 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought SB 184 w/SA 1 & 2, jointly sponsored by Senator Blevins & Representative Bradley & Senators Bair, Connor, Knox, Marshall, Martin, McBride, Neal, Sokola, Still & Voshell & Representatives Banning, Bennett, Brady, Davis, DiPinto, Gilligan, Holloway, Houghton, Jonkiert, Plant, Sorenson, VanSant, Wojewodzki & Wagner, before the House for consideration.

SB 184 - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Domestic Violence and Protection From Abuse Proceedings. (2/3 bill)

Representative Maroney deferred to Representative Sorenson.

Representative Sorenson brought HA 1 to SB 184, before the House for consideration.

Representative Sorenson made comments.

HA 1 to SB 184 was adopted by voice vote.

Representatives Maroney & Davis made comments.

Representative Maroney requested and was granted the privilege of the floor for Judge Vincent Poppitti, Chief Judge, Family Court.

Representative Davis made comments.

Mr. Speaker Spence resumed the Chair.

Representative Maroney moved to place SB 184 w/SA 1 & 2 & HA 1 on the Speaker's table.

Representative Petrilli was granted the privilege of the floor for an announcement.

Representative Petrilli deferred to Representative Schroeder.

The motion to place SB 184 w/SA 1 & 2 & HA 1 on the Speaker's table was seconded by Representative Quillen and adopted by voice vote.

Representative Schroeder brought HB 257, jointly sponsored by Representative Banning & cosponsored by Representative Ewing, before the House for consideration.

HB 257 - An Act to Amend Chapter 90, Title 11 of the Delaware Code Relating to Compensation for Innocent Victims of Crime.

Representative Schroeder brought HA 1 to HB 257, jointly sponsored by Representative Banning, before the House for consideration.

Representative Schroeder deferred to Representative Banning.

Representatives Banning, Davis & Bunting made comments.

HA 1 to HB 257 was adopted by voice vote.

Representative Schroeder brought HA 2 to HB 257, jointly sponsored by Representative Banning, before the House for consideration.

Representatives Schroeder, Bennett, Banning & Wagner made comments.

HA 2 to HB 257 was adopted by voice vote.

Representative Schroeder made comments.

The roll call on HB 257 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 257 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant brought HB 293, jointly sponsored by Senator Torbert & Representatives Banning, Bennett, Bradley, Brady, Clark, B. Ennis, Gilligan, Houghton, Jonkiert, Buckworth, Bunting, Caulk, DiPinto, Ewing, Oberle & West & Senators Adams, Marshall, Vaughn & Torbert, before the House for consideration.

HB 293 - An Act to Amend Title 16, Chapter 98 of the Delaware Code Relating to Paramedic Services.

Representative VanSant moved to place HB 293 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds brought HB 271, jointly sponsored by Representatives Spence, Ewing & Mack, before the House for consideration.

HB 271 - An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to License Qualifications.

Representative Reynolds brought HA 1 to HB 271, sponsored by Representative Ewing, before the House for consideration.

Representative Reynolds made comments.

HA 1 to HB 271 was adopted by voice vote.

Representative Reynolds made comments.

The roll call on HB 271 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 271 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Jonkiert.

Representative Jonkiert brought HB 311, jointly sponsored by Senator Marshall & Representatives Banning, Bradley, Brady, Bunting, Clark, DiLiberto, D. Ennis, Plant, Schroeder, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Reynolds & Spence, before the House for consideration.

HB 311 - An Act to Amend Chapter 11, Title 28 of the Delaware Code Relating to Bingo Prizes.

Representative Clark introduced and brought HA 1 to HB 311 before the House for consideration.

Representatives Clark, Roy & B. Ennis made comments.

Representative B. Ennis requested and was granted the privilege of the floor for Donald Knight, President, Kent County Volunteer Firemen's Association & Director of Delaware Volunteer Firemen's Association.

Representative B. Ennis made comments.

Representative Petrilli moved to place HA 1 to HB 311 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Petrilli moved to place HB 311 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Petrilli deferred to Representative Banning.

Representative Banning moved to suspend the rules which interfere with action on HB 307. The motion was properly seconded and adopted by voice vote.

Representative Banning brought HB 307, jointly sponsored by Representatives DiLiberto, B. Ennis & Jonkiert & Senators McBride & Vaughn & Representatives Brady, Clark, George, Gilligan, Plant, West & Davis, before the House for consideration.

HB 307 - An Act to Amend Chapter 30, Title 9 of the Delaware Code Relating to the Issuance of Occupancy Permits.

Representative Banning made comments.

The roll call on HB 307 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 307 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 131 w/HA 1 & SA 1 before the House for concurrence on SA

1.

HB 131 - An Act to Amend Chapter 83, Title 11 of the Delaware Code Relating to the Survivors' Eligibility for Pension Benefits. (F/N)

Representative Ewing made a comment.

The roll call on HB 131 w/HA 1 & SA 1 was taken and revealed:

YES: 32.

NO: Representative West - 1.

NOT VOTING: Representatives Bennett, Brady, DiLiberto, B. Ennis, Gilligan, Holloway, Lee, VanSant - 8.

Therefore, having received a constitutional majority, HB 131 w/HA 1 & SA 1 was sent to the Governor.

Representative Reynolds moved to suspend the rules which interfere with introduction of and action on HR 52. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds introduced and brought HR 52, jointly sponsored by Representative Oberle & cosponsored by Representatives DiPinto, Holloway & Smith, before the House for consideration.

HR 52 - Urging the Delaware Division of Natural Resources and Environmental Control to Study Alternative Measures to Reduce the Emissions Produced by the Raytheon Service Company of New Castle, Delaware, Rather Than Closing Down Such a Valued Delaware Employer.

Representatives Reynolds & Holloway made comments.

HR 52 was adopted by voice vote.

Representative B. Ennis moved to suspend the rules which interfere with action on HB 337. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 337, jointly sponsored by Representatives Ewing, Bennett, DiLiberto & Lee & Senator Vaughn & Representatives Brady, Bunting, Caulk, Clark, DiPinto, D. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Oberle, Quillen, Reynolds, Roy, Schroeder, VanSant & West & Senators Bair, Blevins, Holloway, McBride, Marshall, Still & Torbert & cosponsored by Representative Wagner, before the House for consideration.

HB 337 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Issuance of Special Registration Plates. (3/5 bill)

Representative Wagner introduced and brought HA 1 to HB 337, jointly sponsored by Representative B. Ennis, before the House for consideration.

Representative Petrilli made comments.

Representative Wagner moved to place HA 1 to HB 337 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative B. Ennis moved to place HB 337 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

The Majority Leader moved to recess for dinner at 6:29 p.m.

The House reconvened at 9:32 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 49 w/HA 2 & SA 1, HB 278, HB 232 w/SA 1, HB 255, HB 254 w/HA 2 & 3, HB 240, HB 280 w/HA 1, HJR 4 w/SA 1, HS 1 for HB 51 w/SA 1, SB 247, SB 231 & HB 256.

Representative Buckworth was granted personal privilege of the floor for the introduction of guests.

Representative Wagner was granted personal privilege of the floor for the introduction of a guest.

Representative DiPinto was granted personal privilege of the floor for the introduction of a guest.

Mr. Speaker Spence welcomed all other guests.

Mr. Speaker Spence made an announcement.

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

H/ADM: SB 195 w/SA 2 - 5M; SB 188 - 4M.

APPRO: SB 227 w/SA 1 - 2F,4M.

Representative Sorenson moved to restore SB 118 w/HA 1, sponsored by Senators Blevins & Voshell & Representative Ewing. The motion was properly seconded and adopted by voice vote.

SB 118 - An Act to Amend Chapter 27, Title 21 of the Delaware Code Relating to Suspension or Revocation.

Representative Petrilli moved to place SB 118 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli deferred to Representative Mack.

Representative Mack introduced HB 347, jointly sponsored by Senator Voshell & Representatives Spence, Caulk, Jonkiert & Schroeder.

HB 347 - An Act to Amend Chapter 29, Title 24, Delaware Code Relating to Real Estate Appraisers and Assessments.

Mr. Speaker assigned HB 347 to the Housing & Community Affairs Committee.

Representative Petrilli deferred to Representative Davis.

Representative Davis introduced HB 348.

HB 348 - An Act to Amend Chapter 50, Title 29 of the Delaware Code Relating to State Economic Development.

Mr. Speaker assigned HB 348 to the Economic Development, Banking & Insurance Committee.

Representative Petrilli deferred to Representative Amick.

Representative Amick brought HB 49 w/HA 2 & SA 1, jointly sponsored by Representatives Lee & Ewing & Senators Adams, McDowell & Sharp, before the House for concurrence on SA 1.

HB 49 - An Act to Amend Chapter 98, Title 10 of the Delaware Code Relating to Increasing Various Justice of the Peace Court Costs. (3/5 bill)(F/N)

Representative Amick made comments.

The roll call on HB 49 w/HA 2 & SA 1 was taken and revealed:

YES: 35.

NO: Representatives Bennett, B. Ennis, Jonkiert, VanSant, West - 5.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 49 w/HA 2 & SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney moved to lift SB 184 w/SA 1 & 2 & HA 1 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Maroney brought SB 184 w/SA 1 & 2 & HA 1, jointly sponsored by Senator Blevins & Representative Bradley & Senators Bair, Connor, Knox, Marshall, Martin, McBride, Neal, Sokola, Still & Voshell & Representatives Banning, Bennett, Brady, Davis, DiPinto, Gilligan, Holloway, Houghton, Jonkiert, Plant, Sorenson, VanSant, Wojewodzki & Wagner, before the House for consideration.

SB 184 - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Domestic Violence and Protection From Abuse Proceedings. (2/3 bill)

Representatives Maroney & Davis made comments.

The roll call on SB 184 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 184 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Taylor.

Representative Taylor brought SB 162 w/SA 1, sponsored by Senators Sokola, Blevins & Venables & Representatives Davis & Wojewodzki, before the House for consideration.

SB 162 - An Act to Amend Title 17 of the Delaware Code Relating to the Disposition of Surplus Property.

Representative Taylor deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with introduction of and action on HA 1 to SB 162. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis introduced and brought HA 1 to SB 162 before the House for consideration.

Representatives Davis & George made comments.

HA 1 to SB 162 was adopted by voice vote.

Representative Taylor introduced and brought HA 2 to SB 162 before the House for consideration.

Representative Taylor made comments.

HA 2 to SB 162 was adopted by voice vote.

Representatives Amick, Taylor & Davis made comments.

The roll call on SB 162 w/SA 1 & HA 1 & 2 was taken and revealed:

YES: 33.

NO: Representatives Bennett, Bradley, Houghton - 3.

NOT VOTING: Representatives Brady, Holloway, Plant, Schroeder, West - 5.

Therefore, having received a constitutional majority, SB 162 w/SA 1 & HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.

Mr. Speaker Spence introduced guests..

Representative Oberle was granted privilege of the floor for introduction of guests.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HS 1 for HB 51 w/SA 1, jointly sponsored by Representatives Taylor, DiPinto, Davis, Ewing & Oberle & Senators Martin, Marshall & Sokola, before the House for concurrence on SA 1.

HB 51 - An Act to Amend Chapter 51, Title 30 of the Delaware Code Relating to Motor Fuel and Special Fuel Tax Law. (F/N)

Representative Roy made comments.

The roll call on HS 1 for HB 51 w/SA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representatives Jonkiert, Plant - 2.

Therefore, having received a constitutional majority, HS 1 for HB 51 w/SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought HB 125 w/SA 1, jointly sponsored by Senator Vaughn & Representatives D. Ennis, Wagner, DiPinto, Jonkiert, Houghton & Bennett, before the House for concurrence on SA 1.

HB 125 - An Act to Amend Chapter 7, Title 18, Delaware Code, Regarding Fees and Taxes. (F/N)

The roll call on HB 125 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Schroeder, Spence - 2.

Therefore, having received a constitutional majority, HB 125 w/SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Bennett.

Representative Bennett brought HB 241 w/HA 1,3 & 4 & SA 1, jointly sponsored by Representatives Houghton, Jonkiert, DiPinto, D. Ennis, Smith & Wagner & Senator Cordrey, before the House for concurrence on SA 1.

HB 241 - An Act to Amend Title 19 of the Delaware Code Relating to Workmen's Compensation Loss Costs Rating.

Representative Bennett made comments.

The roll call on HB 241 w/HA 1,3 & 4 & SA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, HB 241 w/HA 1,3 & 4 & SA 1 was sent to the Governor.

Representative Petrilli moved to suspend the rules which interfere with introduction of and action on HJR 8. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Petrilli introduced and brought HJR 8, jointly sponsored by Representatives Davis & George & Senators Cordrey, Cook & Neal, before the House for consideration.

HJR 8 - The Official Estimate of General Fund Revenues for Fiscal Year 1994.

Representative Petrilli made a comment.

The roll call on HJR 8 was taken and revealed:

YES: 40.

ABSENT: Representative Maroney - 1.

Therefore, having received a constitutional majority, HJR 8 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 350. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Roy introduced and brought HB 350, jointly sponsored by Representatives Carey, B. Ennis, Jonkiert, Oberle & Taylor & Senators Cook, Martin, Hauge, Knox, McBride & Venables, before the House for consideration.

HB 350 - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1994; Deauthorizing State Guaranteed Bond Authorizations and Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Creating Certain Funds of the State; Appropriating General Funds and Special Funds of the State; Appropriating Funds From the Transportation Trust Fund and Special Funds of the Delaware Transportation Authority; Increasing and Decreasing Certain Revenues and Fees Dedicated to the Transportation Trust Fund; Creating a Small Retail Gasoline Station Assistance Program; Clarifying Certain Contractual Rights of the Delaware Transportation Authority; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Roy moved to place HB 350 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli moved to suspend the rules which interfere with action on Consent Agenda N.

Mr. Speaker Spence resumed the Chair.

The motion to suspend rules which interfere with action on Consent Agenda N was seconded by Representative Quillen and adopted by voice vote.

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

SB 239 - SHARP - An Act to Amend Chapter 43, Title 29, Delaware Code Relating to Residency Requirements for Notaries Public.

SJR 24 - TORBERT; REPRESENTATIVE QUILLEN; SENATORS COOK, STILL; REPRESENTATIVES EWING, BENNETT; SENATORS ADAMS, VAUGHN; REPRESENTATIVES BUCKWORTH, WAGNER, B. ENNIS - Establishing a Kent County Task Force to Review the Provisions of Title 9 of the Delaware Code Relating to Kent County Levy Court And Consider Whether a County Council Form of Government Should be Created.

SB 227 w/ SA 1 - MCDOWELL - An Act to Amend Chapter 9, Title 10 of the Delaware Code Relating to Commissioners of the Family Court. (F/N)

SB 176 w/SA 1 - MCBRIDE, ADAMS, COOK, MARSHALL, MCDOWELL, SOKOLA, VAUGHN, VOSHELL, CONNOR, KNOX, STILL; ALL REPRESENTATIVES - An Act to Amend Chapter 94 Title 11 of the Delaware Code to Provide Conformity With the Uniform Victim of Crimes Act.

HB 298 - CAREY; SENATOR VENABLES - An Act to Amend Title 7 of the Delaware Code Relating to Fishing Seasons. (2/3 bill)

SB 101 - VAUGHN, COOK; REPRESENTATIVE DAVIS; SENATORS SHARP, ADAMS - An Act to Amend Titles 11 and 21, Delaware Code, Relating to the Proceeds From Violations of Chapter 48 of Title 21 and Creating the "Victims' Rights Fund".

SB 247 - CORDREY, MCDOWELL, SHARP - An Act to Waive the Statutory Provisions of §107(a), Title 13 of the Delaware Code Relating to the Marriage of Andrea Joy Barrett and Jeremy H. Voras.

Representative Oberle requested that SB 239 be removed from Consent Agenda N.

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 298 was sent to the Senate for concurrence and SJR 24, SB 227 w/SA 1, SB 176 w/SA 1, SB 101 & SB 247 were returned to the Senate.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Petrilli deferred to Representative Spence.

Representative Spence brought HJR 4 w/SA 1, jointly sponsored by Senator Cordrey, before the House for consideration.

HJR 4 - Creating an Insurance Industry Economic Development Task Force to Investigate and Report on Proposals to Attract Insurance Industry Employment Opportunities to the State of Delaware. (F/N)

Representative Spence made a comment.

The roll call on HJR 4 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, HJR 4 w/SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Spence.

Representative Spence brought HB 232 w/SA 1, jointly sponsored by Senator Sharp & Representatives Buckworth, Carey, Davis, DiPinto, Ewing, Lofink, Mack, Reynolds, Roy, Smith, Sorenson, Wagner, Banning, Clark & Jonkiert & Senators Connor & McBride, before the House for consideration.

HB 232 - An Act to Amend Chapter 7, Title 13, of the Delaware Code Relating to Parents and Children.

Representative Spence made a comment.

The roll call on HB 232 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 232 w/SA 1 was sent to the Governor.

The Majority Leader moved to recess for caucus at 10:30 p.m.

The House reconvened at 11:20 p.m. with Representative Quillen as Acting Speaker.

Representative Oberle brought SB 239, sponsored by Senator Sharp, before the House for consideration.

SB 239 - An Act to Amend Chapter 43, Title 29, Delaware Code Relating to Residency Requirements for Notaries Public.

Mr. Speaker Spence resumed the Chair.

Representative Oberle made a comment.

The roll call on SB 239 was taken and revealed:

YES: 40.

NO: Representative Banning - 1.

Therefore, having received a constitutional majority, SB 239 was returned to the Senate.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought SB 174, jointly sponsored by Senators Marshall, Connor, Holloway, McDowell, Martin & Sharp & Representative Jonkiert, before the House for consideration.

SB 174 - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation. (F/N)

Representatives Oberle & Bennett made comments.

The roll call on SB 174 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 174 was returned to the Senate.

Representative Petrilli deferred to Representative Carey.

Representative Carey brought SB 71, sponsored by Senator Torbert & Representatives Ewing, B. Ennis, Banning, Gilligan, Schroeder, Bradley & DiPinto, before the House for consideration.

SB 71 - An Act to Amend Chapter 66, Title 18, Delaware Code, Relating to Line-of-Duty Death Benefits; Providing for the Addition to "Covered Persons" of the Department of Natural Resources and Environmental Control Environmental Response Team. (F/N)

Representative Carey made a comment.

The roll call on SB 71 was taken and revealed:

YES: 40.

NO: Representative Jonkiert - 1.

Therefore, having received a constitutional majority, SB 71 was returned to the Senate.

Representative Petrilli deferred to Representative Buckworth.

Representative Buckworth brought SB 218 w/SA 1, jointly sponsored by Senator Blevins & Representative Amick & Senators Sokola, Torbert & Voshell & Representative Jonkiert, before the House for consideration.

SB 218 - An Act to Amend Chapters 4,6 and 51, Title 24 of the Delaware Code Relating to Cosmetology and Barbering.

Representative Buckworth deferred to Representative Amick.

Representative Amick brought HA 1 to SB 218 before the House for consideration.

Representative Amick made a comment.

HA 1 to SB 218 was adopted by voice vote.

Representatives Buckworth & Jonkiert made comments.

Representative Buckworth requested and was granted the privilege of the floor for Christine Donkin, President, Board of Cosmetology & Barbering.

Representative Jonkiert made a comment.

Representative Petrilli moved to place SB 218 w/SA 1 & HA 1 on the Speaker's table.

Representative Petrilli deferred to Representative Taylor.

The motion to place SB 218 w/SA 1 & HA 1 on the Speaker's table was seconded by Representative Carey and adopted by voice vote.

Representative Taylor brought HB 252, jointly sponsored by Senator Martin & Representatives B. Ennis & Wojewodzki, before the House for consideration.

HB 252 - An Act to Amend Title 2 of the Delaware Code Relating to Employee Commute Options and a Provision of Title 30 of the Delaware Code Relating Thereto.

Representative Taylor brought HA 1 to HB 252 before the House for consideration.

Representatives Taylor, Clark, Roy, Amick, Caulk, Taylor, Smith, Sorenson, Amick & Fallon made comments.

HA 1 to HB 252 was adopted by voice vote.

The roll call on HB 252 w/HA 1 was taken and revealed:

YES: 28.

NO: Representatives Amick, Banning, Caulk, Holloway, Jonkiert, Lee, West - 7.

NOT VOTING: Representatives Buckworth, Ewing, Fallon, Smith, VanSant, Wagner - 6.

Therefore, having received a constitutional majority, HB 252 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to adjourn the First Session of the 137th General Assembly at 12:00 midnight.

1st LEGISLATIVE DAY
FIRST SPECIAL SESSION
July 1, 1993

Mr. Speaker Spence called the House to order at 12:01 a.m.

The Reading Clerk read the following communications into the record:

TO: Members of the 137th General Assembly

FROM: Terry R. Spence, Speaker of the House of Representatives

Ruth Ann Minner, Lt. Governor, State of Delaware

SUBJECT: Special Session

DATE: June 30, 1993, 12 o'clock

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 137th General Assembly of the State of Delaware in Special Session.

Terry R. Spence
Speaker of the House of Representatives
Ruth Ann Minner
Lt. Governor, State of Delaware

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative G. Robert Quillen, Thirtieth Representative District.

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

Mr. Speaker announced that the Journal is available in the Chief Clerk's office.

Mr. Speaker Spence introduced guests.

Representative Oberle made comments.

Representative DiLiberto was granted personal privilege of the floor for the introduction of guests.

Representative Wojewodzki was granted personal privilege of the floor for the introduction of guests.

Representative Caulk was granted personal privilege of the floor for the introduction of guests.

Representative Petrilli deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with introduction of and action on HB 349. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis introduced and brought HB 349, jointly sponsored by Representatives Spence, Petrilli, Quillen, George & Gilligan & Senators Cook, Cordrey, Sharp, Holloway, Bair & Connor, before the House for consideration.

HB 349 - An Act to Amend an Act Entitled "An Act Making Appropriations for the Expense of State Government for the Fiscal Year Ending June 30, 1994; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions", Being House Bill No. 300 of the 137th General Assembly of the State of Delaware.

Representative Davis made comments.

The roll call on HB 349 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 349 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with action on HB 340. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Davis brought HB 340, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, VanSant & West & Senators Cook, Holloway, McBride, Neal, Still & Vaughn, before the House for consideration.

HB 340 - An Act to Make a Supplementary Appropriation for Certain Grants-in-Aid for the Fiscal Year Ending June 30, 1994; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Davis & Bennett made comments.

The roll call on HB 340 was taken and revealed:

YES: 40.

NO: Representative Bennett - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 340 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy moved to lift HB 350 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Roy brought HB 350, jointly sponsored by Representatives Carey, Jonkiert & Taylor & Senators Cook, Knox & Venables & Representatives B. Ennis & Oberle & Senators Martin, Hauge & McBride, before the House for consideration.

HB 350 - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1994; Deauthorizing State Guaranteed Bond Authorizations and Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Creating Certain Funds of the State; Appropriating General Funds and Special Funds of the State; Appropriating Funds From the Transportation Trust Fund and Special Funds of the Delaware Transportation Authority; Increasing and Decreasing Certain Revenues and Fees Dedicated to the Transportation Trust Fund; Creating a Small Retail Gasoline Station Assistance Program; Clarifying Certain Contractual Rights of the Delaware Transportation Authority; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Petrilli announced that he will not be voting on HB 350 because of a possible conflict of interest.

Representatives Roy & Caulk made comments.

The Reading Clerk read the Debt Limit Statement into the record.

Representatives West, George, Holloway, Plant, Roy, Holloway & Plant made comments.

The roll call on HB 350 was taken and revealed:

YES: 38.

NO: Representatives Caulk, West - 2.

NOT VOTING: Representative Petrilli - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 350 was sent to the Senate for concurrence.

Representative Plant was granted personal privilege of the floor for the introduction of a guest. Representative Davis moved to suspend the rules which interfere with introduction of and action on HB 351. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis introduced and brought HB 351, jointly sponsored by Representatives Spence, Petrilli, Quillen, George & Gilligan & Senators Cook, Cordrey, Sharp, Holloway, Bair & Connor, before the House for consideration.

HB 351 - An Act to Provide for a Supplemental Appropriation to the Department of Health and Social Services, Social Services for the Purpose of an Emergency Concerning Medicaid Funds for Non-State Institutions. (3/5 bill)

Representative Davis made comments.

The roll call on HB 351 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 351 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with introduction of and action on SB 230 w/SA 1. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis introduced and brought SB 230, jointly sponsored by All Representatives & Senator Cook & All Senators, before the House for consideration.

SB 230 - An Act to Amend Chapter 83, Title 11 and Chapters 55 and 56, Title 29, Delaware Code, to Provide Post-Retirement Increases to Pensioners Who Retired On or Before January 1, 1993. (F/N)

Representative Davis made comments.

The roll call on SB 230 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 230 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis moved to lift HB 337 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative B. Ennis brought HB 337, jointly sponsored by Representatives Ewing, Bennett, DiLiberto & Lee & Senator Vaughn & Representatives Brady, Bunting, Caulk, Clark, DiPinto, D. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Oberle, Quillen, Reynolds, Roy, Schroeder, VanSant & West & Senators Bair, Blevins, Holloway, McBride, Marshall, Still & Torbert & cosponsored by Representative Wagner, before the House for consideration.

HB 337 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Issuance of Special Registration Plates. (3/5 bill)

Representatives B. Ennis & Mack made comments.

Representative Wagner introduced and brought HA 2 to HB 337, jointly sponsored by Representative B. Ennis, before the House for consideration.

Representatives Wagner & B. Ennis made comments.

HA 2 to HB 337 was adopted by voice vote.

Representative B. Ennis made comments.

The roll call on HB 337 w/HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 337 w/HA 2 was sent to the Senate for concurrence.

Representative Petrilli brought SB 195 w/SA 2, sponsored by Senators McBride, Cook, Neal & Sokola & Representatives George, Davis & Wojewodzki, before the House for consideration.

SB 195 - An Act to Amend Title 7, Chapter 60, Delaware Code Relating to the Creation and Funding of the Clean Air Act Title V Operating Permit Program to Comply With the Federal Clean Air Act Amendments of 1990. (3/5 bill)(F/N)

Representative Petrilli made comments.

Representative Petrilli deferred to Representative Mack.

Representative Mack introduced and brought HA 1 to SB 195 before the House for consideration.

Representative Mack made comments.

Representative Mack moved to place HA 1 to SB 195 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representatives Petrilli & D. Ennis made comments.

The roll call on SB 195 w/SA 2 was taken and revealed:

YES: 38.

