

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

The Secretary announced the agenda for June 1, 2005.

On motion of Senator McDowell, the Senate recessed at 05:11 PM until June 1, 2005 at 03:45 PM.

The Senate reconvened at 04:24 PM, on June 1, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Education: **SB 45** – 2 Merits, 1 Unfavorable; **HB 71 w/HA 1** – 3 Merits; **HB 142** – 3 Merits; **HSI for HB 47 w/HA 2, HA 3** – 3 Merits.

From Finance: **HB 69** – 4 Merits; **HB 120 w/HA 1** – 3 Merits.

From Judiciary: **SB 131** – 4 Merits; **HB 24 w/HA 2, HA 3** – 4 Merits; **HB 88 w/HA 2, HA 3** – 4 Merits.

From Community/County Affairs: **HB 139** – 3 Merits; **HB 140** – 3 Merits; **SB 71** – 3 Merits; **SB 125** – 3 Merits.

A communication from Senator McDowell was read requesting Representative Ulbrich added as a co-sponsor of **SB 74**.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 19; HCR 29; HB 116 w/HA 1, HA 1 to HA1, HA 2 to HA1, HS 1 to HA 3, HA 1 to HA 4 to HA 1, HA 6 to HA1; HB 131; HB 105 w/HA2; HB 120 w/HA 1; HCR 27; HCR 28; SSI for SB 110 w/SA1; HB 143; HB 167; HB 156; SB 46 w/SA1 & HA 1; SB 104.**

A communication from Senator Still requesting he be added as a co-sponsor of **HB 69**.

A withdrawn of sponsorship request was read from Representative Thornburg requesting her name be removed from **SB 121**.

A communication from Senator Bunting was read requesting his name be removed as co-sponsor from **HB 188**.

LEGISLATIVE ADVISORY # 5, dated May 18, 2005, the Governor signed the following legislation on the date indicated:

HB #32 aab SA #s 1 & 2 and HA # 1 (5/10/05) - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO HOME RULE. (Sponsors: Rep. Oberle & Rep. Spence; Rep. DiPinto, Williams; Sens. DeLuca, Vaughn) (Volume 75, Chapter 22, Laws of Delaware.)

HB #79 aab HA #1 (5/12/05) - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO PROVIDE FOR REAL PROPERTY ELECTRONIC RECORDING. (Sponsors: Rep. Roy & Senator & Sen. McBride) (Volume 75, Chapter 23, Laws of Delaware.)

SB #72 aab SA #1 (5/12/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA. (Sponsors: Sen. Sokola & Rep. Maier & Rep. Miro & Rep. Wagner & Sen. DeLuca) (Volume 75, Chapter 24, Laws of Delaware.)

HB #3 (5/17/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS. (Sponsors: Rep. Maier & Rep. Oberle & Rep. Wagner & Rep. Smith & Rep. Hudson & Rep. & Rep. Miro & Rep. Ulbrich & Sen. Sokola & Sen. Simpson; Reps. Atkins, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hall-Long, Hocker, Lee, Lofink, McWilliams, Outten, Roy, Schooley, Spence, Stone, Thornburg, Valihura, Sens. Amick, Blevins, Bonini, Cloutier, Connor, Copeland, Peterson, Sorenson, Still) (Volume 25, Chapter 75, Laws of Delaware.)

HB #65 (5/17/05) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS. (Sponsors: Rep. Wagner & Rep. Buckworth; Reps. Thornburg, Stone, Ennis; Sens. Vaughn, Cook) (Volume 75, Chapter 26, Laws of Delaware.)

HB #85 (5/17/05) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY BOARD OF ASSESSMENT. (Sponsors: Rep. Wagner & Sen. Cook & Sen. Vaughn; Reps. Buckworth, Stone, Thornburg, Ennis, Carey) (Volume 75, Chapter 27, Laws of Delaware.)

HB #99 aab HA #s 1 & 2 (5/17/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (Sponsors: Rep. Hudson & Sen. Cook; Reps. Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Lavelle,

Lee, Lofink, Longhurst, Maier, McWilliams, Miro, Mulrooney, Oberle, Outten, Plant, Roy, Schooley, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, Williams; Sens. Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Vaughn, Venables) (Volume 75, Chapter 28, Laws of Delaware.)

HB #138 (5/17/05) - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. (Sponsors: Rep. Viola & Sen. DeLuca) (Volume 75, Chapter 29, Laws of Delaware.)

HB #150 (5/17/05) - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Sponsors: Rep. Valihura & Sen. Vaughn & Rep. Wagner) (Volume 75, Chapter 30, Laws of Delaware.)

HB #151 (5/17/05) - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Sponsors: Rep. Valihura & Sen. Vaughn & Rep. Wagner) (Volume 75, Chapter 31, Laws of Delaware.)

HB #157 (5/17/05) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Sponsors: Rep. Ewing & Sen. Adams; Sen. DeLuca) (Volume 75, Chapter 32, Laws of Delaware.)

SB #13 (5/17/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EXEMPTION OF MOTOR VEHICLES OWNED BY EDUCATIONAL FOUNDATIONS FROM REGISTRATION FEES AND FROM REQUIREMENTS APPLICABLE TO MOTOR VEHICLE DEALERS. (Sponsors: Sen. Marshall & Rep. Lofink) (Volume 75, Chapter 33, Laws of Delaware.)

SB #17 (5/17/05) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO PAYMENT OF WORKERS' COMPENSATION BENEFITS. (Sponsors: Sen. Marshall & Reps. Lofink & Oberle & Keeley) (Volume 75, Chapter 34, Laws of Delaware.)

SB #56 (5/17/05) - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO." (Sponsors: Sen. Bunting & Rep. Atkins) (Volume 75, Chapter 35, Laws of Delaware.)

SB #104 (5/17/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL ASSISTANCE ACT. (Sponsors: Sen. Adams & Rep. Ewing; Sens. Blevins, Bunting, Connor, Henry, McDowell, Peterson, Simpson, Still; Reps. Booth, Buckworth, Carey, Ennis, Gilligan, Lee, Oberle, Outten, Schwartzkopf, Spence, Van Sant, Wagner, Williams) (Volume 75, Chapter 36, Laws of Delaware.)

SJR #1 (5/17/05) - DIRECTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO UPDATE AND REVISE EXISTING SCHOOL SAFETY EMERGENCY PROCEDURES IN LIGHT OF THE INCREASED THREAT OF TERRORIST ATTACKS IN DELAWARE. (Sponsors: Sen. Venables; Sens. Bunting, Connor, Sorenson; Reps. Booth, Hocker, Hudson, Spence)

LEGISLATIVE ADVISORY # 6, dated May 26, 2005, the Governor signed the following legislation on the date indicated:

HB #77 (5/4/05) - AN ACT AMENDING TITLE 29, DELAWARE CODE RELATING TO DESIGNATING THE STONEFLY (ORDER PLECOPTERA) AS THE STATE MACROINVERTEBRATE. (Sponsors: Rep. Hudson & Rep. Cathcart & Sen. McBride; Reps. Smith, Booth, Fallon, Lavelle, Miro, Van Sant, Ennis, Plant; Sens. Henry, Copeland) (Volume 75, Chapter 37, Laws of Delaware.)

SB # 46 aab SA #1 and HA #1 (5/25/05) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING. (Sponsors: Sen. Venables & Reps. Ennis, Lee & Thornburg) (Volume 75, Chapter 38, Laws of Delaware.)

SB #49 aab HA#2 (5/25/05) - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO RIGHT-OF-WAY DEDICATIONS. (Sponsors: Sen. Adams & Rep. Ewing; Sens. Vaughn, Venables & Simpson; Rep. Atkins) (Volume 75, Chapter 39, Laws of Delaware.)

HB #91 aab HA#1 (5/25/05) - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE CAPE HENLOPEN SCHOOL DISTRICT TO CAREY. (Sponsors: Rep. Carey & Sen. Simpson) (Volume 75, Chapter 40, Laws of Delaware.)

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A communication from the Office of Senator Peterson was read requesting Representative Maier be added as a co-sponsor of **SB 94**.

At 04:32 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 31st Legislative Day.

**31ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 01, 2005**

The Senate convened at 4:32 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

HCR 29 was brought before the Senate for consideration on the motion of the floor manager, Senator Still.

HCR 29 - CONGRATULATING THE WORLD CHAMPION CENTRAL MIDDLE SCHOOL FOR THEIR FIRST PLACE VICTORY IN THE WORLD ODYSSEY OF THE MIND COMPETITION. Sponsors: Rep. Wagner & Rep. Stone & Rep. Thornburg & Rep. Ennis & Sen. Still.

Senator Still requested personal privilege of the floor for Trudean Davis, Coach and her team of Central Middle School Odyssey of the Mind World Champions. The team introduced themselves, Hannah Lindsey, Erik Towne, Gina DeFrancesco, April Chestnut, Cooper Asay, Jessie Gorgis and Andrew Davis.

HCR 29 was read in its entirety by the Reading Clerk, after which the witnesses were excused.

Senator Still requested Senator Cook be added as a co-sponsor.

Roll call vote on **HCR 29** was taken and revealed:

YES: 21

HCR 29 was declared Adopted by the Senate and returned to the House.

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

SB 71 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 71 - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE FOR STAGGERED TERMS FOR COMMISSIONERS, TO REQUIRE A MINIMUM OF FOUR COMMISSIONERS AND THE MAYOR BE RESIDENTS AND TO ESTABLISH STANDARDS AND PROCEDURES FOR FORFEITURE OF OFFICE.

SA 1 to SB 71 was brought before the Senate for consideration on motion of Senator Bunting.

Roll call vote on **SA 1 to SB 71** was taken and revealed:

YES: 21.

SA 1 to SB 71 was declared part of the bill.

SB 71 w/SA 1 was now before the Senate.

Roll call vote on **SB 71 w/SA 1** was taken and revealed:

YES: 21.

SB 71 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

SB 16 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES.

SA 1 to SB 16 was brought before the Senate for consideration on motion of Senator Still.

Roll call vote on **SA 1 to SB 16** was taken and revealed:

YES: 20

ABSENT: Senator(s) McDowell - 1.

SA 1 to SB 16 was declared part of the bill.

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

Senator Still commented on the bill.

Senators Bonini and Marshall questioned the sponsor.

Roll call vote on **SB 16 w/SA 1** was taken and revealed:

YES: 15

NO: Senator(s) Cook, Henry, Marshall, McBride, Peterson, Sokola - 6.

SB 16 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/1/2005**

SA 1 to SB 129 - Sponsor: Sen. Connor; Placed with the Bill

SB 80 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, AND AUTHORIZING HUMAN EMBRYONIC STEM CELL RESEARCH. Sponsor: Sen. Venables; Sen. Blevins, & Sen. Sorenson, & Rep. Hudson, & Rep. Maier, & Rep. George, Sens. Henry, McDowell, & Sokola; **Small Business**.

SB 136 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES. Sponsor: Sen. Simpson; Sen. Adams, & Rep. Outten; Sen. Cook, Rep. Spence; **Executive**.

SB 137 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT FOR INCOME TAX PAID TO ANOTHER STATE. Sponsor: Sen. Amick; Sens. Bunting, Connor, Copeland, Sorenson; Reps. Ewing, Fallon, Keeley, Hudson; **Finance**.

SB 138 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF SOCIAL SECURITY NUMBERS ON INSURANCE CARDS. Sponsor: Sen. Cloutier; Sens. Connor, Copeland, Marshall, Sorenson; Reps. Keeley, Maier, Schooley, Viola; **Executive**.

SB 139 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS. Sponsor: Sen. Blevins; **Insurance & Elections**.

SB 140 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS. Sponsor: Sen. McBride; Reps. DiPinto, Hudson, Lofink, Ulbrich; **Small Business**.

HB 105 w/HA 2 - AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER. Sponsor: Rep. Cathcart; Sen. McDowell; Reps. Spence, Carey, DiPinto, Ewing, Hocker, Hudson, Lofink, Maier, Miro, Oberle, Stone, Ulbrich, Valihura, Wagner, Sens. Bunting, Venables, Sorenson, Cloutier, Connor, Sokola; **Judiciary**.

HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES. Sponsor: Rep. Gilligan; Rep. Stone, & Sen. Sokola, Reps. Booth, Buckworth, Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Roy, Schooley, Schwartzkopf, Ulbrich, Van Sant, Viola, Williams; Sens. Bunting, Cook, Henry; **Judiciary**.

HB 131 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Rep. Oberle; Sen. McBride; **Public Safety**.

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The Secretary announced the agenda for June 2, 2005.

On motion of Senator McDowell, the Senate recessed at 05:10 PM until 01:45 PM on June 2, 2005.

The Senate reconvened at 01:57 PM, on April 2, 2005 with Lt. Governor Carney presiding.

Senator McDowell yields to Senator Cook.

HB 120 was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

HB 120 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT AND DUTIES OF THE DELAWARE REVOLUTIONARY WAR MONUMENT COMMISSION.

Senator Cook requested personal privilege of the floor for Mrs. Overstreet and her first grade students from Holy Cross School. Mrs. Overstreet and the students addressed the Senate, after which they were excused.

Roll call vote on **HB 120** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

HB 120 was declared passed the Senate and returned to the House.

Senator McDowell yields to Senator Sorenson.

Senator Sorenson requested personal privilege of the floor to introduce Winning Women which were visiting the Senate.

At 02:14 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 32nd Legislative Day.

**32ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 02, 2005**

The Senate convened at 2:14 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21

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

SR 13 was introduced and brought before the Senate for consideration on the motion of Senator Bonini.

SR 13 - DESIGNATING JUNE 3, 2005 AS "SPINAL MUSCULAR ATROPHY AWARENESS DAY" IN DELAWARE. Sponsors: Sen. Bonini on behalf of all Senators.

Senator Bonini requested personal privilege of the floor for Dr. Jason & Mrs. Jessica Moyer, representing Spinal Muscular Atrophy. Mrs. Moyer addressed the Senate, after which they were excused.

Roll call vote on **SR 13** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SR 13 was duly Adopted by the Senate.

SR 12 was introduced and brought before the Senate for consideration on the motion of Senator Henry.

SR 12 - A RESOLUTION CALLING ON THE CONGRESS OF THE UNITED STATES TO REJECT PLANS TO PRIVATIZE SOCIAL SECURITY BY CUTTING SOCIAL SECURITY'S GUARANTEED BENEFITS AND DIVERTING MONEY OUT OF SOCIAL SECURITY INTO PRIVATE INVESTMENT ACCOUNTS. Sponsors: Sen. Henry & DeLuca, Sens. McBride, Peterson, Sokola, McDowell, Adams, Vaughn & Blevins.

Senators Still and Bonini questioned the sponsor.

Senators McDowell and DeLuca commented.

Several Senators questioned the sponsor.

Senator Still moved that **SR 12** be laid on the table.

Roll call to lay **SR 12** on the Table was taken and revealed:

YES: 7

NO: Senator(s) Adams, Blevins, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn - 11.

ABSENT: Senator(s) Bunting, Cloutier, Connor - 3.

The motion to lay **SR 12** on the Table was defeated.

Senator McBride marked present during the above roll call.

Roll call vote on **SR 12** was taken and revealed:

YES: 11

NO: Senator(s) Amick, Bonini, Copeland, Simpson, Sorenson, Still, Venables - 7.

ABSENT: Senator(s) Bunting, Cloutier, Connor - 3.

SR 12 was duly Adopted by the Senate.

SB 87 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 87 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GRAFFITI AND GRAFFITI IMPLEMENTS.

Senators Copeland, Vaughn, Simpson Connor and Cloutier requested to be added as co-sponsors.

Roll call vote on **SB 87** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Copeland, Simpson, Still - 4.

SB 87 was declared passed the Senate and sent to the House for Consideration.

HB 18 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 18 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REELATING TO AMBULANCE ATTENDANTS.

SA 1 to HB 18 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to HB 18** was taken and revealed:

YES: 21.

SA 1 to HB 18 was declared part of the bill.

HB 18 w/SA 1 was now before the Senate.

Senator McBride questioned the sponsor.

Senator Henry requested personal privilege of the floor for Willard Bill Betts, representing Delaware State Fire Prevention Commission – Vice Chairman.

The witness was excused after addressing the Senate.

Roll call vote on **HB 18 w/SA 1** was taken and revealed:

YES: 21.

HB 18 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

Senator McDowell moved to recess for Party Caucus at 03:03 PM.

The Senate reconvened at 04:26 PM with Lt. Governor Carney presiding.

HB 142 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 142 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM.

Roll call vote on **HB 142** was taken and revealed:

YES: 21.

HB 142 was declared passed the Senate and returned to the House.

HB 139 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 139 - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO PROVIDE FOR FIXED SALARIES FOR THE MAYOR OF THE TOWN OF LAUREL AND THE MEMBERS OF THE TOWN COUNCIL, RATHER THAN THE PER MEETING STIPEND CURRENTLY PAID.

Roll call vote on **HB 139** was taken and revealed:

YES: 21.

HB 139 was declared passed the Senate and returned to the House.

HB 140 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 140 - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE DISCOUNT TO BE AVAILABLE IF REAL ESTATE TAXES ARE PAID ON OR BEFORE SEPTEMBER 30TH OF EACH YEAR, THE PENALTIES THAT BEGIN TO ACCRUE IF REAL ESTATE TAXES ARE NOT PAID BY OCTOBER 31ST, AND THE COLLECTION CHARGES THE TOWN OF LAUREL MAY IMPOSE IN EFFECTING THE RECOVERY OF DELINQUENT TAXES, AND THE MANNER IN WHICH THE TOWN OF LAUREL MAY MODIFY ITS DISCOUNTS AND PENALTIES FOR FUTURE FISCAL TAX YEARS.

Roll call vote on **HB 140** was taken and revealed:

YES: 21.

HB 140 was declared passed the Senate and returned to the House.

Senator Adams yields to Senator Bonini.

Senator Bonini requested personal privilege of the floor to introduce his constituent, James Testerman.

HB 69 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 69 - AN ACT TO AMEND TITLE 20 DELAWARE CODE TO CREATE THE SERVICE MEMBERS' LIFE INSURANCE REIMBURSEMENT FUND.

Senator Cook yields to Senator Bunting.

All Senators requested to be added as co-sponsors.

Roll call vote on **HB 69** was taken and revealed:

YES: 21.

HB 69 was declared passed the Senate and returned to the House.

SB 79 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 79 - AN ACT TO AMEND SECTION 904 OF TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES BY PERSONS UNDER THE AGE OF 21.

Senator Bonini questioned the sponsor

Senator Bonini requested to be added as a co-sponsor.

Senators Connor, Still and Amick questioned the sponsor.

Senator McDowell requested that **SA 1 to SB 79** be stricken. No objection.

SA 2 to SB 79 was brought before the Senate for consideration on motion of Senator McDowell.

Senator Simpson questioned the sponsor.

Senator McDowell requested personal privilege of the floor for Frank Murphy, Senate Attorney.

The witness was excused after addressing the Senate.

Roll call vote on **SA 2 to SB 79** was taken and revealed:

YES: 21.

SA 2 to SB 79 was declared part of the bill.

SB 79 w/SA 2 was now before the Senate.

Roll call vote on **SB 79 w/SA 2** was taken and revealed:

YES: 21.

SB 79 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

Senator McDowell yields to Senator Still.

Senator Still requested personal privilege of the floor to announce the anniversary of his marriage to Kathleen H. Still.

Senator Bunting request personal privilege of the floor to announce the promotion of Representative Peter Schwartzkopf son, Scot, in the Marine Corp.

HCJR 22 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HCJR 22 - REQUESTING THAT THE DUPONT COMPANY FUND AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ADMINISTER AN INDEPENDENT, THIRD-PARTY EVALUATION OF THE 500,000 TON DEPOSIT OF MATERIAL AT THE COMPANY'S EDGEMOOR SITE AND FURTHER REQUIRING THAT ANY SUCH EVALUATION BECOME A PART OF THE PUBLIC RECORD AND SUBJECT TO PUBLIC COMMENT. Sponsors: Rep. McWilliams & Rep. Johnson & Sen. Henry & Sen. McDowell; Reps. DiPinto, Ennis, Schooley, Smith, Williams; Reps. Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, George, Gilligan, Hall-Long, Hocker, Lavelle, Lee, Lofink, Longhurst, Maier, Miro, Mulrooney, Oberle, Plant, Schwartzkopf, Spence, Ulbrich, Van Sant, Viola Wagner.

Roll call vote on **HCJR 22** was taken and revealed:

YES: 19

NO: Senator(s) Marshall, McBride - 2.

HCJR 22 was declared passed the Senate and returned to the House.

SENATE CONSENT CALENDAR #6 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCJR 19 - RECOGNIZING JUNE 12, 2005 AS RACE UNITY DAY IN THE CITY OF DOVER. Sponsors: Rep. Wagner & Rep. Stone & Rep. Thornburg & Rep. Ennis & Sen. Still.

SCR 16 - CREATING A TASK FORCE TO STUDY THE USE OF REFORMULATED GASOLINE CONTAINING OXYGENATES IN DELAWARE. Sponsors: Sen. DeLuca & Rep. Valihura, Sens. McBride & McDowell; Reps. Thornburg & Hudson

Roll call vote on the **SENATE CONSENT CALENDAR #6** was taken and revealed 21 Senators voting YES; therefore the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolution was sent to the House for Consideration and the House Concurrent Resolution was returned to the House.

SJR 7 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator DeLuca.

SJR 7 - ESTABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO DEVELOP STRATEGIES TO PREVENT THE BASE REALIGNMENT AND CLOSURE COMMISSION FROM APPROVING THE MAY 13, 2005, DEPARTMENT OF DEFENSE RECOMMENDATIONS TO REALIGN THE DELAWARE AIR NATIONAL GUARD BY TRANSFERRING ALL (8) EIGHT C130 AIRCRAFT TO OTHER STATES AND ELIMINATING HUNDREDS OF ASSOCIATED POSITIONS IN THE DELAWARE AIR NATIONAL GUARD.

Senator Still and McBride commented.

Roll call vote on **SJR 7** was taken and revealed:

YES: 21.

SJR 7 was declared passed the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for June 7, 2005.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
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SB 141 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DELAWARE STATE UNIVERSITY. Sponsor: Sen. Henry; Rep. Williams, Sen. Still; Rep. Cathcart; **Judiciary**.

SB 142 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF FORCE IN LAW ENFORCEMENT. Sponsor: Sen. Vaughn; Rep. Atkins; **Judiciary**.

SB 143 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTIONS IN BANKRUPTCY AND IN INSOLVENCY. Sponsor: Sen. Peterson; Rep. Valihura, & Rep. Keeley; Sens. Blevins, Henry, Marshall, McDowell, & Copeland, Reps. DiPinto, Maier, & McWilliams;
Banking.

* * *

On motion of Senator McDowell, the Senate recessed at 05:17 PM until June 7, 2005 at 02:30.

The Senate reconvened at 02:56 PM on June 7, 2005 with Lt. Governor Carney presiding.

The following committee report was announced:

From Education: **SB 76** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 176 w/HA 1; HS 1 to HB 90; HB 196; HB 67; HS 1 to HB 55 w/HA 1; HJR 3; HB 125; HB 98 w/HA 2; HCR 22; SB 86; SB 85 w/SA 1**.

At 02:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 33rd Legislative Day.

**33RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 07, 2005**

The Senate convened at 2:58 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator McDowell requested personal privilege of the floor to announce the passing of Senator Bunting's mother. The Senate had a moment of silence.

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

SB 131 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTICES OF OPEN MEETINGS.

Senator Cook requests personal privilege of the floor for Richard J. Geisenberger, representing Delaware Department of State. Mr. Geisenberger addressed the Senate, after which he was excused.

Roll call vote on **SB 131** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SB 131 was declared passed the Senate and sent to the House for Consideration.

Senator Marshall marked present during the above roll call.

SB 51 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 51 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE RIGHT TO TRANSFER CRIMINAL CASES TO THE COURT OF COMMON PLEAS.

Senator Vaughn requested personal privilege of the floor regarding Mr. Ed Davis, Justice of the Peace for Sussex County.

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

Senator Sorenson requested personal privilege of the floor for Roger Aiken, Newark City Solicitor.

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

Senator Amick requested personal privilege of the floor for Steve Wood, representing the Attorney General's Office.

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

Roll call vote on **SB 51** was taken and revealed:

YES: 4

NO: Senator(s) Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Copeland, Henry, Marshall, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Venables - 16.

ABSENT: Senator(s) McBride - 1.

SB 51 was declared Defeated.

Senator McDowell moved to recess for Party Caucus at 04:20 PM.

The Senate reconvened at 05:10 PM with Lt. Governor Carney presiding.

HB 88 w/HA 2 & HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 88 w/HA 2 & HA 3 - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE.

Roll call vote on **HB 88 w/HA 2 & HA 3** was taken and revealed:

YES: 19

ABSENT: Senator(s) McBride, Simpson - 2.

HB 88 w/HA 2 & HA 3 was declared passed the Senate and returned to the House.

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

The Secretary announced the agenda for June 8, 2005.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
June 7, 2005**

June 2, 2005

SB 144 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PERSONAL PROPERTY. Sponsor: Sen. Connor; Sens. Amick, Henry, Sokola, Sorenson, Venables; Reps. Ennis, Lavelle, Smith, Viola; **Judiciary**.

HB 196 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF AUTOMOBILE CLUBS. Sponsor: Rep. Stone; Rep. Keeley & Sen. Blevins; Reps. Smith, Carey, DiPinto, Hudson, Lavelle, Maier, Oberle, Roy, Spence, Gilligan, Hall-Long; Sens. Sokola, Venables, Sorenson, Cloutier, Connor, Simpson; **Insurance & Elections**.

June 7, 2005

SB 145 - AN ACT TO AMEND CHAPTER 466, VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIC", RELATING TO RECALL ELECTIONS. Sponsor: Sen. Vaughn; Rep. Ennis; **Community/County Affairs**.

SB 146 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE CREATING A DELAWARE HEALTH INSURANCE POOL. Sponsor: Sen. Blevins; Rep. Stone, Sens. Connor, Henry, Peterson Simpson, Sokola, Venables; Reps. Hall-Long, Keeley, Miro, Oberle, Schooley, Valihura, Wagner; **Insurance & Elections**.

SB 148 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS WITHIN SCHOOL BUILDINGS. Sponsor: Sen. Blevins; Rep. Thornburg; **Judiciary**.

SB 149 - AN ACT TO AMEND TITLES 9, 10, 11, AND 25 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY PROPERTY MAINTENANCE. Sponsor: Sen. Sokola; Rep. Oberle, Sens. Blevins, Peterson, & Simpson; **Community/County Affairs**.

HB 67 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS. Sponsor: Rep. Maier; Sen. Blevins, Reps. Booth, Buckworth, Carey, Ewing, Fallon, Hall-Long, Hocker, Hudson, Lee, Miro, Schooley, Smith, Spence, Stone, Thornburg, Ulbrich, Viola, Wagner; Sens. Connor, Sokola, Still; **Health & Social Services.**

HB 98 w/HA 2 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN. Sponsor: Rep. Hudson; Rep. Ulbrich, & Sen. Blevins; Reps. Spence, Lavelle, Maier, Valihura; **Judiciary.**

HB 125 - AN ACT TO PROPOSE AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897 TO DELETE REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. Sponsor: Rep. Valihura; Rep. Wagner; Sen. Vaughn; **Judiciary.**

HB 176 w/HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM AND THE ENFORCEMENT OF LAWS RELATED TO RESPONSIBLE SERVING OF ALCOHOLIC BEVERAGES. Sponsor: Rep. Miro; Rep. Stone, & Sen. DeLuca, Reps. Spence, Buckworth, Carey, Cathcart, DiPinto, Hocker, Lavelle, Maier, Oberle, Ulbrich, Gilligan, Schwartzkopf, Caulk; Sens. Henry, Sokola, Still, Sorenson, Cloutier, Connor, Copeland, Simpson; **Revenue & Taxation.**

HS 1 for HB 90 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND APPLICABLE PENALTIES. Sponsor: Rep. Keeley; Rep. Stone, & Sen. Blevins; Reps. Maier, Schooley, Viola, Sens. DeLuca, Henry, McDowell, Sokola; **Insurance & Elections.**

HJR 3 - REQUIRING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO UPDATE AND RE-BASE MEDICAID INPATIENT REIMBURSEMENT RATES. Sponsor: Rep. Booth; Sen. Venables; Reps. Spence, Lee, Atkins, Buckworth, Carey, Hocker, Hudson, Lavelle, Maier, Miro, Oberle, Outten, Stone, Ennis, Johnson, Keeley, Mulrooney, Plant, Schwartzkopf; Sens. Bunting, Simpson; **Finance.**

SB 150 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. Sponsor: Sen. DeLuca; Rep. Stone, Sen. Amick; Reps. George, & Valihura; **Banking.**

SB 151 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. Sponsor: Sen. Blevins; Rep. Keeley; **Health & Social Services.**

SB 152 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. Sponsor: Sen. DeLuca; Rep. Hudson, Sens. Blevins, Henry, Sokola, Vaughn, Venables; Reps. Buckworth, DiPinto, Hall-Long, Keeley, Smith, Stone, Van Sant; **Judiciary.**

SB 153 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE. Sponsor: Sen. Henry; Rep. Lee, Rep. Ewing; **Public Safety.**

SB 154 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX CREDITS. Sponsor: Sen. DeLuca; Rep. Gilligan, Sens. Bonini, Bunting, Cloutier, Cook, Copeland, Henry, McBride, McDowell, Peterson, Sokola, Sorenson, Venables; Reps. Carey, DiPinto, Hall-Long, Hocker, Hudson, Johnson, Longhurst, Mulrooney, Stone, Viola; **Revenue & Taxation.**

SB 155 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVERS LICENSES AND THE LENGTH OF ISSUANCE FOR A COMMERCIAL DRIVER'S LICENSE WITH A HAZARDOUS MATERIALS ENDORSEMENT. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety.**

SB 156 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO INTRA-STATE ONLY COMMERCIAL DRIVER LICENSED DRIVERS AND FOR EMPLOYEES WHO OPERATE COMMERCIAL MOTOR VEHICLES FOR STATE AND OTHER GOVERNMENT ENTITIES. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety.**

SB 147 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BUILDING LOAN ASSOCIATIONS. Sponsor: Senator Adams; Rep. Ewing; **Banking.**

The following nominations assigned to the Executive committee.

Barry R. Hickman
R.R. 4, Box CA - 23
Frankford, DE 19945

to be appointed Assistant Alderman
of the Town of Dewey Beach for a
term to commence June 24, 2005,
and expire 2 years from the date of
Senate confirmation.

Marvin Guberman
37797 Bay Harbor Circle
Rehoboth Beach, DE

to be appointed Alderman of
the Town of Dewey Beach for a term
to commence June 24, 2005, and
expire 2 years from the date of
Senate confirmation.

Robert G. Dolan
616 Spring Lake Drive
Bethany Beach, DE 19930

to be appointed Deputy Alderman
for the Town of Bethany Beach for a
term to commence on June 24, 2005,
and continue for one year.

Sally J. Byrne
984 Lake View Drive
Bethany Beach, DE 19930-0109

to be appointed Alderman for the
Town of Bethany Beach for a term
to commence on June 24, 2005, and
continue for one year

Richard S. Contee
1808 Eagles Landing
Rehoboth Beach, DE 19971

to be appointed Assistant Alderman
for the City of Rehoboth Beach for a
term to commence June 24, 2005 and
continuing pursuant to the City of
Rehoboth Beach charter.

Michael J. DeFiore
306 Bayview Seabreeze
Rehoboth Beach, DE 19971

to be appointed Alderman for the
City of Rehoboth Beach for a term
to commence June 24, 2005, and
continuing pursuant to the City of
Rehoboth Beach charter.

Timothy J. Kucharski
365 Chickory Way
Newark, DE 19711

to be appointed Alderman for the
town of Newport for a term to
commence June 24, 2005, and
continuing pursuant to the Town of
Newport charter.

Joe Patrick Yeager
1401 Pennsylvania Ave. #1408
Wilmington, DE 19806

to be appointed Alderman for the
Town of Newport for a term to
commence June 24, 2005, and
continuing pursuant to the Town of
Newport charter.

Paul H. Sheridan
131 Laurel Ave.
Laurel, DE 19956

to be appointed Alderman for
the Town of Laurel for a term to
commence June 24, 2005, and
continuing pursuant to the Town of
Laurel charter.

David Athey
32 Kells Avenue
Newark, DE 19711

to be appointed a member of the
Delaware Natural Areas Advisory
Council to serve a term to expire 4
years from the date of Senate
confirmation.

Bruce A. Rogers
22819 Wood Branch Road
Georgetown, DE 19947

to be reappointed a member of the Delaware Code Revisors to serve a term to expire 4 years from the date of Senate confirmation.

Daniel F. Wolcott, Jr.
16 Derbyshire Way
Greenville, DE 19807

to be reappointed a member of the Delaware Code Revisors to serve a term to expire 4 years from the date of Senate confirmation.

Cynthia L. Hughes
2415 Milford-Harrington Hwy.
Milford, DE 19963

to be reappointed a member of the Tax Appeals Board to serve a term to expire 3 years from the date of Senate confirmation.

Steven R. Director
3205 Swarthmore Road
Wilmington, DE 19807

to be reappointed a member of the Tax Appeals Board to serve a term to expire 3 years from the date of Senate confirmation.

Todd Charles Schiltz
5 School Road
Wilmington, DE 19803

to be reappointed as Chairperson of the Tax Appeals Board to serve a term to expire 3 years from the date of Senate confirmation.

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On motion of Senator McDowell, the Senate recessed at 05:17 PM until June 8, 2005 at 03:30 PM.

The Senate reconvened at 04:37 PM, on June 8, 2005 with Lt. Governor Carney presiding.

Senator McBride marked present.

The following committee reports were announced:

From Executive: **SB 116** – 6 Merits; **SB 136** – 6 Merits; **SB 138** – 6 Favorable.

From Health & Social Services: **SB 48** - 5 Merits.

From Public Safety: **SB 153** – 5 Merits; **SB 155** – 5 Merits; **SB 156** - 5 Merits; **SB 159** - 5 Merits; **SB 160** – 5 Merits; **SB 161** – 5 Merits; **HB 96** – 5 Merits; **HB 144** – 5 Merits.

From Banking: **SB 150** – 4 Merits; **SB 143** – 4 Merits; **SB 147** – 4 Merits.

From Children Youth & Their Families: **SB 119** – 5 Merits;

From Small Business: **SB 80** – 3 Merits.

A communication from the Office of Senator Connor was read requesting her name added as co-sponsor of **SB 154**.

A withdrawn of sponsorship request was read from Representative Keeley requesting her name be removed from **SB 135**.

A communication from the Office of JoAnn Hedrick, Chief Clerk of the House was read advising the Senate that Rep. James J. Johnson signed as an addition sponsor of **SB 85** and **SB 86**.

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

A communication from the Office of Senator Karen E. Peterson was read requesting Senator Cloutier be added as an additional co-sponsor of **SB 143**.

A communication from the Office of Senator Karen E. Peterson was read requesting Rep. Robert Gilligan be added as an additional co-sponsor of **SB 143**.

A memorandum from the Office of Senator Amick was read requesting Rep. Hudson be added as a co-sponsor of **SB 137**.

At 04:42 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 08, 2005

The Senate convened at 04:42 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

The journal of the previous day was approved as read on motion of Senator McDowell. No objection.

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

SB 76 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SPECIAL SCHOOLS AND SPECIAL PROGRAMS.

Senator Amick moved to lay **SB 76** on the Table.

HCR 6 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 6 - ESTABLISHING THE COMPULSORY EDUCATION AGE TASK FORCE.

Senator Sokola requested that **SA 1** be stricken. No objection.

SA 2 to HCR 6 was brought before the Senate for Consideration on motion of Senator Sokola.

Roll call vote on **SA 2 to HCR 6** was taken and revealed:

YES: 21.

SA 2 to HCR 6 was declared part of the bill.

HCR 6 w/SA 2 was now before the Senate.

Senator McBride commented.

Roll call vote on **HCR 6 w/SA 2** was taken and revealed:

YES: 21.

HCR 6 w/SA 2 was declared passed the Senate and returned to the House for reconsideration.

Senator McDowell yields to Senator Adams.

Senator Adams request personal privilege of the floor for former Mayor George Wright, Executive Director of Delaware Local Government. Mr. Wright addressed the Senate and then the following introduced themselves: George Dickerson, Camden Town Manager; Stephen R. Speed, Dover Mayor; Tera Fergurson, Town Administrative of Felton; Katey Roth, Town Manager Ocean View; Robert Mooney, Mayor of Camden; Samuel Cooper, Mayor of Rehoboth Beach; Brady Connor, Mayor of Dagsboro; Gary Meredith, Mayor of Ocean View; Cordelia Bennett, Mayor of Delaware City; Harold Godwin, Town Manager, Milton; Ted Becker; Hans Reigle, Mayor of Wyoming; Jim Weldin, Homelands Security Consultant for DE Local Government. The witnesses were excused.

SB 116 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 116 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE HARNESS RACING COMMISSION AND THE DELAWARE THOROUGHBRED RACING COMMISSION.

SA 1 to SB 116 was brought before the Senate for Consideration on motion of Senator Marshall.

Roll call vote on **SA 1 to SB 116** was taken and revealed:

YES: 21.

SA 1 to SB 116 was declared part of the bill.

SB 116 w/SA 1 was now before the Senate.

Senators Connor and Still questioned the sponsor.

Senators Cook and Marshall commented.

Roll call vote on **SB 116 w/SA 1** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Amick, Bonini, Cloutier, Connor, Cook, Copeland, DeLuca, McBride, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 15.

ABSENT: Senator(s) Bunting - 1.

SB 116 w/SA 1 was declared Defeated.

HS 1 for HB 47 w/HA 2, HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HS 1 for HB 47 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CURRICULUM STANDARDS AND THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION.

Senator Still questioned the sponsor.

Senator Sokola requested personal privilege of the floor for Dr. Nancy Wilson, representing Delaware Department of Education.

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

Roll call vote on **HS 1 for HB 47 w/HA 2, HA 3** was taken and revealed:

YES: 14

NO: Senator(s) Adams, Amick, Bonini, Bunting, Marshall, Vaughn, Venables - 7.

HS 1 for HB 47 w/HA 2, HA 3 was declared passed the Senate and returned to the House.

Senator McDowell introduced and welcomed Irene Barron of Gainesville, Ohio who was visiting the Senate. Ms. Barron is the mother of Dominique Barron the graduate fellow working for the Senate Energy & Transit Committee.

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

The Secretary announced the agenda for June 9, 2005.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
June 08, 2005**

June 7, 2005

SA 2 to HCR 6 - Sponsor: Sen. Sokola; Placed with the Bill

SB 158 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRANSPORTATION FUNDING. Sponsor: Sen. Sokola; Rep. Ulbrich, Sen. Bonini; Rep. Maier; **Finance**.

SB 159 - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety**.

SB 160 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety**.

SB 161 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND PENALTIES. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety**.

June 8, 2005

SB 157 - AN ACT TO AMEND TITLE 31, CHAPTER 3 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. Sponsor: Sen. Blevins; Rep. Maier, & Rep. Hudson, Sens. Cloutier, Connor, Sorenson; Reps. Gilligan, Hall-Long, Keeley, Miro, Oberle, Schooley, Spence, Wagner; **Finance**.

SB 162 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Sen. Blevins; Rep. Smith, Sen. Cook; Reps. Lavelle, Hall-Long; **Insurance & Elections**.

SB 163 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR MENTORING. Sponsor: Sen. Sokola; Rep. Wagner; **Education**.

SB 164 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. Sponsor: Sen. DeLuca; Rep. Oberle, Sen. Adams; Reps. Keeley, Lofink; **Judiciary**.

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On motion of Senator McDowell, the Senate recessed at 05:41 PM until June 09, 2005 at 02:30 PM.

The Senate reconvened at 02:23 PM, on June 09, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Insurance & Elections: **SB 123** – 4 Merits; **SB 139** – 5 Merits; **HB 196** – 5 Merits; **HS 1 for HB 90** – 5 Merits.

Senator McDowell yields to Senator Marshall.

Senator Marshall requested personal privilege of the floor for the following Delaware Certified Nursing Assistants: Natalie Joiner, Kathy Tucker, Joanna Jones, Millie Wilson, Aniszia Liverpool and Patricia Engelhardt. The witnesses were excused.

SCR 17 was introduced and brought before the Senate for consideration on motion of Senator Marshall.