NOT VOTING: Representatives Holloway, Jonkiert - 2.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 195 w/SA 2 was returned to the Senate.

Representative Mack brought HB 235 w/HA 1 & SA 1 & 3, jointly sponsored by Representatives D. Ennis & Smith & Senator Vaughn, before the House for concurrence on SA 1 & 3.

HB 235 - An Act to Amend Titles 7 and 30 of the Delaware Code Relating to Fees and Taxes Imposed to Fund the Cleanup of Hazardous Substances. (3/5 bill)

Representatives Mack & Davis made comments.

Representative Wojewodzki announced that she will not be voting on HB 235 because of a possible conflict of interest.

The roll call on HB 235 w/HA 1 & SA 1 & 3 was taken and revealed:

YES: 34.

NO: Representatives Banning, Gilligan - 2.

NOT VOTING: Representatives Holloway, Jonkiert, West, Wojewodzki - 4.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 235 w/HA 1 & SA 1 & 3 was sent to the Governor.

Representative Petrilli deferred to Representative Buckworth.

Representative Buckworth moved to lift SB 218 w/SA 1 & HA 1 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Buckworth brought SB 218 w/SA 1 & HA 1, jointly sponsored by Senator Blevins & Representative Amick & Senators Sokola, Torbert & Voshell & Representative Jonkiert, before the House for consideration.

SB 218 - An Act to Amend Chapters 4,6 and 51, Title 24 of the Delaware Code Relating to Cosmetology and Barbering.

Representative Buckworth made comments.

The roll call on SB 218 w/SA 1 & HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Wojewodzki - 2.

Therefore, having received a constitutional majority, SB 218 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Taylor brought SB 169, jointly sponsored by Senators McBride, Blevins, Connor, Cook, Marshall, McDowell, Sokola & Torbert & Representatives Bennett, Bradley, Brady, Davis, Lee, Roy, Spence, West & Wojewodzki, before the House for consideration.

SB 169 - An Act to Amend Chapter 1, Title 26 of the Delaware Code Relating to the Authority of the Public Service Commission to Enact Regulations Concerning Cable Television Systems.

Representative Taylor made a comment.

The roll call on SB 169 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 169 was returned to the Senate.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought SB 196 w/SA 1, sponsored by Senator Blevins & Representative VanSant, before the House for consideration.

SB 196 - An Act to Amend Title 29 Delaware Code Relating to Health Care Insurance. (F/N)

Representatives D. Ennis & Bennett made comments.

The roll call on SB 196 w/SA 1 was taken and revealed:

YES: Representatives D. Ennis, Plant, Roy, VanSant, West, Wojewodzki - 6.

NO: 22.

NOT VOTING: Representatives Brady, Buckworth, Bunting, Davis, Ewing, Fallon, Holloway, Maroney, Reynolds, Schroeder, Sorenson, Wagner - 12.

ABSENT: Representative Caulk - 1.

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

Therefore, not having received a constitutional majority, SB 196 w/SA 1 was declared defeated.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought SB 108 w/SA 1, jointly sponsored by Senator Marshall, before the House for consideration.

SB 108 - An Act to Amend Chapter 21 Title 19 of the Delaware Code, Relating to the Composition and Compensation of Members of the Industrial Accident Board. (F/N)

Representatives Oberle, Clark & Holloway made comments.

The roll call on SB 108 w/SA 1 was taken and revealed:

YES: 39.

NO: Representative Clark - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 108 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HB 41 w/HA 1 & SA 1, jointly sponsored by Senator Holloway, before the House for concurrence on SA 1.

HB 41 - An Act to Amend Chapter 51 and 53 of Title 31, Delaware Code Relating to the Powers and Duties of the Department of Services for Children, Youth and Their Families Over the Ferris School for Boys and the Woods Haven School for Girls.

Representative Maroney made comments.

The roll call on HB 41 w/HA 1 & SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 41 w/HA 1 & SA 1 was sent to the Governor.

Representative Maroney made comments.

Representative Petrilli deferred to Representative Lee.

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

Representative Lee introduced and brought SB 250, jointly sponsored by Senator Holloway, before the House for consideration.

SB 250 - An Act to Amend Chapter 66, Title 16 of the Delaware Code Relating to Smoke Detectors. (2/3 bill)

Representatives Lee, Petrilli, West & DiPinto made comments.

The roll call on SB 250 was taken and revealed:

YES: 39.

NO: Representative Jonkiert - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 250 was returned to the Senate.

Representatives Petrilli, George, Quillen & Spence made comments.

Representative Oberle was granted the privilege of the floor for the introduction of guests.

Representative Petrilli introduced and brought SCR 51, sponsored by Senator Marshall & Representative Jonkiert & Senators Holloway & McDowell & Representatives DiPinto, George, Holloway & Plant, before the House for consideration.

SCR 51 - Commending the Honorable James H. Sills, Jr., Mayor of the City of Wilmington, for Implementing a Firearms Amnesty Program Throughout the City.

SCR 51 was adopted by voice vote and returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 350, HB 252 w/HA 1, HB 351, SB 250, HB 245 w/HA 2 & 3, HB 38, HB 291, HB 251, HB 257 w/HA 1 & 2, HB 349, HB 340, HB 41 w/HA 1 & SA 1, SB 230 w/SA 1, HB 300, HJR 6, HJR 8, HJR 5, HB 235 w/SA 1 & 3, SB 229, HB 124 w/HA 1, HCR 41, HB 203 w/HA 1, HB 153 w/HA 1 & 3, HB 231 w/HA 1, HB 338, SCR 51, HB 323 & HCR 14 w/HA 1.

The Majority Leader moved to recess to the call of the Chair at 2:08 a.m.

1st LEGISLATIVE DAY
FIRST SPECIAL SESSION
July 1, 1993

Mr. Speaker Spence called the House to order at 3:52 p.m.

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

JUD: HB 299 - 1F,6M; HB 302 - 7M; HB 305 - 1F,6M; HB 318 - 3F,4M; SB 69 - 5M,2U.

Mr. Speaker assigned SB 69 to the Appropriations Committee.

The Majority Leader moved to recess the Special Session at 3:53 p.m.

1st LEGISLATIVE DAY
SECOND EXTRAORDINARY SESSION
November 4, 1993

Mr. Speaker Spence called the House to order at 3:54 p.m.
The Reading Clerk read the following communication into the record:

State of Delaware
Executive Department
Dover

PROCLAMATION

By virtue of the authority vested in me as Governor of Delaware by Article III, §16 of the Constitution of the State of Delaware, I, Thomas R. Carper, hereby convene by proclamation a special session of the General Assembly on November 4, 1993 at 3:30 p.m. for consideration of legislation related to the State of Delaware's program to comply with the requirements of the federal Clean Air Act 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 29th day of Oct, the year of our Lord One Thousand Nine Hundred Ninety Three and of the Independence of the United States of America, the Two Hundred and Eighteenth.

Thomas R. Carper
Governor
George J. Coyle
Secretary of State

ATTEST:

The Chief Clerk called the roll.
Members Present: 41.

A prayer was offered by Representative Steven C. Taylor, Twenty-First Representative District.

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

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

The Reading Clerk read the following communications into the record:

July 1, 1993

LEGISLATIVE ADVISORY #21

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
6/30/93 - SB 104, SB 105, SB 22 aab SA 1, SB 93 aab SA 1 & 2, SB 167, SB 158, SB 54 & HS 1 for HB 72.

July 1, 1993

LEGISLATIVE ADVISORY #22

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:
6/30/93 - HB 263 aab SA 1, 7/01/93 - SJR 12, SB 146, SJR 17, HB 49 aab HA 2 & SA 2, HJR 6, HJR 8, HB 300, HB 349, HB 340 & SJR 1.

July 6, 1993

LEGISLATIVE ADVISORY #23

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:
7/01/93 - SB 138 aab SA 1, HB 351 & HB 350, 7/02/93 - HB 243, SB 133, SB 131, SB 129, SB 128, SB 127, SB 119 aab SA 1 & 2, 7/03/93 - SB 6 aab SA 1 & 3 & HA 1.

July 7, 1993

LEGISLATIVE ADVISORY #24

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:
7/01/93 - SB 174, 7/06/93 - HB 144, HB 210, HB 275, HB 230, HB 310 aab HA 1, HB 182 aab HA 1 & 2, HB 242 aab HA 1, HB 168 aab HA 1, SB 116 aab HA 1 & 2, SB 99, SB 187, HB 159 aab HA 1, SB 166 aab SA 1, SB 120, HB 35, HB 75, HB 177 aab HA 2 & 3 & HB 294.

HB 192 is a constitutional amendment and does not require the signature of the Governor.

July 8, 1993

To The Members of the Delaware State House of Representatives
of the 137th General Assembly:

I received House Bill Number 185 on June 30, 1993 and am returning it to you today without my signature.

The reprehensible crime that inspired this legislation is one that disgusts me. However, H.B. 185 is broadly drafted and makes it a Class F felony to, among other things, recklessly injure any animal

belonging to another person without legal privilege or consent of the owner. This penalty exceeds that for a reckless or intentional assault causing physical injury to a human being, which is presently a Class A misdemeanor. Moreover, H.B. 185 may well sweep within its broad scope cases that are tremendously dissimilar in seriousness from the crime to which the Bill responds. Thus, I cannot sign H.B. 185.

However, because I share the concerns of those who supported the Bill regarding the need to deter and punish crimes against animals, my Administration will work with the General Assembly to develop legislation that will make it a felony to intentionally cause severe physical injury to an animal.

Sincerely,
Thomas R. Carper
Governor

July 9, 1993

LEGISLATIVE ADVISORY #25

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

7/07/93 - SB 206. 7/08/93 - SB 115 aab SA 2.5 & 7, SB 202, SB 203, SB 204, SB 221, SS 1 for SB 80 & SB 230 aab SA 1.

July 9, 1993

LEGISLATIVE ADVISORY #26

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:

7/08/93 - HB 190 aab HA 1 & 2, HJR 2, SJR 16, HB 292, SB 46 aab SA 1 & HA 1, SB 186 aab SA 1, SB 126 aab SA 1,2 & 3, SB 240 aab SA 1, SB 189, SB 170 aab SA 1, SB 233, SJR 21, SB 26 aab SA 1,2 & 3 & HA 1, SB 225 & SB 66. 7/09/93 - HB 209.

The following legislation became law on the date indicated without the signature of Governor Thomas R. Carper: 7/05/93: SB 94 aab SA 1.

July 9, 1993

To The Members of The Delaware State House of Representatives
of the 137th General Assembly:

On June 30, 1993, I received House Bill Number 220, which adds "a representative of employees eligible for (state health insurance) coverage appointed by the Governor" to the State's Health Benefits Committee. I am returning the Bill without my signature for the following reason.

I believe the laudable goal of increasing employee input in the decision making process regarding the health benefit plans for state workers can be better served by creating a broadly representative Fringe Benefits Advisory Council similar to the Pension Advisory Council than by adding a single employee representative to the Health Benefits Committee. Therefore, I intend to work with the sponsor of H.B. 220 to create such a Council this summer and to evaluate carefully how its role may be coordinated with that of the Pension Advisory Council. A Fringe Benefits Advisory Council will enable representatives of the many relevant constituencies whose voices should be heard on these issues to provide meaningful advice regarding the fringe benefits available to state employees. The single representative contemplated by H.B. 220 cannot adequately represent all these relevant constituencies.

Sincerely,
Thomas R. Carper
Governor

July 12, 1993

Ms. JoAnn M. Hedrick
Chief Clerk
Delaware House of Representatives
Legislative Hall
Dover, DE 19903
Dear Ms. Hedrick:

Thank you for your letter informing me of the Delaware House's action on House Resolution 30, which urges the Senate to pass S.J. Res. 79, commemorating June 19th as "National Baseball Day." I appreciate having a Delaware perspective on this matter.

Commemorative legislation needs 50 bipartisan cosponsors before it may be considered before the Senate Judiciary Committee, which I chair. In addition, commemoratives may also pass in the Senate without the required cosponsors by unanimous consent. Unfortunately, just before June 19th, S.J. Res. 79 only had 23 cosponsors, and it is unclear whether Senator Lautenberg tried to pass it by unanimous consent.

If this matter comes before the Senate again next year, I will be sure to keep the Delaware House's support for "National Baseball Day" in mind.

Thank you again for writing. I hope you will feel free to share this letter with the sponsors of this resolution.

Sincerely,
Joseph R. Biden, Jr.
United States Senator

July 14, 1993

LEGISLATIVE ADVISORY #27

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:
 7/09/93 - HB 85 aab HA 1, HA 2 aab HA 1 to HA 2 & HA 3. 7/12/93 - HJR 5, SB 227 aab SA 1, SB 239, SB 247, HB 338, HB 323, HB 291, HB 280 aab HA 1, HB 278, HB 255, HB 251, HB 240, HB 41 aab HA 1 & SA 1, HB 38 aab HA 1, HB 235 aab HA 1, SA 1 & SA 3, SB 194 aab SA 1 & 2 & HB 301.
 7/13/93 - SB 195 aab SA 2.

July 14, 1993

LEGISLATIVE ADVISORY #28

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
 7/14/93 - SB 162 aab SA 1, HA 1 & 2, HB 203 aab HA 1, HB 232 aab SA 1, SB 169, SB 108 aab SA 1, SB 71, SB 210 aab SA 2, SB 76, SB 147, SB 148, SB 235, SB 226, SB 224, SB 222, SB 172, HB 125 aab SA 1, HB 131 aab HA 1 & SA 1, HB 245 aab HA 2 & 3, HB 257 aab HA 1 & 2 & SJR 24.

July 16, 1993

To the Members of the Delaware House of Representatives of the 137th General Assembly:

On July 6, 1993, I received House Bill No. 254, as amended by House Amendment No. 2 and House Amendment No. 3, entitled:

"AN ACT TO AMEND CHAPTER 23, TITLE 7 OF THE DELAWARE CODE RELATING TO THE COMMERCIAL CRAB POT LICENSE."

House Bill No. 254, as introduced, was designed to clarify the terms of 7 Del. C. §2303 which pertains to commercial crab pot licenses. Among other things, the bill in its original form would clearly establish that the holder of a commercial crab pot license is permitted to designate no more than two people (who must be Delaware residents) "to place, use, set or tend" the licensee's crab pots from the vessel owned by the licensee whether or not the licensee was present. House Bill No. 254 was supported in its original form by the Shellfish Advisory Council.

House Amendment No. 3 to House Bill No. 254, however, in addition to reducing the number of designees from two to one, would permit the use of a designee only when the licensee is not employed elsewhere unless the nature of the employment is self-employment. To permit the use of a designee only if the licensee is not employed elsewhere unless such other employment elsewhere is self-employment greatly muddies the waters of commercial crabbing. There appears to be no state interest fostered by permitting a licensee to use a designee if the licensee is self-employed elsewhere but not permitting the use of a designee if the licensee is employed elsewhere but not self-employed.

House Amendment No. 3 to House Bill No. 254 permits the use of designees by one group of citizens and denies that right to others based on a distinction which fosters no discernible State purpose. For these reasons, I am returning House Bill No. 254, as amended by House Amendment No. 2 and House Amendment No. 3, without my signature.

Sincerely,
 Thomas R. Carper
 Governor

July 19, 1993

To the Members of The Delaware State House of Representatives
 of the 137th General Assembly:

On July 7, 1993, I received House Bill 256, which appropriates monies for and grants a special pension to Louise P. Smarrelli.

The Bill grants Ms. Smarrelli credit for prior service that did not, at the time she rendered and then left that service in 1969, entitle her to state pension benefits. Although the particular circumstance that apparently caused Ms. Smarrelli not to accrue the requisite number of years of service to become eligible for a state pension is one with which I sympathize, there are doubtless countless other former employees whose years of service fell short of entitling them to a pension and who could also present as compelling a case to exempt them from the usual requirements of the state's pension system. I believe it is imprudent -- as does the Board of Pension Trustees -- to make case-by-case exceptions by legislation to the eligibility requirements of our pension system except in the most extraordinary of circumstances.

For the foregoing reason, I am returning H.B. 256 without my signature.

Sincerely,
 Thomas R. Carper
 Governor

July 19, 1993

To The Members of The Delaware State House of Representatives
 of the 137th General Assembly:

On July 7, 1993, I received House Bill No. 153, as amended by House Amendment No. 1 and House Amendment No. 3, entitled:

"AN ACT TO AMEND CHAPTER 21, TITLE 24, DELAWARE CODE, RELATING TO THE DEFINITION OF THE PRACTICE OF OPTOMETRY, THE USE OF DRUGS OR SURGERY AND THE PRACTICE OF OPTOMETRY, AND THE LICENSING AND CERTIFICATION THEREOF."

The purpose of House Bill No. 153 is to significantly broaden the scope of the practice of optometry. The bill includes within its purview not only the authority to prescribe and use certain categories of therapeutic drugs, but also permits "the utilization of any method or means which the optometrist is educationally qualified to provide and approved by the Delaware State Board of Examiners in Optometry", but does not include surgery or drugs which are prescription-controlled. Authorization to practice in the expanded field of optometry is to be conditioned upon passing an examination designed to test appropriate knowledge of the field as determined by the State Board. Certification to use therapeutic drugs is conditioned upon passing a national examination in the treatment and management of ocular disease.

The scope of practice permitted under House Bill No. 153 is designed to reflect a metamorphosis in the field of optometry which has been occurring over the last fifteen or so years. No longer are optometrists trained to simply prescribe eyeglasses or contact lenses. They are viewed by many as primary and secondary eye health care providers. Ophthalmologists, on the other hand, have historically treated diseases of the eye and have been educated and trained to perform eye surgery. If optometrists can be viewed as providing primary and secondary care, ophthalmologists may be considered as providing secondary and tertiary care. The skills available from each discipline overlap to some degree.

Proponents of House Bill No. 153 argue that permitting optometrists to practice to the level of their education and training will ensure to the great benefit of the public because optometric care is more widely available and more cost effective. Opponents of the bill argue that while optometric care may be more available, some, if not all, optometrists are neither trained or educated to diagnose or treat many diseases and conditions of the eye or the body as a whole. Furthermore, they argue, the use of therapeutic drugs requires greater knowledge, training and skill than most optometric curricula offered in the past; it is the appropriate understanding and training to effectively use prescription medication which is the benchmark of the practice of medicine.

While I am more than satisfied that many optometrists may indeed be sufficiently educated and trained to appropriately perform under the expanded definition of the practice of optometry, I am not satisfied that the qualifications necessary to practice in an expanded field are required under existing law or are adequately addressed by House Bill No. 153. Although the field of optometry has grown considerably in recent years, current law does not reflect educational requirements commensurate with the level of practice to which the field has grown. Not only should State law require schooling sufficient to adequately prepare practitioners for greater levels of expertise, but qualifications should include schooling from accredited institutions.

In addition to revisiting qualifying standards, consideration should be given to whether the existing regulatory process is sufficient to address the needs of both practitioners and patients under an expanded field of optometry. The General Assembly has seen fit to provide a comprehensive Medical Practices Act to oversee the practice of medicine. To the extent that House Bill No. 153 is designed to permit optometrists to enter the field of medicine, in some respects greater oversight may be beneficial to both members of the profession and their patients.

An expanded field of optometry appears to be a mechanism which will benefit the public to a great degree. Nevertheless, because the field has grown with no corresponding growth in the qualifications required to practice or in the regulatory process designed to safeguard the public interest, acceptance of House Bill No. 153 seems premature. It is my hope that the issue will be revisited during the second session of the 137th General Assembly. I stand willing to commit my Administration to facilitate the introduction of legislation designed to ensure that only qualified, appropriately educated and trained practitioners are licensed within a regulatory scheme designed to meet the changing needs of the profession. Absent such protections, I must regretfully return House Bill No. 153 without my signature.

Sincerely,
Thomas R. Carper
Governor

July 20, 1993

LEGISLATIVE ADVISORY #29

The following legislation was signed by Governor Thomas R. Carper on the dates indicated:
7/08/93 - SB 250. 7/16/93 - SB 153 aab SA 1 & 2, SB 155 aab SA 1, SB 156 aab HA 1, SB 184 aab SA 1 & 2 & HA 1, HB 252 aab HA 1, HB 231 aab HA 1, HB 241 aab HA 1, 3 & 4 & SA 1, SB 81 aab SA 3 & HA 3, SB 95 aab SA 2 & 3, SB 142, SB 176 aab SA 1 & HB 124 aab HA 1. 7/17/93 - SJR 14 aab SA 1 & HA 1. 7/19/93 - HJR 4 aab SA 1, SB 101.

July 21, 1993

LEGISLATIVE ADVISORY #30

Governor Thomas R. Carper vetoed the following legislation on the dates indicated: 7/12/93 - HB 185 & HB 220. 7/16/93 - HB 254 aab HA 2 & 3. 7/19/93 - HB 256 & HB 153 aab HA 1 & 3.

August 2, 1993

LEGISLATIVE ADVISORY #31

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
7/29/93 - HS 1 for HB 51 aab SA 1

Representatives Amick, Buckworth, Holloway, Brady & Smith requested that they be marked present.

Representative D. Ennis introduced HB 356.

HB 356 - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code to Limit the Amount of Surplus in a Single Investment.

Mr. Speaker assigned HB 356 to the Economic Development, Banking & Insurance Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-422	Wagner	7/01/93	T	Delaware State University/ Achieving Designation
H137-423	Amick	7/10/93	T	Al & Jackie Root/50th Wedding Anniversary
H137-424	Wagner	6/18/93	T	Mr. & Mrs. Charles Amend, Sr./ 66th Wedding Anniversary
H137-425	Wagner	6/26/93	T	Karen Elizabeth MacMurray & Robert Alan Spencer/Marriage
H137-426	B. Ennis	7/02/93	M	Margaret A. Emerson
H137-427	George	6/24/93	M	Kathryn "Kate" A. Galloway Downs
H137-428	Wagner	7/18/93	M	Leon Albert Cooper, Jr.
H137-429	Wagner	7/21/93	T	Beverly Williams/Vice Chair/Bd. of Dir./Nat. Network Runaway & Youth Services
H137-430	Bradley	7/22/93	T	Brian Smith/Eagle Scout
H137-431	Wagner	7/13/93	M	William R. Brown
H137-432	Lofink	7/22/93	T	Kelly Lloyd/Smyrna High 1st Team/All State Softball
H137-433	Lofink	7/22/93	T	Chastity Friant/Glasgow High First Team All State Softball
H137-434	Lofink	7/22/93	T	Kristen DiFilippo/Caravel First Team All State Softball
H137-435	Lofink	7/22/93	T	Christina Klein/Padua Academy/ First Team All St. Softball
H137-436	Lofink	7/22/93	T	Elaine Wright/William Penn First Team All St. Softball
H137-437	Lofink	7/22/93	T	Jeff Ward/Softball Coach/Our Lady of Fatima/1993 Division I CYO Championship/Fast Pitch
H137-438	Lofink	7/22/93	T	Stacey Mandichak/Wilm. Christian All State Field Hockey

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-439	Lofink	7/22/93	T	Kati Salony/Caravel Academy /1993 All State Softball Team
H137-440	Lofink	7/22/93	T	Christine Reno/Archmere Academy 1st Team/All State Softball
H137-441	Lofink	7/22/93	T	Jodi Mandichak/Wilm. Christian All State Softball Team
H137-442	Lofink	7/22/93	T	Cara Lightfoot/Caravel Academy /1st Team All State Softball

H137-443	Lofink	7/22/93	T	Tammy Hylenski/William Penn First Team All State Softball
H137-444	Lofink	7/22/93	T	Chanel Daunno/Caravel Academy /1993 All State Softball Team
H137-445	Lofink	7/22/93	T	Dana Bumgardner/Glasgow High All State Softball Team
H137-446	Lofink	7/22/93	T	Laurie Brosnahan/Glasgow High/All State Softball Team
H137-447	Wagner	8/07/93	T	Gretchen G. Emery & Michael McKamey/Marriage
H137-448	Wagner	10/09/93	T	Jason Alan Scott & Melissa Ann Sochurek/Marriage
H137-449	Wagner	8/03/93	T	William W. Denbrock/Principal of Year/D.P.I.
H137-450	Gilligan cosponsor: Brady	7/17/93	M	David A. Willard
H137-451	Roy	8/12/93	T	Sherri Dotey/Mrs. Delaware
H137-452	DiPinto	8/12/93	T	William Dinsmore/30 Yrs. Employment/Opportunity Ctr.
H137-453	Roy	8/17/93	T	Grant Burton/Gov./Boys' State/ 1993/Attended Boys' Nation
H137-454	Wagner	8/17/93	T	Robert W. Chastant/Outstanding Serv./State of DE
H137-455	B. Ennis	7/21/93	M	Hattie Elizabeth Garlic
H137-456	Wagner	8/11/93	M	Jason Gregory Tull

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-457	George	8/12/93	T	Juli V. Morton/Girl Scouts' Gold Award
H137-458	George	8/12/93	T	Dana D. Harris/Girl Scouts' Gold Award
H137-459	George	8/12/93	T	Angela D. Wright/Girl Scouts' Gold Award
H137-460	DiLiberto	8/18/93	T	Dave Maichle/Winning "Anti-Smoking Poster Contest"
H137-461	Sorenson	8/23/93	T	Patsy Bussard/Medal of Merit/ Garden Club of America
H137-462	B. Ennis cosponsor: Caulk	9/11/93	T	Little Creek Volunteer Fire Co./50th Anniversary
H137-463	B. Ennis	8/22/93	T	Shane Rifenburg/Eagle Scout
H137-464	George	8/23/93	T	Lisa Blunt-Bradley/1993 Toll Fellow
H137-465	Wagner	8/14/93	T	Karen Larissa Ericson & David Ryan Poole/Marriage
H137-466	Wagner	5/29/93	T	Socorro Diane Shiels/ Grad./Bowdoin College
H137-467	Fallon	8/15/93	T	Dr. & Mrs. John C. Rawlins/ 50th Wedding Anniversary
H137-468	Wagner	9/18/93	T	Tina Marie Richardson & Donald James Wills, Jr./Marriage
H137-469	Wagner	8/29/93	T	Capt. & Mrs. Jeffrey Bassett/Out-standing Serv./Salvation Army
H137-470	Wagner	10/09/93	T	Reginald DeWade Carson & Cheryl White/Marriage
H137-471	Fallon	8/19/93	M	Charles P. Rolph, Jr.
H137-472	Fallon	8/07/93	M	Jesse Oliver Baker
H137-473	Fallon	8/04/93	M	Lawrence Cummings
H137-474	Fallon	8/04/93	T	Mindy's Mane Cut/13th Anniv.

HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-475	Wagner	10/03/93	T	Christine R. Schneible & Richard E. Stoops, Jr./Marriage
H137-476	Fallon	10/20/93	T	Marion Brumm/90th Birthday
H137-477	Amick	9/09/93	T	Jackie Fossler/American Citizen
H137-478	Amick	9/05/93	T	Alison Macindoe & Lloyd Kline/Adoption/Peri Mounture Kline
H137-479	Wagner	8/22/93	T	George M. & Jane Asher Kent/50th Wedding Anniversary
H137-480	B. Ennis	9/08/93	T	Jason Douglas Yeatman/God & Me Awd./Boy Scouts of America
H137-481	B. Ennis	9/08/93	T	Joel Kenneth Grier/God & Me Award/Boy Scouts of America
H137-482	B. Ennis	9/08/93	T	R. Dwayne Newnam/God & Me Award/Boy Scouts of America
H137-483	B. Ennis	9/08/93	T	Sidney Grant Nash, III/God & Me Awd./Boy Scouts of America
H137-484	B. Ennis	9/08/93	T	Ryan M. Haley/God & Me Awd./Boy Scouts of America
H137-485	B. Ennis	9/08/93	T	Nicholas R. Kulhanek/God & Me Awd./Boy Scouts of America
H137-486	Fallon cosponsors: Ewing, Carey, Schroeder, Bunting Lee, West	9/18/93	T	Jack Owens/26 Years/Dedicated Serv./DE Tech & Comm. College
H137-487	Wagner	9/18/93	T	Howard A. Smith & Howard D. Smith/Cross Country Bike Trip
H137-488	Wagner	9/11/93	T	Cynthia Nicole Hine & Steven Paul McDougall/Marriage
H137-489	Houghton	9/11/93	T	Anthony M. Queen/Outstanding Community Service
H137-490	Oberle	9/14/93	T	George B. Wallace/34 Yrs. Dedicated Service
H137-491	Caulk	9/18/93	T	Rose Coffman/80th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-492	Fallon	9/13/93	M	Marjorie A. Lake
H137-493	Wagner	8/27/93	T	Bobby Carney Jones/Doctorate/Education
H137-494	Quillen	9/18/93	T	Heather Bullock/1994 K.C./Farm Bureau Queen
H137-495	Taylor	9/18/93	T	Eric Kempiski/District II Championship
H137-496	Taylor	9/18/93	T	Rafael Rodriguez/District II Championship
H137-497	Taylor	9/18/93	T	Matt Buckley/District II Championship
H137-498	Taylor	9/18/93	T	Mike Conner/District II Championship
H137-499	Taylor	9/18/93	T	Bobby LeNoir/District II Championship
H137-500	Taylor	9/18/93	T	Anthony Argiroudis/District II Championship
H137-501	Taylor	9/18/93	T	John Warren/District II Championship

H137-502	Taylor	9/18/93	T	Steve Harden/District II Championship
H137-503	Taylor	9/18/93	T	Brian Hudock/District II Championship
H137-504	Taylor	9/18/93	T	Mike McCallister/District II Championship
H137-505	Taylor	9/18/93	T	Adam Brown/District II Championship
H137-506	Taylor	9/18/93	T	Patrick Mason/District II Championship
H137-507	Oberle	10/06/93	T	Edward Monsen/N.C.C. Employee of Year/People w/Disabilities
H137-508	Buckworth	9/24/93	T	Lt. Colonel Stephen W. Welde/ Retirement/U.S.A.F.

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: November 4, 1993

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-509	Houghton	9/29/93	T	Kathleen Wilbur/Distinguished Service Award/DSBA
H137-510	B. Ennis	9/26/93	T	Myra H. McIlvaine/90th Birthday
H137-511	VanSant cosponsor: Houghton	9/12/93	T	Elsmere Fire Co. No. 1, Inc./ Dedication/New Fire Station
H137-512	Fallon	9/06/93	M	Scott A. Gillespie
H137-513	Brady	8/23/93	T	J. Saxton & Mary G. Harrington/50th Wedding Anniversary
H137-514	DiPinto	7/02/93	T	Rev. George Jackson Feldman, O. Praem/50th Anniv./ Priesthood
H137-515	DiPinto	9/28/93	T	Mr. Joseph P. Melloy, Sr./Arch- mere Academy Alumnus/of Year
H137-516	DiPinto	9/28/93	T	Tower Hill School/75th Anniv.
H137-517	DiPinto	9/28/93	T	Rowland P. Elzea/Retirement/ DE Art Museum/35 Yrs. Service
H137-518	DiPinto	9/28/93	T	Salesianum School/90th Anniv.
H137-519	Wagner	9/25/93	M	Kendall Gibbs
H137-520	Quillen cosponsor: All House Members	10/02/93	T	Rep. & Mrs. V. George Carey/ 45th Wedding Anniversary
H137-521	Carey	10/03/93	T	Elmer S. Ennis/Induct./Firemen's Historical Foundation/Hall of Fame
H137-522	Carey	9/25/93	T	Milford Lodge #2401/25th Anniversary
H137-523	Carey	11/24/93	T	Mae W. Joseph/90th Birthday
H137-524	Wagner	5/31/93	T	Dahlia S. Wasfi/Graduation/ Swarthmore College
H137-525	Wagner	9/17/93	M	Dr. Howard E. Henry
H137-526	Wagner	9/17/93	M	Isaac Donald Carter, Sr.
H137-527	Wagner	5/14/93	T	Margaret Elizabeth Beach/Grad/ Goucher College

T - Tribute

M - Memoriam

Representative Jonkiert requested that he be marked present.

The following prefiled legislation was introduced:

HB 352 - QUILEN - P/S: An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Bumper, Frame Rail and Body Heights. (2/3 bill)

HB 353 - FALLON - LABOR & HUM RES MAN: An Act to Amend Chapters 55 and 56, Title 29, Delaware Code Relating to Computations of Judicial and State Employee Pensions.

HB 354 - PLANT - JUD: An Act to Amend Chapter 65, Title 11 of the Delaware Code Relating to the Definition of "Immediate Family".

HB 355 - ROY - ECON DEV, B & I: An Act to Amend Chapter 7, Title 24, Delaware Code, Relating to Insurance and the Board of Chiropractic.

HB 357 - BENNETT - HOUSING & COM AFF: An Act to Amend Chapter 21, Title 10, Delaware Code Relating to the Office of Sheriff of Kent County.

HA 1 to HB 259 - GILLIGAN, VANSANT, B. ENNIS, SPENCE - H/ADM: Placed with the bill.

HR 53 - CAULK, SPENCE, DAVIS, EWING, LOFINK, CAREY, FALLON, MACK, REYNOLDS, SMITH, CLARK, BANNING, WEST - Requesting the Department of Public Instruction Approve Information and Material of Speakers Before Allowing Them to Address Students in Delaware Public Schools.

SB 229 - MCDOWELL - HOUSING & COM AFF: An Act to Amend Title 22, of the Delaware Code Relating to Home Rule and Firearms.

SB 231 - ADAMS, COOK, CORDREY, VAUGHN, VENABLES, STILL; REPRESENTATIVES CAULK, CAREY, FALLON, LOFINK, BUNTING, CLARK, SCHROEDER - AG: An Act to Amend Chapter 88 and Chapter 101 of Title 29 of the Delaware Code Relating to the State Board of Registration for Professional Foresters.

HA 2 to SB 134 - BANNING - HOUSING & COM AFF: Placed with the bill.

HA 1 to SB 152 - GEORGE - READY LIST: Placed with the bill.

The Reading Clerk read the following communication into the record:

November 4, 1993

Members and Staff of the Delaware

House of Representatives

Dear Friends:

The expressions of kindness bestowed upon me and our family by members of the House and staff during the past two weeks have provided us much comfort.

Laura spent a very enjoyable day with you during the spring, and I am so pleased that she had that experience.

Please know that I will never forget all of the personal communications, flowers and tributes sent to us in Laura's memory. Your caring continues to sustain me and my family.

With Sincere Appreciation,

Beverly Moyer Sisson

Representative D. Ennis was granted the privilege of the floor for comments.

The Majority Leader moved to recess for caucus at 4:06 p.m.

The House reconvened at 9:48 p.m.

Representative Holloway introduced HB 358.

HB 358 - An Act to Amend Chapter 7, Title 29, Delaware Code Relating to the Limitation of the Power of Legislators to Request Investigations and/or Audits of State Agencies or Organizations and Institutions Who May Be the Recipients of State Appropriated Public Funds.

Mr. Speaker assigned HB 358 to the House Administration Committee.

Representative Holloway made a comment.

Representative Wagner introduced HB 359, jointly sponsored by Representatives Ewing, Spence, Quillen, Buckworth, Caulk, Davis, D. Ennis, Lee, Mack, Carey, Fallon, Amick, Reynolds, Lofink, Taylor, Oberle, DiPinto, Smith, Sorenson, DiLiberto, Bennett, Brady, Bunting & Wojewodzki & Senators Blevins, Torbert, Connor, Still & Venables, before the House for consideration.

HB 359 - An Act to Amend Title 18, Delaware Code Relating to the Pharmacy Access Act.

Mr. Speaker assigned HB 359 to the Economic Development, Banking & Insurance Committee.

Representative Wagner made a comment.

Representative Petrilli moved to suspend the rules which interfere with introduction of and action on HB 360. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli introduced and brought HB 360, jointly sponsored by Representative George & Senators Cordrey & Bair, before the House for consideration.

HB 360 - An Act to Amend Title 29, Delaware Code, Relating to Dedication of a Portion of Costs Assessed by the Justice of the Peace Courts to an "I & M Fund" to be Used to Operate the Motor Vehicle Enhanced Inspection and Maintenance Program.

Representatives George, Plant, Holloway, Davis, Amick, Smith, Plant, Davis, Amick, D. Ennis, Bennett & Petrilli made comments.

The roll call on HB 360 was taken and revealed:

YES: 32.

NO: Representatives Amick, Bennett, Bunting, Carey, Caulk, Fallon, Lee, Smith - 8.

NOT VOTING: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 360 was sent to the Senate for concurrence.

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

The following prefiled Consent Calendar #16 was introduced:

HR 54 - MARONEY, FALLON, SORENSON, BRADLEY, WOJEWODZKI, WAGNER - Celebrating the 1994 United Nations International Year of the Family.

HR 55 - DIPINTO - Honoring Delaware Art Museum Associate Director and Chief Curator, Rowland P. Elzea, After Thirty-Five Years of Service.

HR 56 - MARONEY, FALLON, SORENSON, BRADLEY, WOJEWODZKI, WAGNER - Calling On Congress to Designate Obstetricians-Gynecologists to be Designated Primary Care Providers for Women Under Federal Laws Regulating Health Care.

HR 57 - AMICK, ROY, EWING, JONKIERT, DAVIS - Requesting That the Delaware Alcoholic Beverage Control Commission Continue Its Efforts to Eradicate the Abuse of Alcoholic Beverages While Providing Members of the Alcoholic Beverage Industry With the Ability to Engage in Legitimate Business Activities Free From Governmental Interference.

HR 58 - EWING, BUCKWORTH, CAREY, DIPINTO, D. ENNIS, FALLON, LEE, MACK, QUILLEN, TAYLOR, BANNING, BRADY, BUNTING, CLARK, B. ENNIS, SCHROEDER, WOJEWODZKI - Requesting the Delaware Department of Transportation Investigate the Feasibility of Constructing a High Speed Train From Wilmington to the Beach, With an Additional East-West Branch to Alleviate Beach Traffic in the Summertime.

HCR 42 - SMITH & GILLIGAN, BRADY, SPENCE; SENATORS SHARP, BAIR, MCBRIDE, HAUGE; REPRESENTATIVES DIPINTO, CLARK, LOFINK, REYNOLDS, MACK, MARONEY, ROY, DAVIS, BENNETT - Expressing Condolences to Mr. and Mrs. William G. Burke of Darley Woods Near Wilmington on the Tragic Death of Their Son, Lt. William Burke, Jr., Who Was in Military Training at Fort Irwin, California.

Representative Petrilli requested that HR 57 be removed from Consent Calendar #16.

Consent Calendar #16 was adopted by voice vote and HCR 42 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Amick.

Representative Amick made comments.

Representative Amick brought HR 57, jointly sponsored by Representative Roy, before the House for consideration.

HR 57 - Requesting That the Delaware Alcoholic Beverage Control Commission Continue Its Efforts to Eradicate the Abuse of Alcoholic Beverages While Providing Members of the Alcoholic Beverage Industry With the Ability to Engage in Legitimate Business Activities Free From Governmental Interference.

HR 57 was adopted by voice vote.

Representative Gilligan made a comment.

The House observed a moment of silence in memory of William Burke, Jr.

The Majority Leader moved to adjourn the extraordinary session at 10:44 p.m.

1st LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
January 11, 1994

Mr. Speaker Spence called the House to order at 2:17 p.m.

The Majority Leader moved to adjourn at 2:18 p.m., thereby ending the current legislative day. The House reconvened at 2:19 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Caulk, Gilligan - 2.

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

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

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

The following pre-session prefiled legislation was introduced:

HS 1 for HB 305 - BENNETT, AMICK, BANNING, BRADLEY, CLARK, GILLIGAN, HOUGHTON, JONKIERT, WEST - JUD: An Act to Amend Chapter 43, Title 10 of the Delaware Code Relating to Chain of Custody.

HB 361 - QUILLEN - HOUSING & COM AFF: An Act to Amend Chapter 11, Title 25, Delaware Code Relating to the Unauthorized Removal or Alteration of Boundary Landmarks.

HB 362 - SORENSON & SENATOR SOKOLA; REPRESENTATIVES D. ENNIS, MARONEY, SMITH, BRADLEY, BRADY; SENATORS BAIR, KNOX, HAUGE - ED: An Act to Amend Chapter 19 and Chapter 21, Title 14, Delaware Code Relating to the Levy of Taxes and Special Elections.

HB 363 - AMICK, WOJEWODZKI; SENATORS NEAL, MARTIN, VAUGHN - HOUSING & COM AFF: An Act to Amend Chapter 5, Title 22 of the Delaware Code Relating to Parking Authorities.

HB 364 - GEORGE - JUD: An Act to Amend Subchapter II, Title 11 of the Delaware Code Relating to Death or Serious Physical Injury Caused by a Driver of a Motor Vehicle.

HB 365 - WEST - HUM NEEDS & DEV: An Act to Amend Chapter 19, Title 24 Delaware Code Relating to Licenses of Retired Nurses.

HB 366 - WEST, BANNING, B. ENNIS, VANSANT - HUM NEEDS & DEV: An Act to Amend Chapter 5, Title 31, Delaware Code Relating to Eligibility of Assistance Under the Aid to Families With Dependent Children.

HB 367 - B. ENNIS; SENATORS VAUGHN, VOSHELL; REPRESENTATIVES BANNING, CAULK, VANSANT, HOUGHTON, WEST - P/S: An Act to Amend Chapter 2, Title 11 Delaware Code Relating to the Definition of a Law Enforcement Officer.

Representative B. Ennis requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 360.

January 3, 1994

The Honorable Terry R. Spence
Speaker of the House
House of Representatives
Dover, Delaware 19901

Dear Representative Spence:

Please excuse my absence from session of the House of Representatives on January 11, 12, and 13, 1994. I will be out of state for business purposes.

Sincerely,

G. Wallace Caulk, Jr.

33rd District

GWC/ral

cc: JoAnn Hedrick
Chief Clerk

November 10, 1993

LEGISLATIVE ADVISORY #32

The following legislation was signed by Governor Thomas R. Carper on the date indicated:

11/09/93 - HB 360.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Buckworth, do hereby request that my name be removed as Co-Sponsor of HR 53.

Date: 1/10/94.

Signed: Gerald A. Buckworth.

Representative Oberle requested that he be marked present.

Representative Ewing introduced the Woodbridge Elementary Choir under the direction of Mrs. Carolyn and the Senior Choir under the direction of Mr. Bob Walls who entertained the House.

Representatives Buckworth & Brady requested that they be marked present.

Representative Holloway requested that he be marked present.

Representative Petrilli requested and was granted the privilege of the floor for Pamela Price, Legislative Staff Supervisor, who introduced the Legislative Fellows and a Management Fellow from the Delaware Development Office as well as new staff member, Steve Engebretsen.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: January 11, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-528	Lee	10/08/93	T	E. Austin Short, Jr./15 Yrs. Serv./Forest Advisory Council
H137-529	Schroeder	10/05/93	T	Marie Schmidt/DeVries 1993 Bus. & Prof. Woman of Year
H137-530	Wagner	9/29/93	M	Kevin L. Moorehead
H137-531	Wagner	9/22/93	M	Michael Lee Craft

H137-532	B. Ennis	10/01/93	M	William J. Brode
H137-533	Bunting	10/26/93	T	Eugenia E. Riddle/99th Birthday
H137-534	B. Ennis	10/02/93	M	Bettye B. McIntosh
H137-535	Ewing	10/23/93	T	Danna Vanderwende/94 Sussex County Farm Bureau Queen
H137-536	VanSant	10/01/93	M	Bertram Joseph Scout, Jr.
H137-537	Clark	10/17/93	T	Jason Moore Steele/Cub Scouts God & Me Award
H137-538	Wagner	10/13/93	M	Laura Beth Moyer
	cosponsors:	All Members of House		
H137-539	Wojewodzki	10/15/93	M	Neva Emily Tarpley
H137-540	Ewing	10/23/93	T	Joe & Marilda Wheatley/50th Wedding Anniversary
H137-541	Carey	11/05/93	T	George Glynn, Pres./U. of D. Ed. Alumni Assoc./Leadership/ Public Education
	cosponsor:	Schroeder		
H137-542	Carey	11/17/93	T	Donald Leonard Ott/Eagle Scout
H137-543	Sorenson	11/04/93	T	Timothy M. Brown/Eagle Scout
H137-544	Sorenson	10/29/93	T	Alexis I. DuPont High School/ 100th Anniversary
H137-545	DiLiberto	10/17/93	T	Barbara A. Greenspan & Otto Charles Fad/Marriage
H137-546	DiPinto	10/27/93	T	Dean Edith Anderson/Retirement St. Francis Hosp. Bd./5 Yrs.
H137-547	DiPinto	10/17/93	T	Cathedral of St. Peter/175th Anniv.

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: January 11, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-548	DiPinto	10/14/93	T	Margaret Cooney Nusbaum/ Serv. to Mary Mother of Hope House
H137-549	Fallon	11/08/93	T	Joseph Fallon/Citizen of Year/ Rutherford, N.J.
H137-550	Fallon	12/04/93	T	Adam Palmer/Eagle Scout
H137-551	Banning	10/28/93	T	Carla & Robbie Briccoto/World Series Tickets/Eddie Brainard
H137-552	Fallon	10/28/93	T	Jeff Reed/Retire/St. Bd. of Ed./7 Yrs. Dedicated Service
H137-553	Fallon	10/28/93	T	Richard Farmer/Retire/St. Bd. of Education/23 Years
H137-554	Fallon	10/28/93	T	Dorothy Smith/Retire/State Bd. of Education/4 Yrs.
H137-555	Fallon	10/28/93	T	Kent Price/Retire/State Bd. of Education/7 Yrs.
H137-556	Fallon	11/04/93	T	Ronnie Hudson/Soldier of Year/VA
H137-557	Bunting	11/05/93	T	Charles & Harriet Morris/ Service to Community
H137-558	Banning	10/22/93	T	Karen Wheeler/Homecoming Queen/Middletown High
H137-559	Banning	11/04/93	T	Cyndi Clay/Teacher of Year/ Appoquinimink School District
H137-560	Sorenson	11/27/93	T	Boy Scouts of America Troop 50/50 Young Men/Eagle Scouts
H137-561	Fallon	11/03/93	M	Carl Martin Pobst, Jr.
H137-562	D. Ennis	11/08/93	T	S. Marston Fox Family/Dedication/Designing Fox Point Park

H137-563	D. Ennis	11/08/93	T	E. Thomas Snell Family/ Creation of Fox Point State Pk.
H137-564	Quillen	10/08/93	T	Peggy Raley/Opening of Nassau Valley Vineyards
H137-565	cosponsors: Carey, Schroeder Bradley	11/13/93	T	Wilmington Montessori School/ 30 Yrs. Dedicated Service
H137-566	Gilligan	11/04/93	T	Mr. & Mrs. Lucien Caron/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: January 11, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-567	Oberle	11/04/93	M	Christopher McCann
H137-568	cosponsors: All House Members Smith	11/13/93	T	Wilmington Montessori School/ Ded./New Facility/30th Anniv.
H137-569	cosponsor: Bradley VanSant	11/13/93	T	Michael Austin & Susan Menchi/ Marriage
H137-570	Smith	11/30/93	T	Sylvanus N. & Gertrude Smith/ 60th Wedding Anniversary
H137-571	Gilligan	11/12/93	M	James H. Verucci
H137-572	Wagner	10/24/93	T	J. Francis & Faye Bell/45th Wedding Anniversary
H137-573	Wojewodzki	11/12/93	M	Orville A. Clark
H137-574	Sorenson	11/16/93	T	Methodist Country House/Cele- bration/Renovation
H137-575	DiPinto	11/15/93	T	William T. McLaughlin/Lifetime Achievement Award/DE Chapter/Fundraising Executives
H137-576	B. Ennis	9/23/93	T	Walter A. Lamon, Sr./1993 Fire Policeman of Year
H137-577	B. Ennis	9/25/93	T	Citizens' Hose Company No. 1, Inc./15th Gov. Cup/
H137-578	B. Ennis	9/25/93	T	Mark Mumford/Best Drum Major Convention Parade/ D.V.F. Association
H137-579	DiPinto	10/21/93	T	James G. McGiffin, Jr./ Community Builders Award/Nat. Conf. of Christians & Jews
H137-580	B. Ennis	11/09/93	T	Kent County Conservation District/50th Anniversary
H137-581	DiPinto	11/15/93	T	William A. Bours, III/ Philanthropist of Year/ Fundraising Exec.
H137-582	Ewing	11/28/93	T	Ralph E. Davis/80th Birthday
H137-583	Spence	12/22/93	T	Loretta Civarelli/75th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: January 11, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-584	Ewing	11/25/93	T	Margaret J. Carey/All-American Sussex Countian
H137-585	Ewing	11/30/93	T	Thurman Adams, Jr./ Distinguished Serv. Ag. Award
H137-586	Bennett	11/13/93	T	Claudette & Don Dean/Efforts to Cleanup St. Jones River
H137-587	B. Ennis	11/24/93	M	George E. Bryson
H137-588	Sorenson	9/12/93	T	Julia Kate Graham/Essay Contest Winner/American Flag
H137-589	Sorenson	9/12/93	T	Sarina Pasricha/Essay Contest Winner/America

H137-590	Ewing	11/30/93	T	Vanderwende Family/Farm Family of Year
H137-591	Ewing	11/30/93	T	Danna Vanderwende/1994 DE State Farm Bureau Queen
H137-592	Buckworth	11/03/93	T	Jim Queen/Camden-Wyoming Fire Chief/Heroic Fireman of Year
H137-593	Bennett	11/14/93	M	Sanford A. "Sandy" Solomon
H137-594	Bennett	11/12/93	M	John J. Ryan
H137-595	Plant	11/28/93	T	Vickie Winans/Appearance/ Mother Church
H137-596	Banning	12/11/93	T	Jonathan David Rainey/Eagle Scout
H137-597	Bradley	10/12/93	T	Michael C. Berg/Eagle Scout
H137-598	Carey	12/02/93	T	Sussex County Conservation Dist./50th Anniversary
H137-599	Ewing	12/04/93	T	Mr. F. Joseph Willey/91st Birthday
H137-600	Houghton	12/11/93	T	Patricia Lynn Stevens/40th Birthday
H137-601		11/30/93	T	Ruth F. & Clarence Jarrell/ 70th Wedding Anniversary
H137-602	B. Ennis	11/29/93	M	Rosalie M. Mocherman
	cosponsor: Banning			

HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: January 11, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-603	Quillen	12/12/93	T	Mildred M. Bergold/70th Birthday
H137-604	Wagner	11/16/93	M	Frances Standard Kofskie
H137-605	Wagner	11/25/93	T	Maren & Bessie McDowell/50th Wedding Anniversary
H137-606	Wagner cosponsors: All Members of House	11/13/93	M	Barbara L. Giangrant
H137-607	Wagner	11/30/93	M	Robert Evans Heather
H137-608	DiPinto	12/09/93	T	Rev. James V. O'Neill, OSFS/ 60th Anniv./Priesthood
H137-609	DiPinto	12/09/93	T	Rev. John A. Finn, OSFS/40th Anniv./Priesthood
H137-610	DiPinto	12/17/93	T	Dorothy Hoff Clarke/Birthday
H137-611	DiPinto	12/04/93	M	Ciro L. (Jabber) Delle Donne
H137-612	Lofink	12/14/93	T	C.J. Hoffman/Wide Receiver/All Commonwealth Football Team
H137-613	Fallon	12/25/93	T	Nancy C. Hodges LaPrad/Dev. Laparoscopic Instruments
H137-614	DiLiberto	12/14/93	T	Elizabeth R. Schantz/93 Council /Persons with Disabilities
H137-615	Fallon	12/16/93	T	Irvin R. Wheatley/Dist. Serv. /Seaford Chamber of Commerce
H137-616	George & Gilligan cosponsors: All Members of House	11/17/93	M	William J. Gordy
H137-617	Brady	11/27/93	T	William Rineer & Miriam Elwell Rineer/50th Wedding Anniv.
H137-618	Brady	11/25/93	T	John Waters & Joan Donahue Waters/50th Wedding Anniv.
H137-619	Brady	1/08/94	T	Herbert W. Moser & Danielle E. Beauparlant/Marriage

T - Tribute

M - Memoriam

Representatives Reynolds & Mack requested that they be marked present.

The Majority Leader moved to recess for caucus at 3:08 p.m.

The House reconvened at 4:35 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 254, SB 218 w/SA 1 & HA 1 & SA

2.

Representative Smith requested that he be marked present.

Representative Smith brought HB 218 jointly sponsored by Representative Petrilli, before the House for consideration.

HB 218 - An Act to Amend Chapter 9, Title 29, Delaware Code, Relating to the Legislative Process and Political Subdivisions of the State and School Districts.

Representative Smith made comments.

The roll call on HB 218 was taken and revealed:

YES: 35.

ABSENT: Representatives Caulk, Clark, Gilligan, Holloway, Houghton, Oberle - 6.

Therefore, having received a constitutional majority, HB 218 was sent to the Senate for concurrence.