SCR 17 - RECOGNIZING JUNE 9, 2005 AS NATIONAL NURSING ASSISTANTS DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES.

Sponsor: Senator Marshall & Rep. Maier.

Roll call vote on **SCR 17** was taken and revealed.

YES – 17.

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still – 4.

SCR 17 was Adopted by the Senate and sent to the House for Consideration.

At 03:54 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 35th Legislative Day.

**35TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 09, 2005**

The Senate convened at 3:54 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Henry followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

HB 71 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 71 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE ADVISORY COUNCIL ON CAREER EDUCATION.

Roll call vote on **HB 71 w/HA 1** was taken and revealed:

YES: 19

ABSENT: Senator(s) DeLuca, Still - 2.

HB 71 w/HA 1 was declared passed the Senate and returned to the House.

Sensors Cook and Sorenson marked present during the above roll call.

HB 104 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HB 104 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FILING OF FINANCIAL DISCLOSURE REPORTS AND CERTAIN OTHER DOCUMENTS.

SA 1 to HB 104 was brought before the Senate for Consideration on motion of the Senator Adams.

Senator Adams moved to lay SA 1 to HB 104 on the Table.

SA 2 to HB 104 was brought before the Senate for Consideration on motion of Senator Adams.

Roll call vote on SA 2 to HB 104 was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

SA 2 to HB 104 was declared part of the bill.

HB 104 w/SA 2 was now before the Senate.

Roll call vote on HB 104 w/SA 2 was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

HB 104 w/SA 2 was declared passed the Senate and sent to the House for

Reconsideration.

HB 196 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 196 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF AUTOMOBILE CLUBS.

Senator Amick questioned the sponsor.

Senator Blevins requested personal privilege of the floor for Matt Denn, Insurance Commissioner.

Senators Amick and Simpson questioned the witness, after which the witness was excused.

Roll call vote on HB 196 was taken and revealed:

YES: 19

ABSENT: Senator(s) Bunting, Cook - 2.

HB 196 was declared passed the Senate and returned to the House.

Senator Still marked present during the above roll call.

Senator McDowell moved to recess for Party Caucus at 04:17 PM.

The Senate reconvened at 05:58 PM with Lt. Governor Carney presiding.

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

The Secretary announced the agenda for June 14, 2005.

On motion of Senator McDowell, the Senate recessed at 05:59 PM until June 14, 2005 at 02:00 PM.

The Senate reconvened at 02:23 PM, on June 14, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Christopher Bradley** – 5 Favorable, 1 Merit; **Alan Davis** – 6 Favorable.

From Labor & Industrial Relations: **SB 130** – 4 Merits.

From Revenue & Taxation: **SB 115** – 3 Merits.

From Sunset: **SB 27** – 5 Merits; **SB 29** – 5 Merits; **SB 97** – 3 Merits; **SB 111** – 3 Merits.

Senator McDowell yields to Senator Bunting.

Senator Bunting requested personal privilege of the floor to thank his fellow colleagues and staff for the thoughtful condolences on the loss of his mother.

At 02:26 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 36th Legislative Day.

**36TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 14, 2005**

The Senate convened at 2:26 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Lt. Governor Carney introduced the following members of Boy State, Taylor McCartney of Lake Forest, Insurance Commissioner, Daryl K. Tickles, Jr. of DMA, Auditor, Matt Nelson of Tatnall, Treasurer, Shaun Kelly of Charter, Superior Court Judge and Chris Carper of Charter, Lt. Governor.

On motion of Senator Adams, the following nominations by the Governor were taken up for consideration.

Christopher Bradley: 20 Senator(s) voting YES, 1 (Bonini) Absent.

Appointment was declared CONFIRMED.

Senators Blevins and Marshall marked present during the above roll call.

Alan Davis: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator Bonini marked present during the above roll call.

Senator McDowell yields to Senator Simpson.

Senator Simpson requested personal privilege of the floor for Justin Pink, President of Delaware 4-H. After addressing the Senate the witness was excused.

Senator Simpson requested personal privilege of the floor for Angie Tinsman, representing Youth in Government. The Executive Report for 2005 was distributed to all Senators (copy in today's legislative file). After addressing the Senate the witness was excused.

Senator McDowell moved to recess for Party Caucus at 02:48 PM.

The Senate reconvened at 03:28 PM with Lt. Governor Carney presiding.

SB 80 was brought before the Senate for consideration on the motion of Senator Venables.

SB 80 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, AND AUTHORIZING HUMAN EMBRYONIC STEM CELL RESEARCH.

Senator Venables requested personal privilege of the floor for David S. Weir, representing himself.

Senators Sorenson and Copeland questioned the witness, after which the witness was excused.

Senator Venables requested personal privilege of the floor for Jeffrey B. Russell, M.D., representing Delaware Institute for Reproductive Medicine P.A.

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

Senator Venables requested personal privilege of the floor once again for Dr. Weir, representing himself.

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

Senator Venables requested personal privilege of the floor for Ms Bernice Schacter, representing herself. After addressing the Senate the witness was excused.

Senator Venables requested personal privilege of the floor for Ken Cox, representing his son. After addressing the Senate the witness was excused.

Senator Venables requested personal privilege of the floor for Evyn Chaffin, representing Juvenile Diabetes Research Foundation. After addressing the Senate the witness was excused.

Senator Venables requested personal privilege of the floor for Nancy Charron, representing herself. After addressing the Senate the witness was excused.

SA 1 to SB 80 was brought before the Senate for consideration on the motion of Senator Still.

Several Senators questioned the sponsor and commented on the amendment.

Roll call vote on **SA 1 to SB 80** was taken and revealed:

YES: 6

NO: Senator(s) Adams, Amick, Blevins, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McDowell, Peterson, Sokola, Sorenson, Vaughn, Venables - 15.

SA 1 to SB 80 was Defeated.

Senator Simpson requested personal privilege of the floor for Michael DuPectro, M.D., representing himself.

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

Senator Simpson requested personal privilege of the floor for Rev. John Grimm, representing Catholic Diocese of Wilmington. After addressing the Senate the witness was excused.

Senator Simpson requested personal privilege of the floor for Steve Jenkins, representing himself.

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

Senators Simpson, Copeland and Bonini commented.

Senator Amick requested personal privilege of the floor for Joanne Southers, representing herself.

Senator DeLuca raised a point of order.

Senators Amick, DeLuca and Sokola questioned the witness, after which the witness was excused.

Senator Venables commented.

Senator Marshall requested personal privilege of the floor for Judith Aungst, member of Delaware Right to Live and member of Couple to Couple League International. After addressing the Senate the witness was excused.

Roll call vote on **SB 80** was taken and revealed:

YES: 14

NO: Senator(s) Bonini, Bunting, Cloutier, Copeland, McBride, Simpson, Still - 7.

SB 80 was declared passed the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for June 15, 2005.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/14/2005**

June 9, 2005

SA 2 to SB 64 - Sponsor: Sen. Amick; Placed with the Bill

SA 1 to HB 125 - Sponsor: Sen. Vaughn; Placed with the Bill

SA 1 to SB 143 - Sponsor: Sen. Peterson; Placed with the Bill

SA 1 to SB 144 - Sponsor: Sen. Connor; Placed with the Bill

SA 1 to SB 157 - Sponsor: Sen. Blevins; Placed with the Bill

June 14, 2005

SA 2 to SB 70 - Sponsor: Sen. Henry; Placed with the Bill

SB 165 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY AND DENTAL HYGIENE. Sponsor: Sen. Blevins; Rep. Maier, Reps. Ulbrich, Hall-Long; **Health & Social Services**.

SB 166 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SERVICE OF PROCESS. Sponsor: Sen. Vaughn; Rep. Wagner, & Rep. Keeley, Rep. Oberle; **Judiciary**.

SB 168 - AN ACT TO AMMEND TITLE 10 TO CREATE A SABBATICAL LEAVE FOR JUDGES. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary**.

SB 169 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary**.

SB 170 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENT'S ESTATES. Sponsor: Sen. Vaughn; Rep. Ewing, Sen. Peterson, Blevins; Reps. Ennis, Schwartzkopf; **Judiciary**.

SB 171 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO GARBAGE DISPOSAL. Sponsor: Sen. McBride; **Natural Resources & Environmental Control**.

SB 172 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO ESTABLISH AN ACCESSIBLE ELECTRONIC INFORMATION SYSTEM FOR BLIND AND DISABLED PERSONS AND TO ESTABLISH A METHOD OF FUNDING THEREFORE. Sponsor: Sen. Henry; Rep. Buckworth; **Finance.**

SB 173 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE. Sponsor: Sen. Sokola; Rep. Stone; **Insurance & Elections.**

HB 124 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsor: Rep. Valihura; Sen. Vaughn; Rep. Wagner; **Judiciary.**

HB 141 - AN ACT TO AMEND VOLUME 74, DELAWARE LAWS, CHAPTER 117, RELATING TO MUNICIPAL LODGING TAX. Sponsor: Rep. Keeley; Reps. DiPinto, Gilligan, Johnson, Smith, Spence; Sens. Henry, Marshall, McDowell, Sorenson; **Revenue & Taxation.**

HB 175 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A P-20 COUNCIL. Sponsor: Rep. Wagner; Sen. Sokola; **Education.**

HB 180 - AN ACT TO AMEND CHAPTER 34, TITLE 19 OF THE DELAWARE CODE RELATING TO COUNSELING, TRAINING AND PLACEMENT ACTIVITIES. Sponsor: Rep. Oberle; Sen. Marshall, Reps. Spence, Buckworth, Lofink, Johnson, Mulrooney, Plant, Viola; **Labor & Industrial Relations.**

HB 190 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A PERSONAL ASSISTANCE SERVICES AGENCY ACT. Sponsor: Rep. Oberle; Sen. Blevins; **Health & Social Services.**

HB 194 - AN ACT TO AMEND CHAPTER 334 OF VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT", AND CHAPTER 19A OF TITLE 24 OF THE DELAWARE CODE TO EXTEND THE STATE'S PARTICIPATION IN THE INTERSTATE COMPACT. Sponsor: Rep. Maier; Sen. Blevins, Reps. Booth, Buckworth, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Outten, Wagner, Ulbrich, Schooley; Sens. Sorenson, Connor, Copeland; **Health & Social Services.**

HB 237 - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE. Sponsor: Rep. Atkins; Sen. Bunting; **Community/County Affairs.**

HS 1 for HB 184 w/HA 1, HA 2, HA 3 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PATIENT SAFETY AND QUALITY IMPROVEMENT IN DELAWARE'S HEALTH CARE SYSTEM. Sponsor: Rep. Maier; Rep. Spence, & Rep. Smith, & Sen. Blevins, & Sen. Connor, Reps. Lee, Atkins, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker, Hudson, Outten, Stone, Thornburg, Ulbrich, Wagner, Ennis, George, Hall-Long, Johnson, Plant, Schooley; Sens. DeLuca, Venables, Still, Sorenson, Amick, Bonini, Cloutier, Copeland, Simpson; **Health & Social Services.**

HS 1 FOR HB 55 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR. Sponsor: Rep. Lavelle; Sen. Sokola, Reps. DiPinto, Hudson, Johnson, Maier, Smith, Ulbrich, Valihura; Sens. Copeland, DeLuca, Sorenson; **Judiciary.**

HJR 9 - SUPPORTING THE STATE BOARD OF EDUCATION'S EFFORTS TO REVISE THE GRADUATION REQUIREMENTS. Sponsor: Rep. Wagner; Sen. Sokola, Rep. Schooley; **Education.**

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/14/2005
PART 2**

SA 1 to SB 125 - Sponsor: Sen. DeLuca; Placed with the Bill

SA 1 to SB 126 - Sponsor: Sen. Still; Placed with the Bill

SA 1 to SB 138 - Sponsor: Sen. Cloutier; Placed with the Bill

SA 1 to SB 150 - Sponsor: Sen. DeLuca; Placed with the Bill

SB 167 - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED. Sponsor: Sen. Blevins; Rep. Van Sant;

Community/County Affairs.

SB 174 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO GAMBLING.

Sponsor: Sen. Marshall; Rep. Oberle; Sen. Blevins; Rep. Lofink; **Executive.**

SB 175 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE BASE. Sponsor: Sen. Adams; Rep. Spence, Sens. McDowell, Blevins, DeLuca, McBride, Sokola, Vaughn, Connor, Amick, Still, Simpson, Bonini, Copeland, Reps. Smith, Lee, Gilligan, Van Sant, Mulrooney, Buckworth, Ewing, Viola, Keeley, Atkins, Lavelle, Hudson; **Executive.**

* * *

On motion of Senator McDowell, the Senate recessed at 06:13 PM until June 15, 2005 at 02:30 PM.

The Senate reconvened at 03:27 PM, on June 15, 2005 with Lt. Governor Carney presiding.

A withdrawn of sponsorship request was read from Senator Cloutier requesting her name be removed from **SB 123.**

The following committee reports were announced:

From Community/County Affairs: **SB 129** - 3 Merits; **SB 145** - 3 Merits; **SB 133** - 3 Merits; **SB 149** - 3 Merits; **HB 237** - 3 Merits; **HB 161** - 3 Merits.

From Executive: **SB 175** - 5 Merits; **SB 176** - 5 Merits.

From Education: **SB 163** - 3 Merits; **HB 175** - 3 Merits; **HJR 9** - 3 Merits.

From Judiciary: **SB 166** - 5 Merits; **SB 170** - 5 Merits; **SB 169** - 5 Merits; **SB 168** - 5 Merits; **SB 177** - 5 Merits; **SB 152** - 5 Merits; **SB 142** - 1 Favorable, 4 Merits; **SB 164** - 5 Merits; **SB 148** - 5 Merits; **HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1** - 5 Merits.

From Small Business: **SB 140** - 2 Merits, 1 Unfavorable.

From Highways & Transportation: **SB 101** - 5 Merits.

From Executive: **David Athey** - 1 Favorable, 4 Merits; **Sally J. Byrne** - 5 Merits; **Richard S. Contee** - 5 Merits; **Michael J. DeFiore** - 5 Merits; **Steven R. Director** - 1 Favorable, 4 Merits; **Robert G. Dolan** - 5 Merits; **Marvin Guberman** - 5 Merits; **Barry R. Hickman** - 5 Merits; **Timothy J. Kucharski** - 4 Merits; **Brenda C. Phillips** - 6 Merits; **Bruce A. Rogers** - 5 Merits; **Todd Charles Schiltz** - 5 Merits; **John F. Schmutz** - 4 Favorable, 2 Merits; **Paul H. Sheridan** - 4 Merits; **Rosalind Toulson** - 6 Merits; **Daniel F. Wolcott** - 5 Merits; **Joe Patrick Yeager** - 5 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HS 1 for HB 184 w/HA 1, HA 2, HA 3; HB 124; HB 175; HB 141; HJR 9; SB 93; HS 1 for HB 211 w/HA 1; HB 50 w/HA 1; HB 5 w/HA 1; HB 161; HB 180; HB 190; HB 194; HB 237.**

A communication from the Office of Senator Charles Copeland was read requesting his name added as co-sponsor of **HB 163.**

A communication from the Office of Senator Dorinda A. Connor was read requesting her name added as co-sponsor of **SB 64.**

A communication from the Office of Senator Catherine L. Cloutier was read requesting her name added as co-sponsor of **SB 64.**

Senator Bonini request personal privilege of the floor to congratulate Lt. Governor Carney and his staff on the "Walk Around the Monster Mile" fitness challenge.

At 03:36 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 18th Legislative Day.

**37TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 15, 2005**

The Senate convened at 3:36 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator McDowell yields to Senator Sokola.

Senator Sokola requested the personal privilege of the floor to announce the recent marriage of Kim Hoffman, Senate Staff member.

Senator McDowell yields to Senator DeLuca.

Senator DeLuca requested the personal privilege of the floor to congratulate the Majority Legislative Fellows; Dená Brummer and Ray Callaway. Both were presented with a Tribute from the Senate.

Senators McDowell and McBride and Connor commented.

Senator Sorenson requested the privilege of the floor to congratulate the Minority Legislative Fellow; Garret Wozniak. He was presented with a Tribute from the Senate, as well.

SB 62 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 62 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE.

Senator Peterson requested that **SA 1** be stricken.

Senator Marshall commented.

Senator Connor requested a hand out be given to all members. A copy is in this Legislative Day file.

Several Senators commented.

Senator Connor requests to be added as a co-sponsor.

Senator McDowell commented.

Senator Bonini requested personal privilege of the floor for Joseph Fitzgerald, representing the New Castle County Chamber of Commerce.

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

Several Senators commented.

Roll call vote on **SB 62** was taken and revealed:

YES: 14

NO: Senator(s) Amick, Bonini, Bunting, Copeland, Simpson, Sorenson, Still - 7.

SB 62 was declared passed the Senate and sent to the House for Consideration.

SB 125 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 125 - AN ACT TO AMEND CHAPTER 11, TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY GOVERNMENT, COUNTY COUNCIL, AND COUNTY COUNCIL VACANCIES.

SA 1 to SB 125 was brought before the Senate for consideration on the motion of Senator DeLuca.

Roll call vote on **SA 1 to SB 125** was taken and revealed:

YES: 21.

SA 1 to SB 125 was declared part of the bill.

Roll call vote on **SB 125 w/SA 1** was taken and revealed:

YES: 21.

SB 125 w/SA 1 was now before the Senate.

SB 125 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

SB 147 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE
RELATING TO BUILDING LOAN ASSOCIATIONS.

Roll call vote on **SB 147** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SB 147 was declared passed the Senate and sent to the House for Consideration.

SB 136 was brought before the Senate for consideration on the motion of Senator Simpson.

SB 136 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE
RELATING TO FARM WINERIES.

Roll call vote on **SB 136** was taken and revealed:

YES: 17

ABSENT: Senator(s) DeLuca, Peterson, Sorenson, Still - 4.

SB 136 was declared passed the Senate and sent to the House for Consideration.

HS 1 for HB 90 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HS 1 for HB 90 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE
CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND
APPLICABLE PENALTIES.

Roll call vote on **HS 1 for HB 90** was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

HS 1 for HB 90 was declared passed the Senate and returned to the House.

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

SB 139 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE
RELATING TO PRIMARY ELECTIONS.

Roll call vote on **SB 139** was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

SB 139 was declared passed the Senate and sent to the House for Consideration.

SB 138 was brought before the Senate for consideration on the motion of Senator Cloutier.

SB 138 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE
RELATING TO THE USE OF SOCIAL SECURITY NUMBERS ON INSURANCE
CARDS.

SA 1 to SB 138 was brought before the Senate for consideration on the motion of Senator Cloutier.

Roll call vote on **SA 1** was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

SA 1 to SB 138 was declared part of the bill.

SB 138 w/SA 1 was now before the Senate.

Senator Sokola questioned the sponsor.

Senator Cloutier requested personal privilege of the floor for Matt Denn, State Insurance Commissioner.

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

Senator Sokola requests to be added as a co-sponsor.

Roll call vote on **SB 138 w/SA 1** was taken and revealed:

YES: 17

ABSENT: Senator(s) Cook, DeLuca, Sorenson, Still - 4.

SB 138 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 153 was brought before the Senate for consideration on the motion of Senator Henry.

SB 153 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE
RELATING TO CIVIL DEFENSE.

Senator Henry moved to lay **SB 153** on the Table.

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

SB 155 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVERS LICENSES AND THE LENGTH OF ISSUANCE FOR A COMMERCIAL DRIVER'S LICENSE WITH A HAZARDOUS MATERIALS ENDORSEMENT.

Roll call vote on **SB 155** was taken and revealed:

YES: 18

ABSENT: Senator(s) Cook, DeLuca, Still - 3.

SB 155 was declared passed the Senate and sent to the House for Consideration.

SB 156 was brought before the Senate for consideration on the motion of Senator Henry.

SB 156 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO INTRA-STATE ONLY COMMERCIAL DRIVER LICENSED DRIVERS AND FOR EMPLOYEES WHO OPERATE COMMERCIAL MOTOR VEHICLES FOR STATE AND OTHER GOVERNMENT ENTITIES.

SA 1 to SB 156 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to SB 156** was taken and revealed:

YES: 21.

SA 1 to SB 156 was declared part of the bill.

SB 156 w/SA 1 was now before the Senate.

Senator Henry requested personal privilege of the floor for Wallace G. Edmanson, representing Delaware Motor Vehicle. After addressing the Senate the witness was excused.

Roll call vote on **SB 156 w/SA 1** was taken and revealed:

YES: 21.

SB 156 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator McDowell yields to Senator Sorenson.

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

SB 48 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRESCRIPTIONS.

SA 1 to SB 48 was brought before the Senate for consideration on the motion of Senator Sorenson.

Senator Adams questioned the sponsor.

Roll call vote on **SA 1 to SB 48** was taken and revealed:

YES: 21.

SA 1 to SB 48 was declared part of the bill.

SB 48 w/SA 1 was now before the Senate.

Roll call vote on **SB 48 w/SA 1** was taken and revealed:

YES: 21.

SB 48 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 150 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 150 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS.

SA 1 to SB 150 was brought before the Senate for consideration on the motion of Senator DeLuca.

Roll call vote on **SA 1 to SB 150** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

SA 1 to SB 150 was declared part of the bill.

SB 150 w/SA 1 was now before the Senate.

Roll call vote on **SB 150 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

SB 150 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 159 was brought before the Senate for consideration on the motion of Senator Henry.

SB 159 - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD.

Roll call vote on **SB 159** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

SB 159 was declared passed the Senate and sent to the House for Consideration.

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

SB 160 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS.

Senator Sokola commented.

Roll call vote on **SB 160** was taken and revealed:

YES: 19

ABSENT: Senator(s) Marshall, McBride - 2.

SB 160 was declared passed the Senate and sent to the House for Consideration.

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

Henry.

SB 161 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND PENALTIES.

Roll call vote on **SB 161** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

SB 161 was declared passed the Senate and sent to the House for Consideration.

HB 96 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 96 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES.

Majority vote requirement two-thirds vote ruling of the Chair.

Senator McDowell questioned the sponsor.

Senator Henry requested personal privilege of the floor for Mr. Edmanson, representing, Delaware Motor Vehicle.

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

Senator Henry moved to lay **HB 96** on the Table.

HB 144 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 144 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS.

Senator Amick questioned the sponsor.

Senator Henry moved to lay **HB 144** on the Table.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/15/2005**

June 14, 2005

SB 176 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. Sponsor: Sen. DeLuca; Rep. Cathcart, Sen. Adams; Rep. Ewing; **Executive**.

SB 177 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary**.

June 15, 2005

SA 1 to SB 122 - Sponsor: Sen. Bunting; Placed with the Bill

SB 178 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DISABILITY INSURANCE PROGRAM. Sponsor: Sen. Cook; Rep. DiPinto, & Rep. Wagner, Sens. McBride, Henry, Vaughn, Amick, Cloutier, Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance**.

SB 179 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. Sponsor: Sen. Blevins; Sen. Marshall, & Rep. Oberle, & Rep. Maier; **Health & Social Services**.

HB 50 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. Sponsor: Rep. Wagner; Sen. Blevins; **Health & Social Services**.

HB 51 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY. Sponsor: Rep. Wagner; Sen. Blevins; Rep. Williams; **Health & Social Services**.

HS 1 for HB 211 w/HA 1 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS. Sponsor: Rep. Lee; Reps. Outten, Valihura, Ennis; Sens. Cook, Vaughn, Connor; **Judiciary**.

* * *

The following nominations assigned to the **Executive** Committee.

Suzanne C. Moore
1100 Lovering Avenue
Unit 604
Wilmington, DE 19806

to be appointed a member of the Delaware Solid Waste Authority to serve a term to expire 3 years from the date of Senate confirmation.

William W. Dailey, Jr.
44 Springmill Drive
Middletown, DE 19709

to be appointed a member of the Public Integrity Commission to a term to expire July 8, 2005.

Andrew H. Manchester
18 Harlech Drive
Wilmington, DE 19807

to be appointed a member of the Delaware Nutrient Management Commission to serve a term to expire March 15, 2008.

Francis J. O'Neill
2429 Sunnyside Road
Smyrna, DE 19977

to be appointed a member of the Delaware Nutrient Management Commission to serve a term to expire March 15, 2008.

Chelina N. Tirrell
RD 9 Box 279
Millsboro, DE 19966

to be appointed a member of the University of Delaware Board of Trustees to serve a term to expire May 25, 2006.

Christopher H. Schell
4 Ohio Avenue
Lewes, DE 19958

to be appointed a member of the University of Delaware Board of Trustees to serve a term to expire May 25, 2011.

Howard E. Cosgrove
P.O. Box 197
Rockland, DE 19732

to be reappointed a member of the University of Delaware Board of Trustees to serve a term to expire May 25, 2011.

* * *

The Secretary announced the agenda for June 16, 2005.

On motion of Senator McDowell, the Senate recessed at 05:37 PM until 02:30 PM June 16, 2005.

The Senate reconvened at 02:40 PM, on June 16, 2005 with Lt. Governor Carney presiding.

Senator McDowell yields to Senator Sorenson.

Senator Sorenson requested personal privilege of the floor for visiting Eagle Scouts. They were introduced individual and each announced his project. The witnesses were then excused.

SCR 18 was brought before the Senate for consideration on the motion of Senator Sorenson.

SCR 18 – COMMENDING THE CLASS OF 2004-2005 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA. Sponsor: Senator Sorenson & Sen. DeLuca & Sen. Amick, On behalf of all Senators; Rep. Maier & Rep. Thornburg & Rep. Schwartzkopf, On behalf of all Representatives.

Roll call vote on **SCR 18** was taken and revealed:

YES: 16

ABSENT: Copeland, Marshall, Peterson, Sokola, Still – 5

SCR 18 was declared Adopted by the Senate and sent to the House for Consideration.

Senator Sorenson requested personal privilege of the floor for Representative Tina Fallon who had comments addressed to the visiting Eagle Scouts. Representative Fallon was then excused.

Senator Connor commented.

At 02:52 PM, Senator McDowell recessed for party caucus.

At 03:30 PM the Senate reconvened with Senator DeLuca presiding.

The following committee reports were announced.

From Community/County Affairs: **SB 167** – 4 Merits.

From Health & Social Services: **SB 165** – 4 Merits.

From Insurance & Elections: **SB 146** – 5 Merits; **SB 162** – 4 Merits; **SB 173** – 4 Merits.

At 03:30 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 38th Legislative Day.

**38TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 16, 2005**

The Senate convened at 3:30 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Adams followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Conner, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator Bonini moved to introduce a bill from the floor.

Senator DeLuca objected.

Roll call on Senator Bonini's motion.

YES: 4

NO: Adams, Amick, Blevins, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Venables – 15.

NOT-VOTING: Cloutier – 1.

ABSENT: Still – 1.

Motion did not carry.

Senators Connor and Sorenson marked present during above roll call.

Senator Venables requested personal privilege of the floor to introduce Mr. & Mrs. Doug Valentine who were visiting Legislative Hall.

Senator Adams requested personal privilege of the floor for Jack Schreppler. Mr. Schreppler presented a framed ballot to Senator McDowell. After the presentation Mr. Schreppler was excused.

SB 175 was brought before the Senate for consideration on the motion of Senator Adams.

SB 175 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE BASE.

Senator Adams requested personal privilege of the floor for Jack Schreppler and Bill Latham. After addressing the Senate the witnesses were excused.

Roll call vote on **SB 175** was taken and revealed:

YES: 21

SB 175 was declared passed the Senate and sent to the House for Consideration.

Senator Still marked present during the above roll call.

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

SB 123 - AN ACT TO AMEND CHAPTER 1, TITLE 16 AND CHAPTER 68, TITLE 18 OF THE DELAWARE CODE RELATING TO THE CREATION OF A SPECIAL FUND FOR MEDICAL NEGLIGENCE INSURANCE PREMIUM RELIEF.

Senator Blevins requested a letter from Dr. Albert French and Vincent B. Killen be read in its entirety and a copy is in this Legislative Day file.

Senator Blevins requested personal privilege of the floor for Matt Denn, Insurance Commissioner of Delaware.

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

Senator Blevins requested personal privilege of the floor for Bill Kirk, representing Blue Cross Blue Shield of Delaware.

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

Senator Blevins requested personal privilege of the floor for Mark Meister, representing Medical Society of Delaware. After addressing the Senate the witness was excused.

Senator Blevins requested personal privilege of the floor for Estelle H. Whitney, MD, representing herself and the American College of OB/GYN Society of Delaware. After addressing the Senate the witness was excused.

Senator Blevins requested personal privilege of the floor for Richard W. Henderson, MD, representing Medical Society of Delaware and DE Section of ACOG. After addressing the Senate the witness was excused.

Senator Still requested personal privilege of the floor for Carl W. Hill, representing NAIFA-DE. After addressing the Senate the witness was excused.

SA 1 to SB 123 was brought before the Senate for consideration on the motion of Senator Sorenson.

Senators Blevins and Still questioned the sponsor.

Roll call vote on **SA 1 to SB 123** was taken and revealed:

YES: 21.

SA 1 to SB 123 was declared part of the bill.

SB 123 w/SA 1 was now before the Senate.

Senators Bunting and Still questioned the sponsor.

Roll call vote on **SB 123 w/SA 1** was taken and revealed:

YES: 18

NO: Senator(s) Amick, Copeland, Still - 3.

SB 123 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SS 1 for SB 143 was introduced under the suspension of the necessary rules and was brought before the Senate for consideration on the motion of Senator Peterson.

SS 1 for SB 143 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTIONS IN BANKRUPTCY AND IN INSOLVENCY.

SA 1 to SS 1 for SB 143 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 1 to SS 1 for SB 143** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

SA 1 to SS 1 for SB 143 was declared part of the bill.

SS 1 for SB 143 w/SA 1 was now before the Senate.

Roll call vote on **SS 1 for SB 143 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

SS 1 for SB 143 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Bonini requested his name be added as a co-sponsor of **SS1 for SB 143w/SA 1**.

SB 176 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 176 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES.

Senator Bunting questioned the sponsor.

Roll call vote on **SB 176** was taken and revealed:

YES: 19

ABSENT: Senator(s) Sorenson, Still - 2.

SB 176 was declared passed the Senate and sent to the House for Consideration.

SB 111 was brought before the Senate for consideration on the motion of Senator McBride.

SB 111 - AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE COUNCIL OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS.

SA 1 to SB 111 was brought before the Senate for consideration on motion of Senator McBride.

Roll call vote on **SA 1 to SB 111** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

SA 1 to SB 111 was declared part of the bill.

Roll call vote on **SB 111 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

SB 111 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 140 was brought before the Senate for consideration on the motion of Senator McBride.

SB 140 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS.

Senator Simpson questioned the sponsor.

Senator McBride requested the personal privilege of the floor for Jeffrey Clark, Senate Attorney.

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

Senators Amick and Venables questioned the sponsor.

Senator McBride requested personal privilege of the floor for Tim Willard, Senate Attorney. After addressing the Senate the witness was excused.

Senator McBride moved to lay **SB 140** on the Table.

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

HJR 12 - PROCLAIMING THE DELAWARE STATE POLICE TROOP 5 AND PARAMEDIC UNIT NO. 107 FACILITY TO BE NAMED THE ADAMS-EWING PUBLIC SAFETY COMPLEX. Sponsor: Rep. Spence & Sen. DeLuca; On behalf of all Representative.

Senator DeLuca requested the Resolution be read in its entirety.

Senator Simpson requested all Senators be added as co-sponsors.

Roll call vote on **HJR 12** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) Adams - 1.

ABSENT: Senator(s) Cloutier, Still - 2.

HJR 12 was declared passed in the Senate and returned to the House.

Senator Adams commented.

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

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

HCR 30 - COMMEMORATING 350 YEARS OF SERVICE BY DELAWARE'S NATIONAL GUARD TO OUR COUNTRY, STATE AND LOCAL COMMUNITY.

Sponsor: Rep. Smith & Senator Bunting.

HCR 32 - REQUESTING THE OFFICE OF RETAIL GASOLINE SALES TO PROVIDE EDUCATION MATERIALS RELATING TO REFUELING ASSISTANCE REQUIREMENTS AND RELATING TO THE RETAIL STATION ADVISORY COUNCIL. Sponsor: Rep. Hudson & Rep. Viola; Sen. Connor; Reps. Hocker, Lavelle, Valihura, Hall-Long.

A roll call vote was taken on **SENATE CONSENT CALENDAR # 7** and revealed 19 Senators voting YES, (Cloutier, Still) ABSENT; therefore the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/16/2005**

June 15, 2005

SS 1 for SB 53 - Marshall - Adopted in Lieu of the Original.

June 16, 2005

SS 1 for SB 143 - Peterson - Adopted in Lieu of the Original.

SB 180 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC AGENT EXAMINERS. Sponsor: Sen. Sokola; Rep. Wagner; **Judiciary**.

SB 181 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD. Sponsor: Sen. Marshall; Rep. Oberle, Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola; **Judiciary**.

SB 182 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMINAL JUSTICE COUNCIL. Sponsor: Sen. Marshall; Rep. Oberle, Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola; **Health & Social Services**.

6/16/2005

SB 183 - AN ACT TO AMEND CHAPTER 37, TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS. Sponsor: Sen. Blevins; Rep. Ulbrich, Reps. Hall-Long, Maier; **Health & Social Services**.

SCR 19 - FORMALLY RATIFYING THE 17TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR THE POPULAR ELECTION OF SENATORS TO THE UNITED STATES SENATE. Sponsor: Sen. Sokola; Rep. Smith; **Executive**.

* * *

On motion of Senator McDowell, the Senate recessed at 06:29 PM until June 21, 2005 at 02:00 PM.

The Senate reconvened at 02:30 PM, on June 21, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Agriculture: **SB 121** - 5 Merits.

From Veterans Affairs: **SB 95** - 1 Favorable, 3 Merits.

A communication from the Office of the Chief Clerk of the House was read advising the Senate that Representatives Spence, Atkins, Wagner, Buckworth, Thornburg & Ewing signed **SJR 7** as additional sponsors.

A communication from the Office of Senator Catherine L. Cloutier was read requesting her name be added as a co-sponsor of **SB 27**.

At 02:31 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 39th Legislative Day.

**39TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 21, 2005**

The Senate convened at 2:31 PM with Lt Governor Carney presiding.
A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

SR 14 was introduced and brought before the Senate for consideration on the motion of Senator Marshall.

SR 14 - COMMENDING THE MEMBERS OF PAWS FOR PEOPLE, A NEW VOLUNTEER ORGANIZATION DEVOTED TO PROVIDING ELDERLY AND DISABLED DELAWAREANS AND CHILDREN WITH SPECIAL NEEDS WITH THERAPEUTIC VISITS FROM COMPANION PETS. Sponsor: Sen. Marshall

Senator Marshall requested the personal privilege of the floor to introduce members of PAWS for People, Pet Assisted Visitation. Anne Quillen Teipelke and Lynne D. Robinson addressed the Senate and then were excused.

Roll call vote on **SR 14** was taken and revealed:

YES: 18

ABSENT: Senator(s) Blevins, Bonini, Cook - 3.

SR 14 was declared Adopted.

SS 1 for SB 53 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator Marshall.

SS 1 for SB 53 - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT AND THE MERIT SYSTEM.

SA 1 to SS 1 for SB 53 was brought before the Senate for consideration.

Senator Still questioned the sponsor.

Senator Marshall requested personal privilege of the floor for Frank Murphy, Senate Attorney.

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

Senator Still requested personal privilege of the floor for Rich Dillard, Senate Attorney. After addressing the Senate the witness was excused.

Roll call vote on **SA 1 to SS 1 for SB 53** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to SS 1 for SB 53 was declared part of the bill.

Senator Cook marked present during the above roll call.

SA 2 to SS 1 for SB 53 was brought before the Senate for consideration.

Roll call vote on **SA 2 to SS 1 for SB 53** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 2 to SS 1 for SB 53 was declared part of the bill.

SS 1 for SB 53 w/SA 1 & SA 2 was now before the Senate.

Senator Marshall requested personal privilege of the floor for Michael A. Begatto, representing AFSCME.

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

Roll call vote on **SS 1 for SB 53 w/SA 1 & SA 2** was taken and revealed:

YES: 12

NO: Senator(s) Adams, Bonini, Bunting, Copeland, Simpson, Sorenson, Still, Vaughn, Venables - 9.

SS 1 for SB 53 w/SA 1 & SA 2 as amended was declared passed the Senate and sent to the House for Consideration.

Senator Bonini marked present during the above roll call.

Senator Cook requested privilege of the floor for Margaret Gardley, representing Ken-Crest Services. The Reading Clerk read in its entirety a tribute to 'The Ken-Crest Centers' which was celebrating its one hundredth anniversary. A copy of this tribute is in this Legislative Day file. Ms. Gardley addressed the Senate, after which she was excused.

Senator Connor requested personal privilege of the floor for Amber Knight, Miss Delaware, second runner-up. The Reading Clerk read in its entirety a Certificate which was presented to Ms Knight. A copy of the Certificate is in this Legislative Day file. After Ms. Knight addressed the Senate she was excused.

SB 173 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 173 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE.

Senator Simpson questioned the sponsor.

Senator Sokola requested personal privilege of the floor for Matt Denn, State Insurance Commissioner.

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

Senators Peterson and Connor requested to be added as co-sponsors.

Senator Bunting questioned the sponsor.

Senator Bunting requested personal privilege of the floor for Matt Denn, State Insurance Commissioner.

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

Senator Cloutier requested to be added as a co-sponsor.

Roll call vote on SB 173 was taken and revealed:

YES: 21.

SB 173 was declared passed the Senate and sent to the House for Consideration.

SB 165 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 165 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY AND DENTAL HYGIENE.

Senator McDowell questioned the sponsor.

Roll call vote on SB 165 was taken and revealed:

YES: 18

NO: Senator(s) McDowell, Venables - 2.

ABSENT: Senator(s) Peterson - 1.

SB 165 was declared passed the Senate and sent to the House for Consideration.

SB 167 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 167 ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED.

Senator Simpson questioned the sponsor.

Roll call vote on SB 167 was taken and revealed:

YES: 21.

SB 167 was declared passed the Senate and sent to the House for Consideration.

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

SB 129 - AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE NEW CASTLE SENIOR CENTER THE BUILDING AT 4TH AND SOUTH STREETS, NEW CASTLE, DELAWARE.

SA 1 to SB 129 was brought before the Senate for consideration on the motion of Senator Connor.

Roll call vote on SA 1 to SB 129 was taken and revealed:

YES: 21.

SA 1 to SB 129 was declared part of the bill.

SB 129 w/SA 1 was now before the Senate.

Roll call vote on SB 129 w/SA 1 was taken and revealed:

YES: 21.

SB 129 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 142 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 142 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF FORCE IN LAW ENFORCEMENT.

SA 1 to SB 142 was brought before the Senate for consideration on the motion of Senator Vaughn.

Senator Simpson questioned the sponsor.

Senator Vaughn requested personal privilege of the floor for Carl Danberg, representing the Attorney General's Office.

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

Senator DeLuca presiding at 04:09 PM.

Roll call vote on **SA 1 to SB 142** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Blevins - 1.

SA 1 to SB 142 was declared part of the bill.

SB 142 w/SA 1 was now before the Senate.

Senator McDowell questioned the sponsor.

Roll call vote on **SB 142 w/SA 1** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) Henry, McDowell - 2.

ABSENT: Senator(s) Blevins - 1.

SB 142 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 170 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 170 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENT'S ESTATES.

Senator Vaughn requested personal privilege of the floor for Tom Wyent, Registrar of Wills for Kent County.

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

Roll call vote on **SB 170** was taken and revealed:

YES: 21.

SB 170 was declared passed the Senate and sent to the House for Consideration.

SB 133 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 133 - AN ACT TO AMEND CHAPTER 466, VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIC", RELATING TO ANNEXATION.

Several Senators questioned the sponsor.

Roll call vote on **SB 133** was taken and revealed:

YES: 17

NO: Senator(s) McBride, Simpson, Venables - 3.

ABSENT: Senator(s) Peterson - 1.

SB 133 was declared passed the Senate and sent to the House for Consideration.

HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES.

Senator Vaughn requested personal privilege of the floor for Allie Starke, Legislative Council Attorney.

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

Roll call vote on **HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1** was taken and revealed:

YES: 21.

HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1, HA 6 to HA 1 was declared passed the Senate and returned to the House.

SB 166 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 166 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SERVICE OF PROCESS.

SA 1 to SB 166 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to SB 166** was taken and revealed:

YES: 21.

SA 1 to SB 166 was declared part of the bill.