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

Representative Maroney introduced HA 1 to HB 331.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

HA 1 to HB 331 was placed with the bill.

Representative Spence brought HB 302, jointly sponsored by Senator Sharp & Representatives Petrilli, Amick, Buckworth, Davis, D. Ennis, Ewing, Lofink, Quillen, Roy, Taylor, Wagner, Bennett, Bradley, George, Gilligan, Houghton, Jonkiert & Wojewodzki & Senator Connor, before the House for consideration.

HB 302 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure. (2/3 bill)

Representatives Spence, Davis, Banning & Wagner made comments.

Representative Spence requested and was granted the privilege of the floor for Chuck Welch, House Attorney.

The roll call on HB 302 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Clark, Gilligan - 3.

Therefore, having received a constitutional majority of at least two-thirds members of the House, HB 302 was sent to the Senate for concurrence.

Representative Bennett moved to suspend the rules which interfere with action on HS 1 for HB 305. The motion was properly seconded and adopted by voice vote.

Representative Bennett brought HS 1 for HB 305, jointly sponsored by Representatives Amick, Banning, Bradley, Clark, Gilligan, Houghton, Jonkiert & West, before the House for consideration.

HB 305 - An Act to Amend Chapter 43, Title 10 of the Delaware Code Relating to Chain of Custody.

Representative Bennett introduced and brought HA 1 to HS 1 for HB 305 before the House for consideration. HA 1 was adopted by voice vote.

Representative Bennett made comments.

The roll call on HS 1 for HB 305 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Gilligan - 2.

Therefore, having received a constitutional majority, HS 1 for HB 305 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:04 p.m.

2nd LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
January 12, 1994

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

Mr. Acting Majority Leader Oberle moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Caulk, Clark, Mack - 3.

A prayer was offered by Representative Peggy G. Bradley, Eleventh Representative District. The Acting Speaker led those present in a pledge of allegiance to the American Flag. The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HS 1/HB 183 - OBERLE & SENATOR MCDOWELL; REPS. SPENCE, BENNETT; SEN. STILL - LABOR & HUM. RES. MAN. - An Act to Amend Chapter 14, Title 14 of the Delaware Code Relating to the Fair Dismissal of Teachers.

HS 1/HB 352 - QUILLEN, DIPINTO; SEN. CONNOR - PUBLIC SAFETY - An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Bumper, Frame Rail and Body Heights. (2/3 bill)

SB 218 w/SA 1, HA 1 & SA 2 - BLEVINS & REP. AMICK; SENATORS SOKOLA, TORBERT, VOSHALL; REPS. BUCKWORTH, JONKIERT - H/ADM: An Act to Amend Chapters 4, 6 and 51, Title 24 of the Delaware Code Relating to Cosmetology and Barbering.

SB 254 - COOK & REP. DAVIS - APPRO: An Act to Amend Chapter 55, Title 29, Delaware Code Relating to Post-Retirement Increases to be Granted January 1, 1994.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Speaker Spence

FROM: Jeffrey Mack

DATE: January 12, 1993

RE: Session Day, January 12, 1993

Please be advised that due to a business commitment, I will not be able to attend Session today.

JM/kk

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

The House reconvened at 4:50 p.m.

Representatives Spence, Buckworth, Lofink, Taylor, George, Amick, Brady, Reynolds, Holloway & Jonkiert requested that they be marked present.

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

APPRO: HB 287 - 1F,3M.

P/S: HS 1 for HB 352 - 4M; HB 367 - 4M.

ED: HB 346 - 3F,2M; HB 362 - 5F.

ECON DEV, B & I: HB 348 - 7M; HB 356 - 7M.

Representatives Quillen, Petrilli, Gilligan & D. Ennis requested that they be marked present.

Representative Bennett introduced HB 368, jointly sponsored by Representatives B. Ennis, Clark, Quillen, Wagner, Caulk, Buckworth, Ewing, Carey, Schroeder, Bunting, Fallon, Lee & West & Senators Vaughn, Cook, Adams, Torbert, Still, Voshell, Cordrey & Venables.

HB 368 - An Act to Amend Chapter 21, Title 10 and Chapter 91, Title 9, Delaware Code Relating to the Office of Sheriff and Uniform Mileage Payments.

Mr. Acting Speaker assigned HB 368 to the House Administration Committee.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 253.

Representative Plant requested that he be marked present.

The Majority Whip moved to recess to the call of the Chair at 4:58 p.m.

3rd LEGISLATIVE DAY 137th GENERAL ASSEMBLY Second Session January 13, 1994

Mr. Acting Speaker Quillen called the House to order at 2:08 p.m.

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

HUM NEEDS & DEV: HB 331 - 5M.

JUD: HB 333 - 2F,3M; HB 336 - 5M; HB 354 - 1F,4M; HB 364 - 4M,1U.

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

The House reconvened at 2:10 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Caulk, Holloway - 2.

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

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

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

The following prefiled legislation was introduced:

HB 369 - AMICK & SENATOR BLEVINS - HUM NEEDS & DEV: An Act to Amend Chapter 93, Title 16 of the Delaware Code, Relating to Health Planning and Resources Management and Chapter 101, Title 29, Delaware Code Relating to the Administrative Procedures Act.

HB 370 - GEORGE, PETRILLI, SPENCE; SENATOR CORDREY - R & F: An Act to Amend Title 12 of the Delaware Code Relating to Unclaimed Dividends, Interest and Other Distributions Made by Issuers of Securities and Held by Financial Intermediaries for Owners Whose Identities Are Unknown.

HA 1 to HB 273 - SORENSON - R & F: Placed with the bill.

SB 253 - VAUGHN & REPRESENTATIVE D. ENNIS - P/S: An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Processing and Payment of Insurance Benefits.

HA 1 to SB 135 - AMICK - READY LIST: Placed with the bill.

HA 2 to SB 152 - GEORGE - READY LIST: Placed with the bill.

Representative George requested that he be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: January 13, 1994

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

Number	Sponsor	Presentation Date	Type	Description
H137-620	Fallon	1/07/94	T	Arsie Burton/Seaford's Teacher of Year
H137-621	Wagner	12/06/93	T	Charles "Chatty" Reed/Contributions to Soccer
H137-622	Brady	12/25/93	T	William C. Kelly/Elected Chief of Claymont Vol. Fire Co.
H137-623	Brady	12/31/93	T	Jaime Lynn Clark/1st Team Flight A All Conference/2nd Team All State
H137-624	Brady	11/21/93	M	Keene Corin Driscoll
H137-625	B. Ennis	12/31/93	T	Harriet & George Bradley/50th Wedding Anniversary
H137-626	B. Ennis	12/27/93	M	Ruth E. Brode
H137-627	Wagner	12/20/93	M	Francis Terry Schneible
H137-628	Wagner	12/13/93	M	Woodall H. Freeman
H137-629	Schroeder	1/04/94	T	DeVries Bus. & Prof. Women's Club/45th Anniversary
H137-630	Fallon	12/23/93	M	George R. Lake
H137-631	Sorenson	1/06/94	T	Karim Aref/Eagle Scout
H137-632	Wagner	12/30/93	M	Nicholas Ryan Suchko
H137-633	Wagner	11/20/93	T	Carol Ann Wick & Robert W. Baker, Jr./Marriage
H137-634	Wagner	12/20/93	M	James E. Sudler
H137-634	Wagner	12/17/93	T	Raymond Lewis Osika/Elected Fire Chief/Robbins Hose Co.
H137-635	Amick	1/11/94	T	Marge E. Wise/Retirement/Exec. Dir./DE Assoc. of Prof. Eng.
H137-636	DiPinto	1/08/94	T	John C. Runkle, Jr./Master of Arts/Liberal Studies/42 Years
H137-637	Bennett	12/20/93	M	Major Michael Frederick Alexitch/U.S. Army/Retired

Representative Amick requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 3:55 p.m.

Representatives Spence, Mack, D. Ennis, DiLiberto & Plant requested that they be marked present.

Representative Ewing requested that HB 239 be stricken.

Representative Petrilli requested that HB 128 be stricken.

Representative Brady requested that he be marked present.

Representative Davis moved to suspend the rules which interfere with action on SB 254. The motion was seconded by Representative Petrilli and adopted by voice vote.

Mr. Speaker Spence resumed the Chair.

Representative Davis brought SB 254, jointly sponsored by Senator Cook, before the House for consideration.

SB 254 - An Act to Amend Chapter 55, Title 29, Delaware Code Relating to Post-Retirement Increases to be Granted January 1, 1994.

Representative Davis made comments.

The roll call on SB 254 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Holloway - 2.

Therefore, having received a constitutional majority, SB 254 was returned to the Senate.

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

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

Representative Sorenson brought HB 362, jointly sponsored by Senator Sokola & Representatives D. Ennis, Maroney, Smith, Bradley & Brady & Senators Bair, Knox & Hauge, before the House for consideration.

HB 362 - An Act to Amend Chapter 19 and Chapter 21, Title 14, Delaware Code Relating to the Levy of Taxes and Special Elections.

Representative Sorenson made comments.

The roll call on HB 362 was taken and revealed:

YES: 32.

NOT VOTING: Representatives Amick, Clark, B. Ennis, Jonkiert, Plant, VanSant, West - 7.

ABSENT: Representatives Caulk, Holloway - 2.

Therefore, having received a constitutional majority, HB 362 was sent to the Senate for concurrence.

Representative Maroney requested that HB 287 be stricken.

Representative Petrilli made a comment.

Representative Carey brought SB 151 w/SA 1, sponsored by Senator Cordrey & Representative Schroeder, before the House for consideration.

SB 151 - An Act to Amend Title 7 of the Delaware Code Relating to Fishing Seasons.

Representative Bunting requested that HA 1 to SB 151 be stricken.

Representative Bunting introduced and brought HA 2 to SB 151 before the House for consideration. HA 2 was adopted by voice vote.

Representative Carey made comments.

The roll call on SB 151 w/SA 1 & HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Holloway - 2.

Therefore, having received a constitutional majority, SB 151 w/SA 1 & HA 2 was returned to the Senate for concurrence on HA 2.

Representative Maroney brought SB 164, sponsored by Senators Vaughn & Blevins & Representative B. Ennis, before the House for consideration.

SB 164 - An Act to Amend Chapter 9, Subchapter III, Title 10, Delaware Code, Relating to Grandparents Visitation Rights.

Representative Maroney made comments.

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

The roll call on SB 164 was taken and revealed:

YES: 29.

NO: Representatives Amick, Jonkiert, Oberle, Smith, Wojewodzki - 5.

NOT VOTING: Representatives DiPinto, Mack, Petrilli, Quillen, Mr. Speaker Spence - 5.

ABSENT: Representatives Caulk, Holloway - 2.

Therefore, having received a constitutional majority, SB 164 was returned to the Senate.

Representative Maroney brought SB 78 w/SA 1 & 2, sponsored by Senators Blevins, Connor & Holloway & Representatives Bradley, Brady, Gilligan & Wojewodzki, before the House for consideration.

SB 78 - An Act to Amend Title 16 and Title 18 of the Delaware Code Providing for a Childhood Lead Poisoning Prevention Act Relating to Mandatory Lead Poisoning Testing and Health Insurance Coverage. (F/N)

Representative Maroney made comments.

Representative Maroney brought HA 1 to SB 78 before the House for consideration.

Representative Amick requested and was granted the privilege of the floor for Ron Smith, House Attorney & Chuck Welch, House Attorney.

Representative Maroney requested and was granted the privilege of the floor for Charles Konigsberg, M.D., Director, Division of Public Health.

Representative Maroney requested and was granted the privilege of the floor for Senator Patricia Blevins, Seventh Senatorial District.

Representative Maroney moved to place HA 1 to SB 78 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Maroney moved to place SB 78 w/SA 1 & 2 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Clark introduced HB 371, jointly sponsored by Senator Cook.

HB 371 - An Act to Amend Title 29 Delaware Code and Chapter 107 of 69 Laws of Delaware, Being House Bill No. 209, Relating to the Register of Regulations.

Mr. Speaker assigned HB 371 to the House Administration Committee.

The Majority Whip moved to recess to the call of the Chair at 4:55 p.m.

4th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
January 19, 1994

Mr. Acting Speaker Roy called the House to order at 2:06 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 42, SCR 52, SCR 53, SCR 54, SCR 55, HB 186 w/SA 1, HCR 31, HCR 42, SB 258 w/SA 2 & HB 37.

MEMORANDUM

The Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Holloway, Mack, Maroney - 3.

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

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

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

The following prefiled legislation was introduced:

HS 1 to HB 329 - OBERLE, SORENSON; SENATORS HOLLOWAY, KNOX - LABOR & HUM RES MAN: An Act to Amend Chapter 7, Title 19, Delaware Code Relating to Unlawful Employment Practices and Sexual Orientation.

HS 2 to HB 352 - QUILLEN, DIPINTO; SENATOR CONNOR - P/S: An Act to Amend Chapter 43, Title 21 of the Delaware Code, Relating to Bumper, Frame Rail and Body Heights.

HA 1 to HB 356 - D. ENNIS - READY LIST: Placed with the bill.

HA 1 to HB 368 - BENNETT - H/ADM: Placed with the bill.

SB 258 w/SA 2 - CORDREY - AG: An Act to Amend Chapter 3, Title 25, Delaware Code Relating to Agricultural Leases and Real Estate Contracts.

HA 1 to SB 163 - B. ENNIS - JUD: Placed with the bill.

The Reading Clerk read the following communications into the record:

TO: THE HONORABLE TERRY SPENCE

SPEAKER OF THE HOUSE

FROM: REPRESENTATIVE JANE MARONEY

DATE: JANUARY 19, 1994

RE: ABSENCE FROM SESSION

Because the State Police have just closed Route 202 in front of my home, I am unable to get to Dover today to attend session.

JM/scg

MEMORANDUM

TO: THE HONORABLE TERRY SPENCE

SPEAKER OF THE HOUSE

FROM: REPRESENTATIVE JEFFREY G. MACK

DATE: JANUARY 19, 1994

RE: ABSENCE FROM SESSION

Please be advised that due to plumbing problems at my home as a result of the ice storm, I will not be attending the legislative session on January 19, 1994.

JGM/scg

Copy: Mrs. JoAnn Hedrick

Chief Clerk

Representatives Plant, DiLiberto, Wojewodzki & Bennett requested that they be marked present.

The Majority Leader moved to recess for committee meetings at 2:14 p.m.
 The House reconvened at 3:59 p.m. with Representative Quillen as Acting Speaker.
 Representatives Bunting & Spence requested that they be marked present.
 The Chief Clerk read the following committee report into the record:
 P/S: SB 253 - 4M.

Representatives Amick & Buckworth requested that they be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Gilligan, George & Taylor requested that he be marked present.

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

H/ADM: HB 368 - 2F,3M.

Representatives DiPinto & Jonkiert requested that they be marked present.

The following prefiled Consent Calendar #17 was introduced:

HR 59 - DIPINTO - Commemorating the Twenty-Fifth Anniversary of the Lawyers Fund for Client Protection.

SCR 42 - CONNOR & REPRESENTATIVES SPENCE, MACK, REYNOLDS - Recognizing "Square Dancing" as Delaware's Official American Folk Dance, and Encouraging All Delawareans to Participate in This Most Popular Dance.

SCR 52 - MCDOWELL ON BEHALF OF ALL SENATORS; REPRESENTATIVE GEORGE ON BEHALF OF ALL REPRESENTATIVES - Mourning the Death of Anne Curlett Scannell, Formerly of Wilmington, Widow of the Late Joseph J. Scannell, Former Adjutant General of the Delaware National Guard.

SCR 53 - NEAL & REPRESENTATIVES AMICK, PETRILLI, WOJEWODZKI - Commending Susan A. Lamblack, One of Three Recipients of the Distinguished Quill Award Given by the International Institute of Municipal Clerks Headquartered in Pasadena, California.

SCR 54 - BAIR & HAUGE; REPRESENTATIVES SMITH & BRADY - Recognizing the Outstanding Efforts of the Elves of Claymont, the J.R. Gettier Security Company, and the News Journal Papers in Keeping the Christmas Weed of Claymont Alive and Well During the Yuletide Season.

SCR 55 - BAIR, CONNOR, MCBRIDE, SOKOLA; REPRESENTATIVES SORENSON, FALLON, WOJEWODZKI, GEORGE - In Recognition of the 25th Anniversary of Wilmington College and Commending Its President, Dr. Audrey K. Doberstein on a Quarter Century of Success.

Consent Calendar #17 was adopted by voice vote and SCR 42, SCR 52, SCR 53, SCR 54 & SCR 55 were returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 4:07 p.m.

5th LEGISLATIVE DAY
 137th GENERAL ASSEMBLY
 Second Session
 January 25, 1994

Mr. Acting Speaker Quillen called the House to order at 2:10 p.m.

Representative Clark requested that he be marked present.

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

ENV. & NAT RES: HB 335 - 2F,3M.

SMALL BUS: - HR 49 - 5M.

R & F: HB 370 - 6M.

ECON DEV, B & I: HB 341 - 6M.

Representative Maroney requested that she be marked present.

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

The House reconvened at 2:12 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

The following prefiled legislation was introduced:

HB 372 - SMITH, BRADY; SENATORS BAIR & SHARP - H/ADM: An Act Relating to Desegregation.

HB 373 - AMICK & SENATOR SHARP; REPRESENTATIVES EWING, PLANT, BUCKWORTH, BRADY, SPENCE, HOUGHTON, DILIBERTO, VANSANT; SENATORS TORBERT, VAUGHN, BLEVINS, HOLLOWAY, MARSHALL, MARTIN, MCBRIDE, KNOX, CONNOR, HAUGE, MCDOWELL - ECON DEV, B & I: An Act to Amend Chapter 39, Title 18 of the Delaware Code Pertaining to Underinsured Motorist Coverage.

HB 374 - VANSANT, HOUGHTON, B. ENNIS, WEST, BRADY, OBERLE, LEE & SENATOR VAUGHN - P/S: An Act to Amend Title 11 and Title 16 of the Delaware Code Relating to Involuntary Commitment Record Checks for Sales of Firearms.

HA 2 to HB 331 - AMICK - AGENDA: Placed with the bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 56.

January 24, 1994

LEGISLATIVE ADVISORY #33

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
1/24/94 - SB 164 & SB 254.

House Bill #37 is the second leg of a constitutional amendment and does not require the Governor's signature.

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

Representative D. Ennis requested that he be marked present.

Representative DiLiberto requested and was granted the privilege of the floor to present tributes to R. Scott Barker, Delaware Blue Bombers Head Coach & Tee Jay Jackson, Delaware Blue Bombers player.

Mr. Speaker Spence resumed the Chair.

Representative Carey requested and was granted the privilege of the floor to present tributes to Rick Folmsbee, Chuck Parker & Gator Jackson.

Representatives Jonkiert, Lofink, Holloway, Schroeder, Wojewodzki, West, Smith & Oberle requested that they be marked present.

Representative Bennett requested that he be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: January 25, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-638	VanSant	1/15/94	T	George L. & Mary R. Kerr/50th Wedding Anniversary
H137-639	DiLiberto	2/26/94	T	Judge Vincent A. Bifferato/25 Yrs. Serv. Superior Court
H137-640	DiLiberto	2/26/94	T	Judge James L. Latchum/25 Yrs. U.S. District Court
H137-641	VanSant	1/13/94	T	Kevin L. Jacobs/1993 Member of Year/Five Points Fire Co.
H137-642	cosponsor: Houghton Banning	1/13/94	T	Middletown High Sch. Football Team/Flight B Champions 1993
H137-643	Gilligan	1/13/94	T	James W. Jennings, Jr./"All State" Cross Country
H137-644	cosponsor: Spence Gilligan	1/13/94	T	William Nuneville/3rd Consecutive Year "All State Soccer"
H137-645	DiPinto	12/20/93	T	Sister Jacqueline Marie Kotz /Retire/St. Francis Hospital
H137-646	DiPinto	12/20/93	T	Sister Marie Catherine Lewandowski/Retire/St. Francis Hospital
H137-647	DiPinto	12/26/93	T	Mary & Dr. Steve Bartoshesky/ 50th Wedding Anniversary
H137-648	Amick	1/15/94	T	Karen Derrickson/Brader Elem. School Teacher of Year
H137-649	Lofink	1/18/94	T	Slam Dunk to Beach/Successful 93 Tournament
H137-650	DiLiberto	1/18/94	T	DE Blue Bombers/Inaugural Season in Atlantic Basketball Association
H137-651	Taylor	2/15/94	T	Elsie N. Lynch/97th Birthday
H137-652	VanSant	1/13/94	T	Annamae & Paul W. Simonds, Sr./50th Wedding Anniversary
H137-653	Banning	1/13/94	T	William Dinardo/Coach of Year/ Middletown High School

T - Tribute

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

ENV & NAT RES: SCR 46 - 4M.

Representative Caulk requested that he be marked present.

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

The House reconvened at 4:30 p.m.

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

Representative Carey moved to suspend the rules which interfere with action on SCR 46. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Carey brought SCR 46, jointly sponsored by Senators McBride, Vaughn & Voshell & Representatives D. Ennis & Mack, before the House for consideration.

SCR 46 - Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Federal Oil Pollution Act Amendments of 1990 and the Establishment of a Permanent Delaware River and Bay Oversight Commission.

Representative Carey introduced and brought HA 1 to SCR 46 before the House for consideration. HA 1 was adopted by voice vote.

SCR 46 w/HA 1 was adopted by voice vote and returned to the Senate for concurrence on HA 1.

Representative Taylor introduced HB 376, jointly sponsored by Senator Martin.

HB 376 - An Act to Amend Chapter 41, Title 21 of the Delaware Code Relating to Rules of the Road to Clearly Specify That the Act Applies to Drug Offenses.

Mr. Speaker assigned HB 376 to the Transportation & Infrastructure Committee.

Representative D. Ennis moved to suspend the rules which interfere with the House Economic Development, Banking & Insurance Committee Meeting tomorrow.

Representative DiLiberto introduced & brought HB 377, jointly sponsored by Representative Bradley & Senator Bair, before the House for consideration.

HB 377 - An Act to Waive the Statutory Provisions of §107(a), Title 13, of the Delaware Code Relating to the Marriage of Thomas Edward Miller and Svetlana Triphonova.

Representative DiLiberto moved to place HB 377 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative George requested that he be marked present.

Representative George brought HB 370, jointly sponsored by Representatives Petrilli & Spence & Senator Cordrey, before the House for consideration.

HB 370 - An Act to Amend Title 12 of the Delaware Code Relating to Unclaimed Dividends, Interest and Other Distributions Made by Issuers of Securities and Held by Financial Intermediaries for Owners Whose Identities Are Unknown.

Representative George made comments.

The roll call on HB 370 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 370 was sent to the Senate for concurrence.

Representative Bennett brought HB 368, jointly sponsored by Representatives B. Ennis, Clark, Quillen, Wagner, Caulk, Buckworth, Ewing, Carey, Schroeder, Bunting, Fallon, Lee & West & Senators Vaughn, Cook, Adams, Torbert, Still, Voshell, Cordrey & Venables, before the House for consideration.

HB 368 - An Act to Amend Chapter 21, Title 10 and Chapter 91, Title 9, Delaware Code Relating to the Office of Sheriff and Uniform Mileage Payments.

Representative Bennett brought HA 1 to HB 368 before the House for consideration.

Representatives Davis & Caulk made comments.

Representative Bennett requested and was granted the privilege of the floor for Craig Eliassen, House Attorney.

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

HA 1 to HB 368 was adopted by voice vote.

The roll call on HB 368 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 368 w/HA 1 was sent to the Senate for concurrence.

Representative Clark moved to suspend the rules which interfere with action on HB 371. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Clark brought HB 371, jointly sponsored by Senator Cook, before the House for consideration.

HB 371 - An Act to Amend Title 29 Delaware Code and Chapter 107 of 69 Laws of Delaware, Being House Bill No. 209, Relating to the Register of Regulations.

The roll call on HB 371 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 371 was sent to the Senate for concurrence.

Representative Sorenson brought HB 186 w/SA 1, jointly sponsored by Senator Sokola, before the House for consideration.

HB 186 - An Act to Amend Chapter 25 of Title 29, Delaware Code Relating to Supplying of Legal Advice and Counsel to Delaware Technical and Community College.

Representatives George, Gilligan, D. Ennis & VanSant announced that they will not be voting on HB 186 w/SA 1 because of a possible conflict of interest.

The roll call on HB 186 w/SA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representatives D. Ennis, George, Gilligan, VanSant - 4.

Therefore, having received a constitutional majority, HB 186 w/SA 1 was sent to the Governor.

Representative Taylor moved to suspend the rules which interfere with action on HB 376. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Taylor brought HB 376, jointly sponsored by Senator Martin, before the House for consideration.

HB 376 - An Act to Amend Chapter 41, Title 21 of the Delaware Code Relating to Rules of the Road to Clearly Specify That the Act Applies to Drug Offenses.

Representative Taylor made comments.

The roll call on HB 376 was taken and revealed:

YES: 37.

NO: Representatives Holloway, Jonkiert - 2.

NOT VOTING: Representatives Brady, Plant - 2.

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

Representative DiLiberto moved to suspend the rules which interfere with lifting HB 377 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiLiberto brought HB 377, jointly sponsored by Representative Bradley & Senator Bair, before the House for consideration.

HB 377 - An Act to Waive the Statutory Provisions of §107(a), Title 13, of the Delaware Code Relating to the Marriage of Thomas Edward Miller and Svetlana Triphonova.

The roll call on HB 377 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 377 was sent to the Senate for concurrence.

Representative Petrilli moved to suspend the rules which interfere with action on SB 218 w/SA 1 & HA 1 & SA 2. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli brought SB 218 w/SA 1 & HA 1 & SA 2, sponsored by Senator Blevins & Representative Amick & Senators Sokola, Torbert & Voshell & Representatives Buckworth & Jonkiert, before the House for consideration.

SB 218 - An Act to Amend Chapters 4, 6 and 51, Title 24 of the Delaware Code Relating to Cosmetology and Barbering.

The roll call on SB 218 was taken and revealed:

YES: 40.

NOT VOTING: Representative Oberle - 1.

Therefore, having received a constitutional majority, SB 218 w/SA 1 & HA 1 & SA 2 was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 5:25 p.m.

6th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
January 26, 1994

Mr. Speaker Spence called the House to order at 2:07 p.m.

The Majority Whip moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Holloway - 1.

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

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

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

The following prefiled legislation was introduced:

HB 378 - ROY, TAYLOR, GILLIGAN; SENATOR SOKOLA - TRANS & INFRA: An Act to Amend Section 4126 of Title 21 of the Delaware Code Relating to Bicycle Use of Controlled Access Highways.