SB 166 w/SA 1 was now before the Senate.

Senator Vaughn requested personal privilege of the floor for Richard Barrors, representing Delaware Trial Lawyers Association. After addressing the Senate the witness was excused.

Roll call vote on **SB 166 w/SA 1** was taken and revealed:

YES: 21.

SB 166 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 122 was brought before the Senate for consideration on the motion of Senator Bunting

SB 122 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED.

SA 1 to SB 122 was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 1 to SB 122** was taken and revealed:

YES: 21.

SA 1 to SB 122 was declared part of the bill.

Roll call vote on **SB 122 w/SA 1** was taken and revealed:

YES: 21.

SB 122 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 149 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 149 - AN ACT TO AMEND TITLES 9, 10, 11, AND 25 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY PROPERTY MAINTENANCE.

Senator McDowell questioned the sponsor.

Senator Sokola moved to lay **SB 149** on the Table.

SB 163 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 163 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR MENTORING.

Roll call vote on **SB 163** was taken and revealed:

YES: 21.

SB 163 was declared passed the Senate and sent to the House for Consideration.

SB 27 was brought before the Senate for consideration on the motion of Senator McBride.

SB 27 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY.

Senator McDowell questioned the sponsor.

Lt. Governor Carney presiding at 05:11 PM.

Senator McBride requested personal privilege of the floor for Jay McManus, Past President of the State Board of Accountancy.

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

Senator Amick questioned the sponsor.

Senator McBride requested personal privilege of the floor for Jay McManus.

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

Roll call vote on **SB 27** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 27 was declared passed the Senate and sent to the House for Consideration.

SB 29 was brought before the Senate for consideration on the motion of Senator McBride.

SB 29 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY.

Roll call vote on **SB 29** was taken and revealed:

ABSENT: Senator(s) Venables - 1.

SB 29 was declared passed the Senate and sent to the House for Consideration.

SB 97 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 97 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

Senator Peterson requested that **SA 1** be stricken.

Senator Amick requested to be added as a co-sponsor of **SB 97**.

Roll call vote on **SB 97** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 97 was declared passed the Senate and sent to the House for Consideration.

HB 237 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 237 - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE.

Several Senators questioned the floor manager.

Senator Sokola moved to lay **HB 237** on the Table.

HJR 4 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HJR 4 - ESTABLISHING A TASK FORCE TO REVIEW THE BEST PRACTICES OF EDUCATIONAL ASSESSMENTS.

Senator Sokola requested that **SA 1** be stricken.

SA 2 to HJR 4 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 2 to HJR 4** was taken and revealed:

YES: 21.

SA 2 to HJR 4 was declared part of the bill.

HJR 4 w/SA 2 was now before the Senate.

Senator Bonini questioned the sponsor.

Roll call vote on **HJR 4 w/SA 2** was taken and revealed:

YES: 21.

HJR 4 w/SA 2 was declared passed the Senate and returned to the House for reconsideration.

SB 101 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 101 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY FACILITY RELOCATIONS THAT ARE NON-REVENUE PRODUCING.

Roll call vote on **SB 101** was taken and revealed:

YES: 21.

SB 101 was declared passed the Senate and sent to the House for Consideration.

SB 152 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 152 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT.

Several Senators commented

Roll call vote on **SB 152** was taken and revealed:

YES: 21.

SB 152 was declared passed the Senate and sent to the House for Consideration.

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

SB 164 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE
RELATING TO NEW CASTLE COUNTY.

Roll call vote on **SB 164** was taken and revealed:

YES: 21.

SB 164 was declared passed the Senate and sent to the House for Consideration.

SB 107 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 107 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE
RELATING TO THE PARTIES CHARGED WITH VIOLATIONS OF THE LIQUOR
CONTROL ACT.

SA 1 to SB 107 was brought before the Senate for consideration on the motion of Senator DeLuca.

Roll call vote on **SA 1 to SB 107** was taken and revealed:

YES: 21.

SA 1 to SB 107 was declared part of the bill.

SB 107 w/SA 1 was now before the Senate.

Senator DeLuca requested personal privilege of the floor for Daniel Kline,
representing Delaware Alcohol & Tobacco Enforcement.

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

Roll call vote on **SB 107 w/SA 1** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Copeland - 2.

ABSENT: Senator(s) McBride - 1.

SB 107 w/SA 1 was declared passed the Senate as amended and sent to the House
for Consideration.

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

SB 121 - AN ACT TO ESTABLISH A FORESTLAND PRESERVATION
PROGRAM.

SA 1 to SB 121 was brought before the Senate for consideration on the motion of Senator Bunting.

Senator Simpson questioned the sponsor.

Roll call vote on **SA 1 to SB 121** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) Amick, Bonini - 2.

ABSENT: Senator(s) Peterson - 1.

SA 1 to SB 121 was declared part of the bill.

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

Senator Still questioned the sponsor.

Senator Bunting requested personal privilege of the floor for Austin Short,
representing Delaware Forest Service.

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

Senator Bonini commented.

Roll call vote on **SB 121 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 121 w/SA 1 was declared passed the Senate as amended and sent to the House
for Consideration.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/21/2005**

June 16, 2005

SA 1 to SB 142 - Sponsor: Sen. Vaughn; Placed with the Bill
SA 1 to SB 162 - Sponsor: Sen. Blevins; Placed with the Bill
SA 1 to SB 166 - Sponsor: Sen. Vaughn; Placed with the Bill
SA 1 to SB 172 - Sponsor: Sen. Henry; Placed with the Bill
SA 1 to SB 174 - Sponsor: Sen. Marshall; Placed with the Bill
SA 1 to SS 1 for SB 53 - Sponsor: Sen. Marshall; Placed with the Bill
SA 2 to HJR 4 - Sponsor: Sen. Sokola; Placed with the Bill

June 21, 2005

HB 78 w/HA 1, HA 3 - AN ACT TO AMEND TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND THE ASSESSMENT PUBLIC UTILITIES AND CABLE TELEVISION SYSTEMS PAY. Sponsor: Rep. Roy; Rep. Smith, & Sen. Vaughn; **Energy and Transit.**

HB 122 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BROKERAGE RELATIONSHIPS AND REAL ESTATE BROKERS, SALESPERSONS, AND APPRAISERS. Sponsor: Rep. Hudson; Rep. Valihura, & Sen. Sokola, Reps. Hocker, Lavelle, Mulrooney, Schwartzkopf, Stone, Thornburg, Viola; Sens. Bonini, Copeland, Peterson; **Judiciary.**

HB 145 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF DEPARTMENT OF EDUCATION EMPLOYEES, PRISON EDUCATION EMPLOYEES, AND ADULT EDUCATION EMPLOYEES. Sponsor: Rep. Wagner; Sen. Sokola, Reps. Buckworth, Ewing; **Education.**

HB 169 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING AND ZONING. Sponsor: Rep. Booth; Sen. Simpson, Reps. Hocker, Schwartzkopf; **Executive.**

HB 182 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsor: Rep. Atkins; Rep. Booth, & Rep. Ewing, & Rep. Hocker, & Rep. Wagner, & Rep. Gilligan, & Rep. Schwartzkopf, & Sen. Adams, & Sen. DeLuca, & Sen. Vaughn, & Sen. Venables, Reps. Spence, Smith, Lee, Buckworth, Cathcart, DiPinto, Hudson, Lavelle, Lofink, Oberle, Outten, Stone, Thornburg, Ulbrich, Van Sant, Ennis, Johnson, Keeley, Williams; **Finance.**

HB 195 w/HA 1 - AN ACT TO AMEND CHAPTER 6, TITLE 13 OF THE DELAWARE CODE, THE UNIFORM INTERSTATE FAMILY SUPPORT ACT. Sponsor: Rep. Buckworth; Sen. Blevins, Reps. Spence, Hudson, Valihura, Wagner, Keeley, Schooley, Sen. Still; **Health & Social Services.**

HB 198 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE LEAVE OF ABSENCE. Sponsor: Rep. Spence; Sen. McBride, Reps. Cathcart, Caulk, Ennis, Ewing, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Oberle, Plant, Schooley, Schwartzkopf, Thornburg, Ulbrich, Van Sant; Sen. Connor; **Labor & Industrial Relations.**

HB 215 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. Sponsor: Rep. Hall-Long; Rep. Maier, Sens. Sorenson, Blevins; **Health & Social Services.**

HB 225 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRADEMARK COUNTERFEITING. Sponsor: Rep. Ewing; Sen. Vaughn, Rep. Buckworth; Sen. Adams; **Judiciary.**

HB 231 - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. Sponsor: Rep. Atkins; Sen. Bunting; **Community/County Affairs.**

HCR 27 - ENCOURAGING ALL STATE AGENCIES TO INCLUDE ANTILITTER INFORMATION IN ALL PUBLIC SERVICE ANNOUNCEMENTS AND PUBLIC NOTICES. Sponsor: Rep. Booth; Reps. Spence, Smith, Buckworth,

Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner, Keeley, Schwartzkopf, Van Sant; Sens. Henry, Sokola; **Highways & Transportation.**
HCR 28 - REQUESTING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION ENACT AN ADMINISTRATIVE REGULATION OR POLICY REGARDING LITTERING. Sponsor: Rep. Booth; Reps. Spence, Buckworth, Carey, Cathcart, Ewing, Hocker, Lavelle, Miro, Outten, Valihura, Wagner, Keeley, Schwartzkopf, Van Sant; Sens. Henry, Sokola; **Highways & Transportation.**
SB 184 - AN ACT TO AMEND CHAPTER 33 OF TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARIANS AND ESTABLISHING VETERINARY TECHNICIANS. Sponsor: Sen. Peterson & Rep. Valihura; **Sunset.**

**DELAWARE STATE SENATE
 PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
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SB 185 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES AND ESTABLISHING A DELAWARE CERTIFIED THOROUGHbred PROGRAM. Sponsor: Sen. Cook; Rep. Thornburg, Sens. Marshall, Vaughn, Blevins, DeLuca, Peterson, Still; Reps. Atkins, Buckworth, Cathcart, Ewing, Hall-Long, Keeley, Lofink, Longhurst, Oberle, Stone, Van Sant, Viola, Wagner; **Finance.**

SB 186 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE GEOSPATIAL DATA COORDINATING COUNCIL. Sponsor: Sen. Cook; Rep. Roy; **Finance.**

SB 187 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC EXAMINERS. Sponsor: Sen. Sokola; Rep. Wagner; **Education.**

HB 33 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACIES. Sponsor: Rep. Miro; Sen. DeLuca; Reps. Spence, Lee, Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Maier, Stone, Wagner, Gilligan, Hall-Long, Plant, Schooley, Schwartzkopf, Williams; **Health & Social Services.**

HB 147 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION AND EVALUATION. Sponsor: Rep. Wagner; Sen. Sokola, Reps. Lee, Buckworth, Carey, Ewing, Maier, Miro; **Education.**

HB 204 - AN ACT TO AMEND TITLE 14 RELATING TO DELAWARE STATE UNIVERSITY. Sponsor: Rep. Wagner; Sen. Still, Rep. Williams, Sen. Henry; **Education.**

HB 209 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. Sponsor: Rep. Ewing; Sen. Cook, Reps. Atkins, Buckworth, Cathcart, George; Sen. Adams; **Finance.**

HB 238 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. Sponsor: Rep. Stone; Sen. DeLuca, Rep. Valihura, George, Sen. Amick; **Banking.**

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On motion of Senator McDowell, the Senate recessed at 06:34 PM until June 22, 2005 at 03:30 PM.

The Senate reconvened at 03:54 PM, on June 22, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Sunset: **SB 32** – 4 Merits; **SB 35** – 4 Merits.

From Education: **HB 145 w/HA 1** – 3 Merits; **HB 147 w/HA 1** – 3 Merits; **HB 204** – 3 Merits; **HB 236 w/HA 1** – 3 Merits.

From Energy & Transit: **SB 127** – 6 Merits; **SB 132** – 6 Merits; **SB 192** – 1 Favorable, 4 Merits; **SB 193** – 1 Favorable, 5 Merits.

From Judiciary: **SB 99** – 4 Merits; **SB 182** – 4 Merits; **SB 188** – 3 Favorable, 1 Merits; **HB 124** – 4 Merits; **HB 125** 4 Merits; **HB 137** – 4 Merits; **HB 148** – 4 Merits; **HB 225** – 4 Favorable; **HS 1 for HB 211 w/HA 1** – 4 Merits.

From Community County Affairs: **HB 231** – 3 Merits; **HB 227** - 3 Merits.

From Labor & Industrial Relations: **HB 180** – 3 Merits.

From Health & Social Services: **HB 215** – 4 Merits.

From Executive: **William Baker** – 4 Merits; **Deborah Corrado**, - 4 Merits; **Howard Cosgrove** – 4 Merits; **William Dailey** – 4 Merits; **Orval L. Foraker** – 4 Merits; **Joe Garcia** – 4 Merits; **Finley B. Jones** – 4 Merits; **Noel H. Kuhrt** – 4 Merits; **Sebastian LaRocca** – 4 Merits; **Suzanne C. Moore** – 3 Favorable, 1 Merits; **Andrew Manchester** – 4 Merits; **Stephen Manista** – 4 Merits; **Francis O'Neill** – 4 Merits; **Paul L. Norton** – 4 Merits; **John E. Oliver** – 4 Merits; **Christopher Schell** – 4 Merits; **Marilynn Parks** – 4 Merits; **R. Dianne Sole** – 4 Merits; **Chelina Tirrell** – 4 Merits; **Michael Washer** – 4 Merits; **Charles Short** – 4 Merits.

A communication from the Office of Senator Peterson was read requesting Senators Amick and Connor, Reps. Spence, Hall-Long and Viola requested to be added as co-sponsors of **SB 184**.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 31; SCR 18; HCR 32; SCR 17; HB 225; HB 231; HB 182; HB 215; HB 195 w/HA 1; HJR 12; HB 122 w/HA 1; HB 78 w/HA 1, HA 3; HB 145; HB 169; SJR 7; HB 198; HB 147 w/HA 1; HB 33 w/HA 1; HB 204; HB 209; HB 238; SB 20 w/SA 1; HB 227; HB 212; HB 217 w/HA 1; HB 218 w/HA 1; HB 236 w/HA 1; HB 121; HB 221 w/HA 1; HB 230; HB 165; HB 199; HB 72 w/HA 1.**

A withdrawn of sponsorship request was read from Representative Thornburg requesting her name be removed from **SB 148**.

LEGISLATIVE ADVISORY #7, dated June 20, 2005, the Governor signed the following legislation on the date indicated:

HB #120 aab HA #1 (6/9/05) - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT AND DUTIES OF THE DELAWARE REVOLUTIONARY WAR MONUMENT COMMISSION. (Sponsors: Rep. Smith & Sen. Cook) (Volume 75, Chapter 41, Laws of Delaware.)

HS #1 for HB #47 aab HA #2 & HA #3 (6/14/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CURRICULUM STANDARDS AND THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION. (Sponsors: Rep. Ulbrich & Sen. Sokola) (Volume 75, Chapter 42, Laws of Delaware.)

HB #69 (6/14/05) - AN ACT TO AMEND TITLE 20 DELAWARE CODE TO CREATE THE SERVICE MEMBERS' LIFE INSURANCE REIMBURSEMENT FUND. (Sponsors: Rep. Schwartzkopf & Rep. Williams & Sen. Adams; Reps. Booth, Buckworth, DiPinto, Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Ulbrich, Van Sant, Viola; Sens. Blevins, Bunting, Connor, Henry, McBride, Still, Vaughn) (Volume 75, Chapter 43, Laws of Delaware.)

HB #71 aab HA #1 (6/14/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE ADVISORY COUNCIL ON CAREER EDUCATION. (Sponsors: Rep. Oberle & Rep. Ulbrich & Sen. McBride; Reps. Hudson, Mulrooney, Valihura, Viola; Sens. Bonini, Copeland, Peterson, Sokola) (Volume 75, Chapter 44, Laws of Delaware.)

HB #88 aab HA #2 & HA #3 (6/14/05) - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE. (Sponsors: Rep. Buckworth & Rep. Wagner & Sen. Vaughn; Rep. Schwartzkopf; Sens. Still, Bonini) (Volume 75, Chapter 45, Laws of Delaware.)

HB #139 (6/14/05) - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO PROVIDE FOR FIXED SALARIES FOR THE MAYOR OF THE TOWN OF LAUREL AND THE MEMBERS OF THE TOWN COUNCIL, RATHER THAN THE PER MEETING STIPEND CURRENTLY PAID. (Sponsors: Rep. Lee & Sen. Venables) (Volume 75, Chapter 46, Laws of Delaware.)

HB #140 (6/14/05) - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE DISCOUNT TO BE AVAILABLE IF REAL ESTATE TAXES ARE PAID ON OR BEFORE SEPTEMBER 30TH OF EACH YEAR, THE PENALTIES THAT BEGIN TO ACCRUE IF REAL ESTATE TAXES ARE NOT PAID BY OCTOBER 31ST, AND THE COLLECTION CHARGES THE TOWN OF LAUREL MAY IMPOSE IN EFFECTING THE RECOVERY OF DELINQUENT

TAXES, AND THE MANNER IN WHICH THE TOWN OF LAUREL MAY MODIFY ITS DISCOUNTS AND PENALTIES FOR FUTURE FISCAL TAX YEARS.

(Sponsors: Rep. Lee & Sen. Venables) (Volume 75, Chapter 47, Laws of Delaware.)

HB #142 (6/14/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. (Sponsors: Rep. Ulbrich & Sen. Sokola) (Volume 75, Chapter 48, Laws of Delaware.)

HB #196 (6/14/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF AUTOMOBILE CLUBS. (Sponsors: Rep. Stone & Rep. Keeley & Sen. Blevins; Reps. Smith, Carey, DiPinto, Hudson, Lavelle, Maier, Oberle, Roy, Spence, Gilligan, Hall-Long; Sens. Sokola, Venables, Sorenson, Cloutier, Connor, Simpson) (Volume 75, Chapter 49, Laws of Delaware.)

SB #85 aab SA #1 (6/14/05) - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (Sponsors: Sen. Vaughn & Rep. Valihura & Rep. Wagner; Reps. George & Johnson) (Volume 75, Chapter 50, Laws of Delaware.)

SB #86 (6/14/05) - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Sponsors: Sen. Vaughn & Reps. Valihura & Wagner; Reps. George & Johnson) (Volume 75, Chapter 51, Laws of Delaware.)

SS #1 for SB #110 aab SA #1 (6/14/05) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Sponsors: Sen. DeLuca & Rep. Schwartzkopf) (Volume 75, Chapter 52, Laws of Delaware.)

The following is a constitutional amendment and does not require the Governors signature:

SB #61 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897 TO INCLUDE THE FAMILY COURT AND COURT OF COMMON PLEAS AS COURTS ESTABLISHED BY THE CONSTITUTION OF THE STATE OF DELAWARE AND ARTICLES III AND IV OF THE DELAWARE CONSTITUTION OF THE STATE OF DELAWARE TO DELETE REFERENCES TO THE ORPHAN'S COURT. (Sponsors: Sen. Vaughn & Rep. Valihura; Reps. Wagner, Lavelle, Stone, George, Keeley, Hudson; Sens. McDowell, DeLuca, Adams, Simpson) (Volume 75, Chapter 53, Laws of Delaware)

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At 04:07 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 40th Legislative Day.

**40TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 22, 2005**

The Senate convened at 4:07 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senators Henry and Cloutier marked present.

Lt. Governor introduced Girl State's Lt. Governor, Christine Ryan.

Senator McDowell moved to recess for Party Caucus at 04:12 PM.

The Senate reconvened at 05:21 PM with Lt. Governor Carney presiding.
On motion of Senator Adams, the following nomination by the Governor was considered.

Suzanne C. Moore: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senators Amick, Blevins, Cook, McBride marked present during the above roll call.

Senator Vaughn moved **SB 168** be returned to the Judiciary Committee.

SB 169 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 169 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS.

SA 1 to SB 169 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to SB 169** was taken and revealed:

YES: 21.

SA 1 to SB 169 was declared part of the bill.

SB 169 w/SA 1 was now before the Senate.

Roll call vote on **SB 169 w/SA 1** was taken and revealed:

YES: 21.

SB 169 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 177 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 177 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE.

Roll call vote on **SB 177** was taken and revealed:

YES: 21.

SB 177 was declared passed the Senate and sent to the House for Consideration.

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

SB 130 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Still commented.

Roll call vote on **SB 130** was taken and revealed:

YES: 21.

SB 130 was declared passed the Senate and sent to the House for Consideration.

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

SB 162 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

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

Roll call vote on **SA 1 to SB 162** was taken and revealed:

YES: 21.

SA 1 to SB 162 was declared part of the bill.

SA 2 to SB 162 was brought before the Senate for consideration on the motion of Senator Blevins.

Senator Simpson questioned the sponsor.

Senator Blevins requested personal privilege of the floor for Howard Sholl, Jr., representing the Department of Elections for New Castle County.

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

Roll call vote on **SA 2 to SB 162** was taken and revealed:

YES: 13

NO: Senator(s) Bonini, Copeland, Simpson, Still - 4.

NOT VOTING: Senator(s) Amick, Cloutier, Connor - 3.

ABSENT: Senator(s) Venables - 1.

SA 2 to SB 162 was declared part of the bill.

SB 162 w/SA 1 & SA 2 was now before the Senate.

Senator Copeland questioned the sponsor.

Senator Blevins requested personal privilege of the floor for Howard Sholl, Jr., representing the Department of Elections for New Castle County.

Senators Copeland and Amick questioned the witness, after which the witness was excused.

Roll call vote on **SB 162 w/SA 1 & SA 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SB 162 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 115 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 115 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO STATE TAXES ON NONRESIDENTS.

Senator DeLuca commented.

Senators Amick and McBride commented.

Senator DeLuca moved to lay **SB 115** on the Table.

SB 197 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator Sokola.

SB 197 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH AND WELFARE AND PROPERTY MAINTENANCE, TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE, AND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF THE STATE AND/OR ITS POLITICAL SUBDIVISIONS. Sponsors: Sen. Sokola & Rep. Oberle; Sens: Blevins, Peterson & Simpson.

Senator Sokola requested personal privilege of the floor for Nicole Majeskii, representing New Castle County.

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

Roll call vote on **SB 197** was taken and revealed:

YES: 21.

SB 197 was declared passed the Senate and sent to the House for Consideration.

Senator Still requested to be added as a co-sponsor of **SB 95**.

SB 96 was brought before the Senate for consideration on the motion of Senator Henry.

SB 96 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES.

SA 1 to SB 96 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to SB 96** was taken and revealed:

YES: 20

NO: Senator(s) Bonini- 1.

SA 1 to SB 96 was declared part of the bill.

SB 96 w/SA 1 was now before the Senate.

Senator Marshall requested to be added as a co-sponsor.

Senator Simpson questioned the sponsor.

Roll call vote on **SB 96 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 96 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

Senator Blevins moved that **SB 148** be stricken.

Senator Sokola moved that **SB 149** be stricken.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed

Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
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6/22/2005**

June 21, 2005

SB 188 - AN ACT TO AUTHORIZE AND APPROVE A TRANSFER OF CERTAIN REAL PROPERTY IN BLACKBIRD HUNDRED TO THE TOWNSEND FIRE COMPANY. Sponsor: Sen. Vaughn; Rep. Hall-Long, Ennis, Spence, Oberle, Cathcart; **Judiciary.**

HB 121 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE TERM OF OFFICE OF THE COUNTY EXECUTIVE. Sponsor: Rep. Lavelle; Rep. Hudson, Cathcart; Sens. Copeland, Sokola, Sorenson; **Judiciary.**

HB 212 - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD. Sponsor: Rep. Booth; Rep. Schwartzkopf, Reps. Spence, Smith, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner, Keeley; Sens. Henry, Sokola; **Highways & Transportation.**

HB 217 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION ACT. Sponsor: Rep. Stone; Sen. Blevins; **Insurance & Elections.**

HB 218 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES. Sponsor: Rep. Stone; Sen. Blevins; **Insurance & Elections.**

HB 227 - AN ACT TO AMEND TITLE 16 AND TITLE 9 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY. Sponsor: Rep. Oberle; Sen. Sokola, Reps. Hudson, Ennis, Keeley, Lofink; **Community/County Affairs.**

HB 236 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICALLY IMPAIRED AND TRAUMATIC BRAIN INJURED STUDENTS. Sponsor: Rep. Wagner; Sen. Sokola; **Education.**

SA 1 to SB 182 - Sponsor: Sen. Marshall; Placed with the Bill

June 22, 2005

SB 189 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL GENERAL EMPLOYEES' PENSION PLAN. Sponsor: Sen. Cook; Rep. DiPinto, & Rep. Oberle, & Rep. Gilligan; Sens. McBride, Henry, Vaughn, Amick, Cloutier; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance.**

SB 191 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' PENSION PLAN. Sponsor: Sen. Cook; Rep. DiPinto, & Rep. Oberle, & Rep. Gilligan; Sens. McBride, Henry, Vaughn, Amick, Cloutier; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance.**

SB 192 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. Sponsor: Sen. McDowell; Sen. Sokola; Reps. Keeley, McWilliams; **Energy & Transit.**

SB 193 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THE ABILITY TO WALK. Sponsor: Sen. McDowell; Sens. Blevins, Henry, Marshall, Cloutier, Connor, Copeland, Still, Reps. George, McWilliams; **Energy & Transit.**

SB 194 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS WITHIN SCHOOL BUILDINGS. Sponsor: Sen. Blevins; Rep. Atkins; **Judiciary.**

SB 195 - AN ACT TO AMEND TITLE 16 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PRE-HOSPITAL ADVANCED CARE DIRECTIVES. Sponsor: Sen. Cloutier; Rep. Smith; Sens. Adams, Amick, Bonini,

Connor, Henry, Simpson, Sorenson, Venables; Reps. Ewing, Maier, Valihura, Van Sant;

Executive.

SB 196 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING EXAMINERS AND BASIC PLUMBING PRINCIPLES. Sponsor: Sen. Peterson & Rep. Valihura; **Sunset.**

SB 197 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH AND WELFARE AND PROPERTY MAINTENANCE, TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE, AND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF THE STATE AND/OR ITS POLITICAL SUBDIVISIONS. Sponsor: Sen. Sokola; Rep. Oberle, Sens. Blevins, Peterson, & Simpson; **Judiciary.**

SB 198 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RADON. Sponsor: Sen. Sorenson; Rep. Ulbrich, Sen. Blevins; Rep. Hall-Long; **Community/County Affairs.**

SB 199 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Sen. Marshall; Rep. Keeley; **Revenue & Taxation.**

HB 72 w/HA 1 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOMES AND NURSING HOME ADMINISTRATORS. Sponsor: Rep. Oberle; Rep. Ulbrich, & Sen. McBride, Reps. Hudson, Mulrooney, Valihura, Viola; Sens. Bonini, Copeland, Peterson, Sokola; **Sunset.**

HB 165 - AN ACT TO AMEND TITLE 13, CHAPTER 1 RELATING TO MARRIAGE. Sponsor: Rep. Johnson; Rep. Keeley; **Judiciary.**

HB 199 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. Sponsor: Rep. Oberle; Rep. Roy, & Rep. Valihura, & Sen. DeLuca, Reps. Spence, Smith, Lee, Buckworth, DiPinto, Ewing, Hudson, Lavelle, Maier, Miro, Outten, Stone, Ulbrich, Wagner, Ennis, Keeley, Longhurst, Plant; **Highways & Transportation.**

HB 221 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. Sponsor: Rep. Carey; Sen. Adams, & Rep. Ewing, Reps. Spence, Smith, Lee, Atkins, Buckworth, Gilligan, Outten, Thornburg, Valihura; Sens. Bunting, Venables, Still, Amick, Simpson; **Small Business.**

HB 230 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT. Sponsor: Rep. Keeley; Reps. Buckworth, Caulk, Ennis, Ewing, Hall-Long, Hocker, Hudson, Johnson, Longhurst, Maier, McWilliams, Miro, Plant, Schooley, Schwartzkopf, Smith, Stone; Sens. Blevins, Bunting, DeLuca, Henry, Sokola; **Judiciary.**

* * *

The following nominations assigned to the **Executive** Committee.

William A. Baker
2013 Walmsley Drive
Wilmington, DE 19808

to be reappointed a member of
the New Castle County Board
of Elections to serve a term to expire
4 years from the date of Senate
confirmation.

Orval L. Foraker, Jr.
12 Daylilly Court
Wilmington, DE 19808

to be reappointed a member of
the New Castle County Board
of Elections to serve a term to
expire 4 years from the date of
Senate confirmation.

Noel H. Kuhrt, Jr.
120 School Road
Wilmington, DE 19803-4523

to be reappointed a member of
the New Castle County Board of
Elections to serve a term to expire
4 years from the date of Senate
confirmation.

Marilynn A. Parks
2203 Lamotte Street
Wilmington, DE 19802

to be reappointed a member of
the New Castle County Board
of Elections to serve a term to expire
4 years from the date of Senate
confirmation.

Paul L. Norton
205 Ocean View Boulevard
Lewes, DE 19958

to be reappointed a member of
the Sussex County Board of
Elections to serve a term to expire 4
years from the date of Senate
confirmation.

Charles E. Short
12 Marathon Drive
Seaford, DE 19973-9357

to be reappointed a member of
the Sussex County Board of
Elections to serve a term to expire 4
years from the date of Senate
confirmation.

* * *

Senator McDowell announced Senator Henry's birthday.

On motion of Senator McDowell the Senate recessed at 06:36 PM until June 23,
2005 at 02:00 PM.

The Senate reconvened at 02:46 PM, on June 23, 2005 with Lt. Governor Carney
presiding.

The following committee reports were announced:

From Community/County Affairs: **SB 126** – 3 Merits; **SB 205** – 3 Merits.

From Education: **SB 187** – 3 Merits.

From Banking: **HB 238** – 4 Merits.

From Agriculture: **SB 203** – 1 Favorable, 3 Merits.

From Health & Social Services: **SB 179** – 4 Merits; **HB 67** – 4 Merits; **HB 194** –
4 Merits; **HB 195 w/HA 1** – 4 Merits.

From Executive: **SB 195** – 1 Favorable, 4 Merits.

From Finance: **SB 189** – 6 Merits; **SB 191** – 6 Merits; **SS 1 for SB 178** – 5
Merits.

From Judiciary: **SB 204** – 1 Favorable, 3 Merits.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/23/2005**

June 22, 2005

SA 1 to HB 215 - Sponsor: Sen. Sorenson; Placed with the Bill

SA 1 to SB 95 - Sponsor: Sen. Bunting; Placed with the Bill

SB 200 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE
RELATING TO THE CRIME OF ROBBERY. Sponsor: Sen. Vaughn; Rep. Valihura;
Judiciary.

SB 201 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE
RELATING TO JUDICIAL AND STATE PENSIONS. Sponsor: Sen. McBride;
Finance.

SB 202 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE
RELATING TO STATE PROCUREMENT AND PREVAILING WAGE
REQUIREMENTS. Sponsor: Sen. Marshall; Sens. DeLuca, McDowell, Reps. Oberle,
Lofink, Mulrooney, Johnson, Viola; **Labor & Industrial Relations.**

SB 203 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE
RELATING TO MANUFACTURED HOME INSTALLATION. Sponsor: Sen. Bunting;

Sen. Sokola, & Rep. Valihura, Sens. Connor, Copeland; Reps. Atkins, Ennis, Hocker, Hudson, Lavelle, Schwartzkopf, Stone; Agriculture.

SB 204 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE SUPERIOR COURT. Sponsor: Sen. DeLuca; Rep. Valihura; Judiciary.

SB 205 - AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON Sponsor: Sen. Henry & Rep. Keeley; Community/County Affairs.

SB 206 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVISION OF PROFESSIONAL REGULATION. Sponsor: Sen. Bunting; Rep. Cathcart; Veterans Affairs.

SS 1 for SB 178 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DISABILITY INSURANCE PROGRAM. Sponsor: Sen. Cook; Rep. DiPinto, & Rep. Wagner, Sens. McBride, Henry, Vaughn, Amick, Cloutier, Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; Finance.

At 02:49 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 41st Legislative Day.

**41ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 23, 2005**

The Senate convened at 02:49 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Adams followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator Simpson requested personal privilege of the floor for Caroline Ryan, Lt. Governor for Girls State. After Ms. Ryan addressed the Senate, she was excused.

SCR 20 was introduced and brought before the Senate for consideration on the motion of Senator Simpson.

SCR 20 - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2005 SESSION OF DELAWARE'S GIRLS' STATE. Sponsor: Senator Simpson, on behalf of all Senators, Representative Thornburg, on behalf of all Representatives.

Roll call vote on **SCR 20** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bonini, Cloutier, Copeland - 3.

Sensors Marshall and McBride marked present during the above roll call.

Senator DeLuca requested personal privilege of the floor for Cathy Kanefsky and her sons. Ms. Kanefsky represents the March of Dimes. After addressing the Senate, Ms. Kanefsky presented Lt. Governor Carney with a T-Shirt then she was excused.

SB 45 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 45 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT PHYSICAL ACTIVITY REQUIREMENTS.

Senator Bunting requested personal privilege of the floor for Jaynine Warner, representing Parents of Children in School. Ms. Warner addressed the Senate, after which she was excused.

Senator Bunting requested personal privilege of the floor Dr. Julia Pillsbury, representing American Academy of Pediatrics. Dr. Pillsbury addressed the Senate after which she was excused.

Senator Bunting requested personal privilege of the floor for Christine T. Miller, representing PE in School. Ms. Miller addressed the Senate, after which she was excused.

Senator Bunting requested personal privilege of the floor for Julie Boyle, representing Bayhealth, Association of Diabetes Educators. Ms. Boyle addressed the Senate, after which she was excused.

Senator Simpson commented.

SA 1 to SB 45 was brought before the Senate for consideration on the motion of Senator Simpson.

Senator Bonini questioned the sponsor.

Senator Bunting commented.

Senators Bonini and Venables commented.

Roll call vote on **SA 1 to SB 45** was taken and revealed:

YES: 14

NO: Senator(s) Bonini, Marshall, McBride, McDowell, Peterson - 5.

ABSENT: Senator(s) Cook, Copeland - 2.

SA 1 to SB 45 was declared part of the bill.

Senator Bonini marked present during the above roll call.

SA 2 to SB 45 was brought before the Senate for consideration on the motion of Senator Simpson.

Senators Blevins and Marshall questioned the sponsor.

Senators Simpson and Bunting commented.

Senator Bunting moved to lay **SB 45 w/SA 1** on the Table.

HB 215 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 215 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

SA 1 to HB 215 was brought before the Senate for consideration on the motion of Senator Sorenson.

Senator Blevins questioned the sponsor.

Roll call vote on **SA 1 to HB 215** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting - 1.

SA 1 to HB 215 was declared part of the bill.

HB 215 w/SA 1 was now before the Senate.

Senator Venables questioned the floor manager.

Senator Blevins moved to lay **HB 215 w/HA 1 & SA 1** on the Table.

HB 161 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 161 - AN ACT TO AMEND CHAPTER 276 OF VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO INCREASE THE AMOUNT THE TOWN COUNCIL MAY BORROW, TO ALTER THE INDEBTEDNESS LIMITATION AND TO SPECIFY THE ORGANIZATION AND POWERS OF THE POLICE FORCE.

Senator Bonini questioned the floor manager.

Senator Sokola requested personal privilege of the floor regarding Tim Willard, Senate Attorney.

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

Roll call vote on **HB 161** was taken and revealed:

YES: 18

NO: Senator(s) Blevins, Bonini, Sokola - 3.

HB 161 was declared passed the Senate and returned to the House.

HJR 14 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HJR 14 - CONGRATULATING THE DELAWARE FOUNDATION REACHING CITIZENS WITH COGNITIVE DISABILITIES ON THE 50TH ANNIVERSARY OF DELAWARE'S ANNUAL BLUE-GOLD ALL-STAR FOOTBALL GAME. Sponsor: Rep. Spence & Rep. Smith & Rep. Lee; On behalf of all Representatives; Sen. Adams & Sen. McDowell & Sen. DeLuca; On behalf of all Senators.

Roll call vote on **HJR 14** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

HJR 14 was declared passed the Senate and returned to the House.

HB 215 w/HA 1 & SA 1 was Lifted from Table and brought before the Senate for Consideration on motion of the floor manager, Senator Blevins.

Senator Blevins requested personal privilege of the floor regarding Battle Robinson, House Attorney.

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

Roll call vote on **HB 215 w/HA 1 & SA 1** was taken and revealed:

YES: 21.

HB 215 w/HA 1 & SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 175 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 175 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A P-20 COUNCIL.

Senator Sokola requested personal privilege of the floor for Ann Case, State Board of Education.

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

Roll call vote on **HB 175** was taken and revealed:

YES: 20

ABSENT: Senator(s) McDowell - 1.

HB 175 was declared passed the Senate and returned to the House.

HB 237 was Lifted from Table and brought before the Senate for Consideration on motion of the floor manager, Senator Sokola.

HB 237 - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE.

Senator Sokola requested personal privilege of the floor for Tim Willard, Senate Attorney.

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

Senator Sokola commented.

Roll call vote on **HB 237** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Peterson, Sokola - 3.

ABSENT: Senator(s) Venables - 1.

HB 237 was declared passed the Senate and returned to the House.

SB 70 was Lifted from the Table and brought before the Senate for Consideration on motion of Senator Henry.

SB 70 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC SIGNS, SIGNALS, AND MARKINGS.

SA 1 to SB 70 was brought before the Senate for consideration on the motion of Senator Henry

Roll call vote on **SA 1 to SB 70** was taken and revealed:

YES: 19

ABSENT: Senator(s) Marshall, Venables - 2.

SA 1 to SB 70 was declared part of the bill.

SA 2 to SB 70 was brought before the Senate for consideration on the motion of Senator Henry.

Senator Sokola questioned the sponsor.

Senator Henry requested personal privilege of the floor for Stephen Trent, representing the State Department of Transportation.

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

Roll call vote on **SA 2 to SB 70** was taken and revealed:

YES: 21.

SA 2 to SB 70 was declared part of the bill.

SB 70 w/SA 1 & SA 2 was now before the Senate.

Senators McBride and McDowell commented.

Roll call vote on **SB 70 w/SA 1, SA 2** was taken and revealed:

YES: 14

NO: Senator(s) Adams, Cook, DeLuca, McDowell, Simpson, Vaughn, Venables -

7. **SB 70 w/SA 1 & SA 2** was declared passed the Senate as amended and sent to the House for Consideration.

SB 179 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 179 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY.

Roll call vote on **SB 179** was taken and revealed:

YES: 21.

SB 179 was declared passed the Senate and sent to the House for Consideration.

HB 67 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 67 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS.

SA 1 to HB 67 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 67** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook - 1.

SA 1 to HB 67 was declared part of the bill.

HB 67 w/SA 1 was now before the Senate.

Several Senators questioned the sponsor.

Roll call vote on **HB 67 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 67 w/SA 1 was declared passed the Senate and was returned to the House for Reconsideration.

HB 194 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 194 - AN ACT TO AMEND CHAPTER 334 OF VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT", AND CHAPTER 19A OF TITLE 24 OF THE DELAWARE CODE TO EXTEND THE STATE'S PARTICIPATION IN THE INTERSTATE COMPACT.

At 5:07 PM, Senator DeLuca presiding.

Roll call vote on **HB 194** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 194 was declared passed the Senate and returned to the House.

HB 195 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 195 - AN ACT TO AMEND CHAPTER 6, TITLE 13 OF THE DELAWARE CODE, THE UNIFORM INTERSTATE FAMILY SUPPORT ACT.

Roll call vote on **HB 195 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 195 w/HA 1 was declared passed the Senate and returned to the House.

At 05:11 PM, Senator McDowell presiding.

HB 238 was brought before the Senate for consideration on the motion of the floor manager, Senator DeLuca.

HB 238 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.

Roll call vote on **HB 238** was taken and revealed:

YES: 21.

HB 238 was declared passed the Senate and returned to the House.

At 05:13 PM, Senator DeLuca presiding.

SS 1 for SB 178 was brought before the Senate for consideration on the motion of Senator Cook.

SS 1 for SB 178 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DISABILITY INSURANCE PROGRAM.

Senator Cook requested personal privilege of the floor for David Craik, representing the State Pension Office.

Senator Still questioned the witness.

Senator Still requested to be added as a co-sponsor.

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

SA 1 to SS 1 for SB 178 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on SA 1 to SS 1 for SB 178 was taken and revealed:

YES: 21.

SA 1 to SS 1 for SB 178 was declared part of the bill.

SS 1 for SB 178 w/SA 1 was now before the Senate.

Roll call vote on SS 1 for SB 178 w/SA 1 was taken and revealed:

YES: 21.

SS 1 for SB 178 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

SB 189 was brought before the Senate for consideration on the motion of Senator Cook.

SB 189 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL GENERAL EMPLOYEES' PENSION PLAN.

SA 1 to SB 189 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on SA 1 to SB 189 was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1.

SA 1 to SB 189 was declared part of the bill.

SB 189 w/SA 1 was now before the Senate.

At 05:36 PM, Lt. Governor Carney presiding.

Senator McDowell questioned the sponsor.

Senator Cook requested personal privilege of the floor for Dave Craik, representing the Pension Office.

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

Roll call vote on SB 189 w/SA 1 was taken and revealed:

YES: 21.

SB 189 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Bonini requested personal privilege of the floor to introduce his wife, Melissa Harrington.

SB 191 was brought before the Senate for consideration on the motion of Senator Cook.

SB 191 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' PENSION PLAN.

SA 1 to SB 191 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on SA 1 to SB 191 was taken and revealed:

YES: 21.

SA 1 to SB 191 was declared part of the bill.

SB 191 w/SA 1 was now before the Senate.

Senator Cook requested personal privilege of the floor for Dave Craik, representing Pensions Office.

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

Roll call vote on SB 191 w/SA 1 was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 191 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 126 was brought before the Senate for consideration on the motion of Senator Still.

SB 126 - AN ACT TO REINCORPORATE THE CITY OF DOVER.

SA 1 to SB 126 was brought before the Senate for consideration on the motion of Senator Still.

Senator Bonini questioned the sponsor.

Senator Still requested personal privilege of the floor for Rich Dillard, Senate

Attorney.

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

Roll call vote on **SA 1 to SB 126** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SA 1 to SB 126 was declared part of the bill.

SB 126 w/SA 1 was now before the Senate.

Senator Sokola questioned the sponsor.

Senator Cook requested to be added as a co-sponsor.

Roll call vote on **SB 126 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 126 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/23/2005**

SB 207 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO NOTIFICATIONS FROM CONSUMER CREDIT REPORTING AGENCIES. Sponsor: Sen. Copeland; Sen. Connor, & Rep. Hocker, Sens. Amick, Bonini, Cloutier, Henry, McBride, Simpson, Sokola, Sorenson, Still, Venables; Reps. Booth, Carey, Cathcart, Ewing, Keeley, McWilliams, Miro, Valihura, Wagner; **Banking**.

SB 208 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 209 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 210 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING RENTS AND FEES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 211 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE SALE OR RENT OF MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 212 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 213 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. Sponsor: Sen. Blevins; Rep. Maier; **Health & Social Services**.

The following nomination assigned to **Executive** committee.

Kathleen H. Wilbur
11 Garden Lane
New Castle, DE 19720

to be appointed a member
of the Delaware
Interscholastic Athletic
Association to serve a term to

* * *

On motion of Senator McDowell, the Senate recessed at 06:14 PM until June 28, 2005 at 02:00 PM.

The Senate reconvened at 03:10 PM, on June 28, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Kathleen H. Wilbur** – 4 Merits; **Sidney J. Clark** – 4 Merits; **Terrance L. Higgins** – 4 Merits; **Jean W. Allen** – 4 Merits.

From Veterans Affairs: **SB 206** – 4 Merits.

From Labor & Industrial Relations: **HB 198** – 1 Favorable, 2 Merits.

From Health & Social Services: **SB 183** – 4 Merits; **SB 181** – 4 Merits.

At 03:13PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 42nd Legislative Day.

**42ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 28, 2005**

The Senate convened at 03:13 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator Bunting requested personal privilege of the floor to introduce Bill Gray an intern from Penn State University, who was visiting.

SB 188 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 188 - AN ACT TO AUTHORIZE AND APPROVE A TRANSFER OF CERTAIN REAL PROPERTY IN BLACKBIRD HUNDRED TO THE TOWNSEND FIRE COMPANY.

SA 1 to SB 188 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to SB 188** was taken and revealed:

YES: 21

SA 1 to SB 188 was declared part of the bill.

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

Roll call vote on **SB 188 w/SA 1** was taken and revealed:

YES: 21.

SB 188 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 225 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 225 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRADEMARK COUNTERFEITING.

Senator Vaughn requested personal privilege of the floor for Detective Michael Eller, representing the Delaware State Police. After addressing the Senate the witness was excused.

SA 1 to HB 225 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to HB 225** was taken and revealed:

YES: 19

ABSENT: Senator(s) Blevins, DeLuca - 2.

SA 1 to HB 225 was declared part of the bill.

HB 225 w/SA 1 was now before the Senate.

Roll call vote on **HB 225 w/SA 1** was taken and revealed:

YES: 21.

HB 225 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HS 1 for HB 211 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HS 1 for HB 211 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS.

Senators Bonini and Simpson questioned the floor manager.

Senator Vaughn requested personal privilege of the floor regarding Mr. Jim Cubbage, Executive Secretary Delaware Fire Company.

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

Several Senators commented.

Roll call vote on **HS 1 for HB 211 w/HA 1** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, McDowell, Simpson - 3.

ABSENT: Senator(s) Henry - 1.

HS 1 for HB 211 w/HA 1 was declared passed the Senate and returned to the House.

HB 125 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 125 - AN ACT TO PROPOSE AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897 TO DELETE REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT.

SA 1 to HB 125 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to HB 125** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SA 1 to HB 125 was declared part of the bill.

HB 125 w/SA 1 was now before the Senate.

Roll call vote on **HB 125 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

HB 125 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HB 227 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 227 - AN ACT TO AMEND TITLE 16 AND TITLE 9 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY.

Senator Venables questioned the floor manager.

Roll call vote on **HB 227** was taken and revealed:

YES: 20

NO: Senator(s) Venables - 1.

HB 227 was declared passed the Senate and returned to the House.

HB 231 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 231 - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS.

Roll call vote on **HB 231** was taken and revealed:

YES: 15

NO: Senator(s) Bonini, Copeland, DeLuca, McBride, McDowell, Simpson - 6.

HB 231 was declared passed the Senate and returned to the House.

SB 127 was brought before the Senate for consideration on the motion of Senator Copeland.

SB 127 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING.

SA 1 to SB 127 was brought before the Senate for consideration on the motion of Senator Copeland.

Roll call vote on **SA 1 to SB 127** was taken and revealed:

YES: 21.

SA 1 to SB 127 was declared part of the bill.

SB 127 w/SA 1 was now before the Senate.

Several Senators questioned the sponsor.

Roll call vote on **SB 127 w/SA 1** was taken and revealed:

YES: 21.

SB 127 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 132 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 132 - AN ACT TO AMEND TITLES 6, 7, 16, 29, AND 30 OF THE DELAWARE CODE RELATING TO DIESEL AND BIODIESEL FUEL.

SA 2 to SB 132 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Adams questioned the sponsor.

Roll call vote on **SA 2 to SB 132** was taken and revealed:

YES: 20

ABSENT: Senator(s) Sorenson - 1.

SA 2 to SB 132 was declared part of the bill.

Senator McDowell requested that **SA 3 to SB 132** be stricken.

Senator McDowell requested that **SA 1 to SB 132** be stricken.

SB 132 w/SA 2 was now before the Senate.

Senators Venables questioned the sponsor.

Roll call vote on **SB 132 w/SA 2** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 132 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 193 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 193 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THE ABILITY TO WALK.

Roll call vote on **SB 193** was taken and revealed:

YES: 21.

SB 193 was declared passed the Senate and sent to the House for Consideration.

SB 203 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 203 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION.

Roll call vote on **SB 203** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SB 203 was declared passed the Senate and sent to the House for Consideration.

SB 195 was brought before the Senate for consideration on the motion of Senator Cloutier.

SB 195 - AN ACT TO AMEND TITLE 16 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PRE-HOSPITAL ADVANCED CARE DIRECTIVES.

Roll call vote on **SB 195** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SB 195 was declared passed the Senate and sent to the House for Consideration.

On motion of Senator Adams, the following nomination by the Governor was considered.

Finley Jones: 20 Senator(s) voting YES, 1 (DeLuca) Absent. Appointment was declared CONFIRMED.

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

Barry Hickman, Marvin Guberman, Robert Dolan, Sally Byrne, Richard Contee, Michael DeFiore, Timothy Kucharski, Joe Yeager, Paul Sheridan: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Senator Cook requested personal privilege of the floor to introduce Robert Walton, retiring as a Capitol Police Security. A tribute was read in and a copy is in this Legislative Day file.

Senator McDowell moved to recess for Party Caucus at 05:01 PM.

The Senate reconvened at 06:23 PM with Lt. Governor Carney presiding.

HB 204 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 204 - AN ACT TO AMEND TITLE 14 RELATING TO DELAWARE STATE UNIVERSITY.

Roll call vote on **HB 204** was taken and revealed:

YES: 21.

HB 204 was declared passed the Senate and returned to the House.

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

HB 145 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF DEPARTMENT OF EDUCATION EMPLOYEES, PRISON EDUCATION EMPLOYEES, AND ADULT EDUCATION EMPLOYEES.

Roll call vote on **HB 145 w/HA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 145 w/HA 1 was declared passed the Senate and returned to the House.

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

HB 147 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION AND EVALUATION.

Roll call vote on **HB 147 w/HA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 147 w/HA 1 was declared passed the Senate and returned to the House.

HB 180 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 180 - AN ACT TO AMEND CHAPTER 34, TITLE 19 OF THE DELAWARE CODE RELATING TO COUNSELING, TRAINING AND PLACEMENT ACTIVITIES.

Senators Bonini and Copeland questioned the floor manager.

Senator Marshall moved to lay **HB 180** on the Table.

SB 181 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 181 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD.

Roll call vote on **SB 181** was taken and revealed:

YES: 21.

SB 181 was declared passed the Senate and sent to the House for Consideration.

SB 182 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 182 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMINAL JUSTICE COUNCIL.

SA 1 to SB 182 was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 1 to SB 182** was taken and revealed:

YES: 21.

SA 1 to SB 182 was declared part of the bill.

SB 182 w/SA 1 was now before the Senate.

Roll call vote on **SB 182 w/SA 1** was taken and revealed:

YES: 21.

SB 182 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 209 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 209 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE
RELATING TO STATE POLICE.

Roll call vote on **HB 209** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 209 was declared passed the Senate and returned to the House.

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

David Athey: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

William Dailey: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

R. Dianne Sole, Michael Wagner, Deborah Corrado, John Oliver, Kathleen Wilbur: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

On motion of Senator Adams, the following nomination by the Governor was considered.

Andrew Manchester, Francis O'Neill: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

Rosalind Toulson, Sidney Clark: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Brenda Phillips, John Schmutz, Paul Houck: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Bruce Rogers, Daniel Wolcott: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Cynthia Hughes, Steven Director, Todd Schiltz: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Lee Beetschen, Manubhai Karia: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

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

Stephen Manista: 20 Senator(s) voting YES 1 (Venables) ABSENT. Appointment was declared CONFIRMED.

Joe Garcia: 20 Senator(s) voting YES 1 (Venables) ABSENT. Appointment was declared CONFIRMED.

Jean Allen: 20 Senator(s) voting YES 1 (Venables) ABSENT. Appointment was declared CONFIRMED.

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

William Baker, Orval Foraker, Noel Kuhrt, Marilyn Parks: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Paul Norton, Charles Short: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Chelina Tirrell, Christopher Schell, Howard Cosgrove: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
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SB 207 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO NOTIFICATIONS FROM CONSUMER CREDIT REPORTING AGENCIES. Sponsor: Sen. Copeland; Sen. Connor, & Rep. Hocker, Sens. Amick, Bonini, Cloutier, Henry, McBride, Simpson, Sokola, Sorenson, Still, Venables; Reps. Booth, Carey, Cathcart, Ewing, Keeley, McWilliams, Miro, Valihura, Wagner; **Banking**.

SB 208 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 209 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 210 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING RENTS AND FEES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 211 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE SALE OR RENT OF MANUFACTURED HOME COMMUNITIES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 212 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES. Sponsor: Sen. Bunting; Reps. Schwartzkopf, Viola; **Agriculture**.

SB 213 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. Sponsor: Sen. Blevins; Rep. Maier; **Health & Social Services**.

SA 1 to HB 225 - Sponsor: Sen. Vaughn; Placed with the Bill

SA 1 to SB 127 - Sponsor: Sen. Copeland; Placed with the Bill

SA 1 to SB 132 - Sponsor: Sen. McDowell; Placed with the Bill

SA 1 to SB 187 - Sponsor: Sen. Sokola; Placed with the Bill

SA 1 to SS 1 for SB 43 - Sponsor: Sen. Blevins; Placed with the Bill

SA 2 to SB 132 - Sponsor: Sen. McDowell; Placed with the Bill

SA 3 to SB 132 - Sponsor: Sen. McDowell; Placed with the Bill

SB 214 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT, STATE PROCUREMENT AND PREVAILING WAGE REQUIREMENTS. Sponsor: Sen. Marshall; Rep. Oberle, Sen. DeLuca; Reps. Johnson, Mulrooney, Viola; **Labor & Industrial Relations**.

HB 20 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Roy; Sen. McBride; **Small Business**.

HB 73 w/HA 2, HA 3, HA 1 to HA 3 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. Sponsor: Rep. Oberle; Rep. Ulbrich, & Sen. McBride, Reps. Hudson, Mulrooney, Valihura, Viola, Sens. Bonini, Copeland, Peterson, Sokola; **Small Business**.

HB 74 - AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES. Sponsor: Rep. Oberle; Rep. Ulbrich, & Sen. McBride, Reps. Hudson, Mulrooney, Valihura, Viola; Sens. Bonini, Copeland, Peterson, Sokola; **Sunset**.

HB 133 w/HA 1, HA 1 to HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPROVE TRACKING OF MEDICAL MALPRACTICE SETTLEMENT AND VERDICT TRENDS. Sponsor: Rep. Oberle; Sen. Blevins, Reps. Maier, Keeley; **Insurance & Elections**.

HB 135 w/HA 1 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. Sponsor: Rep. Plant; Reps. Johnson, Keeley, Williams; Sens. Henry, Marshall; **Judiciary**.

HB 158 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. Sponsor: Rep. Roy; **Judiciary**.

HB 163 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsor: Rep. Ennis; Sen. Cook, Reps. Atkins, George, Gilligan, Hall-Long, Johnson, Lee, Mulrooney, Oberle, Plant, Schooley, Schwartzkopf, Spence, Wagner; Sens. Connor, Copeland, Simpson, Vaughn; **Judiciary**.

HB 172 - AN ACT TO AMEND TITLE 24, CHAPTER 23 RELATING TO PAWNBROKERS AND JUNK DEALERS. Sponsor: Rep. Viola; Sen. Sokola, Reps. Buckworth, Longhurst, Maier, Wagner, Williams; **Revenue & Taxation**.

HB 200 - AN ACT TO AMEND 73 DELAWARE LAWS, CHAPTER 187, RELATING TO ABUSE OF CHILDREN. Sponsor: Rep. Wagner; Rep. Maier, & Sen. Blevins; **Sunset**.

HB 213 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR VIETNAM WAR VETERANS. Sponsor: Rep. Spence; Sen. McBride; **Public Safety**.

HB 219 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM. Sponsor: Rep. Hall-Long; Sen. Blevins, Rep. Maier, Rep. Oberle, Rep. Lofink, Rep. George, Rep. Spence; Sens. Connor, Sorenson, Reps. Buckworth, Van Sant, Schooley, Mulrooney, McWilliams, Longhurst, Viola, Ulbrich; **Finance**.

HB 226 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING AND THE DELAWARE STATE HOUSING AUTHORITY. Sponsor: Rep. Valihura; Sen. Sokola, Reps. Ennis, Keeley, Lavelle, McWilliams, Plant; **Community/County Affairs**.

HB 234 - AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", TO AMEND SECTION 18 BY CLARIFYING THE REQUIREMENTS AND DUTIES OF A TOWN ADMINISTRATOR. Sponsor: Rep. Atkins; Sen. Bunting; **Community/County Affairs**.

HB 245 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. Sponsor: Rep. Hocker; Reps. Buckworth, DiPinto, Ewing, Fallon, Sens. Amick, Cloutier, Connor, Copeland, Simpson; **Public Safety**.

HB 265 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM. Sponsor: Rep. Smith; Rep. Valihura, & Sen. Adams, & Sen. Sokola, & Sen. Vaughn; **Judiciary**.

HB 267 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS. Sponsor: Rep. Hocker; Rep. Booth, & Sen. Venables, Reps. Buckworth, Carey, Cathcart, Ewing, Fallon, Hudson, Lee, Maier, Miro, Ulbrich, Valihura, Wagner, Gilligan, Plant, Williams, Sens. Bunting, Sorenson, Bonini, Cloutier; **Judiciary**.

SB 215 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION OF AND REAPPORTIONMENT OF THE GENERAL ASSEMBLY. Sponsor: Sen. Blevins; Rep. Maier, Sens. Peterson, Simpson, Sokola, Still; Reps. Gilligan, Keeley, Schooley, Valihura; **Executive**.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
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SB 216 - AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES". Sponsor: Sen. Venables; Rep. Fallon; **Community/County Affairs**.

SB 217 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN. Sponsor: Sen. Venables; Rep. Hocker, Sens. Adams, DeLuca, Still, Peterson, Bunting, Copeland, Simpson, Cloutier, Connor; Reps. Lee, Carey, Atkins, Ennis, Caulk; **Small Business**.

SB 218 - AN ACT TO AMEND CHAPTER 23, TITLE 19 RELATING TO WORKERS' COMPENSATION. Sponsor: Sen. Adams; Sens. Vaughn, & Still, Reps. Thornburg, & Ewing; **Small Business**.

SB 219 - AN ACT TO AMEND CHAPTER 283, VOLUME 21, LAWS OF DELAWARE, AND AMENDED, ENTITLED "AN ACT TO INCORPORATE THE

TOWN OF LITTLE CREEK RELATING TO ASSESSMENT AND TAXATION".

Sponsor: Sen. Still; **Community/County Affairs.**

SB 220 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL SENTENCES. Sponsor: Sen. Venables; Sen. Sokola; **Judiciary.**

SB 221 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONDEMNATION PROCEEDINGS. Sponsor: Sen. McBride; **Natural Resources & Environmental Control.**

SB 222 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNINSURED DRIVERS. Sponsor: Sen. McBride; **Insurance & Elections.**

SB 223 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO PENSION BENEFITS. Sponsor: Sen. Sorenson; Rep. Schooley; **Finance.**

SS 1 for SB 42 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. Sponsor: Sen. Marshall; Rep. Oberle, Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola; **Sunset.**

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On motion of Senator McDowell, the Senate recessed at 07:46 PM until June 29, 2005 at 02:00 PM.

The Senate reconvened at 02:39 PM, on June 29, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Harry E. Hunsicker** - 4 Merits.

From Revenue & Taxation: **HB 176 w/HA 1** - 5 Merits. **HB 141** - 5 Merits; **SB 154** - 4 Merits.

From Insurance & Elections: **HB 133 w/HA 1, HA 1 to HA 1** - 4 Merits.

From Community/County Affairs: **SB 219** - 4 Merits; **SB 216** - 4 Merits; **HB 226** - 4 Merits; **HB 234** - 4 Merits.

From Sunset: **SB 33** - 5 Merits; **SB 41** - 5 Merits; **SB 31** - 5 Merits; **SB 28** - 5 Merits; **SB 42** - 5 Merits; **SS 1 for SB 42** - 5 Merits.

From Small Business: **HB 20** - 3 Merits; **HB 73 w/HA 2, HA 3, HA 1 to HA 3** - 3 Merits; **HB 221 w/HA 1** - 3 Merits.

A withdrawn of sponsorship request was read from Representative Schwartzkopf requesting his name be removed from **SB 212**.

A communication from the Chief Clerk of the House was read requesting Representative Thornburg be re-instated as Prime Sponsor to **SB 121**.

The Secretary announced a message from the House informing the Senate that it had passed **HB 205 w/HA 1 HA 2; HB 86 w/HA 1; HB 254; HB 170; SB 113; HB 263; HB 168 w/HA 1-HA 2; HB 239 w/HA 1; HB 229 w/HA 1- HA 2; HB 261 w/HA 1; SS1 For SB 30 w/SA 1 - HA 1; HB 301; HB 75 w/HA 1; HB 119 w/HA 1; HB 228; SB 112 w/HA 1; SB 130; SB 71 w/SA 1; SB 57 w/SA 1; SB 57 w/SA 2; SA 122 w/SA 1; HB 246; HB 258; HB 277; SB 102; SS1 for SB 143 w/SA 1; SB 48 w/SA 1; SB 142 w/SA 1; SCR 20; HB 226; HB 213; HB 200; HB 20; HB 158; HB 74; SB 136; SB 120 w/SA 1; SB 118; SB 73; HB 135 w/HA 1; HB 73 w/HA 2-HA 1 to HA 3, HA 3; SB 175; HJR 14; HB 245; HB 163; HB 172; HB 234; SB 165; SB 111 w/SA 1; SB 150 w/SA 1; SB 128 w/SA 1; SB 133; SB 52 w/SA 1; SB 87; HB 133 w/HA 1 to HA 1, HA 1; HB 265 w/HA 1; HB 219 w/HA 1; HB 267; SB 129 w/SA 1; HB 205 w/HA 1; HA 2.**

A communication from the Chief Clerk of the House was read informing the Senate that Representative Terry R. Spence signed **SS1 for SB 30** as an additional sponsor.

A communication from the Office of Senator David P. Sokola was read requesting his name be added as co-sponsor of **SB 195**.

LEGISLATIVE ADVISORY #8, dated June 28, 2005, the Governor signed the following legislation on the date indicated.

SJR #7 (6/21/05) - ESTABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO DEVELOP STRATEGIES TO PREVENT THE BASE REALIGNMENT AND CLOSURE COMMISSION FROM APPROVING THE MAY 13, 2005, DEPARTMENT OF DEFENSE RECOMMENDATIONS TO REALIGN THE DELAWARE AIR NATIONAL GUARD BY TRANSFERRING ALL (8) EIGHT C130

AIRCRAFT TO OTHER STATES AND ELIMINATING HUNDREDS OF ASSOCIATED POSITIONS IN THE DELAWARE AIR NATIONAL GUARD. (Sponsors: Sen. DeLuca & Rep. DiPinto; Sens. Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Venables, Amick, Bonini, Cloutier, Connor, Copeland, Simpson, Sorenson, Still; Reps. Booth, Fallon, Gilligan, Hall-Long, Hocker, Hudson, Johnson, Longhurst, McWilliams, Mulrooney, Stone, Viola, Spence, Atkins, Wagner, Buckworth, Ewing, Thornburg)

HB #18 aab SA #1 (6/23/05) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE ATTENDANTS. (Sponsors: Rep. Ennis & Sen. Vaughn & Sen. Simpson & Sen. Blevins & Rep. Lee & Rep. Outten) (Volume 75, Chapter 54, Laws of Delaware.)

HS #1 for HB #90 (6/23/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND APPLICABLE PENALTIES. (Sponsors: Rep. Keeley & Sen. Blevins; Reps. Maier, Schooley, Viola; Sens. DeLuca, Henry, McDowell, Sokola) (Volume 75, Chapter 55, Laws of Delaware.)

HB #100 aab HA #'s 1 & 2 and SA #1 (6/23/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE CONCERNING CAMERA ENFORCEMENT OF TRAFFIC LIGHT SIGNALS. (Sponsors: Rep. Keeley & Rep. Wagner & Sen. Henry) (Volume 75, Chapter 56, Laws of Delaware.)

HB #104 aab SA #2 (6/23/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FILING OF FINANCIAL DISCLOSURE REPORTS AND CERTAIN OTHER DOCUMENTS. (Sponsors: Rep. Smith & Sen. Adams) (Volume 75, Chapter 57, Laws of Delaware.)

HB #161 (6/23/05) - AN ACT TO AMEND CHAPTER 276 OF VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO INCREASE THE AMOUNT THE TOWN COUNCIL MAY BORROW, TO ALTER THE INDEBTEDNESS LIMITATION AND TO SPECIFY THE ORGANIZATION AND POWERS OF THE POLICE FORCE. (Sponsors: Rep. Booth & Sen. Adams) (Volume 75, Chapter 58, Laws of Delaware.)

SB #20 aab SA #1 (6/23/05) - AN ACT TO AMEND TITLES 18 AND 21 OF THE DELAWARE CODE TO INCREASE ENFORCEMENT OF DELAWARE'S UNINSURED MOTORIST LAWS. (Sponsors: Sen. Sokola & Rep. Stone; Sens. Blevins, DeLuca, Amick & Rep. Lavelle) (Volume 75, Chapter 59, Laws of Delaware.)

SB #93 (6/23/05) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATED TO BANKING. (Sponsors: Sen. DeLuca & Rep. Stone; Sens. Sorenson, Sokola, Bunting; Reps. Viola, Keeley, Fallon, Atkins, Carey, Thornburg, Valihura, Hocker) (Volume 75, Chapter 60, Laws of Delaware.)

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/29/2005**

June 28, 2005

SS 1 for SB 153 – Sponsor: Sen. Henry - Adopted in Lieu of the Original; LOT

SA 1 to HS 1 for HB 184 - Sponsor: Sen. Blevins; Placed with the Bill

SB 224 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Sen. Venables; Sen. Adams, & Sen. Vaughn; Small Business.

June 29, 2005

SB 225 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOLID WASTE AUTHORITY, THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, AND THE RECYCLING PUBLIC ADVISORY COUNCIL CONCERNING RESIDENTIAL CURBSIDE RECYCLING. Sponsor: Sen. McBride; Rep. Lofink, & Rep. McWilliams, Sens. Connor, Copeland, Peterson, Sokola, Sorenson; Reps. DiPinto, Ennis, Hall-Long, Hudson, Keeley, Longhurst, Maier, Mulrooney, Oberle, Plant, Schooley, Valihura; **Natural Resources & Environmental Control.**

SB 226 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE STATE ELECTION COMMISSIONER. Sponsor: Sen. Blevins; Rep. Maier, Sens. Peterson, Sokola; Reps. Hall-Long, Keeley; **Insurance & Elections.**

SB 227 - AN ACT TO AMEND TITLES 12 AND 30 OF THE DELAWARE CODE RELATED TO THE ESTATE TAX. Sponsor: Sen. Marshall; Rep. Hudson, Sen. Amick; Reps. George, & Valihura; **Revenue & Taxation.**

SB 228 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PREVENTING THE ESCAPE OF CONTENTS FROM CERTAIN VEHICLES. Sponsor: Sen. Connor; Rep. Maier, Sens. Amick, Henry, McDowell, Sokola, Sorenson; Reps. Lavelle, Smith, Ulbrich, Valihura, Viola; **Agriculture.**

HB 75 w/HA 1 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. Sponsor: Rep. Ulbrich; Sen. McBride, Reps. Hudson, Mulrooney, Valihura, Viola; Sens. Bonini, Copeland, Sokola; **Sunset.**

HB 86 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. Sponsor: Rep. Keeley; Rep. Smith, Rep. Spence, Sens. Blevins, Henry; **Adult & Juvenile Corrections.**

HB 119 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. Sponsor: Rep. Viola; Reps. Ennis, Johnson, Keeley, McWilliams, Miro, Mulrooney, Plant, Valihura, Williams, Sen. DeLuca; **Finance.**

HB 168 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 10 CHAPTER 66 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF STRUCTURED SETTLEMENTS. Sponsor: Rep. Van Sant; Rep. Ewing, & Sen. Bonini, & Sen. Vaughn; **Judiciary.**

HB 170 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. Sponsor: Rep. Booth; Sen. Simpson, Reps. Hocker, Schwartzkopf; **Executive.**

HB 205 w/HA 1, HA 2 - AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HOSPITALS AND UNIVERSAL NEWBORN AND INFANT HEARING SCREENING. Sponsor: Rep. Schooley; Rep. Oberle, & Rep. Ulbrich, & Sen. Blevins, Reps. Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, Maier, McWilliams, Miro, Mulrooney, Schwartzkopf, Spence, Van Sant, Viola, Wagner, Williams; Sens. Connor, Henry, Sokola; **Health & Social Services.**

HB 208 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. Sponsor: Rep. Wagner; Rep. Hocker, & Rep. Ennis, & Rep. Keeley, Buckworth, Hall-Long, Mulrooney, Viola; **Labor & Industrial Relations.**

HB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO LAND AND HISTORIC RESOURCE TAX CREDIT. Sponsor: Rep. Hudson; Rep. DiPinto, & Sen. Adams, & Sen. Sorenson, Reps. Maier, Valihura, Keeley, Sens. McDowell, Blevins, Henry, Marshall, Peterson, Sokola, Vaughn, Connor; **Finance.**

HB 229 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 7, TITLE 23, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL RESOURCES. Sponsor: Rep. Booth; Rep. Smith, & Sen. Bunting, Reps. Atkins, Ewing, Hocker, Hudson, Lavelle, Lee, Maier, Stone, Ulbrich, Valihura; **Agriculture.**

HB 239 w/HA 1 - AN ACT TO AMEND TITLE 29, CHAPTER 80 OF THE DELAWARE CODE RELATING TO THE WASTEWATER FACILITIES ADVISORY COUNCIL. Sponsor: Rep. Roy; Sen. McBride, & Sen. Venables; **Natural Resources & Environmental Control.**

HB 246 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE RELATING TO LIMITATIONS FROM CIVIL LIABILITY FOR CERTAIN VOLUNTEERS. Sponsor: Rep. Hocker; Sen. Bunting, Buckworth, Carey,

DiPinto, Ewing, Fallon, Ulbrich, Valihura, George, Caulk; Sens. Bonini, Still, Sorenson, Amick, Cloutier, Connor, Copeland, Simpson; **Judiciary.**

HB 254 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS. Sponsor: Rep. Stone; Sen. Blevins; **Banking.**

HB 258 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION, MENTAL ILLNESS AND OTHER SIGNIFICANT DISABILITIES. Sponsor: Rep. Maier; Sen. Blevins; **Health & Social Services.**

HB 261 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION. Sponsor: Rep. Maier; Sen. Blevins, & Sen. Sorenson, Reps. Hudson, Ennis, Hall-Long, Keeley, Schooley, Sens. Sokola, Connor; **Health & Social Services.**

HB 263 - AN ACT TO IMPLEMENT AND FUND THE DELAWARE SEED SCHOLARSHIP PROGRAM. Sponsor: Rep. Wagner; Sen. McDowell, Reps. Spence, Lee, Buckworth, Cathcart, Ewing, Miro, Oberle, Stone, Ulbrich, Gilligan, Ennis, George, Johnson, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Caulk; Sens. Adams, DeLuca, Blevins, Bunting, Cook, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables, Still, Sorenson, Amick, Cloutier, Connor, Copeland; **Finance.**

HB 277 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION. Sponsor: Rep. Miro; Sen. Henry; **Public Safety.**

HB 301 - AN ACT TO AMEND THE LAWS OF DELAWARE TO RETROACTIVELY EXTEND CERTAIN EDUCATIONAL BENEFITS FOR HARRY SCOTT FULMER, THE SON OF ROBIN S. FULMER, A DECEASED EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION. Sponsor: Rep. Stone; Sen. DeLuca, Reps. Carey, Ennis, Keeley, Lofink, Oberle, Roy; Sens. Blevins, Connor, Cook, Simpson, Venables; **Highways & Transportation.**

HCR 31 - REQUESTING THAT THE FEDERAL GOVERNMENT CONTINUE ITS PARTNERSHIP WITH THE STATES AND THE LAND GRANT UNIVERSITY SYSTEM TO PROVIDE RELEVANT, LOCAL RESEARCH FOR ESSENTIAL NATURAL RESOURCE BASED INDUSTRIES. Sponsor: Rep. Thornburg; Sen. Bunting, Reps. Atkins, Booth, Carey, Hocker, Outten, Hall-Long, Mulrooney, Caulk; **Agriculture.**

At 02:48 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 43rd Legislative Day.

**43RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 29, 2005**

The Senate convened at 02:48 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

Sebastian LaRocca, Harry Hunsicker: 21 Senator(s) voting YES.

Appointments were declared CONFIRMED.

Senators McBride and Simpson marked present during the above roll call.

HB 24 w/HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 24 w/HA 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Senator Peterson requested personal privilege of the floor for Dan Kline, representing Delaware Alcohol & Tobacco Enforcement.

Senator Sokola commented.

After addressing the Senate the witness was excused.

Senators Vaughn and Simpson commented.

Roll call vote on **HB 24 w/HA 2** was taken and revealed:

YES: 20

NO: Senator(s) Peterson - 1.

HB 24 w/HA 2 was declared passed the Senate and returned to the House.

HB 148 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 148 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS AND AMMUNITION BY PERSONS PROHIBITED.

Senator Bonini questioned the floor manager.

Senator Vaughn requested personal privilege of the floor for Carl Danberg, representing the Attorney General's Office.

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

Roll call vote on **HB 148** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Venables - 2.

HB 148 was declared passed the Senate and returned to the House.

HB 176 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 176 w/HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM AND THE ENFORCEMENT OF LAWS RELATED TO RESPONSIBLE SERVING OF ALCOHOLIC BEVERAGES.

Senator Peterson commented.

Senator Marshall requested personal privilege of the floor for John Cordrey, Commissioner, Alcohol and Beverage Control.

Senators Marshall and Peterson questioned the witness, after which the witness was excused.

Roll call vote on **HB 176 w/HA 1** was taken and revealed:

YES: 13

NO: Senator(s) Adams, Bonini, McDowell, Peterson, Still, Vaughn, Venables - 7.

NOT VOTING: Senator(s) Blevins - 1.

HB 176 w/HA 1 was declared passed the Senate and returned to the House.

HB 212 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 212 - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD.

Senators Bonini and Bunting questioned the floor manager.

Senator Cook requested personal privilege of the floor for Timothy Willard, Senate Attorney.

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

Roll call vote on **HB 212** was taken and revealed:

YES: 2

NO: Senator(s) Adams, Amick, Blevins, Bonini, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sorenson, Still, Vaughn, Venables - 19.

HB 212 was declared Defeated and returned to the House.

Senator McDowell moved for a standing recess at 03:45 PM.

The Senate reconvened at 04:08 PM with Lt. Governor Carney presiding.

HB 163 was introduced under the suspension of the necessary rules and was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 163 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Senator Vaughn requested personal privilege of the floor for Patrick Carter, Director Division of Revenue.

Senators Amick and Peterson questioned the witness, after which the witness was excused.

Roll call vote on **HB 163** was taken and revealed:

YES: 21.

HB 163 was declared passed the Senate and returned to the House.

HB 219 w/HA 1 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 219 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM.

Senator Peterson questioned the floor manager.

Senators Blevins and Sorenson commented.

Roll call vote on **HB 219 w/HA 1** was taken and revealed:

YES: 21.

HB 219 w/HA 1 was declared passed the Senate and returned to the House.

HB 96 was Lifted from the Table and brought before the Senate for Consideration on motion of the floor manager, Senator Henry.

HB 96 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES.

Roll call vote on **HB 96** was taken and revealed:

YES: 20

NO: Senator(s) Simpson - 1.

HB 96 was declared passed the Senate and returned to the House.

HB 165 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 165 - AN ACT TO AMEND TITLE 13, CHAPTER 1 RELATING TO MARRIAGE.

Roll call vote on **HB 165** was taken and revealed:

YES: 21.

HB 165 was declared passed the Senate and returned to the House.

HB 230 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 230 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT.

Roll call vote on **HB 230** was taken and revealed:

YES: 21.

HB 230 was declared passed the Senate and returned to the House.

Senator Marshall requested that **SB 202** be stricken.

HB 180 was Lifted from the Table and brought before the Senate for Consideration under the suspension of the necessary rule, on the motion of the floor manager, Senator Marshall.

Senator Marshall requested personal privilege of the floor for Tom McPherson, representing Department of Labor.

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

Roll call vote on **HB 180** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Copeland, Simpson - 3.

HB 180 was declared passed the Senate and returned to the House.

SB 206 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 206 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVISION OF PROFESSIONAL REGULATION.

Senator Connor requested to be added as a co-sponsor.

Senator Still questioned the sponsor.

Senator Cloutier requested to be added as a co-sponsor.

Roll call vote on **SB 206** was taken and revealed:

YES: 21.

SB 206 was declared passed the Senate and sent to the House for Consideration.

SB 200 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator Vaughn.

SB 200 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE CRIME OF ROBBERY.

Senator Vaughn requested personal privilege of the floor regarding Jeff Clark, Senate Attorney. Mr. Clark addressed the Senate.

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

Roll call vote on **SB 200** was taken and revealed:

YES: 21.

SB 200 was declared passed the Senate and sent to the House for Consideration.

HB 141 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 141 - AN ACT TO AMEND VOLUME 74, DELAWARE LAWS, CHAPTER 117, RELATING TO MUNICIPAL LODGING TAX.

Senator Bonini questioned the floor manager.

Roll call vote on **HB 141** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 141 was declared passed the Senate and returned to the House.

SB 217 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator Venables.

SB 217 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN.

Senator Amick questioned the sponsor.

Senators Peterson, Still and McDowell commented.

Roll call vote on **SB 217** was taken and revealed:

YES: 21.

SB 217 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell and Representative Smith were added as co-sponsors of **SB**

217.

SB 216 was brought before the Senate for consideration on the motion of Senator Venables.

SB 216 - AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES".

Several Senators questioned the sponsor.

Roll call vote on **SB 216** was taken and revealed:

YES: 21.

SB 216 was declared passed the Senate and sent to the House for Consideration.

SB 221 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator McBride.

SB 221 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONDEMNATION PROCEEDINGS.

Senator Peterson requested to be added as a co-sponsor.

Senator Amick commented.

Senator McBride requested personal privilege of the floor for Tim Willard, Senate Attorney.

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

Senators Sokola, Connor and Still requested to be added as co-sponsors.

SA 1 to SB 221 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 1 to SB 221** was taken and revealed:

YES: 21.

SA 1 to SB 221 was declared part of the bill.

SB 221 w/SA 1 was now before the Senate.

Senator McDowell requested to be added as a co-sponsor.

Senator Blevins questioned the sponsor.

Senator McBride requested personal privilege of the floor for Ted Segletes, representing Legislative Council.

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

Senator McBride moved to lay **SB 221 w/SA 1** on the Table.

SS 1 for SB 153 was Lifted from the Table, under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator Henry.

SS 1 for SB 153 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE.

SA 1 to SS 1 for SB 153 brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to SS 1 for SB 153** was taken and revealed:

YES: 21.

SA 1 to SS 1 for SB 153 was declared part of the bill.

SS 1 for SB 153 w/SA 1 was now before the Senate.

Roll call vote on **SS 1 for SB 153 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SS 1 for SB 153 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

SB 205 was brought before the Senate for consideration on the motion of Senator Henry.

SB 205 - AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON.

SA 1 to SB 205 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to SB 205** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SA 1 to SB 205 was declared part of the bill.

SB 205 w/SA 1 was now before the Senate.

Senator Henry requested personal privilege of the floor for Monica Gonzalez-Gillespie, representing the City of Wilmington.

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

Roll call vote on **SB 205 w/SA 1** was taken and revealed:

YES: 21.

SB 205 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 133 w/HA 1, HA 1 to HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 133 w/HA 1, HA 1 to HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPROVE TRACKING OF MEDICAL MALPRACTICE SETTLEMENT AND VERDICT TRENDS.

Senator Blevins requested personal privilege of the floor for Matt Denn, Insurance Commissioner.

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

Roll call vote on **HB 133 w/HA 1, HA 1 to HA 1** was taken and revealed:

YES: 21.

HB 133 w/HA 1, HA 1 to HA 1 was declared passed the Senate and returned to the House.

SB 64 was brought before the Senate and brought before the Senate for consideration under the suspension of the necessary on the motion of Senator Amick.

SB 64 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ENGINE COMPRESSION BRAKE DEVICES.

SA 2 to SB 64 was brought before the Senate for consideration on the motion of Senator Amick.

Roll call vote on **SA 2 to SB 64** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SA 2 to SB 64 was declared part of the bill.

SA 1 to SB 64 was brought before the Senate for consideration on the motion of Senator Amick.

Roll call vote on **SA 1 to SB 64** was taken and revealed:

YES: 21.