HB 379 - GEORGE & PETRILLI & BUNTING & SENATOR CORDREY; REPRESENTATIVES BANNING, BENNETT, BRADLEY, BRADY, BUCKWORTH, CAREY, CAULK, CLARK, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOLLOWAY, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, MARONEY, PLANT, QUILLEN, REYNOLDS, ROY, SCHROEDER, SORENSON, SMITH, SPENCE, TAYLOR, VANSANT, WAGNER, WEST, WOJEWODZKI; SENATORS BLEVINS, COOK, CONNOR, KNOX, MARSHALL, MARTIN, MCBRIDE, MCDOWELL, NEAL, SHARP, SOKOLA, VAUGHN, VOSHELL - H/ADM: An Act to Amend Title 29 and Title 6 of the Delaware Code and Volume 69, Chapter 64, Laws of Delaware Relating to the Transfer of the Division of Consumer Affairs From the Department of Administrative Services to the Department of Justice and the Expansion of the Enforcement Powers of Consumer Protection.

HA 3 to HB 331 - MARONEY - AGENDA: Placed with the bill.

HA 1 to HB 364 - GEORGE - READY LIST: Placed with the bill.

SB 266 - CORDREY; REPRESENTATIVE SCHROEDER - H/ADM: An Act to Amend Chapter 197, Volume 54, Laws of Delaware, the Charter of Rehoboth Beach, as Amended, With Regard to the Procedures and Limits for Authorizing General Obligation Bonds. (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 266.

Representatives Fallon, Davis, DiLiberto, Smith, George, Gilligan & Wojewodzki requested that they be marked present.

The Majority Whip moved to recess for committee meetings at 2:16 p.m.

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

Representatives Petrilli, Bunting, Plant, Roy, Amick, Reynolds, Taylor, Bennett, West & Buckworth requested that they be marked present.

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

H/ADM: SB 266 - 5M.

ED: HB 324 - 5M.

AG: SB 258 w/SA 2 - 1F,4M.

P/S: HB 343 - 6M.

ENV & NAT RES: SB 241 - 1F,4M; SCR 49 - 1F,4M.

ECON DEV, B & I: HB 359 - 6M; SB 139 w/SA 2 - 6M.

Representative Petrilli introduced and brought HCR 43, jointly sponsored by Representatives Spence & Quillen, before the House for consideration.

HCR 43 - Providing That a Joint Session of the Senate and the House of Representatives be Convened for the Purpose of Hearing the Annual State of the State Address and the Budget Message From Thomas R. Carper, Governor of the State of Delaware.

HCR 43 was adopted by voice vote and sent to the Senate for concurrence.

Representative Jonkiert requested that he be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Oberle requested that he be marked present.

Comments were made by Representative Plant regarding the House Desegregation Committee.

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

Representative George introduced and brought HJR 9, jointly sponsored by Representatives Gilligan, Quillen, Spence, Petrilli, Amick, Bennett, Buckworth, Carey, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Reynolds, Roy, Smith, Sorenson, Taylor, Wagner, Banning, Bradley, Brady, Bunting, Clark, DiLiberto, B. Ennis, Holloway, Houghton, Jonkiert, Plant, Schroeder, VanSant, West & Wojewodzki & Senators Cordrey, Sharp, Bair, Connor, Adams, Blevins, Cook, Marshall, Martin, McBride, McDowell, Sokola, Torbert, Vaughn, Venables, Voshell, Hauge, Knox, Neal & Still, before the House for consideration.

HJR 9 - Extending Best Wishes for a Rapid Recovery to Delaware's Beloved Senior Legislator, State Senator Herman M. Holloway, Sr.

The roll call on HJR 9 was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Holloway, Oberle, Smith - 4.

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

The Majority Leader moved to recess to the call of the Chair at 4:43 p.m.

7th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
January 27, 1994

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

Mr. Speaker assigned SB 229 to the Public Safety Committee.

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

CORR: SJR 23 w/SA 1 - 5M.

The following prefiled Consent Calendar #18 was introduced:

HR 60 - OBERLE, REYNOLDS, SPENCE, MACK, DAVIS, LOFINK, HOUGHTON, GILLIGAN; ON BEHALF OF ALL REPRESENTATIVES - Recognizing and Appreciating the Public School Custodian and Maintenance Workers in Delaware During the Week of June 5-11, 1994, for the Unsung Work They Do.

HR 61 - ROY, SPENCE, PETRILLI, MARONEY, DIPINTO, LOFINK, GILLIGAN, GEORGE, JONKIERT, BRADY, BRADLEY, DILIBERTO - Celebrating Catholic Schools Week During the Week of January 30th - February 5, 1994.

HR 63 - LEE - Congratulating the Sussex Technical High School Football Team on Their First State Championship.

HCR 44 - WEST, BUNTING; SENATOR CORDREY - Expressing Sympathy to the Family of Richard C. "Biggs" Jarman Jr. Age 56, Who Passed Away as the Result of an Automobile Accident on January 17, 1994.

SCR 56 - TORBERT; REPRESENTATIVES BENNETT & BUCKWORTH - Honoring Mrs. Mariett Purnell, First Employee of Delaware Technical and Community College, Upon the Occasion of Her Retirement Following 31 Years of State Service.

SCR 57 - ADAMS; REPRESENTATIVES BENNETT & EWING - In Recognition of Delaware Day at Vero Beach, Florida, on Monday, February 14, 1994, Honoring Delawareans and Encouraging Delawareans to Come on Down for the Festivities.

Consent Calendar #18 was adopted by voice vote and HCR 44 was sent to the Senate for concurrence and SCR 56 & SCR 57 were returned to the Senate.

Representative Plant made comments.

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

The House reconvened at 2:04 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Caulk - 1.

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

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

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

The following prefiled legislation was introduced:

HS 1 to HB 344 - BRADLEY & SENATORS VAUGHN, SOKOLA & BLEVINS; REPRESENTATIVES BENNETT, BRADY, BUNTING, GILLIGAN, WOJEWODZKI, D. ENNIS; SENATOR STILL - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Insurance Fraud. (3/5 bill)

HB 380 - AMICK - HOUSING & COM AFF: An Act to Amend Chapter 9, Title 22 of the Delaware Code Relating to the Municipal User Tax.

HB 381 - WAGNER - H/ADM: An Act Waiving the Statutory Provisions of Section 107(A) of Chapter 1, Title 13, Delaware Code as It Relates to the Marriage of Michael L. Szczechura and Clara Anne Colwell, Non-Residents of the State of Delaware.

HB 382 - GILLIGAN (BY REQUEST) - ECON DEV, B & I: An Act to Amend Chapter 39, Title 18, Delaware Code Relating to Prohibitions Against Insurance Premium Increases.

HR 62 - CAULK - OUT OF ORDER: Requesting a House of Representatives Ethics Committee Investigation Into the Actions of State Representative Roger Roy, Chairman of the House Bond Committee, and Other Persons, Relating to the June 30, 1993 Removal of the 33rd Representative District's \$60,160.00 Suburban Street Allocation From the 1994 Fiscal Year Bond Bill (House Bill No. 350) and to Why the 33rd Representative District Was the Only District Whose Suburban Streets Allocation Was Removed From Said Bill.

SB 267 - MARTIN, COOK, MCBRIDE, VENABLES, HAUGE & KNOX;
 REPRESENTATIVES ROY, CAREY, OBERLE, TAYLOR, B. ENNIS & JONKIERT - An Act to
 Amend Chapter 74, Title 29 of the Delaware Code Relating to Bonds and Notes of the State.

Representative Oberle requested that he be marked present.

The Majority Leader moved to recess for the Joint Session at 2:05 p.m.

JOINT SESSION
 HOUSE CHAMBER

January 27, 1994

The Sergeant-at-Arms announced the Members of the Senate. They were admitted and seated.
 The Speaker invited the President of the Senate and the President pro Tem to be his guests on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted & seated.

The Sergeant-at-Arms announced the statewide elected officials. They were admitted and seated.

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

The Majority Leader moved that the House and Senate convene in Joint Session at 2:08 p.m. for the purpose of hearing the State of the State & the Annual Budget message by Thomas R. Carper, Governor of the State of Delaware. The motion prevailed.

The Majority Leader moved that the Speaker of the House preside over the Joint Session. The motion prevailed.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. The motion prevailed.

The Majority Leader moved that the Speaker of the House appoint a committee of four to escort the Governor to the Chamber. The motion prevailed. The Speaker appointed Representative Tina Fallon (Spokesperson), Representative William I. Houghton, Senator Andrew G. Knox, and Senator Nancy W. Cook.

The Speaker of the House declared a short recess at 2:10 p.m. to await the arrival of the Governor and the escort committee.

The House reconvened at 2:20 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Carper.

Representative Fallon introduced the Governor to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

Mr. Speaker, Thank you very much. To our Lieutenant Governor, to the President pro Tem of the Senate, Richard Cordrey, to our Speaker, Terry Spence and Members of the 137th General Assembly, the Members of our Judiciary, statewide elected officials, members of my cabinet and to fellow Delawareans. This is my first State of the State message and it's one that I've been looking forward to delivering. I'm especially pleased that my wife Martha is here with me today. Thanks for coming.

Ladies & gentlemen, it wasn't that long ago, actually it was a while ago, I used to sit right about over here where Tom Eichler is as State Treasurer and watched an earlier Governor address an earlier General Assembly, I never imagined that I would have the privilege of serving as the Governor of this State and to have the privilege too to address you and the people of Delaware.

I am pleased to have this opportunity to come before you to report on the State of our State, and to share with you a Delaware Agenda for 1994 and beyond.

It has been nearly ten months since I spoke for the first time before a joint session of this General Assembly, and just a year since I took the oath of office as your Governor.

This year has been a learning process for me and for the members of my young Administration.

For example, I have learned to be very careful in saying that I want to hear from constituents before deciding on any issue dealing with Sunday. I have learned that a solitary congressman from a small state not only was single-handedly responsible for the Clean Air Act but for every other Federal Mandate of the past decade. And I've learned that some strange things can happen in these halls as midnight approaches on June 30th.

Last year, sitting in my office upstairs at the bewitching hour wondering if my mind was playing tricks on me or was Elvis really down here singing "Don't be Cruel". Drawn to the House gallery up here, I watched in disbelief and amusement as Elvis disguised as our Speaker lit up this place with "Hunka Hunka Burning Love". Someday all of us will look back on that moment and laugh, right, Richard? Well, almost all of us.

And I've added a couple of new admonitions to the wonderful folks who serve in my cabinet. Not only do we want to do what's the right thing, to do our best and to treat others as we'd like them to treat us but while we're doing all those things we can't forget to renew our driver's license and yes, we want to register to vote. Most importantly though I've learned a lot about those of you who serve here in the General Assembly. Previously I knew almost every one of you but I really knew you in a superficial way. I have had to learn what's important to you and to the people you represent. I've had to develop trusting,

mutually respectful relationships with each of you over the past year. That hasn't always been an easy process for some of us but it was a prerequisite if we were to govern well and I thank you for bearing with me through that process.

But through the ups and downs there have been a number of constants. First among them has been the hard work and dedication of thousands of Delawareans who come to work everyday to serve their state and its people. Over the past year, I have met thousands of you personally as I visited government workplaces from DeIDOT's Gravel Hill Yard in Sussex County to the Plummer House pre-release center in North Wilmington. I understand from Anne Canby that we may have some of the DELDOT employees here today who have been working to maintain our roads and highways during some very, very difficult conditions. I'm going to ask them to stand up and take for all State employees a well-deserved bow. Gentlemen, it's said that we all have 15 minutes of fame in our life - you've just used up 15 seconds.

I want to thank as well the members of this legislature for making possible a number of major accomplishments during the past year.

As I look forward to 1994 and the legislative session that's before us, I do so with renewed hope for our future. We are weathering some stormy economic times, but I am struck by a rekindled sense of optimism. I stand before you, confident that state and local government, working in partnership with business, labor and every segment of our community, can harness the talent, the resources and the resolve to make Delaware an even better place to live, and work, and raise a family. It is vitally important that we do so. In fact, our very future depends upon it.

As a state, we continue to cope with increasing needs that outpace our revenue growth.

I am proud that, in my first year as governor, we have continued the commitment to strong financial management that is the hallmark of Delaware state government. For the first time in three years, a governor is submitting to the General Assembly a budget that meets the constitutionally-prescribed 98 percent spending level. The Rainy Day Fund remains fully funded and will continue to grow. I look forward to working on the budget with Senator Cook, Representative Davis and other Joint Finance Committee Members in the coming months. In fact that process began this morning over breakfast at Woodburn.

Some of the recent revenue gain has been a result of Attorney General Oberly's victory last year in the abandoned property case of Delaware v. New York. Our settlement last week with New York was an important step in preserving that victory. But before we can be assured of retaining all of the revenue we receive, we must prevail in difficult negotiations with other states in this case and help our congressional delegation fend off harmful legislation in Washington.

As a safeguard, I am prepared to ask the General Assembly to defer spending on many one-time projects funded with DE v. NY money until the threat from Congress subsides.

More than 85 percent of the growth in this year's budget is required to simply maintain current service levels, to cover federal entitlement increases, and to pay for a modest salary increase of two percent for state employees. In short, revenue growth has allowed us to maintain current service levels without major cuts.

I promised you last year that this Administration would endeavor to make use of every tax dollar that we spend, and to leverage those dollars with resources outside of government whenever possible.

I won't ask you to read my lips folks, but I will ask you to note that the 1995 budget I submit to you today calls for no new taxes.

Using the revenues that are available to us, the budget I propose addresses some of the most important issues that we face as a state. Let's talk about some of those now.

Today in Delaware, there are nearly 500 children in foster care, more than 4,000 adults in prison, and another 16,000 adults on probation and parole.

Last year alone, there were 1,400 babies born to teenagers in Delaware, 80 percent of them single mothers;

Over 3,000 Delaware kids tested in our schools last year fell "considerably below the standard" in all three academic areas reading, writing and mathematics;

That is why strengthening Delaware families is a priority of this Administration.

While Delaware ranks near the top of the nation in scientists, engineers and patents per capita in 1992, we ranked dead last for new small business start-ups;

Manufacturing employment has dropped by nearly 10 percent in the past few years, and the General Motors plant closing may cost our state over 6,000 more jobs;

Personal income in Delaware grew by only one percent from 1992 to 1993.

And that is why building a strong and prosperous economy is a priority of this Administration.

State government alone asks business to navigate a complicated maze of 230 different business permits;

The ratio of Health and Social Services clients to caseworkers is 300 to 1;

There are no less than 70 toll-free 1-800 numbers scattered throughout state agencies.

And that is why making government more effective is a priority of this Administration.

Three priorities -- strengthening families; building a strong economy; making government more effective. Together they are the focus of our work and will be the barometer of our success.

GOVERNMENT EFFECTIVENESS

Just as the private sector has re-engineered to meet the competitive demands of a global market, state government must learn how to better manage our limited resources. Revenue growth in the 1990's will not continue to match demand for quality government service. We must do more with the resources we have, or face the inevitable choice of cutting services or raising taxes.

I am particularly grateful to Ruth Ann Minner, the members and the staff of the Commission On Government Reorganization and Effectiveness, and to the hundreds of state employees who assisted their work. Thank you.

I have accepted the lion's share of Minner Commission recommendations. If adopted, they will enable our government to run more efficiently and to save taxpayer dollars. Changes are already underway at DelDOT, DNREC, the Department of Agriculture, and elsewhere. Other changes are included in this budget or require legislation to accomplish. I believe that most can be acted on this year, and I ask you to do so.

A number of Minner Commission recommendations deserve special mention, but I want to highlight one that is known as the creation of a new Department of Information and Administrative Services. This restructured Department will become the leader in information technology for all of state government.

Along with this change, I am recommending a \$13.7 million investment in new technology projects. Using the best minds available, we can begin to move state government information capabilities into the 21st Century.

Our goal is to coordinate all state services to Delaware families so we can serve our customers better and at a lower cost.

Here are some examples of what we can do:

Major upgrades in our State's human resource, purchasing, payroll, and financial management systems can allow state employees to make more cost-effective decisions and save millions of taxpayer dollars.

A comprehensive client information center at the Department of Health and Social Services can help families find the services they need throughout our state.

A single 1-800 information number can enable Delawareans to get the right person to answer their questions with one phone call.

An upgraded tax collection system can allow us to collect revenues owed to the state, including court fines, unemployment insurance, and unpaid student loans.

Government that is streamlined and cost-effective. Government that gives state employees the right tools to do their job. State employees who provide service in a friendly and efficient way. That is what we must deliver to the people of our state if we are to meet their needs. Our motto should not be "That's good enough for government work" our motto should not be "If it ain't broke, don't fix it." Our motto should be "If it isn't perfect, make it better."

As I travelled throughout Delaware this past year, I've heard those needs expressed in simple, straightforward language. We want a growing economy that is creating new jobs that pay a decent wage. We want quality schools that offer our children the best education possible. We want safe neighborhoods, that are free from the scourge of crime and drugs. And we want health care that is accessible and affordable to all who need it. These are not challenges that state government can meet alone, but those of us in this room -- working with others who share our vision -- can forge the way. And I believe that we will.

STRENGTHENING FAMILIES

Last year, in one of my first acts as governor, I established a Family Services Cabinet Council devoted to strengthening Delaware families. The idea behind a cabinet council is a simple one: bring together cabinet secretaries whose services overlap and get them to celebrate and to cooperate and create a unified state response. It's been tried before, but often failed over turf battles and dwindling interest. What makes this cabinet council different is our unity of purpose. The fact that the governor personally chairs each of the meetings may be helpful too...then again it may not be.

Our goals are clear: To see healthy babies born to parents who have learned basic parenting skills. To provide Delaware families with access to affordable health care. To better ensure that our children enter school ready to learn. To create schools that are safe for learning, and that are individually accountable for helping more kids meet rigorous standards for reading, writing, science and mathematics. To help provide housing and job opportunities that promote self-sufficiency, so government support is temporary. And finally, in all the things we do, to focus on prevention, so that rather than spending all of our time and tax dollars treating the symptoms of our problems, we attack the root causes of those problems.

PARENTING SKILLS

Many problems facing Delaware families -- from crime and drug abuse to frustration with our education system -- are rooted in a lack of parental involvement. Quite candidly, too many parents in this state aren't taking responsibility for their children. You know it and I know it. And while there are many reasons, too often it begins when a child is born to parents who lack the basic parenting skills they need. No one is born knowing how to raise a child. Not you, not Martha, certainly not me, not anyone.

One of the first things our cabinet council set out to do was to develop a plan that ensures universal access to parent education. What we found was that over 40 agencies and organizations in Delaware already provide some kind of parenting services. What has been missing until now was a catalyst to bring them all together and to create a continuum of service appropriate to the needs of every new parent in our state.

Last year, you adopted Representative Lonnie George's bill to expand statewide Parents as Teachers, an intensive three-year parenting program. By the end of this year, the Cabinet Council, working with service providers and our state's colleges and universities, will finalize a plan to provide access to different levels of parenting education for every new parent in our state.

Even sooner, my recommended budget contains funds to print this "Growing Together" portfolio. It's a simple calendar that provides good parenting tips and outlines healthy development for children up to the age of five. What should we be looking for when our child is two months old, six months old, two years old, three years old. What should we be doing as parents. Every parent will receive one of these before they leave the hospital with their newborn. I believe these parenting efforts will pay dividends for generations to come, for generations to come. In this Administration, and in Delaware let the message go forth -- kids do count.

TEEN PREGNANCY

Still more must be done to reverse the epidemic of children having children. The statistics are sobering: a million babies born to teen-agers in 1992 alone -- babies that taxpayers often pay to raise. Today, over half of welfare families in the United States are teenagers with kids. Last year in Delaware, we spent nearly \$70 million in AFDC, Medicaid and Food Stamps for families started by adolescents. Beyond the monetary cost, there is an even greater cost to the teen and to the child. Teen pregnancy is a statewide problem, and even more serious in rural Sussex County than in urban Wilmington.

Sex and kids isn't something that we feel comfortable talking about even among ourselves -- much less in a State of the State message.

But kids are having sex -- too young in life and often with little forethought and even less protection. The result is they are getting pregnant -- or worse. We need to take bold action to get this crisis under control.

The 33-member Teen Pregnancy Task Force of the Cabinet Council reported to me last week, and I thank them for their fine work. Today, I am announcing a statewide campaign to implement their recommendations, beginning with creation of an Alliance for Adolescent Pregnancy Prevention. Comprised of parents, of clergy, health care providers, community organizations, and others, the Alliance will act as a clearinghouse for adolescent pregnancy prevention efforts.

Those prevention efforts must begin early in life before teens become sexually active. I support appropriate health and family education beginning not in middle schools, that's too late. As the Department of Public Instruction reviews curricula for New Directions, I will ask them to pay particular attention to the quality and caliber of family life education courses that are offered in our schools.

We will also stress peer leadership with a program modeled after one in Atlanta called "Postponing Sexual Involvement." The program uses trained high school students to teach younger kids how to avoid the peer pressure of becoming sexually active and informs them of the consequences.

Our health care and welfare systems can be used to work on preventing multiple births to teen parents who are not financially or emotionally prepared to provide for their children. We will seek to make continued welfare eligibility dependent upon remaining in school, as well as completing parenting and family planning classes. And using the services of non-government employees and providers, we will expand access to voluntary family planning services for teen parents.

I believe we can make a real difference in turning the tide on teen pregnancy. But as Marion Wright Edelman, the former executive director of the Children's Defense Fund has said, the best contraceptive is a real future.

WELFARE REFORM

Our success in reforming the state's welfare system will focus on creating that future through self-sufficiency -- preparing people to hold a job and to live independently.

The welfare system works as a temporary safety net for most of the families that it serves. But for one of three families, the system our system, perpetuates dependency, diminishes self-esteem, and erodes family responsibility.

The strategy I will unveil next month will reward work and limit time on welfare, beginning with those enrolled in our nationally-recognized First Step employment and training program. That strategy will better ensure that absent parents provide adequate financial support for children and offer health care

to families that work. And it will ask parents to enter into a social contract of responsibility to care for their children.

Our reform plan will require a federal waiver to be fully implemented. But there are steps that we can take this year to get started.

My proposed budget presented to you today will allow us to pilot an innovative two-generation program for teen parents and their children. Our goal is to see if providing intensive, family-centered services to this high-risk group can result in parents leading more responsible, independent lives and breaking the cycle of dependency.

State Housing Authority tenants will get help breaking that cycle of dependency with job training, with education, and other services through a new self-sufficiency program that is part of our welfare reform plan.

Finally, finally I will ask the General Assembly to support legislation and budget initiatives to create a more aggressive program to establish the paternity of welfare children and to increase child support collections. We must not let men and boys walk away from the babies they make, leaving responsibility to the mothers and to the taxpayers of this state.

HEALTH CARE

One service that families need as they move off of welfare rolls and onto payrolls is health care. In fact, without universal access to health care, our efforts to overhaul the welfare system will never be truly successful.

Despite our best efforts, there are still an estimated 95,000 Delawareans who lack health care coverage today. Many of them are families where one, or both, parents are working. Encouraged by the Health Care Commission, Delaware has made significant strides, expanding Medicaid services for children at the poverty level, preventing infant mortality, and improving small employer insurance opportunities. The state's partnership with the Nemours Foundation also continues to grow and serves more children living in poverty.

To add to these ongoing efforts, I recommend funding four new school-based wellness centers, bringing the total in our state to ten. These centers are a vital link to the health care delivery system for adolescents, giving them access to health services in their own environment. My goal remains to locate a wellness center in every high school in Delaware.

In Washington, the debate over national health care reform has begun and states must be ready for federal reform. Across America, states are awakening to the devastating effect of a health care crisis which cannot meet the health care needs of its citizens without breaking the bank. Here in Delaware, we will not wait for Washington. We must prepare to act now.

Last week, the Health Care Commission submitted an interim report for comprehensive reform. They are with us today and I would like to thank Sally Gore and each of the members for their leadership and for their hard work and I think Sally's sitting up there and some of the members. Thank you very much.

The principles outlined by the President's reform plan, the Commission's report and my own priorities are quite similar: Let me just share them with you now.

1. To provide universal access to health care for all Delawareans;
2. To provide coverage that is basic and affordable;
3. To ensure care that is of equal quality for all;
4. To allow consumer choice; and
5. To control costs and reduce paperwork.

The plan I envision will build upon the existing market-based system, with an emphasis on competition. I do not believe we need to reinvent the health care system, but some changes must be made.

One of the most important aspects of the overall reform plan is that health care must be affordable. Dr. Bruce Karh and his Cost Containment Committee have made a series of recommendations that emphasize managed care and streamlined administration. Those recommendations deserve our support. They certainly have mine.

I support the Commission's recommendation to create a voluntary health alliance where small business can band together to use their purchasing power to negotiate reasonable rates. To give the alliance more clout in the marketplace, we should explore including in it state employees.

As we move forward to expand health care coverage, we must take care not to put Delaware businesses at a competitive disadvantage by mandating that they pay for health insurance for their employees when no neighboring states have similar requirements. I will, however, ask all businesses to make health insurance available for purchase by employees. Providing universal access is an important first step, an important first step toward universal coverage.

There is one more very important step that we can take now -- and that is a managed care program for Medicaid. Medicaid is one of the fastest growing parts of our state budget. By implementing managed care, we can build a health care delivery system that emphasizes primary and preventive care,

that cuts costs, that extends coverage to previously uninsured individuals. This spring, we will apply to the federal government for a waiver to allow us to launch this program in 1995.

We have a long road ahead of us, but the Commission, working closely with this legislature, is determined to craft the best plan for Delaware. And I might add not, not just this legislature but the provider networks and the many people throughout Delaware who share our concern. I expect a health care legislative package to be delivered to the General Assembly in this session.

Let me turn to SAFE COMMUNITIES

While health care weighs heavily on the minds of many Delaware families, perhaps no issue is of greater concern today than the need for safe communities. It wasn't long ago that our neighborhoods were places where kids could play safely; where we could leave our houses unlocked and run down to the store; where we could sit outside in the evening and talk to a neighbor. Today, despite the hard work of our state, county and local police, the fear of crime in neighborhoods from Delmar to Delcastle is growing.

We need to take immediate steps to increase our commitment to improve safety for all Delawareans. To put more cops on the street, to provide for an annual state police recruit class to balance attrition, add eight new state troopers, and take full advantage, full advantage of Senator Joe Biden's federal crime bill. These steps will allow us to enhance our police presence, especially in Kent and Sussex County neighborhoods.