SA 1 to SB 64 was declared part of the bill.

SB 64 w/SA 2 & SA 1 was now before the Senate.

Senators Simpson and Vaughn questioned the sponsor.

Roll call vote on **SB 64 w/SA 2 & SA 1** was taken and revealed:

YES: 21.

SB 64 w/SA 2 & SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 223 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Sorenson.

SB 223 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO PENSION BENEFITS.

Roll call vote on **SB 223** was taken and revealed:

YES: 21.

SB 223 was declared passed the Senate and sent to the House for Consideration.

SB 219 was brought before the Senate for consideration on the motion of Senator Still.

SB 219 - AN ACT TO AMEND CHAPTER 283, VOLUME 21, LAWS OF DELAWARE, AND AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LITTLE CREEK RELATING TO ASSESSMENT AND TAXATION".

Roll call vote on **SB 219** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SB 219 was declared passed the Senate and sent to the House for Consideration.

SB 187 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 187 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC EXAMINERS.

Senator Sokola requested that **SA 1** be stricken.

SA 2 to SB 187 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 2 to SB 187** was taken and revealed:

YES: 21.

SA 2 to SB 187 was declared part of the bill.

SB 187 w/SA 2 was now before the Senate.

Senator Simpson questioned the sponsor.

Roll call vote on **SB 187 w/SA 2** was taken and revealed:

YES: 21.

SB 187 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 186 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Cook.

SB 186 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE GEOSPATIAL DATA COORDINATING COUNCIL.

Roll call vote on **SB 186** was taken and revealed:

YES: 21.

SB 186 was declared passed the Senate and sent to the House for Consideration.

SB 221 w/SA 1 was Lifted from the Table and brought before the Senate for Consideration on motion of Senator McBride.

SA 2 to SB 221 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 2 to SB 221** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SA 2 to SB 221 was declared part of the bill.

SB 221 w/SA 1 & SA 2 was now before the Senate.

Sensors Simpson, Copeland, Bonini and Venables requested to be added as co-sponsors.

Roll call vote on **SB 221 w/SA 1 & SA 2** was taken and revealed:

YES: 21.

SB 221 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 112 w/HA 1 which was returned from the House with an amendment, was brought before the Senate for reconsideration on the motion of Senator McBride.

SB 112 w/HA 1 - AN ACT TO AMEND CHAPTER 79, TITLE 7, OF THE DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AS IT ADOPTS THE

UNIFORM ENVIRONMENTAL COVENANTS ACT. THIS ACT WILL MAKE THESE COVENANTS ENFORCEABLE OVER THE LONG TERM AND BE ENFORCEABLE AGAINST SUCCESSIVE OWNERS OF THE PROPERTY AND AGAINST PARTIES LIABLE FOR MAINTAINING INSTITUTIONAL CONTROL OF THE PROPERTY.

Roll call vote on **SB 112 w/HA 1** was taken and revealed:

YES: 21.

SB 112 w/HA 1 was declared passed the Senate as amended and sent to the Governor.

SS 1 for SB 30 w/SA 1 & HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration on the motion of Senator McDowell.

SS 1 for SB 30 w/SA 1 & HA 1 - AN ACT ESTABLISHING THE SEED SCHOLARSHIP PROGRAM AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE.

Senator Still commented.

Roll call vote on **SS 1 for SB 30 w/SA 1 & HA 2** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SS 1 for SB 30 w/SA 1 & HA 1 was declared passed the Senate and sent to the Governor.

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

SCR 21 - REQUESTING THE GENERAL ASSEMBLY TO CREATE AN "INLAND BAYS POLLUTION CONTROL STRATEGY TASK FORCE". Sponsor: Sen. Venables & Rep. Carey; Reps. Atkins, Hocker, Ewing, Booth, Outten, Maier, Hudson, Caulk & Buckworth, Sens. Adams, Bunting, Copeland & Simpson.

SCR 22 - DECLARING 2005 TO BE THE DELAWARE STATE YEAR OF PHYSICS. Sponsor: Sen. Sokola & Sen. Copeland, On behalf of all Senators; Reps. DiPinto & Smith, On behalf of all Representatives.

SCR 23 - CREATING A COMMISSION TO STUDY STATEWIDE REASSESSMENT AND REVALUATION OF REAL PROPERTY. Sponsor: Sen. Simpson & Rep. Maier Sens. Copeland, Peterson, Sokola; Reps. DiPinto, Hocker.

SCR 24 - URGING THE MEMBERS OF THE RED CLAY DISTRICT SCHOOL BOARD TO PRESERVE THE RICH TRADITION AND HONOR OF THE STATE OF DELAWARE BY NAMING THE PROPOSED SCHOOL FOR THE BIOTECHNOLOGY AND HEALTH FIELDS AFTER HENRY C. CONRAD. Sponsor: Sen. McBride & Sen. Blevins; Rep. Van Sant.

HCR 34 - CONGRATULATING THE CAESAR RODNEY BOYS TENNIS TEAM FOR WINNING THE 2005 STATE VARSITY BOYS TENNIS CHAMPIONSHIP. Sponsor: Rep. Buckworth & Sen. Bonini & Sen. Still.

HCR 35 - REQUESTING THAT THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES REPORT TO THE FOSTER CARE REVIEW BOARD AND THE HOUSE OF REPRESENTATIVES AND SENATE ON THE NUMBER OF CHILDREN IN FOSTER CARE AND THE NUMBER OF TIMES THEY HAVE BEEN MOVED BETWEEN PLACEMENTS ON A QUARTERLY BASIS. Sponsor: Rep. Wagner & Sen. Blevins.

HCR 36 - REQUESTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO APPLY FOR FEDERAL FUNDS AVAILABLE TO PROMOTE AWARENESS AND PREVENTION OF HEART DISEASE IN WOMEN. Sponsor: Rep. Keeley

A roll call vote was taken on **SENATE CONSENT CALENDAR #8** and revealed 21 Senators voting YES; there, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration. The House Concurrent Resolutions were returned to the House.

HB 277 was brought before the Senate for consideration introduced under the suspension of the necessary rules on the motion of the floor manager, Senator Henry.

HB 277 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION.

Senator Blevins questioned the floor manager.

Senator Henry moved to lay **HB 277** on the Table

HB 73 w/HA 2, HA 3, HA 1 to HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 73 w/HA 2, HA 3, HA 1 to HA 3 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS.

Roll call vote on **HB 73 w/HA 2, HA 3, HA 1 to HA 3** was taken and revealed:
YES: 21.

HB 73 w/HA 2, HA 3, HA 1 to HA 3 was declared passed the Senate and returned to the House.

Senator DeLuca presiding at 06:54 PM.

HB 58 was brought before the Senate for consideration introduced under the suspension of the necessary rules on the motion of the floor manager, Senator Marshall.

HB 58 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO GRIEVANCES.

Roll call vote on **HB 58** was taken and revealed:
YES: 20

ABSENT: Senator(s) Simpson - 1.

HB 58 was declared passed the Senate and returned to the House.

HB 205 w/HA 1 & HA 2 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Blevins.

HB 205 w/HA 1 & HA 2 AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HOSPITALS AND UNIVERSAL NEWBORN AND INFANT HEARING SCREENING.

Senator Cloutier requested to be added as a co-sponsor.

Roll call vote on **HB 205 w/HA 1 & HA 2** was taken and revealed:
YES: 20

NO: Senator(s) Still - 1.

HB 205 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

HB 119 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Cook.

HB 119 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

Several Senators commented.

Senator Cook moved to lay **HB 119 w/HA 1** on the Table.

HB 233 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Sokola.

HB 233 - AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS.

Roll call vote on **HB 233** was taken and revealed:
YES: 21.

HB 233 was declared passed the Senate and returned to the House.

HB 277 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager, Senator Henry.

Roll call vote on **HB 277** was taken and revealed:
YES: 21.

HB 277 was declared passed the Senate and returned to the House.

HJR 15 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HJR 15 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2005. Sponsor: Rep. DiPinto, Sen. Cook, Reps. Buckworth, Fallon Schwartzkopf, Ulbrich, Williams; Sens. Amick, Cloutier, Henry, McBride, Vaughn.

Roll call vote on **HJR 15** was taken and revealed:
YES: 21.

HJR 15 was passed by the Senate and returned to the House.

HJR 16 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Cook.

HJR 16 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006. Sponsor: Rep. DiPinto, Sen. Cook; Reps. Buckworth, Fallon, Schwartzkopf, Ulbrich, Williams; Sens. Amick, Cloutier, Henry, McBride, Vaughn

Roll call vote on **HJR 16** was taken and revealed:

YES: 21.

HJR 16 was passed by the Senate and returned to the House.

SB 231 was Lifted from the Table and brought before the Senate, under the suspension of the necessary rules on motion of Senator Cook.

SB 231 - AN ACT MAKING A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE POST RETIREMENT HEALTH INSURANCE PREMIUM FUND.

Roll call vote on SB 231 was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SB 231 was declared passed the Senate and sent to the House for Consideration.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/29/2005**

SA 1 to HB 254 – Place with Bill.

SB 229 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX AND FARMLAND PRESERVATION FUND. Sponsor: Sen. Cook; Rep. Thornburg, Sens. Bunting, Adams, DeLuca, Still, Sorenson; Reps. Spence, Smith, Lee, Gilligan, Van Sant; LOT List.

SB 230 – AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Henry; Rep. Atkins, Sens. Adams, McDowell, DeLuca, Still, Sorenson; Reps. Spence, Lee, Gilligan, Van Sant; LOT List.

SS 1 to SB 201 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL AND STATE PENSIONS. Sponsor: Sen. McBride; Reps. Valihura, DiPinto, Finance, Adopted in Lieu of the Original.

* * *

On motion of Senator McDowell, the Senate recessed at 07:29 pm until June 30, 2005.

The Senate reconvened at 03:50 PM, on June 30, 2005 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Agriculture: HB 229 w/HA 1, HA 2 – 5 Merits; HCR 31 – 5 Merits.

From Finance: SS 1 for SB 201 – 6 Merits.

The Secretary announced a message from the House informing the Senate that it had passed HB 284 w/HA 1; SB 63 w/SA 1 & SA 2 w/HA 1 & HA 2; HB 264; HB 220; SB 121 w/SA 1; SB 189 w/SA 1; SB 191 w/SA 1; SB 101; SB 179; SB 163; SCR 37; HJR 16; HJR 15; SB 50 w/SA 2; HB 223; HB 178; SB 82; SB 84 w/SA 1 & SA 2; SB 91; SB 108 w/SA 1; SB 147; HB 279; HB 95 w/HA 2; HB 233; HB 278; HCR 34; HCR 35; HCR 36.

At 03:54 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 44th Legislative Day.

**44TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
FIRST SESSION
JUNE 30, 2005**

The Senate convened at 3:54 PM with Lt Governor Carney presiding
A prayer was offered by Senator Marshall followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Personal privilege of the floor was granted to Senator Bonini. Lt. Governor Carney commented on the fund raising weight loss program. Senator Bonini introduced his dogs, Baskin & Robbins, announced having shed 40 pounds and the monies raised for the Kent County SPCA.

Senator McDowell commented.

On motion of Senator Adams, the following nomination by the Governor was considered.

Terrance Higgins: 21 Senator(s) voting YES. Reappointment was declared CONFIRMED.

HB 218 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Blevins.

HB 218 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES.

Roll call vote on **HB 218 w/HA 1** was taken and revealed:

YES: 21.

HB 218 w/HA 1 was declared passed the Senate and returned to the House.

HB 33 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Blevins.

HB 33 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACIES.

Roll call vote on **HB 33 w/HA 1** was taken and revealed:

YES: 21.

HB 33 w/HA 1 was declared passed the Senate and returned to the House.

HB 115 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Blevins.

HB 115 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OFFICIAL RECORDS OF ELECTIONS IN REORGANIZED SCHOOL DISTRICTS.

Roll call vote on **HB 115** was taken and revealed:

YES: 21.

HB 115 was declared passed the Senate and returned to the House.

HB 221 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 221 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Roll call vote on **HB 221 w/HA 1** was taken and revealed:

YES: 21.

HB 221 w/HA 1 was declared passed the Senate and returned to the House.

HB 229 w/HA 1 & HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 229 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 7, TITLE 23, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL RESOURCES.

Roll call vote on **HB 229 w/HA 1 & HA 2** was taken and revealed:

YES: 21.

HB 229 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

Senator McDowell yields to Senator Henry.

Senator Henry announced the retirement of Bonnie Anderson and presented her with a Senate tribute. A copy is in the Legislative Day file.

Senator McDowell commented.

Senator McDowell yields to Senator Sorenson.

Senator Sorenson announced the retirement of Edie Sylvester a House staff member who was visiting the chamber.

SB 234 was introduced under the suspension of the necessary rules and brought before the Senate for consideration on the motion of Senator DeLuca.

SB 234 - AN ACT TO AMEND CHAPTER 52, VOLUME 75, LAWS OF DELAWARE RELATING TO CONTROLLED SUBSTANCES. Sponsor: Sen. DeLuca, Rep. Miro

Roll call vote on **SB 234** was taken and revealed:

YES: 21.

SB 234 was declared passed the Senate and sent to the House for Consideration.
Senator McDowell yields to Senator Bunting.

Senator Bunting announced the retirement of Albert Clark, Senate staff member.

SB 63 w/SA 1, SA 2, HA 1 & HA 2 was returned from the House with amendments and brought before the Senate for consideration on the motion of Senator Adams.

SB 63 w/SA 1, SA 1, HA 1 & HA 2 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL PENALTIES.

Senator Adams requested personal privilege of the floor for Judge Edward G. Davis, representing JP Court. After addressing the Senate the witness was excused.

Roll call vote on **SB 63 w/SA 1, SA 2, HA 1 & HA 2** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

NOT VOTING: Senator(s) Copeland - 1.

SB 63 w/SA 1, SA 2, HA 1 & HA 2 was declared passed the Senate and sent to the Governor.

HB 182 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Cook.

HB 182 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE.

Senator Still commented.

Roll call vote on **HB 182** was taken and revealed:

YES: 21.

HB 182 was declared passed the Senate and returned to the House.

HB 301 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Cook.

HB 301 AN ACT TO AMEND THE LAWS OF DELAWARE TO RETROACTIVELY EXTEND CERTAIN EDUCATIONAL BENEFITS FOR HARRY SCOTT FULMER, THE SON OF ROBINS S. FULMER, A DECEASED EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION.

Roll call vote on **HB 301** was taken and revealed:

YES: 21.

HB 301 was declared passed the Senate and returned to the House.

HB 109 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 109 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY.

Roll call vote on **HB 109** was taken and revealed:

YES: 21.

HB 109 was declared passed the Senate and returned to the House.

HB 152 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 152 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS.

Senator Vaughn requested personal privilege of the floor for Frank Murphy, Senate Attorney.

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

Roll call vote on **HB 152** was taken and revealed:

YES: 8

NO: Senator(s) Blevins, Bonini, Cloutier, Connor, McDowell, Simpson, Sokola, Still, - 8.

NOT VOTING: Senator(s) Copeland, Sorenson - 2.

ABSENT: Senator(s) Henry, Marshall, Peterson - 3.

HB 152 was declared Defeated and was returned to the House.

HB 158 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 158 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT.

Roll call vote on **HB 158** was taken and revealed:

YES: 18

NO: Senator(s) Still - 1.

ABSENT: Senator(s) Bonini, Peterson - 2.

HB 158 was declared passed the Senate and returned to the House.

HB 267 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 267 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS.

Senator Vaughn moved to lay **HB 267** on the Table.

HB 156 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Adams.

HB 156 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOL MODIFICATIONS.

Senator Bunting questioned the floor manager.

Roll call vote on **HB 156** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 156 was declared passed the Senate and returned to the House.

HB 264 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Marshall.

HB 264 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION.

Senator Sorenson questioned the floor manager.

Senator Marshall requested personal privilege of the floor for Patrick Carter, representing Division of Revenue. After addressing the Senate the witness was excused.

Roll call vote on **HB 264** was taken and revealed:

YES: 21.

HB 264 was declared passed the Senate and returned to the House.

HB 56 was Lifted from the Table and brought before the Senate for Consideration on motion of the floor manager, Senator Cook.

HB 56 - AN ACT TO AMEND CHAPTER 23, VOLUME 72, LAWS OF DELAWARE, AND TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT FOR RESEARCH AND DEVELOPMENT EXPENSES.

Roll call vote on **HB 56** was taken and revealed:

YES: 21.

HB 56 was declared passed the Senate and returned to the House.

SB 227 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Marshall.

SB 227 - AN ACT TO AMEND TITLES 12 AND 30 OF THE DELAWARE CODE RELATED TO THE ESTATE TAX.

Roll call vote on **SB 227** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SB 227 was declared passed the Senate and sent to the House for Consideration.

SB 74 w/SA 1, SA 2, SA 3 & HA 1, which was returned from the House with an amendment, was brought before the Senate for reconsideration, under the suspension of the necessary rules on the motion of Senator McDowell.

SB 74 w/SA 1, SA 2, SA 3 & HA 1 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS.

Roll call vote on **SB 74 w/SA 1, SA 2, SA 3 & HA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Peterson - 2.

SB 74 w/SA 1, SA 2, SA 3 & HA 1 was declared passed the Senate and sent to the Governor.

Senator McDowell yields to Senator Adams.

Senator Adams yields Senator Cloutier.

Senator Cloutier requested a tribute numbered S143-284 honoring Senator Venables for saving two of his family dogs be read in its entirety. A copy is in this Legislative Day file

Senator Venables commented.

SR 15 was introduced and brought before the Senate for consideration on motion of Senator Adams.

SR 15 – HONORING WILLIAM G. MC CAFFERTY, LONGTIME OFFICIAL OF BLUE CROSS-BLUE SHIELD OF DELAWARE, DISTINGUISHED CITIZEN OF SUSSEX COUNTY, AND FRIEND TO MANY IN LEGISLATIVE HALL, AS HE PREPARES TO RETIRE FROM HIS DUTIES. Sponsor: Senators Adams, Simpson; On behalf of all Senators.

Senator Simpson and McBride commented.

Roll call vote on **SR 15** was taken and revealed:

YES: 21.

SR 15 was declared Adopted.

HB 267 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager Senator Vaughn.

HB 267 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS.

SA 1 to HB 267 was brought before the Senate for Consideration on motion of Senator Vaughn.

Senator Vaughn requested personal privilege of the floor for Jeffrey Clark, Senate Attorney.

Senators McBride and Peterson questioned the witness, after which the witness was excused.

Roll call vote on **SA 1 to HB 267** was taken and revealed:

YES: 21.

SA 1 to HB 267 was declared part of the bill.

Senator Vaughn requested personal privilege of the floor for Representative Hocker.

Representative Hocker addressed the Senate.

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

Several Senators commented.

Roll call vote on **HB 267 w/SA 1** was taken and revealed:

YES: 13

NO: Senators Amick, Blevins, DeLuca, Henry, McBride, McDowell, Peterson, Sokola - 8.

HB 267 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

SB 231 w/HA 1 which was returned with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Cook.

SB 231 w/HA 1 - AN ACT MAKING A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE POST RETIREMENT HEALTH INSURANCE PREMIUM FUND.

Roll call vote on **SB 231 w/HA 1** was taken and revealed:

YES: 21.

SB 231 w/HA 1 was declared passed the Senate and sent to the Governor.

Senator McDowell moved to recess for dinner at 06:04 PM.

The Senate reconvened at 08:05 PM with Lt. Governor Carney presiding

Senator McDowell moved for the reconsideration of **Senate Consent Calendar**

#8.

Senator McDowell moved to rescind the roll call on **Senate Consent Calendar #8**. All resolutions on **Senate Consent Calendar #8 (SCR 21; SCR 22; SCR 23; SCR 24; HCR 34; HCR 35; HCR 36)** returned to the consideration list.

HB 198 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 198 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE LEAVE OF ABSENCE.

Senator Amick requested to be added as a co-sponsor.

Roll call vote on **HB 198** was taken and revealed:

YES: 21.

HB 198 was declared passed the Senate and returned to the House.

SB 35 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 35 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK.

Senator Connor questioned the sponsor.

Roll call vote on **SB 35** was taken and revealed:

YES: 21.

SB 35 was declared passed the Senate and sent to the House for Consideration.

SB 220 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Venables.

SB 220 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL SENTENCES.

Senators Bonini and Amick questioned the sponsor.

Senator Amick requested personal privilege of the floor for Steve Wood, Attorney General's Office.

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

Senator Venables moved to lay **SB 220** on the Table.

HB 239 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator McBride.

HB 239 w/HA 1 - AN ACT TO AMEND TITLE 29, CHAPTER 80 OF THE DELAWARE CODE RELATING TO THE WASTEWATER FACILITIES ADVISORY COUNCIL.

Senators Blevins and Peterson requested to be added as co-sponsors.

Roll call vote on **HB 239 w/HA 1** was taken and revealed:

YES: 21.

HB 239 w/HA 1 was declared passed the Senate and returned to the House.

HB 302 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Cook.

HB 302 - AN ACT MAKING A ONE-TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF \$20 MILLION TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND. Sponsor: Rep. Roy; Sen. Cook; Reps. Spence, Smith, Lee, Carey, Lofink, Oberle, Gilligan, Van Sant, Ennis, Keeley; Sens. Adams, McDowell, DeLuca, Venables, Blevins, Still, Sorenson, Connor, Simpson

Senator Bonini questioned the sponsor.

Senator Bunting commented.

Roll call vote on **HB 302** was taken and revealed:

YES: 21.

HB 302 was declared passed the Senate and returned to the House.

HB 300 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Cook.

HB 300 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Rep. Hudson; Sen. Adams; Reps. Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner; Sens. Marshall, McDowell, DeLuca, Still, Sorenson

Senators Amick, Copeland, McDowell, Cook, Bonini, Cook and Simpson commented.

Several Senators questioned the sponsor.

Roll call vote on **HB 300** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Copeland, Simpson - 3.

HB 300 was declared passed the Senate and returned to the House.

SB 232 was introduced and brought before the Senate for consideration, under the suspension of the necessary rules on the motion of Senator Cook.

SB 232 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. Sponsor: Sen. Cook, Reps. DiPinto, Oberle; Sens. Henry, McBride, Vaughn, Amick, Cloutier, Adams, McDowell, DeLuca, Still, Sorenson, Blevins, Bunting, Marshall, Peterson, Sokola, Venables, Bonini, Connor, Copeland, Simpson, Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams, Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Carey, Cathcart, Caulk, Ewing, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Valihura, Wagner, Ennis, George, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Schooley, Plant, Viola

Roll call vote on **SB 232** was taken and revealed:

YES: 21.

SB 232 was declared passed the Senate and sent to the House for Consideration.

SB 230 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Henry.

SB 230 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Henry; Rep. Atkins; Sens. Adams, McDowell, DeLuca, Still, Sorenson, Reps. Spence, Lee, Gilligan Van Sant, Sen. Copeland

Senator Copeland requested to be added as a co-sponsor.

Roll call vote on **SB 230** was taken and revealed:

YES: 21.

SB 230 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell yields to Senator Simpson.

Senator Simpson requested personal privilege of the floor to introduce his wife, Debbie and his two daughters.

Senator McDowell yields to Senator Venables.

SB 190 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Venables.

SB 190 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2006; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. Sponsor: Sen. Venables; Rep. Roy; Sens. Blevins, Cook, DeLuca, Connor, Simpson; Reps. Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone, Mulrooney

SA 1 to SB 190 was brought before the Senate for consideration on the motion of Senator Bonini.

Senators Blevins, Bonini, DeLuca and Bonini commented.

Roll call vote on **SA 1 to SB 190** was taken and revealed:

YES: 2

NO: Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Vaughn, Venables - 18.

NOT VOTING: Senator(s) Simpson - 1.

SA 1 to SB 190 was declared Defeated.

SA 2 to SB 190 was brought before the Senate for consideration on the motion of Senator Bonini.

Roll call vote on **SA 2 to SB 190** was taken and revealed:

YES: 3

NO: Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Vaughn, Venables - 18.

SA 2 to SB 190 was declared Defeated.

Several Senators commented.

Roll call vote on **SB 190** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 190 was declared passed the Senate and sent to the House for Consideration.

On motion of Senator Venables, the Debt statement was partially read to the record.

SB 229 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

SB 229 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX AND FARMLAND PRESERVATION FUND.

Senators Blevins, Connor and Sokola requested to be added as co-sponsors.

Senator Still commented.

Roll call vote on **SB 229** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SB 229 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell yields to Senator McBride.

Senator McBride requested a news release distributed to his colleagues to be read at their leisure. A copy is in this Legislative Day file.

A correspondence from the Office of the Secretary of the Senate to the Chief Clerk of the House was read requesting the return of **HB 152** for reconsideration in the Senate.

On the motion of Senator Still, **HB 152** was brought before the Senate for reconsideration. No objection.

Senator Vaughn moved the roll call be rescinded on **HB 152**. No objection.

HB 152 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 152 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS.

Senator Still requested personal privilege of the floor for Mark Kleinschmidt, representing DE Food Industry Council.

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

Roll call vote on **HB 152** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Marshall, Venables - 3.

HB 152 was declared passed the Senate and returned to the House.

HB 46 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 46 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING.

Roll call vote on **HB 46** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook - 1.

HB 46 was declared passed the Senate and returned to the House.

HB 167 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 167 - AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO ADULT ABUSE REGISTRY CHECKS.

Senators Bonini and Blevins questioned the floor manager.

Senator Blevins requested personal privilege of the floor for Steve Wood, representing the Attorney General's Office. After addressing the Senate the witness was excused.

Roll call vote on **HB 167** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

HB 167 was declared passed the Senate and returned to the House.

HB 265 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Vaughn.

HB 265 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM.

Roll call vote on **HB 265 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

HB 265 w/HA 1 was declared passed the Senate and returned to the House.

Senator Simpson complimented Jennifer Davis for her role in the Bond Bill.

HB 263 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 263 - AN ACT TO IMPLEMENT AND FUND THE DELAWARE SEED SCHOLARSHIP PROGRAM.

Roll call vote on **HB 263** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 263 was declared passed the Senate and returned to the House.

HB 223 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Henry.

HB 223 - AN ACT TO AMEND SECTION 8722, CHAPTER 87, CHAPTER II, TITLE 9, DELAWARE CODE RELATING TO PRAECIPE, JUDGMENT AND MONITION. Sponsor: Rep. Ennis, Sens. Cook, Vaughn; Reps. Buckworth, Carey, Caulk, Ewing, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, McWilliams, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, Thornburg, Van Sant, Viola

Roll call vote on **HB 223** was taken and revealed:

YES: 21.

HB 223 was declared passed the Senate and returned to the House.

HB 236 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Sokola.

HB 236 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICALLY IMPAIRED AND TRAUMATIC BRAIN INJURED STUDENTS.

Roll call vote on **HB 236 w/HA 1** was taken and revealed:

YES: 21.

HB 236 w/HA 1 was declared passed the Senate and returned to the House.

HB 226 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Sokola.

HB 226 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING AND THE DELAWARE STATE HOUSING AUTHORITY.

Roll call vote on **HB 226** was taken and revealed:

YES: 21.

HB 226 was declared passed the Senate and returned to the House.

SB 157 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Blevins.

SB 157 - AN ACT TO AMEND TITLE 31, CHAPTER 3 OF THE DELAWARE CODE RELATING TO CHILD WELFARE.

SA 1 to SB 157 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 157** was taken and revealed:

YES: 21.

SA 1 to SB 157 was declared part of the bill.

SB 157 w/SA 1 was now before the Senate.

Roll call vote on **SB 157 w/SA 1** was taken and revealed:

YES: 21.

SB 157 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 254 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator DeLuca.

HB 254 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS.

SA 1 to HB 254 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 254** was taken and revealed:

YES: 21.

SA 1 to HB 254 was declared part of the bill.

HB 254 w/SA 1 was now before the Senate.

Roll call vote on **HB 254 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

HB 254 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

SS 1 for SB 201 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McBride.

SS 1 for SB 201 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL AND STATE PENSIONS.

Senator Simpson questioned the sponsor.

Senator McBride requested personal privilege of the floor for David Craik, representing the Pension Office.

Senators Simpson and Cook questioned the witness, after which the witness was excused.

Roll call vote on **SS 1 for SB 201** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Still - 1.

SS1 for SB 201 was declared passed the Senate and sent to the House for Consideration.

Senator Bunting requested personal privilege of the floor to announce the retirements of Ray and Pat Moore and Bob Draine staff members. Senator Bunting also announced that Christopher Bradley will be leaving the Senate staff to serve as a Justice of the Peace Judge for Sussex County.

Senator Venables commented.

HB 299 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 299 - AN ACT TO AMEND TITLES 1, 3, 6, 7, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 29, 30 AND 31 OF THE DELAWARE CODE TO PROVIDE FOR THE REORGANIZATION OF STATE GOVERNMENT BY CREATING THE OFFICE OF MANAGEMENT AND BUDGET; TRANSFERRING SELECTED DIVISIONS AND OTHER ORGANIZATIONAL UNITS FROM THE OFFICE OF THE BUDGET, DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE STATE PERSONNEL OFFICE TO THE OFFICE OF MANAGEMENT AND BUDGET AND THE DEPARTMENT OF STATE; DELETING OR AMENDING REFERENCES TO SUPERSEDED AGENCIES OR OFFICERS; AND ALIGNING THE DUTIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE SECRETARY OF STATE. Sponsor: Rep. DiPinto; Sen. Cook; Reps. Spence, Smith, Lee, Buckworth, Fallon, Ulbrich, Gilligan, Van Sant, Williams, Schwartzkopf; Sens. Adams, McDowell, DeLuca, Vaughn, McBride, Henry, Still, Sorenson, Amick, Cloutier

Roll call vote on **HB 299** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Peterson - 2.

HB 299 was declared passed the Senate and returned to the House.

At 11:01 PM, Senator DeLuca presiding.

On motion of Senator Adams, under the suspension of the necessary rules the following nomination by the Governor was considered.

Jennifer Davis: 20 Senators voting YES, 1 Senator (Bonini) voting NO. Appointment was declared CONFIRMED.

Senator Still commented.

HB 314 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 314 - AN ACT TO PROVIDE FISCAL RELIEF TO COUNTY SEATS BY AMENDING TITLE 9, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES TO BE PAID TO THE COUNTY SEATS; BY MAKING A SUPPLEMENTAL APPROPRIATION FOR SERVICES PROVIDED TO STATE OWNED PROPERTIES; AND BY MAKING A SUPPLEMENTAL APPROPRIATION FOR CITY OF WILMINGTON INFRASTRUCTURE IMPROVEMENTS. Sponsor: Rep. Smith; Sen. McDowell; Reps. Spence, Booth, DiPinto, Stone, Wagner, Ennis, Gilligan, Johnson, Keeley, Plant, Williams; Sens. Henry, Marshall, Sorenson, Still.

Senator Bonini questioned the floor manager.

Senator McDowell commented.

Roll call vote on **HB 314** was taken and revealed:

YES: 17

NO: Senator(s) Amick, Bonini, Simpson - 3.

NOT VOTING: Senator(s) Sorenson - 1.

HB 314 was declared passed the Senate and returned to the House.

HB 86 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 86 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING.

Roll call vote on **HB 86 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

HB 86 w/HA 1 was declared passed the Senate and returned to the House.

SB 144 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Connor.

SB 144 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PERSONAL PROPERTY.

SA 1 to SB 144 was brought before the Senate for consideration on the motion of Senator Connor.

Roll call vote on **SA 1 to SB 144** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SA 1 to SB 144 was declared part of the bill.

SB 144 w/SA 1 was now before the Senate.

Roll call vote on **SB 144 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook - 1.

SB 144 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 206 w/HA 1 & HA 2 was brought before the Senate for consideration under the suspension of necessary rules, on the motion of the floor manager, Senator Blevins.

HB 206 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. Sponsor: Rep. Ewing, Schwartzkopf, Gilligan, Hall-Long, Lee, Van Sant; Sens. Blevins, Bunting, Sokola, Venables

Roll call vote on **HB 206 w/HA 1 & HA 2** was taken and revealed:

YES: 21.

HB 206 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

HB 220 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 220 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. Sponsor: Rep. Spence; Sen. McBride

SA 1 to HB 220 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 1 to HB 220** was taken and revealed:

YES: 21.

SA 1 to HB 220 was declared part of the bill.

HB 220 w/SA 1 was now before the Senate.

Roll call vote on **HB 220 w/SA 1** was taken and revealed:

YES: 21.

HB 220 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HB 168 w/HA 1 & HA 2 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 168 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 10 CHAPTER 66 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF STRUCTURED SETTLEMENTS.

Senator Vaughn requested personal privilege of the floor for Carl Danberg, representing Department of Justice. After addressing the Senate the witness was excused.

Roll call vote on **HB 168 w/HA 1 & HA 2** was taken and revealed:

YES: 21.

HB 168 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

HS 1 for HB 55 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HS 1 for HB 55 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR.

Roll call vote on **HS 1 for HB 55 w/HA 1** was taken and revealed:

YES: 19

NOT VOTING: Senator(s) Amick - 1.

ABSENT: Senator(s) Venables - 1.

HS 1 for HB 55 w/HA 1 was declared passed the Senate and returned to the House.

SB 27 w/HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McBride.

SB 27 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY.

Roll call vote on **SB 27 w/HA 1** was taken and revealed:

YES: 20

NO: Senator Bonini - 1.

SB 27 w/HA 1 declared passed the Senate and sent to the Governor.

HB 279 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Sokola.

HB 279 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ATTENDANCE OF FOSTER CHILDREN.

Sponsor: Rep. Maier; Sen. Sokola; Reps. Hudson, Keeley, Mulrooney, Plant, Schooley, Ulrich, Wagner; Sens. Blevins, Cook, Henry, Sorenson, Cloutier, Connor

Roll call vote on **HB 279** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

HB 279 was declared passed the Senate and returned to the House.

SB 233 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Peterson.

SB 233 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO FUNERAL SERVICES. Sponsor: Sen. Peterson; Rep. Maier; Sens. McDowell, Bonini

Senator Bonini requested to be added as a co-sponsor.

Roll call vote on **SB 233** was taken and revealed:

YES: 21.

SB 233 was declared passed the Senate and sent to the House for Consideration.

At 11:51 PM, Lt. Governor Carney presiding.

HB 75 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Marshall.

HB 75 w/HA 1 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT.

Roll call vote on **HB 75 w/HA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Vaughn - 1.

HB 75 w/HA 1 was declared passed the Senate and returned to the House.

At 12:00 midnight on motion of Senator Adams, the Senate adjourned the 1st Session of the 143rd General Assembly.

**FIRST SPECIAL SESSION
143RD GENERAL ASSEMBLY
JULY 1, 2005**

STATE OF DELAWARE
Office of the Lieutenant Governor

TO: Members of the 143rd General Assembly

FROM: John C. Carney, Jr., Lieutenant Governor of the State of Delaware
Terry R. Spence, Speaker of the House of Representatives.

SUBJECT: Special Session
July 1, 2005

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 143rd General Assembly of the State of Delaware in Special Session.

(Signed) John C. Carney, Jr., Lieutenant Governor
and President of the Senate

(Signed) Terry R. Spence
Speaker of the House of Representatives
* * *

Pursuant to the above, the Senate convened at 12:01 AM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

The journal of the previous day was approved as read on motion of Senator McDowell. No objection.

HB 234 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Bunting.

HB 234 - AN ACT TO AMEND CHAPTER 138, VOLULME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", TO AMEND SECTION 18 BY CLARIFYING THE REQUIREMENTS AND DUTIES OF A TOWN ADMINISTRATOR.

Roll call vote on **HB 234** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

HB 234 was declared passed the Senate and returned to the House.

SB 41 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator McBride.

SB 41 - AN ACT TO AMEND TITLES 29, 31, AND 6 OF THE DELAWARE CODE RENAMING THE OFFICE OF HUMAN RELATIONS, AND RELATING TO THE STATE HUMAN RELATIONS COMMISSION, EQUAL ACCOMMODATIONS, AND FAIR HOUSING.

Roll call vote on **SB 41** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 41 was declared passed the Senate and sent to the House for Consideration.

HB 92 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 92 - AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEIZURES AND FORFEITURES IN CRIMINAL CASES.

Senator Vaughn requested personal privilege of the floor for Steve Wood, representing the Attorney General's Office. After addressing the Senate the witness was excused.

HB 92 was declared passed the Senate and returned to the House.

At 12:17 AM, Senator McDowell moved to recess for ten minutes.

The Senate reconvened at 12:49 AM, with Lt. Governor Carney presiding.

HS 2 for HB 108 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Peterson.

HS 2 for HB 108 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS. Sponsor: Rep. Maier; Reps. Cathcart, Spence; Sens. Sokola, Peterson; Reps. Buckworth, Gilligan, Hudson, Keeley, Schooley, Wagner

Roll call vote on **HS 2 for HB 108** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1.

HS 2 for HB 108 was declared passed the Senate and returned to the House.

HB 137 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 137 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OVER CERTAIN CRIMINAL MATTERS.

Roll call vote on **HB 137** was taken and revealed:

YES: 21.

HB 137 was declared passed the Senate and returned to the House.

SB 217 w/HA 1 which was returned from the House with an amendment, was brought before the Senate for reconsideration under the suspension of the necessary rules, on the motion of Senator Venables.

SB 217 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN.

Roll call vote on **HB 217 w/HA 1** was taken and revealed:

YES: 21

SB 217 w/HA 1 was declared passed the Senate and sent to the Governor.

SB 125 w/SA 1 & HA 1, which was returned from the House with an amendment, was brought before the Senate for reconsideration under the suspension of the necessary rules, on the motion of Senator DeLuca.

SB 125 w/SA 1 & HA 1 - AN ACT TO AMEND CHAPTER 11, TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY GOVERNMENT, COUNTY COUNCIL, AND COUNTY COUNCIL VACANCIES.

Roll call vote on **SB 125 w/SA 1 & HA 1** was taken and revealed:

YES: 21.

SB 125 w/SA 1 & HA 1 was declared passed the Senate and sent to the Governor.

HB 315 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2006 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Rep. DiPinto; Sen. Cook; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; Sens. Henry, McBride, Vaughn, Amick, Cloutier

Roll call vote on **HB 315** was taken and revealed:

YES: 21.

HB 315 was declared passed the Senate and returned to the House.

HB 303 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 303 - AN ACT RELATING TO GROSS RECEIPTS AND TOBACCO PRODUCTS TAXES. Sponsor: Rep. Hudson; Sen. Adams; Reps. Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner; Sens. Marshall, McDowell, DeLuca, Still, Sorenson

Senator Bonini questioned the floor manager.

Roll call vote on **HB 303** was taken and revealed:

YES: 21.

HB 303 was declared passed the Senate and returned to the House.

HB 228 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO LAND AND HISTORIC RESOURCE TAX CREDIT.

SA 1 to HB 228 was brought before the Senate for consideration on motion of Senator Cook.

Roll call vote on **SA 1 to HB 228** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SA 1 to HB 228 was declared part of the bill.

HB 228 w/SA 1 was now before the Senate.

Roll call vote on **HB 228 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

HB 228 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

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

SCR 22 - DECLARING 2005 TO BE THE DELAWARE STATE YEAR OF PHYSICS. Sponsors: Sen. Sokola & Sen. Copeland, On Behalf Of All Senators; Reps. DiPinto & Smith, On Behalf Of All Representatives.

SCR 24 - URGING THE MEMBERS OF THE RED CLAY DISTRICT SCHOOL BOARD TO PRESERVE THE RICH TRADITION AND HONOR OF THE STATE OF DELAWARE BY NAMING THE PROPOSED SCHOOL FOR THE BIOTECHNOLOGY AND HEALTH FIELDS AFTER HENRY C. CONRAD. Sponsors: Sen. McBride & Sen. Blevins; Rep. Van Sant.

SCR 31 - REQUESTING THAT THE FEDERAL GOVERNMENT CONTINUE ITS PARTNERSHIP WITH THE STATES AND THE LAND GRANT UNIVERSITY SYSTEM TO PROVIDE RELEVANT, LOCAL RESEARCH FOR ESSENTIAL NATURAL RESOURCE BASED INDUSTRIES. Sponsors: Rep. Thornburg & Sen. Bunting; Reps. Atkins, Booth, Carey, Hocker, Outten, Hall-Long, Mulrooney, Caulk

SCR 34 - CONGRATULATING THE CAESAR RODNEY BOYS TENNIS TEAM FOR WINNING THE 2005 STATE VARSITY BOYS TENNIS CHAMPIONSHIP. Sponsors: Rep. Buckworth & Sen. Bonini & Sen. Still.