We can help our police in another important way by curbing the widespread availability of handguns. With the passage of the Brady Bill in Washington, there is now a very real threat that Delaware may become a mecca for the gun trade that is raging along the east coast. If we do nothing, we will be the only state in the nation that permits purchases of an unlimited number of handguns with no waiting period. We are putting gun runners on notice -- stay out of Delaware!

The Criminal Justice Council has developed comprehensive legislation to deal with gun control in a way that attacks the problems without unduly interfering with an individual's right to bear arms.

Yesterday, I was joined by Senator Patti Blevins and by Representative Steve Amick to announce my endorsement of their proposed legislation. When the General Assembly returns in March, I will work with you to pass legislation that will allow only one handgun purchase every 30 days -- an approach to limiting handgun purchases already in effect in Virginia. I support legislation to allow law enforcement agencies to exchange information on the purchase of handguns for up to 60 days and to require that all handgun purchases be made through licensed dealers.

I will also urge the passage of legislation developed by Attorney General Oberly to require stiffer penalties for crimes committed with a firearm.

But better police coverage and tougher gun laws aren't enough.

When we look at the average criminal in Delaware prisons, we find a history of a broken family, little education, drug and alcohol abuse, low-self esteem, no job, and no hope.

Prisons should punish people who break the law and they do. But prisons can be more than a warehouse for criminals until they're released to commit another crime. Our prisons are becoming places where the efforts of employees are being reinforced by the efforts of hundreds of volunteers from throughout our state. They support an array of criminal ministries and mentoring programs. Last year alone, they contributed to a three-fold increase in the number of prison inmates earning their high school degree. They participated in drug and alcohol treatment programs like Key and Crest to cut the rate of recidivism from 80 percent to almost 10 percent. They are helping to breathe new life into prison industries, where inmates can acquire skills and make a real contribution to society by working.

But, we can't stop there. And I am asking the General Assembly to spend \$3.7 million in the next fiscal year to build Delaware's first boot camp and to bring to our state a more cost-effective way to punish criminals primarily first time offenders while we rehabilitate them so they won't return to prison.

The boot camp I propose will be a place where prisoners do a day's work, get an education, and learn the skills that they need to get a job and live independently when they are released. Just as important, the alcohol and drug treatment we will provide can help break the destructive habits that put them in jail to begin with.

This boot camp, coupled with 35 new probation and parole officers I propose to hire, will help us exert better control over the growing number of people in our corrections system.

Together, I believe this crime and corrections package will answer the call to make our streets safer and our neighborhoods more secure.

Our commitment to safe communities will also extend to our children.

In the FY95 capital budget I send to you today, I recommend spending nearly \$8 million to build a state-of-the-art youth rehabilitation center at Ferris -- a facility that will take dangerous youths off our streets and give them the help they need BEFORE they are addicted to a life of crime.

We are all increasingly disturbed by growing violence and disruption in Delaware schools. The need to improve school discipline has become a top concern of many parents.

DESEGREGATION

Both the desegregation consent order and the budget I have proposed provide for alternative schools for children with severe discipline problems, enhanced in-school suspension programs for students too disruptive to be in regular classrooms, and parental involvement programs designed to head off discipline problems before they begin. These programs will both improve the quality of education and prevent future crime.

Other funding in the consent order is provided for long-overdue efforts to "grow our own" teachers by encouraging young people to consider careers in education, and developing an alternative teacher certification program that will give talented, non-education majors an opportunity to teach in our State.

We must seize this opportunity to implement these important programs and to end the court supervision of our schools at the same time.

But that is not all we must do.

The desegregation court order is just that -- a consent order designed to resolve a difficult and divisive court case.

The consent order is not our blueprint for educational reform.

We have that in New Directions and I'd like to talk about it for a moment.

NEW DIRECTIONS

New Directions is about setting world-class standards that measure what children should know, and holding schools accountable for meeting them. It's about teaching kids how to write a good letter to their legislator, understand instructions to assemble a bicycle, or calculate the interest on a loan. It's about helping teachers teach better.

We have made substantial progress in setting the standards for our kids. Now the real challenge is for New Directions to deliver on its promise of "excellence and equity for all students."

To help New Directions succeed, members of the Business Public Education Council have presented me with the findings of their GAP analysis -- a report containing 17 different recommendations for closing the gaps between an ideal educational system and the one we have here in Delaware today. We are already working on most of those recommendations, and we stand ready to do more.

The GAP analysis agreed with many of us that the time has come to rethink the entire structure for education in our state.

Just as not all children are the same -- nor are all communities alike. There is no cookie-cutter approach to educational excellence. Allowing school communities -- teachers, parents, and principals -- to determine the best approach to educating children in their schools is critical to educational improvement. Cutting regulatory red tape will enable local educators to teach children in a way they believe is most effective.

At the same time, setting performance standards gives parents and state education authorities the ability to measure the success of educational programs in each and every school. By holding schools accountable for their results, we can strike a better balance between local flexibility and state control.

Our goal should be to empower parents. By holding the schools the focal point for decisions about budgets, staff and instructional practices, we will maximize parental involvement in how their kids are educated. By giving parents good information about school performance, they can answer the question "How successful is my child's school?"

DPI's role must also change -- from one of regulatory oversight to one of expert consultant -- helping local schools to innovate and to improve.

With all this in mind, I will convene by Executive Order a commission to prepare legislative restructuring the relationship between the State Board/Department of Public Instruction and local educational authorities. The commission will include parents, teachers, administrators, board members, legislators and the business community.

Now reworking the entire structure of education in Delaware is admittedly no small task. But I believe the commission's work can be completed next year.

In the meantime, we will press forward to implement other recommendations of the GAP analysis.

A few weeks ago, Representative Peg Bradley and State Board of Education member Nancy Doorey came by to see me about an issue close to their hearts and I think to many of our hearts -- that's Head Start.

Head Start is a proven commodity with a 25-year old record of achievement in helping children in poverty get ready for success in our schools. For every dollar we invest in quality preschool, we save several times that in welfare benefits, in reduced criminal costs, and in increased earnings and tax revenues.

Kids who attend Head Start have better attendance records in school, make significant gains in test scores, and are healthier. And, Head Start is designed to fully involve parents at the very beginning of their children's education.

It is no wonder that support for early childhood education comes not just from educators, but from doctors, business people and law enforcement people as well. Yet, despite its success, we still serve only half of the eligible three- and four-year-olds in Head Start. That should change.

Today, I propose that over the next three years, every eligible four-year-old in Delaware will be enrolled in Head Start. I will ask the Joint Finance Committee to use a small portion of cost recovery funds in FY 95 to begin to pay for that expansion. Over three years, the total cost to our state will be an additional \$2.5 million in operating expenses and slightly over \$1 million in one-time spending for additional space and equipment. I believe it is one of the best investments in education we will make as a state during my Administration.

STRENGTHENING OUR ECONOMY

Making sure our kids get a world-class education is our best insurance for a strong economy that creates quality jobs.

The past several years have presented formidable challenges for Delaware's economy. It's been a rollercoaster ride, starting with the announcement of the GM plant closing even before I took office. But I think things are looking up.

I met with most of the state's major employers last year to hear directly from them on how government can do its job better. What I have outlined is a four-pronged approach to strengthening Delaware's economy -- 1) create a top-quality workforce; 2) "grow our own" businesses; 3) develop a modern and efficient infrastructure; and 4) make government accessible and responsive to business.

I've already talked about New Directions and its importance to a highly educated, highly productive workforce.

We developed our "Grow Our Own" strategy because 90 percent of new jobs in Delaware come from the expansion of existing business and the start-up of new businesses. I think we have good news on that front.

In 1993, we created Small Business Development Centers in Kent and Sussex County that are helping entrepreneurs succeed today.

We joined with local banks to create the Delaware Access Program -- using a \$1 million state investment allocated by you to leverage up to \$20 million of local bank lending for business start-ups and expansions today.

We partnered with manufacturers to create the Delaware Alliance to stimulate more widespread use of modern manufacturing technology. Not at some date in the future but today.

This year, we propose to take our "grow our own" a step further -- by doubling the Development Office's Strategic Fund to \$5.0 million. This increase, recommended by the GM Task Force, will provide Delaware with flexibility to take advantage of opportunities to attract new businesses to our state.

We will also kick off the Delaware Seed Fund -- using up to \$1 million of state funds to leverage \$5 million of private investment in emerging technologies that create jobs.

We can't expect business to continue to locate and to grow in Delaware without investing in modern, efficient infrastructure. Last year, we passed Senator Thurman Adams' telecommunication reform act that ensures Delaware businesses of access to state-of-the-art telecommunications service. And it also brings the promise of a one-quarter of a billion dollar investment in our telecommunications infrastructure.

This year, I will ask the General Assembly to turn its attention to the quality of our water and wastewater infrastructure. By one estimate, \$700 million will be needed over the next 20 years to fund repairs, renovations, and expansions of our water and wastewater facilities. I support Representative John Schroeder's bill to create a Water Facilities Advisory Council as recommended by our State Chamber of Commerce. This Council will provide a comprehensive, statewide water plan, and develop policies to allocate costs on a fair basis. Developing this strategy for water and wastewater is an essential part of improving statewide planning.

Our efforts to ensure that State government is responsive and accessible to Delaware business are also moving at full speed. Last year's economic summit identified complicated permit processing as a major barrier to economic growth in our State. This year the Permitting Policy Task Force will report back on how we can improve it.

I believe a new day has dawned at DNREC and so have many of its critics. Working with this Task Force, DNREC is launching a major joint public and private sector review of 42 major permitting programs. They will identify obsolete permitting programs, find ways to improve others, and explore uses of technology to reduce paperwork and speed the process. The Department is also providing extensive customer service training to its staff and surveying customers to find out "how are we doing?" And I think they're doing much better.

21st CENTURY FUND

We will have one more opportunity in 1994 to strengthen Delaware's economy and improve our quality of life.

As you know, last week we announced a \$200 million settlement, payable over five years, of the DE v. NY case.

With these funds, we have a chance to make a real difference -- to invest in our future and meet the economic challenges of the next century.

Today, I propose creation of a 21st Century Fund using the settlement money from DE v. NY. These funds would be used to challenge Delaware communities and leverage private resources to make long-term investments in infrastructure and workforce development.

With this Fund, we can meet the challenges of putting our water supply and wastewater infrastructure on a sound environmental and financial footing.

We should commit the same energy and resources that were devoted to our open space program and develop our park system into one of the finest in the nation.

We should preserve high quality farmland, not only because it supports this state's largest industry, but also because it saves open space, while retaining land for productive use.

We should make infrastructure investments in low- and moderate-income housing -- targeting residents who have demonstrated a commitment to revitalizing their communities and empowering themselves.

We should challenge schools and businesses to make long-term financial commitments to school-to-work programs that help students make the transition from an "academic environment to the hands-on world of work.

And we should challenge our schools to use technology to expand the information, training, and education options available to our residents.

This should be our vision. We can not lose sight of our goal and that is to invest in the future and make our state a better place to live.

CLOSE

Well, I began my remarks this afternoon, perhaps it seems like yesterday afternoon, but I began my remarks by describing the education of a new governor in the past year of transition, and some of the many lessons that I learned, that my administration has learned.

By far the most important lesson for me has been the importance of working in a spirit of bipartisan cooperation with you, the members of this General Assembly. Last year, that cooperation allowed us to make improvements in the Kids Department, to address the financial problems of the Transportation Trust Fund, and to meet the federal requirements of the Clean Air Act.

Today, I have described for you a blueprint for a Delaware Agenda. It is an ambitious agenda that carries with it the optimism that we, as a state, can meet the sobering challenges that confront us today.

It is not an agenda that's carved in stone, but one to be crafted with the ideas and energies of everyone in this room, and beyond this room.

That work must begin now.

Delaware has no equal among states in our ability to move confidently into the future.

And so today we must again answer the call. To take our state, this state, to new heights. To show this nation why Delaware is -- and will remain -- the First State.

That is the challenge I bring to you today. That is the challenge I leave with you today. Join me in building a Delaware Agenda that each of us can embrace and call our own.

Thank you very much.

The Speaker thanked the Governor for his address and asked the previously named escort committee to reassemble and escort the Governor back to his Executive Office.

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

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

The Majority leader moved that the Joint Session adjourn at 3:10 p.m. and the two Houses separate to reconvene in their respective chambers. There was no objection and the Speaker declared the Joint Session adjourned.

The House reconvened at 4:30 p.m.

Representative Bunting introduced HB 383, jointly sponsored by Senator Cordrey.

HB 383 - An Act to Amend Chapter 217, Volume 24, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Millville", as Amended, to Extend the Corporate Limits of the Town of Millville and to Provide a Procedure for Future Annexation. (2/3 bill)

Mr. Speaker assigned HB 383 to the House Administration Committee.

Representative Jonkiert requested that he be marked present.

Representative DiLiberto introduced HB 384, jointly sponsored by Representatives Banning, Bennett, Brady, Bradley, Bunting, Clark, B. Ennis, George, Gilligan, Houghton, Jonkiert, Plant, VanSant, Mack, Reynolds, Amick, Carey, Buckworth, Lee, Wagner & Quillen & Senators Cook, Martin & Vaughn.

HB 384 - An Act to Amend Title 11, Delaware Code Relating to the Creation of the HIV Assault Act.

Mr. Speaker assigned HB 384 to the Judiciary Committee.

Representative Carey introduced HB 385, jointly sponsored by Representatives Quillen, Spence, Petrilli, Amick, Taylor, Lee, Buckworth, D. Ennis, Ewing, Davis & Smith.

HB 385 - An Act to Amend Chapter 11, Title 30 of the Delaware code Relating to Personal Income Tax.

Mr. Speaker assigned HB 385 to the Revenue & Finance Committee.

Representative George introduced HB 375, jointly sponsored by Representative Gilligan & Senators Martin & Cordrey.

HB 375 - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1995; Deauthorizing State Guaranteed Bond Authorizations and Deauthorizing, Reauthorizing and Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Appropriating Funds From the Transportation Trust Fund, Deauthorizing and Reauthorizing of Certain Funds of the Transportation Trust Fund; Appropriating Special Funds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Creating 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)

Mr. Speaker assigned HB 375 to the Transportation & Infrastructure Committee.

Representative VanSant introduced HB 386, jointly sponsored by Representatives Houghton, B. Ennis, West, Brady, Oberle & Lee & Senator Vaughn.

HB 386 - An Act to Amend Title 11, Delaware Code Relating to Crimes and Criminal Procedure.

Mr. Speaker assigned HB 386 to the Public Safety Committee.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HJR 10. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative DiPinto introduced and brought HJR 10, jointly sponsored by Senator McDowell & Representatives Spence, Petrilli, Quillen, Mack, Wagner, Taylor, Oberle, Davis, Sorenson, Buckworth, Carey, Lofink, D. Ennis, Amick, Ewing, VanSant, Gilligan, Plant, B. Ennis, Brady, DiLiberto, Clark, Houghton & Bennett & Senators McDowell, Voshell, Adams, Cook, Vaughn, Venables, Hauge, Still, Neal & Bair, before the House for consideration.

HJR 10 - Resolution to Withdraw From the Ozone Transport Commission.

The roll call on HJR 10 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, West - 2.

Therefore, having received a constitutional majority, HJR 10 was sent to the Senate for concurrence.

Representative Petrilli brought HB 337 w/HA 2 & SA 1 & 2, sponsored by Representatives B. Ennis, Ewing, Bennett, DiLiberto & Lee & Senator Vaughn & Representatives Brady, Bunting, Caulk, Clark, DiPinto, D. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Oberle, Quillen, Reynolds, Roy, Schroeder, VanSant & West & Senators Bair, Blevins, Holloway, McBride, Marshall, Still & Torbert, before the House for consideration.

HB 337 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Issuance of Special Registration Plates. (3/5 bill)

The roll call on HB 337 w/HA 2 & SA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, West - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 337 w/HA 2 & SA 1 & 2 was sent to the Governor.

Representative DiPinto introduced HB 387, jointly sponsored by Senator Marshall & Representatives Amick, Buckworth, Davis, Maroney, Smith, Wagner, Bennett, George, Gilligan, Holloway & Plant & Senators Holloway, McDowell, Bair, Connor, Knox, Neal, Still & Venables.

HB 387 - An Act to Amend Titles 10 and 22, Delaware Code, Authorizing the Formation of Municipal Business Improvement Districts. (2/3 bill)

Mr. Speaker assigned HB 387 to the Housing & Community Affairs Committee.

Representative Roy moved to suspend the rules which interfere with action on SB 267. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Roy brought SB 267, jointly sponsored by Senators Martin, Cook, McBride, Venables, Hauge & Knox & Representatives Carey, Oberle, Taylor, B. Ennis & Jonkiert, before the House for consideration.

SB 267 - An Act to Amend Chapter 74, Title 29 of the Delaware Code Relating to Bonds and Notes of the State. (3/4 bill)

The roll call on SB 267 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, West - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 267 was returned to the Senate.

Representative Petrilli brought SB 266, sponsored by Senator Cordrey & Representative Schroeder, before the House for consideration.

SB 266 - An Act to Amend Chapter 197, Volume 54, Laws of Delaware, the Charter of Rehoboth Beach, as Amended With Regard to the Procedures and Limits for Authorizing General Obligation Bonds. (2/3 bill)

The roll call on SB 266 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 266 was returned to the Senate.

Representative Amick moved to suspend the rules which interfere with introduction of and action on SJR 28. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Amick introduced & brought SJR 28, jointly sponsored by Senator Sharp, before the House for consideration.

SJR 28 - Relating to Expedited Procedures as Recommended by the Commission on Commercial Litigation Reform.

The roll call on SJR 28 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SJR 28 was returned to the Senate.

Representative Houghton introduced and brought HR 64, jointly sponsored by Senators McBride, Cook & Connor, before the House for consideration.

HR 64 - Honoring Chief John W. Ryan, Jr. as the Recipient of the 1993 New Castle County volunteer Firemen's Association Annual Longevity Award.

HR 64 was adopted by voice vote.

Representative Oberle moved to lift SB 29 w/SA 2 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Oberle brought SB 29 w/SA 2, jointly sponsored by Senators Marshall, Blevins, Holloway, Martin, McBride, McDowell, Vaughn & Connor & Representatives Mack, Reynolds, Roy, Spence, Banning, Brady, B. Ennis, Gilligan, Holloway, Houghton, Plant & VanSant, before the House for consideration.

SB 29 - An Act to Amend Chapter 69, §6912, Title 29, Delaware Code Relating to Public Works Contracts and Prevailing Wage Rates. (F/N)

The roll call on SB 29 w/SA 2 was taken and revealed:

YES: 22.

NO: Representatives Bradley, Buckworth, Bunting, Carey, DiPinto, Fallon, Lee, Maroney, Petrilli, Quillen, Schroeder, Smith, Sorenson, Taylor, Wagner - 15.

NOT VOTING: Representatives Bennett, West, Wojewodzki - 3.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 29 w/SA 2 was returned to the Senate.

Representative Ewing brought SB 253, sponsored by Senator Vaughn & Representative D. Ennis, before the House for consideration.

SB 253 - An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Processing and Payment of Insurance Benefits.

The roll call on SB 253 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Jonkiert - 2.

Therefore, having received a constitutional majority, SB 253 was returned to the Senate.

Representative DiPinto introduced and brought SCR 60, jointly sponsored by Senator McDowell & Representative Carey, before the House for consideration.

SCR 60 - Requesting the Delaware Delegation to the Ozone Transport Commission (OTC) to Oppose the Petition Process That Would Establish Regionwide Federal Mandates.

SCR 60 was adopted by voice vote and returned to the Senate.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: January 27, 1994

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

Number	Sponsor	Presentation Date	Type	Description
H137-654	Spence	12/27/93	T	Wilmington College/25 Years/ Academic Excellence & Service

H137-655	Ewing	1/24/94	T	Paul Hastings/80th Birthday
H137-656	Fallon	2/04/94	T	Martha Griffin/Enchings Display/ Washington Printmakers Gallery
H137-657	Caulk	1/19/94	T	DE Assoc. of Conservation Districts/50th Anniversary
H137-658	VanSant	1/19/94	T	Peg Hood/Republican Headquarters Volunteer/1993
H137-659	Bradley	1/18/94	T	James H. Gilliam, Sr./Josiah Marvel Cup
H137-660	Carey	1/25/94	T	Chuckie Parker/Aiding Neighbor After Dangerous Fall
H137-661	Carey	1/25/94	T	Gator Jackson/Aiding Neighbor After Dangerous Fall
H137-662	Spence	1/23/94	T	Phyllis Hazel/Retirement/ Director/Social Services
H137-663	Brady	11/28/93	T	Patricia & Michael David Solomon/Wedding
H137-664	Fallon	1/20/94	M	Rowland Wollaston/Dedicated Republican
H137-665	DiLiberto	1/28/94	T	Madelene Mahan/100th Birthday
H137-666	Wagner	1/31/94	T	William Hughes/100th Birthday
H137-667	West	1/25/94	T	Sussex Tech Football Team/ Division II State Championship
H137-668	Fallon	2/22/94	T	Donald Tull/Retirement/City Councilman
H137-669	Fallon	2/22/94	T	Larry Miller/Retirement/City Council
H137-670	Ewing	2/05/94	T	Major Robert F. Stuart/Retire- ment/Sussex County Family Court

T - Tribute

M - Memoriam

The Senate wishes to inform the House that it has passed: HB 371, HB 337 w/HA 2 & SA 1 & 2, SB 267, HB 370, HB 377, SCR 57, HCR 43, HB 368 w/HA 1, SCR 58, SCR 60, HB 307, HB 244 w/HA 1 & 2, HJR 9, SJR 28 & HJR 10.

The Majority Leader moved to recess to the call of the Chair at 5:23 p.m.

8th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
March 15, 1994

Mr. Speaker Spence called the House to order at 2:12 p.m.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day.

The House reconvened at 2:14 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Holloway - 1.

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

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

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

The following out-of-session prefiled legislation was introduced:

HB 388 - AMICK; SENATOR BLEVINS - H. ADMIN.: An Act to Amend Chapter 7, Title 24 of the Delaware Code Relating to The Board of Chiropractic.

HB 389 - AMICK - SM. BUS.: An Act to Amend Title 6, Chapter 25 of the Delaware Code Relating to Consumer Rebates.

HB 390 - CAULK, EWING, BENNETT, CLARK, B. ENNIS - LABOR & HMN. RES. MGMT.: An Act to Amend Title 29, Chapter 59 of the Delaware Code Relating to the Merit System of Personnel Administration of State Government.

HB 391 - WAGNER - EDUCATION: An Act to Amend Chapter 29, Title 14 of the Delaware Code Relating to Transportation of Pupils.

HB 392 - WEST, BENNETT, BRADY, BUNTING, CAREY, CAULK, CLARK, DIPINTO, B. ENNIS, EWING, GEORGE, HOUGHTON, JONKIERT, LEE, SCHROEDER, SPENCE, VANSANT;

SENS. ADAMS, COOK, CORDREY, MARSHALL, HOLLOWAY, NEAL, SHARP, VENABLES, TORBERT, VAUGHN - HMN. NEEDS/DEV.: An Act to Amend Title 31, Chapter 5, Delaware Code, Relating to the Medicaid Income Eligibility Limit for Nursing Home Care.

HB 393 - VANSANT & SEN. SHARP; REPS. BENNETT, BRADY, B. ENNIS, HOUGHTON, LEE, OBERLE, SPENCE WEST; SEN. VAUGHN - PUB. SAFETY: An Act to Amend Title 11, Delaware Code Relating to Criminal History Record Checks for Sales of Firearms.

HB 394 - WAGNER - PUB. SAFETY: An Act to Amend Section 2708, Chapter 27, Title 21 of the Delaware Code Relating to School Bus Driver Qualifications and Drug Testing.

HB 395 - WAGNER - PUB. SAFETY: An Act to Amend Section 2708, Chapter 27, Title 21 of the Delaware Code Relating to School Bus Driver Qualifications and A Conviction Relating to Drug Paraphernalia.

HB 396 - CAULK - H. ADMIN.: An Act to Amend Chapter 5, Title 17 of the Delaware Code Relating to Highways, Roads and Bridges Generally.

HCR 45 - CAULK; B. ENNIS - H ADMIN.: Creating an Emergency Services Task Force to Study and Report on Proposals to Provide Maximum Emergency Services in Delaware.

HCR 46 - CLARK, BRADY, WEST, BANNING, B. ENNIS, BRADLEY, BUNTING, DILIBERTO, QUILLIN, EWING, WAGNER, MARONEY, BENNETT - REV. & FIN.: Requesting the Joint Finance Committee to Address the Recently Uncovered Welfare Overpayments Problem Within the State of Delaware as Part of the 1994-95 Budget Bill.

HJR 11 - SPENCE; SEN. CORDREY - ECON. DEV./BKNG. & INS.: Extending the Date by Which the Insurance Industry Economic Task Force if to Issue Its Written Report.

HA 1 to HB 359 - WAGNER - AGENDA: Placed with the bill.

HA 2 to SB 78 - MARONEY - L.O.T.: Placed with the bill.

The House observed a moment of silence in memory of Senator Herman M. Holloway, Sr.

Representative Amick requested that he be marked present.

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

Representative Plant:

March 14, 1994

The Honorable Richard W. Riley

Secretary of Education

Room 4181

400 Maryland Avenue, SW

Washington, D.C. 20202

Dear Secretary Riley:

I write to you in my capacity as a member of the House of Representatives in the General Assembly of the State of Delaware. I have been a State Representative since 1975. Most recently, I was appointed to the Desegregation Committee of the House of Representatives. I am the Committee's only African American member. For years, the Committee has concerned itself with the four school districts in northern New Castle County, Delaware, that have been under a Federal Court Order to desegregate since 1978.

Currently, an organization called the Coalition to Save Our Children represents the interests of the plaintiff class (Black Children in the City of Wilmington, Delaware) in this litigation. I have attached for your information two reports submitted to officials in the State of Delaware from the Coalition. The reports, entitled, the Problems of School Desegregation, dated September 5, 1991, and the Problems of School Desegregation Continued, dated July 16, 1993, show clearly the results of discriminatory practices and the racial disparities brought about as a result of which the Federal District Court has called the substantive problems (suspensions, performance scores, special education placements, college matriculated rules, attendance, staff racial composition and dropouts). There was also a recent article in US News and World Report showing the State of Delaware to be number one in the nation placing children in restrictive environments.