SCR 36 - REQUESTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO APPLY FOR FEDERAL FUNDS AVAILABLE TO PROMOTE AWARENESS AND PREVENTION OF HEART DISEASE IN WOMEN. Sponsor: Rep. Keeley

SCR 35 - REQUESTING THAT THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES REPORT TO THE FOSTER CARE REVIEW BOARD AND THE HOUSE OF REPRESENTATIVES AND SENATE ON THE NUMBER OF CHILDREN IN FOSTER CARE AND THE NUMBER OF TIMES THEY HAVE BEEN MOVED BETWEEN PLACEMENTS ON A QUARTERLY BASIS. Sponsors: Rep. Wagner & Sen. Blevins

SCR 37 - CREATING A TASK FORCE TO EXAMINE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION POLICIES AND PROGRAMS IN DELAWARE AND TO DEVELOP A COMPREHENSIVE INTEGRATED PLAN TO INCREASE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION AND REDUCE CHILDHOOD OBESITY. Sponsors: Rep. Ulbrich & Sen. Bunting

SCR 38 - CREATING A TASK FORCE TO EXAMINE THE RECENT SUPREME COURT RULING IN KELO V. CITY OF NEW LONDON INVOLVING EMINENT DOMAIN AND TO MAKE RECOMMENDATIONS TO RESTRICT ITS APPLICATION IN DELAWARE TO BONA FIDE PUBLIC USAGE. Sponsors: Rep. Smith & Sen. Venables; Reps. Spence, Hocker: Sens. Adams, McBride.

Roll call vote on the **SENATE CONSENT CALENDAR #8A** was taken and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar #8A** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

HB 78 w/HA 1 & HA 3 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 78 w/HA 1 & HA 3 - AN ACT TO AMEND TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND THE ASSESSMENT PUBLIC UTILITIES AND CABLE TELEVISION SYSTEMS PAY.

Roll call vote on **HB 78 w/HA 1 & HA 3** was taken and revealed:

YES: 18

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Marshall, McBride - 2.

HB 78 w/HA 1 & HA 3 was declared passed the Senate and returned to the House.

On motion of Senator McDowell, the Senate recessed at 01:29 AM to the Call of the President Pro Tempore.

1st EXECUTIVE SESSION
143RD GENERAL ASSEMBLY
NOVEMBER 8, 2005

The Senate convened at 3:27 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

The Reading Clerk read in the Letter of Intent.

Senator McDowell commented.

On motion of Senator McDowell, under the suspension of the necessary rules the following nominations by the Governor were considered.

The Honorable Ernst M. Arndt
112 West Howard Street
P.O. Box 94
Viola, DE 19979

to be reappointed Justice of the Peace in and for Kent County for a term to expire 6 years from the date of swearing in.

The Honorable Jeni L. Coffelt
28264 Gravel Hill Road, Unit 1
Millsboro, DE 19966

to be reappointed Justice of the Peace in and for Sussex County for a term to expire 6 years from the date of swearing in.

The Honorable Richard D. Comly, Jr.
825 East Market Street
Georgetown, DE 19947

to be reappointed Justice of Peace in and for Sussex County for a term to expire 6 years from the date of swearing in.

The Honorable Herman G. Hagan
7 Oakridge Drive
Milton, DE 19968

to be reappointed Justice of the Peace in and for Sussex County for a term to expire 6 years from the date of swearing in.

The Honorable Wayne R. Hanby
2 Turnbridge Road
White Chapel
Newark, DE 19713

to be reappointed Justice of the Peace in and for New Castle County for a term to expire 6 years from the date of swearing

The Honorable Kathleen C. Lucas
2805 Faulkland Road
Wilmington, DE 19808

to be reappointed Justice of the Peace in and for New Castle County for a term to Expire 6 years from the date of swearing in.

The Honorable Sean P. McCormick
404 Willetts Court
Middletown, DE 19709

to be reappointed Justice of the Peace in and for New Castle County for a term to Expire 6 years from the date swearing in.

The Honorable Ellis Parrott
916 Ponderosa Drive
Magnolia, DE 19962

to be reappointed Justice of the Peace in and for New Castle County to serve a term

The Honorable Katharine B. Ross
1030 Boxwood Road
Wilmington, DE 19804-2002

to expire 6 years from the
date of swearing in.

to be reappointed Justice of
the Peace in and for New
Castle County to serve a term
to expire 6 years from the
date of swearing in.

The Honorable Rosalie O. Rutkowski
2205 West 9th Street
Wilmington, DE 19805

to be reappointed Justice of
the Peace in and for New
Castle County to serve a term
to expire 6 years from the
date of swearing in.

The Honorable David R. Skelley
19 Silverside Road
Wilmington, DE 19809

to be reappointed Justice of
the Peace in and for New
Castle County for a term to
expire 6 years from the date
of swearing in.

The Honorable Paul J. Smith
2110 Fairfield Place
Wilmington, DE 19805-2652

to be reappointed Justice of
the Peace in and for New
Castle County for a term to
expire 6 years from the date
of swearing in.

The Honorable Robert B. Wall, Jr.
114 Shadow Court
Dover, DE 19904

to be reappointed Justice of
the Peace in and for Kent
County for a term to expire 6
years from the date of
swearing in.

The Honorable Ernst M. Arndt, The Honorable Jeni L. Coffelt, The Honorable Richard D. Comly, Jr., The Honorable Herman G. Hagan, The Honorable Wayne R. Hanby, The Honorable Kathleen C. Lucas, The Honorable Sean P. McCormick, The Honorable Ellis Parrott, The Honorable Katharine B. Ross, The Honorable Rosalie O. Rutkowski, The Honorable David R. Skelley, The Honorable Paul J. Smith, The Honorable Robert B. Wall, Jr.: 21 Senators voting YES. Appointments CONFIRMED.

John M. Maiorano
32 South Cliffe Drive
Wilmington, DE 19809-1601

to be reappointed a Trustee of
the Delaware Technical &
Community College Board of
Trustees to serve a term to
expire 3 years from the date
of Senate confirmation.

Louis F. Owens, Jr.
9645 Cedar Lane
P.O. Box 1675
Seaford, DE 19973

to be reappointed a Trustee of
the Delaware Technical &
Community College Board of
Trustees to serve a term to
expire 3 years from the date
of Senate confirmation.

Suzanne Moore
1100 Lovering Avenue #604
Wilmington, DE 19806

to be reappointed a Trustee of
the Delaware Technical &
Community College Board of
Trustees to serve a term to
expire 3 years from the date
of Senate confirmation.

John M. Maiorano, Louis F. Owens, Jr. and Suzanne Moore: 21 Senators voting YES. Appointments CONFIRMED.

William W. Dailey, Jr.
30895 Crepe Myrtle Drive Unit 67
Millsboro, DE 19966

to be reappointed member of
the Public Integrity
Commission to serve a term
to expire 7 years from the
date of Senate confirmation.

Barbara H. Green
308 Pentland Drive
Wilmington, DE 19807

to be reappointed a member of
the Public Integrity
Commission to serve a term to
expire 7 years from the date of
Senate confirmation.

William W. Dailey, Jr. and Barbara H. Green: 21 Senators voting YES.
Appointments CONFIRMED.

Barbara B. Rutt
1001 Pecan Avenue
Milford, DE 19963

to be reappointed a member of
the State Board of Education
to serve a term to expire 6 years from
the date of Senate confirmation.

Barbara B. Rutt: 21 Senators voting YES. Appointment CONFIRMED.

Elmer L. Newlin, III
43 Newlin Drive
Clayton, DE 19938

to be reappointed a member of
the Unemployment Insurance
Appeals Board and serve a term to
expire May 1, 2011.

Elmer L. Newlin, III: 21 Senators voting YES. Appointment CONFIRMED

The Honorable David A. White
2605 Shipley Road
Wilmington, DE 19810

to be reappointed as
Commissioner of Superior
Court to serve a term of 6 years from
the date of swearing in.

The Honorable Mark S. Vavala
2655 Longfellow Drive
Wilmington, DE 19808

to be reappointed as
Commissioner of Superior
Court to serve a term of 6 years from
the date of swearing in.

The Honorable David A. White, The Honorable Mark S. Vavala: 21 Senators voting YES. Appointments CONFIRMED.

The Honorable David W. Jones
123 Coursey Mill Road
Felton, DE 19943

to be reappointed as
Commissioner of Family
Court to serve a term of 6 years from
the date of swearing in.

The Honorable Sonja Truitt Wilson
4 Bridle Reach
Lewes, DE 19958

to be reappointed as
Commissioner of Family
Court to serve a term of 6 years from
the date of swearing in.

The Honorable David W. Jones and The Honorable Sonja Truitt Wilson: 21 Senators voting YES. Appointments CONFIRMED.

The Honorable Alex J. Smalls
505 West Lea boulevard
Wilmington, DE 19802

to be reappointed as Chief
Judge of the Court of
Common Pleas to serve a term to
expire 12 years from the date of
swearing in.

The Honorable Alex J. Smalls: 21 Senators voting YES. Appointment
CONFIRMED

The Honorable William C. Carpenter, Jr.
8 Granite Road
Wilmington, DE 19803

to be reappointed as Associate
Judge of Superior Court to
serve a term to expire 12 years from
the date of swearing in.

The Honorable William C. Carpenter, Jr.: 21 Senators voting YES.
Appointment CONFIRMED

The Honorable Fred S. Silverman
3 Swallow Hill Road
Wilmington, DE 19807

to be reappointed as Associate
Judge of Superior Court to
serve a term to expire 12 years from
the date of swearing in.

The Honorable Fred S. Silverman: 21 Senators voting YES. Appointment
CONFIRMED

Joseph D. Dillon
3626 Killens Pond Road
Harrington, DE 19952

to be appointed a member of
the Merit Employee Relations
Board to serve a term to expire 3
years from the date of Senate
confirmation.

Joseph D. Dillon: 21 Senators voting YES. Appointment CONFIRMED.

Fred C. Sears
11 Derbyshire Way
Wilmington, DE 19807

to be appointed a director of
the Board of Directors of the
Diamond State Port Corporation
to serve a term to expire 3 years from
the date of Senate confirmation.

Fred C. Sears: 21 Senators voting YES. Appointment CONFIRMED.

A. Wayne Meluney
37 Bay Breeze Drive
Lewes, DE 19958

to be appointed a member of
the Unemployment Insurance
Appeals Board to serve a term to
begin the date of Senate
confirmation and expire May 1,
2009.

A. Wayne Meluney: 21 Senators voting YES. Appointment CONFIRMED.

Jeffrey J. Clark
1064 Seven Hickories Road

to be appointed a member of
the Public Service

Clayton, DE 19938

Commission to serve a term to begin the date of Senate confirmation and expire May 1, 2009.

Jeffrey J. Clark: 21 Senators voting YES. Appointment CONFIRMED.

Terrence M. Shannon
124 Hockessin Drive
Hockessin, DE 19707

to be appointed a member of the Industrial Accident Board to serve a term to expire 6 years from the date of Senate confirmation.

Terrence M. Shannon: 21 Senators voting YES. Appointment CONFIRMED.

David W. Singleton
8 South Hampshire Court
Wilmington, DE 19807

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

The Honorable Daniel B. Short
1203 Stein Highway
Seaford, DE 19973

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

Andrew T. Manus
4640 Underwoods Corner Road
Clayton, DE 19938

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

Brian M. McGlinchey
1404 Stapler Place
Wilmington, DE 19806

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

Christopher M. O'Keefe
1030 Sedwick Drive
Wilmington, DE 19803

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

Gary L. Burcham
311 South DuPont Road
Wilmington, DE 19805

to be appointed a member of the Wastewater Facilities and Surface Water Management Advisory Council to serve a term to expire 3 years from the date of Senate confirmation.

David W. Singleton, The Honorable Daniel B. Short, Andrew T. Manus, Brian M. McGlinchey, Christopher M. O'Keefe, Gary L. Burcham: 21 Senators voting YES. Appointments CONFIRMED.

Robert D. Bewick, Jr.
175 Crescent Drive
Dover, DE 19904

to be appointed a member of
the State Coastal Zone
Industrial Control Board to serve a
term to expire 5 years from the date
of Senate confirmation.

Robert D. Bewick, Jr.: 21 Senators voting YES. Appointment CONFIRMED.

Gregory A. Hastings
#4 Mill Landing
Millsboro, DE 19966

to be appointed a member of
the State Board of Education
to serve a term to expire 5
years from the date of Senate
confirmation.

Gregory A. Hastings: 21 Senators voting YES. Appointment CONFIRMED.

Alan N. Cooper
127 Cambridge Drive
Wilmington, DE 19803

to be appointed as Associate
Judge of Family Court in and
for New Castle County to serve a
term to expire 12 years from the date
of swearing in.

Alan N. Cooper: 21 Senators voting YES. Appointment CONFIRMED.

The Honorable Joelle P. Hitch
143 Bakerfield Drive
Middletown, DE 19709

to be appointed as Associate
Judge of Family Court in and
for New Castle County to
serve a term to expire 12 years from
the date of swearing in.

The Honorable Joelle P. Hitch: 21 Senators voting YES. Appointment
CONFIRMED.

The Honorable M. Jane Brady
1543 Savannah Road
Lewes, DE 19958

to be appointed as Associate
Judge of the Superior Court of
the State of Delaware to serve a term
to expire 12 years from the date of
swearing in.

Senator McDowell commented.

Senator McDowell requested personal privilege of the floor for Joseph Hurley.

Mr. Hurley addressed the Senate.

Senator DeLuca raised a point of order.

The witness was excused.

Senator Simpson requested personal privilege of the floor for Joseph Hurley.

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

The Honorable M. Jane Brady: 20 Senators voting YES, 1 (McDowell) NO.
Appointment CONFIRMED.

At 05:15 PM on motion of Senator McDowell, the Senate adjourned the First
Executive Session of the 143rd General Assembly.

1ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 10, 2006

The Senate convened at 3:11 PM with Lt. Governor Carney presiding.
A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

The journals of the First Special Session and the First Executive Session were approved as read on motion of Senator McDowell. No objections.

Senator McDowell commented on the success of the first session.

Senator McDowell extended best wishes to Senator Bunting on his recent birthday.

Senator Henry requested a moment of silence in memory of Floyd Macklin, former Senate staff member.

Senator McDowell moved to recess for Party Caucus at 3:17 PM.

The Senate reconvened at 4:54 PM with Lt. Governor Carney presiding.

Senator(s) Bonini and Simpson were marked present.

Senator McDowell requested a memorial for Mrs. Ella Simpson, mother of Senator Simpson, read in its entirety. Senator Adams presented the memorial to Senator Simpson by Senator Adams. A copy is in this Legislative Day file.

Senator Amick was marked present.

Senator Marshall requested a moment of silence in memory of Mrs. Simpson.

The Secretary announced the agenda for January 11, 2006.

Senator Vaughn requested that **SB 168** be stricken.

Senator DeLuca moved that the temporary Reading Clerk be the permanent reading clerk.

On motion of Senator McDowell, the Senate recessed at 5:02 P.M. until January 11, 2006.

The Senate reconvened at 4:26 PM on January 11, 2006 with Senator DeLuca presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 40 HCR 41, SCR 22, SCR 24**.

At 4:26 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 2nd Legislative Day.

2ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 11, 2006

The Senate convened at 04:26 PM with Senator DeLuca presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

SB 32 was brought before the Senate for consideration on the motion of Senator McBride

SB 32 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF PODIATRIST IN RESIDENCY PROGRAMS.

Senator McBride requested personal privilege of the floor for Dr. Jonathan Contompasis, representing Delaware Board of Podiatry.

Lt. Governor Carney presiding at 04:33 P.M.

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

Roll call vote on **SB 32** was taken and revealed:

YES: 21.

SB 32 was declared passed the Senate and sent to the House for Consideration.

Senator Marshall was marked present during above roll call.

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

Vaughn.

SB 145 - AN ACT TO AMEND CHAPTER 466, VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIC", RELATING TO RECALL ELECTIONS.

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

Senator Vaughn requested personal privilege of the floor for Jeff Clark, Senate Attorney.

Senator Venables questioned the witness.

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

Roll call vote on **SA 1 to SB 145** was taken and revealed:

YES: 21

SA 1 to SB 145 was declared part of the bill.

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

Senator Vaughn requested personal privilege of the floor for Craig Pugh of Leipsic.

Senators Venables, Bonini, Still, DeLuca, Simpson, Bunting and Amick questioned the witness, after which the witness was excused.

Senators Still, Sokola, DeLuca and McDowell commented.

Roll call vote on **SB 145 w/SA 1** was taken and revealed:

YES: 6

NO: Senator(s) Blevins, Bonini, Marshall, McBride, Simpson, Sokola, Venables -

7.

NOT VOTING: Senator(s) Amick, Cloutier, Connor, DeLuca, Henry, McDowell, Peterson, Sorenson - 8.

SB 145 w/SA 1 was declared Defeated.

HCR 40 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 40 - RECOGNIZING THE WORK OF THE NEW TANG DYNASTY TELEVISION (NTDTV) IN PROMOTING THE BEST OF CHINESE CULTURE THROUGH INNOVATIVE CULTURAL PROGRAMS AND JOINING NTDTV IN CELEBRATING THE 2006 NTDTV CHINESE NEW YEAR GLOBAL GALA.

Sponsor: Reps. Miro, Roy, Valihura; Sens. Copeland, Sokola

Roll call vote on **HCR 40** was taken and revealed:

YES: 21.

HCR 40 was declared passed the Senate and returned to the House.

HCR 41 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HCR 41 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE. Sponsor: Reps. Spence, Smith, Lee, Van Sant; Sens. Adams, McDowell, DeLuca, Still, Sorenson

Roll call vote on **HCR 41** was taken and revealed:

YES: 21.

HCR 41 was declared passed the Senate and returned to the House.

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

The Secretary announced the agenda for January 12, 2006.

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

DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/11/2006

7/5/05

SB 235 - AN ACT TO ALLOW SCHOOL BUSES TO USE TOLL ROADS WITHOUT PAYMENT OF TOLLS. Sponsor: Sen. Connor; Sen. Bonini, Sens. Copeland, Simpson, Sokola, Sorenson; Rep. Wagner; **Highways & Transportation.**

SB 236 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO RATES AND RATING ORGANIZATIONS. Sponsor: Sen. Blevins; Rep. Oberle; **Insurance & Elections.**

SB 237 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOL FINANCING. Sponsor: Sen. Sokola; Rep. Ulbrich; **Finance.**

7/6/05

HB 54 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. Sponsor: Rep. Wagner; Sen. Sokola; Reps. Spence, Smith, Lee, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Lofink, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Ennis, George, Hall-Long; **Finance.**

HB 178 - AN ACT AMENDING CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE SAFETY LICENSE PLATES. Sponsor: Rep. Smith; Sen. Sokola; **Public Safety.**

HB 202 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH OF MOTHERS, EXPECTANT MOTHERS AND INFANTS. Sponsor: Rep. Maier; Rep. McWilliams, & Rep. Mulrooney, & Sen. Blevins; Reps. Spence, Ewing, Hudson, Lavelle, Miro, Oberle, Gilligan, George, Hall-Long, Keeley, Schooley; Sens. Henry, Sokola, Sorenson, Cloutier; **Finance.**

HB 266 - AN ACT TO AMEND TITLE 24, CHAPTER 35 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS IN PSYCHOLOGY. Sponsor: Rep. Hall-Long, Rep. Maier, & Sen. Blevins; **Sunset.**

HB 278 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. Sponsor: Rep. Wagner; Sen. Blevins; **Health & Social Services.**

HB 284 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY COUNCIL AND COUNCILMANIC DISTRICTS. Sponsor: Rep. Lavelle; Rep. Spence, & Sen. Sokola, Sens. Cloutier, Connor, Copeland, Simpson, Sorenson; **Insurance & Elections.**

HJR 17 - URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT. Sponsor: Rep. Plant; Rep. Smith, & Sen. Henry; **Insurance & Elections.**

HB 173 w/HA 1 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. Sponsor: Rep. Longhurst; Sen. Sokola, Reps. Ennis, George, Hall-Long, Maier, Mulrooney, Plant, Schooley, Spence, Viola, Williams; **Health & Social Services.**

7/7/05

SCR 21 - REQUESTING THE GENERAL ASSEMBLY TO CREATE AN "INLAND BAYS POLLUTION CONTROL STRATEGY TASK FORCE". Sponsor: Sen. Venables; Rep. Carey; Reps. Atkins, Hocker, Ewing, Booth, Outten, Maier, Hudson, Caulk, & Buckworth; Sens. Adams, Bunting, Copeland, & Simpson; **Agriculture.**

SCR 23 - CREATING A COMMISSION TO STUDY STATEWIDE REASSESSMENT AND REVALUATION OF REAL PROPERTY. Sponsor: Sen. Simpson; Rep. Maier; Sens. Copeland, Peterson, Sokola; Reps. DiPinto, Hocker; **Finance.**

1/11/06

SB 238 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS BY MUNICIPALITIES. Sponsor: Sen. Vaughn; Rep. Ennis; **Community/County Affairs**.

SJR 8 - EXTENDING THE TIME FRAMES FOR THE PROMULGATION OF REGULATIONS RELATED TO HOME HEALTH AGENCIES. Sponsor: Sen. Blevins; Rep. Oberle; **Health & Social Services**.

* * *

On motion of Senator McDowell, the Senate recessed at 05:38 PM until January 12, 2006 at 02:00 PM.

The Senate reconvened at 02:12 PM, on January 12, 2006 with Lt. Governor Carney presiding.

The following committee report was announced.

From Health & Social Services: **SJR 8** - 4 Merits.

At 02:13 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 3rd Legislative Day.

**3RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 12, 2006**

The Senate convened at 2:13 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

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

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 20.

ABSENT: Senator(s) Bonini -1.

SCR 26 was introduced and brought before the Senate for consideration on the motion of Senator Sokola.

SCR 26 - COMMENDING DELAWARE'S 2006 TEACHER OF THE YEAR, GARRETT WALTON LYDIC OF NORTH LAUREL ELEMENTARY SCHOOL, FOR THE OUTSTANDING RECORD OF SERVICE WHICH HAS RESULTED IN HIS WELL-DESERVED DESIGNATION. Sponsors: Sens. Venables, Sokola & Rep. Wagner.

Senator Sokola requested personal privilege of the floor to introduce District Teachers of the Year. Each teacher came to the podium, names and schools were announced: Laurie Wicks, Jennifer Kennedy, Tad Damask, Roberta Honig Jacobs, Jim Debastiani, Jennifer Couch, Vicki W. Bailey, Christy Parsons, Barbara Fitzpatrick, Robert J. Adams, Lisa W. Martz, Jane McFann, Jean Allen, Kristine Schultz, LaVon Peterson, Kimberly J. Fawks & Garrett Lydic.

Garrett Lydic addressed the Senate as Teacher of the Year and introduced a student who demonstrated hand/eye coordination.

Senators Venables, Connor, Bunting, McDowell, Sokola and Still congratulated Mr. Lydic.

Senator Sokola requested the Teacher of the Year pamphlet be distributed to each member. A copy was placed in this legislative day file.

Mr. Lydic continued his address, after which the witness was excused.

Roll call vote on **SCR 26** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SCR 26 was declared Adopted by the Senate and sent to the House for Consideration.

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

SCR 25 was brought before the Senate for consideration on the motion of Senator Sokola.

SCR 25 - HONORING THE LIFE AND ACCOMPLISHMENTS OF ROSA PARKS AND EXPRESSING CONDOLENCES ON HER PASSING. Sponsor: Sen. Sokola; Rep. Johnson* Sens. Henry, On behalf of all Senators; Reps. Plant, Williams, On behalf of all Representatives

Roll call vote on **SCR 25** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SCR 25 was adopted by the Senate and sent to the House for Consideration.

SJR 8 was brought before the Senate for consideration on the motion of Senator Blevins.

SJR 8 - EXTENDING THE TIME FRAMES FOR THE PROMULGATION OF REGULATIONS RELATED TO HOME HEALTH AGENCIES.

SA 1 to SJR 8 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SJR 8** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to SJR 8 was declared part of the bill.

SJR 8 w/SA 1 was now before the Senate.

Roll call vote on **SJR 8 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SJR 8 w/SA 1 was passed by the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for January 17, 2006.

On motion of Senator McDowell, the Senate recessed at 02:54 PM until January 17, 2006 at 02:30 PM.

The Senate reconvened at 2:47 PM, on January 17, 2005 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 43; HJR 18; HCR 39; HB 321, 322, 323; HB 314, HJR 17, SB 125 w/SA 1 & HA 1; HB 173 w/HA 1, SB 27 w/HA 1; HB 303 w/FN, HB 300; SB 97, SB 138 w/SA 1, SB 176, SB 131, SB 197; HB 266, SB 161, SB 160, SB 156w/SA 1, SB 155, SB 29, SS1 for SB 178 w/SA 1, SB 195, SS1 for SB 153 w/SA 1, SB 152; HB 206 w/HA 1 & HA 2, HB 302; SB 1w/SA 1, HA 1 & SA 3, SB 74 w/SA 1, SA2, SA 3, HA 1, SS 1 for SB 114, SB 231 w/HA 1; HB 202 w/HA 1, SB 205 w/SA 1, SB 35, SB 234, SS1 for SB 201; HS 2 for HB 108, HB 315; SB 217 w/HA 1; HCR 38; SB 167, SB 216, SB 126 w/SA 1, SB 188 w/SA 1, SB 44, SB 177, SB 169 w/SA 1, SB 233, SB 182 w/SA 1, SB 127 w/SA 1; HB 54 w/HA 1 & HA 2, SB 219, SB 64 w/SA 1 & SA 2, SB 200, SB 181, SB 190, SB 203, SB 170, SB 227; HB 299, SB 159; SB 230, SB 229, SB 232, SB 206, SB 16 w/SA 1; SCR 26.**

LEGISLATIVE ADVISORY #9 through #14, from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #9, dated July 7, 2005, the Governor signed the following legislation on the dates indicated:

HB 116 aab HA #1, aab HA #1 to HA #1, HA #2 to HA#1, HA #3 to HA #1, HA #4 to HA #1 & HA #6 to HA #1 (6/28/05) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES. (Sponsors: Rep. Gilligan & Rep. Stone & Sen. Sokola; Reps. Booth, Buckworth, Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Roy, Schooley, Schwartzkopf, Ulbrich, Van Sant, Viola, Williams; Sens. Bunting, Cook, Henry) (Volume 75, Chapter 61, Laws of Delaware.)

HB #175 (6/28/05) - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A P-20 COUNCIL. (Sponsors: Rep. Wagner & Sen. Sokola) (Volume 75, Chapter 62, Laws of Delaware.)

HJR #14 (6/28/05) - CONGRATULATING THE DELAWARE FOUNDATION REACHING CITIZENS WITH COGNITIVE DISABILITIES ON THE 50TH ANNIVERSARY OF DELAWARE'S ANNUAL BLUE-GOLD ALL-STAR FOOTBALL GAME. (Sponsors: Rep. Spence & Rep. Smith & Rep. Lee on behalf of all

Representatives; Sen. Adams & Sen. McDowell & Sen. DeLuca on behalf of all Senators)

HB #194 (6/28/05) - AN ACT TO AMEND CHAPTER 334 OF VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT", AND CHAPTER 19A OF TITLE 24 OF THE DELAWARE CODE TO EXTEND THE STATE'S PARTICIPATION IN THE INTERSTATE COMPACT. (Sponsors: Rep. Maier & Sen. Blevins; Reps. Booth, Buckworth, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Outten, Wagner, Ulbrich, Schooley; Sens. Sorenson, Connor & Copeland) (Volume 75, Chapter 63, Laws of Delaware.)

HB #195 aab HA#1 (6/28/05) - AN ACT TO AMEND CHAPTER 6, TITLE 13 OF THE DELAWARE CODE, THE UNIFORM INTERSTATE FAMILY SUPPORT ACT. (Sponsors: Rep. Buckworth & Sen. Blevins; Reps. Spence, Hudson, Valihura, Wagner, Keeley, Schooley & Sen. Still) (Volume 75, Chapter 64, Laws of Delaware.)

HB #237 (6/28/05) - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE. (Sponsors: Rep. Atkins & Sen. Bunting) (Volume 75, Chapter 65, Laws of Delaware.)

HB #238 (6/28/05) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (Sponsors: Rep. Stone & Sen. DeLuca; Reps. Valihura & George; Sen. Amick) (Volume 75, Chapter 66, Laws of Delaware.)

SB #73 (6/28/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ENERGY PERFORMANCE CONTRACTING ACT. (Sponsors: Sen. McDowell & Sens. Blevins, Cloutier, Copeland, Henry, Marshall, Peterson; Reps. Ennis, George, Keeley, Lavelle, McWilliams, Mulrooney, Roy, Van Sant & Viola) (Volume 75, Chapter 67, Laws of Delaware.)

SB #87 (6/28/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GRAFFITI AND GRAFFITI IMPLEMENTS. (Sponsors: Sen. Blevins & Rep. Hudson & Sen. Copeland & Sen. Simpson & Sen. Vaughn; Sens. Cloutier, Connor, Marshall, Peterson, Sokola, Henry; Reps. Gilligan, Lavelle, Maier, Miro, Valihura & Spence) (Volume 75, Chapter 68, Laws of Delaware.)

SB #118 (6/28/05) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS DIAGNOSED WITH MENTAL RETARDATION AND OTHER SPECIFIC DEVELOPMENTAL DISABILITIES. (Sponsors: Sen. Blevins & Rep. Maier) (Volume 75, Chapter 69, Laws of Delaware.)

SB #129 aab SA1 (6/28/05) - AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE NEW CASTLE SENIOR CENTER THE BUILDING AT 4TH AND SOUTH STREETS, NEW CASTLE, DELAWARE. (Sponsors: Sen. Connor & Rep. Mulrooney & Sen. McBride; Sens. Vaughn, Amick, Henry & Peterson & Reps. Spence, Cathcart, George, Johnson, Lofink, Longhurst & Plant) (Volume 75, Chapter 70, Laws of Delaware.)

SB #136 (6/28/05) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES. (Sponsors: Sen. Simpson & Sen. Adams & Rep. Outten; Sen. Cook & Rep. Spence) (Volume 75, Chapter 71, Laws of Delaware.)

SB #165 (6/28/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY AND DENTAL HYGIENE. (Sponsors: Sen. Blevins & Rep. Ulbrich & Rep. Maier; Rep. Hall-Long) (Volume 75, Chapter 72, Laws of Delaware.)

SB #175 (6/28/05) - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE BASE. (Sponsors: Sen. Adams & Rep. Spence; Sens. McDowell, Blevins, DeLuca, McBride, Sokola, Vaughn, Connor, Amick, Still, Simpson, Bonini & Copeland; Reps. Smith, Lee, Gilligan, Van Sant, Mulrooney, Buckworth, Ewing, Viola, Keeley, Atkins, Lavelle & Hudson) (Volume 75, Chapter 73, Laws of Delaware.)

HB #24 aab HA #2 (6/30/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

(Sponsors: Rep. Roy; Reps. Hudson, Miro, Gilligan, Van Sant & Ennis; Sens. Blevins, Sokola & Bonini) (Volume 75, Chapter 74, Laws of Delaware.)

HB #96 (6/30/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES. (Sponsors: Rep. Ennis & Sen. Adams & Sen. Venables; Reps. Atkins, Carey, Ewing, Fallon, Hall-Long, Hocker, Keeley, Longhurst, Mulrooney, Outten, Spence, Van Sant, Wagner & Williams) (Volume 75, Chapter 75, Laws of Delaware.)

HB #145 aab HA #1 (6/30/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF DEPARTMENT OF EDUCATION EMPLOYEES, PRISON EDUCATION EMPLOYEES, AND ADULT EDUCATION EMPLOYEES. (Sponsors: Rep. Wagner & Sen. Sokola; Reps. Buckworth & Ewing) (Volume 75, Chapter 76, Laws of Delaware.)

HB #147 aab HA #1 (6/30/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION AND EVALUATION. (Sponsors: Rep. Wagner & Sen. Sokola; Reps. Lee, Buckworth, Carey, Ewing, Maier & Miro) (Volume 75, Chapter 77, Laws of Delaware.)

HB #148 (6/30/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS AND AMMUNITION BY PERSONS PROHIBITED. (Sponsors: Rep. Wagner & Sen. Vaughn; Reps. Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Caulk, Ewing, Fallon, Hocker, Lavelle, Outten, Valihura, Ennis, Plant & Schwartzkopf) (Volume 75, Chapter 78, Laws of Delaware.)

HB #163 (6/30/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsor: Rep. Ennis & Sen. Cook; Reps. Atkins, George, Gilligan, Hall-Long, Johnson, Lee, Mulrooney, Oberle, Plant, Schooley, Schwartzkopf, Spence & Wagner; Sens. Connor, Copeland, Simpson & Vaughn) (Volume 75, Chapter 79, Laws of Delaware.)

HB #176 aab HA #1 (6/30/05) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM AND THE ENFORCEMENT OF LAWS RELATED TO RESPONSIBLE SERVING OF ALCOHOLIC BEVERAGES. (Sponsors: Rep. Miro & Rep. Stone & Sen. DeLuca; Reps. Spence, Buckworth, Carey, Cathcart, DiPinto, Hocker, Lavelle, Maier, Oberle, Ulbrich, Gilligan, Schwartzkopf & Caulk; Sens. Henry, Sokola, Still, Sorenson, Cloutier, Connor, Copeland & Simpson) (Volume 75, Chapter 80, Laws of Delaware.)

HB #180 (6/30/05) - AN ACT TO AMEND CHAPTER 34, TITLE 19 OF THE DELAWARE CODE RELATING TO COUNSELING, TRAINING AND PLACEMENT ACTIVITIES. (Sponsors: Rep. Oberle & Sen. Marshall; Reps. Spence, Buckworth, Lofink, Johnson, Mulrooney, Plant & Viola) (Volume 75, Chapter 81, Laws of Delaware.)

HB #204 (6/30/05) - AN ACT TO AMEND TITLE 14 RELATING TO DELAWARE STATE UNIVERSITY. (Sponsors: Rep. Wagner & Sen. Still; Rep. Williams & Sen. Henry) (Volume 75, Chapter 82, Laws of Delaware.)

HB #215 aab HA #1 and SA #1 (6/30/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Sponsors: Rep. Hall-Long & Rep. Maier; Sens. Sorenson & Blevins) (Volume 75, Chapter 83, Laws of Delaware.)

HB #219 aab HA #1 (6/30/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM. (Sponsors: Rep. Hall-Long & Sen. Blevins & Rep. Maier & Rep. Oberle & Rep. Lofink & Rep. George & Rep. Spence; Sens. Connor, Sorenson; Reps. Buckworth, Van Sant, Schooley, Mulrooney, McWilliams, Longhurst, Viola & Ulbrich) (Volume 75, Chapter 84, Laws of Delaware.)

HB #227 (6/30/05) - AN ACT TO AMEND TITLE 16 AND TITLE 9 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY. (Sponsors: Rep. Oberle & Sen. Sokola; Reps. Hudson, Ennis, Keeley, Lofink & Van Sant) (Volume 75, Chapter 85, Laws of Delaware.)

HB #230 (6/30/05) - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT. (Sponsors: Rep. Keeley; Reps. Buckworth, Caulk, Ennis, Ewing, Hall-Long, Hocker, Hudson, Johnson, Longhurst, Maier, McWilliams, Miro, Plant, Schooley, Schwartzkopf,

Smith & Stone; Sens. Blevins, Bunting, DeLuca, Henry & Sokola) (Volume 75, Chapter 86, Laws of Delaware.)

HB #231 (6/30/05) - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (Sponsors: Rep. Atkins & Sen. Bunting) (Volume 75, Chapter 87, Laws of Delaware.)

HB #299 (6/30/05) - AN ACT TO AMEND TITLES 1,3,6,7,10,11,14,15,16,17,18,19,20,21,23,24,26,29,30 AND 31 OF THE DELAWARE CODE TO PROVIDE FOR THE REORGANIZATION OF STATE GOVERNMENT BY CREATING THE OFFICE OF MANAGEMENT AND BUDGET; TRANSFERRING SELECTED DIVISIONS AND OTHER ORGANIZATIONAL UNITS FROM THE OFFICE OF THE BUDGET, DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE STATE PERSONNEL OFFICE TO THE OFFICE OF MANAGEMENT AND BUDGET AND THE DEPARTMENT OF STATE; DELETING OR AMENDING REFERENCES TO SUPERSEDED AGENCIES OR OFFICERS; AND ALIGNING THE DUTIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE SECRETARY OF STATE. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Spence, Smith, Lee, Buckworth, Fallon, Ulbrich, Gilligan, Van Sant, Williams & Schwartzkopf; Sens. Adams, McDowell, DeLuca, Vaughn, McBride, Henry, Still, Sorenson, Amick & Cloutier) (Volume 75, Chapter 88, Laws of Delaware.)

HB #300 (6/30/05) - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams & George; Sens. Henry, McBride, Vaughn, Amick & Cloutier) (Volume 75, Chapter 89, Laws of Delaware.)

HB #302 (6/30/05) - AN ACT MAKING A ONE-TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF \$20 MILLION TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND. (Sponsors: Rep. Roy & Sen. Cook; Reps. Spence, Smith, Lee, Carey, Lofink, Oberle, Gilligan, Van Sant, Ennis & Keeley; Sens. Adams, McDowell, DeLuca, Venables, Blevins, Still, Sorenson, Connor & Simpson) (Volume 75, Chapter 90, Laws of Delaware.)

HB #315 (6/30/05) - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2006 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsors: Sen. DiPinto & Sen. Cook; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams; Sens. Henry, McBride, Vaughn, Amick, Cloutier) (Volume 75, Chapter 91, Laws of Delaware.)

HJR #15 (6/30/05) - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2005. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, Fallon, Schwartzkopf, Ulbrich & Williams; Sens. Amick, Cloutier, Henry, McBride & Vaughn)

HJR #16 (6/30/05) - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, Fallon, Schwartzkopf, Ulbrich & Williams; Sens. Amick, Cloutier, Henry, McBride & Vaughn)

SB #52 aab SA #2 (6/30/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT OF TRUANCY RECORDS. (Sponsors: Sen. Sokola & Rep. Maier) (Volume 75, Chapter 92, Laws of Delaware.)

SB #111 aab SA #1 (6/30/05) - AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE COUNCIL OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. (Sponsors:

Sen. McBride; Sens. DeLuca, Simpson; Reps. Oberle, Viola, Wagner, Booth) (Volume 75, Chapter 93, Laws of Delaware.)

SS #1 for SB #114 (6/30/05) - AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF TEN MILLION DOLLARS TO THE OFFICE OF THE BUDGET FOR THE CREATION OF A FEDERAL CONTINGENCY FUND. (Sponsors: Sen. Cook & Rep. DiPinto; Sens. Adams, McDowell, DeLuca, Still & Sorenson; Reps. Spence, Smith, Lee, Gilligan & Van Sant) (Volume 75, Chapter 94, Laws of Delaware.)

SB #120 aab SA #1 (6/30/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. (Sponsors: Sen. Blevins & Rep. Ulbrich) (Volume 75, Chapter 95, Laws of Delaware.)

SB #133 (6/30/05) - AN ACT TO AMEND CHAPTER 466, VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIC", RELATING TO ANNEXATION. (Sponsors: Sen. Vaughn & Rep. Ennis) (Volume 75, Chapter 96, Laws of Delaware.)

SB #150 aab SA #1 (6/30/05) - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. (Sponsors: Sen. DeLuca & Rep. Stone; Sen. Amick; Reps. George & Valihura) (Volume 75, Chapter 97, Laws of Delaware.)

SB #190 (6/30/05) - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2006; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Sponsors: Sen. Venables & Rep. Roy; Sens. Blevins, Cook, DeLuca, Connor & Simpson; Reps. Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney) (Volume 75, Chapter 98, Laws of Delaware.)

SB #231 aab HA #1 (6/30/05) - AN ACT MAKING A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE POST RETIREMENT HEALTH INSURANCE PREMIUM FUND. (Sponsors: Sen. Cook & Rep. DiPinto; Sens. Vaughn, Copeland, Adams, McDowell, DeLuca, Still & Sorenson; Reps. Hudson, Ennis, Spence, Smith, Lee, Gilligan & Van Sant) (Volume 75, Chapter 99, Laws of Delaware.)

SJR #6 (6/30/05) - 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 REGULATION 24, SECTION 46, CONTROL OF VOC EMISSIONS AND THE ESTABLISHMENT OF A PERMANENT DELAWARE RIVER AND BAY OVERSIGHT COMMISSION. (Sponsors: Sen. McBride & Rep. Booth; Sens. Vaughn, Venables, Simpson & Connor; Reps. Hocker, Atkins, Carey, Caulk, Miro, Outten, Thornburg, Hall-Long, Longhurst, McWilliams & Mulrooney)

LEGISLATIVE ADVISORY #10, dated July 14, 2005, the Governor signed the following legislation on the dates indicated:

HB #209 (6/30/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. (Sponsors: Rep. Ewing & Sen. Cook; Reps. Atkins, Buckworth, Cathcart, George, Hocker, Outten, Spence, Thornburg, Ulbrich; Sen. Adams) (Volume 75, Chapter 100, Laws of Delaware.)

HJR #12 (7/7/05) - PROCLAIMING THE DELAWARE STATE POLICE TROOP 5 AND PARAMEDIC UNIT NO. 107 FACILITY TO BE NAMED THE ADAMS-EWING PUBLIC SAFETY COMPLEX. (Sponsors: Rep. Spence & Sen. DeLuca)

HB #33 aab HA #1 (7/7/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACIES. (Sponsors: Rep. Miro & Sen. DeLuca; Reps. Spence, Lee, Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Hocker,

Hudson, Maier, Stone, Wagner, Gilligan, Hall-Long, Plant, Schooley, Schwartzkopf & Williams) (Volume 75, Chapter 101, Laws of Delaware.)

HB #46 (7/7/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING. (Sponsors: Rep. Miro & Sen. DeLuca; Rep. Ewing) (Volume 75, Chapter 102, Laws of Delaware.)

HB #58 (7/7/05) - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO GRIEVANCES. (Sponsors: Rep. Wagner & Rep. Ennis & Rep. Keeley & Sen. Peterson; Reps. Lee, Ewing, Hocker, Miro, Oberle, Outten, Stone, Johnson, McWilliams) (Volume 75, Chapter 103, Laws of Delaware.)

HB 67 aab SA #1 (7/7/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS. (Sponsors: Rep. Maier & Sen. Blevins; Reps. Booth, Buckworth, Carey, Ewing, Fallon, Hall-Long, Hocker, Hudson, Lee, Miro, Schooley, Smith, Spence, Stone, Thornburg, Ulbrich, Viola & Wagner; Sens. Connor, Sokola & Still) (Volume 75, Chapter 104, Laws of Delaware.)

HB #73 aab HA #2 and HA #3 aab HA #1 to HA #3 (7/7/05) - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (Sponsors: Rep. Oberle & Rep. Ulbrich & Sen. McBride; Reps. Hudson, Mulrooney, Valihura & Viola; Sens. Bonini, Copeland, Peterson & Sokola) (Volume 75, Chapter 105, Laws of Delaware.)

HB #92 (7/7/05) - AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEIZURES AND FORFEITURES IN CRIMINAL CASES. (Sponsors: Rep. Valihura & Sen. Sokola) (Volume 75, Chapter 106, Laws of Delaware.)

HB #109 (7/7/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY. (Sponsors: Rep. Maier & Sen. Sokola; Reps. Spence, Buckworth, DiPinto, Hudson, Lavelle, Miro, Wagner, Gilligan & Schooley; Sens. Henry & Sorenson) (Volume 75, Chapter 107, Laws of Delaware.)

HB #115 (7/7/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OFFICIAL RECORDS OF ELECTIONS IN REORGANIZED SCHOOL DISTRICTS. (Sponsors: Rep. Lavelle & Rep. Valihura & Sen. Sokola; Reps. Cathcart, Hudson, Maier, Smith & Ulbrich; Sens. Copeland, Henry & Sorenson) (Volume 75, Chapter 108, Laws of Delaware.)

HB #133 aab HA #1 aab HA #1 to HA #1 (7/7/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPROVE TRACKING OF MEDICAL MALPRACTICE SETTLEMENT AND VERDICT TRENDS. (Sponsors: Rep. Oberle & Sen. Blevins; Reps. Maier & Keeley) (Volume 75, Chapter 109, Laws of Delaware.)

HB #137 (7/7/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OVER CERTAIN CRIMINAL MATTERS. (Sponsors: Rep. Valihura & Sen. Blevins) (Volume 75, Chapter 110, Laws of Delaware.)

HB #141 (7/7/05) - AN ACT TO AMEND VOLUME 74, DELAWARE LAWS, CHAPTER 117, RELATING TO MUNICIPAL LODGING TAX. (Sponsors: Rep. Keeley; Reps. DiPinto, Gilligan, Johnson, Smith & Spence; Sens. Henry, Marshall, McDowell & Sorenson) (Volume 75, Chapter 111, Laws of Delaware.)

HB #156 (7/7/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOL MODIFICATIONS. (Sponsors: Rep. Ulbrich & Sen. Sokola) (Volume 75, Chapter 112, Laws of Delaware.)

HB #165 (7/7/05) - AN ACT TO AMEND TITLE 13, CHAPTER 1 RELATING TO MARRIAGE. (Sponsors: Rep. Johnson & Rep. Keeley) (Volume 75, Chapter 113, Laws of Delaware.)

HB #182 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (Sponsors: Rep. Atkins & Rep. Booth & Rep. Ewing & Rep. Hocker & Rep. Wagner & Rep. Gilligan & Rep. Schwartzkopf & Sen. Adams & Sen. DeLuca & Sen. Vaughn & Sen. Venables; Reps. Spence, Smith, Lee, Buckworth, Cathcart, DiPinto, Hudson, Lavelle, Lofink, Oberle, Outten, Stone, Thornburg, Ulbrich, Van Sant, Ennis, Johnson, Keeley, Williams) (Volume 75, Chapter 114, Laws of Delaware.)

HB 198 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE LEAVE OF ABSENCE. (Sponsors: Rep. Spence & Sen. McBride; Reps. Cathcart, Caulk, Ennis, Ewing, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Oberle, Plant,

Schooley, Schwartzkopf, Thornburg, Ulbrich, Van Sant; Sens. Amick, Connor) (Volume 75, Chapter 115, Laws of Delaware.)

HB 205 aab HA # 1 & 2 (7/7/05) - AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HOSPITALS AND UNIVERSAL NEWBORN AND INFANT HEARING SCREENING. (Sponsors: Rep. Schooley & Rep. Oberle & Rep. Ulbrich & Sen. Blevins; Reps. Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, Maier, McWilliams, Miro, Mulrooney, Schwartzkopf, Spence, Van Sant, Viola, Wagner, Williams; Sens. Connor, Henry, Sokola) (Volume 75, Chapter 116, Laws of Delaware.)

HS #1 for HB #211 aab HA #1 (7/7/05) - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS. (Sponsors: Rep. Lee; Reps. Outten, Valihura, Ennis; Sens. Cook, Vaughn & Connor) (Volume 75, Chapter 117, Laws of Delaware.)

HB #221 aab HA #1 (7/7/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Sponsors: Rep. Carey & Sen. Adams & Rep. Ewing; Reps. Spence, Smith, Lee, Atkins, Buckworth, Gilligan, Outten, Thornburg & Valihura; Sens. Bunting, Venables, Still, Amick & Simpson) (Volume 75, Chapter 118, Laws of Delaware.)

HB #223 (7/7/05) - AN ACT TO AMEND SECTION 8722, CHAPTER 87, CHAPTER II, TITLE 9, DELAWARE CODE RELATING TO PRAECIPE, JUDGMENT AND MONITION. (Sponsors: Rep. Ennis & Sen. Cook & Sen. Vaughn; Reps. Buckworth, Carey, Caulk, Ewing, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, McWilliams, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, Thornburg, Van Sant & Viola) (Volume 75, Chapter 119, Laws of Delaware.)

HB #225 aab SA #1 (7/7/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRADEMARK COUNTERFEITING. (Sponsors: Rep. Ewing & Sen. Vaughn; Rep. Buckworth; Sen. Adams) (Volume 75, Chapter 120, Laws of Delaware.)

HB #226 (7/7/05) - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING AND THE DELAWARE STATE HOUSING AUTHORITY. (Sponsors: Rep. Valihura & Sen. Sokola; Reps. Ennis, Keeley, Lavelle, McWilliams & Plant) (Volume 75, Chapter 121, Laws of Delaware.)

HB #233 (7/7/05) - AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS. (Sponsors: Rep. McWilliams; Reps. Ennis, Hall-Long, Keeley, Plant, Schooley & Spence; Sens. Henry & Simpson) (Volume 75, Chapter 122, Laws of Delaware.)

HB #264 (7/7/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. (Sponsors: Rep. Hudson & Sen. Cook) (Volume 75, Chapter 123, Laws of Delaware.)

HB #277 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION. (Sponsors: Rep. Miro & Sen. Henry) (Volume 75, Chapter 124, Laws of Delaware.)

HB #279 (7/7/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ATTENDANCE OF FOSTER CHILDREN. (Sponsors: Rep. Maier & Sen. Sokola; Reps. Hudson, Keeley, Mulrooney, Plant, Schooley, Ulbrich & Wagner, Sens. Blevins, Cook, Henry, Sorenson, Cloutier & Connor) (Volume 75, Chapter 125, Laws of Delaware.)

HB #301 (7/7/05) - AN ACT TO AMEND THE LAWS OF DELAWARE TO RETROACTIVELY EXTEND CERTAIN EDUCATIONAL BENEFITS FOR HARRY SCOTT FULMER, THE SON OF ROBIN S. FULMER, A DECEASED EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION. (Sponsors: Rep. Stone & Sen. DeLuca; Reps. Carey, Ennis, Keeley, Lofink, Oberle & Roy; Sens. Blevins, Connor, Cook, Simpson & Venables) (Volume 75, Chapter 126, Laws of Delaware.)

HJR #4 aab SA #2 (7/7/05) - ESTABLISHING A TASK FORCE TO REVIEW THE BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. (Sponsors: Rep. Wagner & Sen. Sokola)

SB #1 aab SA #1, HA #1 & SA #3 (7/7/05) - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE TO AFFIRMATIVELY RE-ESTABLISH AND CONTINUE THE FUNCTIONS OF THE UNEMPLOYMENT INSURANCE APPEAL BOARD. (Sponsors: Sen. Vaughn; Sens. Adams, Cook, McBride, Reps. Ennis, Ewing) (Volume 75, Chapter 127, Laws of Delaware.)

SB #27 aab HA #1 (7/7/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. (Sponsors: Sen. McBride & Sen. Cloutier; Sens. Copeland & Sokola; Reps. Hudson, Mulrooney, Valihura & Viola) (Volume 75, Chapter 128, Laws of Delaware.)

SB #29 (7/7/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. (Sponsors: Sen. McBride; Sens. Copeland & Sokola; Reps. Hudson, Mulrooney, Valihura & Viola) (Volume 75, Chapter 129, Laws of Delaware.)

SB #35 (7/7/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK. (Sponsors: Sen. McBride; Sen. Sokola; Reps. Hudson, Mulrooney, Valihura & Viola) (Volume 75, Chapter 130, Laws of Delaware.)

Substitute #1 to SB #143 aab SA #1 (7/7/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTIONS IN BANKRUPTCY AND IN INSOLVENCY. (Sponsors: Sen. Peterson & Rep. Valihura & Rep. Keeley; Sens. Blevins, Henry, Marshall, McDowell & Copeland; Reps. DiPinto, Maier & McWilliams, Sen. Cloutier, Rep. Gilligan) (Volume 75, Chapter 131, Laws of Delaware.)

SB #189 aab SA #1 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL GENERAL EMPLOYEES' PENSION PLAN. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Oberle & Rep. Gilligan; Sens. McBride, Henry, Vaughn, Amick & Cloutier; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams) (Volume 75, Chapter 132, Laws of Delaware.)

SB #191 aab SA #1 (7/7/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' PENSION PLAN. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Oberle & Rep. Gilligan; Sens. McBride, Henry, Vaughn, Amick & Cloutier; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams) (Volume 75, Chapter 133, Laws of Delaware.)

SS#1 for SB #201 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL AND STATE PENSIONS. (Sponsors: Sen. McBride) (Volume 75, Chapter 134, Laws of Delaware.)

SB #223 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO PENSION BENEFITS. (Sponsors: Sen. Sorenson & Rep. Schooley) (Volume 75, Chapter 135, Laws of Delaware.)

SB #232 (7/7/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Oberle; Sens. Henry, McBride, Vaughn, Amick, Cloutier, Adams, McDowell, DeLuca, Still, Sorenson, Blevins, Bunting, Marshall, Peterson, Sokola, Venables, Bonini, Connor, Copeland & Simpson; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams, Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Carey, Cathcart, Caulk, Ewing, Hocker, Hudson, Lavelle, Lofink; Reps. Maier, Miro, Outten, Roy, Stone, Thornburg, Valihura, Wagner, Ennis, George, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Schooley, Plant & Viola) (Volume 75, Chapter 136, Laws of Delaware.)

The following bills are constitutional amendments and do not require the Governors signature:

HB #125 11b SA #1 - AN ACT TO PROPOSE AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897 TO DELETE REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. (Sponsors: Rep. Valihura & Rep. Wagner & Sen. Vaughn) (Volume 75, Chapter 137, Laws of Delaware.)

SB #16 aab SA #1 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (Sponsors: Sen. Still & Sen. Vaughn & Rep. Hudson; Sens. Bonini, Copeland; Reps. Hocker, Smith, Wagner)

LEGISLATIVE ADVISORY #11, dated July 19, 2005, the Governor signed the following legislation on the dates indicated:

HS # 1 for HB # 55 aab HA # 1 (7/12/05) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR. (Sponsors: Rep. Lavelle & Sen. Sokola; Reps. DiPinto, Hudson, Smith, Valihura; Sens. Copeland, Sorenson) (Volume 75, Chapter 139, Laws of Delaware.)

HB # 56 (7/12/05) - AN ACT TO AMEND CHAPTER 23, VOLUME 72, LAWS OF DELAWARE, AND TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT FOR RESEARCH AND DEVELOPMENT EXPENSES. (Sponsors: Rep. Hudson & Sen. DeLuca; Reps. Spence, Smith, DiPinto, Lavelle, Miro, Oberle, Roy, Valihura, Keeley, Johnson, Hall-Long, Ennis, Williams, Van Sant, McWilliams, Viola, Schwartzkopf, Schooley, Mulrooney, Gilligan, Longhurst; Sens. Adams, Copeland) (Volume 75, Chapter 140, Laws of Delaware.)

HB # 75 aab HA # 1 (7/12/05) - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. (Sponsors: Rep. Ulbrich & Sen. McBride; Reps. Hudson, Mulrooney, Valihura, Viola; Sens. Bonini, Copeland, Sokola) (Volume 75, Chapter 141, Laws of Delaware.)

HB # 78 aab HA # 1 & HA # 3 (7/12/05) - AN ACT TO AMEND TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND THE ASSESSMENT PUBLIC UTILITIES AND CABLE TELEVISION SYSTEMS PAY. (Sponsors: Rep. Roy & Rep. Smith & Sen. Vaughn) (Volume 75, Chapter 142, Laws of Delaware.)

HB # 86 aab HA # 1 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. (Sponsors: Rep. Keeley & Rep. Smith Rep. Spence Sens. Blevins Henry) (Volume 75, Chapter 143, Laws of Delaware.)

HS # 2 for HB # 108 (7/12/05) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS. (Sponsors: Rep. Maier & Rep. Cathcart & Rep. Spence & Sen. Sokola & Sen. Peterson; Reps. Buckworth, Gilligan, Hudson, Keeley, Schooley, Wagner) (Volume 75, Chapter 144, Laws of Delaware.)

HB # 152 (7/12/05) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS. (Sponsors: Rep. Miro & Sen. DeLuca; Reps. Buckworth, Carey, Hocker, Lavelle, Roy, Stone, Valihura, Mulrooney, Viola; Sen. Peterson) (Volume 75, Chapter 145, Laws of Delaware.)

HB # 158 (7/12/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (Sponsors: Rep. Roy; Rep. Keeley) (Volume 75, Chapter 146, Laws of Delaware.)

HB # 167 (7/12/05) - AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO ADULT ABUSE REGISTRY CHECKS. (Sponsors: Rep. Maier & Sen. Blevins; Reps. Buckworth, Carey, DiPinto, Hudson, Miro, George, Hall-Long, Keeley; Sens. Peterson, Sokola, Sorenson, Connor) (Volume 75, Chapter 147, Laws of Delaware.)

HB # 168 aab HA # 1 & HA # 2 (7/12/05) - AN ACT TO AMEND TITLE 10 CHAPTER 66 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF STRUCTURED SETTLEMENTS. (Sponsors: Rep. Van Sant & Rep. Ewing & Sen. Bonini & Sen. Vaughn) (Volume 75, Chapter 148, Laws of Delaware.)

HB # 206 aab HA # 1 & HA # 2 (7/12/05) - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. (Sponsors: Rep. Ewing & Rep. Schwartzkopf; Reps. Gilligan, Hall-Long, Lee, Van Sant; Sens. Blevins, Bunting, Sokola, Venables) (Volume 75, Chapter 149, Laws of Delaware.)

HB # 218 aab HA # 1 (7/12/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES. (Sponsors: Rep. Stone & Sen. Blevins) (Volume 75, Chapter 150, Laws of Delaware.)

HB # 220 aab SA # 1 (7/12/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Sponsors: Rep. Spence & Sen. McBride) (Volume 75, Chapter 151, Laws of Delaware.)

HB # 228 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO LAND AND HISTORIC RESOURCE TAX CREDIT. (Sponsors: Rep. Hudson & Rep. DiPinto & Sen. Adams & Sen. Sorenson; Reps. Maier, Valihura, Keeley, Sens. McDowell, Blevins, Henry, Marshall, Peterson, Sokola, Vaughn, Connor) (Volume 75, Chapter 152, Laws of Delaware.)

HB # 229 aab HA #1 & HA #2 (7/12/05) - AN ACT TO AMEND TITLE 7, TITLE 23, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL RESOURCES. (Sponsors: Rep. Booth & Rep. Smith & Sen. Bunting; Reps. Atkins, Ewing, Hocker, Hudson, Lavelle, Lee, Maier, Stone, Ulbrich, Valihura) (Volume 75, Chapter 153, Laws of Delaware.)

HB # 234 (7/12/05) - AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", TO AMEND SECTION 18 BY CLARIFYING THE REQUIREMENTS AND DUTIES OF A TOWN ADMINISTRATOR. (Sponsors: Rep. Atkins & Sen. Bunting) (Volume 75, Chapter 154, Laws of Delaware.)

HB # 236 aab HA #1 (7/12/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICALLY IMPAIRED AND TRAUMATIC BRAIN INJURED STUDENTS. (Sponsors: Rep. Wagner & Sen. Sokola) (Volume 75, Chapter 155, Laws of Delaware.)

HB # 254 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS. (Sponsors: Rep. Stone & Sen. Blevins) (Volume 75, Chapter 156, Laws of Delaware.)

HB # 263 (7/12/05) - AN ACT TO IMPLEMENT AND FUND THE DELAWARE SEED SCHOLARSHIP PROGRAM. (Sponsors: Rep. Wagner & Sen. McDowell; Reps. Spence, Lee, Buckworth, Cathcart, Ewing, Miro, Oberle, Stone, Ulbrich, Gilligan, Ennis, George, Johnson, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Caulk; Sens. Adams, DeLuca, Blevins, Bunting, Cook, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables, Still, Sorenson, Amick, Cloutier, Connor, Copeland) (Volume 75, Chapter 157, Laws of Delaware.)

HB # 265 aab HA #1 (7/12/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM. (Sponsors: Rep. Smith & Rep. Valihura & Sen. Adams & Sen. Sokola & Sen. Vaughn) (Volume 75, Chapter 158, Laws of Delaware.)

HB # 267 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS. (Sponsors: Rep. Hocker & Rep. Booth & Sen. Venables; Reps. Buckworth, Carey, Cathcart, Ewing, Fallon, Hudson, Lee, Maier, Miro, Ulbrich, Valihura, Wagner, Gilligan, Plant, Williams, Sens. Bunting, Sorenson, Bonini, Cloutier) (Volume 75, Chapter 159, Laws of Delaware.)

SB # 44 (7/12/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND. (Sponsors: Sen. McDowell & Rep. DiPinto; Sens. Adams, Bunting, Connor, Cook, McBride, Simpson, Sokola, Still, Venables; Reps. Booth, Carey, Caulk, Ennis, Hall-Long, Hocker, McWilliams, Thornburg) (Volume 75, Chapter 160, Laws of Delaware.)

SB # 48 aab SA1 (7/12/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRESCRIPTIONS. (Sponsors: Sen. Sorenson & Rep. Maier; Sens. Blevins, Cloutier, Connor, McDowell, Peterson; Reps. Buckworth, Carey, Ennis, Ewing, Fallon, Hudson, Miro, Plant, Valihura) (Volume 75, Chapter 161, Laws of Delaware.)

SB # 50 aab SA #2 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF INSTRUMENTS OF CERTAIN CRIMES. (Sponsors: Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 162, Laws of Delaware.)

SB # 57 aab SA #2 (7/12/05) - AN ACT TO AMEND THE CHARTER OF THE TOWN OF DAGSBORO, CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO" RELATING TO VACANCIES AND FORFEITURE OF OFFICE. (Sponsors: Sen. Bunting & Rep. Atkins) (Volume 75, Chapter 163, Laws of Delaware.)

SB # 64 aab SA #2 & SA #1 (7/12/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ENGINE COMPRESSION BRAKE DEVICES. (Sponsors: Sen. Amick & Rep. Cathcart & Rep. Roy; Reps. Buckworth, DiPinto, Hudson, Smith; Sens. Connor, Cloutier) (Volume 75, Chapter 164, Laws of Delaware.)

SB # 71 aab SA #1 (7/12/05) - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE FOR STAGGERED TERMS FOR COMMISSIONERS, TO REQUIRE A MINIMUM OF FOUR COMMISSIONERS AND THE MAYOR BE RESIDENTS AND TO ESTABLISH STANDARDS AND PROCEDURES FOR FORFEITURE OF OFFICE. (Sponsors: Sen. Bunting & Rep. Schwartzkopf) (Volume 75, Chapter 165, Laws of Delaware.)

SB # 82 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE CONCERNING THE SEQUESTRATION OF ALTERNATE JURORS IN CAPITAL PUNISHMENT CASES. (Sponsors: Sen. Vaughn & Rep. Atkins; Sens. Adams, DeLuca & Simpson) (Volume 75, Chapter 166, Laws of Delaware.)

SB # 84 aab SA #1 & SA#2 (7/12/05) - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE TO BRING PERIODS OF PROBATION FOR FIRST OFFENDERS INTO CONFORMITY WITH SENATE BILL 50. (Sponsors: Sen. Vaughn & Rep. Atkins & Sens. DeLuca, Adams & Simpson) (Volume 75, Chapter 167, Laws of Delaware.)

SB # 91 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL ASSAULTS. (Sponsors: Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 168, Laws of Delaware.)

SB # 97 (7/12/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Sponsors: Sen. Peterson & Sen. Amick) (Volume 75, Chapter 169, Laws of Delaware.)

SB #101 (7/12/05) - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY FACILITY RELOCATIONS THAT ARE NON-REVENUE PRODUCING. (Sponsors: Sen. DeLuca & Rep. Smith) (Volume 75, Chapter 170, Laws of Delaware.)

SB # 108 aab SA1 (7/12/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO CERTAIN BUSINESS LICENSE FEES. (Sponsors: Sen. Cook & Rep. Hudson; Sen. Sorenson) (Volume 75, Chapter 171, Laws of Delaware.)

SB # 113 (7/12/05) - AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (Sponsors: Sen. McBride & Rep. Booth; Sens. Venables & Simpson; Reps. Carey, McWilliams, Hall-Long, Sen. Connor) (Volume 75, Chapter 172, Laws of Delaware.)

SB # 122 aab SA #1 (7/12/05) - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED. (Sponsors: Sen. Bunting & Rep. Hocker) (Volume 75, Chapter 173, Laws of Delaware.)

SB # 125 aab SA #1 & HA #1 (7/12/05) - AN ACT TO AMEND CHAPTER 11, TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY GOVERNMENT, COUNTY COUNCIL, AND COUNTY COUNCIL VACANCIES. (Sponsors: Sen. DeLuca & Rep. Lavelle; Sens. Blevins, Henry, McDowell, Sokola; Reps. DiPinto, Ennis, Hall-Long, Keeley, Longhurst, Valihura, Van Sant, Viola) (Volume 75, Chapter 174, Laws of Delaware.)

SB # 126 aab SA1 (7/12/05) - AN ACT TO REINCORPORATE THE CITY OF DOVER. (Sponsors: Sen. Still & Rep. Stone & Rep. Wagner; Sen. Cook) (Volume 75, Chapter 175, Laws of Delaware.)

SB # 128 aab SA #1 (7/12/05) - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO INCREASING THE LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS OR OTHER OBLIGATIONS BY THE TOWN COUNCIL AS WELL AS INCREASING THE CEILING FOR BONDED INDEBTEDNESS FROM 25% TO 50% OF THE ASSESSED VALUE OF REAL PROPERTY WITHIN THE

LIMITS OF THE TOWN OF LAUREL. (Sponsors: Sen. Venables & Rep. Lee) (Volume 75, Chapter 176, Laws of Delaware.)

SB # 130 (7/12/05) - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Sponsors: Sen. Marshall & Rep. Oberle; Sen. Venables & Rep. Viola) (Volume 75, Chapter 177, Laws of Delaware.)

SB # 131 (7/12/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTICES OF OPEN MEETINGS. (Sponsors: Sen. Cook & Rep. Roy) (Volume 75, Chapter 178, Laws of Delaware.)

SB # 138 aab SA1 (7/12/05) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF SOCIAL SECURITY NUMBERS ON INSURANCE CARDS. (Sponsors: Sen. Cloutier; Sens. Connor, Copeland, Marshall, Sokola, Sorenson; Reps. Keeley, Maier, Schooley, Viola) (Volume 75, Chapter 179, Laws of Delaware.)

SB # 142 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF FORCE IN LAW ENFORCEMENT. (Sponsors: Sen. Vaughn & Rep. Atkins) (Volume 75, Chapter 180, Laws of Delaware.)

SB # 147 (7/12/05) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BUILDING LOAN ASSOCIATIONS. (Sponsors: Sen. Adams & Rep. Ewing) (Volume 75, Chapter 181, Laws of Delaware.)

SS # 1 for SB # 153 aab SA1 (7/12/05) - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE. (Sponsors: Sen. Henry & Rep. Lee; Rep. Ewing) (Volume 75, Chapter 182, Laws of Delaware.)

SB # 155 (7/12/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVERS LICENSES AND THE LENGTH OF ISSUANCE FOR A COMMERCIAL DRIVER'S LICENSE WITH A HAZARDOUS MATERIALS ENDORSEMENT. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 75, Chapter 183, Laws of Delaware.)

SB # 159 (7/12/05) - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 75, Chapter 184, Laws of Delaware.)

SB # 160 (7/12/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 75, Chapter 185, Laws of Delaware.)

SB # 161 (7/12/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND PENALTIES. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 75, Chapter 186, Laws of Delaware.)

SB # 167 (7/12/05) - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED. (Sponsors: Sen. Blevins & Rep. Van Sant) (Volume 75, Chapter 187, Laws of Delaware.)

SB # 169 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS. (Sponsors: Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 188, Laws of Delaware.)

SB # 170 (7/12/05) - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENT'S ESTATES. (Sponsors: Sen. Vaughn & Rep. Ewing; Sen. Peterson, Blevins; Reps. Ennis, Schwartzkopf) (Volume 75, Chapter 189 Laws of Delaware.)

SB # 176 (7/12/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Sponsors: Sen. DeLuca & Rep. Cathcart; Sen. Adams; Rep. Ewing) (Volume 75, Chapter 190, Laws of Delaware.)

SS # 1 for SB # 178 aab SA #1 (7/12/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DISABILITY INSURANCE PROGRAM. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Wagner; Sens. McBride, Henry, Vaughn, Amick, Cloutier, Still; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams) (Volume 75, Chapter 191, Laws of Delaware.)

SB # 181 (7/12/05) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD.

(Sponsors: Sen. Marshall & Rep. Oberle; Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola) (Volume 75, Chapter 192, Laws of Delaware.)

SB # 182 aab SA1 (7/12/05) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMINAL JUSTICE COUNCIL. (Sponsors: Sen. Marshall & Rep. Oberle; Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola) (Volume 75, Chapter 193, Laws of Delaware.)

SB # 195 (7/12/05) - AN ACT TO AMEND TITLE 16 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PRE-HOSPITAL ADVANCED CARE DIRECTIVES. (Sponsors: Sen. Cloutier & Rep. Smith; Sens. Adams, Amick, Bonini, Connor, Henry, Simpson, Sorenson, Venables, Sokola; Reps. Ewing, Maier, Valihura, Van Sant) (Volume 75, Chapter 194, Laws of Delaware.)

SB # 200 (7/12/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE CRIME OF ROBBERY. (Sponsors: Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 195, Laws of Delaware.)

SB # 216 (7/12/05) - AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES". (Sponsors: Sen. Venables & Rep. Fallon) (Volume 75, Chapter 196, Laws of Delaware.)

SB # 219 (7/12/05) - AN ACT TO AMEND CHAPTER 283, VOLUME 21, LAWS OF DELAWARE, AND AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LITTLE CREEK RELATING TO ASSESSMENT AND TAXATION". (Sponsor: Sen. Still) (Volume 75, Chapter 197, Laws of Delaware.)

SB # 227 (7/12/05) - AN ACT TO AMEND TITLES 12 AND 30 OF THE DELAWARE CODE RELATED TO THE ESTATE TAX. (Sponsors: Sen. Marshall & Rep. Hudson; Sen. Amick; Reps. George & Valihura) (Volume 75, Chapter 198, Laws of Delaware.)

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LEGISLATIVE ADVISORY #12, dated July 29, 2005, the Governor signed the following legislation on the dates indicated:

HB #303 (7/19/05) - AN ACT RELATING TO GROSS RECEIPTS AND TOBACCO PRODUCTS TAXES. (Sponsors: Rep. Hudson & Sen. Adams; Reps. Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner; Sens. Marshall, McDowell, DeLuca, Still, Sorenson) (Volume 75, Chapter 199, Laws of Delaware.)

SB #102 (7/20/05) - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION. (Sponsors: Sen. Bunting & Rep. Atkins) (Volume 75, Chapter 200, Laws of Delaware.)

SB #121 aab SA #1 (7/20/05) - AN ACT TO ESTABLISH A FORESTLAND PRESERVATION PROGRAM. (Sponsors: Sen. Bunting & Rep. Thornburg; Sens. Blevins, Sokola, Cook, Adams, DeLuca, Simpson; Reps. Ennis, Valihura, Fallon, Hall-Long, Schwartzkopf, Schooley, Booth) (Volume 75, Chapter 201, Laws of Delaware.)

SB #127 aab SA #1 (7/20/05) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING. (Sponsors: Sen. Copeland & Sen. McDowell & Rep. Hudson) (Volume 75, Chapter 202, Laws of Delaware.)

SB #229 (7/20/05) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX AND FARMLAND PRESERVATION FUND. (Sponsors: Sen. Cook; Rep. Thornburg, Sens. Blevins, Connor, Sokola; Sens. Bunting, Adams, DeLuca, Still, Sorenson; Reps. Spence, Smith, Lee, Gilligan, Van Sant, Valihura) (Volume 75, Chapter 203, Laws of Delaware.)

SB #63 aab SA #1, SA #2 & HA #1, HA #2 (7/21/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL PENALTIES. (Sponsors: Sen. Adams & Rep. Wagner; Sens. DeLuca, Vaughn; Reps. Ewing, Outten) (Volume 75, Chapter 204, Laws of Delaware.)

SB # 74 aab SA #1, SA #2, SA #3 & HA #1 (7/21/05) - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS. (Sponsors: Sen. McDowell; Rep. DiPinto; Sens. Blevins, Cloutier, Copeland, Henry, Sokola, Still; Reps. Buckworth, Ennis, Keeley, McWilliams,

Mulrooney, Roy, Valihura, Williams, Ulbrich) (Volume 75, Chapter 205, Laws of Delaware.)

SB #112 aab HA #1 (7/21/05) - AN ACT TO AMEND CHAPTER 79, TITLE 7, OF THE DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AS IT ADOPTS THE UNIFORM ENVIRONMENTAL COVENANTS ACT. THIS ACT WILL MAKE THESE COVENANTS ENFORCEABLE OVER THE LONG TERM AND BE ENFORCEABLE AGAINST SUCCESSIVE OWNERS OF THE PROPERTY AND AGAINST PARTIES LIABLE FOR MAINTAINING INSTITUTIONAL CONTROL OF THE PROPERTY. (Sponsors: Sen. McBride & Reps. Valihura & Wagner; Sen. Sokola; Reps. Longhurst, McWilliams, Mulrooney & Hall-Long, Sen. Connor, Sen. McDowell) (Volume 75, Chapter 206, Laws of Delaware.)

SB #152 (7/21/05) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. (Sponsors: Sen. DeLuca & Rep. Hudson; Sens. Blevins, Henry, Sokola, Vaughn, Venables; Reps. Buckworth, DiPinto, Hall-Long, Keeley, Smith, Stone, Van Sant) (Volume 75, Chapter 207, Laws of Delaware.)

SB #163 (7/21/05) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR MENTORING. (Sponsors: Sen. Sokola & Rep. Wagner) (Volume 75, Chapter 208, Laws of Delaware.)

SB #177 (7/21/05) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE. (Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 209, Laws of Delaware.)

SB #179 (7/21/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. (Sponsors: Sen. Blevins & Sen. Marshall & Rep. Oberle & Rep. Maier) (Volume 75, Chapter 210, Laws of Delaware.)

SB #188 aab SA #1 (7/21/05) - AN ACT TO AUTHORIZE AND APPROVE A TRANSFER OF CERTAIN REAL PROPERTY IN BLACKBIRD HUNDRED TO THE TOWNSEND FIRE COMPANY. (Sponsors: Sen. Vaughn & Rep. Hall-Long; Reps. Ennis, Spence, Oberle, Cathcart) (Volume 75, Chapter 211, Laws of Delaware.)

SB #197 (7/21/05) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH AND WELFARE AND PROPERTY MAINTENANCE, TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE, AND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF THE STATE AND/OR ITS POLITICAL SUBDIVISIONS. (Sponsors: Sen. Sokola & Rep. Oberle; Sens. Blevins, Peterson & Simpson; Rep. Johnson) (Volume 75, Chapter 212, Laws of Delaware.)

SB #203 (7/21/05) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION. (Sponsors: Sen. Bunting & Sen. Sokola & Rep. Valihura; Sens. Connor, Copeland; Reps. Atkins, Ennis, Hocker, Hudson, Lavelle, Schwartzkopf, Stone) (Volume 75, Chapter 213, Laws of Delaware.)

SB #205 aab SA #1 (7/21/05) - AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON. (Sen. Henry & Rep. Keeley) (Volume 75, Chapter 214, Laws of Delaware.)

SB #206 (7/21/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVISION OF PROFESSIONAL REGULATION. (Sponsors: Sen. Bunting & Rep. Cathcart; Sens. Sen. Connor, Cloutier) (Volume 75, Chapter 215, Laws of Delaware.)

SB #217 aab HA #1 (7/21/05) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN. (Sponsors: Sen. Venables & Rep. Hocker; Sens. Adams, DeLuca, Still, Peterson, Bunting, McDowell, Copeland, Simpson, Cloutier, Connor; Reps. Lee, Carey, Atkins, Smith, Ennis, Caulk) (Volume 75, Chapter 216, Laws of Delaware.)

SB #234 (7/21/05) - AN ACT TO AMEND CHAPTER 52, VOLUME 75, LAWS OF DELAWARE RELATING TO CONTROLLED SUBSTANCES. (Sponsors: Sen. DeLuca & Rep. Miro) (Volume 75, Chapter 217, Laws of Delaware.)

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LEGISLATIVE ADVISORY #13, dated August 23, 2005, the Governor signed the following legislation on the dates indicated:

HB #314 (7/29/05) - AN ACT TO PROVIDE FISCAL RELIEF TO COUNTY SEATS BY AMENDING TITLE 9, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES TO BE PAID TO THE COUNTY SEATS; BY MAKING A SUPPLEMENTAL APPROPRIATION FOR SERVICES PROVIDED TO STATE OWNED PROPERTIES; AND BY MAKING A SUPPLEMENTAL APPROPRIATION FOR CITY OF WILMINGTON INFRASTRUCTURE IMPROVEMENTS. (Sponsors: Rep. Smith & Sen. McDowell; Reps. Spence, Booth, DiPinto, Stone, Wagner, Ennis, Gilligan, Johnson, Keeley, Plant, Williams; Sens. Henry, Marshall, Sorenson, Still) (Volume 75, Chapter 218, Laws of Delaware.)

HB #239 aab HA #1 (8/17/05) - AN ACT TO AMEND TITLE 29, CHAPTER 80 OF THE DELAWARE CODE RELATING TO THE WASTEWATER FACILITIES ADVISORY COUNCIL. (Sponsors: Rep. Roy & Sen. McBride & Sen. Venables; Sen. Blevins & Peterson) (Volume 75, Chapter 219, Laws of Delaware.)

SB #156 aab SA #1 (8/17/05) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO INTRA-STATE ONLY COMMERCIAL DRIVER LICENSED DRIVERS AND FOR EMPLOYEES WHO OPERATE COMMERCIAL MOTOR VEHICLES FOR STATE AND OTHER GOVERNMENT ENTITIES. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 75, Chapter 220, Laws of Delaware.)

SB #230 (8/22/05) - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX. (Sponsors: Sen. Henry & Rep. Atkins; Sens. Adams, McDowell, DeLuca, Still, Sorenson; Reps. Spence, Lee, Gilligan, Van Sant, Copeland) (Volume 75, Chapter 221, Laws of Delaware.)

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LEGISLATIVE ADVISORY #14, dated September 6, 2005, the Governor signed the following legislation on the dates indicated:

SS #1 for SB #30 aab SA #1 & HA #2 (9/6/05) - AN ACT ESTABLISHING THE SEED SCHOLARSHIP PROGRAM AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE. (Sponsors: Sen. McDowell & Rep. Wagner; Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables; Reps. Ennis, George, Gilligan, Johnson, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Buckworth, Cathcart, Ewing, Miro, Oberle, Stone, Ulbrich) (Volume 75, Chapter 222, Laws of Delaware.)

* * *

A communication from the Honorable Gene Bookhammer to Senator Adams, thanking the Senate for its memorial in honor of Mrs. Bookhammer was read in its entirety.

A communication from Senator Connor to Secretary of Senate was read requesting her name be added as co-sponsor of **SB 215**.

At 02:50 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 4th Legislative Day.

4TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 17, 2006

The Senate convened at 2:50 PM. with Lt Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 20.

ABSENT: Senator(s) Bonini -1.

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

SENATE CITATION ANNOUNCEMENT NO. 7, S143-329 – 435 inclusive was introduced and a copy made available to each Senator.

HCR 43 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 43 - RECOGNIZING NATIONAL MENTORING MONTH AND PRAISING THOSE DELAWAREANS WHO VOLUNTEER THEIR TIME TO MENTOR CHILDREN AND SUPPORTING THE EFFORTS OF THE DELAWARE MENTORING COUNCIL. Sponsors: Rep. Wagner, On behalf of all Representatives & Sen. Sokola; On behalf of all Senators

Senator Sokola requested personal privilege of the floor for Theresa Clower, representing Delaware Mentoring Council. After addressing the Senate the witness was excused.

Roll call vote on **HCR 43** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini, - 1.

HCR 43 was declared passed the Senate and returned to the House.

Senator Cook was marked present during the above roll call.

Senator McDowell remarked on the Mary Campbell Center and then requested personal privilege of the floor for Jerrold Spilecki and Meredith Rosenthal to address the Senate, after which the witnesses were excused.

Senator McDowell yields to Senator Blevins.

SB 119 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 119 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT.

Senator Blevins requested that **SA 1** be stricken.

SA 2 to SB 119 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to SB 119** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 2 to SB 119 was declared part of the bill.

SB 119 w/SA 2 was now before the Senate.

Roll call vote on **SB 119 w/SA 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SB 119 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

Senator McDowell moved to recess for Party Caucus at 3:13 PM.