It is for these reasons that I seek your assistance and intervention in addressing these discriminatory practices that continue to devastate the Black community. For example:

1. In 1978 when the schools initially desegregated, there was a 205% increase in the out of school suspension of Black children. There has been no significant decline in the rate since that time.

2. In 1978, over 20% of our teachers were African American. Today African American teachers are only 12 to 15 percent of the total teachers.

3. From 1978 through 1987, the placement rate for Black children in Special Education increased approximately 70%. Again, there has been no decline.

4. Local school officials have chosen to expel children as young as eleven years old from school without any education services. The overwhelming majority of these children are Black.

5. Delaware has the highest cut off score in the nation for the pre-professional skills test (a test which has been shown to adversely impact Black professionals) which serves as a mechanism to keep

Blacks locked out of the school system.

6. Kindergarten children and 1st graders (again predominantly Black if not 100% Black in many instances) are suspended from school.

Most recently, the Coalition and local school authorities and the Governor entered into a proposed Consent Decree to begin to address these problems. Regrettably, a new federal judge has seen fit to sabotage this agreement. In turn, this has enabled many of my colleagues in the General Assembly to establish a position wherein nothing will be done to address these problems. It is for these reasons that I respectfully request an immediate investigation of all School Districts in the State of Delaware that receive federal funds. The Coalition has provided documentation regarding the problems in New Castle County where data is generated by order of the Federal Court. However, in my view, practices throughout the State are racially suspect. For example, alternative programs in other Districts (outside the desegregation area) are predominately Black.

It is my firm belief that discriminatory practices exist throughout the education system which warrant your immediate investigation and intervention. Upon any finding of discriminatory practices, I believe that all federal funds should be withheld until such time as school authorities and State officials take action to eliminate all discrimination and racial disparities within our public schools.

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

AOP, Sr./rmh

Enclosures

cc: Senator Joseph R. Biden, Jr. Senator William V. Roth, Jr.
 Senator Michael N. Castle Governor Thomas R. Carper
 Mayor James H. Sills, Jr. James B. Thomas, Jr., Dept. of Education
 County Executive Dennis Greenhouse

STATE OF REPRESENTATIVE AL O. PLANT, SR.
ON THE FLOOR OF THE HOUSE OF REPRESENTATIVES

March 15, 1994

MR. SPEAKER. MEMBERS OF THE HOUSE OF REPRESENTATIVES. THE DESEGREGATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES HAS CERTAINLY GARNERED SOME HEADLINES SINCE WE BROKE FOR BUDGET HEARINGS IN JANUARY.

THE COMMITTEE HAS BEEN SO VISIBLE THAT MANY PEOPLE BELIEVE THAT IT SERVES AS THE UNIFIED VOICE OF THE GENERAL ASSEMBLY. THE TRUTH IS, THERE IS AT LEAST ONE DISSENTING VOICE WITHIN THE COMMITTEE AND MANY DISSENTING VOICES IN THIS AUGUST BODY. I AM CONCERNED AND WANT TO MAKE IT PERFECTLY CLEAR THAT THE DESEGREGATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES DOES NOT SPEAK FOR ME.

FURTHER, I WOULD LIKE TO KNOW AS I AM SURE DO MANY OF MY COLLEAGUES, EXACTLY WHAT ITEMIZED EXPENSE WERE INCURRED THROUGH THE ACTIVITIES OF THE DESEGREGATION COMMITTEE. WHAT IS THE SOURCE OF THE FUNDS AND HOW WAS IT SPENT?

I BELIEVE IT IS FAIR TO REQUEST A FINANCIAL REPORT FROM THE COMMITTEE AND I NOW DO SO.

THANK YOU MR. SPEAKER

Representatives DiLiberto, Houghton, Bradley, D. Ennis, Clark, Wagner & West requested that they be marked present.

The Reading Clerk read the following communications into the record:

February 3, 1994

Representative Roger Roy

State of Delaware

House of Representatives

Legislative Hall

Dover, DE 19901

Dear Representative Roy:

On behalf of my colleagues I would like to thank the Representatives of the 137th General Assembly for their heartfelt congratulations to the Delaware Catholic Schools on the occasion of Catholic Schools Week, January 30 - February 5.

The support of our legislators is greatly appreciated and we look forward to a continued partnership.

Sincerely,

Sister Kathleen Callaghan, SSJ

Assistant Superintendent of Schools

SKC/jls

January 28, 1994

LEGISLATIVE ADVISORY #34

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
1/27/94 - HB 377.

February 7, 1994

LEGISLATIVE ADVISORY #35

The Governor signed the following legislation on the date indicated: 2/04/94 - SB 151 aab SA 1 & HA 2, SB 218 aab SA 1 & HA 1 & SA 2, HB 186 aab SA 1, HB 370, HB 371, HB 307, HB 337 aab HA 2 & SA 1 & SA 2, HB 368 aab HA 1, SB 266, SB 253, SB 267, HB 244 aab HA 1 & 2.

February 8, 1994

LEGISLATIVE ADVISORY #36

The following legislation was signed by Governor Thomas R. Carper on the date indicated:
2/07/94 - SJR 28.

February 9, 1994

LEGISLATIVE ADVISORY #37

The Governor signed the following legislation on the date indicated: 2/09/94 - HJR 10, SB 29.
February 9, 1994

To The Members of The House of
Representatives of the 137th General Assembly:

On January 28, 1994, I received House Joint Resolution 10, entitled "RESOLUTION TO
WITHDRAW FROM THE OZONE TRANSPORT COMMISSION."

I am returning H.J.R. 10 to the House without my signature. H.J.R. 10 calls for the "official
withdrawal" of the State of Delaware from the Northeast Ozone Transport Commission ("OTC").

The OTC is a regional organization created by Congress as part of the Clean Air Act Amendments
of 1990. THE OTC is an advisory panel. Its decisions are not binding on states and must be approved by
the Environmental Protection Agency ("EPA") before they take effect. Nevertheless, OTC decisions, such
as its endorsement of California car standards, can and will have a significant impact on Delaware.

The Act specifies twelve states and the District of Columbia to be members of the OTC. It does
not allow states to decide whether to be members. Membership is set by law. Therefore, Delaware does
not have the opportunity to "officially withdraw" from the OTC, as required by the Resolution. As the
enclosed Attorney General's Opinion indicates, Delaware may only leave the OTC if it can establish to the
satisfaction of EPA "that the control of emissions (in Delaware) will not significantly contribute to the
attainment of the standard in any area in the region."

Still, an option left to Delaware is to refuse to participate in OTC deliberations. We must answer
the questions: Are Delaware's interests better served by having no voice on a commission that will make
decisions that, if approved by the EPA, are binding on us?

I believe that individual states, not the OTC, should decide how to meet their individual Clean Air
Act requirements. Accordingly, Delaware opposed the recent OTC resolution endorsing the imposition of
California car standards on the entire region.

Despite this, I have concluded that to disenfranchise Delaware unnecessarily to "send a message"
to the OTC and federal government, while tempting, does not serve Delaware's long-term interests.

I continue to share the concerns of many members of the General Assembly as to how Delaware
can best implement the Clean Air Act in ways that are most cost-effective and the least intrusive to our
citizens. Together with the help of the General Assembly, we should continue to seek out opportunities to
work with other states and press the EPA for its full cooperation in identifying innovative approaches to
achieving Clean Air Act standards in a reasonable time frame.

As for the OTC, I have instructed the Secretary of the Department of Natural Resources and
Environmental Control to continue to press the Commission to allow Delaware to have maximum
flexibility in determining how best to meet the requirements of the Clean Air Act, without unwarranted
federal or regional interference.

Sincerely,

Thomas R. Carper

4 February 1994

The Honorable Thomas R. Carper
Governor of the State of Delaware
Office of the Governor
12th Floor
Carvel State Office Building
820 N. French Street
Wilmington, Delaware 19801

Re: Withdrawal From Ozone Transport Commission

Dear Governor Carper:

On Wednesday, February 2, 1994, Jeff Bullock, Director of Policy and Planning, verbally asked the extent of Delaware's discretion as a member of the Ozone Transport Commission. Specifically, he asked whether Delaware can withdraw from that commission as contemplated by House Joint Resolution 10 (attached).

The Clean Air Act (the "Act") was enacted by Congress under the Commerce Clause of the Constitution. Section 184 of the Act creates an Ozone Transport Region that includes Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the consolidated Metropolitan Statistical Area that includes Washington, D.C. The ozone transport regions are designed to allow better control of ozone sources that contribute to ozone nonattainment problems in other states. The law requires each State in an ozone transport region to submit its own ozone plan to the Environmental Protection Agency ("EPA"), requiring, among other things, enhanced vehicle inspection and maintenance programs and implementation of reasonably available control technology with respect to all sources of volatile organic compounds.

Section 184 further provides that the provisions of section 176A (a) (1) and (2) shall apply with respect to the transport region established under Section 184. Section 176A established the frame work by which the EPA Administrator may, on his own motion or by petition from the Governor of any state, or upon the recommendation of a transport commission established under Section 176A, "remove any state or portion of a state from the region whenever the Administrator has reason to believe that the control of emissions in that state or portion of the State pursuant to this section will not significantly contribute to the attainment of the standard in any area in the region." 42 U.S.C. §7506a. (a) (2) (Section 176A (a) (2) of the Act.) The Administrator is further obliged to approve or disapprove any such petition or recommendation within eighteen (18) months of its receipt and to establish appropriate proceedings for public participation regarding such petitions, including at a minimum, notice and comment.

In sum, Delaware may be removed from the Ozone Transport Region by the EPA Administrator only if the Administrator determines that the control of emissions in Delaware will not significantly contribute to the attainment of the ozone standard in any area of the region. Presumably, the supporting scientific evidence necessary for the Administrator's finding would have to be supplied by the Department of Natural Resources and Environmental Control.

Very truly yours,
Michael F. Foster
State Solicitor

MFF/bac

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: March 15, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-671	Fallon	1/22/94	M	Milton Keene
H137-672	Houghton	1/26/94	M	Frank J. Olszewski
H137-673	Maroney	1/12/94	T	C. Robert Taylor/Retirement /27 Years/WDEL/WSTW
H137-674	Brady	1/08/94	T	Laura Catherine Cooper/Grad./ Pennsylvania State University
H137-675	Gilligan	1/27/94	T	Mr. & Mrs. Herbert O. Wardell/ 60th Wedding Anniversary
H137-676	Gilligan	1/27/94	T	Mr. & Mrs. Anthony Peco/50th Wedding Anniversary
H137-677	Houghton cosponsor: VanSant	1/27/94	T	Robert B. Sutton/Five Pts. Fire Company #1/President
H137-678	Davis	1/31/94	T	Johnny M. Gerhart/Eagle Scout/
H137-679	DiPinto cosponsors: GeorgePlant, Jonkiert, Houghton & All Members of House	2/5/94	M	Daniel S. Frawley
H137-680	Wagner	2/4/94	T	Wells Cranford/"Mr. Southern"
H137-681	Quillen	2/12/94	T	Lester & Dot Minner/50th Wedding Anniversary
H137-682	VanSant cosponsor: Sorenson	3/18/94	T	John & Edie Sylvester/50th Wedding Anniversary
H137-683	Houghton cosponsor: VanSant	1/27/94	T	Robert E. Faries/Treasurer/ Five Points Fire Co. #1
H137-684	B. Ennis cosponsor: Banning	1/27/94	M	Rosalie Mocherman

H137-685	Fallon	1/29/94	M	Evalyn Morris
H137-686	B. Ennis	1/31/94	T	Charles E. Nabb/40 Yrs. Serv./ State of DE
H137-687	Roy	2/04/94	T	Tom R. Hickey/Ded. Serv./DE Railroad Administration
H137-688	Davis	2/19/94	T	Ladies Auxilliary of Christiana Fire Co./Ded. Serv./72 Yrs.

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: March 15, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-689	Taylor	3/6/94	T	Mr. & Mrs. Charles P. Smith/ 50th Wedding Anniversary
H137-690	Brady	3/11/94	T	Muriel & Horace Bradley/50th Wedding Anniversary
H137-691	Davis	2/19/94	T	Christiana Fire Co./73 Yrs. Ded. Serv.
H137-692	Reynolds	12/4/94	T	Michael D. Hart/Salesianum /1993 Athletic Director of Year
H137-693	Lofink	2/4/94	T	James Brazil/Salesianum 1993 Div. I Football Champs
H137-694	Spence	2/12/94	T	Paul Boardman/Wilm. College Wildcats/#1 Fan
H137-695	Spence	2/12/94	T	Charlene Eastland/Ded./Wildcats Basketball/Wilm. College
H137-696	Spence	2/12/94	T	Jenny Asbury/Achievements/ Basketball/Wilm. College
H137-697	Spence	2/12/94	T	Missy Burris/Achievements/ Basketball Wilm. College
H137-698	Smith	1/16/94	M	Bernard P. Heiman
H137-699	Fallon	2/14/94	T	Lisa Ann Jester/American Legion Award/U.S. Constitution
H137-700	B. Ennis	2/11/94	T	Robert L. Tjaden/Outstanding Performance/Forestry Adminis- trator
H137-701	Amick	2/14/94	T	Mr. & Mrs. Freeman Williams/ 50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: March 15, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-702	Bunting	2/18/94	T	K. Donavon Waskom/42 Yrs. Serv./State Farm
H137-703	Davis	2/19/94	T	Maurice W. Jones/"Fire Police Emeritus" Christiana Fire Co.
H137-704	Buckworth	2/18/94	T	Herman "Cabbage" Brown/ Devoted Serv./Republican Party
H137-705	cosponsor: Quillen Spence	2/24/94	T	Brother Ronald Giannone/ MSGR. Thomas Reese Award
H137-706	Fallon	2/26/94	T	Nathan Lee Taylor/Eagle Scout
H137-707	Wagner	2/22/94	T	Faye Jolly/1993 Employee of Year/City of Dover
H137-708	cosponsor: Buckworth West	3/03/94	T	Town of Millsboro/Chartering/ 100th Anniversary
H137-709	Brady	3/09/94	T	Judy A. Zahnow/DE School Nurse of Year
H137-710	Brady	2/01/94	M	Christine E. Moser
H137-711	Brady	2/10/94	M	Henry Andrew Schneider, Sr.
H137-712	Schroeder	3/01/94	T	Battle R. Robinson/Role Model/ De Vries Bus. & Prof. Women
H137-713	Smith	2/08/94	T	Bill Fillers/65th Birthday

H137-714	Buckworth	3/02/94	T	Christine Ann Troubetaris/U.S. Citizen
H137-715	Buckworth cosponsor: Bennett	2/23/94	T	Lynn Deakins/Golden Diamond Baseball/Woman of Year
H137-716	Wagner	1/29/94	M	Warren Lins
H137-717	Fallon	2/25/94	T	Mary C. Lyons/95th Birthday
H137-718	West	3/03/94	T	Pasher Henry Parker/90th Birthday
H137-719	Caulk cosponsor: All Members of House	3/04/94	T	DE Ag. Museum Assoc./20th Anniv.

T - Tribute
M - Memoriam

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert F. Gilligan, do hereby request that my name be removed as Co-Sponsor of HB 375.

Date: 3/15/94.

Signed: Robert F. Gilligan.

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

The House reconvened at 4:40 p.m.

The following prefiled legislation was introduced:

HB 397 - OBERLE, WAGNER, BANNING; SENATOR VOSHELL - CORR: An Act to Amend Chapter 43, Title 11 of the Delaware Code Relating to Sentencing, Probation, Parole and Pardons and Notification Requirements.

HB 398 - OBERLE - JUD: An Act to Amend Subchapter III, Chapter 5, Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

HB 399 - OBERLE, BANNING, BRADY; SENATOR VOSHELL - JUD: An Act to Amend Chapter 3, Title 11 of the Delaware Code Relating to Proving and Disproving Criminal Guilt.

HB 400 - OBERLE, SPENCE, WAGNER, BANNING; SENATOR VOSHELL - JUD: An Act to Amend Section 4214, Chapter 42, Title 11 of the Delaware Code Relating to Habitual Criminals and Life Sentences.

HCR 47 - QUILLEN, WEST, EWING, WAGNER, SCHROEDER, B. ENNIS, BENNETT, CAREY; SENATORS VOSHELL, STILL - APPRO: Urging the Joint Finance Committee to Re-Examine Its Formula for Allocations of Grant-In-Aid Funds for Senior Centers Within the State.

HA 4 to HB 331 - MARONEY - AGENDA: Placed with the bill.

Representatives Brady & Reynolds requested that they be marked present.

Representative Wagner moved to suspend the rules which interfere with action on HB 381. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Wagner brought HB 381 before the House for consideration.

HB 381 - An Act Waiving the Statutory Provisions of Section 107(A) of Chapter 1, Title 13, Delaware Code as It Relates to the Marriage of Michael L. Szczechura and Clara Anne Colwell, Non-Residents of the State of Delaware.

The roll call on HB 381 was taken and revealed:

YES: 39.

ABSENT: Representatives Holloway, Jonkiert - 2.

Therefore, having received a constitutional majority, HB 381 was sent to the Senate for concurrence.

Representatives Mack & Smith requested that they be marked present during the roll call.

Representative Amick brought SB 113, sponsored by Senator Torbert & Representative Buckworth & Senators Cook, Sharp, Blevins, Sokola, Vaughn, Marshall, Voshell, Connor & Still & Representatives Brady, Carey, Davis, B. Ennis, Jonkiert, Ewing, Gilligan, Lee, Wagner & Quillen, before the House for consideration.

SB 113 - An Act to Amend Chapter 5, Title 11, Delaware Code, Relating to Assault in the Second Degree.

Representative Brady introduced and brought HA 1 to SB 113, jointly sponsored by Representative Clark, before the House for consideration. HA 1 was adopted by voice vote.

Representative Jonkiert requested that he be marked present.

The roll call on SB 113 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, SB 113 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative B. Ennis requested that action on HB 367 be deferred to a Day Certain, Tuesday, March 22, 1994.

Representative Roy brought HB 48 before the House for consideration.

HB 48 - An Act to Amend Chapter 5, Title 11, Delaware Code Relating to Receiving Stolen Property.

The roll call on HB 48 was taken and revealed:

YES: 40.

ABSENT: Representative Holloway - 1.

Therefore, having received a constitutional majority, HB 48 was sent to the Senate for concurrence.

Representative Maroney requested that action on HB 331 be deferred to a Day Certain, Tuesday, April 19, 1994.

Representative Davis brought HB 348 before the House for consideration.

HB 348 - An Act to Amend Chapter 50, Title 29 of the Delaware Code Relating to State Economic Development.

Representative Davis introduced and brought HA 1 to HB 348 before the House for consideration. Representative Davis moved to lay HA 1 to HB 348 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

After a brief discussion, Representative Davis moved to place HB 348 on the Speaker's table. The motion was seconded by Representative Taylor and adopted by voice vote.

Representative Wagner requested that action on HB 359 be deferred to a Day Certain, Tuesday, March 22, 1994.

The Majority Leader moved to recess to the call of the Chair at 5:05 p.m.

9th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
March 16, 1994

Mr. Speaker Spence called the House to order at 2:12 p.m.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Representative Terry Spence, Speaker of the House

FROM: Representative Richard F. Davis

DATE: March 15, 1994

RE: Absence from Session

On March 22nd and 23rd, I am going to be required to be out of state on a business trip and will be absent from session.

cc: JoAnn Hedrick, Chief Clerk

RFD/pcl

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:14 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives George, Holloway - 2.

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

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

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

The following prefiled legislation was introduced:

HB 401 - B. ENNIS; SENATOR TORBERT; REPRESENTATIVES BANNING, VANSANT, WEST, CLARK, BRADY, EWING; SENATOR VAUGHN - HUM NEEDS & DEV: An Act to Amend Chapter 97, Title 16 of the Delaware Code Relating to the Delaware Emergency Medical Service Advisory Council.

HB 402 - B. ENNIS; SENATOR MCBRIDE; REPRESENTATIVES BANNING, WEST, VANSANT; SENATOR VAUGHN, TORBERT - NAT RES: An Act to Amend Chapter 47, Title 7, Delaware Code Relating to State Parks.

HA 1 to SCR 49 - CAREY - READY LIST: Placed with the bill.

Representatives West, Houghton, Wojewodzki & Jonkiert requested that they be marked present. Representative Spence introduced Julie Clapp, President, Delaware Dietetic Association, who addressed the House.

Representative Clark requested that he be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: March 16, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-720	Carey	3/04/94	T	John D. McKenzie/Policeman of Year/Milford Elks Lodge
H137-721	Carey	3/04/94	T	James L. Gray/Good Neighbor of Year Award/Milford Elks
H137-722	Carey	3/04/94	T	Rachael E. Burris/Teenager of Year Award/Milford Elks Lodge
H137-723	Carey	3/04/94	T	Kenneth Fountain/Fireman of Year Award/Milford Elks Lodge
H137-724	Carey	3/04/94	T	Dorothy N. Mende/Sr. Citizen of Year Award/Milford
H137-725	West	3/01/94	T	Sussex Central "Knights" Girls Basketball/Henlopen Champs
H137-726	DiPinto	3/12/94	T	8th Street Baptist Church/100th Anniversary
H137-727	Maroney	3/10/94	T	DE Assoc. of Family Child Care Providers/DE Tomorrow Award
H137-728	Maroney	3/10/94	T	Thomas L. Gossage/Hercules, Inc./1994 DE Tomorrow Award
H137-729	Maroney	3/10/94	T	Forrest G. Hawkins, M.D., 1994 DE Tomorrow Award
H137-730	Quillen	3/11/94	T	Bruce Thiesen/American Legion
H137-730A	cosponsor: Senator Still Bradley	1/24/94	T	/Achievements/DE Veterans Employees of Zeneca, Inc./Ded./
H137-731	Brady	3/14/94	T	Fighting Hunger Betty Miller Faust/60th Birthday
H137-731A	Wagner	3/15/94	T	Crawford Carroll/Citizen of Year Award/Dover Elks Lodge
H137-732	Wagner	1/22/94	T	Kendra Lynne Scott & Douglas James Taylor/Marriage
H137-733	Gilligan	2/14/94	T	Mary & Daniel Nicolette/50th Wedding Anniversary

T - Tribute

M - Memoriam

The Majority Leader moved to recess for committee meetings at 2:23 p.m.

The House reconvened at 4:58 p.m.

Representatives Bradley, DiLiberto, Brady, B. Ennis, Taylor, Amick, Mack, Reynolds & Buckworth requested that they be marked present.

The Reading Clerk read the following communication into the record:

March 16, 1994

Dear Speaker Spence:

Due to a business commitment, I will be unable to attend session on March 17, 1994.

Thank you for your attention to this matter.

Sincerely,

Joseph R. Petrilli

House Majority Leader

22nd District Representative

JRP/jm

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

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

P/S: HB 374 - 6M; HB 386 - 2F,4M.

ENV & NAT RES: HB 315 - 4M; HB 328 - 4M.

H/ADM: HB 379 - 4F; HB 383 - 4M.

The following prefiled Consent Calendar #19 was introduced:

HCR 48 - JONKIERT, GILLIGAN - Recognizing Sister M. Gerard Falkowski O.S.B. for Her Twenty-Five Years as Principal; in the Diocese of Wilmington, Delaware.

SCR 58 - VOSHELL, ADAMS, VENABLES & CORDREY; REPRESENTATIVES SCHROEDER, CAREY, EWING, BUNTING, FALLON, LEE, WEST - Commending Robert F. ('Bobby') Jacobs and the Eastern Shore Board No. 129 of the International Association of Approved

Basketball Officials for Their Outstanding Efforts Over the Past Four Years in Conceiving, Promoting and Carrying Out Southern Delaware's 'Slam Dunk to the Beach' Holiday Basketball Tournament at Cape Henlopen High School.

Representative Buckworth introduced HR 65, jointly sponsored by Representative Bennett.

HR 65 - Congratulating the Caesar Rodney "Riders" Basketball Team in Their Henlopen Conference Championship and Their Outstanding Performance in the State Finals Against the Top-Seeded William Penn Colonials.

HR 65 was placed on Consent Calendar #19.

Consent Calendar #19 was adopted by voice vote and HCR 48 was sent to the Senate for concurrence and SCR 58 was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 5:08 p.m.

10th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
March 17, 1994

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

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SJR 30.

The Majority Whip moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Holloway, Petrilli - 2.

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

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

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

The following prefiled legislation was introduced:

HB 403 - SCHROEDER & SENATOR VOSHELL - ED: An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to General Regulatory Provisions. (2/3 bill)

HB 404 - OBERLE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Carjacking.

HA 2 to HB 359 - WAGNER - DEFERRED: Placed with the bill.

SJR 30 - SHARP - HUM NEEDS & DEV: Relating to Extending the Reporting Date of the Task Force to Study the High Rates of Cancer in Delaware.

Representative Roy requested that he be marked present.

Representative Lee requested that he be marked present.

The House observed a moment of silence in memory of Daniel S. Frawley.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: March 17, 1994

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H137-734	Gilligan	2/16/94	T	Mr. & Mrs. John E. Healy II, /50th Wedding Anniversary
H137-735	Fallon	2/09/94	M	G. Dawson Stewart
H137-736	Caulk	3/18/94	T	Adam Dodge Sharp/6th Birthday
H137-737	Ewing	3/24/94	T	Bernice K. Biddle/Retirement/ 36 Yrs./DE State Police
H137-738	B. Ennis	3/27/94	T	Garret Jarman/Eagle Scout
H137-739	Bradley	5/01/94	T	Dr. Oleg Shcherbenko/Exchange of Scientific Information
H137-740	Bradley	5/01/94	T	Dr. Vladimir Sotnikoff/Exchange of Scientific Information
H137-741	Wojewodzki	3/15/94	T	Frank Hagen/DE High School Principal of Year
H137-742	Gilligan	5/26/94	T	Mr. & Mrs. William McElwee /50th Anniversary
H137-743	George,	3/15/94	M	Herman M. Holloway, Sr.
	Petrilli, Gilligan, Quillen, Spence; cosponsors:			All House Members

H137-744	Smith	3/17/94	T	Kurt Lichtenstein, Jr./Eagle Scout
H137-745	DiPinto	3/15/94	M	Thomas Curry
H137-746	Buckworth	3/18/94	T	Jeff Savage/Henlopen Conf./ Coach of Year
H137-747	Buckworth	3/18/94	T	Laron Profit/First Team/Boys Basketball/Hen. Conf. Teams
H137-748	DiLiberto	3/15/94	T	Jacob & Adam Worton/Stars/ Movie "Babies Day Out"
H137-749	Brady	4/8/94	T	Richard & Elizabeth Mushlit /50th Wedding Anniversary
H137-750	Wagner	4/16/94	T	Michael L. Szczechura & Clara Anne Colwell/Marriage

T - Tribute

M - Memoriam

Representative Oberle requested that he be marked present.

Representative Bunting brought HB 383, jointly sponsored by Senator Cordrey, before the House for consideration.

HB 383 - An Act to Amend Chapter 217, Volume 24, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Millville", as Amended, to Extend the Corporate Limits of the Town of Millville and to Provide a Procedure for Future Annexation. (2/3 bill)

The roll call on HB 383 was taken and revealed:

YES: 30.

ABSENT: Representatives Bennett, Brady, Clark, DiPinto, D. Ennis, Holloway, Jonkiert, Mack, Petrilli, Plant, Reynolds - 11.

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

HB 383 was sent to the Senate for concurrence.

Representatives Amick & DiLiberto requested that they be marked present during the roll call.

Representative Clark requested that he be marked present.

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

The House reconvened at 4:02 p.m.

Representatives Bennett, Plant & DiPinto requested that they be marked present.

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

Representative Plant:

Mrs. Herman Holloway, Sr. and Family

Wilmington, Delaware 19802

Dear Ethel and Family:

It is with great sadness and a heavy heart that I regret to inform you that I cannot attend the services for your beloved husband and father. A long-standing commitment in Detroit prevents me from personally paying my respects; however, I would like to share with you my feelings about the Honorable Herman Holloway Senior.

We have been blessed, truly, by Herman's presence here on earth. He has touched the lives of countless people and helped multitudes with his kindness and perseverance. As an African-American legislator, Herman has been my mentor, my guide, and my friend for many years. We have had our differences, but we always held a joint sense of community and public service. Herman was the living embodiment of a public servant and a role model for many African-American leaders coming up through the ranks today. More than anything, Herman Senior, by his very presence, commanded respect. His Rock of Gibraltar perseverance and his unending patience showed the world, and his colleagues that he was a man to be reckoned with, and that he would not falter until justice was met to all. At a time when most African-Americans were scorned by racist men of power, Herman carved a niche for himself so as to better serve his people. No cause was a lost cause...the struggle was often constant.

But like King David, Herman slew Goliath, and as it is written in 2 Samuel 22,

"When one rules justly over men, ruling in the fear of God, he dawns on them like the morning light, like the sun shining forth upon a cloudless morning, like rain that makes grass to sprout from the earth" and this is the way that Herman lived; he was truly a leader of strength.

I am honored to have known this great man. I have learned much from him, and I will always be grateful for having worked with him in the struggle for African-Americans and people of all color. His death has created a void that will not be filled, but the memory of him will live on in the hearts of all, and the example of his life will be an inspiration to everyone.

I am sure that today there will be hundreds of stories about the life of Herman Holloway Senior, and I wish I could be there to contribute my own memories. I hope this letter conveys my sincere condolences to you on your loss (and our loss) of the great Herman Holloway Senior, loving husband father, leader of all men. The Lord has led him in paths of righteousness and we are all thankful for having known him. May he rest in peace.

Sincerely,
Al O. Plant

Representatives Brady, D. Ennis, Jonkiert, Reynolds & Mack requested that they be marked present.

Representative Bennett introduced HB 405, jointly sponsored by Representatives Amick, Banning, Bradley, Brady, Buckworth, Bunting, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Mack, Oberle, Petrilli, Plant, Quillen, Reynolds, Roy, Sorenson, Smith, Spence, Taylor, Wagner & West & Senators Blevins, Cook, Martin, Sokola, Torbert & Vaughn.

HB 405 - An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workmen's Compensation.

Mr. Speaker assigned HB 405 to the Labor & Human Resource Management Committee.

Representative Banning introduced HB 406, jointly sponsored by Senator Vaughn & Representatives Bennett, Bradley, Bunting, Caulk, Clark, Davis, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Lofink, Maroney, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, VanSant & West.

HB 406 - An Act to Amend Chapter 90, Title 11 of the Delaware Code Relating to Compensation for Innocent Victims of Crime, and Chapter 100, Title 29 of the Delaware Code Relating to the Freedom of Information Act.

Mr. Speaker assigned HB 406 to the Judiciary Committee.

Mr. Speaker reassigned HB 290 to the Judiciary Committee.

Representative D. Ennis brought SB 139 w/SA 2, sponsored by Senator Sharp & Representative Spence, before the House for consideration.

SB 139 - An Act to Amend Title 18 of the Delaware Code Relating to Casualty Insurance Contracts.

Representatives D. Ennis, Taylor, Bunting & Davis made comments.

Representative Taylor requested and was granted the privilege of the floor for Chuck Welch, House Attorney.

The roll call on SB 139 w/SA 2 was taken and revealed:

YES: 32.

NO: Representatives Amick, Davis, DiPinto, Fallon, Quillen, Smith, Sorenson - 7.

ABSENT: Representatives Holloway, Petrilli - 2.

Therefore, having received a constitutional majority, SB 139 w/SA 2 was returned to the Senate.

Representative Davis moved to lift HB 348 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis brought HB 348 before the House for consideration.

HB 348 - An Act to Amend Chapter 50, Title 29 of the Delaware Code Relating to State Economic Development.

Representative Davis requested that HA 1 to HB 348 be stricken.

Representative Amick made a comment.

The roll call on HB 348 was taken and revealed:

YES: 39.

ABSENT: Representatives Holloway, Petrilli - 2.

Therefore, having received a constitutional majority, HB 348 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Spence moved to suspend the rules which interfere with introduction of and action on HCR 49. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Spence introduced and brought HCR 49, jointly sponsored by Senator Sharp & Representatives Quillen, Buckworth, Carey, Caulk, Ewing, Fallon, Lee, Wagner, Bennett, Bunting, Clark, B. Ennis, Schroeder, VanSant & West & Senators Adams, Cook, Cordrey, Still, Torbert, Vaughn, Venables & Voshell, before the House for consideration.

HCR 49 - Creating a Police Services Task Force to Study and Report on Proposals to Provide Maximum Police Protection to Kent and Sussex Counties.

HCR 49 was adopted by voice vote and sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative DiPinto requested that HB 309 be stricken.

The Majority Whip moved to recess to the call of the Chair at 4:40 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 265 w/SA 1, HCR 44, HCR 48 & HB 376.

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

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Caulk, Davis - 2.

A prayer was offered by Representative Steven C. Taylor, Twenty-First Representative District.

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

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

The following prefiled legislation was introduced:

HB 407 - GEORGE (BY REQUEST) - H/ADM: An Act to Amend Chapter 63, Title 18 of the Delaware Code Relating to Health Service Corporations.

HB 408 - SCHROEDER & SENATOR VOSHELL - H/ADM: An Act to Amend the Charter of the Town of Lewes, Being Chapter 196, Volume 22 of the Laws of Delaware, as Amended, Relating to the Board of Public Works. (2/3 bill)

HB 409 - BUNTING & SENATOR CORDREY - H/ADM: An Act to Amend Chapter 166, Volume 37, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Selbyville", to Increase the Amount of Fines That May be Imposed. (2/3 bill)

HA 1 to HB 315 - CAREY - AGENDA: Placed with the bill.

HA 2 to HB 315 - CAREY - AGENDA: Placed with the bill.

HA 5 to HB 331 - MARONEY - DEFERRED: Placed with the bill.

HA 1 to HB 353 - FALLON - LABOR & HUM RES MAN: Placed with the bill.

HA 1 to HB 378 - ROY - TRANS & INFRA: Placed with the bill.

HA 1 to HB 386 - VANSANT - AGENDA: Placed with the bill.

HA 2 to SB 18 - OBERLE - READY LIST: Placed with the bill.

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

Representative Lee introduced HB 410, jointly sponsored by Senator Venables.

HB 410 - An Act to Amend Chapter 137, Volume 61, Laws of Delaware, as Amended, to Provide a Procedure for Changing the Street Structure of the Town of Delmar. (2/3 bill)

Mr. Speaker assigned HB 410 to the House Administration Committee.

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

The House reconvened at 4:06 p.m. with Representative Quillen as Acting Speaker.

Representatives Lofink, Reynolds, Mack, Jonkiert & Plant requested that they be marked present.

Representative Oberle introduced HA 1 to HS 1 to HB 329. HA 1 was placed with the bill.

Representative Oberle introduced HA 1 to HS 1 to HB 183. HA 1 was placed with the bill.

The Reading Clerk read the following communication into the record:

March 22, 1994

The Honorable Terry R. Spence

Speaker of the House

House of Representatives

Dover, Delaware 19901

Dear Speaker Spence:

Please excuse my absence from session of the House of Representatives on March 22, 1994. I have pneumonia and don't feel well enough to come for session.

Sincerely,

G. Wallace Caulk, Jr.

State Representative

33rd District

GWC/ral

Mr. Speaker Spence resumed the Chair.

Representatives Brady & Smith requested that they be marked present.

Representative Petrilli brought HB 265 w/SA 1, jointly sponsored by Senator Vaughn, before the House for concurrence on SA 1.

HB 265 - An Act to Amend Title 15, Chapter 20, Sections 2011, 2041, 2049 to Provide for a Uniformed Closure Period for Registration Prior to General Election.

The roll call on HB 265 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority, HB 265 w/SA 1 was sent to the Governor.

Representative B. Ennis brought HB 367, jointly sponsored by Senators Vaughn & Voshell & Representatives Banning, Caulk, VanSant, Houghton & West, before the House for consideration.

HB 367 - An Act to Amend Chapter 12, Title 11, Delaware Code Relating to the Definition of a Law Enforcement Officer.

Representative Bennett announced that he will not be voting on HB 367 because of a possible conflict of interest.

The roll call on HB 367 was taken and revealed:

YES: 37.

NOT VOTING: Representative Bennett - 1.

ABSENT: Representatives Caulk, Davis, Jonkiert - 3.

Therefore, having received a constitutional majority, HB 367 was sent to the Senate for concurrence.

Representative Wagner brought HB 359, jointly sponsored by Senator Venables & Representatives Spence, Quillen, Buckworth, Caulk, Davis, D. Ennis, Ewing, Lee, Mack, Carey, Fallon, Amick, Reynolds, Lofink, Taylor, Oberle, DiPinto, Smith, Sorenson, DiLiberto, Bennett, Brady, Bunting & Wojewodzki & Senators Blevins, Torbert, Connor & Still, before the House for consideration.

HB 359 - An Act to Amend Title 18, Delaware Code Relating to the Pharmacy Access Act.

Representative Wagner requested that HA 1 to HB 359 be stricken.

Representative Wagner brought HA 2 to HB 359 before the House for consideration. HA 2 was adopted by voice vote.

Representative Wagner requested and was granted the privilege of the floor for Calvin Freedman, representing the Board of Directors, Delaware Pharmaceutical Society and an owner of an independent pharmacy.

Representative Wagner requested and was granted the privilege of the floor for Dr. Bruce Karrh, Physician, employed by the DuPont Company & Health Care Commission Member.

The roll call on HB 359 w/HA 2 was taken and revealed:

YES: 36.

NOT VOTING: Representatives Maroney, Roy, Sorenson - 3.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority, HB 359 w/HA 2 was sent to the Senate for concurrence.

Representative Carey brought HB 315 before the House for consideration.

HB 315 - An Act to Amend Chapter 19, Part II, Title 7, Delaware Code and a New Chapter 28 to Part II, Title 7, Delaware Code Relating to Fishing, Potting, or Dredging for Conchs. (2/3 bill)(F/N)

Representative Carey brought HA 1 to HB 315 before the House for consideration. HA 1 was adopted by voice vote.

Representative Carey brought HA 2 to HB 315 before the House for consideration. HA 2 was adopted by voice vote.

The roll call on HB 315 w/HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 315 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Ewing requested that HB 319 be stricken.

Representative George requested that action on HB 379 be deferred to a Day Certain, Thursday, March 24, 1994.

The Majority Leader moved to recess to the call of the Chair at 5:35 p.m.

12th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
March 23, 1994

Mr. Speaker Spence called the House to order at 2:08 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: HB 381.

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

The House reconvened at 2:10 p.m.

The Chief Clerk called the roll.

Members Present: 36.

Members Absent: Representatives Davis, George, Gilligan, Jonkiert, Oberle - 5.

A prayer was offered by Representative Peggy G. Bradley, Eleventh Representative District.

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

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

The following prefilled legislation was introduced:

HB 411 - AMICK & SENATORS BLEVINS, KNOX; REPRESENTATIVES TAYLOR, PETRILLI, PLANT, WOJEWODZKI, DAVIS - P/S: An Act to Amend Titles 11 and 24 of the Delaware Code Relating to the Sale or Transfer for Valuable Consideration of Handguns by Unlicensed Persons.

HB 412 - TAYLOR, LEE, SMITH, QUILLEN, CAREY, AMICK, PETRILLI, SORENSON, PLANT, BRADLEY, WOJEWODZKI; SENATORS BLEVINS, SOKOLA, KNOX - P/S: An Act to Amend Title 11, Delaware Code Relating to the Unlawful Transfer of Firearms and Dangerous Weapons.

HB 413 - SMITH & SENATOR SHARP - JUD: An Act to Amend Chapter 1, Title 8, of the Delaware Code Relating to the General Corporation Law. (3/5 bill)

HB 414 - MACK & SENATOR CONNOR; REPRESENTATIVES AMICK, BUCKWORTH, DAVIS, REYNOLDS, SMITH, BRADY, HOUGHTON - ED: An Act to Amend Chapter 19, Title 14 of the Delaware Code Relating to Local School Taxes.

HB 415 - BENNETT, CAREY, BANNING, CAULK, CLARK, B. ENNIS, QUILLEN (BY REQUEST) - NAT RES: An Act to Amend Chapter 7, Subchapter I, Title 7, Delaware Code Relating to the Penalty for Trespassing.

HB 416 - B. ENNIS; SENATORS TORBERT, VAUGHN, KNOX, STILL; REPRESENTATIVES BANNING, BENNETT, BRADY, GILLIGAN, VANSANT, CAULK, OBERLE - H/ADM: An Act to Amend Subchapter III, Chapter 11, Title 28, Delaware Code Relating to Bingo and Charitable Games.

HJR 12 - FALLON; SENATOR VENABLES - HUM NEEDS & DEV: Relating to the Construction and Enforcement of Federal Child Pornography Law.

HA 1 to HB 363 - AMICK - HOUSING & COM AFF: Placed with the bill.

HA 1 to HB 374 - VANSANT - AGENDA: Placed with the bill.

HA 1 to HB 387 - DIPINTO - HOUSING & COM AFF: Placed with the bill.

Representatives Roy, Amick, Lee, Bennett, Buckworth & D. Ennis requested that they be marked present.

Representative Maroney introduced and brought HR 66, on behalf of all Representatives, before the House for consideration.

HR 66 - Celebrating March as National Nutrition Month in Delaware.

WHEREAS, food is the substance of which life is made and by which life is sustained; and

WHEREAS, the quality of food the individual consumes each day plays a vital role in his or her health throughout the life cycle; and

WHEREAS, there is a shortage of nutritious food available for a portion of Delawareans, especially small children; and

WHEREAS, there is a need for continuing nutrition education and a massive effort to enhance good nutrition practices.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 137TH General Assembly of the State of Delaware that we hereby celebrate National Nutrition Month in Delaware this March 1994, and urge all citizens to become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be forwarded to the Delaware Dietetic Association, P. O. Box 9474, Newark, Delaware 19711.

HR 66 was adopted by voice vote.

Representative Maroney requested and was granted the privilege of the floor for Joanne Shumacher, President, Delaware Dietetic Association.

Representative Schroeder introduced HB 417, jointly sponsored by Representative Bunting & Senators Cordrey & Voshell.

Representative Schroeder made comments.

HB 417 - An Act to Amend Subchapter VII, Chapter 5, Title 11 of the Delaware Code Relating to Bomb Threats.

Mr. Speaker assigned HB 417 to the Public Safety Committee.

Representative Ewing requested that he be marked present.

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

The House reconvened at 4:40 p.m.

Representatives Mack, Holloway & Taylor requested that they be marked present.

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

H/ADM: HB 410 - 3M.

TRANS & INFRA: HB 378 - 1F, 3M.

LABOR & HUM RES MAN: HS 1/HB 183 - 3M; HB 303 - 3M; HB 405 - 3M.

P/S: HB 394 - 6M; HB 395 - 5M.

CORR: HB 397 - 5M.

AG: SB 231 - 1F,4M.

HOUSING & COM AFF: HB 361 - 5M.

Representatives Brady, DiLiberto & Reynolds requested that they be marked present.

The following prefiled Consent Calendar #20 was introduced:

HCR 50 - WEST; SENATORS CORDREY, MCBRIDE, SHARP, VENABLES; REPRESENTATIVES FALLON, BUNTING - Urgently Requesting the Delaware Solid Waste Authority to Take Prompt and Remedial Action Towards Eliminating the Rancid and Putrid Odor Emanating From the Route 20 Landfill and Requiring Clients of the Landfill Hauling Refuse to the Site to Take Stronger Precautions Towards Stopping Trash From Blowing Off Said Vehicles.

HCR 51 - CAREY; SENATOR VOSHELL - Honoring the Delaware Association, American Mothers, Inc., for Their Devotion and Diligence in Promoting the Moral and Spiritual Foundation of the Home and Family.

Consent Calendar #20 was adopted by voice vote and HCR 50 & HCR 51 were sent to the Senate for concurrence.

Representative Carey requested and was granted the privilege of the floor for Elizabeth Clayton Homan, President, Delaware Association of American Mothers, Inc. and Lieutenant Governor Ruth Ann Minner, 1993 Mother of the Year.

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

JUD: HB 175 - 7M; HB 384 - 2F,5M; HB 398 - 7M.

R & F: HCR 46 - 4F.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

13th LEGISLATIVE DAY
137th GENERAL ASSEMBLY
Second Session
March 24, 1994

Mr. Speaker Spence called the House to order at 2:09 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 273 w/SA 1, SB 274, SB 275, SB 276, SB 277 w/SA 1, SB 278 w/SA 1, HB 383, SB 282, SCR 63 & HCR 51.

Representatives Oberle & Davis requested that they be marked present.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Amick - 1.

A prayer was offered by Representative Al O. Plant, Sr., Second Representative District.

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

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

The following prefiled legislation was introduced:

HB 418 - SPENCE & DAVIS & SENATOR SHARP; REPRESENTATIVES PETRILLI, QUILLEN, AMICK, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MARONEY, MACK, OBERLE, REYNOLDS, SMITH, SORENSON, TAYLOR, WAGNER, BANNING, BENNETT, BRADLEY, BRADY, BUNTING, DILIBERTO, B. ENNIS, GEORGE, GILLIGAN, HOLLOWAY, HOUGHTON, PLANT, SCHROEDER, VANSANT, WEST; SENATORS ADAMS, COOK, MCBRIDE, MCDOWELL, VAUGHN, VOSHELL, BAIR, CONNOR, HAUGE - P/S: An Act to Amend Chapter 83 of Title 11 of the Delaware Code Relating to the State Police.

HB 419 - SPENCE & SENATOR VAUGHN - JUD: An Act to Amend Subpart D, Subchapter III, Chapter 5, Title 11 of the Delaware Code Relating to Theft and Related Offenses. (2/3 bill)

HB 420 - SMITH, GILLIGAN, GEORGE, BRADY - JUD: An Act to Amend Chapter 14 of Title 11 of the Delaware Code Relating to Intentional Cruelty to Animals.

HJR 13 - QUILLEN; SENATOR MARTIN - H/ADM: Declaring April 1994 as American Civil War Sites Preservation Month in the State of Delaware.

HA 1 to HB 403 - SCHROEDER - ED: Placed with the bill.

SB 273 w/SA 1 - ADAMS; REPRESENTATIVE EWING - H/ADM: An Act to Amend an Act Being Chapter 109, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Greenwood" to Provide for Voting by Absentee Ballot. (2/3 bill)

SB 274 - CORDREY; REPRESENTATIVE WEST - H/ADM: An Act to Amend an Act Being Chapter 457, Volume 60, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Millsboro", as Amended, to Extend the Hours for Voting at the Annual Municipal Election. (2/3 bill)

SB 275 - CORDREY; REPRESENTATIVE BUNTING - H/ADM: An Act to Amend Chapter 70, Title 29 of the Delaware Code Relating to the Sale of State-Owned Materiel.

SB 276 - CORDREY; REPRESENTATIVE BUNTING - H/ADM: An Act to Amend Chapter 88, Title 29 of the Delaware Code Relating to the Department of Administrative Services.

SB 277 w/SA 1 - VAUGHN, VOSHELL, MCBRIDE; REPRESENTATIVES B. ENNIS, BRADY, SPENCE - HOUSING & COM AFF: An Act to Amend Chapter 87, Title 29 Delaware Code Relating to the Delaware Commission on Veterans' Affairs. (F/N)

SB 278 w/SA 1 - CORDREY; REPRESENTATIVE WEST - H/ADM: An Act to Amend an Act Being Chapter 457, Volume 60, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Millsboro", as Amended, to Allow Contributions to a Library Servicing Millsboro. (2/3 bill)

SB 282 - KNOX; REPRESENTATIVE SORENSON - H/ADM: An Act to Waive the Statutory Provisions of §107(c), Title 13 of the Delaware Code Relating to the Marriage of Jeffrey Todd and Michele Tighe.

Representatives Oberle, Plant, Petrilli & Holloway made comments.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Donald M. Clark, do hereby request that my name be removed as Co-Sponsor of HB 345.

Date: 3/24/94.

Signed: Donald M. Clark.

March 15, 1994

TO: Joann Hedrick

FROM: Representative J. Benjamin Ewing

H.B. 162 has laid on the Table of the Senate and I would appreciate it if you would have it returned to the House so that may be stricken. Your prompt attention to this request is sincerely appreciated.

JBE:jsy

March 16, 1994

The Honorable Bernard J. Brady

Secretary of the Senate

Delaware State Senate

Legislative Hall

Dear Mr. Brady:

The prime sponsor of House Bill No. 162, Representative J. Benjamin Ewing, has requested that the Bill be returned to the House. It is currently laid on the table in the Senate.

Thank you for your anticipated cooperation.

Very truly yours,

JoAnn M. Hedrick

Chief Clerk of the House

JMH/gmr

MEMORANDUM

TO: BERNARD BRADY

SECRETARY OF THE SENATE

FROM: SENATOR PATRICIA M. BLEVINS

DATE: MARCH 16, 1994

In response to your communication from the chief clerk of the house in reference to HB 162, I hereby authorize the return of said bill through my position as chair of the Senate Public Safety Committee.

Thank You.

March 17, 1994

TO: JoAnn Hedrick

Chief Clerk of the House of Representatives

FROM: Bernard J. Brady

Secretary of the Senate

SUBJECT: House Bill 162

Attached please find a copy of a memorandum from Senator Patricia M. Blevins, Chair of the Senate Public Safety Committee, authorizing the return of House Bill 162 as requested by Representative J. Benjamin Ewing.

Thank you.

BJB:ks

Representative Ewing moved to restore HB 162.

HB 162 - An Act Proposing an Amendment to the Delaware Constitution Relating to Term Limitations for State and Federal Legislators and Other Elected State Officials. (2/3 bill)

Representative Ewing moved to rescind the roll call on HB 162.

Representative Ewing requested that HB 162 be stricken.

Representatives B. Ennis, Gilligan, D. Ennis, Maroney & George requested that they be marked present.

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

The House reconvened at 3:42 p.m. with Representative Quillen as Acting Speaker.

Representative Mack requested that he be marked present.

Representatives Reynolds, Jonkiert, Brady & Bradley requested that they be marked present.

Representative George brought HB 379, jointly sponsored by Representatives Petrilli & Bunting & Senator Cordrey & Representatives Banning, Bennett, Bradley, Brady, Buckworth, Carey, Caulk, Clark, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Holloway, Houghton, Jonkiert, Lee, Lofink, Mack, Maroney, Plant, Quillen, Reynolds, Roy, Schroeder, Sorenson, Smith, Spence, Taylor, VanSant, Wagner, West & Wojewodzki & Senators Blevins, Cook, Connor, Knox, Marshall, Martin, McBride, McDowell, Neal, Sharp, Sokola, Vaughn & Voshell, before the House for consideration.

HB 379 - An Act to Amend Title 29 and Title 6 of the Delaware Code and Volume 69, Chapter 64, Laws of Delaware Relating to the Transfer of the Division of Consumer Affairs From the Department of Administrative Services to the Department of Justice and the Expansion of the Enforcement Powers of Consumer Protection.

Representative George introduced and brought HA 1 to HB 379 before the House for consideration.

Representative George made comments.

HA 1 to HB 379 was adopted by voice vote.

Representatives Brady, Davis, DiPinto, Bunting, D. Ennis & Plant made comments.

The roll call on HB 379 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Amick - 1.

Therefore, having received a constitutional majority, HB 379 w/HA 1 was sent to the Senate for concurrence.

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

Representative Lee brought HB 328, jointly sponsored by Representatives Ewing, Carey, Caulk, Davis, Fallon, Quillen, Smith, Banning, Brady, Bunting, DiLiberto, B. Ennis, Jonkiert, Plant & VanSant, before the House for consideration.

HB 328 - An Act to Amend Chapter 7, Title 7 of the Delaware Code Relating to the Use of Firearms for Hunting. (2/3 bill)

Representative Lee introduced and brought HA 1 to HB 328 before the House for consideration.

Representative Lee made comments.

HA 1 to HB 328 was adopted by voice vote.

Representative Bunting made comments.

Representative Lee requested and was granted the privilege of the floor for Craig Moore, Fish & Wildlife Program Manager, DNREC.

The roll call on HB 328 w/HA 1 was taken and revealed:

YES: 34.

NO: Representatives Bradley, Houghton, Sorenson, Taylor, Wojewodzki - 5.

ABSENT: Representatives Amick, Jonkiert - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 328 w/HA 1 was sent to the Senate for concurrence.

Representative Lee moved to lift HB 129 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Lee brought HB 129, jointly sponsored by Representatives Carey, Caulk, Ewing, Fallon, Wagner, Bennett, Bunting, Schroeder & West & Senators Venables & Voshell, before the House for consideration.

HB 129 - An Act to Amend Chapters 1 and 21, Title 21 of the Delaware Code Relating to Recreational Vehicles. (3/5 bill)(F/N)

Representative Petrilli introduced and brought HA 1 to HB 129 before the House for consideration.

Representative Petrilli made comments.

HA 1 to HB 129 was adopted by voice vote.

Representative Lee made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on HB 129 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Amick - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 129 w/HA 1 was sent to the Senate for concurrence.