The Senate reconvened at 4:58 PM with Lt. Governor Carney presiding.

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

The Secretary announced the agenda for January 18, 2006.

On motion of Senator McDowell, the Senate recessed at 05:02 PM until January 18, 2006 at 03:30 PM.

The Senate reconvened at 04:08 PM, on January 18, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Banking: **SB 239** – 1 Favorable, 4 Merits.

From Finance: **SB 242** – 4 Favorable, 1 Merit; **HB 202 w/HA 1** - 4 Favorable, 2 Merits; **SS1 for SB 243** – 5 Favorable, 1 Merit.

A communication from Senator and Mrs. F. Gary Simpson read to the record, thanking the Senate members for their expression of sympathy.

At 04:10 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 5th Legislative Day.

**5TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 18, 2006**

The Senate convened at 04:10 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

HB 202 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 202 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH OF MOTHERS, EXPECTANT MOTHERS AND INFANTS.

Senator(s) Blevins, Bunting, McBride were marked present.

Senator Blevins commented.

Roll call vote on **HB 202 w/HA 1** was taken and revealed:

YES: 21

HB 202 w/HA 1 was declared passed the Senate and returned to the House.

Senator Bonini was marked present during the above roll call.

SJR 9 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Cook.

SJR 9 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2006. Sponsors: Sen. Cook & Rep. DiPinto; Sens. McBride, Henry, Vaughn, Amick, Cloutier; Reps. Buckworth, Fallon, Ulbrich, Williams, Schwartzkopf

Roll call vote on **SJR 9** was taken and revealed:

YES: 21.

SJR 9 was declared passed the Senate and sent to House for Consideration.

SB 242 was brought before the Senate for consideration on the motion of Senator Cook.

SB 242 - AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF FIVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF AN ENERGY FUND.

Senator Bunting commented.

Roll call vote on **SB 242** was taken and revealed:

YES: 21.

SB 242 was declared passed the Senate and sent to the House for Consideration.

SS 1 for SB 243 was brought before the Senate for consideration on the motion of Senator Cook.

SS 1 for SB 243 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISABILITY INSURANCE PROGRAM.

Senator Cook requested personal privilege of the floor for David Craik, representing the Pension Office for the State. After addressing the Senate the witness was excused.

Roll call vote on **SS 1 for SB 243** was taken and revealed:

YES: 21.

SS 1 for SB 243 was declared passed the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for January 19, 2006.

On motion of Senator McDowell, the Senate recessed at 4:34 PM until January 19, 2006 at 01:45 PM.

The Senate reconvened at 1:49 PM on January 19, 2006 with Lt. Governor Carney presiding.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION**

READ TO THE SENATE RECORD

1/19/2006

Jan. 12, 2006

SB 239 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PAYMENT NETWORKS. Sponsors: Sen. DeLuca; Rep. Stone, Sens. Sokola, Sorenson; Reps. Longhurst, Viola; **Banking**.

Jan. 17, 2006

SB 240 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUNSET ACT. Sponsor: Sen. Vaughn; **Judiciary**.

SB 241 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM DECISIONS OF THE REGIONAL PLANNING COMMISSION. Sponsors: Sen. Vaughn; Rep. Stone, Sen. Cook; Reps. Buckworth & Ennis; **Judiciary**.

* * *

At 01:50 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 6th Legislative Day.

**6TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 19, 2006**

The Senate convened at 01:50 PM with Lt Governor Carney presiding. A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator Bonini commented.

At 01:55 PM on motion of Senator McDowell, the Senate recessed to join the House for Governor Minner's State of the State message.

The Sergeant-at-Arms announced the arrival of the members of the Senate. They were admitted and seated. The Speaker invited the Lt. Governor, President of the Senate and the President Pro-Tempore to be his guests on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the statewide along with the presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College. They were admitted and seated.

The Majority Leader moved that the House and Senate convene in Joint Session at 02:07 PM for the purpose of hearing the State of the State and the Annual Budget message by Ruth Ann Minner, 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 Hazel D. Plant, Senator Liane M. Sorenson and Senator Margaret Rose Henry.

The Speaker of the House declared a short recess to await the arrival of the Governor and the escort committee.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Minner. The escort party was admitted with the Governor.

Representative Tina Fallon introduced the Governor to the Joint Session.

The Governor addressed the members of the General Assembly as follows:

State of the State Address of Governor Ruth Ann Minner
January 19, 2006

Good Afternoon.

Lieutenant Governor Carney, President Pro Tem Adams, Speaker Spence, members of the 143rd General Assembly, members of our Delaware judiciary, other elected officials, members of my Cabinet, state employees, distinguished guests, my family and my fellow Delawareans...

This time last year, I talked to you about sowing the seeds for our state's future—doing things today so we will leave our children and their children a better Delaware. And we have done that. This year, I will speak about the importance of nurturing those seeds—putting our time and effort and resources into ensuring that they grow and thrive to create a strong and healthy climate for our schools, our health, our environment and our economy.

Our list of accomplishments is long and don't worry, I won't talk about all of them today.

Before I begin, I would like to take a moment to recognize and thank the members of our Delaware National Guard for their continued commitment to our state, both here at home and on foreign soil.

They are represented today by Capt. Brian Foulk and First Sgt. Pat Olechny, both Bronze Star recipients who just returned from Iraq in November. We thank them and the rest of our Guards and Reserves for their tireless effort to protect our state and our country.

In Delaware, we are strongly committed to supporting our troops. Over the past several years, our General Assembly has passed, and I have signed legislation protecting and enhancing benefits for our Guard and Reserves. That support for our troops was recognized this year when we were selected by the Department of Defense as one of only 15 employers in the nation to receive the national Freedom Award.

We were nominated by three state employees who are also members of our National Guard. At this time, I would like to recognize these special guests—Sergeant Major Ken Hardy of the Delaware State Police, Senior Master Sergeant Robert Brown of the Division of Probation and Parole and Sergeant Fernando Ollano of the Division of Long Term Care Residents Protection.

Thank you.

While we were certainly honored to receive the award, we truly believe that supporting our troops and their families is the least we can do for their dedicated service to us.

Now, with the state of our state strong and poised for challenges that lie ahead, I would like to share with you my vision for the coming year.

Education

I will start by talking about our schools because I am extremely pleased and very proud of the progress we have made in education. And apparently, we aren't the only ones who have noticed.

This month, Education Week released its national report card on public education with Delaware earning some of the highest marks in the country. Also, our fourth- and eighth-grade reading scores on the 2005 National Assessment of Education Progress were among the highest in the nation. And at the state level, our students have shown steady and remarkable on the standardized test.

However, we cannot afford to relax our education efforts.

Last year, we started the first phase of my plan to put math specialists in every middle school to help those who need extra help with and keep them from falling behind. We funded 22 specialists last year, and I will propose next week that we continue this program by adding 10 more to the ranks.

I'm also looking forward to seeing the first students take advantage of a program that I consider one of the most important of my Administration—the Student Excellence Equals Degree—or SEED—scholarship program.

Thanks to the hard work of Sen. McDowell and Rep. Wagner, students will now have the opportunity to receive a two-year college degree tuition-free. We are going to be working diligently this year to make sure students, in every elementary, middle and high schools are aware of this opportunity.

As you know, I have already set my goal to fully implement full-day kindergarten across our state by 2008.

My proposed budget will include funding to implement the second phase of that plan. The phase will expand operations funding for districts with existing available classroom space and also continue funding building costs for those districts that passed referenda for full-day kindergarten last year.

This additional funding will help solidify our students' foundation for learning and prepare them for a lifetime of success.

Health

The health of my fellow Delawareans continues to be a priority for this Administration.

Fighting cancer has been a cornerstone of my agenda, and we will further those efforts by continuing to fund the recommendations of the Delaware Advisory Council on Cancer Incidence and Mortality.

We are committed to fight this deadly disease and we have proven that by becoming the first state in the nation to implement a multi-faceted plan to reduce our cancer rates. Through education prevention, screening and even providing treatment for our uninsured citizens, we are already seeing results of our work.

The cancer incidence and mortality rate has decreased four times as much as our nation's rate and Delaware's death rate has declined twice as much as the nation's. With the investments we're making in cancer control, we can expect even more good news to come.

During the upcoming fiscal year, I will recommend funding to continue the Cancer Treatment Program for the Uninsured, as well as the Screening for Life, and tobacco-use prevention programs.

The Infant Mortality Task Force presented its recommendations to us, and I recently created the Healthy Mothers and Infants Consortium—a group of doctors, professionals and advocates that will work to implement those recommendations. This group will also coordinate efforts to prevent infant mortality and improve the health of women of child-bearing age and infants in Delaware.

I thank the General Assembly for passing legislation to permanently establish this important group. We have already improved our national ranking, but much more can be done.

My budget for the current year added \$1 million to increase the staff devoted to infant mortality prevention, implement a review process through the Child Death, Near Death Stillbirth Review Commission and enhance care management for up to two years postpartum for at-risk mothers and for infants. My Fiscal Year 2007 budget proposal will add another million dollars to increase the preconception care for women with a history of poor birth outcomes.

Another potential health threat we cannot afford to ignore is avian flu. While the United States has never had a case confirmed, we must act now to prepare for the possibility.

In September, I directed the Departments of Safety and Homeland Security, Agriculture and Health & Social Services to establish a cabinet-level working group to plan for and monitor the threat of a pandemic in our state.

These agencies have developed and exercised a comprehensive plan to address a potential outbreak and they have involved key partners in identifying and responding to a pandemic, including the medical community, the media, law enforcement and the business community.

This plan will include surveillance mechanism to identify the start of a pandemic, practices for preventing and minimizing its spread and the protocols for ensuring capacity to treat affected citizens, as well as first responders and medical personnel.

Last year, we included funding for the University of Delaware laboratories conducting avian flu research and testing to enhance these prevention and response efforts. And I will propose in my budget next year that we add \$100,000 to that program to continue the important work.

We will also continue to focus on the health of our state employees.

Our Health Rewards program has been recognized nationally as an innovative and effective model to improve employee health, thereby cutting our health care costs. To continue in that effort, I have asked our Lt. Governor to kick off an immediate "Know Your Numbers" campaign among our state employees.

This campaign will educate them on the importance of knowing the basic information about health risk factors, such as blood pressure, cholesterol and blood sugar, and will provide specific information on how to reduce those risk factors if necessary.

We will also offer every state employee a complete a confidential, on-line Health Risk Assessment that will provide them with a comprehensive report about their wellness status, as well as access to information necessary for them to address any risks identified in that assessment.

Our prevention program is already a success. At least one state employee credits our efforts with saving his life. Curt Cole is business manager for Maintenance and Operation at the Department of Transportation. He learned through Health Rewards program that he had three blocked arteries around his heart. As a result, he was quickly scheduled for life-saving triple-bypass surgery. And it is particularly nice to have you with us today, Mr. Cole...

And while I'm addressing health issues, I would like to make a quick point about Medicaid, which now provides health care for more than one of every six Delawareans who are disabled, elderly or cannot afford health insurance. My budget will include funding to meet both the expected increase in enrollment and the increase the cost of health care, as it has every year of my Administration. Delaware is one of the few states that have not cut enrollment, or benefits, or both over the last few years, something we can be very proud of.

Environmental/Livable Delaware

Last year, I talked about the importance of finding a solution to the limited capacity of our landfills and the possibility of reducing trash through recycling.

I am pleased to say that this month, we capitalized on an opportunity that will not only reduce the amount of trash going into Delaware landfills, but will also lead to the eventual closure of the Cherry Island landfill.

The Delaware Solid Waste Authority has signed an agreement to develop and submit to the state a comprehensive recycling plan to divert 40 percent of the solid waste from the landfill. And starting next year, yard waste and trimmings will be banned from the landfill and the DSWA will expand its curbside recycling to Sussex County.

As a result of these efforts, the permitted height of the landfill will only increase by 23 feet. As I said last year, this issue will not go away and requires our best thinking. I applaud Secretary Hughes and our entire team at DNREC for finalizing this permit agreement.

Another issue of great concern to Delawareans is the rising cost, which affects all of us, but are most problematic for our low-income population.

I commend our leadership in the General Assembly for working with my Administration to put funds in place to help needy families this winter so we can build a long-term solution for low-income families.

The volatility in gas prices and other energy prices last summer left many consumers in a vulnerable position. We need to ensure that future national and local crises don't open the door for unfair opportunism.

I propose today that our state join 27 others to enact some form of anti-gouging legislation to prevent businesses from capitalizing on similar situations in the future.

As we consider quality of life issues this year, I expect few will take up more of our time and attention than the state's response to the results of utility deregulation and potential spikes in energy costs for Delawareans.

Based on what we read and hear about this regulatory process, consumers are bracing for what could be significant increases in energy costs this spring that will not only affect household budgets, but could affect the competitiveness of our businesses. I have directed a state Cabinet committee to review the data and report to me by March its recommendations for potential legislative solutions on this impending problem.

Once again this year, when I announce my Legislative Agenda in March, I will call on the General Assembly to pass legislation to strengthen our Livable Delaware proposal by enacting a transfer of development rights bill so we can preserve land, at no cost to taxpayers, in areas where the state and the local governments have agreed.

Economy

Our economy remains strong, and we continue to maintain our AAA bond rating—one of only six states to do so.

Over the last year, we've announced successful partnerships with Invista, DuPont, Playtex and Hercules and saw the grand opening of AAA Mid-Atlantic's new headquarters on the Wilmington Riverfront. Since 2001, we have attracted or retained more than 17,000 jobs in our state.

Last month, the Beacon Hill Institute of Public Policy Research ranked Delaware second in government financial and fiscal policy.

The University of Massachusetts ranked Delaware Number One for workers in terms of job quality. And Delaware was rated the best state for locating a biotechnology business by the Battelle Memorial Institute and the Biotechnology Industry Organization.

This year promises further economic success stories.

We continue to assist Delaware businesses through my New Economy Initiative and have completed the first round for technology-based seed funding.

We will continue to address the issue of the high cost of workers compensation insurance through the work of the Secretary of Labor and the Workers Compensation Advisory Committee. This Advisory Committee has worked hard during the past six months to develop reform legislation that will protect our workers, while reducing the cost for businesses.

While the work continues, I am confident that they will have a proposal when the General Assembly returns in March.

And as you all know, we received some unsettling news last June about the acquisition of MBNA by Bank of America. Clearly, the impact of this transaction on our state has been a concern to all Delawareans.

We have all come to rely on that stable employment on the world-class leadership, the generous community support that MBNA has provided to our state and its communities since its amazing rise to prominence in Delaware and throughout the world.

We will always be grateful to MBNA and its people for their many contributions to Delaware.

These last six months have been busy ones for me and my Administration as we aggressively responded to this acquisition by working to bring Bank of America and its charter and its commitment to the State of Delaware.

We know that MBNA has been a leader throughout the world in the credit card business, and acquisitions almost always involve some short-term employment losses due to redundancies and efficiencies. But we viewed this acquisition as an opportunity, not a risk.

In that spirit of opportunity, I propose that we enact legislation that will modernize Delaware's bank franchise tax and thereby convince them to keep the existing bank charter here in our state. This change would encourage not only Bank of America, but other large banking institutions to locate in Delaware.

These types of changes have been discussed and considered as a potential economic development tool for over ten years, and this is the perfect time to enact such legislation.

Legislative/Budget Preview

We've heard a lot this year about the shortfall in the state's Transportation Trust Fund. I formed a task force last summer to study this problem and to offer recommendations and options to address it.

Once again, I would like to thank the members of that group, who worked so diligently to develop such a thoughtful report.

I used those recommendations in developing a path forward, looking at both the spending and revenues, as well as the short- and long-term solution.

In the short-term, we will re-examine base expenditures to find savings in the Department's operations. I've also signed Executive Order #78, which implements key financial controls for transportation and mandates regular reporting of transportation revenue and expenditures on an annual basis.

To assist the new Secretary manage and oversee Trust Fund operations, I will appoint a financial management oversight committee, comprised of private sector experts, to review and monitor expenditures, track revenues to ensure stronger financial management and help us all be better stewards of the state's transportation program.

As recommended by the Task Force, I have directed my Administration to work with the Bond Bill Committee to identify projects that can be deferred or cut from the program, using the Trust Fund's resources where they are most needed.

Once our review is complete, we will examine shifting some of the Trust Fund's costs to the general fund, as well as exploring the possibility of private/public partnerships or other innovative financing plans for critical needs, such as the Route 301 project.

In the long run, we will obviously need new revenues for the Trust Fund to ensure the fund is solvent for the future. But this year, we must start with a short-term strategy that will lay the foundation for the difficult choices in the years ahead.

My Administration will also continue to focus on the important challenges we face in the area of public safety.

We have worked hard to add troopers to our State Police, and next week, I'll propose to add eight additional state troopers to the force, bringing our total complement to 655 sworn officers, more troopers than at any time in our state's history.

The demands on our State Troopers are many and complicated, and as we ask more and more of these brave men and women, we will work to make sure that they have the people, the technology and the tools to do their job.

Another vital component in Delaware's public safety is our correctional system. Our correctional officers and other personnel in the system keep us all safe under some of the most stressful conditions imaginable, and they deserve the respect of every Delawarean.

Commissioner Taylor and I have been working since 2003 to improve the working conditions, and I am proud that we have been able to build up that workforce.

We have improved compensation for our correctional officers. Since 2004, correctional officers' pay has increased by 15 percent. In order to meet the continued challenges of filling vacancies in the system, an additional three percent increase has been implemented and took effect on January.

Our work is paying off. We are seeing improvements in both the vacancy rate and the turnover rate for corrections officers over the same period of time. We have more work to do to fill these important positions, but we are building on a solid record of success.

Another challenging issue facing our correctional system is the delivery of adequate health care services. As you know, the inmate population is very difficult to serve. Often people who arrive at our institutions have high health risk and long neglected medical conditions.

While providing medical treatment, our correction system must remain constantly attentive to security concerns.

We have expended a tremendous amount of resources and effort within the Department to assure that our correctional health system is the very best it can be.

When concerns arose last year about the state's vendor for inmate medical service, we worked with members of the Joint Finance Committee to get a new provider on an expedited basis, ensuring that there was no interruption in medical care. Since that time, we have worked to improve medical services by: creating a new position in the correction department to oversee the delivery of medical care; establishing a single point of medical contact for inmates' families; and conducting quarterly case reviews of medical treatment records by our State's Division of Public Health.

These initiatives are in addition to our work to maintain accreditation of our correctional medical system.

I am proud of our Commissioner and all that we have done to ensure that adequate medical care is provided to those in our prisons. We will continue to work to ensure that the system has the confidence of all of you and Delaware citizens.

Our juvenile justice system also faces daunting challenges.

The population growth of Delaware's children continues to rise, and children in the system have more challenges and more complicated problems than ever before.

We will work next year to build more effective ways to reach these troubled youth. We need to aggressively treat, educate and prepare these kids for a productive role in our society so that will not be the next generation or adult prisoner's children.

The Children's Department has developed innovative ways to treat this population, including treating youth in settings outside detention, improving mental health and substance abuse treatment programs.

My budget this year will also include additional funding for Delaware's first veterans home, and I look forward to the December opening of this facility as a great tribute to our Delaware veterans.

My budget plan for the upcoming year will be responsive and responsible. It will have a budget growth of less than 6 percent. We will have a prudent spending plan to ensure that we can cover some of our growing demands, like Medicaid and school enrollment, while still providing the basic core services to Delawareans.

Conclusion

As you can see, we are following through with my vision to nurture the seeds we have sown for Delaware's future, ensuring that we can help them grow and bear fruit. We have succeeded in doing just that, in education, health, the environment and economic development.

But there is still much to do, not only for those of us here today, but for our children and grandchildren as well.

To that end, I hope you will carefully consider the initiatives I have laid out this year and the years to follow.

Together, we can ensure that Delaware continues to be a state where people are proud to live, work and raise their children. Together, we have achieved tremendous success and made remarkable accomplishments. I look forward to working with you as we all strive toward the goal of making our state the nation's best.

Thank you.

* * *

The Speaker thanked the Governor for her address and asked the previously named escort committee to reassemble and escort the Governor back to her Executive Office.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate had compared their Journals to see if they agree.

The Majority Leader moved that the Joint Session adjourn at 02:51 PM and the two House separate to reconvene in their respective chambers. There was no objection and the Speaker declared the Joint Session adjourned.

* * *

The Senate reconvened at 5:14 PM with Lt. Governor Carney presiding.

SB 239 was brought before the Senate for consideration on the motion of Senator DeLuca.

Senator Cook marked present.

SB 239 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PAYMENT NETWORKS.

Roll call vote on **SB 239** was taken and revealed:

YES: 21

SB 239 was declared passed the Senate and sent to the House for Consideration.

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

Senator Amick requested personal privilege of the floor to introduce his son, Paul.

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

The Secretary announced that on the **Consent Calendar #9, SCR 28** has been removed by the sponsor.

SCR 27 - DESIGNATING THE MONTH OF FEBRUARY 2006 AS TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN DELAWARE. Sponsors: Sen. Blevins & Sen. Sorenson, On behalf of all Senators; Rep. Hudson, On behalf of all Representatives.

HCR 39 - REQUESTING THAT THE FEDERAL GOVERNMENT INCREASE FUNDING FOR THE LOW INCOME HEATING ASSISTANCE PROGRAM AND THE WEATHERIZATION PROGRAM FOR THE WINTER OF 2005-06. Sponsors: Rep. Booth & Rep. Spence & Sen. McBride; On behalf of all Representatives; On behalf of all Senators

HCR 42 - ESTABLISHING THE ALTERNATIVE EDUCATION TASK FORCE. Sponsors: Rep. Maier & Rep. Ulbrich & Rep. Wagner & Sen. Sokola

HCR 44 - COMMEMORATING JANUARY 16-21, 2006 AS DELAWARE AG WEEK. Sponsors: Rep. Thornburg & Rep. Carey & Sen. Adams & Sen. Bunting

A roll call vote on the **SENATE CONSENT CALENDAR #9** was taken and revealed 21 Senators voting YES; therefore the **Senate Consent Calendar** was declared adopted by the Senate. The Senate Concurrent Resolution was sent to the House for consideration and the House Concurrent Resolutions were returned to the House.

Senator McDowell moved to have a standing recess.

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

The Secretary announced the agenda for January 24, 2006.

On motion of Senator McDowell, the Senate recessed at 05:30 PM until January 24, 2006, at 02:30 PM.

The Senate reconvened at 02:56 PM, January 24, 2006 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HJR 8 w/SA 1; HB 252w/HA 1; HB 332.**

At 02:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 7th Legislative Day.

**7TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 24, 2006**

The Senate convened at 02:58 PM with Lt Governor Carney presiding.
A prayer was offered by Senator a Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator McDowell yields to Senator Connor.

SCR 30 was introduced and brought before the Senate for consideration on the motion of Senator Connor.

SCR 30 - CONGRATULATING ERNEST G. TALBERT UPON BEING NAMED THE FIRST AFRICAN AMERICAN BRIGADIER GENERAL IN THE HISTORY OF THE DELAWARE NATIONAL GUARD. Sponsors: Sen. Connor On behalf of all Senators & Rep. Spence, On behalf of all Representatives.

SCR 30 was read in its entirety.

Senator Connor commented.

Senator Connor requested personal privilege of the floor for Brigadier General Ernest G. Talbert. Senator Connor presented General Talbert with a Delaware Flag. After addressing the Senate he was excused.

Roll call vote on **SCR 30** was taken and revealed:

YES: 21

SCR 30 was declared Adopted by the Senate and sent to the House for Consideration.

Senator Still commented.

Senator Amick was marked present during the above roll call.

Senator McDowell yields to Senator Sokola.

SCR 28 was Lifted from the Table and brought before the Senate for Consideration on motion of Senator Sokola.

SCR 28 - COMMENDING DELAWARE'S 2006 TEACHER OF THE YEAR, GARRETT WALTON LYDIC, AND THE STATE'S DISTRICT TEACHERS OF THE YEAR, FOR THE OUTSTANDING CONTRIBUTIONS TO THE BETTERMENT OF EDUCATION IN DELAWARE.

Roll call vote on **SCR 28** was taken and revealed:

YES: 21.

SCR 28 was declared Adopted by the Senate and sent to the House for Consideration.

SB 31 was brought before the Senate for consideration on the motion of Senator McBride.

SB 31 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS.

SA 1 to SB 31 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 1 to SB 31** was taken and revealed:

YES: 20

ABSENT: Senator(s) Connor - 1.

SA 1 to SB 31 was declared part of the bill.

SB 31 w/SA 1 was now before the Senate.

Senator McBride requested personal privilege of the floor for James Collins, representing Division of Professional Regulations.

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

Senator McDowell commented.

Roll call vote on **SB 31 w/SA 1** was taken and revealed:

YES: 19

NO: Senator(s) McDowell, Venables - 2.

SB 31 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 33 was brought before the Senate for consideration on the motion of Senator McBride.

SB 33 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT TO PERMIT MEMBERS OF PUBLIC BODIES TO PARTICIPATE IN MEETINGS BY ELECTRONIC MEANS IN CERTAIN CIRCUMSTANCES.

SA 1 to SB 33 was brought before the Senate for consideration on motion of Senator McBride.

Roll call vote on **SA 1 to SB 33** was taken and revealed:

YES: 21.

SA 1 to SB 33 was declared part of the bill.

SA 2 to SB 33 was brought before the Senate for consideration on the motion of Senator McBride.

Senator Still questioned the sponsor.

Senator McBride requested personal privilege of the floor for Frank Murphy, Senate Attorney.

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

Senator Amick questioned the sponsor.

Roll call vote on **SA 2 to SB 33** was taken and revealed:

YES: 20

ABSENT: Senator(s) DeLuca - 1.

SA 2 to SB 33 was declared part of the bill.

SB 33 w/SA 1 & SA 2 was now before the Senate.

Senator McBride requested personal privilege of the floor for James Collins, representing Division of Professional Regulations.

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

Senator McBride requested personal privilege of the floor regarding John Flaherty, representing Common Cause of Delaware. After addressing the Senate the witness was excused.

Senator Still commented.

Senator McBride moved **SB 33** be assigned to the Sunset Committee.

Senator McDowell moved to recess for Party Caucus at 04:28 PM.

The Senate reconvened at 5:51 PM with Lt. Governor Carney presiding.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/24/2006**

January 19, 2006

SB 244 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO UNCLAIMED PROMOTIONAL REBATES AND CONSUMER ELECTRONICS RECYCLING. Sponsor: Sen. McDowell; Sens. Marshall, Venables, Cloutier, Blevins, Still, Sorenson; Reps. Ennis, Hall-Long, Keeley, Plant, Roy, Schooley, Mulrooney, Williams, Johnson, Viola, Spence, Ewing, Oberle; **Energy & Transit.**

SB 245 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND ESTABLISHING THE DELAWARE RECYCLING FUND. Sponsor: Sen. McDowell; Sen. Henry, Sens. Simpson, DeLuca; Reps. Keeley, Plant, Roy, Mulrooney, Williams, Viola, Johnson, Spence, Ewing; **Energy & Transit.**

SB 246 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE ARTS COUNCIL. Sponsor: Sen. Henry; Rep. DiPinto; **Executive.**

January 24, 2006

SA 1 to HB 51 - Sponsor: Sen. Blevins; Placed with the Bill

SB 248 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. Sponsor: Sen. Cook; Reps. DiPinto, Wagner, Sens. Adams, McDowell, DeLuca, Still, Sorenson, Bunting, McBride, Henry, Vaughn, Amick, Cloutier, Connor, Reps. Spence, Smith, Lee, Gilligan, Van Sant, Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **LOT List**.

SB 247 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CERTAIN LICENSE PLATES. Sponsor: Sen. Still; Rep. Buckworth, & Rep. Cathcart, Sens. Connor, Copeland, McBride, Sorenson; Reps. Ennis, Ewing, Hocker, Hudson, Keeley, Lavelle, Smith, Thornburg, Wagner; **Public Safety**.

HB 252 w/HA 1 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS. Sponsor: Rep. Valihura; Rep. Schwartzkopf, Reps. DiPinto, Fallon, Lavelle, Maier, Miro, Mulrooney, Spence, Thornburg, Wagner; Sens. Connor, Sorenson, Cloutier; **Revenue & Taxation**.

HB 321 - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF COMMUNITY SERVICES, FOR THE PURPOSE OF FUNDING ADDITIONAL WEATHERIZATION PROJECTS. Sponsor: Rep. Booth; Rep. Spence, & Rep. Miro, & Rep. DiPinto, & Sen. McBride, & Sen. Sorenson, Reps. Buckworth, Fallon, Hocker, Lee, Lofink, Oberle, Outten, Stone, Ulbrich, Valihura; **Finance**.

HB 322 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE DEPARTMENT TO MARKET AND PROMOTE THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM AND THE DEPARTMENT'S WEATHERIZATION PROGRAM AND TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MARKET AND PROMOTE PROGRAMS OF THE DELAWARE ENERGY OFFICE. Sponsor : Rep. Booth; Rep. Spence, & Rep. Miro, & Rep. DiPinto, & Sen. McBride, & Sen. Sorenson, Reps. Buckworth, Hocker, Lee, Lofink, Oberle, Outten, Stone, Ulbrich; **Finance**.

HB 323 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE OFFICE OF MANAGEMENT AND BUDGET FOR THE PURPOSE OF CREATING A CONTINGENCY FUND FOR THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM TO BE USED IN THE EVENT THE FEDERAL GOVERNMENT'S APPROPRIATION FOR SAID PROGRAM SHOULD PROVE INSUFFICIENT. Sponsor : Rep. Booth; Rep. Spence, & Rep. Miro, & Rep. DiPinto, & Sen. McBride, & Sen. Sorenson, Reps. Buckworth, Hocker, Lavelle, Lee, Lofink, Oberle, Outten, Stone, Ulbrich, Valihura; **Energy & Transit**.

HJR 18 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006. Sponsor: Rep. DiPinto; Sen. McBride; **Finance**.

The following nomination(s) assigned to the **Executive** Committee:

Carolann D. Wicks
208 Green Giant Road
Townsend, DE 19734

to be appointed Secretary of
the Department of
Transportation commencing
on February 1, 2006 and
continuing at the pleasure of
the Governor.

* * *

SB 249 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator DeLuca.

SB 249 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. Sponsors: Sen. DeLuca & Rep. Stone; Sen. Adams, McDowell, Sorenson, Still, Reps. Hudson, Spence, Smith, Lee,

Gilligan, Van Sant; Sens. Blevins, Cook, Henry, Sokola, Venables, Amick, Connor, Cloutier, Copeland, Bonini, Simpson; Reps. Buckworth, Carey, DiPinto, Fallon, Lofink, Maier, Miro, Roy, Thornburg, Valihura, Longhurst, Schwartzkopf, Ennis, Williams, Schooley, Johnson, Keeley, Mulrooney, M. Marshall, Hall-Long, Viola, McWilliams, Plant.

Senator DeLuca requested personal privilege of the floor for Joseph C. Schoell, representing the Office of the Governor.

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

Roll call vote on **SB 249** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Peterson - 1.

SB 249 was declared passed the Senate and sent to the House for Consideration.

SB 248 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

SB 248 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE.

Roll call vote on **SB 248** was taken and revealed:

YES: 21.

SB 248 was declared passed the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for January 25, 2006.

At 06:44 PM on motion of Senator McDowell, the Senate recessed until January 25, 2006 at 03:30 PM.

The Senate reconvened at 04:10 PM on January 25, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health & Social Services: **HB 261 w/HA 1** - 5 Merits, **HB 173 w/HA 1** - 5 Merits

From Executive: **SB 246** - 4 Favorable, **Carolann Wicks** - 4 Favorable.

From Finance: **HB 332** - 6 Merits.

At 04:11 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 8th Legislative Day.

8TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 25, 2006

The Senate convened at 4:11 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator McDowell asked for a silent prayer for Senator Peterson's ill mother.

HB 330 w/HA 2 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Adams.

HB 330 w/HA 2 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX.

Senator Adams requested personal privilege of the floor for Patrick Carter, Director of Revenue.

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

Roll call vote on **HB 330 w/HA 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

HB 330 w/HA 2 was declared passed the Senate and returned to the House.

Senators Amick, Blevins and Bonini were marked present during the above roll call.

HB 332 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 332 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.

Senator Cook requested personal privilege of the floor for Elizabeth B. Perlzoff, representing Delaware Council on Gambling Problems.

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

Senator Bonini requested personal privilege of the floor once again for Elizabeth B. Perlzoff.

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

Senator Bonini commented.

Senator Marshall commented.

Roll call vote on **HB 332** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Bunting - 2.

NOT VOTING: Senator(s) Simpson - 1.

ABSENT: Senator(s) Peterson - 1.

HB 332 was declared passed the Senate and returned to the House.

SB 246 was brought before the Senate for consideration on the motion of Senator Henry.

SB 246 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE ARTS COUNCIL.

SA 1 to SB 246 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to SB 246** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SA 1 to SB 246 was declared part of the bill.

SB 246 w/SA 1 was now before the Senate.

Roll call vote on **SB 246 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SB 246 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 261 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 261 w/HA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION.

Roll call vote on **HB 261 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

HB 261 w/HA 1 was declared passed the Senate and returned to the House.

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

The Secretary announced the agenda for January 26, 2006.

On motion of Senator McDowell, the Senate recessed at 05:11 PM until January 26, 2006 at 02:30 PM.

The Senate reconvened at 3:22 PM, on January 26, 2006 with Lt. Governor Carney presiding.

Senator Peterson was marked present.

The following committee reports were announced:

From Insurance & Elections: **HJR 17** - 3 Favorable, 2 Merits.

From Energy & Transit: **SB 244** - 2 Favorable, 3 Merits; **SB 245** - 5 Merits.

Communication from the House was read informing the Senate that the House has passed **HCR 47; HCR 46; SCR 27; SCR 28; SB 249; HCR 42; SCR 25; HCR 44; SB 8 w/HA 2; SCR 30; HCR 45; HB 338; HB 330 w/HA 2; HB 326; HB 260; SB 242; SS1 to SB 243; SJR 9.**

At 03:25 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 9th Legislative Day.

**9TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JANUARY 26, 2006**

The Senate convened at 03:25 PM. with Lt Governor Carney presiding.

A prayer was offered by Senator Henry followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 21.

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

Senator Bonini was marked present.

On motion of Senator Adams and without objection, the following nomination by the Governor was considered.

Senators McDowell, Still, Connor and McBride commented.

Carolann Wicks: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator McDowell yields to Senator Simpson.

Senator Simpson announced the 375th anniversary of Delaware and requested personal privilege of the floor for Mike DiPaolo, representing Lewes Historical Society/Lewes, Del. He addressed the Senate and gave detail of the plans for the celebration of the anniversary.

Senator McDowell yields to Senator Sokola.

Senator DeLuca presiding at 03:42 PM.

Senator Sokola requested personal privilege of the floor to extend best wishes to Evan Thornton a departing Senate Attaché.

HB 338 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Venables.

HB 338- AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; PROVIDING FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND WITHIN THE DEPARTMENT OF EDUCATION ; AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO SAFE RECREATION; AND AMENDING THE LAWS OF DELAWARE.

Senator Still questioned the floor manager.

Senator Cook requested personal privilege of the floor for Mike Morton, representing the Office of the Controller General.

Senator Still questioned the witness.

The witness was excused.

Senators Cook and McBride commented.

Lt. Governor Carney presiding at 03:52 PM.

Senators Henry, DeLuca and Venables commented.

Roll call vote on **HB 338** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Copeland - 2.

HB 338 was declared passed the Senate and returned to the House.

HJR 17 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HJR 17 - URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT.

Senators Henry and McDowell commented.

Roll call vote on **HJR 17** was taken and revealed:

YES: 21.

HJR 17 was declared Passed the Senate and was returned to the House.

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

SENATE CONSENT CALENDAR #10 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 46 was removed from the **Senate Consent Calendar**.

HCR 45 - DESIGNATING FEBRUARY AS AMERICAN HEART MONTH AND RECOGNIZING THE GO RED FOR WOMEN MOVEMENT IN DELAWARE. Sponsors: Rep. Stone On behalf of all Representatives & Sen. Cook, On behalf of all Senators.

HCR 47 - RECOGNIZING E. I. DUPONT DE NEMOURS AND COMPANY FOR THEIR GLOBAL LEADERSHIP IN REDUCING GREENHOUSE GASES (GHGs) OVER THE PAST TEN YEARS AND THEIR RECENT AWARD BY BUSINESS WEEK AS "THE TOP GREEN COMPANY". Sponsors: Rep. DiPinto & Rep. Booth & Sen. McBride & Sen. Sokola

SR 16 - CELEBRATING JANUARY 29TH THROUGH FEBRUARY 4TH AS CATHOLIC SCHOOLS WEEK IN DELAWARE. Sponsors: Sen. Sokola & Sen. Marshall, On behalf of all Senators.

A roll call vote was taken on **SENATE CONSENT CALENDAR #10** and revealed 21 Senators voting YES, therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House.

HCR 46 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 46 - CREATING A TASK FORCE ON CLASS SIZE AND UNIT COUNT ALLOCATION IN EDUCATION.

Senators Connor, Simpson and McDowell commented.

SA 1 to HCR 46 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to HCR 46** was taken and revealed:

YES: 21.

SA 1 to HCR 46 was declared part of the bill.

HCR 46 w/SA 1 was now before the Senate.

Roll call vote on **HCR 46 w/SA 1** was taken and revealed:

YES: 21.

HCR 46 w/SA 1 was declared Passed by the Senate and returned to the House for reconsideration.

SR 18 was introduced and brought before the Senate for consideration on the motion of Senator Bonini.

SR 18 - DESIGNATION FEBRUARY 6, 2006 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE. Sponsor: Senator Bonini; On behalf of all Senators Senators McDowell and Copeland commented.

Roll call vote on **SR 18** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SR 18 was declared Adopted by the Senate.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/25/2006**

January 24, 2006

HB 332 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. Sponsor Rep. Lofink & Sen. DeLuca; Reps. Spence, Lee, Oberle, Van Sant; Sen. Still **LOT List**.

HB 330 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX. Sponsor: Rep. Hudson; Sen. Adams, Reps. Smith, Gilligan, Sens. Bunting, Marshall, Venables; **LOT List**.

SA 1 to SB 246 - Sponsor: Sen. Henry; Placed with the Bill

January 25, 2006

HB 338 - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; PROVIDING FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND WITHIN THE DEPARTMENT OF EDUCATION; AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO SAFE RECREATION; AND AMENDING THE LAWS OF DELAWARE. Sponsor: Rep. Roy; Sen. Venables, Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone, Mulrooney, Blevins, Cook, DeLuca, Connor, Simpson; **LOT List.**

SA 1 to HB 173 - Sponsor: Sen. Sokola; Placed with the Bill

HB 260 w/HA 1 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO RABIES CONTROL IN ANIMAL AND HUMAN POPULATIONS. Sponsor: Rep. Maier; Sen. Blevins; **Agriculture.**

HB 326 - AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH, AS AMENDED, RELATING TO AN INCREASE IN THE AMOUNT LIMIT FOR AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR CERTAIN OTHER OBLIGATIONS WITHOUT REFERENDUM. Sponsor: Rep. Schwartzkopf; Sen. Bunting; **Community/County Affairs.**

SB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2007; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Sen. Adams; Rep. Gilligan, McDowell, DeLuca, Cook, Van Sant; **Finance.**

SB 252 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO SIGNS. Sponsor: Sen. Sokola; Rep. Roy, Sen. Blevins; **Highways & Transportation.**

SB 253 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE AND THE CONFINEMENT OF CAGED EGG-LAYING HENS. Sponsor: Sen. Peterson; Rep. Maier, Sens. Henry, McDowell, Sokola, Cloutier, Reps. Buckworth, Keeley & M Marshall; **Agriculture.**

SB 254 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH. Sponsor: Sen. Vaughn; Rep. Valihura, Sens. Venables, Bonini, & Rep. Keeley; **Judiciary.**

SR 17 - DESIGNATING FEBRUARY 6, 2006 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE. Sponsor: Sen. Bonini; On behalf of all Senators; **Executive.**

* * *

The Secretary announced the agenda for March 14, 2006.

On motion of Senator McDowell, the Senate recessed at 4:43 PM until the call of the President Pro Tempore or March 14, 2006 at 02:00 PM, which ever comes first.

The Senate reconvened at 03:35 PM, on March 14, 2006 with Lt. Governor Carney presiding.

At 03:35 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 10th Legislative Day.

**10TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 14, 2006**

The Senate convened at 3:35 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance: