

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 welcomed former Presidents Pro Tempore, Richard S. Cordrey and Thomas B. Sharp visiting the chamber.

Senator Amick was marked present.

Senator McDowell also welcomed former Senator Robert B. Still, to the chamber.

Senator McDowell extended best wishes to Senators Copeland, Blevins and DeLuca who celebrated birthdays recently.

Senator Henry commented.

Senator McDowell moved to recess for Party Caucus at 3:43 PM.

The Senate reconvened at 5:30 PM with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 282; HB 276; SB 239; SB 248; SB 162 w/SA 1 & SA 2; SB 32.**

A communication from the Office of Senator Karen Peterson was read requesting Representative Ulbrich name be added as a co-sponsor of **SB 253.**

A note from Senator Karen Peterson was read thanking her Senate colleagues for the expressions of sympathy upon the death of her mother.

A communication from the Office of the Bishop of Wilmington, Most Reverend Michael A. Saltarelli, DD, thanking the Senate for Senate Resolution No. 16, was read to the record.

LEGISLATIVE ADVISORY #15, dated January 31, 2006, the Governor signed the following legislation on the dates indicated:

SB #249 (1/24/06) – AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. (Sponsors: Sen. DeLuca & Rep. Stone; Sens. 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) (Volume 75, Chapter 223, Laws of Delaware.)

HB #202 aab HA 1 (1/26/06) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH OF MOTHERS, EXPECTANT MOTHERS AND INFANTS. (Sponsors: 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) (Volume 75, Chapter 224, Laws of Delaware.)

HB #330 aab HA 2 (1/26/06) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX. (Sponsors: Rep. Hudson & Sen. Adams; Reps. Smith, Gilligan; Sens. Bunting, Marshall, Venables) (Volume 75, Chapter 225, Laws of Delaware.)

SB #242 (1/26/06) – 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. (Sponsors: Sen. Cook & Rep. DiPinto; 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, Oberle, Outten, Roy, Stone, Thornburg, Valihura, Wagner, Ennis, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, M. Marshall, Mulrooney, Schooley, Plant, Viola) (Volume 75, Chapter 226, Laws of Delaware.)

SS 1 to SB #243 (1/26/06) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE 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 227, Laws of Delaware.)

SJR #8 aab SA 1 (1/26/06) – EXTENDING THE TIME FRAMES FOR THE PROMULGATION OF REGULATIONS RELATED TO HOME HEALTH AGENCIES. (Sponsors: Sen. Blevins & Rep. Oberle; Sen. Sorenson)

SJR #9 (1/26/06) – 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)

LEGISLATIVE ADVISORY #16, dated February 7, 2006, the Governor signed the following legislation on the dates indicated:

HJR #17 (2/1/06) – URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT. (Sponsors: Rep. Plant & Rep. Smith & Sen. Henry)

HB #261 aab HA 1 (2/1/06) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION. (Sponsors: Rep. Maier & Sen. Blevins & Sen. Sorenson; Reps. Hudson, Ennis, Hall-Long, Keeley, Schooley; Sens. Sokola, Connor) (Volume 75, Chapter 228, Laws of Delaware.)

HB #332 (2/1/06) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (Sponsors: Rep. Lofink & Sen. DeLuca; Reps. Spence, Lee, Oberle, Van Sant; Sen. Still) (Volume 75, Chapter 229, Laws of Delaware.)

HB #338 (2/1/06) – 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. (Sponsors: Rep. Roy & Sen. Venables; Reps. Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone, Mulrooney; Sens. Blevins, Cook, DeLuca, Connor, Simpson) (Volume 75, Chapter 230, Laws of Delaware.)

SB #32 (2/1/06) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF PODIATRIST IN RESIDENCY PROGRAMS. (Sponsors: Sen. McBride; Sens. Copeland, Sokola; Reps. Hudson, Mulrooney, Valihura, Viola) (Volume 75, Chapter 231, Laws of Delaware.)

SB #162 aab SA 1 & SA 2 (2/1/06) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Sponsors: Sen. Blevins & Rep. Smith; Sen. Cook; Reps. Lavelle, Hall-Long) (Volume 75, Chapter 232, Laws of Delaware.)

SB #239 (2/1/06) – 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) (Volume 75, Chapter 233, Laws of Delaware.)

SB #248 (2/1/06) – AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. (Sponsors: 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) (Volume 75, Chapter 234, Laws of Delaware.)

A communication from the Office of the Chief Clerk, JoAnn Hedrick was read advising Representative Helene M. Keeley signed **SB 239** as a co-sponsor while in the House.

The Secretary announced a message from the House informing the Senate that it had passed **HB 335 w/HA 1**.

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
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January 26, 2006

SB 251 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FULL-DAY KINDERGARTEN. Sponsor: Sen. Sokola; Rep. M Marshall, Sen. Sorenson, & Rep. Maier, Sens. Amick, Blevins, Cloutier, Cook, Connor, DeLuca, Henry, McBride, Peterson, Simpson, Venables, Reps. Buckworth, Carey, Cathcart, Caulk, DiPinto, Ennis, Ewing, Fallon, Gilligan, Hall-Long, Johnson, Keeley, Lee, Lofink, Longhurst, McWilliams, Miro, Mulrooney, Oberle, Plant, Roy, Schwartzkopf, Schooley, Spence, Stone, Ulbrich, Valihura, Van Sant, Viola, Wagner, Williams; **Education**

March 14, 2006

SB 80 w/HA 2 - 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**.

HB 276 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO PESTICIDES. Sponsor: Rep. Atkins; Sen. Adams, & Sen. Bunting, Lee, Booth, Buckworth, Carey, Ewing, Hocker, Outten, Thornburg, Valihura, Ennis, Caulk; **Agriculture**.

HB 282 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE. Sponsor: Rep. Lee; Rep. Outten, & Rep. Ennis, & Sen. Bunting, & Sen. Vaughn; **Public Safety**.

HB 335 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS. Sponsor: Rep. Spence; Rep. Cathcart, & Rep. Atkins, & Sen. Bunting, & Sen. McBride, & Sen. Vaughn, Reps. Smith, Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Valihura, Wagner, Van Sant, Ennis, Hall-Long, Longhurst, M Marshall, Mulrooney, Plant, Williams, Sens. Amick, Sorenson, Connor, Cloutier; **Veterans Affairs**.

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

On motion of Senator McDowell, the Senate recessed at 5:38 PM until March 15, 2006 at 03:00 PM.

The Senate reconvened at 03:49 PM, on March 15, 2006 with Senator DeLuca presiding.

At 03:50 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 11th Legislative Day.

**11TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 15, 2006**

The Senate convened at 03:50 PM with Senator DeLuca 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 Adams on behalf of his colleagues extended best wishes to Senator McDowell upon his birthday.

HCR 53 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HCR 53 - PROCLAIMING MARCH 2006 AS AMERICAN RED CROSS MONTH. Sponsors: Rep. Ewing & Rep. Miro, on behalf of all Representatives; Sen. Henry, on behalf of all Senators.

Senator Henry requested personal privilege of the floor for John R. Danzeison representing the American Red Cross. Mr. Danzeison addressed the Senate after which he was excused.

Roll call vote on **HCR 53** was taken and revealed:

YES: 16

ABSENT: Senator(s) Bonini, Bunting, Connor, McBride, Venables - 5.

HCR 53 was declared Adopted by the Senate and returned to the House.

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

Senator McDowell requested personal privilege of the floor for Ms. Carla Stone, representing Delaware Technical & Community College. Ms. Stone then introduced Muzaffer Maliqin, Abdhrahmaxi Konghfa, Beqe Hulaj and Tome Goihi, all of Kosovo, visiting Delaware to study the Poultry Training Program. After addressing the Senate they were all excused.

Senator Adams congratulated Senator and Mrs. Simpson on the birth of twin grandchildren, Emory Kathlyn & Tyler David Goetz.

SCR 29 was introduced and brought before the Senate for consideration on the motion of Senator Sokola.

SCR 29 - COMMENDING THE WORK OF COMMUNITIES IN SCHOOLS AND DESIGNATING MARCH 15TH AS COMMUNITIES IN SCHOOLS OF DELAWARE DAY. Sponsors: Senator Sokola & Rep. Maier.

Senator Sokola requested personal privilege of the floor for Jim Purcell, representing Communities in Schools. After addressing the Senate Mr. Purcell was excused.

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

YES: 20

ABSENT: Senator(s) Bonini - 1.

SCR 29 was declared Adopted by the Senate and sent to the House for Consideration.

Senators Bunting, Connor, McBride and Venables were marked present during the above roll call.

SS 2 for SB 43 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Blevins.

SS 2 for SB 43 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE BALLOTS. Sponsors: Sen. Blevins & Rep. Gilligan; Sens. Sokola, Henry, Peterson, Marshall; Reps. Keeley, Ennis, Outten & Buckworth

Several Senators questioned the sponsor.

Roll call vote on **SS 2 for SB 43** was taken and revealed:

YES: 15

NO: Senator(s) Amick, Cloutier, Connor, Copeland, Still - 5.

ABSENT: Senator(s) Bonini - 1.

SS 2 for SB 43 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 March 16, 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
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SB 255 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS AND DOG RACING. Sponsor: Sen. Bunting; Rep. Hocker & Rep. Schwartzkopf; **Agriculture.**

March 15, 2006

SB 256 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE A FRAUD BUSTERS PROGRAM TO DISCOURAGE INSURANCE FRAUD IN THE STATE OF DELAWARE. Sponsor: Sen. Sokola; Rep. Stone; Sens. Blevins, Bonini, Cloutier, Copeland, Sorenson, Still; Reps. DiPinto, Hall-Long, Hocker, Hudson, Keeley, Lavelle, Maier, Miro, Viola; **Judiciary.**

HB 313 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE. Sponsor: Rep. Hall-Long; Rep. Carey, & Sen. Bunting; Reps. Caulk, Ennis, Keeley, Mulrooney, Outten, Plant, Thornburg, Viola; Sen. Venables; **Agriculture.**

HB 328 w/HA 1 - AN ACT TO AMEND TITLE 23, DELAWARE CODE RELATING TO OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. Sponsor: Rep. Outten; Sen. Bunting, Reps. Atkins, Booth, Buckworth, Carey, Ewing, Fallon, Maier, Miro, Spence, Stone, Ulbrich, Valihura, Wagner, Keeley, Sens. Henry, Sokola, Connor, Simpson; **Public Safety.**

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On motion of Senator McDowell, the Senate recessed at 4:41 PM until March 16, 2006 at 02:00 PM.

The Senate reconvened at 3:01 PM, on March 16, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator Karen Peterson was read requesting Senator Adams be added as a co-sponsor of **SB 259**.

A communication from the House was read informing the Senate that it has passed **HB 313 w/HA 1; HB 328 w/HA 1; SB 81 w/SA 1 & HA 1; HCR 50; HCR 51; HCR 52; HCR 53; HCR 54.**

A communication from the Chief Clerk of the House, JoAnn Hedrick was read advising the Senate the Rep. Michael P. Mulrooney signed **SS1 for SB 53** as an additional sponsor, while in the House.

Senator Bonini marked present.

At 3:02 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 12th Legislative Day.

**12TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 16, 2006**

The Senate convened at 3:02 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.

SB 81 w/SA 1 & HA 1, which was returned from the House with an amendment was brought before the Senate for reconsideration on the motion of Senator Bunting.

SB 81 w/SA 1 & HA 1 - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF RELEASE OR DISCHARGE FROM ACTIVE MILITARY SERVICE (DD Form 214).

Senators McDowell and McBride commented.

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

Senator Bonini questioned the sponsor.

Roll call vote on **SB 81 w/SA 1 & HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 81 w/SA 1 & HA 1 was declared passed the Senate as amended and sent to the Governor.

SENATE CONSENT CALENDAR # 11 was introduced and considered for adoption on motion of Senator McBride. The Calendar included the following Resolutions.

HCR 50 – CREATING A TASK FORCE TO REVIEW THE NEED FOR FACILITIES IN EACH COUNTY FOR NON-SERIOUS OFFENSES. Sponsor: Rep. Wagner & Rep. Valihura & Sen. Henry.

HCR 51 - A RESOLUTION ENCOURAGING THE DELAWARE STATE POLICE AND THE DEPARTMENT OF TECHNOLOGY AND INFORMATION TO INCREASE THE VISIBILITY AND CONTENT OF THE SEX OFFENDER WEBSITE. Sponsors: Rep. Wagner & Sen. Blevins; Reps. Ewing, Lavelle, Oberle, Thornburg, Ulbrich, Keeley, Viola.

HCR 52 - EXPANDING THE ALTERNATIVE EDUCATION TASK FORCE. Sponsors Rep. Maier & Rep. Ulbrich & Rep. Wagner & Sen. Sokola.

HCR 54 was removed from the Senate Consent Calendar at the request of Senator Blevins.

Roll call vote on the **SENATE CONSENT CALENDAR # 11** was taken and revealed 20 Senators voting YES, (Henry) ABSENT: therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House.

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

The Secretary announced the agenda for March 21, 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
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March 15, 2006

SA 2 to HB 173 - Sponsor: Sen. Sokola; Placed with the Bill

March 16, 2006

SB 257 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS. Sponsor: Sen. Vaughn; Rep. DiPinto; Sens. Cloutier, McBride, Henry, Amick; Reps. Fallon, Buckworth, Ulbrich, Williams, Schwartzkopf, Lee, Thornburg, Wagner; **Finance**.

SB 258 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEFERRED COMPENSATION. Sponsor: Sen. Cook; Rep. DiPinto, Sens. Henry, McBride, Vaughn, Amick, Cloutier; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance**.

SB 259 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Sponsor: Sen. Peterson; Rep. Viola; Sens. Blevins, Cook, DeLuca, Henry, McBride, Sokola, Cloutier, Copeland, Sorenson, Reps. Hudson, Maier, Spence, Valihura, Ennis, Johnson, M Marshall, McWilliams, Mulrooney, & Schwartzkopf; **Health & Social Services**.

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On motion of Senator McDowell, the Senate recessed at 3:38 PM until March 21, 2006 at 02:30 PM.

The Senate reconvened at 02:58 PM, on March 21, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Insurance & Elections: **SB 236** – 4 Merits.

From Community/County Affairs: **SB 260** – 3 Merits; **HB 326** – 3 Merits.

A communication from the House was read informing the Senate that it has passed **HS 1 to HB 134; HB 304 w/HA 1; HB 343 w/HA 1; SCR 12 w/HA 1, 2 & 3.**

Senator Henry was marked present.

At 03:00 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 13th Legislative Day.

**13TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 21, 2006**

The Senate convened at 3:00 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 on behalf of his colleagues expressed best wishes to Senator Peterson's on her recent birthday.

Senator McDowell moved to recess for Party Caucus at 3:05 PM

The Senate reconvened at 5:28 PM with Senator DeLuca presiding.

SB 260 was brought before the Senate for consideration on the motion of Senator Simpson.

SB 260 - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE CITY MANAGER AND THE POLICE FORCE.

Senator McDowell questioned the sponsor.

Roll call vote on **SB 260** was taken and revealed:

YES: 19

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

SB 260 was declared passed the Senate and sent to the House for Consideration.

Senators Blevins and Connor were marked present during the above roll call.

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
READ TO THE SENATE RECORD
3/21/2006**

March 16, 2006

SA 1 to HB 122 – Sponsor: Sen. Sokola; Placed with the Bill.

SB 260 – AN ACT TO AMEND CHAPTER 170, VOLULME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE CITY MANAGER AND THE POLICE FORCE. Sponsor: Sen. Simpson; Rep. Booth; Community County Affairs.

March 21, 2006

SB 261 – AN ACT TO AMEND CERTAIN PROVISION OF CHAPTER 92, TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT. Sponsor: Sen. Adams; Rep. Lee, Sen. Vaughn; **Judiciary**.

SB 262 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM. Sponsor: Sen. Blevins; Sen. Sorenson & Rep. Hudson; **Health & Social Services**.

HB 304 w/HA 1 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRIC POWERED BICYCLES. Sponsor: Rep. Ennis; Sen. Vaughn, Reps. Buckworth, Carey, Caulk, Ewing, George, Johnson, Keeley, Lee, Longhurst, McWilliams, Mulrooney, Outten, Schooley, Spence, Van Sant; **Judiciary**.

HB 343 w/HA 1 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES. Sponsor: Rep. Miro; Sen. Sokola; **Administrative Services**.

HS 1 for HB 134 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON CAUSES OF ACTIONS AGAINST MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING A STATE OF EMERGENCY. Sponsor: Rep. Miro; Sen. Blevins, Reps. Spence, Lee, Buckworth, Carey, DiPinto, Ewing, Hudson, Maier, Ulbrich, Wagner, Hall-Long; Sens. Peterson, Sorenson; **Health & Social Services**.

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The Secretary announced the agenda for March 22, 2006.

On motion of Senator McDowell, the Senate recessed at 05:36 PM until March 22, 2006 at 03:00 PM.

The Senate reconvened at 03:27 PM, on March 22, 2006 with Lt. Governor Carney presiding.

Senator McBride was marked present.

The following committee reports were announced:

From Judiciary: **SB 241** – 4 Merits; **SB 254** – 4 Merits; **SB 261** – 4 Merits; **SB 240** – 4 Merits; **SB 194** – 4 Merits; **HB 304 w/HA 1** – 4 Merits.

From Education: **SB 251** – 3 Merits.

A communication from the Office of Senator Robert Venables was read requesting Senator Connor be added as a co-sponsor of **SB 109**.

At 03:33 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 14th Legislative Day.

**14TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 22, 2006**

The Senate convened at 03:33 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 McDowell yields to Senator Adams.

SCR 31 was introduced and brought before the Senate for consideration on the motion of Senator Adams.

SCR 31 - HONORING LIBERTY DAY IN DELAWARE AS MARCH 30, 2006.

Sponsors: Sen. Adams & Rep. Spence; Rep. Gilligan & Sen. Still

Roll call vote on **SCR 31** was taken and revealed:

YES: 21

SCR 31 was declared Adopted by the Senate and sent to the House for Consideration.

Senators Bonini, Henry and Marshall were marked present during the above roll call.

Senator McDowell moved to recess for Party Caucus at 3:37 PM.

The Senate reconvened at 05:29 with Lt. Governor Carney presiding.

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
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SB 263 - AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, BY ELIMINATING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD. Sponsor: Sen. Sokola; Rep. Wagner; **Administrative Services**.

HB 331 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE PERTAINING TO CHILD SUPPORT ORDERS. Sponsor: Rep. Buckworth; Sen. Blevins, Reps. Spence, Hudson, Valihura, Wagner, Keeley, Schooley; Sen. Still; **Children: Youth & Families**.

HS 1 for HB 118 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF FINANCE. Sponsor: Rep. Hudson; Sen. Simpson, Reps. Smith, Buckworth, Ewing, Lavelle, Miro, Valihura; Sen. Sorenson; **Finance**.

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The Secretary announced the agenda for March 23, 2006.

On motion of Senator McDowell, the Senate recessed at 05:32 PM until March 24, 2006 at 02:00 PM.

The Senate reconvened at 2:53 PM, on March 24, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health & Social Services: **SB 259** - 1 Favorable, 3 Merits.

From Public Safety: **HB 245** - 4 Merits; **HB 282** - 4 Merits.

A communication from the House was read informing the Senate that it has passed **HCR 55; SCR 29; HB 331; HS 1 for HB 118**.

At 02:55 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 15th Legislative Day.

**15TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 23, 2006**

The Senate convened at 2:55 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 McDowell welcomed the Administrative Clerk from North Carolina House of Representatives, Carmen Cauthen, who was visiting the Delaware General Assembly.

Senator McDowell moved to recess for Party Caucus at 3:00 PM.

The Senate reconvened at 5:57 PM. with Lt. Governor Carney presiding.

Senators Amick and Cloutier were marked present.

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

Senator Simpson congratulated Senator Adams on his recent honour in Georgetown.

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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March 22, 2006

SA 1 to SB 244 - Sponsor: Sen. McDowell; Placed with the Bill.

SA 1 to SB 245 - Sponsor: Sen. McDowell; Placed with the Bill.

March 23, 2006

SB 264 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INDICIA OF HIGHER EDUCATION. Sponsor: Sen. Simpson; Rep. Ulbrich, Sens. Bunting, Cloutier, Copeland, Henry, Sokola, Still; Reps. Buckworth, Ewing, Hocker, Hudson, Maier, Booth; **Education**.

SB 265 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION ON JUDGMENTS IN THE JUSTICE OF THE PEACE COURT. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary**.

SB 266 - AN ACT TO AMEND TITLE 14 OF DELAWARE CODE RELATING TO COMPASSIONATE LEAVE. Sponsor: Sen. Sokola; Rep. Wagner; **Finance**.

SB 267 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITING THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS. Sponsor: Sen. Connor; Rep. Oberle, Sen. Cloutier; Reps. Ewing, Maier, Thornburg, Ulbrich; **Judiciary**.

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The Secretary announced the agenda for March 28, 2006.

On motion of Senator McDowell, the Senate recessed at 6:03 PM on March 28, 2006 at 02:00 PM.

The Senate reconvened at 02:20 PM, on March 28, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Agriculture: **HB 313 w/HA 1** - 1 Favorable, 4 Merits.

A communication from the House was read informing the Senate that it has passed **HB 336; HB 370; SB 233 HB 119 w/SA 1**.

At 02:22 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 16th Legislative Day.

**16TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 28, 2006**

The Senate convened at 2:22 PM with Senator DeLuca 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 Blevins was marked present.
Senator McDowell requested personal privilege of the floor for Matt Sandeen,
NCSL. Mr. Sandeen addressed the Senate, after which he was excused.
Senator Simpson was marked present.
Senator McDowell moved to recess for Party Caucus at 02:28 PM.
The Senate reconvened at 4:28 PM with Senator DeLuca presiding.
SB 261 was brought before the Senate for consideration on the motion of Senator
Adams.

SB 261 - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 92,
TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING
TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT.

Senator Adams moved to lay **SA 1** on the Table.
SA 2 to SB 261 was brought before the Senate for consideration on the motion of
Senator Adams.

Roll call vote on **SA 2 to SB 261** was taken and revealed:
YES: 21
SA 2 to SB 261 was declared part of the bill.
Senators Amick, Bonini, Connor, Marshall, McBride and Still were marked
present during the above roll call.

SB 261 w/SA 2 was now before the Senate.
Senator Adams requested personal privilege of the floor for Judge Edward Davis.
After addressing the Senate the witness was excused.
Roll call vote on **SB 261 w/SA 2** was taken and revealed:
YES: 21.
SB 261 w/SA 2 was declared passed the Senate as amended and sent to the House
for Consideration.

Senator Adams requested that **SA 1 to SB 261** be stricken.
HB 245 was brought before the Senate for consideration on the motion of the
floor manger, Senator Henry.

HB 245 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE
RELATING TO REGISTRATION OF VEHICLES.

Senator Amick questioned the floor manager.
Roll call vote on **HB 245** was taken and revealed:
YES: 21.

HB 245 was declared passed the Senate and returned to the House.
HB 282 was brought before the Senate for consideration on the motion of the
floor manager, Senator Henry.

HB 282 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE
RELATING TO FIRE DEPARTMENTS AND FIRE POLICE.

Roll call vote on **HB 282** was taken and revealed:
YES: 21.

HB 282 was declared passed the Senate and returned to the House.
HB 326 was brought before the Senate for consideration on the motion of the
floor manager, Senator Sokola.

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.

Roll call vote on **HB 326** was taken and revealed:
YES: 20

NO: Senator(s) Bonini - 1.
HB 326 was declared passed the Senate and returned to the House.
SB 254 was brought before the Senate for consideration on the motion of Senator
Vaughn.

SB 254 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE
RELATING TO WRONGFUL DEATH.

Roll call vote on **SB 254** was taken and revealed:
YES: 21.

SB 254 was declared passed the Senate and sent to the House for Consideration.
SB 241 was brought before the Senate for consideration on the motion of Senator
Vaughn.

SB 241 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM DECISIONS OF THE REGIONAL PLANNING COMMISSION.

Senator Vaughn requested personal privilege of the floor for Bret Scott, representing Kent County Levy Court.

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

Roll call vote on **SB 241** was taken and revealed:

YES: 21.

SB 241 was declared passed the Senate and sent to the House for Consideration.

HB 313 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 313 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE.

Senator Copeland questioned the floor manager.

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

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

Senator Bunting moved to lay **HB 313 w/HA 1** on the Table.

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

The Secretary announced the agenda for March 29, 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
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SB 268 - AN ACT TO NAME THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY THE "TIL PURNELL NATURE PRESERVE". Sponsor: Sen. Simpson; Sen. Cook, & Rep. Carey, & Rep. Schwartzkopf, Sens. Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn, Venables; Reps. Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith, Spence, Ulbrich; **Agriculture**.

SB 269 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CERTAIN DRUG OFFENSES. Sponsor: Sen. Blevins; Sen. Sorenson, Reps. Booth, & Schooley; **Judiciary**.

SB 270 - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES. Sponsor: Sen. Blevins; Sen. Amick, Reps. Ulbrich, & Schwartzkopf; **Public Safety**.

SB 271 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENSES AGAINST CHILDREN. Sponsor: Sen. Blevins; Sen. Sorenson, Reps. Hudson, & McWilliams; **Judiciary**.

SB 272 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MEANINGFUL PUBLIC PARTICIPATION IN THE ADMINISTRATIVE CONSENT DECREE PROCESS. Sponsor: Sen. McBride & Sen. Vaughn, & Rep. Oberle, Sens. Blevins, Bunting, DeLuca, Peterson, Sokola, Venables; Cloutier, Connor, Simpson, Sorenson, Still; Reps. Hudson, Lavelle, Smith, Spence, Valihura, Wagner; Ennis, McWilliams, Mulrooney, Van Sant, Viola, & Williams; **Judiciary**.

HB 336 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES. Sponsor: Rep. Spence; Rep. Hudson, & Sen. DeLuca, Reps. Buckworth, Miro, Van Sant, Ennis, Johnson, & Sen. Still; **Agriculture**.

HB 370 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH. Sponsor: Rep. Atkins; Sen. Bunting, Reps. Spence, Smith, Buckworth, Carey, DiPinto, Ewing, Hocker,

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On motion of Senator McDowell, the Senate recessed at 05:00 PM until March 29, 2006 at 03:30 PM.

The Senate reconvened at 04:02 PM, on March 29, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Administrative Services: **SB 263** – 3 Merits; **HB 343 w/HA 1** – 3 Merits.

From Energy & Transit: **SB 280** – 6 Merits; **SB 281** – 6 Merits; **SB 282** - 6 Merits.

A communication from the House was read informing the Senate that it has passed **SCR 31; HB 353; HCR 56; HB 336; HB 370; SB 233; SB 119 w/SA 2.**

At 04:05 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 17th Legislative Day.

**17TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 29, 2006**

The Senate convened at 04:05 PM with Senator DeLuca 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 yields to Senator Sokola.

Senator Sokola extended condolences to the Reading Clerk, Allison Strong on the recent death of their grandfather.

SB 244 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 244 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO UNCLAIMED PROMOTIONAL REBATES AND CONSUMER ELECTRONICS RECYCLING.

SA 1 to SB 244 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 1 to SB 244** was taken and revealed:

YES: 18

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

SA 1 to SB 244 was declared part of the bill.

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

Several Senators commented.

Senator McDowell moved to lay **SB 244 w/SA 1** on the Table.

SB 240 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 240 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUNSET ACT.

Several Senators commented.

Roll call vote on **SB 240** was taken and revealed:

YES: 6

NO: Senator(s) Amick, Blevins, Cloutier, Connor, Copeland, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Venables - 14.

ABSENT: Senator(s) Cook - 1.

SB 240 was declared Defeated.

Senator Bonini was marked present during the above roll call.

SB 236 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 236 - AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO RATES AND RATING ORGANIZATIONS. Senator Blevins request personal privilege of the floor for Matt Denn, Insurance Commissioner. Mr. Denn addressed the Senate.

Senators Connor, Adams and McDowell questioned the witness.

Senator Still questioned the witness. Senator Blevins raised a point of order.

Senator Still continued to question the witness, after which the witness was excused.

Roll call vote on **SB 236** was taken and revealed:

YES: 17

NO: Senator(s) Amick, Copeland, Sorenson, Still - 4.

SB 236 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 March 30, 2006.

Senator Blevins requested that Senator Simpson be added as a co-sponsor of **SB**

236.

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 273 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE REGARDING DANGEROUS DOGS. Sponsor: Sen. Peterson; Sens. Sokola, Bonini, Reps. Maier, Ennis, Gilligan, Keeley, Viola, & Williams; **Agriculture.**

SB 274 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. Sponsor: Sen. Sorenson; Sen. Blevins, & Sen. Sokola, & Sen. Connor, & Rep. Hudson, & Rep. Lavelle, Sens. Cloutier, Henry; Reps. Hall-Long, Keeley, McWilliams, Mulrooney, Schooley, Stone, Thornburg, Valihura, Viola, Wagner; **Community/County Affairs.**

SB 280 - AN ACT PROVIDING A SUPPLEMENTAL GENERAL FUND APPROPRIATION FOR THE DELAWARE ENERGY ASSISTANCE PROGRAM. Sponsor: Sen. Henry; Sen. Connor, Cloutier, Reps. Ulbrich, Keeley; Sens. McDowell, Blevins, Sokola, Marshall, Venables, Still, Sorenson; Reps. Spence, Smith, Lee, Hudson; **Energy & Transit.**

SB 281 - AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM. Sponsor: Sen. DeLuca; Sen. Cook, Reps. Roy, DiPinto, Sens. McDowell, Adams, Still, Sorenson, Henry, Venables; Reps. Spence, Smith, Lee, Hudson; **Energy & Transit.**

SB 282 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND. Sponsor: Sen. McDowell; Rep. Roy, Sens. Adams, Still, Sorenson; Reps. Spence, Smith, Lee, Hudson; **Energy & Transit.**

March 29, 2006

SB 283 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO INCINERATORS. Sponsor: Sen. Still; **Natural Resources & Environmental Control.**

SB 284 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF CREDIT INFORMATION IN PERSONAL INSURANCE. Sponsor: Sen. Still; Rep. Hocker; **Insurance & Elections.**

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At 05:18 PM on motion of Senator McDowell, the Senate recessed until March 30, 2006 at 02:30 PM.

The Senate reconvened at 03:59 PM, on March 30, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Agriculture: **SB 268** – 2 Favorable, 3 Merits.

From Children Youth & Their Families: **HB 331** – 5 Merits.

From Revenue & Taxation: **HB 172** – 3 Merits.

At 04:01 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 18th Legislative Day.

**18TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MARCH 30, 2006**

The Senate convened at 04:01 PM with Senator DeLuca 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 yields to Senator Peterson.

Senator Peterson requested the personal privilege of the floor to introduce her father, Pete Peterson who was visiting the Chamber.

Senator Simpson requested the personal privilege of the floor to introduce Marvin Stayton. A tribute was read to the record honouring his retirement from legislative staff service.

SS 1 for SB 2 was introduced and Adopted in Lieu of the Original and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Henry.

**SS1 for SB 2 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE
RELATED TO INSURANCE**

Senator Henry requested personal privilege of the floor for Norma Garcia, representing Consumers Union. Ms. Garcia addressed the Senate. Senators Simpson and Still questioned the witness, after which the she was excused.

Senator Bunting announced a conflict of interest concerning this bill and that he would not be participating in the debate and would cast his vote as not voting.

Senator Henry requested personal privilege of the floor for Gerald Zakes, representing himself. Senators Venables, McDowell & Still questioned the witness, after which the he was excused.

Senator Henry moved to lay **SS 1 for SB 2** on the Table.

SB 263 was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 263 - AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF
DELAWARE, AS AMENDED, BY ELIMINATING THE SUNSET PROVISION
RELATING TO THE PROFESSIONAL STANDARDS BOARD.**

Roll call vote on **SB 263** was taken and revealed:

YES: 21

SB 263 was declared passed the Senate and sent to the House for Consideration.

Senator Copeland was marked present during the above roll call.

SB 280 was brought before the Senate for consideration on the motion of Senator Henry.

**SB 280 - AN ACT PROVIDING A SUPPLEMENTAL GENERAL FUND
APPROPRIATION FOR THE DELAWARE ENERGY ASSISTANCE PROGRAM.**

Senator Bonini questioned the sponsor.

Roll call vote on **SB 280** was taken and revealed:

YES: 21.

SB 280 was declared passed the Senate and sent to the House for Consideration.

Senator DeLuca yields to Senator McDowell.

SB 281 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 281 - AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM.

Senator Blevins questioned the sponsor.

Senator McDowell requested personal privilege of the floor for Phil Cherry and Charlie Smisson, representing DNREC.

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

Senator McDowell moved to lay **SB 281** on the Table. No objection.

SB 282 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 282 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND.

SA 1 to SB 282 was brought before the Senate for consideration on motion of Senator Adams.

Senator Adams requested personal privilege of the floor for Bill Andrew, President, CEO of Delaware Electric Cooperative.

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

Senator McBride questioned the sponsor.

Roll call vote on **SA 1 to SB 282** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier - 1.

SA 1 to SB 282 was declared part of the bill.

Senator McBride questioned the sponsor.

SA 2 to SB 282 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 2 to SB 282** was taken and revealed:

YES: 19

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

SA 2 to SB 282 was declared part of the bill.

SB 282 w/SA 1 & SA 2 was now before the Senate.

Senator Simpson questioned the sponsor.

Senator Cook requested the personal privilege of the floor for J.J. Davis, Director of Office Management and Budget. Ms. Davis addressed the Senate.

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

Senators Bonini, McDowell, Copeland, Peterson and Venables commented.

Senator McDowell moved to lay **SB 282 w/SA 1 & SA 2** on the Table.

SB 281 was Lifted from the Table and brought before the Senate for Consideration on the motion of Senator McDowell.

SB 281 - AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM.

Senator McDowell requested personal privilege of the floor for J.J. Davis, Director of Office Management and Budget. Ms. Davis addressed the Senate. Several Senators questioned the witness, after which she was excused.

Roll call vote on **SB 281** was taken and revealed:

YES: 11

NO: Senator(s) Blevins, Bonini, Connor, Copeland, Marshall, McBride, Peterson, Simpson, Sokola - 9.

ABSENT: Senator(s) Cloutier - 1.

SB 281 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini raised a point of order.

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

Senator Venables commented.

SENATE CONSENT CALENDAR #12 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SR 19 - RECOGNIZING APRIL, 2006 AS FAIR HOUSING MONTH. Sponsor: Sen. Henry & Sen. McDowell, on behalf of all Senators.

HCR 55 - RECOGNIZING THE QUIET RIVER INITIATIVE'S EFFORTS IN THE CONSERVATION OF THE BRANDYWINE CREEK WATERSHED AND THE CREATION OF A LONG-TERM MECHANISM FOR DEVELOPING HERITAGE CONSERVATION PARTNERSHIPS. Sponsors: Rep. DiPinto & Sen. Henry; Reps. Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Lofink, Outten, Stone, Van Sant, Ennis, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Williams; Sens. Adams, McDowell, DeLuca, Bunting, Peterson, Vaughn, Still, Sorenson, Cloutier, Connor, Copeland, Simpson.

HCR 56 - PROCLAIMING MARCH 30, 2006, AS LIBERTY DAY. Sponsors: Rep. Spence & on behalf of all Representatives & Sen. McBride, on behalf of all Senators.

A roll call vote was taken on **SENATE CONSENT CALENDAR #12** and revealed 19 Senators voting YES; 2 Senators ABSENT, Bunting, Cloutier; 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 made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
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SB 275 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION FOR THE BLIND. Sponsor: Sen. Blevins; Rep. Maier; Sens. Henry, Peterson, Connor; **Health & Social Services**.

HB 353 - AN ACT TO AMEND CHAPTER 176, VOLUME 74, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF SMYRNA TO PROVIDE FOR NOTICE AND APPEALS FOR SUPPLEMENTAL PROPERTY TAX ASSESSMENTS. Sponsor: Rep. Ennis; Sen. Vaughn, Reps. Hall-Long, Thornburg, Sen. Cook; **Community/County Affairs**.

HB 339 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" PERMITTING THE COMMISSIONERS OF BRIDGEVILLE BY ORDINANCE TO ESTABLISH ELECTION DISTRICTS. Sponsor: Rep. Ewing; Sen. Adams; **Community/County Affairs**.

HB 371 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Oberle; Reps. Spence, & Rep. Atkins, & Rep. Cathcart, & Rep. Lofink, & Sen. Bunting, Reps. Lee, Atkins, Booth, Buckworth, Carey, Ewing, Hocker, Lavelle, Miro, Thornburg, Gilligan, Ennis, Johnson, Keeley, Longhurst, Schooley, Viola, Williams, Sens. Blevins, Amick; **Judiciary**.

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The Secretary read the agenda for April 4, 2006.

On motion of Senator McDowell, the Senate recessed at 6:28 PM until April 4, 2006 at 2:30 PM.

The Senate reconvened at 03:03 PM, on April 4, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator Peterson was read requesting Senator Sorenson added as a co-sponsor of **SB 253**.

A communication from the Office of Senator Venables was read requesting he be added as a co-sponsor of **SB 284**.

At 03:04 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 19th Legislative Day.

19TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 04, 2006

The Senate reconvened at 3:04 PM with Lt. Governor Carney presiding.
A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

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 259 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 259 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

Senator Peterson requested verification that Sen. Adams has been added as a co-sponsor to **SB 259**.

SA 1 to SB 259 was brought before the Senate for consideration on motion of Senator Peterson.

Roll call vote on **SA 1 to SB 259** was taken and revealed:

YES: 21

SA 1 to SB 259 was declared part of the bill.

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

Senator Peterson requested personal privilege of the floor for Kathleen Chidester & Dennis Chidester. Mrs. Chidester addressed the Senate, after which the witnesses were excused.

Roll call vote on **SB 259 w/ SA 1** was taken and revealed.

YES: 21

SB 259 w/ SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SS 1 for SB 2 was Lifted from the Table and brought before the Senate for Consideration on the motion of Senator Henry.

SS 1 for SB 2 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE.

SA 1 to SS 1 for SB 2 was brought before the Senate for consideration on the motion of Senator Still.

Senators Henry and McDowell commented.

Senator Still moved to lay **SA 1 to SS1 for SB 2** on the Table.

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

Mr. Denn addressed the Senate. Several Senators questioned the witness, after which the witness was excused.

Senator McDowell requested that **SA 1 to SA 1 to SS 1 for SB 2** be stricken. No objection.

Senator McDowell requested that **SA 2 to SA 1 to SS 1 for SB 2** be stricken. No objection.

Senator Still requested that **SA 1 to SS 1 for SB 2** be Lifted from the Table and brought before the Senate for Consideration.

Senators Adams & Bonini commented.

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

YES: 1

NO: 15 Senator(s) Adams, Amick, Blevins, Bonini, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Vaughn, Venables.

NOT VOTING: Senator(s) Bunting, Cloutier, Connor, Copeland, Sorenson.

SA 1 to SS 1 for SB 2 was declared Defeated.

On motion of Senator McDowell SA 2 to SS 1 for SB 2 was brought before the Senate for Consideration.

Senator McDowell moved to lay SA 2 to SS 1 for SB 2 on the Table.

On motion of Senator McDowell SA 3 to SS 1 for SB 2 was brought before the Senate for Consideration.

Senator McDowell requested personal privilege of the floor for Rashmi Rangan, representing Delaware Community Reinvestment Action Council, Inc. Ms. Rangan addressed the Senate, after which she was excused.

Several Senators commented.

Senator McDowell moved to lay SA 3 to SS 1 for SB 2 on the Table.

Roll call vote on SS 1 for SB 2 was taken and revealed:

YES: 19

NO: Senator Still - 1

NOT VOTING: Senator Bunting - 1.

SS 1 for SB 2 declared passed the Senate and sent to the House for Consideration.

Senator Sokola requested personal privilege of the floor to introduce his parents, who were visiting the Chamber.

HB 313 w/HA 1 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager, Senator Bunting.

HB 313 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE.

Senator Bunting requested personal privilege of the floor for Michael Scuse, Secretary of Agriculture.

Secretary Scuse addressed the Senate

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

Roll call vote on HB 313 w/HA 1 was taken and revealed:

YES: 20

NO: Senator Simpson - 1.

HB 313 w/HA 1 was declared passed the Senate and returned to the House.

HB 343 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Peterson.

HB 343 w/HA 1 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES.

Senator Peterson yields to Senator Sokola.

Roll call vote on HB 343 w/HA 1 was taken and revealed:

YES: 21

HB 343 w/HA 1 was declared passed the Senate and returned to the House.

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

Senator Henry shared remarks on the anniversary of the assassination of Dr. Martin Luther King.

Senator Still rose to deliver an up date of the C-5 plane accident at the Dover Air Force Base on April 4, 2006.

On motion of Senator McDowell, the Senate recessed at 5:01 PM until April 5, 2006 at 03:30 PM.

The Senate reconvened at 04:49 PM, on April 5, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From: Community/County Affairs: HB 339 - 5 Merits; HB 353 - 5 Merits.

A communication from the Office of Senator Peterson was read requesting Senator Marshall be added as a co-sponsor of SB 279.

Senator McDowell moved to recess for Party Caucus at 04:51 PM.

The Senate reconvened at 5:52 PM. with Senator DeLuca presiding.

At 5:52 PM, Lt. Governor Carney presiding.

The following committee reports were announced:

From Energy & Transit: SJR 3 - 5 Merits; HJR 22 w/HA 1 - 5 Merits; HB 6 w/HA 1 - 5 Merits; HB 5 w/HA 1 - 1 Favorable, 4 Merits.

A communication from the House was read informing the Senate that it has passed: HB 339; HB 371 w/HA 1; SB 144 w/SA 1.

At 05:54 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 20th Legislative Day.

**20TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 05, 2006**

The Senate convened at 05:54 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 Blevins requested that **SCR 33** be Lifted from the Table and brought before the Senate for Consideration.

SCR 33- PROCLAIMING APRIL 5, 2006, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY".

Roll call vote on **SCR 33** was taken and revealed:

YES: 21.

SCR 33 was declared Adopted by the Senate and sent to the House for Consideration.

HB 339 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 339 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" PERMITTING THE COMMISSIONERS OF BRIDGEVILLE BY ORDINANCE TO ESTABLISH ELECTION DISTRICTS.

Senator Simpson questioned the floor manager.

Senator Sokola requested personal privilege of the floor for Jeff Clark, Senate Attorney.

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

Senator McBride requested personal privilege of the floor once again for Jeff Clark, Senate Attorney.

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

Roll call vote on **HB 339** was taken and revealed:

YES: 17

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

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

HB 339 was declared passed the Senate and returned to the House.

HB 353 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 353 - AN ACT TO AMEND CHAPTER 176, VOLUME 74, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF SMYRNA TO PROVIDE FOR NOTICE AND APPEALS FOR SUPPLEMENTAL PROPERTY TAX ASSESSMENTS.

Roll call vote on **HB 353** was taken and revealed:

YES: 18

ABSENT: Senator(s) Blevins, Bunting, Marshall - 3.

HB 353 was declared passed the Senate and 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 made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
4/5/06**

March 30, 2006

SB 276 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH INFORMATION. Sponsor: Sen. Blevins; Rep. Van Sant; **Health & Social Services.**

April 4, 2006

SA 1 to SB 215 - Sponsor: Sen. Blevins; Placed with the Bill

SJR 3 - DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE. Sponsor: Sen. DeLuca; Rep. Valihura, Sens. Blevins, Sokola, Still, Adams, Cook, McBride, Marshall, Venables, Henry, McDowell, Bunting, Vaughn, Sorenson, Cloutier, Copeland, Simpson, Connor, ; Reps. Longhurst, Keeley, Schooley, Roy, Stone, Hudson, Hall-Long, Gilligan, Viola, Ewing, Ennis, Miro, Oberle, DiPinto, Cathcart, Booth, Hocker; **Energy & Transit.**

April 5, 2006

SCR 33 - PROCLAIMING APRIL 5, 2006, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". Sponsor: Sen. Blevins; on behalf of all Senators, Rep. Maier, on behalf of all Representatives; **LOT List.**

HB 5 w/HA 1 - AN ACT WAIVING PROVISIONS OF THE DELAWARE CODE TO ALLOW THE STATE TO PROCURE ELECTRICITY ON THE RETAIL OR WHOLESALE MARKET. Sponsor: Rep. Smith; Sen. DeLuca, & Rep. Valihura, & Sen. McDowell, & Rep. Spence, & Rep. Lee, & Rep. Gilligan, & Rep. Van Sant, & Sen. Adams, & Sen. Still, & Sen. Sorenson, Rep. Hudson; **Energy & Transit.**

HB 6 w/HA 1 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE. Sponsor: Rep. Valihura; Sen. Adams, & Rep. Spence, & Rep. Smith, & Rep. Lee, & Rep. Gilligan, & Rep. Van Sant, & Sen. McDowell, & Sen. DeLuca, & Sen. Still, & Sen. Sorenson; **Energy & Transit.**

HJR 22 w/HA 1 - ENSURING DELAWARE'S ENERGY FUTURE SUMMIT. Sponsor: Rep. Valihura; Sen. McDowell, & Rep. Spence, & Rep. Smith, & Rep. Lee, & Rep. Gilligan, & Rep. Van Sant, & Sen. Adams, & Sen. DeLuca, & Sen. Still, & Sen. Sorenson, Rep. Hudson; **Energy & Transit.**

SS 1 for SJR 3 - DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE. Sponsor: Sen. DeLuca; Rep. Valihura, Sens. Blevins, Sokola, Still, Adams, Cook, McBride, Marshall, Venables, Henry, McDowell, Bunting, Vaughn, Sorenson, Cloutier, Copeland, Simpson, Connor, ; Reps. Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ennis, Ewing, Fallon, Gilligan, Hall-Long, Hocker, Hudson, Keeley, Lee, Lofink, Longhurst, Miro, Oberle, Outten, Schooley, Smith, Spence, Stone, Ulbrich, Viola, Wagner; **Energy & Transit; Ready List.**

SB 277 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. Sponsor: Sen. Marshall; Rep. Hudson; **Revenue & Taxation.**

SB 278 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. Sponsor: Sen. Marshall; Rep. Hudson; **Revenue & Taxation.**

SB 279 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND THE RE-REGULATION OF PUBLIC UTILITIES SUPPLYING ELECTRICITY TO RETAIL CUSTOMERS IN THE STATE. Sponsor: Sen. Peterson & Rep. Williams, Sens. Blevins, Marshall, Sokola, Cloutier, Connor, Rep. Plant; **Energy & Transit.**

SB 285 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ACCESS OF THE CHILD DEATH, NEAR DEATH, AND STILL BIRTH COMMISSION TO PROTECTED HEALTH INFORMATION AND OTHER RECORDS AND INFORMATION. Sponsor: Sen. Blevins; Rep. M Marshall, & Rep. Maier, Sens. Henry, Sorenson, Connor; **Children; Youth & Families.**

SB 286 - AN ACT TO AMEND TITLE 26 RELATING TO PUBLIC SERVICE COMMISSION RATES. Sponsor: Sen. Peterson & Rep. Williams, Sens. Blevins, Marshall, Sokola, Copeland, Cloutier, Rep. Plant; **Energy & Transit.**

SB 287 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC UTILITY TAX. Sponsor: Sen. Copeland; Sen. Bonini, & Rep. Lavelle, Sens. Blevins, Cloutier, Peterson, Sokola; Rep. Plant; **Energy & Transit.**

SB 288 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRICITY CHARGES. Sponsor: Sen. Copeland; Rep. Lavelle, Sens. Blevins, Bonini, Cloutier, Peterson, Sokola; Rep. Plant; **Energy & Transit.**

HB 37 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Rep. Wagner; Sen. Sorenson, Reps. Spence, Ulbrich, Valihura; **Public Safety.**

HB 242 w/HA 1 - AN ACT AWARDED SPECIAL PENSION BENEFITS TO RAYMOND H. MALENFANT. Sponsor: Rep. Thornburg; **Finance.**

HB 248 - AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES. Sponsor: Rep. Valihura; Reps. Buckworth, DiPinto, Ewing, Fallon, Hocker, Hudson, Miro, Stone, Thornburg, Ulbrich; Sens. Cloutier, Connor; **Public Safety.**

HB 283 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Rep. Keeley; Rep. Longhurst, & Rep. Ulbrich, Reps. Buckworth, DiPinto, Lavelle, Spence, Wagner; **Judiciary.**

HB 311 w/HA 1, HA 2, HA 3 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL LICENSING AND DISCIPLINARY STANDARDS IN DELAWARE. Sponsor: Rep. Ulbrich; Sen. Copeland, & Sen. Sokola, Reps. Hudson, Valihura; **Administrative Services.**

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

The Secretary announced the agenda for April 6, 2006.

On motion of Senator McDowell, the Senate recessed at 06:19 PM until April 6, 2006 at 02:00 PM.

The Senate reconvened at 02:18 PM, on April 6, 2006 with Senator DeLuca presiding.

A communication from the Office of Senator Peterson was read requesting her name be added as a co-sponsor of **SB 274.**

A communication from the Office of Senator Peterson was read requesting Senator Bonini and Senator Copeland names be added as co-sponsors of **SB 279.**

A communication from the Office of Senator Peterson was read requesting Senator Bonini name be added as a co-sponsor of **SB 286.**

At 02:21 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 21st Legislative Day.

**21ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 06, 2006**

The Senate convened at 02:21 PM with Senator DeLuca 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.

A communications from the House was read informing the Senate that the House had passed **HB 5 w/HA 1; 242 w/HA 1; HB 283; HB 248; HB 37 w/HA 1 & HA 2; HB 311 w/HA 1, 2 & 3; HB 6 w/HA 1; HJR 22 w/HA 1; SB 144 w/SA 1; HB 339, HB 371 w/HA 1; HCR 57.**

Senator DeLuca moved that Senator McDowell floor manage **SS1 for SJR 3.**

SS 1 for SJR 3 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SS 1 for SJR 3 - DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE.

Senators Amick & Peterson questioned the floor manager.

Roll call vote on **SS 1 for SJR 3** was taken and revealed:

YES: 21

SS 1 for SJR 3 passed the Senate and sent to the House for Consideration.

Senators Blevins and Bunting were marked present during the above roll call.

HJR 22 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HJR 22 w/HA 1 - ENSURING DELAWARE'S ENERGY FUTURE SUMMIT.

Senator Blevins questioned the floor manager.

Senator Bonini commented.

Roll call vote on **HJR 22 w/HA 1** was taken and revealed:

YES: 21.

HJR 22 w/HA 1 passed the Senate and returned to the House.

HB 5 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 5 w/HA 1 - AN ACT WAIVING PROVISIONS OF THE DELAWARE CODE TO ALLOW THE STATE TO PROCURE ELECTRICITY ON THE RETAIL OR WHOLESALE MARKET.

Several Senators questioned the floor manager.

Senator McDowell requested personal privilege of the floor for Thomas Shaw, representing Delmarva Power. Mr. Shaw addressed the Senate. Several Senators questioned witness, after which he was excused.

Roll call vote on **HB 5 w/HA 1** was taken and revealed:

YES: 21.

HB 5 w/HA 1 was declared passed the Senate and returned to the House.

HB 6 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 6 w/HA 1 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE.

SA 2 to HB 6 was brought before the Senate for consideration on the motion of Senator Copeland.

Senator Copeland requested personal privilege of the floor for Harry Warren, representing Washington Gas Energy Services.

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

Senators McDowell and Bunting questioned the sponsor.

Senator Bunting requested personal privilege of the floor for Bruce Burcat, representing the Public Service Commission.

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

Senators Copeland, McDowell, Sorenson, Bunting, Still, Bonini and McDowell commented.

Senator McDowell requested personal privilege of the floor once again for Thomas Shaw, representing Delmarva Power.

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

Senators McDowell, Copeland, Venables and Connor commented

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

YES: 10

NO: Senator(s) Adams, Blevins, Cook, DeLuca, Henry, McDowell, Still, Vaughn, Venables - 9.

NOT VOTING: Senator(s) Bunting, Sokola - 2.

SA 2 to HB 6 was declared Defeated.

SA 1 to HB 6 was brought before the Senate for consideration on the motion of Senator Copeland.

Senators McDowell and Still questioned the sponsor.

Senator McDowell requested personal privilege of the floor for Joseph C. Scholl, Esq., Office of the Council to the Governor.

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

Senator Copeland requested personal privilege of the floor for Harry Warren, representing Washington Gas Energy Services.

Senator Copeland questioned the witness, after which he was excused.

Senator McDowell requested personal privilege of the floor regarding for Thomas Shaw, representing Delmarva Power.

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

Senator McDowell requested personal privilege of the floor for Bruce Burcat, representing the Public Service Commission.

Senators McDowell, Marshall and Bonini questioned the witness, after which he was excused.

Senator Venables questioned the sponsor.

Senators Venables requested personal privilege of the floor for Harry Warren, representing Washington Gas Energy Services.

Senators Venables, Marshall and McDowell questioned the witness, after which he was excused.

Roll call vote on **SA 1 to HB 6** was taken and revealed:

YES: 11

NO: Senator(s) Adams, Blevins, Cook, DeLuca, Henry, McDowell, Sokola, Vaughn, Venables - 9.

NOT VOTING: Senator(s) Bunting - 1.

SA 1 to HB 6 was declared part of the bill.

HB 6 w/HA 1 & SA 1 was now before the Senate.

Senator McDowell commented.

Senator Blevins requested personal privilege of the floor for Thomas Shaw, representing Delmarva Power.

Senators Blevins, McBride, Marshall, Peterson & Bonini questioned the witness, after which he was excused.

Senator Bonini requested personal privilege of the floor for Bruce Burcat, representing the Public Service Commission.

Senators Bonini, Peterson, McBride & Sokola questioned the witness, after which he was excused.

Senators Peterson, Bunting and Bonini commented.

Roll call vote on **HB 6 w/HA 1 & SA 1** was taken and revealed:

YES: 15

NO: Senator(s) Bonini, Copeland, Marshall, McBride - 4.

NOT VOTING: Senator(s) Peterson, Simpson - 2.

HB 6 w/HA 1 & SA 1 was declared passed the Senate and returned to the House for Reconsideration.

On motion of Senator Adams **HJR 25** was Laid on the Table.

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
4/6/2006**

April 5, 2006

SA 1 to HB 258 - Sponsor: Sen. Blevins; Placed with the Bill.

SA 1 to SB 269 - Sponsor: Sen. Blevins; Placed with the Bill.

SA 1 to SB 270 - Sponsor: Sen. Blevins; Placed with the Bill.

April 6, 2006

SA 1 to HB 371 - Sponsor: Sen. Peterson; Placed with the Bill.

SB 289 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A STATEWIDE HEALTH ADVISORY COUNCIL. Sponsor: Sen. Bunting; Rep. Ulbrich, Sens. Still, Sorenson, Bonini; Reps. Atkins, Buckworth, DiPinto, Hudson, Maier, Stone, Valihura, Hall-Long, Longhurst, McWilliams, Schooley; **Health & Social Services**.

SB 290 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LEINS OF TAXES AND OTHER CHARGES. Sponsor: Sen. Marshall; Rep. DiPinto; **Judiciary**.

SS 1 for SB 288 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRICITY CHARGES. Sponsor: Sen. Copeland; Rep. Lavelle, Sens. Blevins, Bonini, Cloutier, Peterson, Sokola; Rep. Plant; Adopt in Lieu of; **Energy & Transit**.

* * *

The Secretary announced the agenda for April 11, 2006.

On motion of Senator McDowell, the Senate recessed at 6:04 PM until April 11, 2006 at 02:30 PM.

The Senate reconvened at 3:02 PM, on April 11, 2006 with Lt. Governor Carney presiding.

Senator Adams thanked the Mariner Middle School Jazz Band and Director Ellsworth Tolliver for performing in the Senate Chamber.

A communication from the House was read informing the Senate that the House had passed **HB 358 w/HA 1; HB 363; HB 379; HB 241 w/HA 1; HJR 25; HB 367 w/HA 1; HB 402; HB 381 w/HA 1; HJR 20**.

A communication from the Office of Senator Peterson was read requesting Representative Helene Keeley be added as a co-sponsor of **SB 279** and **SB 286**.

A communication from Representative Buckworth was read requesting his name be removed as a co-sponsor of **SB 253**.

The following committee report was announced.

From Health & Social Services: **HB 258** - 4 Merits.

At 03:04 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 22nd Legislative Day.

**22ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 11, 2006**

The Senate convened at 03:04 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 Cook marked present.

SCR 32 was introduced and brought before the Senate for consideration on the motion of Senator Blevins.

SCR 32 - RECOGNIZING MAY 2006 AS MENTAL HEALTH AWARENESS MONTH IN DELAWARE. Sponsors: Senator Blevins, On behalf of all Senators; Rep. Maier, On behalf of all Representatives.

Roll call vote on **SCR 32** was taken and revealed:

YES: 21.

SCR 32 was declared Adopted by the Senate and sent to the House for Consideration.

HCR 54 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HCR 54 - RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE. Sponsors: Rep. Maier On behalf of all Representatives, Sen. Blevins On behalf of all Senators.

Roll call vote on **HCR 54** was taken and revealed:

YES: 21.

HCR 54 was declared Adopted by the Senate and returned to the House.

HJR 25 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.

HJR 25 - COMMEMORATING THE THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT ZWAANENDAEL, WHICH SERVED AS THE BASIS FOR THE FUTURE TOWN OF LEWES AND THE INDEPENDENT STATUS OF THE FUTURE DELAWARE STATE.

Roll call vote on **HJR 25** was taken and revealed:

YES: 21.

HJR 25 was declared passed the Senate and returned to the House.

HB 331 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 331 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE PERTAINING TO CHILD SUPPORT ORDERS.

Roll call vote on **HB 331** was taken and revealed:

YES: 21.

HB 331 was declared passed the Senate and returned to the House.

HB 258 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 258 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION, MENTAL ILLNESS AND OTHER SIGNIFICANT DISABILITIES.

SA 1 to HB 258 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 258** was taken and revealed:

YES: 21.

SA 1 to HB 258 was declared part of the bill.

HB 258 w/SA 1 was now before the Senate.

Senator Blevins requested personal privilege of the floor for Edward Kafader, Senate Attorney.

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

Senator Blevins requested personal privilege of the floor for Christine Long, representing Division of Developmental Department of Health & Social Services.

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

Senator Blevins moved to lay **HB 258 w/SA 1** on the Table.

Senator McDowell moved to recess for Party Caucus at 3:34 PM.

The Senate reconvened at 05:10 PM. with Senator DeLuca presiding.

HB 304 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 304 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRIC POWERED BICYCLES.

Roll call vote on **HB 304 w/HA 1** was taken and revealed:

YES: 21.

HB 304 w/HA 1 was declared passed the Senate and returned to the House.

Senator Sorenson requested personal privilege of the floor to introduce Isabelle Sattig, a former Legislative Fellow, visiting the Chamber.

SENATE CONSENT CALENDAR #13 was introduced and considered for adoption on motion of Senator McBride. The Calendar included the following Resolutions:

HCR 57 - TO RECOGNIZE MAY 2006 AS POPPY MONTH IN THE STATE OF DELAWARE. Sponsors: Rep. Atkins; Sens. Bunting & Simpson.

SCR 34 - PROCLAIMING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2006, AS ADMINISTRATIVE PROFESSIONALS WEEK. Sponsors: Senator Connor & Rep. Spence on behalf of all Senators; on behalf of all Representatives.

SCR 35 - PROVIDING THAT A CEREMONIAL SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED IN THE CITY OF LEWES IN COMMEMORATION OF THE 375TH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT SWAANENDAEL, THE EVENT WHICH LAID THE FOUNDATION FOR DELAWARE STATEHOOD. Sponsors: Senator Adams & Rep. Spence; Sens. McDowell, DeLuca, Still & Sorenson, on behalf of all Senators; Reps. Smith, Lee, Gilligan & Van Sant, on behalf of all Representatives.

A roll call vote was taken on **SENATE CONSENT CALENDAR #13** and revealed 20 Senators Voting YES; 1 ABSENT Henry; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration and the House Concurrent Resolution was returned to the House.

At 05:18 PM, 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
4/11/06**

April 6, 2006

HJR 25 - COMMEMORATING THE THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT ZWAANENDAEL, WHICH SERVED AS THE BASIS FOR THE FUTURE TOWN OF LEWES AND THE INDEPENDENT STATUS OF THE FUTURE DELAWARE STATE. Sponsor: Rep. Spence; Sen. Adams, Reps. Smith, Lee, Gilligan, Van Sant, on behalf of all Representatives; Sens. McDowell, DeLuca, Still, Sorenson, on behalf of all Senators; **LOT List**.

HB 241 w/HA 1 - AN ACT RELATING TO CRIMINAL CONSEQUENCES OF CONDUCT THAT INVOLVES CERTAIN TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE. Sponsor: Rep. Smith; Sen. Blevins; **Judiciary**.

HB 358 w/HA 1 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Rep. Hudson; Rep. Lavelle, & Rep. Valihura, & Sen. Blevins; **Insurance & Elections**.

HB 363 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Rep. Ewing; Rep. Atkins, & Rep. Schwartzkopf, & Sen. Vaughn; **Judiciary**.

HB 367 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY. Sponsor: Rep. Buckworth; Sen. Vaughn, Reps. Outten, Stone, Wagner, Ennis, Hall-Long, Caulk; Sens. Still, Simpson; **Community/County Affairs**.

HB 381 w/HA 1 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION. Sponsor: Rep. Maier; Rep. Spence, & Rep. Lee, & Sen. Bunting; **Labor & Industrial Relations**.

HB 402 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE QUALIFICATIONS OF ATTORNEY GENERAL. Sponsor: Rep. Hudson; Sen. Blevins, Reps. Buckworth, Carey, Ewing, Lavelle, Stone, Thornburg, Wagner, Ennis; Sens. Peterson, Amick, Simpson; **Judiciary**.

HJR 20 - EXTENDING THE REPORTING DATE FOR THE TASK FORCE TO REVIEW BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. Sponsor: Rep. Wagner; Sen. Sokola; **Education**.

SA 1 to HB 252 - Sponsor: Sen. Marshall; Placed with the Bill

SA 2 to HB 371 - Sponsor: Sen. Peterson; Placed with the Bill

April 11, 2006

SB 292 - AN ACT TO CREATE AN INDEPENDENT COMMISSION TO INVESTIGATE THE CONDITIONS IN CORRECTIONAL FACILITIES OPERATED BY THE STATE OF DELAWARE. Sponsor: Sen. Copeland; Rep. Plant, & Sen. Henry, Sens. Cloutier, Connor, Sorenson; Rep. Lavelle; **Adult & Juvenile Corrections.**

SB 293 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY DUTY. Sponsor: Sen. Sorenson; Rep. Oberle; Sens. Cloutier, Henry, Sokola; Reps. Lavelle, Miro, Schooley; **Judiciary.**

The following nomination(s) assigned to the **Executive** Committee:

Samuel E. Lathem
20 Lochview Drive

to be reappointed a Commissioner
of the Delaware River and Bay
Authority to serve a term to expire
July 1, 2010.

Arthur S. Lewis, Jr.
3 Smallwood Drive
Dover, DE 19901

to be reappointed a member of
the Enhanced 911 Emergency
Reporting System Service Board to
serve a term to expire 3 years from
the date of Senate confirmation.

Richard W. Sterling
1575 Vandyke-Greenspring Road
Smyrna, DE 19977

to be reappointed a member of
the Delaware Nutrient
Management Commission to serve a
term to expire March 15, 2009.

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

The Secretary announced the agenda for April 12, 2006.

At 05:23 on motion of Senator McDowell, the Senate recessed at 05:23 PM. until
April 12, 2006 at 03:00 PM.

The Senate reconvened at 03:33 PM, on April 12, 2006 with Lt. Governor Carney
presiding.

The following committee reports were announced:

From Agriculture: **HB 336** – 5 Merits; **HB 379** – 1 Favorable, 4 Merits.

From Judiciary: **HB 371 w/HA 1** – 4 Merits; **SB 269** – 4 Merits; **SB 265** – 4
Merits; **SB 256** – 4 Merits.

From Education: **SB 264** – 3 Merits.

From Administrative Services: **HB 311 w/HA 1, HA 2, HA 3** – 4 Merits.

From: Community/County Affairs: **SB 294** – 3 Merits; **SB 274** – 3 Merits; **HB**
367 w/HA 1 – 1 Favorable, 2 Merits; **HB 380** – 1 Favorable, 3 Merits.

From Public Safety: **SB 270** – 4 – Merits.

At 03:37 PM on motion of Senator McDowell, the Senate adjourned to
immediately convene for the 23rd Legislative Day.

23RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 12, 2006

The Senate convened at 03:37 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 introduce former Governor Russell Peterson, his wife June, daughters and granddaughters, visiting the Chamber.

Senator Adams requested personal privilege of the floor for Russ McCabe, Delaware Public Achieves. Mr. McCabe up dated the members of the upcoming celebrations 375th Anniversary of Lewes.

Senators Sokola and Connor commented, after which Mr. McCabe was excused. Senator Simpson requested personal privilege of the floor to introduce Ashley Dunn, recipient of the Boys and Girls Clubs of Delaware, Youth of the Year Award.

SB 296 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Simpson.

SB 296 - AN ACT TO DEDICATE THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL. Sponsors: Sen. Simpson & Sen. Cook & Rep. Carey & Rep. Schwartzkopf Sens. Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn, Venables; Reps: Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith, Spence, Ulbrich.

Senator Simpson requested personal privilege of the floor for Carrie W. Bennett, representing the Southern Delaware Chapter of the Sierra Club. After addressing the Senate, Ms. Bennett was excused.

Senator Simpson requested personal privilege of the floor for Andrew T. Manus, representing the Delaware Chapter of The Nature Conservancy. After addressing the Senate, Mr. Manus was excused.

Senator Simpson requested personal privilege of the floor for John A. Hughes, Secretary of DNREC. After addressing the Senate, Mr. Hughes was excused.

Senator Simpson invited former Governor Russell Peterson to address the Senate, after which he was excused.

Roll call vote on **SB 296** was taken and revealed:

YES: 21.

SB 296 was declared passed the Senate and sent to the House for Consideration.

Senator Simpson requested personal privilege of the floor for Mrs. Til Purnell.

Mrs. Purnell addressed the Senate.

Senator Bunting commented.

Mrs. Purnell was excused.

Senator McDowell, on behalf of his colleagues, extended best wishes to Senator Vaughn upon his birthday.

SB 245 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 245 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND ESTABLISHING THE DELAWARE RECYCLING FUND.

SA 1 to SB 245 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Blevins questioned the sponsor.

Senator McDowell moved to lay **SB 245 w/SA 1** on the Table.

SB 251 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 251 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FULL-DAY KINDERGARTEN.

SA 1 to SB 251 was brought before the Senate for consideration on the motion of Senator Sokola.

Senator Sokola requested personal privilege of the floor for Nancy Wilson, representing the Department of Education. After addressing the Senate she was excused.

Roll call vote on **SA 1 to SB 251** was taken and revealed:

YES: 21.

SA 1 to SB 251 was declared part of the bill.

SB 251 w/SA 1 was now before the Senate.

Senators Sokola and Sorenson commented.

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

Several Senators questioned the sponsor.

Senator Sokola requested personal privilege of the floor for once again for Nancy Wilson, representing the Department of Education. After addressing the Senate she was excused.

Senators McDowell, Henry and Simpson commented.

Roll call vote on **SB 251 w/SA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Simpson - 2.

SB 251 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.

The Secretary announced the agenda for April 13, 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
4/12/06**

April 11, 2006

SA 2 to HB 258 - Sponsor: Sen. Blevins; Placed with the Bill

SB 291 - AN ACT TO IMPROVE THE PROVISION OF MEDICAL CARE TO INMATES IN STATE CORRECTIONAL FACILITIES. Sponsor: Sen. Henry; Copeland, & Peterson, Reps. Maier, & Plant, Sens. McDowell, Cloutier, Sorenson, Reps. Johnson, Keeley, Wagner; **Adult & Juvenile Corrections.**

April 12, 2006

SA 1 to SB 271 - Sponsor: Sen. Blevins; Placed with the Bill.

HB 400 w/HA 1 - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO BOND PREMIUM; AND AMENDING THE LAWS OF DELAWARE. Sponsor: Rep. Roy; Sen. Venables; Reps. Carey, Lofink, Oberle, Ennis, Keeley, Sens. Blevins, Cook, DeLuca, Connor, Simpson; **LOT List.**

SB 295 - AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE RELATING TO MANAGED CARE ORGANIZATIONS. Sponsor: Sen. Blevins; Rep. Maier, Sen. Sokola; Rep. Stone; **Health & Social Services.**

HB 356 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TERRORISTIC THREATENING. Sponsor: Rep. Schwartzkopf; Sen. Bunting, Reps. Atkins, Ewing; **Judiciary.**

HB 362 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Ewing; Rep. Atkins, & Rep. Schwartzkopf, & Sen. Vaughn, Reps. Spence, Lee, Outten, Wagner; **Judiciary.**

HS 1 FOR HB 243 w/HA 2, HA 3, HA 4 - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. Sponsor: Rep. Lee; Sen. Vaughn, Rep. Wagner; **Judiciary.**

HJR 21 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2006. Sponsor: Rep. DiPinto; Sen. Cook; **Finance.**

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On motion of Senator McDowell, the Senate recessed at 5:15 PM until April 13, 2006 at 02:00 PM.

The Senate reconvened at 02:45 PM, on April 13, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health & Social Services: **SB 262** – 5 Merits; **SB 276** – 5 Merits.
Senator Cloutier welcomed the Brandywine Dancers. They performed for the Senate. Erika Brown addressed the Senate as the teacher of the dance class, after which they were all excused.

Senator DeLuca commented on the rules for the chamber.

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

The Senate reconvened at 04:12 PM with Senator DeLuca presiding.

At 04:12 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 24th Legislative Day.

24TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
APRIL 13, 2006

The Senate convened at 04:12 PM with Senator DeLuca 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.

A correspondence from the Office of Senator Peterson was read requesting Senator Bunting and Representative Bruce Ennis be added as co-sponsors of **SB 286**.

At 04:15 PM, Lt. Governor Carney presiding.

HB 336 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 336 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES.

Senator Bunting requested personal privilege of the floor for John H. Cordrey, Commissioner of Alcohol Beverage Control. After addressing the Senate Mr. Cordrey was excused.

Roll call vote on **HB 336** was taken and revealed:

YES: 21

HB 336 was declared passed the Senate and returned to the House.

Senator Amick was marked present during the above roll call.

HB 379 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 379 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND LICENSE FEES.

Senator Bunting requested personal privilege of the floor once again for John Cordrey, Commissioner of Alcohol Beverage Control. After addressing the Senate Mr. Cordrey was excused.

Senator McBride commented.

Roll call vote on **HB 379** was taken and revealed:

YES: 21.

HB 379 was declared passed the Senate and returned to the House.

SB 294 was brought before the Senate for consideration on the motion of Senator Adams.

SB 294 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELLENDALE," TO GRANT THE TOWN COUNCIL OF THE TOWN OF ELLENDALE THE AUTHORITY TO IMPOSE IMPACT FEES FOR NEW DEVELOPMENT OR CONSTRUCTION, FIRST TIME OCCUPANCY OF NEW CONSTRUCTION, AND UPON ANNEXED PROPERTY AND TO ENTER INTO ANNEXATION AGREEMENTS WITH THE OWNERS OF TERRITORIES PROPOSED FOR ANNEXATION.

Roll call vote on **SB 294** was taken and revealed:

YES: 21.

SB 294 was declared passed the Senate and sent to the House for Consideration.

HCR 58 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 58 - COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2006. Sponsors: Rep. Wagner, on behalf of all Representatives; Sen. Sokola, on behalf of all Senators.

SA 1 to HCR 58 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to HCR 58** was taken and revealed:

YES: 21.

SA 1 to HCR 58 was declared part of the bill.

HCR 58 w/SA 1 was now before the Senate.

Roll call vote on **HCR 58 w/SA 1** was taken and revealed:

YES: 21.

HCR 58 w/SA 1 was declared passed the Senate and returned to the House for Consideration.

HB 400 w/HA 1 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 Venables.

Senators Amick & McDowell requested to be added as a co-sponsor.

Senator McDowell commented.

Senator Bonini questioned the floor manager.

Senator Venables requested personal privilege of the floor for Mike Morton, representing the Office of Controller General. After addressing the Senate, Mr. Morton was excused.

Roll call vote on **HB 400 w/HA 1** was taken and revealed:

YES: 21.

HB 400 w/HA 1 was declared passed the Senate and returned to the House.

SB 274 was brought before the Senate for consideration on the motion of Senator Sorenson.

SB 274 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.

Roll call vote on **SB 274** was taken and revealed:

YES: 21.

SB 274 was declared passed the Senate and sent to the House for Consideration.

SENATE CONSENT CALENDAR # 14 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 59 - PROCLAIMING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2006 AS ADMINISTRATIVE PROFESSIONALS WEEK. Sponsors: Rep. Spence & Sen. McBride.

SR 20 - SUPPORTING THE CREATION OF THE DELAWARE REDEVELOPMENT AUTHORITY TO ADDRESS THE CLOSURE OF THE MAJOR ROBERT KIRKWOOD UNITED STATES ARMY RESERVE CENTER. Sponsor: Sen. Sokola

A roll call vote on the **SENATE CONSENT CALENDAR #14** was taken and revealed 20 Senators voting YES; 1 Absent (Henry); therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolution was returned to the House.

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

The Secretary announced the agenda for May 2, 2006.

On motion of Senator McDowell, the Senate recessed at 04:56 PM until May 2, 2006 at 02:00 PM.

The Senate reconvened at 03:13 PM, on May 2, 2006 with Lt. Governor Carney presiding.

LEGISLATIVE ADVISORY # 17 dated April 19, 2006, the Governor signed the following legislation on the date indicated:

HJR #22 aab HA1 (4/6/06) -ENSURING DELAWARE'S ENERGY FUTURE SUMMIT. (Rep. Valihura & Rep. Hudson & Sen. McDowell & Rep. Spence & Rep. Smith & Rep. Lee & Rep. Gilligan & Rep. Van Sant & Sen. Adams & Sen. DeLuca & Sen. Still & Sen. Sorenson)

HJR #25 (4/12/06) - COMMEMORATING THE THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT ZWAANENDAEL, WHICH SERVED AS THE BASIS FOR THE FUTURE TOWN OF LEWES AND THE INDEPENDENT STATUS OF THE FUTURE DELAWARE STATE. (Rep. Spence & Sen. Adams & Reps. Smith, Lee, Gilligan, Van Sant, on behalf of all Representatives, Sens. McDowell, DeLuca, Still, Sorenson, on behalf of all Senators)

SB #81 aab SA1 and HA 1 (3/21/06) - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF RELEASE OR DISCHARGE FROM ACTIVE MILITARY SERVICE (DD FORM 214). (Sponsors: Sen. Bunting & Rep. Cathcart & Sens. McBride, McDowell, Peterson, Connor, Venables, Sorenson; Reps. Spence, Buckworth, Hocker, Hudson, Lavelle, Miro, Wagner, George, Hall-Long, Keeley, Schwartzkopf, Sens. DeLuca, Henry, Sokola, Rep. Gilligan, Maier) (Volume 75, Chapter 235, Laws of Delaware.)

SB #119 aab SA2 (4/4/06) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. (Sponsors: Sen. Blevins & Rep. Maier) (Volume 75, Chapter 236, Laws of Delaware.)

SB #144 aab SA1 (4/4/06) - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PERSONAL PROPERTY. (Sponsors: Sen. Conner & Sens. Amick, Henry, Sokola, Sorenson, Venables; Reps. Ennis, Lavelle, Smith, Viola, Maier) (Volume 75, Chapter 237, Laws of Delaware.)

SB# 233 (4/4/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO FUNERAL SERVICES. (Sen. Peterson & Sen. McDowell, Bonini; Rep. Maier) (Volume 75, Chapter 238, Laws of Delaware.)

HB# 282 (4/4/06) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE. (Sponsors: Rep. Lee & Rep. Outten & Rep. Ennis & Sen. Bunting & Sen. Vaughn) (Volume 75, Chapter 239, Laws of Delaware.)

HB# 245 (4/4/06) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Sponsors: Rep. Hocker & Reps. Buckworth, DiPinto, Ewing, Fallon, Sens. Amick, Cloutier, Connor, Copeland, Simpson) (Volume 75, Chapter 240, Laws of Delaware.)

HB# 326 (4/4/06) - 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. (Sponsors: Rep. Schwartzkopf & Sen. Bunting) (Volume 75, Chapter 241, Laws of Delaware.)

HB# 6 aab HA1 and SA1 (4/6/06) - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE. (Sponsors: Rep. Valihura & Sen. Adams & Reps. Spence & Rep. Smith & Rep. Lee & Rep. Gilligan & Rep. Van Sant & Sen. McDowell & Sen. DeLuca & Sen. Still & Sen. Sorenson) (Volume 75, Chapter 242, Laws of Delaware.)

HB# 5 aab HA1 (4/6/06) - AN ACT WAIVING PROVISIONS OF THE DELAWARE CODE TO ALLOW THE STATE TO PROCURE ELECTRICITY ON THE RETAIL OR WHOLESALE MARKET. (Sponsors: Rep. Smith & Rep. Hudson & Sen. DeLuca & Rep. Valihura & Sen. McDowell & Rep. Spence & Rep. Lee & Rep. Gilligan & Rep. Van Sant & Sen. Adams & Sen. Still & Sen. Sorenson) (Volume 75, Chapter 243, Laws of Delaware.)

HB# 313 aab HA 1 (4/11/06) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE. (Sponsors: Rep. Hall-Long & Rep. Carey & Sen. Bunting & Reps. Caulk, Ennis, Keeley, Mulrooney, Outten, Plant, Thornburg, Viola; Sen. Venables) (Volume 75, Chapter 244, Laws of Delaware.)

HB# 339 (4/11/06) - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" PERMITTING THE COMMISSIONERS OF BRIDGEVILLE BY ORDINANCE TO ESTABLISH ELECTION DISTRICTS. (Sponsors: Rep. Ewing & Sen. Adams) (Volume 75, Chapter 245, Laws of Delaware.)

HB# 343 aab HA1 (4/11/06) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES. (Sponsors: Rep. Miro & Sen. Sokola) (Volume 75, Chapter 246, Laws of Delaware.)

HB# 353 (4/11/06) - AN ACT TO AMEND CHAPTER 176, VOLUME 74, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF SMYRNA TO PROVIDE FOR NOTICE AND APPEALS FOR SUPPLEMENTAL PROPERTY TAX ASSESSMENTS. (Sponsors: Rep. Ennis & Sen. Vaughn & Reps. Hall-Long & Thornburg & Sen. Cook) (Volume 75, Chapter 247, Laws of Delaware.)

SB# 260 (4/12/06) - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE CITY MANAGER AND THE POLICE FORCE. (Sponsors: Sen. Simpson & Rep. Booth) (Volume 75, Chapter 248, Laws of Delaware.)

HB# 331 (4/12/06) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE PERTAINING TO CHILD SUPPORT ORDERS. (Sponsors: Rep. Buckworth & Sen. Blevins & Reps. Spence, Hudson, Valihura, Wagner, Keeley, Schooley; Sen. Still) (Volume 75, Chapter 249, Laws of Delaware.)

SB# 280 (4/13/06) - AN ACT PROVIDING A SUPPLEMENTAL GENERAL FUND APPROPRIATION FOR THE DELAWARE ENERGY ASSISTANCE PROGRAM. (Sponsors: Sen. Henry & Sen. Connor & Sen. Cloutier & Rep. Ulbrich & Rep. Keeley & Sens. McDowell, Blevins, Sokola, Marshall, Venables, Still, Sorenson; Reps. Spence, Smith, Lee, Hudson) (Volume 75, Chapter 250, Laws of Delaware.)

HB# 304 aab HA1 (4/13/06) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRIC POWERED BICYCLES. (Sponsors: Rep. Ennis and Sen. Vaughn & Reps. Buckworth, Carey, Caulk, Ewing, George, Johnson, Keeley, Lee, Longhurst, McWilliams, Mulrooney, Outten, Schooley, Spence, Van Sant) (Volume 75, Chapter 251, Laws of Delaware.)

HB# 336 (4/17/06) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES. (Sponsors: Reps. Spence & Hudson & Sen. DeLuca & Reps. Buckworth, Miro, Van Sant, Ennis, Johnson & Sen. Still) (Volume 75, Chapter 252, Laws of Delaware.)

HB# 379 (4/17/06) - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND LICENSE FEES. (Sponsors: Rep. Booth & Sen. Adams & Reps. Buckworth, Carey, Hudson, Oberle, Outten, Schwartzkopf, Thornburg) (Volume 75, Chapter 253, Laws of Delaware.)

HB# 400 aab HA1 (4/17/06) - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO BOND PREMIUM; AND AMENDING THE LAWS OF DELAWARE. (Sponsors: Rep. Roy & Sen. Venables & Reps. Carey, Lofink, Oberle, Ennis Keeley & Sens. Blevins, Cook, DeLuca, Connor, Simpson, Amick, McDowell) (Volume 75, Chapter 254, Laws of Delaware.)

A communication from the House was read informing the Senate that the House has passed **HB 385; HB 374; HB 393; HJR NO. 26; SB 259 w/SA 1; SB 281; SB 107 w/SA 1; HB 400 w/HA 1; HS 1 to HB 243 w/HA 2, HA 3, HA 4; HB 362; HJR 21; SB 280; HB 380; HB 356 w/HA 1; SB 260; HCR 59; HCR 58; SCR 34; SCR 35; SCR 33; SCR 32; HCR 60.**

At 03:15 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 25th Legislative Day.

**25TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 02, 2006**

The Senate convened at 03:15 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 introduce Christian Conaty, essay contest winner, visiting the Senate Chamber with his 4th grade class, St. Ann Parochial School, Wilmington.

Senator McDowell yields to Senator Adams.

Senator Adams requested the personal privilege of the floor to introduce Susan Shea, widow of Delaware State Policeman, Christopher Shea. After addressing the Senate, Mrs. Shea was excused.

Senator McDowell moved to recess for Party Caucus at 3:30 PM.

The Senate reconvened at 04:54 PM with Senator DeLuca presiding.

HCR 60 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HCR 60 - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2006 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsors: Rep. Spence on behalf of all Representatives; Sen. Adams, on behalf of all Senators.

Roll call vote on **HCR 60** was taken and revealed:

YES: 19

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

HCR 60 was declared Adopted by the Senate and returned to the House.

Senator McBride was marked present during the above roll call.

SB 265 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 265 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION ON JUDGMENTS IN THE JUSTICE OF THE PEACE COURT.

Roll call vote on **SB 265** was taken and revealed:

YES: 21.

SB 265 was declared passed the Senate and sent to the House for Consideration.

SB 262 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 262 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM.

SA 1 to SB 262 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 262** was taken and revealed:

YES: 21.

SA 1 to SB 262 was declared part of the bill.

SB 262 w/SA 1 was now before the Senate.

Roll call vote on **SB 262 w/SA 1** was taken and revealed:

YES: 21.

SB 262 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

A communication from the Office of Senator Blevins was read requesting Senator Connor be added as a co-sponsor of **SB 276**.

SB 276 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 276 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH INFORMATION.

SA 1 to SB 276 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 276** was taken and revealed:

YES: 21.

SA 1 to SB 276 was declared part of the bill.

SB 276 w/SA 1 was now before the Senate.

Roll call vote on **SB 276 w/SA 1** was taken and revealed:

YES: 21.

SB 276 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 380 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 380 - AN ACT TO AMEND CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF GEORGETOWN, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS.

SA 1 to HB 380 was brought before the Senate for consideration on the motion of Senator Adams.

Senator Adams requested personal privilege of the floor for Timothy Willard, Senate Attorney.

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

Roll call vote on **SA 1 to HB 380** was taken and revealed:

YES: 18

NO: Senator(s) Bonini - 1.

NOT VOTING: Senator(s) Simpson - 1.

ABSENT: Senator(s) Henry - 1.

SA 1 to HB 380 was declared part of the bill.

HB 380 w/SA 1 was now before the Senate.

Senators Bonini and Venables questioned the floor manager.

Senator Sokola requested personal privilege of the floor once again for Timothy Willard, Senator Attorney.

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

Several Senators commented.

Roll call vote on **HB 380 w/SA 1** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Simpson - 2.

NOT VOTING: Senator(s) Copeland - 1.

ABSENT: Senator(s) Cook - 1.

HB 380 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

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.

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SA 1 to HB 367 - Sponsor: Sen. Still; Placed with the Bill

SA 2 to HB 367 - Sponsor: Sen. Still; Placed with the Bill

SA 3 to HB 367 - Sponsor: Sen. Still; Placed with the Bill

SA 1 to SB 276 - Sponsor: Sen. Blevins; Placed with the Bill

SA 1 to SB 262 - Sponsor: Sen. Blevins; Placed with the Bill

SB 297 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND THE PRESCRIPTION DRUG PAYMENT ASSISTANCE PROGRAM. Sponsor: Sen. McDowell; Rep. Maier, Sen. McBride, Sen. Still, Sen. Henry, & Rep. DiPinto, Sens. Marshall, Sokola, Peterson,

Cook, Venables, Copeland, Cloutier, Connor, Bonini, Simpson; Reps. Williams, Plant, McWilliams, Van Sant, Longhurst, Mulrooney, Schooley, Viola, Ennis, Valihura, Spence, Roy, Oberle; **Finance**.

May 2, 2006

SB 298 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OYSTER HARVESTING LICENSES. Sponsor: Sen. Still; Rep. Ennis, & Sen. Vaughn; **Natural Resources & Environmental Control**.

SB 299 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OYSTER HARVESTING. Sponsor: Sen. Still; Rep. Ennis, & Sen. Vaughn; **Natural Resources & Environmental Control**.

HB 374 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE THEFT. Sponsor: Rep. Valihura; Rep. Van Sant, & Sen. Vaughn, & Sen. Bonini; **Judiciary**.

HB 385 - AN ACT TO AMEND TITLE 11 OF DELAWARE CODE RELATING TO RANDOM DRUG TESTING FOR DEPARTMENT OF EDUCATION EMPLOYEES ON PERMANENT ASSIGNMENT AT DEPARTMENT OF CORRECTION FACILITIES. Sponsor: Rep. Wagner; Sen. Sokola, Reps. Atkins, Buckworth, Ewing, Fallon, Miro; **Adult & Juvenile Corrections**.

HB 393 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. Sponsor: Rep. Lavelle; Sen. Blevins, Reps. Maier, Valihura, Sens. Henry, Peterson, Sokola, Cloutier, Connor, Copeland, Simpson; **Executive**.

HJR 26 - DIRECTING THE DELAWARE ENERGY OFFICE AND THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO PROMOTE COMPETITION IN RESIDENTIAL ELECTRICITY MARKETS IN DELAWARE. Sponsor: Rep. Oberle; Rep. Smith, & Sen. DeLuca, & Sen. Still, Reps. Lee, Booth, Buckworth, Carey, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Outten, Roy, Spence, Stone, Thornburg, Valihura, Wagner, Gilligan; Sens. McDowell, Sorenson; **Energy & Transit**.

The following nomination(s) assigned to the **Executive** Committee:

Mary Susan Much
109 Norris Road
Wilmington, DE 19803

to be appointed Family
Court Commissioner in
New Castle County to serve a
term to expire 4 years from
the date of swearing in.

* * *

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

The Secretary announced the agenda for May 3, 2006.

At 05:41 PM on motion of Senator McDowell, the Senate recessed until May 3, 2006 at 03:00 PM.

The Senate convened at 3:45 PM, on May 3, 2006 with Senator DeLuca presiding.

LEGISLATIVE ADVISORY # 18, 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 # 18, dated May 3, 2006, the Governor signed the following legislation on the date indicated:

SB #107 aab SA1 (5/02/06) - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE PARTIES CHARGED WITH VIOLATIONS OF THE LIQUOR CONTROL ACT. (Sponsors: Sen. DeLuca & Rep. Oberle) (Volume 75, Chapter 255, Laws of Delaware.)

SB #259 aab SA1 (5/02/06) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Sponsors: Sen. Peterson & Rep. Viola Sens. Adams, Blevins, Cook, DeLuca, Henry, McBride, Sokola, Cloutier, Copeland, Sorenson, & Reps.

Hudson, Maier, Spence, Valihura, Ennis, Johnson, M Marshall, McWilliams, Mulrooney & Schwartzkopf) (Volume 75, Chapter 256, Laws of Delaware.)

SB # 281 (5/02/06) - AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM. (Sponsors: Sens. Deluca & Cook & Reps. Roy & DiPinto & McDowell, Adams, Still, Sorenson, Henry, Venables; Reps. Spence, Smith, Lee, Hudson) (Volume 75, Chapter 257, Laws of Delaware.)

* * *

A communication from the Office of Senator McDowell was read requesting his name be added as a co-sponsor of **SB 274**.

A communication from Representative John C. Atkins was read requesting his name be removed as co-sponsor of **SB 194**.

At 03:46 PM, Lt. Governor Carney presiding.

A communication from the House was read advising the Senate that it has passed **HB 391 w/HA 1; HB 392; HB 383; HB 325; HB 324**.

The following committee report was announced:

From Executive: **Mary Susan Much** - 4 Favorable, 2 Merits.

At 03:47 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 26th Legislative Day.

26TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 03, 2006

The Senate convened at 03:47 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, Copeland, Cook, 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 Sokola commented on the technology & education program.

Senator Sokola requested personal privilege of the floor for Nathan Simms & Lauren Palmer, representing William Henry Middle School, Capital School District. After addressing the Senate they were excused.

Senator Sokola requested personal privilege of the floor to introduce former Senator Richard Hauge, who was visiting the chamber.

On motion of Senator Adams, the following nomination by the Governor was considered.

Mary Susan Much: 21 Senator(s) voting YES. Appointment was declared **CONFIRMED**.

Senators Bonini, Copeland and McBride were marked present during the above roll call.

Senator Sokola requested personal privilege of the floor to introduce from Jobs for Delaware Graduates guests, Emilio Nazario, Teacher, Lashae Branch, Dover High School, Brian Clarke, Teacher, Shanese Taylor, Milford High School, Sandy Fruni, Kent/Sussex Co. Supervisor and Heather Neubeck, Administrative Assistant.

SB 269 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 269 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CERTAIN DRUG OFFENSES.

Senator Blevins requested personal privilege of the floor for Paul Wallace, representing the Department of Justice.

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

Senator Blevins moved to lay **SB 269** on the Table.

SB 270 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 270 - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES.

SA 1 to SB 270 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 270** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bunting, Copeland & Marshall - 3.

SA 1 to SB 270 was declared part of the bill.

SA 2 to SB 270 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to SB 270** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bunting, Copeland & Marshall - 3.

SA 2 to SB 270 was declared part of the bill.

SB 270 w/SA 1 & SA 2 was now before the Senate.

Senator Blevins requested personal privilege of the floor for Paul Wallace

Department of Justice.

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

Senator Blevins moved to lay **SB 270 w/SA 1 & SA 2** on the Table.

HB 311 w/HA 1, HA 2 & HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Peterson.

HB 311 w/HA 1, HA 2 & HA 3 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL LICENSING AND DISCIPLINARY STANDARDS IN DELAWARE.

Senator McDowell questioned the floor manager.

Senator Peterson requested personal privilege of the floor for Peter Jennings, representing the Board of Architect.

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

Roll call vote on **HB 311 w/HA 1, HA 2 & HA 3** was taken and revealed:

YES: 20

ABSENT: Senator(s) Blevins - 1.

HB 311 w/HA 1, HA 2 & HA 3 was declared passed the Senate and returned to the House.

SB 256 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 256 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE A FRAUD BUSTERS PROGRAM TO DISCOURAGE INSURANCE FRAUD IN THE STATE OF DELAWARE.

Senators Connor, McDowell and Cook requested to be added as co-sponsors.

Roll call vote on **SB 256** was taken and revealed:

YES: 21.

SB 256 was declared passed the Senate and sent to the House for Consideration.

SR 21 was introduced and brought before the Senate for consideration on the motion of Senator Amick.

SR 21 - CONCURRING IN THE GOVERNOR'S PROCLAMATION OF MAY 4, 2006 AS A DAY OF RECOGNITION AND CELEBRATION OF DELAWARE'S DIRECT SUPPORT PROFESSIONALS. Sponsor: Sen. Amick on behalf of all Senators.

Roll call vote on **SR 21** was taken and revealed:

YES: 21.

SR 21 was duly Adopted by the Senate.

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.

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SB 300 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE ADJUDICATION OR JUDGMENT. Sponsor: Sen. Adams; Sen. Vaughn, & Rep. Lee; **Judiciary**.

HB 324 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENTS' TRUST FUND. Sponsor: Rep. Maier; Sen. Blevins, Reps. Hall-Long, & Hudson; **Health & Social Services**.

HB 325 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PROMOTING PUBLIC HEALTH IN THIS STATE. Sponsor: Rep. Maier; Sen. Blevins, Sens. Henry, Sorenson; **Health & Social Services**.

HB 383 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. Sponsor: Rep. Maier; Sen. Blevins, Reps. Booth, Ewing, McWilliams, Stone, Sens. Henry, Peterson, Sorenson, Connor; **Health & Social Services**.

HB 391 w/HA 1 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. Sponsor: Rep. Hudson; Sen. Blevins, & Sen. Sorenson; **Health & Social Services**.

HB 392 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY. Sponsor: Rep. Hudson; Rep. Hall-Long, & Sen. Blevins, & Sen. Sorenson; **Judiciary**.

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The Secretary announced the agenda for May 4, 2006.

On motion of Senator McDowell, the Senate recessed at 5:02 PM until May 4, 2006 at 02:45 PM.

The Senate reconvened at 3:17 PM, on May 4, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health & Social Services: **SB 289** - 4 Merits; **SB 275** - 5 Merits.

At 03:19 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 27th Legislative Day.

**27TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 04, 2006**

The Senate convened at 03:19 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.

At 03:22 PM, Lt. Governor Carney presiding.

Senator Adams requested personal privilege of the floor to introduce Frank Ingram, Advisor for the Career & Technical Student Organizations, visiting the Legislature for Legislative Appreciation Day. Senators Adams then requested personal privilege of the floor for Dale Derrickson, representing Delaware Department of Education. Mr. Derrickson addressed the Senate and then Briana Hargett of Smyrna High School, Caprichia Jeffers of Poly Tech High School, Koltyn Risser of Middletown High School, Tanner Allen of Poly Tech High School, Carmen Guzman of Caesar Rodney High School, Lauren Perschall of Poly Tech High School and Richard Carter, Skills USA addressed the Senate and were then excused. The Senators and staff were presented with geraniums by the students.

A communication from the House was read informing the Senate that it has passed **HCR 61**.

HCR 61 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HCR 61 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. Sponsors: Rep Spence & Rep. Smith & Rep. Lee & Rep. Gilligan & Rep Van Sant; on behalf of all Representatives; Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Still & Sen. Sorenson; on behalf of all Senators.

Roll call vote on **HCR 61** was taken and revealed:

YES: 21

HCR 61 was declared Adopted by the Senate and was returned to the House. Senators Amick and Bonini were marked present during the above roll call.

HJR 20 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of the floor manager, Senator Sokola.

HJR 20 - EXTENDING THE REPORTING DATE FOR THE TASK FORCE TO REVIEW BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. Sponsors: Rep. Wagner & Sen. Sokola

Roll call vote on **HJR 20** was taken and revealed:

YES: 21.

HJR 20 was declared passed the Senate and returned to the House.

SB 264 was brought before the Senate for consideration on the motion of Senator Simpson.

SB 264 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INDICIA OF HIGHER EDUCATION.

SA 1 to SB 264 was brought before the Senate for consideration on the motion of Senator Simpson.

Roll call vote on **SA 1 to SB 264** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

SA 1 to SB 264 was declared part of the bill.

SB 264 w/SA 1 was now before the Senate.

Several Senators questioned the sponsor.

Senator Simpson moved to lay **SB 264 w/SA 1** on the Table.

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

SCR 36 was introduced and brought before the Senate for consideration on the motion of Senator Cloutier.

SCR 36 - DECLARING MAY 2006 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH IN DELAWARE. Sponsor: Sen. Cloutier, Connor, Copeland, Henry, Sokola, Sorenson, Bunting; Reps. Buckworth, DiPinto, Hudson, Smith, Spence, Ulbrich

Senators Sokola and Bunting requested to be added as co-sponsors.

Roll call vote on **SCR 36** was taken and revealed:

YES: 21.

SCR 36 was declared passed the Senate and sent to the House for Consideration.

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.

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SB 301 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE ESTABLISHING THE DELAWARE CORRECTIONAL SYSTEM HIGH RISK PREGNANCY PROGRAM AND PREMATURE BIRTH PREVENTION ACT. Sponsor: Sen. Blevins; Sen. Henry, & Rep. Ulbrich, & Rep. Hall-Long, Sens. Sorenson, Peterson, Sokola, Copeland; Reps. Keeley, Viola, Miro, Maier, Hudson, Wagner; **Adult & Juvenile Corrections**.

**SB 302 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE
RELATING TO THE DELAWARE STATE UNIVERSITY BOARD OF TRUSTEES.**
Sponsor: Sen. McDowell; Sen. Henry; **Children; Youth & Families.**

On motion of Senator McDowell, the Senate recessed at 4:15 PM until May 9, 2006 at 92:30 PM.

The Senate reconvened at 02:55 PM, on May 9, 2006 with Senator DeLuca presiding.

The following committee report was announced:

From: Finance: **SB 297** – 4 Merits.

A communication from the House was read informing the Senate that it had passed **HB 399; HB 368 w/HA 1; SB 294; SB 246 w/SA 1; SB 79 w/SA 2, HA 1 w/HA 1 to HA 1.**

At 02:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 28th Legislative Day.

**28TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 09, 2006**

The Senate convened at 02:58 PM with Senator DeLuca 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, Venables - 20.

ABSENT: Senator(s) Vaughn - 1.

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

Senator Sokola recognized Gail Gaines and requested personal privilege of the floor for David Spence, President, Southern Region Education Board. After addressing the Senate, Mr. Spence was excused.

Senator McDowell commented.

HB 50 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 50 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY.

SA 1 to HB 50 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 50** was taken and revealed:

YES: 17

ABSENT: Senator(s) Copeland, Marshall, McBride, Vaughn - 4.

SA 1 to HB 50 was declared part of the bill.

HB 50 w/SA 1 was now before the Senate.

Senators Amick, Connor, Cook, Venables were marked present during the above roll call.

Senator Simpson questioned the floor manager.

Roll call vote on **HB 50 w/HA 1 & SA 1** was taken and revealed:

YES: 17

ABSENT: Senator(s) Copeland, Marshall, McBride, Vaughn - 4.

HB 50 w/HA 1 & SA 1 was declared passed the Senate and returned to the House for Reconsideration.

SB 79 w/SA 2, HA 1 & HA 1 to HA 1 which was returned from the House was brought before the Senate for reconsideration on the motion of Senator McDowell.

SB 79 w/SA 2, HA 1 & HA 1 to HA 1 - AN ACT TO AMEND SECTION 904 OF TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES BY PERSONS UNDER THE AGE OF 21.

Roll call vote on **SB 79 w/SA 2, HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 19

ABSENT: Senator(s) McBride, Vaughn - 2.
SB 79 w/SA 2, HA 1 & HA 1 to HA 1 was declared passed the Senate and sent to the Governor.

Senators Copeland and Marshall were marked present during the above roll call.
SB 244 w/SA 1 was Lifted from Table and brought before the Senate for Consideration on motion of Senator McDowell.
SB 244 w/SA 1 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO UNCLAIMED PROMOTIONAL REBATES AND CONSUMER ELECTRONICS RECYCLING.

Several Senators questioned the sponsor.
Senator McDowell moved to lay **SB 244 w/SA 1** on the Table.
SB 264 w/SA 1 was Lifted from the Table and brought before the Senate for consideration on motion of Senator Simpson.
SB 264 w/SA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INDICIA OF HIGHER EDUCATION.
SA 2 to SB 264 was brought before the Senate for consideration on the motion of Senator Simpson.

Senator Sokola questioned the sponsor.
Roll call vote on **SA 2 to SB 264** was taken and revealed:
YES: 19
ABSENT: Senator(s) McBride, Vaughn - 2.
SA 2 to SB 264 was declared part of the bill.
SB 264 w/SA 1 & SA 2 was now before the Senate.
Senators Bonini and Bunting questioned the sponsor.
Roll call vote on **SB 264 w/SA 1 & SA 2** was taken and revealed:
YES: 17

NO: Senator(s) Bonini, McDowell - 2.
ABSENT: Senator(s) McBride, Vaughn - 2.
SB 264 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.
HB 51 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.
HB 51 w/HA 1 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY.
Senator Blevins requested that **SA 1 to HB 51** be stricken.
SA 2 to HB 51 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to HB 51** was taken and revealed:
YES: 19
ABSENT: Senator(s) McBride, Vaughn - 2.
SA 2 to HB 51 was declared part of the bill.
HB 51 w/HA 1 & SA 2 was now before the Senate.
Senators Sorenson and McDowell questioned the sponsor.
Roll call vote on **HB 51 w/HA 1 & SA 2** was taken and revealed:
YES: 18
NO: Senator(s) Bunting - 1.
ABSENT: Senator(s) McBride, Vaughn - 2.
HB 51 w/HA 1 & SA 2 was declared passed the Senate and returned to the House for Reconsideration.

Senator Venables moved the Senate stand to observe a moment of silence in memory of Cory Palmer of Seaford, who was killed in the Iraq conflict in service to his Nation.
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
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May 4, 2006

SA 1 to HB 190 - Sponsor: Sen. Blevins; Placed with the Bill.

May 9, 2006

SB 303 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER LICENSES. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety**.

SB 304 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY GOVERNMENT AND ADMINISTRATION. Sponsor: Sen. Adams; Rep. Hocker; Sens. Bunting, & Venables, Reps. Atkins, Carey, Ewing, Fallon, & Schwartzkopf; **Executive**.

HB 368 w/HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING LICENSES. Sponsor: Rep. Hudson; Sen. Blevins, & Sen. Sorenson; **Judiciary**.

HB 399 - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 7 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO APPEALS PROCEDURES BY THE COMMISSIONER OF LICENSES AND INSPECTIONS. Sponsor: Rep. DiPinto; Sen. Marshall; **Community/County Affairs**.

* * *

The following nomination(s) assigned to the **Executive** Committee:

D. Mark Adkins
30906 Iron Branch Road
Dagsboro, DE 19939

to be reappointed a
member of the Delaware
Nutrient Management
Commission to serve a term
to expire March 15, 2009

Tucker M. Kokjohn
150 East Side Drive
Rehoboth Beach, DE 19971

to be appointed a member
of the Enhanced 911
Emergency Reporting System
Service Board to serve a term
to expire 3 years from the
date of Senate confirmation.

Irvin S. Levitt
610 North Governors Avenue
Dover De 19904

to be reappointed a
member of the Industrial
Accident Board to serve a
term to expire 6 years from
the date of Senate
confirmation.

Daniel W. Magee
34857 Lighthouse Road
Selbyville, DE 19975

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

William C. Pfeifer
249 Garrisons Circle
Smyrna DE 19977

to be reappointed a
member of the Board of
Parole to serve a term to
expire 4 years from the date
of Senate confirmation.

H. Hickman Rowland, Jr.
120 The Strand
New Castle, DE 19720

to be reappointed a director
of the Board of Directors o
of the Diamond State Port
Corporation to serve a term

Dr. Timothy E. Targett
35842 Spinnaker Circle
Lewes, DE 19958

to expire 3 years from the
date of Senate confirmation.

to be reappointed a
member of the Atlantic
States Marine Fisheries
Commission to serve a term
to expire 3 years from the
date of Senate confirmation.

Harold B. Barber
1 Bay Pine Drive
Bethany Beach, DE 19930

to be reappointed
a member of the
Industrial Accident Board to
serve a term to expire 6 years
from the date of Senate
confirmation.

John D. Daniello
2326 Jamaica Drive
Wilmington, DE 19810

to be reappointed a
member of the Industrial
Accident Board to serve a
term to expire 6 years from
the date of Senate.

* * *

The Secretary announced the agenda for May 10, 2006.

On motion of Senator McDowell, the Senate recessed at 4:21 PM until May 10, 2006, at 03:00 PM.

The Senate re convened at 4:12 PM, May 10, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From: Labor & Industrial: **HB 381 w/HA 1** – 5 Merits.

From Executive: **SB 304** – 4 Merits; **SB 305** 4 Merits. **Samuel E. Lathem** – 4 Merits; **Tucker M. Kokjohn** – 2 Favorable, 2 Merits; **Harold B. Barber** – 4 Merits; **D. Mark Atkins** – 4 Merits; **H. Hickman Rowland** – 4 Merits; **Timothy E. Targett** – 4 Merits; **Richard W. Sterling** – 4 Merits; **William C. Pfeifer** - 4 Merits; **Daniel W Magee** – 4 Merits; **Arthur S. Lewis** – 4 Merits; **Irving S. Levitt** – 4 Merits; **John D. Daniello** – 4 Merits; **Leah W. Betts** – 4 Merits.

From: Labor & Industrial Relations: **HB 381 w/HA 1** – 5 Merits.

From: Community/County Affairs: **HB 399** – 3 Merits.

From: Children Youth & Family **SB 302** – 1 Favorable, 4 Merits.

Senator McBride was marked present.

At 04:18 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 29th Legislative Day.

**29TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 10, 2006**

The Senate convened at 04:18 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, Venables - 20.

ABSENT: Senator(s) Vaughn -1.

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

Senator Sokola commented on the bike to work that took place today.

SCR 37 was introduced and brought before the Senate for consideration on the motion of Senator Venables.

SCR 37 - OBSERVING THE 400TH ANNIVERSARY OF CAPTAIN JOHN SMITH'S VISIT TO DELAWARE DURING HIS EXPLORATION OF THE NANTICOKE RIVER AND URGING THE U.S. CONGRESS TO ESTABLISH THE CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC WATER TRAIL.

Sponsors: Sen. Venables & Rep. Lee

Roll call vote on **SCR 37** was taken and revealed:

YES: 20

ABSENT: Senator(s) Vaughn - 1.

SCR 37 was declared Adopted by the Senate and sent to the House for

Consideration.

Senator McDowell welcomed Governor Wolf to the Senate.

On motion of Senator Adams, under the suspension of the necessary rules the following nominations by the Governor were considered.

Arthur Lewis, Tucker Kokjohn: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointments were declared CONFIRMED.

Irving Levitt, Harold Barber, John Daniello: 19 Senator(s) voting YES, (Bonini) voting NO, (Vaughn) ABSENT. Appointments were declared CONFIRMED.

Leah Betts: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

Daniel Magee: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

D. Mark Atkins: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

William Pfeiffer: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

Timothy Targett: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

H. Hickman Rowland: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

Samuel Lathem: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

Richard Sterling: 20 Senator(s) voting YES, (Vaughn) ABSENT. Appointment was declared CONFIRMED.

Senator DeLuca requested personal privilege of the floor to announce to the Senate the death of Kendall McDowell Wilson, sister of Senator Harris B. McDowell. Senator DeLuca then asked the Senate observe a moment of silence.

Senator DeLuca moved to recess for Party Caucus at 5:02 PM

The Senate reconvened at 7:36 PM with Senator DeLuca presiding.

SB 308 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator McDowell.

SB 308 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO THE FINANCIAL ACCOUNTABILITY OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. Sponsors: Senator McDowell & Rep. Gilligan; Senators: Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn & Venables; Rep: Van Sant.

Senator Still questioned the sponsor.

Senator McDowell requested personal privilege of the floor for J.J. Davis, Budget Director.

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

Several Senators commented.

Roll call vote on **SB 308** was taken and revealed:

YES: 15

NO: Senator(s) Bonini, Copeland, Simpson - 3.

NOT VOTING: Senator(s) Cloutier, Still - 2.

ABSENT: Senator(s) Vaughn - 1.

SB 308 was declared passed the Senate and sent to the House for Consideration.

SB 307 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator McDowell.

SB 307 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY MILLION DOLLARS TO THE OFFICE OF MANAGEMENT AND

BUDGET TO FUND A RECOVERY LOAN TO THE CHRISTINA SCHOOL DISTRICT. Sponsors: Senator McDowell & Rep. Gilligan; Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables; Rep. Van Sant.

Senators Sorenson and Simpson questioned the sponsor.

Senator McDowell requested personal privilege of the floor for J.J. Davis.

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

Several Senators questioned the sponsor.

Roll call vote on **SB 307** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Vaughn - 1.

SB 307 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 May 11, 2006.

On motion of Senator McDowell, the Senate recessed at 08:59 PM until May 11, 2006 at 02:00 PM.

The Senate reconvened at 4:26 PM, on May 11, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Revenue & Taxation: **SB 278** - 4 Merits; **SB 277** - 4 Merits.

From Children, Youth & Families: **SB 285** - 6 Merits.

From Sunset: **SB 184** - 3 Merits; **SB 196** - 3 Merits.

At 03:29 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 30th Legislative Day.

**30TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 11, 2006**

The Senate convened at 03:29 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 Adams requested personal privilege of the floor for Thomas Cook, son of Senator Nancy Cook. Mr. Cook addressed the Senate. Mr. Cook informed the Senate of the 70th Anniversary of the birth of his mother, after which he was excused. The Reading Clerk read a tribute in its entirety.

SJR 4 was introduced and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Simpson.

SJR 4 - DEDICATING THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL. Sponsors: Sen. Simpson & Sen. Cook & Rep. Carey & Rep. Schwartzkopf Sens. Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn, Venables; Reps. Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith, Spence, Ulbrich.

Roll call vote on **SJR 4** was taken and revealed:

YES: 20

ABSENT: Senator(s) Vaughn - 1.

SJR 4 was declared passed the Senate and sent to the House for Consideration.

SB 302 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 302 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE UNIVERSITY BOARD OF TRUSTEES.

Senator McDowell moved to lay **SA 1** on the Table.

SA 2 to SB 302 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator McDowell moved to lay SA 2 on the Table.

Several Senators questioned the sponsor.

Roll call vote on SB 302 was taken and revealed:

YES: 12

NO: Senator(s) Amick, Bonini - 2.

NOT VOTING: Senator(s) Cloutier, Connor, Copeland, Simpson, Sorenson, Still

- 6.

ABSENT: Senator(s) Vaughn - 1.

SB 302 was declared passed the Senate and sent to the House for Consideration.

HB 381 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 381 w/HA 1 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION.

SA 1 to HB 381 was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on SA 1 to HB 381 was taken and revealed:

YES: 20

ABSENT: Senator(s) Vaughn - 1.

SA 1 to HB 381 was declared part of the bill.

Senator Marshall moved to lay HB 381 w/HA 1 & SA 1 on the Table.

HB 399 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 399 - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 7 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO APPEALS PROCEDURES BY THE COMMISSIONER OF LICENSES AND INSPECTIONS.

Roll call vote on HB 399 was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Simpson - 2.

NOT VOTING: Senator(s) Copeland - 1.

ABSENT: Senator(s) Vaughn - 1.

HB 399 was declared passed the Senate and returned to the House.

SB 297 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 297 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND THE PRESCRIPTION DRUG PAYMENT ASSISTANCE PROGRAM.

Several Senators questioned the sponsor.

Roll call vote on SB 297 was taken and revealed:

YES: 20

ABSENT: Senator(s) Vaughn - 1.

SB 297 was declared passed the Senate and sent to the House for Consideration.

SB 305 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 305 - AN ACT TO AMEND CHAPTER 87, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE REGULATION OF BOXING.

Several Senators commented.

Roll call vote on SB 305 was taken and revealed:

YES: 20

ABSENT: Senator(s) Vaughn - 1.

SB 305 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell on behalf of his colleagues expressed best wishes to Senator Amick, who will be celebrating his birthday on May 13, 2006.

Senator McDowell moved to recess for Party Caucus at 5:28 PM.

The Senate reconvened at 8:31 PM with Senator DeLuca presiding.

HB 381 w/HA 1 & SA 1 be Lifted from the Table and brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

Senators Peterson and Still questioned the sponsor.

Roll call vote on HB 381 w/HA 1 & SA 1 was taken and revealed:

YES: 18

ABSENT: Senator(s) Adams, Sorenson, Vaughn - 3.

HB 381 w/HA 1 & SA 1 was declared passed the Senate and returned to the House for Reconsideration.

A communication from the House was read informing the Senate that it has passed **HCR 65; HCR 66; SB 90 w/HA 2; SB 307 w/HA 3; SB 308 w/HA 3.**

SB 308 w/HA 3, which was returned from the House with an amendment, was brought before the Senate for consideration on the motion of Senator McDowell.

SB 308 w/HA 3 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO THE FINANCIAL ACCOUNTABILITY OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS.
DISTRICTS AND CHARTER SCHOOLS.

Several Senators commented.

Roll call vote on **SB 308 w/HA 3** was taken and revealed:

YES: 16

NO: Senator(s) Bonini, Copeland - 2.

ABSENT: Senator(s) Adams, Sorenson, Vaughn - 3.

SB 308 w/HA 3 was declared passed the Senate and sent to the Governor.

SB 307 w/HA 3, which was returned from the House with an amendment, was brought before the Senate for consideration on the motion of Senator McDowell.

SB 307 w/HA 3 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY MILLION DOLLARS TO THE OFFICE OF MANAGEMENT AND BUDGET TO FUND A RECOVERY LOAN TO THE CHRISTINA SCHOOL DISTRICT.

Senator Still commented.

Roll call vote on **SB 307 w/HA 3** was taken and revealed:

YES: 17

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Adams, Sorenson, Vaughn - 3.

SB 307 w/HA 3 was declared passed the Senate and sent to the Governor.

SENATE CONSENT CALENDAR #15 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 62 - RECOGNIZING JUNE 11, 2006 AS RACE UNITY DAY IN THE CITY OF DOVER. Sponsors: Rep. Wagner & Rep. Stone & Sen. Still; Reps. Spence, Buckworth, Carey, Cathcart, Ewing, Maier, Thornburg, Ulbrich, Ennis, Caulk.

HCR 64 - PROCLAIMING THE MONTH OF MAY 2006 AS "MOTORCYCLE AWARENESS MONTH" Sponsors: Rep. Ennis & Sen. Vaughn

A roll call vote on the **SENATE CONSENT CALENDAR #15** was taken and revealed 18 Senators voting YES; ABSENT; Senators Adams, Sorenson, Vaughn - 3, therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House.

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

On motion of Senator McDowell, 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
5/11/2006**

May 10, 2006

SB 306 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION. Sponsor: Sen. McDowell; Rep. Maier, Sens. Blevins, Henry, Sokola, Bunting, Venables, Sorenson; Reps. Wagner, Hall-Long, Oberle, Keeley, Plant, Ewing; **Adult & Juvenile Corrections.**

SA 1 to SB 289 - Sponsor: Sen. Bunting; Placed with the Bill

SA 1 to SB 302 - Sponsor: Sen. McDowell; Placed with the Bill

May 11, 2006

SB 309 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND ESTABLISHING A SEX OFFENDER MANAGEMENT BOARD. Sponsor: Sen. Blevins; Rep. Oberle, & Rep. Keeley, Sens. Sorenson, Peterson; Reprs. Viola, Gilligan, Lavelle, Hudson; Health & Social Services.

SB 310 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. DeLuca; Reprs. Stone, & Valihura, Rep. M Marshall, & Sen. Amick; Banking.

SB 311 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. DeLuca; Reprs. Stone, & Valihura, Rep. M Marshall, & Sen. Amick; Banking.

SB 312 - AN ACT AMENDING TITLES 10 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. DeLuca; Reprs. Stone, & Valihura, Rep. M Marshall, & Sen. Amick; Banking.

SB 313 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO DISCLAIMERS OF INTERESTS IN PROPERTY AND OF POWERS OVER PROPERTY. Sponsor: Sen. DeLuca; Reprs. Stone, & Valihura, Rep. M Marshall, & Sen. Amick; Banking.

SB 314 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO ESTATES. Sponsor: Sen. DeLuca; Reprs. Stone, & Valihura, Rep. M Marshall, & Sen. Amick; Banking.

SB 315 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AUDITS. Sponsor: Sen. Copeland; Rep. Lavelle, Sens. Amick, Bonini, Cloutier, Peterson, Simpson, Sorenson; Reprs. Keeley, Spence; Education.

SB 316 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE ADMINISTRATIVE PROCEDURES ACT. Sponsor: Sen. Peterson; Administrative Services.

SB 317 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "SWEARS FALSELY". Sponsor: Sen. Cloutier; Sen. Connor, & Rep. Lavelle, Sens. Adams, Amick, Blevins, Bonini, Bunting, Copeland, Peterson, Simpson, Sorenson, Still, Venables; Reprs. Ennis, Johnson, Lofink, Maier, M Marshall, Stone, Ulbrich, Valihura; Executive.

HB 320 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsor: Rep. Wagner; Sen. Blevins, & Sen. Peterson, Reprs. Buckworth, Maier, Ulbrich, Hall-Long; Judiciary.

HB 373 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS, AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. Sponsor: Rep. Cathcart; Rep. Ewing, & Sen. McBride, Reprs. Booth, Buckworth, Carey, DiPinto, Fallon, Hudson, Oberle, Spence, Valihura, Wagner, Ennis, Hall-Long, Keeley, Longhurst, Mulrooney, Plant, Viola, Williams, Sens. Still, Sorenson, Amick, Cloutier, Connor, Simpson; Veterans Affairs.

HB 382 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES. Sponsor: Rep. Ennis; Sen. Cook, Reprs. Ewing, Hall-Long, Lee, Outten, Spence, Van Sant, Sen. Vaughn; Revenue & Taxation.

HB 433 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TERMINATION OF SERVICES. Sponsor: Rep. Oberle; Rep. Spence, & Rep. Gilligan, Reprs. Smith, Lee, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Van Sant, Ennis, Hall-Long, Johnson, Keeley, M Marshall, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, Viola, Williams; Education.

A communication from the House was read informing the Senate that Reprs. Maier Ulbrich, Miro, Schooley, Longhurst, Johnson, Keeley, Marshall Oberle and Lofink signed as additional sponsors of **SB 307**.

A communication from the Office of Senator Sokola requesting he be added as a co-sponsor of **SB 315**.

A communication from the Office of Senator Cloutier requesting she be added as a co-sponsor of **SB 285**.

Senator McDowell expressed his appreciation for the time and effort of those who worked on the creation of **SB 307 and SB 308**.

On motion of Senator McDowell, the Senate recessed at 09:02 PM until May 30, 2006 at 02:30 PM.

The Senate reconvened at 03:16 PM, on May 30, 2006 with Senator DeLuca presiding.

A communication from the Office of Senator Cloutier was read requesting Representative Terry R. Spence be added as a co-sponsor of **SB 317**.

A communication from the Office of Senator Patricia Blevins was read requesting Representative Peter Schwartzkopf be added as a co-sponsor of **SB 309**.

A communication from the Office of Senator Harris B. McDowell, III, was read requesting he be added as a co-sponsor of **HB 425**.

A communication from the Office of Senator Catherine Cloutier was read requesting she be added as a co-sponsor of **SB 285**.

A communication from the Office of Senator David Sokola was read requesting he be added as a co-sponsor of **SB 315**.

A communication from the Office of Senator Patricia Blevins was read requesting Senator Cloutier be added as a co-sponsor of **SB 309**.

A communication from the Office of Senator Harris B. McDowell, III, was read requesting Representative J. Benjamin Ewing added as a co-sponsor of **SB 306**.

A withdraw of sponsorship request was read from Representative V. George Carey requesting he be removed as co-sponsor of **SB 304**.

Communication from the Chief Clerk of the House informing the Senate that it has passed: **HB 320 w/HA 1 & HA 2; HB 373; HB 382; HB 433; HCR 62; HCR 64; SB 263; SB 254; SCR 37; SCR 36**.

A withdraw of sponsorship request from Representative Peter Schwartzkopf was read requesting that he be removed as co-sponsor of **SB 304**.

LEGISLATIVE ADVISORY #19, 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 #19, dated May 12, 2006, the Governor signed the following legislation on the date indicated.

HJR #20 (5/10/06) - EXTENDING THE REPORTING DATE FOR THE TASK FORCE TO REVIEW BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. (Rep. Wagner and Sen. Sokola)

SB #246 aab SA1 (5/10/06) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE ARTS COUNCIL. (Sponsors: Sen. Henry & Rep. DiPinto) (Volume 75, Chapter 258, Laws of Delaware.)

SB #294 (5/10/06) - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE," TO GRANT THE TOWN COUNCIL OF THE TOWN OF ELLENDALE THE AUTHORITY TO IMPOSE IMPACT FEES FOR NEW DEVELOPMENT OR CONSTRUCTION, FIRST TIME OCCUPANCY OF NEW CONSTRUCTION, AND UPON ANNEXED PROPERTY AND TO ENTER INTO ANNEXATION AGREEMENTS WITH THE OWNERS OF TERRITORIES PROPOSED FOR ANNEXATION. (Sponsors: Sen. Adams & Rep. Carey) (Volume 75, Chapter 259, Laws of Delaware.)

HB #50 aab HA1 and SA1 (5/15/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (Sponsors: Rep. Wagner and Sen. Blevins) (Volume 75, Chapter 260, Laws of Delaware.)

HB #311 aab HA1, HA2, and HA3 (5/10/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL LICENSING AND DISCIPLINARY STANDARDS IN DELAWARE. (Sponsors: Rep. Ulbrich & Sens. Copeland & Sokola & Reps. Hudson and Valihura) (Volume 75, Chapter 261, Laws of Delaware.)

HB # 380 aab SA1 (5/10/06) - AN ACT TO AMEND CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF GEORGETOWN, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO

PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Sponsors: Rep. Booth and Sen. Adams) (Volume 75, Chapter 262, Laws of Delaware.)

SB #307 aab HA3 (5/11/06) - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY MILLION DOLLARS TO THE OFFICE OF MANAGEMENT AND BUDGET TO FUND A RECOVERY LOAN TO THE CHRISTINA SCHOOL DISTRICT. (Sponsors: Sen. McDowell & Rep. Gilligan & Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables & Reps. Van Sant, Johnson, Keeley, Lofink, Longhurst, Maier, M Marshall, Miro, Oberle, Schooley, Ulbrich) (Volume 75, Chapter 263, Laws of Delaware.)

SB #308 aab HA3 (5/11/06) - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO THE FINANCIAL ACCOUNTABILITY OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. (Sponsors: Sen. McDowell & Rep. Gilligan & Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables & Rep. Van Sant) (Volume 75, Chapter 264, Laws of Delaware.)

SB #79 aab SA2 and HA1 aab HA1 to HA1 (5/15/06) - AN ACT TO AMEND SECTION 904 OF TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES BY PERSONS UNDER THE AGE OF 21. (Sponsors: Sen. McDowell & Sens. Marshall, Henry, Venables, Bonini & Rep. Schwartzkopf) (Volume 75, Chapter 265, Laws of Delaware.)

SB #254 (5/15/06) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH. (Sponsors: Sen. Vaughn & Rep. Valihura & Sens. Venables, Bonini & Rep. Keeley) (Volume 75, Chapter 266, Laws of Delaware.)

SB #263 (5/15/06) - AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, BY ELIMINATING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD. (Sponsors: Sen. Sokola & Rep. Wagner) (Volume 75, Chapter 267, Laws of Delaware.)

HB #399 (5/15/06) - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 7 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO APPEALS PROCEDURES BY THE COMMISSIONER OF LICENSES AND INSPECTIONS. (Sponsors: Rep. DiPinto & Sen. Marshall) (Volume 75, Chapter 268, Laws of Delaware.)

* * *

Senator Vaughn was marked present.

At 03:18 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 31st Legislative Day.

**31ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 30, 2006**

The Senate convened at 3:18 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.

HB 371 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 371 w/HA1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senator Peterson requested that SA 1 to HB 371 be stricken. No objection.

SA 2 to HB 371 was brought before the Senate for consideration on the motion of Senator Peterson.

Senators Vaughn, McDowell and DeLuca commented.

All Senators requested to be added as co-sponsors of HB 371 w/HA 1.

Roll call vote on SA 2 to HB 371 w/HA 1 was taken and revealed:

YES: 19

NO: Senator(s) Amick, Vaughn - 2.

SA 2 to HB 371 w/HA 1 was declared part of the bill.

SA 3 to HB 371 was brought before the Senate for consideration on the motion of Senator Bunting.

Senator Bunting requested that SA 3 to HB 371 be stricken. No objection.

SA 4 to HB 371 was brought before the Senate for consideration on the motion of Senator Bunting.

Senator Still commented.

Roll call vote on SA 4 to HB 371 w/HA 1 was taken and revealed:

YES: 20

NO: Senator(s) Marshall - 1.

SA 4 to HB 371 w/HA 1 was declared part of the bill.

HB 371 w/HA 1, SA 2 & SA 4 was now before the Senate.

Roll call vote on HB 371 w/HA 1, SA 2 & SA 4 was taken and revealed:

YES: 21

HB 371 w/HA 1, SA 2 & SA 4 was declared passed the Senate and returned to the House for Reconsideration.

Senator Marshall marked present during above roll call.

Senator McDowell moved to recess for Party Caucus at 3:42 PM

The Senate reconvened at 5:24 PM with Senator DeLuca presiding.

SB 90 w/HA 2, which was returned from the House with an amendment was brought before the Senate for consideration on the motion of Senator McBride.

SB 90 w/HA 2 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR VIOLATING CHAPTER 60.

SA 1 to SB 90 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on SA 1 to SB 90 was taken and revealed:

YES: 21.

SA 1 to SB 90 was declared part of the bill.

SA 2 to SB 90 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on SA 2 to SB 90 was taken and revealed:

YES: 21.

SA 2 to SB 90 was declared part of the bill.

SB 90 w/HA 2, SA 1 & SA 2 was now before the Senate.

Roll call vote on SB 90 w/HA 2, SA 1 & SA 2 was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 90 w/HA 2, SA 1 & SA 2 was declared passed the Senate as amended and was returned to the House for reconsideration.

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
SECOND SESSION
READ TO THE SENATE RECORD
5/30/06

5/16/06

SB 321 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RECORDING DEVICES. Sponsor: Sen. Vaughn; Rep. Valihura, Rep. Miro; **Judiciary**.

SB 322 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Sen. Vaughn; Rep. Valihura, Rep. M Marshall, & Sen. Amick; **Judiciary**.

SS 1 for SB 109 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CLEAN CREDIT AND IDENTITY THEFT PROTECTION ACT. Sponsor : Sen. Venables; Rep. Maier, Sens. Amick, Blevins, Bunting, Cloutier, Connor, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Simpson, Sorenson, Reps. Atkins, Booth, Buckworth, Carey, Ennis, Fallon, Hall-Long, Stone, Wagner; **Small Business**.

5/30/06

SB 319 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT. Sponsor: Sen. McBride; Rep. Oberle; **Administrative Services**.

SB 320 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT TESTING PROGRAM. Sponsor: Sen. Sokola; Rep. Wagner; **Education**.

The following nomination(s) were assigned to the **Executive** Committee:

Bernard J. Daney
121 Ponds Lane
Wilmington, DE 19807

to be appointed a Commissioner
of the Delaware Thoroughbred
Racing Commission to serve a term
to expire July 17, 2012.

Henry J. Decker
3226 West Denney's Road
Dover, DE 19904

to be appointed a Commissioner
of the Delaware Thoroughbred
Racing Commission to serve a term
to expire July 17, 2012.

W. Duncan Patterson
715 Rockland Road
P.O. Box 195
Rockland, DE 19732

to be appointed a Commissioner
of the Delaware Thoroughbred
Racing Commission to serve a
term to expire July 17, 2012.

Dwight D. Dillard
1087 Ponderosa Drive
Magnolia, DE 19962

to be appointed Kent County
Justice of the Peace for a term
to expire 4 years from the date of
swearing in.

Michael P Sherlock
304 Eagle View Lane
Camden, DE 19934

to be appointed Kent County
Justice of the Peace for a term
to expire 4 years from the date of
swearing in.

The Secretary announced the agenda for May 31, 2006.

On motion of Senator McDowell, the Senate recessed at 5:36 PM, until May 31 2006 at 03:30 PM.

The Senate reconvened at 3:55 PM, on May 31, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Health & Social Services: **HB 383** - 4 Merits; **HB 324** - 4 Merits; **HB 391 w/HA 1** - 4 Merits.

From Judiciary: **SB 290** - 4 Merits; **SB 300** - 4 Merits; **SB 321** - 4 Merits; **SB 322** - 4 Merits; **HB 122 w/HA 1** - 4 Merits; **HS 1 FOR HB 243 w/HA 2, HA 3, HA 4** - 4 Merits; **HB 356 w/HA 1** - 4 Merits.

From Education: **SB 320** – 4 Merits.

From Banking: **SB 310** – 1 Favorable, 3 Merits; **SB 311** – 1 Favorable, 3 Merits; **SB 312** – 1 Favorable, 3 Merits; **SB 313** – 1 Favorable, 3 Merits; **SB 314** – 1 Favorable, 3 Merits.

From Public Safety: **SB 303** – 3 Merits.

From Executive: **Bernard J. Daney** – 5 Merits; **Henry J. Decker** – 1 Favorable, 4 Merits; **Dwight D. Dillard** – 5 Merits; **W. Duncan Patterson** – 5 Merits; **Michael P. Sherlock** – 5 Merits.

At 03:58 PM, Lt. Governor Carney presiding.

A communication from the Office of Senator Patricia Blevins was read requesting Senator Harris B. McDowell, III, be added as a co-sponsor of **SB 301**.

A communication from the Office of the Chief Clerk of the House, JoAnn Hedrick, was read informing the Senate that Representative Gregory F. Lavelle signed **SB 90** as a co-sponsor while in the House.

A communication from the House was read informing the Senate that it has passed: **HB 274 w/HA 1 & HA 2; SB 157; HCR 67; HCR 68**.

At 04:01 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 32nd Legislative Day.

**32ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
MAY 31, 2006**

The Senate convened at 04:01 PM with Lt Governor Carney presiding.

A prayer was offered by Senator Bunting 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 for Alan V Sokolow representing Council of State Governments. After addressing the Senate Mr. Sokolow was excused.

Senator Simpson requested personal privilege of the floor for Rachel Hovermale and Christine Evans, representing 4-H. Ms. Hovermale addressed the Senate, after which she was excused.

On motion of Senator Adams, under the suspension of the necessary rules, the following nominations by the Governor were considered.

Bernard Daney, Henry Decker, W. Patterson: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Senators Amick, Bonini, Connor and Marshall were marked present during the above roll call.

On motion of Senator Adams, the following nomination by the Governor was considered.

Michael Sherlock: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

On motion of Senator Adams, the following nomination by the Governor was considered.

Dwight Dillard: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

HB 383 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 383 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS.

Roll call vote on **HB 383** was taken and revealed:

YES: 21.

HB 383 was declared passed the Senate and returned to the House.

HB 391 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 391 w/HA 1 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

Roll call vote on **HB 391 w/HA 1** was taken and revealed:

YES: 21.

HB 391 w/HA 1 was declared passed the Senate and returned to the House.

HB 324 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 324 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENTS' TRUST FUND.

Roll call vote on **HB 324** was taken and revealed:

YES: 21.

HB 324 was declared passed the Senate and returned to the House.

HCR 67 was brought before the Senate for consideration on the motion of the floor manager, Senator Sorenson.

HCR 67 - CELEBRATING THE 300TH ANNIVERSARY OF THE FOUNDING OF THE HEAD OF CHRISTIANA PRESBYTERIAN CHURCH.

Sponsors Rep. Schooley & Sen. Sorenson

Roll call vote on **HCR 67** was taken and revealed:

YES: 21.

HCR 67 was declared Adopted by the Senate and was returned to the House.

HCR 66 was brought before the Senate for consideration on the motion of the floor manager, Senator Cloutier.

HCR 66 - ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A C2H6O ETHANOL PLANT AND DELIVERY SYSTEM WITHIN THE STATE OF DELAWARE. Sponsors: Rep. Spence & Sen. Cloutier; Reps. Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Ennis, Keeley; Sens. Adams, McDowell, Bunting, Marshall, McBride, Peterson, Sorenson, Connor, Copeland.

Roll call vote on **HCR 66** was taken and revealed:

YES: 21.

Senators Sokola, McDowell and Venables commented.

HCR 66 was declared Adopted by the Senate and was returned to the House.

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

The Secretary announced the agenda for June 1, 2006.

Senator Marshall requested that **SS 1 for SB 42** be stricken.

On motion of Senator McDowell, the Senate recessed at 04:39 PM until June 1, 2006, at 02:30 PM.

The Senate reconvened at 03:10 PM, on June 1, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced.

From: Natural Resources & Environmental Control: **SB 225** – 3 Merits.

From: Small Business: **SS 1 for SB 109** – 2 Favorable, 3 Merits.

From: Education: **HB 433** – 3 Merits.

At 03:12 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 33rd Legislative Day.

**33RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 01, 2006**

The Senate convened at 03:12 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.

SENATE CITATION ANNOUNCEMENT # 10, - S143-587 – 650 inclusive was introduced and copies made available.

SS 1 for SB 109 was brought before the Senate for consideration on the motion of Senator Venables.

SS 1 for SB 109 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CLEAN CREDIT AND IDENTITY THEFT PROTECTION ACT.

SA 1 to SS 1 for SB 109 was brought before the Senate for consideration on the motion of Senator Venables.

Roll call vote on **SA 1 to SS 1 for SB 109** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to SS 1 for SB 109 was declared part of the bill.

Senator Simpson was marked present during the above roll call.

SS 1 for SB 109 w/SA 1 was now before the Senate.

Senator McBride questioned the sponsor.

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

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

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

Roll call vote on **SS 1 for SB 109 w/SA 1** was taken and revealed:

YES: 21

SS 1 for SB 109 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini was marked present during the above roll call.

Senator Amick requested personal privilege of the floor to introduce members of the Rotary Club, visiting the chamber.

SB 28 was brought before the Senate for consideration on the motion of Senator McBride.

SB 28 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES.

Roll call vote on **SB 28** was taken and revealed:

YES: 21.

SB 28 was declared passed the Senate and sent to the House for Consideration.

SB 303 was brought before the Senate for consideration on the motion of Senator Henry.

SB 303 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER LICENSES.

Senator Henry moved to lay **SB 303** on the Table.

SB 277 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 277 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION.

Senator Adams questioned the sponsor.

Roll call vote on **SB 277** was taken and revealed:

YES: 21.

SB 277 was declared passed the Senate and sent to the House for Consideration.

SB 278 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 278 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION.

Roll call vote on **SB 278** was taken and revealed:

YES: 21.

SB 278 was declared passed the Senate and sent to the House for Consideration.

HB 122 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

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.

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

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

YES: 21.

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

HB 122 w/SA 1 was now before the Senate.

Senator Vaughn requested personal privilege of the floor for Andrew Taylor, representing Cooch & Taylor.

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

Roll call vote on HB 122 w/HA 1 & SA 1 was taken and revealed:

YES: 21.

HB 122 w/HA 1 & SA 1 was declared passed the Senate and was returned to the House for Reconsideration.

SB 289 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 289 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A STATEWIDE HEALTH ADVISORY COUNCIL.

Senator Bunting requested SA 1 to SB 289 be stricken.

SA 2 to SB 289 was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on SA 2 to SB 289 was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SA 2 to SB 289 was declared part of the bill.

SB 289 w/SA 2 was now before the Senate.

Several Senators commented.

Senator Bunting requested Senator Sokola be added as a co-sponsor.

Roll call vote on SB 289 w/SA 2 was taken and revealed:

YES: 21.

SB 289 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

HB 356 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 356 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TERRORISTIC THREATENING.

Senator Henry questioned the floor manager.

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

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

Senator Vaughn moved to lay HB 356 w/HA 1 on the Table.

SB 320 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 320 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT TESTING PROGRAM.

Roll call vote on SB 320 was taken and revealed:

YES: 21.

SB 320 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, 2006.

A withdrawal of sponsorship was read requesting Senator Deluca's name be removed as co-sponsor of SB 332.

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
6/1/06**

June 1, 2006

SB 323 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNCOLLECTIBLE FEES; PENALTIES. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety.**

SB 324 - AN ACT TO AMEND SECTION 302 OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE DETERMINATION OF A WATER UTILITY'S RATE BASE FOR RATE-MAKING PURPOSES. Sponsor: Sen. Bunting; Rep. Valihura, Sens. DeLuca, Peterson, Sokola, Amick, Reps. Buckworth, Ennis, Hocker, Lofink, McWilliams; **Energy & Transit.**

SB 325 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TAX RETURNS. Sponsor: Sen. Cloutier; Sen. Connor, & Rep. Hudson, Sens. Amick, Bonini, Copeland, Henry, Simpson, Sorenson, Still, Vaughn; Reps. Buckworth, DiPinto, Maier, Smith, Spence, Ulbrich; **Revenue & Taxation.**

HB 274 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE RULES AND REGULATIONS OF THE DEPARTMENT OF EDUCATION GOVERNING SCHOOL DISTRICT FINANCIAL REPORTING REQUIREMENTS. Sponsor: Rep. Valihura; Rep. Ulbrich, & Sen. Cloutier, & Sen. Copeland, Reps. Smith, Lavelle, Hudson; **Education.**

June 1, 2006

SB 327 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. Sponsor: Sen. Adams; Sen. Vaughn, Reps. Valihura, & Spence; **Judiciary.**

SB 328 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES. Sponsor: Sen. Blevins; Rep. Smith, Sens. Peterson, McBride; Reps. Keeley, Lavelle, Cathcart, Oberle, Hudson, Ulbrich, DiPinto; **Public Safety.**

SB 329 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING BOUNDARIES. Sponsor: Sen. Cook; Rep. Wagner, Sens. Still, Simpson, Adams; Reps. Buckworth, Ennis, Thornburg, Outten, Ewing, Carey; **Community/County Affairs.**

SA 1 to HS 1 for HB 243 - Sponsor: Sen. Vaughn; Senate Ready List; Senate Judiciary; Placed with the Bill

SA 1 to SB 310 - Sponsor: Sen. DeLuca; Senate Ready List; Senate Banking; Placed with the Bill

SB 330 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EROSION AND SEDIMENT CONTROL AND THE ESTABLISHMENT OF A STORMWATER UTILITY. Sponsor: Sen. McBride; Rep. Roy; **Natural Resources & Environmental Control.**

SB 331 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety.**

SB 333 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. Sponsor: Sen. Adams; Rep. Valihura, Sen. Vaughn, & Rep. Spence; **Executive.**

SB 334 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATUTES OF LIMITATIONS. Sponsor: Sen. Vaughn; Rep. Ewing; **Judiciary.**

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On motion of Senator McDowell, the Senate recessed at 05:04 PM until June 6, 2006 at 02:30 PM.

The Senate reconvened at 03:06 PM, on June 6, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Natural Resources & Environmental Control: **SB 330** – 3 Merits.
From Health & Social Services: **SB 309** – 4 Merits; **SB 295** – 4 Merits; **HB 325** –
4 Merits
From Insurance & Elections: **HB 358 w/HA 1** – 4 Merits.
At 03:08 PM on motion of Senator McDowell, the Senate adjourned to
immediately convene for the 34th Legislative Day.

34TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 06, 2006

The Senate convened at 03:08 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.

SCR 38 was brought before the Senate for consideration on the motion of Senator
Adams.

SCR 38 - EXTENDING SINCERE CONGRATULATIONS TO THE
ARTESIAN WATER COMPANY ON THE OCCASION OF THE ONE HUNDREDTH
ANNIVERSARY OF ITS ESTABLISHMENT IN 1906. Sponsors: Sen. Adams & Rep.
Spence.

Senator Adams requested personal privilege of the floor for Artesian Water
Company, CEO, Diane Taylor. Ms. Taylor introduced others representing the company;
Ryan Welder, Nicki Taylor, George Phillips, Joseph DiNunzio and Stuart Lindner. After
addressing the Senate they were all excused.

Several Senators commented.

Roll call vote on **SCR 38** was taken and revealed:

YES: 19

ABSENT: Senator(s) Blevins, Bonini - 2.

SCR 38 was declared passed the Senate and sent to the House for Consideration.

Senator Amick was marked present during the above roll call.

SR 22 was introduced and brought before the Senate for consideration on the
motion of Senator McDowell.

SR 22 - EXTENDING SINCERE CONGRATULATIONS TO THE FOOD
BANK OF DELAWARE ON THE OCCASION OF THE TWENTY-FIFTH
ANNIVERSARY OF ITS ESTABLISHMENT IN 1981, AND OBSERVING JUNE 6,
2006 AS NATIONAL HUNGER AWARENESS DAY. Sponsors: Sen. McDowell on
behalf of all Senators.

Senator McDowell requested personal privilege of the floor for Patricia Beebe,
representing Food Bank of Delaware. The witness addressed the Senate and was
questioned by several Senators, after which she was excused.

Several Senators commented.

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

YES: 21

SR 22 was declared Adopted.

Senator Bonini was marked present during the above roll call.

Senator Bunting requested to be added as an additional co-sponsor of **SB 310; SB**

311; SB 312; SB 313 and SB 314.

SB 310 was brought before the Senate for consideration on the motion of Senator
DeLuca.

SB 310 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE
RELATING TO TRUSTS.

SA 1 to SB 310 was brought before the Senate for consideration on the motion of
Senator DeLuca.

Roll call vote on **SA 1 to SB 310** was taken and revealed:

YES: 21.

SA 1 to SB 310 was declared part of the bill.

SB 310 w/SA 1 was now before the Senate.

Senator Bunting questioned the sponsor.

Senator DeLuca requested personal privilege of the floor for Francis Peter Conaty, Esquire. The witness addressed the Senate, after which he was excused.

Roll call vote on **SB 310 w/SA 1** was taken and revealed:

YES: 21.

SB 310 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Adams requested personal privilege of the floor for Miss Delaware, Rebecca Bledsoe and the candidates for the title of Miss Delaware 2006. Each were introduced and the current Miss Delaware addressed the Senate, after which all were excused.

SB 311 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 311 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

Roll call vote on **SB 311** was taken and revealed:

YES: 21.

SB 311 was declared passed the Senate and sent to the House for Consideration.

SB 312 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 312 - AN ACT AMENDING TITLES 10 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

Roll call vote on **SB 312** was taken and revealed:

YES: 21.

SB 312 was declared passed the Senate and sent to the House for Consideration.

SB 313 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 313 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO DISCLAIMERS OF INTERESTS IN PROPERTY AND OF POWERS OVER PROPERTY.

Roll call vote on **SB 313** was taken and revealed:

YES: 21.

SB 313 was declared passed the Senate and sent to the House for Consideration.

SB 314 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 314 - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO ESTATES.

Senator Bunting questioned the sponsor.

Roll call vote on **SB 314** was taken and revealed:

YES: 21.

SB 314 was declared passed the Senate and sent to the House for Consideration.

SB 330 was brought before the Senate for consideration on the motion of Senator McBride.

SB 330 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EROSION AND SEDIMENT CONTROL AND THE ESTABLISHMENT OF A STORMWATER UTILITY.

Senator McDowell commented.

Senator Blevins commented and requested to be added as a co-sponsor.

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

Several Senators commented.

Senator McBride requested personal privilege of the floor for Robert Baldwin, representing Department of Natural Resources & Environmental Control.

Senator Copeland questioned the witness.

Senator McDowell raised a point of order.

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

Senator McBride moved to lay **SB 330** on the Table.

SB 321 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 321 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RECORDING DEVICES.

Senator Vaughn requested personal privilege of the floor for Todd Flaurney, representing Motion Pictures Association of America.

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

SA 1 to SB 321 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Vaughn requested personal privilege of the floor once again for Todd Flaurney, representing Motion Pictures Association of America.

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

Senator McDowell commented.

Roll call vote on SA 1 to SB 321 was taken and revealed:

YES: 20

NO: Senator(s) Vaughn - 1.

SA 1 to SB 321 was declared part of the bill.

Senator Vaughn moved to lay SB 321 w/SA 1 on the Table.

SB 99 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 99 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR PUBLIC AND PRIVATE SCHOOL EMPLOYEES.

SA 2 to SB 99 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on SA 2 to SB 99 was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SA 2 to SB 99 was declared part of the bill.

SB 99 w/SA 2 was now before the Senate.

Senator Blevins requested that SA 1 to SB 99 be stricken.

Senator Copeland questioned the sponsor.

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

Senator DeLuca presiding at 05:43 PM.

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

Roll call vote on SB 99 w/SA 2 was taken and revealed:

YES: 21.

SB 99 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

Lt. Governor Carney presiding at 05:45 PM.

SB 295 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 295 - AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE RELATING TO MANAGED CARE ORGANIZATIONS.

SA 1 to SB 295 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on SA 1 to SB 295 was taken and revealed:

YES: 21.

SA 1 to SB 295 was declared part of the bill.

SB 295 w/SA 1 was now before the Senate.

Senator Bunting questioned the sponsor.

Roll call vote on SB 295 w/SA 1 was taken and revealed:

YES: 21.

SB 295 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 McDowell recognized the former Senator Roger Martin who was visiting the chamber.

The Secretary announced the agenda for June 7, 2006.

On motion of Senator McDowell, the Senate recessed at 05:57 PM until June 7, 2006.

The Senate reconvened at 03:56 PM, on June 7, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Finance: **SB 266** – 6 Merits; **HB 362** – 4 Merits, 1 Unfavorable; **HB 374** – 5 Merits; **HB 363** – 5 Merits.

From Judiciary: **SB 334** – 5 Merits; **SB 327** – 5 Merits; **SB 271** – 5 Merits .

From: Adult & Juvenile Corrections: **SB 336** – 5 Merits.

From Banking: **SB 343** – 5 Merits; **HB 445** – 5 Merits; **SB 345** - 5 Merits.

From Executive: **SCR 19** – 6 Merits.

At 03:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 35th Legislative Day.

35TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 07, 2006

The Senate convened at 03:58 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 recognized Mr. Ned Davis, who was visiting the chamber.

HB 358 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 358 w/HA 1 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

SA 1 to HB 358 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 358** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to HB 358 was declared part of the bill.

HB 358 w/HA 1 & SA 1 was now before the Senate.

Senators Amick and Connor marked present during the above roll call.

Roll call vote on **HB 358 w/HA 1 & SA 1** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Venables - 2.

HB 358 w/HA 1 & SA 1 was declared passed the Senate and returned to the House for Reconsideration.

SB 322 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 322 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW.

Senator Vaughn requested personal privilege of the floor for David McBride, representing Delaware Bar Association Corporation Council. After addressing the Senate the witness was excused.

Roll call vote on **SB 322** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SB 322 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini was marked present during the above roll call.

SB 300 was brought before the Senate for consideration on the motion of Senator Adams.

SB 300 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE ADJUDICATION OR JUDGMENT.

Senator Adams requested personal privilege of the floor for Judge Edward Davis, representing Justice of the Peace Court.

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

Roll call vote on **SB 300** was taken and revealed:

YES: 21.

SB 300 was declared passed the Senate and sent to the House for Consideration.
SB 261 w/SA 2, HA 1 & HA 2, 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 Adams.

SB 261 w/SA 2, HA 1 & HA 2 - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 92, TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT.

Senator Adams requested personal privilege of the floor for Judge Edward Davis, representing Justice of the Peace Court.

Roll call vote on **SB 261 w/SA 2, HA 1 & HA 2** was taken and revealed:

YES: 21.

SB 261 w/SA 2, HA 1 & HA 2 was declared passed the Senate and sent to the Governor.

SB 266 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 266 - AN ACT TO AMEND TITLE 14 OF DELAWARE CODE RELATING TO COMPASSIONATE LEAVE.

Senator Bonini questioned the sponsor.

Roll call vote on **SB 266** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Simpson, Still - 3.

SB 266 was declared passed the Senate and sent to the House for Consideration.

HB 119 w/HA 1 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 Cook.

HB 119 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.

SA 1 to HB 119 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on **SA 1 to HB 119** was taken and revealed:

YES: 21.

SA 1 to HB 119 was declared part of the bill.

HB 119 w/HA 1 & SA 1 was now before the Senate.

Several Senators questioned the floor manager.

Roll call vote on **HB 119 w/HA 1 & SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Venables - 1.

HB 119 w/HA 1 & SA 1 was declared passed the Senate and was returned to the House for Reconsideration.

HS 1 for HB 243 w/HA 2, HA 3 & HA 4 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HS 1 for HB 243 w/HA 2, HA 3 & HA 4 - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS.

Senator Vaughn requested that **SA 1 to HS 1 for HB 243** be stricken.

SA 2 to HS 1 for HB 243 was brought before the Senate for consideration on the motion of Senator Vaughn.

Senator Vaughn requested personal privilege of the floor for Tim Willard, Senate Attorney. Mr. Willard addressed the Senate, after which he was excused.

Senator Vaughn requested personal privilege of the floor for Lt. Jason Sapp, representing Delaware State Police. Several Senators questioned the witness, after which he was excused.

Senator Vaughn requested personal privilege of the floor for Michael Behm, representing E-Bay Inc. Several Senators questioned the witness, after which he was excused.

Senator Simpson commented.

Roll call vote on **SA 2 to HS 1 for HB 243** was taken and revealed:

YES: 21.

SA 2 to HS 1 for HB 243 was declared part of the bill.

HS 1 for HB 243 w/HA 2, HA 3, HA 4 & SA 2 was now before the Senate.

Roll call vote on **HS 1 for HB 243 w/HA 2, HA 3, HA 4 & SA 2** was taken and revealed:

YES: 21.

HS 1 for HB 243 w/HA 2, HA 3, HA 4 & SA 2 was declared passed the Senate and returned to the House for Reconsideration.

SB 330 was Lifted from the Table and brought before the Senate for Consideration on the motion of Senator McBride.

SB 330 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EROSION AND SEDIMENT CONTROL AND THE ESTABLISHMENT OF A STORMWATER UTILITY.

SA 1 to SB 330 was brought before the Senate for consideration on the motion of Senator McBride.

Senator Cook requested personal privilege of the floor for David Small, representing DNREC. Senator Peterson questioned the witness, after which he was excused.

Roll call vote on **SA 1 to SB 330** was taken and revealed:

YES: 19

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Vaughn - 1.

SA 1 to SB 330 was declared part of the bill.

SB 330 w/SA 1 was now before the Senate.

Senator McBride commented.

Senator Amick questioned the sponsor.

Senator McBride requested personal privilege of the floor once again for David Small, representing DNREC.

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

Roll call vote on **SB 330 w/SA 1** was taken and revealed:

YES: 15

NO: Senator(s) Bonini, Simpson, Still - 3.

NOT VOTING: Senator(s) Cloutier, Copeland - 2.

ABSENT: Senator(s) Vaughn - 1.

SB 330 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 Sokola commented.

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
6/7/2006**

SB 344 - assigned to the **Executive** Committee.

June 1, 2006

SB 332 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A DELAWARE COUNTY AND MUNICIPAL POLICE FIREFIGHTERS' RETIREE PENSION PLAN. Sponsor: Sen. McDowell; Rep. Spence, Reps. Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ennis, Ewing, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Lavelle, Lee, Lofink, Longhurst, M Marshall, McWilliams, Miro, Mulrooney, Oberle, Outten, Roy, Schooley, Schwartzkopf, Stone, Thornburg, Valihura, Van Sant, Viola, Williams; Sens. Amick, Bonini, Bunting, Cloutier, Connor, Copeland, Henry, Marshall, McBride, Peterson, Simpson, Sokola, Sorenson, Still, Venables; **Finance**.

SB 335 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO APPROACHING AND PASSING STATIONARY AUTHORIZED

EMERGENCY VEHICLES. Sponsor: Sen. McBride; Rep. Buckworth, Sens. Sokola, Venables; Reps. DiPinto, Wagner; **Public Safety**.

June 6, 2006

SA 2 to SB 321 - Sponsor Sen. Vaughn; Placed with the Bill

SA 1 to HB 402 - Sponsor: Sen. Bonini; Placed with the Bill

SB 326 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER RECEIVERSHIPS. Sponsor: Sen. Blevins; Rep. Stone; **Insurance & Elections**.

SB 337 - 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: Sen. Blevins; Rep. Hudson; **Children; Youth & Families**.

SB 338 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE WITHHOLDING OF WAGES. Sponsor: Sen. Blevins; Rep. Hudson; **Revenue & Taxation**.

SB 339 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE HEALTH INFORMATION NETWORK. Sponsor: Sen. DeLuca; Reps. DiPinto, & Maier; **Health & Social Services**.

SB 340 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MILITARY DEPLOYMENT. Sponsor: Sen. Still; Rep. Stone, Sens. Connor, Copeland, Henry, Sokola, Sorenson; Reps. Ennis, Hocker, Keeley, M Marshall, Smith, Spence; **Insurance & Elections**.

SB 341 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ENGLISH AS THE STATE LANGUAGE. Sponsor: Sen. Bonini; **Education**.

SB 342 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE LANGUAGE. Sponsor: Sen. Bonini; Sen. Copeland; Rep. Spence; **Education**.

HB 126 w/HA 2, HA 3 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION. Sponsor: Rep. Hudson; Sen. Sokola; Reps. Buckworth, Lavelle, Miro, Ulbrich; Sen. Cloutier; **Public Safety**.

June 7, 2006

SA 1 to SB 225 - Sponsor: Sen. McBride; Placed with the Bill

SB 347 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION, DISPOSITION FOLLOWING ADJUDICATION, AND COMMITMENT TO CUSTODY OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH, AND THEIR FAMILIES. Sponsor: Sen. Henry; Sen. McDowell; Rep. Keeley; **Children; Youth & Families**.

SB 348 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROMOTE COOPERATION, PARTNERSHIPS AND THE EXCHANGE OF INFORMATION ACROSS THE MID-ATLANTIC REGION. Sponsor: Sen. Sokola; Rep. DiPinto, Sen. Copeland; Rep. M Marshall; **Energy & Transit**.

SB 349 - AN ACT TO AMEND TITLES 14 AND 17 OF THE DELAWARE CODE RELATING TO OUTDOOR ADVERTISING. Sponsor: Sen. Sokola; **Highways & Transportation**.

HB 309 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO RADIATION CONTROL. Sponsor: Rep. DiPinto; Sen. Blevins, Reps. Buckworth, Ewing, Hocker, Miro, Stone, Ulbrich, Valihura, Wagner, Ennis; Sen. Sorenson; **Health & Social Services**.

HB 401 w/HA 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS. Sponsor: Rep. Hocker; Rep. Ulbrich, & Sen. Bunting, Reps. Spence, Atkins, Maier, Thornburg, Valihura, Caulk; **Education**.

HB 418 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. Sponsor: Rep. Buckworth; Reps. Spence, Smith, Lee, Carey, Cathcart, Ewing, Maier, Outten, Stone, Hall-Long, M Marshall, Plant, Schooley, Schwartzkopf; Sens. Adams, DeLuca, Cook, Henry, Vaughn, Venables, Sorenson, Connor, Simpson; **Health & Social Services**.

The Secretary announced the agenda for June 8, 2006.

At 05:47 PM on motion of Senator McDowell, the Senate recessed until on June 8, 2006 at 02:00 PM.

The Senate reconvened at 3:01 PM, on June 8, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Public Safety: **SB 331** – 4 Merits; **SB 323** – 4 Merits; **SB 328** – 4 Merits.

From Administrative Services: **SB 316** – 5 Merits; **SB 319** – 5 Merits.

From Community/County Affairs: **SB 329** – 3 Merits.

From Revenue & Taxation: **HB 382** – 3 Merits.

From Health & Social Services: **HB 190** – 4 Merits.

A communication from the Office of Senator Patricia Blevins was read requesting her name be removed as a co-sponsor of **HB 402**.

A withdrawal of sponsorship request from Robert I. Marshall was read requesting his name be removed as co-sponsor of **SB 344**.

A withdrawal of sponsorship request from Anthony J. DeLuca was read requesting his name be removed as co-sponsor of **SB 332**.

A communication from the Office of Senator Harris B. McDowell, III, was read requesting his name be added as co-sponsor of **SB 298**.

A communication from the Office of Senator Patricia Blevins was read requesting her name be removed as a co-sponsor of **SB 332**.

A withdrawal of sponsorship request Representative Gerald A. Buckworth was read requesting his name be removed as co-sponsor of **SB 324**.

A communication from the House was read informing the Senate that it has passed **HB 445; HB 126 w/HA 2 & HA 3; SB 256; SB 261 w/SA 2 & HA 1 & HA 2; SB 90 w/HA 2, SA 1 & SA 2 HB 309; HB 418; HB 401 w/HA 1**.

A communication from the Chief Clerk of the House, JoAnn Hedrick was read informing the Senate that Representative Tina Fallon signed as an additional sponsor of **SB 256**.

LEGISLATIVE ADVISORY #20, 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 # 20, dated June 7, 2006, the Governor signed the following legislation on the date indicated.

SJR #4 (05/2406) - DEDICATING THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL. (Sponsors: Rep. Simpson & Sen. Cook & Rep. Carey & Rep. Schwartzkopf & Sens. Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn, Venables; Reps. Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith, Spence & Ulbrich)

SB #157 aab SA1 (06/01/06) – AN ACT TO AMEND TITLE 31, CHAPTER 3 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. (Sponsors: Sen. Blevins & Rep. Maier & Rep. Hudson & Sens. Cloutier, Connor, Sorenson; Reps. Gilligan, Hall-Long, Keeley, Miro, Oberle, Schooley, Spence & Wagner) (Volume 75, Chapter 269, Laws of Delaware.)

HB #324 (06/01/06) -AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENTS' TRUST FUND. (Sponsors: Rep. Maier & Sen. Blevins & Reps. Hall-Long & Hudson) (Volume 75, Chapter 270, Laws of Delaware.)

HB #371 aab HA 1, SA 2 and SA 4 (06/01/06) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Sponsors: Rep. Oberle & Reps. Spence, Atkins, Cathcart & Lofink & Sen. Bunting & Reps. Lee, Atkins, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Lavelle, Miro, Outten, Schwartzkopf, Thornburg, Ulbrich, Gilligan, Ennis, Johnson, Keeley, Longhurst, Schooley, Viola, Williams & Sens. Blevins, Amick, Adams, Bonini, Cloutier, Connor,

Cook, Copeland, DeLuca, McDowell, Peterson, Sokola, Sorenson, Still, Venables)
(Volume 75, Chapter 271, Laws of Delaware.)

HB #381 aab HA1 and SA 1 (06/01/06) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION. (Sponsors: Rep. Maier & Rep. Spence & Rep. Lee & Sen. Bunting) (Volume 75, Chapter 272, Laws of Delaware.)

HB #383 (06/01/06) -AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. (Sponsors: Rep. Maier & Sen. Blevins & Reps. Booth, Ewing, McWilliams & Stone & Sens. Henry, Peterson, Sorenson, Connor (Volume 75, Chapter 273, Laws of Delaware.)

HB #391 aab HA1 (06/01/06) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Sponsors: Rep. Hudson & Sens. Blevins & Sorenson) (Volume 75, Chapter 274, Laws of Delaware.)

SB #90 aab HA2, SA1 and SA2 (06/07/06) - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR VIOLATING CHAPTER 60. (Sponsors: Sens. McBride, Venables, Simpson, Bunting, Connor & Reps. Booth, Hocker & McWilliams & Sen. Still and Rep. Lavelle) (Volume 75, Chapter 275, Laws of Delaware.)

SB #256 (06/07/06) - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE A FRAUD BUSTERS PROGRAM TO DISCOURAGE INSURANCE FRAUD IN THE STATE OF DELAWARE. (Sponsors: Sen. Sokola & Rep. Stone & Sens. Blevins, Bonini, Cloutier, Copeland, Sorenson, Still, Reps. DiPinto, Hall-Long, Hocker, Hudson, Keeley, Lavelle, Maier, Miro, Viola, Fallon) (Volume 75, Chapter 276, Laws of Delaware.)

HB #122 aab HA1 and SA1 (06/07/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BROKERAGE RELATIONSHIPS AND REAL ESTATE BROKERS, SALESPERSONS, AND APPRAISERS. (Sponsors: Rep. Hudson & Rep. Valihura & Sen. Sokola & Reps. Hocker, Lavelle, Mulrooney, Schwartzkopf, Stone, Thornburg, Viola; Sens. Bonini, Copeland, Peterson) (Volume 75, Chapter 277, Laws of Delaware.)

At 03:07 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 36th Legislative Day.

36TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 08, 2006

The Senate convened at 03:07 PM with Sen. DeLuca 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.

At 03:09 PM, Lt. Governor Carney presiding.

Senator Cook introduce members of the DE National Guard Retired Officers Association, lead by Col. (Ret.) Jim Testerman, also the National Guard Association of DE, lead by Major Len Gratteri. Adj. General Frank Vavala was also visiting the chamber for National Guard Legislative Day.

Senator McDowell requested personal privilege of the floor for Daniele Della Valle of Modena, Italy Chamber of Commerce on an exchange visit with the Delaware Department of State. After addressing the Senate Mr. Della Valle was excused.

Senator Cook requested personal privilege of the floor for Major General Vavala, Col. (Ret.) Jim Testerman and Maj. Len Gratteri. Major General Vavala addressed the Senate and recognized two other National Guard associations; the Enlisted National

Guard Association, represented by Cmd. Sgt. Maj. Mike Breeding and Brig. Gen. Terry Wiley, Army National Guard. After addressing the Senate the witnesses were excused. Senators Adams, DeLuca, Still and Bunting commented.

SB 196 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 196 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING EXAMINERS AND BASIC PLUMBING PRINCIPLES.

SA 1 to SB 196 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 1 to SB 196** was taken and revealed:

YES: 21.

SA 1 to SB 196 was declared part of the bill.

SB 196 w/SA 1 was now before the Senate.

Senator DeLuca questioned the sponsor.

Senator Peterson requested personal privilege of the floor for Lisa Schieffert,

Sunset committee staff.

Senator DeLuca questioned the witness, after which she was excused.

Several Senators questioned the sponsor.

Senator Peterson requested personal privilege of the floor for Bruce Collins, representing Collins Mechanical.

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

Senator Peterson requested personal privilege of the floor for James Collins, representing Collins Mechanical. After addressing the Senate the witness was excused.

Roll call vote on **SB 196 w/SA 1** was taken and revealed:

YES: 17

NO: Senator(s) DeLuca, McDowell, Vaughn, Venables - 4.

SB 196 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 184 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 184 - AN ACT TO AMEND CHAPTER 33 OF TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARIANS AND ESTABLISHING VETERINARY TECHNICIANS.

SA 1 to SB 184 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 1 to SB 184** was taken and revealed:

YES: 21.

SA 1 to SB 184 was declared part of the bill.

SB 184 w/SA 1 was now before the Senate.

Senators Simpson and Adams questioned the sponsor.

Roll call vote on **SB 184 w/SA 1** was taken and revealed:

YES: 21.

SB 184 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 225 was brought before the Senate for consideration on the motion of Senator McBride.

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.

SA 1 to SB 225 was brought before the Senate for consideration on the motion of Senator McBride.

Senator McBride requested personal privilege of the floor for David Small, representing DNREC.

Senator Blevins questioned the witness, after which he was excused.

Roll call vote on **SA 1 to SB 225** was taken and revealed:

YES: 21.

SA 1 to SB 225 was declared part of the bill.

Senator McBride requested personal privilege of the floor once again for David Small, representing DNREC.

Several Senators questioned the witness, after which Mr. Small was excused.
Senator McBride requested personal privilege of the floor for Pat Canzano, representing Delaware Solid Waste Authority.

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

Senators McBride, Simpson and McDowell commented.

SA 2 to SB 225 was brought before the Senate for consideration on the motion of Senator Blevins.

Several Senators questioned the sponsor.

Senator Blevins requested personal privilege of the floor once again for Pat Canzano, representing Delaware Solid Waste Authority.

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

Roll call vote on **SA 2 to SB 225** was taken and revealed:

YES: 16

NO: Senator(s) Amick, Bonini, Bunting, McDowell, Still - 5.

SA 2 to SB 225 was declared part of the bill.

SB 225 w/SA 1 & SA 2 was now before the Senate.

Senator McDowell requested that **SA 3 to SB 225** be stricken.

SB 225 w/SA 1 & SA 2 Majority vote requirement Simple Majority ruling of the Chair.

Roll call vote on **SB 225 w/SA 1 & SA 2** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SB 225 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Copeland requested the personal privilege of the floor to introduce his family, wife, Bonnie and children, Will and Stephanie.

Senator McDowell moved to recess for Party Caucus at 5:18 PM.

The Senate reconvened at 6:08 PM with Lt. Governor Carney presiding.

SENATE CONSENT CALENDAR #16 was introduced and considered for adoption on motion of:

SCR 40 - RECOGNIZING JUNE 15, 2006 AS NATIONAL NURSING ASSISTANTS DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES.

HCR 68 - A RESOLUTION TO COMMEND AND CONGRATULATE THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION ON THE OCCASION OF ITS CHARTER CENTENNIAL.

A roll call vote was taken on **SENATE CONSENT CALENDAR #16** 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.

SCR 39 was introduced and brought before the Senate for consideration on the motion of Senator Blevins.

SCR 39 - ESTABLISHING THE HEALTH SERVICE CORPORATION TASK FORCE. Sponsor: Sen. Blevins; Reps. Maier & Stone

Roll call vote on **SCR 39** was taken and revealed:

YES: 21.

SCR 39 was declared Adopted by the Senate and sent to the House for Consideration.

HB 325 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 325 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PROMOTING PUBLIC HEALTH IN THIS STATE.

Senator Sorenson questioned the floor manager.

Senator Blevins requested personal privilege of the floor for Judy Chaconas, representing Division of Public Health

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

Roll call vote on **HB 325** was taken and revealed:

YES: 21.

HB 325 was declared passed the Senate and returned to the House.

HB 382 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 382 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES.

Senators Simpson and McDowell questioned the sponsor.

Senator Marshall requested personal privilege of the floor for Thomas Cook, representing Department of Finance.

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

Senator Marshall moved to lay **HB 382** on the Table.

SB 290 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 290 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LEINS OF TAXES AND OTHER CHARGES.

SA 1 to SB 290 was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 1 to SB 290** was taken and revealed:

YES: 21.

SA 1 to SB 290 was declared part of the bill.

SB 290 w/SA 1 was now before the Senate.

Senator Peterson questioned the sponsor.

Senator Marshall requested personal privilege of the floor for Rhett Ruggerio, representing City of Wilmington and Judge Edward Davis representing Justice of the Peace Court.

Roll call vote on **SB 290 w/SA 1** was taken and revealed:

YES: 17

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

SB 290 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 329 was brought before the Senate for consideration on the motion of Senator Cook.

SB 329 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING BOUNDARIES.

Roll call vote on **SB 329** was taken and revealed:

YES: 21.

SB 329 was declared passed the Senate and sent to the House for Consideration.

SB 275 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 275 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION FOR THE BLIND.

SA 1 to SB 275 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 275** was taken and revealed:

YES: 21.

SA 1 to SB 275 was declared part of the bill.

SB 275 w/SA 1 was now before the Senate.

Roll call vote on **SB 275 w/SA 1** was taken and revealed:

YES: 21.

SB 275 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 183 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 183 ACT TO AMEND CHAPTER 37, TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS.

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

Senator Amick questioned the witness, after which he was excused.

Senator Blevins requested personal privilege of the floor for Dr. Michael Michelli, representing Board of Speech Language Pathologists.

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

Roll call vote on **SB 183** was taken and revealed:

YES: 21.

SB 183 was declared passed the Senate and sent to the House for Consideration.
At 07:09 PM, Senator McDowell presiding.

SB 343 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 343 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE AND VOLUMES 70 AND 72 OF THE LAWS OF THE STATE OF DELAWARE RELATING TO THE BANK FRANCHISE TAX.

Roll call vote on **SB 343** was taken and revealed:

YES: 21.

SB 343 was declared passed the Senate and sent to the House for Consideration.

At 07:11 PM, Senator DeLuca presiding.

SB 328 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 328 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES.

Senator Bonini questioned the sponsor.

Roll call vote on **SB 328** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, McDowell, Venables - 3.

SB 328 was declared passed the Senate and sent to the House for Consideration.

HB 258 w/SA 1 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager, Senator Blevins.

HB 258 w/SA 1 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION, MENTAL ILLNESS AND OTHER SIGNIFICANT DISABILITIES.

SA 2 to HB 258 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to HB 258** was taken and revealed:

YES: 21.

SA 2 to HB 258 was declared part of the bill.

HB 258 w/SA 1 & SA 2 was now before the Senate.

Roll call vote on **HB 258 w/SA 1 & SA 2** was taken and revealed:

YES: 21.

HB 258 w/SA 1 & SA 2 was declared passed the Senate and was returned to the House for Reconsideration.

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 made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
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SB 346 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY Sponsor : Sen. Marshall; Rep. Oberle, Sens. Bunting, Sokola, Bonini, Copeland; Reps. Mulrooney, Viola, Hudson, Valihura; **Health & Social Services.**

SB 351 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE COLLEGE INVESTMENT PLAN ACCOUNTS. Sponsor: Sen. Amick; **Finance.**

SB 352 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE BOARD OF TRUSTEES OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE EDUCATIONAL FOUNDATION. Sponsor: Sen. Adams; Rep. Ewing, Reps. Lee, Atkins, Booth, Carey, Fallon, Hocker, Schwartzkopf; Sens. Bunting, Venables, Simpson; **Executive.**

SB 353 - AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE

TOWN OF ELSMERE" RELATING TO ELECTED OR APPOINTED OFFICIALS.

Sponsor: Sen. Blevins; Rep. Van Sant; **Community/County Affairs.**

SB 354 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION. Sponsor: Sen. DeLuca; Sen. Sokola, & Rep. Ulbrich, & Rep. Spence, Sens. Bunting, Sorenson, Copeland; Reps. Hudson, Miro, Viola, Lee, Ewing, Maier; **Judiciary.**

SB 355 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING STATE MERIT EMPLOYEES WITH TENURE. Sponsor: Sen. Peterson; Rep. Oberle, Reps. Buckworth, Spence, Lofink; **Administrative Services.**

SB 356 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EVIDENCE OF JUVENILE ADJUDICATIONS. Sponsor: Sen. DeLuca; Rep. Valihura; **Judiciary.**

SB 357 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FLOODING, EROSION AND SEDIMENTATION CONTROL, AND STORMWATER MANAGEMENT. Sponsor: Sen. Peterson; Rep. Spence, Sens. Blevins, Sokola, Copeland, Connor, Sorenson, Cloutier, Reps. Gilligan, Hall-Long, Hudson, Maier, Ulbrich, McWilliams, Viola; **Community/County Affairs.**

SB 358 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER LICENSES AND COMMERCIAL MOTOR VEHICLES. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety.**

SB 359 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary.**

SB 360 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HINDERING PROSECUTION. Sponsor: Sen. Vaughn; Rep. Valihura; **Judiciary.**

SB 361 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENSES. Sponsor: Sen. Blevins; Sen. Sorenson, Reps. Hudson, & McWilliams; **Children; Youth & Families.**

On motion of Senator McDowell, the Senate recessed at 7:29 PM until June 13, 2006 at 02:15 PM.

The Senate reconvened at 02:21 PM, on June 13, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator Patricia M. Blevins was read requesting **SB 353** be stricken.

A communication from the House was read informing the Senate that it has passed **HB 463; HB 366 w/HA 1 & HA 2; HB 432; HB 386; HB 469; HB 454; HB 455; SB 262 w/SA 1.**

The following committee reports were announced:

From Executive: **SB 317** - 5 Merits.

From Veterans Affairs: **HB 335 w/HA 1** - 4 Favorable, 1 Merits

SS 1 for SB 151 was introduced and adopted in lieu of Original.

SS 1 for SB 151 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. Sponsor: Sen. Blevins; Rep. Keeley

At 02:25 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the 37th Legislative Day.

**37TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 13, 2006**

The Senate convened at 02:25 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.

SB 321 w/SA 1 was Lifted from the Table and brought before the Senate for consideration, under the suspension of the necessary rules on the motion of Senator McDowell.

SA 2 to SB 321 was brought before the Senate for consideration on the motion of Senator McDowell on behalf of Senator Vaughn.

Senator McDowell moved to lay **SB 321 w/SA 1** the Table.

SB 345 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 345 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY.

SA 1 to SB 345 was brought before the Senate for consideration on the motion of Senator DeLuca.

Senator Marshall questioned the sponsor.

Roll call vote on **SA 1 to SB 345** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to SB 345 was declared part of the bill.

SB 345 W/SA 1 was now before the Senate.

Senators Amick, Blevins, Cloutier, Connor, Cook, Copeland, Marshall and Sokola were marked present during the above roll call.

Senator Marshall questioned the sponsor.

Senator Amick commented.

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

Roll call vote on **SB 345 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SB 345 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 323 was brought before the Senate for consideration on the motion of Senator Henry.

SB 323 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNCOLLECTIBLE FEES; PENALTIES.

Roll call vote on **SB 323** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SB 323 was declared passed the Senate and sent to the House for Consideration.

SB 321 w/SA 1 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator McDowell.

SA 2 to SB 321 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator McDowell moved to lay **SB 321 w/SA 1** on the Table.

Senator McDowell moved to lay **SA 2 to SB 321** on the Table.

Senator McDowell moved to recess for Party Caucus at 02:52 PM.

The Senate reconvened at 4:16 PM with Senator DeLuca presiding.

SB 321 w/SA 1 was Lifted from the Table and brought before the Senate for Consideration on the motion of Senator McDowell.

SA 3 to SB 321 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 3 to SB 321** was taken and revealed:

YES: 21

SA 3 to SB 321 was declared part of the bill.

SB 321 w/SA 1 & SA 3 was now before the Senate.

Senator Bonini was marked present during the above roll call.

At 04:20 PM, Lt. Governor Carney presiding.

Roll call vote on **SB 321 w/SA 1 & SA 3** was taken and revealed:

YES: 21.

SB 321 w/SA 1 & SA 3 was declared passed the Senate as amended and sent to the House for Consideration.

SB 331 was brought before the Senate for consideration on the motion of Senator Henry.

SB 331 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD.

SA 1 to SB 331 was brought before the Senate for consideration on the motion of Senator McBride.

Senator McBride requested personal privilege of the floor for Tim Willard, Senate Attorney.

Senators Henry & Simpson questioned the witness, after which the witness was excused.

Senator Copeland questioned the sponsor.

Senator McBride requested personal privilege of the floor for Elizabeth Olsen, representing Department of Safety and Homeland Security. After addressing the Senate she was excused.

Senator McBride moved to lay **SA 1 to SB 331** on the Table.

SA 2 to SB 331 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 2 to SB 331** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson - 1.

SA 2 to SB 331 was declared part of the bill.

SB 331 w/SA 2 was now before the Senate.

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

Senator McBride requested personal privilege of the floor once again for Elizabeth Olsen, representing Dept. of Safety and Homeland Security. After addressing the Senate she was excused.

Senator Simpson and Henry commented.

Roll call vote on **SB 331 w/SA 2** was taken and revealed:

YES: 19

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

SB 331 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 270 w/SA 1 & SA 2 was Lifted from the Table and brought before the Senate for Consideration on motion of Senator Blevins.

SB 270 w/SA 1 & SA 2 - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES.

Senator Blevins requested personal privilege of the floor for Paul Wallace, representing the Attorney General's Office.

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

Roll call vote on **SB 270 w/SA 1 & SA 2** was taken and revealed:

YES: 19

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

SB 270 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

HB 190 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 190 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A PERSONAL ASSISTANCE SERVICES AGENCY ACT.

Senator Blevins requested that **SA 1 to HB 190** be stricken.

SA 2 to HB 190 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to HB 190** was taken and revealed:

YES: 19

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

SA 2 to HB 190 was declared part of the bill.

HB 190 w/SA 2 was now before the Senate.

Roll call vote on **HB 190 w/SA 2** was taken and revealed:

YES: 19

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

HB 190 w/SA 2 was declared passed the Senate and was returned to the House for Reconsideration.

SB 319 was brought before the Senate for consideration on the motion of Senator McBride.

SB 319 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT.

Senator McBride requested that **SA 1 to SB 319** be stricken.

SA 2 to SB 319 was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 2 to SB 319** was taken and revealed:

YES: 18

ABSENT: Senator(s) DeLuca, Marshall, Peterson - 3.

SA 2 to SB 319 was declared part of the bill.

SB 319 w/SA 2 was now before the Senate.

Senator Simpson questioned the sponsor.

Senator McBride requested personal privilege of the floor for Paul Jones, President of the Delaware Association of Professional Engineers.

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

Roll call vote on **SB 319 w/SA 2** was taken and revealed:

YES: 18

ABSENT: Senator(s) DeLuca, Marshall, Peterson - 3.

SB 319 w/SA 2 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.

The Secretary announced the agenda for June 14, 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 made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
6/13/06**

SB 346 - RELATING TO PHARMACIES -REASSIGNED SUNSET

HB 418 - RELATING TO PROFESSIONS AND OCCUPATIONS - REASSIGNED SUNSET

June 8, 2006

SA 1 to SB 326 - Sponsor: Sen. Blevins; Placed with the Bill

SA 2 to HB 190 - Sponsor: Sen. Blevins; Placed with the Bill

June 9, 2006

SB 362 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Sen. Venables & Sens. Still, & Sorenson; **Small Business**.

June 13, 2006

SB 363 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURT CIVIL JURISDICTION. Sponsor: Sen. Still; Rep. Maier; **Judiciary**.

SB 364 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO UNDERGROUND UTILITY DAMAGE PREVENTION. Sponsor: Sen. Still; Reps. Ewing, Maier, Smith, Wagner; **Community/County Affairs**.

SB 366 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO TRANSPORTATION. Sponsor: Sen. McDowell; Reps. Spence,

Keeley, Sens. Henry, McBride, Cloutier, Copeland; Reps. Buckworth, Oberle, Roy, Valihura, Gilligan, Johnson, McWilliams, Plant; **Energy & Transit.**

SS 1 for SB 151 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. Sponsor: Sen. Blevins; Rep. Keeley; In Lieu of the Original; **Health & Social Services.**

HB 355 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES. Sponsor: Rep. Valihura; Rep. Stone, & Rep. Hall-Long, & Sen. Blevins, Reps. Spence, Carey, Cathcart, DiPinto, Ewing, Hocker, Hudson, Maier, Miro, Ulbrich, Longhurst, Schooley; **Health & Social Services.**

HB 366 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE. Sponsor: Rep. Oberle; **Judiciary.**

HB 386 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNIFORM COMMERCIAL DRIVER LICENSE ACT. Sponsor: Rep. Spence; Sen. McBride; **Public Safety.**

HB 404 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Spence; Sen. McBride, & Rep. Valihura, & Sen. Cloutier, Reps. Smith, Atkins, Carey, Ewing, Fallon, Gilligan, Hocker, Lee, Lofink, Oberle, Outten, Stone, Wagner; Sens. Adams, DeLuca, McDowell, Still; **Judiciary.**

HB 416 - AN ACT PERMITTING THE STATE OF DELAWARE TO CONVEY A PORTION OF UNIMPROVED EMILY P. BISSELL HOSPITAL PROPERTY TO NEW CASTLE COUNTY FOR FLOOD MITIGATION AND A RETENTION BASIN. Sponsor: Rep. Gilligan; Rep. Hudson, & Rep. Roy, & Sen. Sokola, & Sen. Blevins; **Community/County Affairs.**

HB 432 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE. Sponsor: Rep. Ewing; Sen. Henry; **Public Safety.**

HB 443 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. Sponsor: Rep. Williams; Reps. Longhurst, Miro, Plant, Valihura; Sens. Blevins, Henry; **Public Safety.**

HB 454 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPUTES INVOLVING THE ENFORCEMENT OF DEED COVENANTS OR RESTRICTIONS. Sponsor: Rep. Smith; Rep. Cathcart, & Sen. Sokola, Reps. Buckworth, DiPinto, Hocker, Lavelle, Longhurst, Maier, Oberle, Ulbrich, Valihura, Viola; Sens. Amick, Cloutier, Still; **Judiciary.**

HB 455 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Rep. Ewing; Sen. Venables; **Natural Resources & Environmental Control.**

HB 463 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER INVESTMENTS IN FOREIGN COUNTRIES. Sponsor: Rep. Stone; Sen. Blevins; **Banking.**

HB 469 - 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, & Sen. Bunting, Reps. Spence, Smith, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner, Keeley; Sens. Henry, Sokola; **Public Safety.**

* * *

The following nomination assigned to the **Executive** Committee:

Stephani L. Adams
P.O. Box 367
Bridgeville, DE 19933

to be appointed Justice of
Peace for Sussex County to
serve a term to expire 4 years
from the date of swearing in.

* * *

On motion of Senator McDowell, the Senate recessed at 05:46 PM until June 13, 2006 at 03:00PM.

The Senate reconvened at 03:39 PM, on June 13, 2006 with Senator DeLuca presiding

The following committee reports were announced:

From Executive: **Stephanie L. Adams** – 4 Favorable.

From Community/County Affairs: **SB 353** – 3 Merits; **SB 357** – 3 Merits; **HB 416** – 3 Merits; **SB 367** 3 Merits.

From Executive: **SB 352** – 4 Merits; **SB 333** – 4 Merits.

From Public Safety: **HB 443** – 4 Merits; **HB 432** – 4 Merits; **SB 358** – 4 Merits.

From Energy & Transit: **SB 348** – 6 Merits; **SB 366** – 6 Merits.

At 03:43 PM, Lt. Governor Carney presiding.

At 03:43 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 38th Legislative Day.

**38TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 14, 2006**

The Senate convened at 03:43 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.

On motion of Senator Adams and without objection, the following nomination from the Governor was considered.

Stephani Adams: 20 Senator(s) voting YES and 1 Senator(s) voting NO (Bonini), therefore, the appointment was declared CONFIRMED.

Senator Amick was marked present during the above roll call.

SCR 41 was introduced and brought before the Senate for consideration on the motion of Senator Sokola.

SCR 41 - URGING THE PRESIDENT OF THE UNITED STATES TO DEMAND THAT THE CHINESE GOVERNMENT ALLOW AN INTERNATIONAL INVESTIGATION OF ALL LABOR CAMPS, PRISONS, HOSPITALS, AND RELATED FACILITIES IN CHINA WHERE FALUN GONG PRACTITIONERS ARE BEING DETAINED. Sponsor: Sen. Sokola; Reps. Valihura & Miro

Senator Sokola requested personal privilege of the floor for Laura Coogan, representing herself, relating to **SCR 41**. She addressed the Senate and Senator Simpson questioned her, after which she was excused.

Senators Copeland and Bunting questioned the sponsor.

Senator Sokola moved to lay **SCR 41** on the Table.

HB 382 was Lifted from the Table and brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

SA 1 to HB 382 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 1 to HB 382** was taken and revealed:

YES: 21.

SA 1 to HB 382 was declared part of the bill.

HB 382 w/SA 1 was now before the Senate.

Roll call vote on **HB 382 w/SA 1** was taken and revealed:

YES: 21.

HB 382 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

SB 285 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 285 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ACCESS OF THE CHILD DEATH, NEAR DEATH, AND STILL BIRTH COMMISSION TO PROTECTED HEALTH INFORMATION AND OTHER RECORDS AND INFORMATION.

Roll call vote on **SB 285** was taken and revealed:

YES: 21.

SB 285 was declared passed the Senate and sent to the House for Consideration.

SB 316 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 316 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE ADMINISTRATIVE PROCEDURES ACT.

Senator McDowell questioned the sponsor.

Senator Peterson moved to lay **SB 316** on the Table.

SB 317 was brought before the Senate for consideration on the motion of Senator Cloutier.

SB 317 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "SWEARS FALSELY".

Several Senators questioned the sponsor.

Senator McDowell requested personal privilege of the floor for Tim Willard, Senate Attorney.

Several Senators questioned Mr. Willard, after which he was excused.

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

Several Senators questioned Mr. Wood, after which he was excused.

Roll call vote on **SB 317** was taken and revealed:

YES: 15

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

NOT VOTING: Senator(s) Blevins, Cook, DeLuca, McDowell - 4.

SB 317 was declared passed the Senate and sent to the House for Consideration.

SB 316 was Lifted from the Table and brought before the Senate for Consideration on the motion of Senator Peterson.

SB 316 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE ADMINISTRATIVE PROCEDURES ACT.

Senator Peterson requested personal privilege of the floor for James Collins, representing the Division of Professional Regulation.

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

Roll call vote on **SB 316** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 316 was declared passed the Senate and sent to the House for Consideration.

SB 333 was brought before the Senate for consideration on the motion of Senator Adams.

SB 333 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT.

Senator Adams requested personal privilege of the floor for Edward Davis, Justice of the Peace for Sussex County.

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

Roll call vote on **SB 333** was taken and revealed:

YES: 19

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

SB 333 was declared passed the Senate and sent to the House for Consideration.

SB 327 was brought before the Senate for consideration on the motion of Senator Adams.

SB 327 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT.

Senator Adams requested personal privilege of the floor once again for Edward Davis, Justice of the Peace for Sussex County.

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

Roll call vote on **SB 327** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Simpson - 2.

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

SB 327 was declared passed the Senate and sent to the House for Consideration. Additions to the agenda, committee and the legislative meetings were announced. The Secretary announced the agenda for June 15, 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
6/14/2006**

June 13, 2006

SA 1 to HB 382 - Sponsor: Sen. Peterson; Placed with the Bill.

SA 1 to SB 337 - Sponsor: Sen. Blevins; Placed with the Bill.

June 14, 2006

SB 368 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TESTING OF PREGNANT WOMEN FOR HIV INFECTION. Sponsor: Sen. Sorenson; Sen. Cloutier, & Rep. Maier; Sens. Blevins, Connor, Simpson, Sokola; Reps. Buckworth, Schooley, Smith; **Health & Social Services**.

SB 369 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. Sponsor: Sen. McDowell; Rep. Stone, Sens. Venables, Connor, Still, Simpson; Rep. Maier; **Health & Social Services**.

SB 370 - AN ACT TO AMEND TITLE 24, CHAPTER 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE REAL ESTATE COMMISSION. Sponsor: Sen. Bunting; Rep. Hudson; **Administrative Services**.

HB 128 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. Sponsor: Rep. Hudson; Sen. Sokola; Reps. Lee, Buckworth, DiPinto, Ewing, Lavelle, Miro, Oberle, Ulbrich, Valihura; Sens. Cloutier, Connor, Simpson; **Highways & Transportation**.

HB 317 w/HA 1 - AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO PUBLIC ASSISTANCE. Sponsor: Rep. Spence & Sen. McBride, & Sen. Sokola, & Sen. Cloutier; **Finance**.

HB 372 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF FITNESS OF PUBLIC SCHOOL STUDENTS. Sponsor: Rep. Ulbrich & Sen. Bunting; **Finance**.

HB 405 - AN ACT TO AMEND CHAPTER 202, VOLUME 73, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE. Sponsor: Rep. Hocker; Sen. Bunting, Reps. Atkins, Booth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hudson; **Community/County Affairs**.

HB 411 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS. Sponsor: Rep. Lavelle; Sen. Blevins, Reps. Hudson, Ennis, Keeley; Sen. Simpson; **Judiciary**.

HB 426 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH, CHAPTER 295, VOLUME 65, LAWS OF DELAWARE AS AMENDED TO ALLOW THE TOWN TO RECOVER ITS COSTS AND REASONABLE ATTORNEYS FEES IF IT IS THE PREVAILING PARTY IN ANY ACTION TO ENFORCE COMPLIANCE WITH A TOWN ORDINANCE OR TO CORRECT OR ABATE A NUISANCE; TO AMEND SECTION 15 OF CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED TO ALTER THE TERM OF OFFICE FOR ALDERMAN AND ASSISTANT ALDERMAN FROM ONE (1) YEAR TO TWO (2) YEARS, TO PERMIT THE APPOINTMENT OF MORE THAN ONE (1) ASSISTANT ALDERMAN AND TO PERMIT REASONABLE FINES TO BE SET BY

TOWN ORDINANCE; AND TO AUTHORIZE THE TOWN TO ADOPT, BY REFERENCE, ANY STATE MOTOR VEHICLE STATUTE OR CORRESPONDING PENALTY, INCLUDING FUTURE AMENDMENTS THERETO. Sponsor: Rep. Hocker; Sen. Bunting; **Community/County Affairs.**

HB 434 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE ELECTION OF THE COMMISSIONERS OF BRIDGEVILLE UPON THE ESTABLISHMENT OF ELECTION DISTRICTS BY ORDINANCE. Sponsor: Rep. Ewing; Sen. Adams; **Community/County Affairs.**

HB 439 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROSTITUTION. Sponsor: Rep. Mulrooney; Sen. McBride; Reps. Carey, Cathcart, DiPinto, Ennis, Ewing, Johnson, Keeley, Lofink, Longhurst, Maier, Miro, Valihura, Sens. Cloutier, Connor, DeLuca, Sokola; **Judiciary.**

HB 441 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS. Sponsor: Rep. Buckworth; Rep. Valihura, & Sen. Blevins, Rep. M Marshall; Sen. Amick; **Judiciary.**

HB 442 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS. Sponsor: Rep. Buckworth; Rep. Valihura, & Sen. Blevins, Rep. M Marshall; Sen. Amick; **Children; Youth & Families.**

HB 453 w/HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES. Sponsor: Rep. Miro; Sen. Sokola; Reps. Buckworth, DiPinto; **Public Safety.**

* * *

On motion of Senator McDowell, the Senate recessed at 05:19 PM until June 15, 2006 at 02:30 PM.

The Senate reconvened at 02:41 PM, on June 15, 2006 with Senator DeLuca presiding.

The following committee reports were announced:

From Health & Social Services: **SB 339** - 4 Merits; **SS 1 for SB 151** - 4 Merits; **SB 369** - 4 Merits.

From Insurance & Elections: **SB 326** - 4 Merits.

From Judiciary: **SB 354** - 4 Merits; **SB 356** - 4 Merits; **SB 359** - 4 Merits; **SB 360** - 4 Merits; **HB 439** - 4 Merits; **HB 366 w/HA 1** - 4 Merits; **HB 404 w/HA 1, HA 2** - 4 Merits; **HB 392** - 4 Merits.

At 02:45 PM, Lt. Governor Carney presiding.

Senator Sorenson requested personal privilege of the floor for the Eagle Scouts visiting the Chamber. Each was introduced: Bernard Yanos, Thomas Reichert, Michael Rada, Michael Cordrey, Nicholas Gregory, Mason Small, Jonathan McIlvain, Christopher Hartung, Ryan Christ, Brian Bullock, Stephen Mynatt, Daniel Messick, Aaron Reinicker, Daniel Villarreal, Kenneth E. Holbert, Jr. Ricker Adkins, Michael Ryan. After which all were excused.

SCR 42 was introduced and brought before the Senate for consideration on the motion of Senator Sorenson.

SCR 42 - COMMENDING THE CLASS OF 2005-2006 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA. Sponsors: Sen. Sorenson & Rep. Maier & Sens. Adams, Amick, Bonini, Bunting, Connor, Cook, Copeland, McBride, Peterson, Simpson, Sokola, Still, Vaughn & Reps: Atkins, Booth, Buckworth, Cathcart, Caulk, Ennis, Hall-Long, Hocker, Hudson, Lofink, M. Marshall, Miro, Outten, Roy, Schooley, Smith, Stone, Thornburg, Wagner.

Roll call vote on **SCR 42** was taken and revealed:

YES: 20

ABSENT: Senator(s) Blevins - 1.

SCR 42 was declared Adopted in the Senate and sent to the House for Consideration.

At 02:50 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 39th Legislative Day.

**39TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 15, 2006**

The Senate convened at 02:50 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 McDowell recognized the heroic efforts of the men & women of the City of Wilmington Fire Department.

SR 24 was introduced and brought before the Senate for consideration on the motion of Senator McDowell.

SR 24 - RECOGNIZING THE HEROIC EFFORTS OF THE MEN AND WOMEN OF THE WILMINGTON FIRE DEPARTMENT AND SURROUNDING VOLUNTEER FIRE COMPANIES AND OTHER EMERGENCY SERVICE PERSONNEL IN RESPONSE TO THE FIRE AT THE CRESTVIEW APARTMENT.

Sponsor: Senators McDowell, Henry and Marshall; On behalf of all Senators.

Roll call vote on **SR 24** was taken and revealed:

YES: 21.

SR 24 was declared Adopted by the Senate.

Senator McDowell requested personal privilege of the floor for Deputy Chief Kalinowski and he introduced John Kane, Jr., Jorge F. Rivera and Donald J. Zulinski. After being recognized they were excused. Senators Henry & Marshall commented.

Senator Marshall requested personal privilege of the floor to introduce the CNAs from DCNA. Rhena Argoe, Cynthia Johnson, Connie Pullin, Shirley Barnett, Sarah Cullum, Andrew Waller, Sharon Hockaday, Shirondia Holden, Jacqueline Rios, Nikkia Gale, Denise Rivera, Latasha Barker, Fabiola Lopez were introduced individually. After which all were excused.

HB 335 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 335 w/HA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS.

Senator Bunting commented.

Senator Bonini questioned the floor manager.

Senator Bunting requested personal privilege of the floor for Tony Davila, Executive Director of Community of Veterans Affairs. After addressing the Senate he was excused.

Roll call vote on **HB 335 w/HA 1** was taken and revealed:

YES: 21.

HB 335 w/HA 1 was declared passed the Senate and returned to the House.

HB 362 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 362 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senator McDowell requested personal privilege of the floor for Major Albert Homiak, representing Delaware State Police.

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

Senator Bonini requested personal privilege of the floor for Tim Willard, Senate Attorney.

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

SA 1 to HB 362 was brought before the Senate for consideration on the motion of Senator McDowell on behalf of Senator Vaughn.

Roll call vote on **SA 1 to HB 362** was taken and revealed:

YES: 19

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

SA 1 to HB 362 was declared part of the bill.

HB 362 w/SA 1 was now before the Senate.

Several Senators commented.

Roll call vote on **HB 362 w/SA 1** was taken and revealed:

YES: 16

NO: Senator(s) Bonini, Henry, Simpson, Sorenson, Venables - 5.

HB 362 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HB 363 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 363 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Senator Connor questioned the floor manager.

Senator McDowell requested personal privilege of the floor for Chief Michael Prigione, representing Newport Police.

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

Roll call vote on **HB 363** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 363 was declared passed the Senate and returned to the House.

HB 374 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 374 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE THEFT.

Senators Simpson questioned the sponsor.

Senator McDowell requested personal privilege of the floor for Paul Wallace, representing the Attorney Generals Office.

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

Roll call vote on **HB 374** was taken and revealed:

YES: 21.

HB 374 was declared passed the Senate and returned to the House.

HB 416 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 416 - AN ACT PERMITTING THE STATE OF DELAWARE TO CONVEY A PORTION OF UNIMPROVED EMILY P. BISSELL HOSPITAL PROPERTY TO NEW CASTLE COUNTY FOR FLOOD MITIGATION AND A RETENTION BASIN.

Roll call vote on **HB 416** was taken and revealed:

YES: 21.

HB 416 was declared passed the Senate and returned to the House.

HB 432 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 432 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE.

Senator Henry moved to lay **HB 432** on the Table.

HB 443 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 443 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM.

Senators Sorenson and Bunting commented.

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

Roll call vote on **HB 443** was taken and revealed:

YES: 21.

HB 443 was declared passed the Senate and returned to the House.

Senator McDowell moved to recess to have a group picture taken at 04:44 PM.

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

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
SECOND SESSION
READ TO THE SENATE RECORD
6/15/06

June 14, 2006

SA 1 to HB 362 - Sponsor: Sen. Vaughn; Placed with the Bill

June 15, 2006

SB 365 - AN ACT TO AMEND TITLE 24, OF THE DELAWARE CODE RELATING TO THE BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS. Sponsor: Sen. Marshall; Rep. Hall-Long; Sunset.

SB 371 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CRIMINAL PROCEEDINGS IN COURT OF COMMON PLEAS, JUSTICE OF THE PEACE COURTS, AND FAMILY COURT. Sponsor: Sen. Adams; Sen. McDowell, Rep. M Marshall; Executive.

SB 372 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE. Sponsor: Sen. Adams; Rep. Smith, Sen. Vaughn, Rep. Spence; Executive.

SB 373 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO REGULATION OF PRIVATE SECURITY AGENCIES. Sponsor: Sen. DeLuca; Rep. Lee; Banking.

SB 374 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION FINANCIAL ACCOUNTABILITY. Sponsor : Sen. DeLuca; Sen. Sokola, & Rep. Gilligan, Sens. Adams, McDowell, Sorenson, Venables, & Cook, Reps. Spence, Smith, Van Sant, Lee, DiPinto, Roy; Banking.

SB 375 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES IN HEALTH CARE AND MEDICAL NEGLIGENCE ACTIONS. Sponsor: Sen. Blevins; Reps. Keeley, & Wagner; Sen. Amick, Reps. Ennis, Oberle, Viola; Health & Social Services.

SS 1 for 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.

* * *

The following nomination(s) assigned to the Executive Committee:

The Honorable William L. Boddy, III
9 Elizabeth Street
Milford, DE 19963

to be reappointed Justice of the Peace for Sussex County to serve a term to expire 6 years from the date of swearing in.

The Honorable Debora Foor
10 Weez Court
Dover, DE 19901

to be reappointed Justice of Peace for Kent County to serve a term to expire 6 years from the date of swearing in.

The Honorable Bonita N. Lee
9 Durboraw Road
Wilmington, DE 19810

to be reappointed Justice of the Peace for New Castle County to serve a term to expire 6 years from the date of swearing in.

The Honorable William T. Moser
19 Osage Road
Claymont, DE 19703

to be reappointed Justice of the Peace for New Castle County to serve a term to expire 6 years from the date of swearing in.

The Honorable Nancy C. Roberts
4615 Little Rock Drive
Wilmington DE

to be reappointed Justice
of the Peace for New Castle
County to serve a term to
expire 6 years from the date
of swearing in.

The Honorable James A. Tull
702 Port Penn Road
Middletown, DE 19709

to be reappointed Justice of
the Peace for New Castle
County to serve a term to
expire 6 years from the date
of swearing in.

Chelina N. Tirrell
25152 Radish Road
Millsboro, DE 19966

to be reappointed a
member of the University of
Delaware Board of Trustees
to serve a term to expire May
25, 2007.

Sherman L. Townsend
539 Pennsylvania Ave.
Dover, DE 19901

to be reappointed a
member of the University of
Delaware Board of Trustees
to serve a term to expire

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On motion of Senator McDowell, the Senate recessed at 5:15 PM. until June 20, 2006 at 02:00 PM.

The Senate reconvened at 03:32 PM, on June 20, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator Karen E. Peterson was read requesting her name be removed as co-sponsor of **SB 324**.

LEGISLATIVE ADVISORY # 21, 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 #21, dated June 15, 2006, the Governor signed the following legislation on the date indicated:

SS #1 for SJR #3 (06/15/06) - DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE. (Sponsors: Sen. Deluca & Rep. Valihura & Sens. Blevins, Sokola, Still, Adams, Cook, McBride, Marshall, Venables, Henry, McDowell, Bunting, Vaughn, Sorenson, Cloutier, Copeland, Simpson, Connor; Reps. Longhurst, Keeley, Schooley, Roy, Stone, Hudson, Hall-Long, Gilligan, Viola, Ewing, Ennis, Miro, Oberle, DiPinto, Cathcart, Booth, Hocker)

SB #261 aab SA2, HA1 and HA2 (06/13/06) - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 92, TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT. (Sponsors: Sen. Adams, Rep. Lee & Sen. Vaughn) (Volume 75, Chapter 278, Laws of Delaware.)

SB #262 aab SA1 (06/13/06) - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM. (Sponsors: Sen. Blevins, Sen. Sorenson & Rep. Hudson) (Volume 75, Chapter 279, Laws of Delaware.)

SB #305 (06/13/06) - AN ACT TO AMEND CHAPTER 87, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE REGULATION OF BOXING. (Sponsors: Sen. Deluca & Rep. Lee) (Volume 75, Chapter 280, Laws of Delaware.)

SB #187 aab SA2 (06/15/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC EXAMINERS. (Sponsors: Sen. Sokola & Rep. Wagner) (Volume 75, Chapter 281, Laws of Delaware.)

SB #265 (06/15/06) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION ON JUDGMENTS IN THE JUSTICE OF THE

PEACE COURT. (Sponsors: Sen. Vaughn & Rep. Valihura) (Volume 75, Chapter 282, Laws of Delaware.)

HB #119 aab HA1 and SA1 (06/15/06) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (Sponsors: Reps. Viola, Ennis, Johnson, Keeley, McWilliams, Miro, Mulrooney, Plant, Valihura, Williams & Sen. DeLuca) (Volume 75, 283, Laws of Delaware.)

HS1 for HB #243 aab HA2. HA3, HA4 and SA2 (06/15/06) - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (Sponsors: Rep. Lee & Sen. Vaughn) (Volume 75, Chapter 284, Laws of Delaware.)

HB #258 aab SA1 and SA2 (06/15/06) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION, MENTAL ILLNESS AND OTHER SIGNIFICANT DISABILITIES. (Sponsors: Rep. Maier & Sen. Blevins) (Volume 75, Chapter 285, Laws of Delaware.)

HB #325 (06/15/06) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PROMOTING PUBLIC HEALTH IN THIS STATE. (Sponsors: Rep. Maier & Sen. Blevins) (Volume 75, Chapter 286, Laws of Delaware.)

HB #358 aab HA1 and SA1 (06/15/06) - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Sponsors: Reps. Hudson, Lavelle and Valihura & Sen. Blevins) (Volume 75, Chapter 287, Laws of Delaware.)

* * *

A communication from the Chief Clerk of the House advising the Senate that it had passed **HCR 69; HCR 70; SCR 40; HB 355; HB 443; HB 416; SB 265; SB 305; HB 405; HB 426; HB 434; HB 317 w/HA 1; HB 128 w/HA 1 & 2; HB 439; HB 310; HB 425 w/HA 1 & HA 1 to HA 1; SB 62 w/HA 2 & 4; SCR 38; HB 411; HB 372; SB 241 w/HA 1; SB 274; HB 453 w/HA 1; HB 442; HB 441; SB 187 w/SA 2; HB 256 w/HA 2, 5, 6 & 7; HB 396; HB 414; HJR 24; SB 184 w/SA 1.**

A communication from the House was read advising the Senate that it had Defeated **SB 264 w/SA 1 & SA 2.**

The following committee reports were announced:

From Health & Social Services: **SB 375** - 4 Merits.

From Natural Resources & Environmental Control: **HB 455** - 4 Merits.

From Agriculture: **HB 260 w/HA 1** - 5 Merits.

From Banking: **SB 373** - 5 Merits; **SB 374** - 5 Merits.

From Executive: **SB 372** - 4 Merits; **SB 371** 4 Merits.

From Executive: **Honorable William T. Moser** - 4 Merits; **Sherman L. Townsend** - 4 Merits; **Chelina N. Tirrell** - 4 Merits; **Honorable William L. Boddy, III** - 1 Favorable, 3 Merits; **Honorable Debora Foor** - 4 Merits; **Honorable Bonita N. Lee** - 4 Merits; **Honorable Nancy C. Roberts** - 4 Merits; **Honorable James A. Tull** - 1 Favorable, 3 Merits.

At 03:38 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 40th Legislative Day.

**40TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 20, 2006**

The Senate convened at 03:38 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.

SB 146 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 146 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE CREATING A DELAWARE HEALTH INSURANCE POOL.

SA 1 to SB 146 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 146** was taken and revealed:

YES: 16

ABSENT: Senator(s) Amick, Cloutier, Cook, Henry, McBride - 5.

SA 1 to SB 146 was declared part of the bill.

SB 146 w/SA 1 was now before the Senate.

Senator Vaughn was marked present during the above roll call.

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

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

Senators McDowell, Cloutier, Sorenson, Marshall & Cook were added as co-sponsors.

Roll call vote on **SB 146 w/SA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Still - 1.

SB 146 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senators Amick, Cloutier, Cook, Henry and McBride were marked present during the above roll call.

HB 432 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager, Senator Henry.

HB 432 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE.

SA 1 to HB 432 was brought before the Senate for consideration on the motion of Senator Henry.

Senator Henry requested that **SA 1 to HB 432** be stricken.

SA 2 to HB 432 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 2 to HB 432** was taken and revealed:

YES: 21.

SA 2 to HB 432 was declared part of the bill.

HB 432 w. SA 2 was now before the Senate.

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

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

Roll call vote on **HB 432 w/SA 2** was taken and revealed:

YES: 21.

HB 432 w/SA 2 was declared passed the Senate and returned to the House for Reconsideration.

SB 241 w/HA 1, which was returned from the House with an amendment was brought before the Senate for consideration on the motion of Senator McDowell.

SB 241 w/HA 1 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM DECISIONS OF THE REGIONAL PLANNING COMMISSION.

Roll call vote on **SB 241 w/HA 1** was taken and revealed:

YES: 21.

SB 241 w/HA 1 was declared passed the Senate and sent to the Governor.

SS 1 for SB 151 was brought before the Senate for consideration on the motion of Senator Blevins.

SS 1 for SB 151 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.

Roll call vote on **SS 1 for SB 151** was taken and revealed:

YES: 21.

SS 1 for SB 151 was declared passed the Senate and sent to the House for Consideration.

Senator Sokola requested that **SCR 41** be Lifted from the Table and brought before the Senate for Consideration.

SCR 41 - URGING THE PRESIDENT OF THE UNITED STATES TO DEMAND THAT THE CHINESE GOVERNMENT ALLOW AN INTERNATIONAL INVESTIGATION OF ALL LABOR CAMPS, PRISONS, HOSPITALS, AND

RELATED FACILITIES IN CHINA WHERE FALUN GONG PRACTITIONERS ARE BEING DETAINED.

SA 1 to SCR 41 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on SA 1 to SCR 41 was taken and revealed:

YES: 21.

SA 1 to SCR 41 was declared part of the bill.

SCR 41 w/SA 1 was now before the Senate.

Senator Sokola requested personal privilege of the floor for Cindy Wang, representing Falun Gong Practitioners in Delaware. After addressing the Senate the witness was excused.

Roll call vote on SCR 41 w/SA 1 was taken and revealed:

YES: 21.

SCR 41 w/SA 1 was declared Adopted by the Senate and sent to the House for Consideration.

SB 334 was brought before the Senate for consideration on the motion of floor manager, Senator McDowell.

SB 334 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATUTES OF LIMITATIONS.

Senator McDowell moved to lay SB 334 on the Table.

SB 375 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 375 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES IN HEALTH CARE AND MEDICAL NEGLIGENCE ACTIONS.

Senator Blevins requested personal privilege of the floor for Stephen A. Hampton, representing Delaware Trial Lawyers Association. Several Senators questioned the witness, after which he was excused.

Senator Simpson requested personal privilege of the floor for Diane Andrews, representing the Delaware Medical Society. Senators McDowell and Simpson questioned the witness, after which she was excused.

Senator Blevins requested personal privilege of the floor once again for Stephen Hampton. Senators DeLuca and Simpson questioned the witness, after which he was excused.

Senator Copeland commented.

Roll call vote on SB 375 was taken and revealed:

YES: 14

NO: Senator(s) Bonini, Bunting, Copeland, Simpson, Sorenson, Still, Venables -

7.

SB 375 was declared passed the Senate and sent to the House for Consideration.

SB 334 was Lifted from the Table and brought before the Senate for consideration on the motion of Senator McDowell.

SB 334 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATUTES OF LIMITATIONS.

Senator McDowell requested personal privilege of the floor for Paul Wallace, representing Attorney Generals Office. Senator McDowell questioned the witness, after which he was excused.

Roll call vote on SB 334 was taken and revealed:

YES: 21.

SB 334 was declared passed the Senate and sent to the House for Consideration.

SB 336 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 336 - AN ACT TO AMEND TITLE 11, CHAPTER 43, RELATING TO DEPARTMENT OF CORRECTION RECORDS.

SA 1 to SB 336 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on SA 1 to SB 336 was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SA 1 to SB 336 was declared part of the bill.

SB 336 w/SA 1 was now before the Senate.

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

Senator Peterson questioned the witness after which the witness was excused.

Roll call vote on **SB 336 w/SA 1** was taken and revealed:

YES: 15

NO: Senator(s) Bonini, Peterson, Sokola - 3.

NOT VOTING: Senator(s) Copeland - 1.

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

SB 336 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 356 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 356 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EVIDENCE OF JUVENILE ADJUDICATIONS.

Senator Sorenson questioned the sponsor.

Roll call vote on **SB 356** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 356 was declared passed the Senate and sent to the House for Consideration.

SB 359 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 359 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE.

Senator Bonini questioned the sponsor.

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

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

Roll call vote on **SB 359** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry, Peterson - 2.

SB 359 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 21, 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
6/20/2006**

June 15, 2006

SA 1 to HB 309 - Sponsor Sen. Blevins; Placed with the Bill

SA 1 to SB 309 - Sponsor: Sen. Blevins; Placed with the Bill

SA 1 to SB 366 - Sponsor: Sen. Adams; Placed with the Bill

June 16, 2006

SR 23 - SUPPORTING THE EFFORTS OF "PHILADELPHIA 2016" TO SECURE PHILADELPHIA'S DESIGNATION AS THE U.S. CANDIDATE CITY BY THE UNITED STATES OLYMPIC COMMITTEE. Sponsor: Sen. Adams; Sen. McDowell, & Sen. DeLuca, & Sen. Still, & Sen. Sorenson, Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, Henry, Marshall, McBride, Peterson, Simpson, Sokola, Vaughn, Venables,; LOT List.

SB 376 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. Sponsor: Sen. McBride; Reps. Spence, & Valihura, & Wagner; Sens. Simpson, Henry, Amick, Sorenson, Blevins, Cloutier, Connor,; Reps. Ewing, Booth, Fallon, Lee, Outten; **Public Safety**.

SB 377 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO BEACH PRESERVATION. Sponsor: Sen. Bunting; Rep. Hocker; Sens. Adams, Simpson; Reps. Schwartzkopf, Booth, Carey; **Agriculture.**

SB 378 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS. Sponsor: Sen. Marshall; Rep. Hall-Long; **Sunset.**

SB 379 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsor: Sen. Marshall; Rep. Hall-Long; **Sunset.**

SB 380 - AN ACT TO AMEND TITLE 16, CHAPTER 19 OF THE DELAWARE CODE RELATING TO MOSQUITO CONTROL. Sponsor: Sen. Venables; Rep. Atkins; **Agriculture.**

SB 381 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXTENDED JURISDICTION OF THE FAMILY COURT IN CRIMINAL AND CIVIL CASES. Sponsor: Sen. Sorenson; Rep. Miro; Sens. Amick, Bunting, McDowell; Reps. Maier, M Marshall, Oberle, Schooley, Spence, Valihura; **Judiciary.**

SJR 10 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DEDICATE THE WING OF THE ABSALOM JONES COMMUNITY CENTER HOUSING THE WAGSTAFF DAY CARE CENTER AND NEW CASTLE COUNTY HEAD START CLASSROOMS IN HONOR OF ETHEL MAE COOPER. Sponsor: Sen. Peterson; Rep. Gilligan, & Sen. Blevins, & Rep. Hudson; **Administrative Services.**

HB 256 w/HA 2, HA 5, HA 6, HA 7 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. Sponsor: Rep. Van Sant; Rep. Spence, Reps. Ewing, Keeley; Sen. Vaughn; **Public Safety.**

HB 310 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT. Sponsor: Rep. Keeley; Reps. Buckworth, Caulk, Ewing, Hall-Long, Hocker, Longhurst, Miro, Mulrooney, Plant, Schwartzkopf, Spence, Viola; Sens. Blevins, Connor, Henry, Peterson; **Judiciary.**

HB 396 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. Sponsor : Rep. Wagner; Rep. Ennis, & Sen. Peterson, Reps. Spence, Lee, Buckworth, Carey, Cathcart, DiPinto, Ewing, Hocker, Lavelle, Lofink, Maier, Miro, Oberle, Stone, Thornburg, Ulbrich, Keeley, Williams; Sens. Sokola, Sorenson, Amick, Connor, Simpson; **Labor & Industrial Relations.**

HB 414 - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. Sponsor: Rep. Valihura; Sen. Vaughn, Rep. M Marshall; Sen. Amick; **Judiciary.**

HB 425 w/HA 1, HA 1 to HA 1 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE. Sponsor: Rep. Spence; Sen. Blevins, Reps. Carey, Fallon, Hocker, Lavelle, Lofink, Valihura, Ennis, Longhurst, Schooley, Viola; Sen. McBride, Cloutier, Connor, McDowell; **Agriculture.**

HJR 24 - DIRECTING THE MERIT EMPLOYEE RELATIONS BOARD ESTABLISH A PAGE ON THE STATE WEBSITE FOR INFORMATION DISSEMINATION FOR USE BY STATE EMPLOYEES AND STATE EMPLOYEES CAN DISCUSS THESE MATTERS WITH THEIR LEGISLATORS WITHOUT FEAR OF REPRISAL. Sponsor: Rep. Wagner; Rep. Ennis, & Sen. Peterson, Reps. Spence, Smith, Lee, Buckworth, Carey, Cathcart, DiPinto, Ewing, Hocker, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Van Sant, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Williams; Sens. Sokola, Amick, Connor, Simpson; **Labor & Industrial Relations.**

The following nomination(s) assigned to the **Executive** Committee.

Donna K. Sandstrom
145 Kings Highway Apt. 107
Dover, DE 19901

to be reappointed a
member of the Kent
County Board of Elections
to serve a term to expire 4 years from
the date of Senate confirmation.

Nancy J. Shevock
300 Carnoustie Road
Dover, DE 19904

to be reappointed a trustee
of the Board of Pension
Trustees to serve a term to expire 4
years from the date of Senate
confirmation

* * *

On motion of Senator McDowell, the Senate recessed at 06:31 PM until June 21, 2006 at 02:00 PM.

The Senate reconvened at 3:09 PM, on June 21, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator David P. Sokola was read requesting he be added as a co-sponsor of **HB 425**.

A communication from the House was read informing the Senate that it had passed: **HB 470 w/HA 2; HB 410 w/HA 1, 2 & 3; HB 482 w/HA 5 & 6; HS 1 for HB 388 w/HA 1; HB 419; HB 472 w/HA 1 & 2; HB 460 w/HA 1; HS 1 for HB 375; HB 488 w/HA 1; HB 466 w/HA 1 & 2; HB 475; HB 486; HB 492; HB 466; HS1 for HB 412; HB 447; HCR 71; SB 28; HB 415; HB 424; SB 196 w/SA 1.**

The following committee reports were announced:

From Community/County Affairs: **SS 1 for SB 198** - 4 Merits; **HB 405** - 4 Merits; **HB 434** - 4 Merits; **HB 426** - 4 Merits.

At 03:11 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 41st Legislative Day.

**41ST LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 21, 2006**

The Senate convened at 03:11 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 McDowell yields to Senator Simpson.

Senator Simpson requested personal privilege of the floor for Ms. Tiffany Wing, Newark High School. Ms. Wing addressed the Senate after which she was excused.

SCR 43 was introduced and brought before the Senate for consideration on the motion of Senator Simpson.

SCR 43 - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2006 SESSION OF DELAWARE'S GIRLS' STATE. Sponsor: Sen. Simpson; on behalf of all Senators; Rep. Stone; On behalf of all Representatives

Roll call vote on **SCR 43** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SCR 43 was declared Adopted by the Senate and sent to the House for Consideration.

Lt. Governor Carney introduced the following officers of Girls State; State Auditor, Bethany Jackson, Lt. Governor, Tiffany Roles, State Treasurer, Christina Saadeh and Supreme Court Justice, Erica Evans.

Senators Sokola & Conner commented.

Senator McDowell yields to Senator Connor.

Senator Connor introduced the 2006 Baseball and Softball Champions from Carvel Academy. The witnesses were excused.

On motion of Senator Adams, without objection, the following nominations of the Governor were brought before the Senate for consideration.

Chellina Tirrell, Sherman Townsend: 20 Senator(s) voting YES and 1 (Bonini) ABSENT. Appointments were declared CONFIRMED.

On motion of Senator Adams, under the suspension of the necessary rules, without objection, the following nominations from the Governor were considered.

The Honorable William L. Boddy, III, The Honorable Debora Foor, The Honorable Bonita N. Lee, The Honorable William T. Moser, The Honorable Nancy C. Roberts, and The Honorable James A. Tull 20 Senator(s) voting YES and 1 (Bonini) ABSENT. Appointments were declared CONFIRMED.

Senator McDowell moved to recess for Party Caucus at 03:35 PM.

The Senate reconvened at 05:51 PM with Lt. Governor Carney presiding.

SB 62 w/HA 2, HA 4, which was returned from the House with amendments, was brought before the Senate for consideration on the motion of Senator Marshall.

SB 62 w/HA 2, HA 4 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE.

Senator Bonini marked present.

Senator Bonini questioned the sponsor.

SA 2 to SB 62 was brought before the Senate for consideration on the motion of Senator Copeland.

Several Senators questioned the sponsor.

Roll call vote on **SA 2 to SB 62** was taken and revealed:

YES: 8

NO: Senator(s) Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Venables - 13.

SA 2 to SB 62 was declared Defeated.

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

Senator Bonini raised a point of order.

Senator McDowell moved the witness be excused.

Senator McDowell requested the roll call on **SA 2 to SB 62** be rescinded.

Senator Still objected.

Senator McDowell withdrew his motion to rescind.

Senator Cook requested personal privilege of the floor for Frank Murphy, Senate Attorney. Senators Cook, Copeland and Peterson questioned the witness in reference to the amendment recently defeated. After which the witness was excused.

Roll call vote on **SB 62 w/HA 2, HA 4** was taken and revealed:

YES: 16

NO: Senator(s) Amick, Bonini, Simpson, Sorenson, Still - 5.

SB 62 w/HA 2, HA 4 was declared passed the Senate and sent to the Governor.

Senator McDowell yields to Senator McBride.

Senator McBride yields to Senator Venables to floor manage **HB 455**. No objection.

HB 455 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 455 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.

Senator McBride requested that **SA 1 to HB 455** be stricken.

SA 2 to HB 455 was brought before the Senate for consideration on the motion of Senator McBride.

Senator Bonini questioned the sponsor.

Senator McBride requested personal privilege of the floor for John Hughes, Secretary of DNREC.

Senator Bonini questioned the witness, after which he was excused.

Roll call vote on **SA 2 to HB 455** was taken and revealed:

YES: 21.

SA 2 to HB 455 was declared part of the bill.

Senator Venables moved to lay **HB 455 w/SA 2** on the Table.

SB 360 was brought before the Senate for consideration on the motion of Senator McDowell on behalf of Senator Vaughn.

SB 360 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HINDERING PROSECUTION.

Senator McDowell commented.

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

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

Roll call vote on **SB 360** was taken and revealed:

YES: 8

NO: Senator(s) Amick, Blevins, Bonini, Cloutier, Connor, Copeland, Henry, McDowell, Peterson, Simpson, Sorenson, Still, Venables - 13.

SB 360 was declared Defeated.

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

The Secretary announced the agenda for June 22, 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.

SA 1 to HB 455 - Sponsor: Sen. McBride; Placed with the Bill.

SB 383 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE EXAMINING BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS. Sponsor: Sen. Marshall; Rep. Hall-Long; **Sunset**.

June 21, 2006

HB 410 w/HA 1, HA 2, HA 3 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE DEALING WITH MUNICIPAL ELECTIONS. Sponsor: Rep. Lavelle; Rep. Hudson, & Rep. Ennis, & Rep. Hall-Long, & Sen. Blevins, & Sen. Sokola; **Insurance & Elections**.

HB 415 - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsor: Rep. Valihura; Sen. Vaughn, Rep. M Marshall; Sen. Amick; **Banking**.

HB 419 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Rep. Oberle; Rep. Miro, & Sen. Marshall & Sen. Venables; **Small Business**.

HB 424 - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATIONS AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. Sponsor: Rep. Valihura; Sen. Vaughn, Rep. M Marshall; Sen. Amick; **Banking**.

HB 446 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL HEALTH INSURANCE COVERAGE FOR CHILDREN OF INSURED. Sponsor: Rep. Stone; Rep. Wagner & Sen. Blevins, & Sen. McDowell, Reps. Buckworth, DiPinto, Hall-Long, Hocker, Maier, Oberle, Spence, Ulbrich, Ennis, Schooley; Sens. DeLuca, Sokola, Sorenson; **Insurance & Elections**.

HB 447 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS. Sponsor: Rep. Oberle; Sen. McBride, Rep. Atkins; **Executive**.

HB 460 w/HA 1 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Rep. Hudson; Sen. DeLuca, Reps. Buckworth, Ewing, Miro, Mulrooney, Viola; **Revenue & Taxation**.

HB 466 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CERTAIN SPECIFIC REQUESTED RELIEF IN DIVORCE ACTIONS. Sponsor: Rep. Hudson; Sen. Vaughn; **Judiciary**.

HB 470 w/HA 2 - AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS DOGS. Sponsor: Rep. Spence; Sen. Peterson; **Judiciary**.

HB 472 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. Sponsor: Rep. Cathcart; Sen. Vaughn, Reps. Lofink, Roy, Hall-Long; Sen. Amick; **Judiciary**.

HB 475 - AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS. Sponsor: Rep. Carey; Rep. Hocker, & Rep. Thornburg, & Rep. Outten, & Sen. Bunting, Reps. Spence, Atkins, Hall-Long, McWilliams, Mulrooney; Sens. Venables, Simpson; **Agriculture**.

HB 482 w/HA 5, HA 6 - AN ACT TO AMEND TITLES 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, CONSTABLES AND CAPITOL POLICE AND BUILDINGS AND GROUNDS. Sponsor: Rep. Oberle; Rep. Lee, & Rep. Williams, & Sen. Vaughn, Reps. Smith, Spence, Buckworth, DiPinto, Ewing; Sens. Cook, Amick, Cloutier, Still; **Public Safety**.

HB 486 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE PERTAINING TO SPECIFIC SPEED LIMITS. Sponsor: Rep. Outten; Sen. Cook, Reps. Fallon, Hocker, Hudson, Wagner; Sen. Bonini; **Public Safety**.

HB 488 w/HA 1 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. Sponsor: Rep. Atkins; Rep. Ewing, Reps. Spence, Lee, Buckworth, Carey, Hocker, Maier, Miro, Outten, Stone, Thornburg, Wagner, Gilligan, Ulbrich; **Public Safety**.

HB 492 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. Sponsor: Rep. Miro; Sen. Henry; **Public Safety**.

HS 1 for HB 375 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Cathcart; Sen. Sokola, Reps. Carey, Ewing, Fallon, Hocker, Lofink, Miro, Oberle, Stone, Valihura, Wagner, Van Sant, Keeley, Mulrooney, Plant; **Judiciary**.

HS 1 FOR HB 388 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO RECORDING DEVICES. Sponsor: Rep. Miro; Sen. Vaughn, Rep. Spence; **Judiciary**.

HS 1 for HB 412 - AN ACT TO AMEND TITLE 10, CHAPTER 43 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES. Sponsor: Rep. Ulbrich; Rep. Maier, & Sen. Blevins; **Judiciary**.

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On motion of Senator McDowell, the Senate recessed at 07:08 PM until June 22, 2006 at 02:00 PM.

The Senate reconvened at 3:26 PM, on June 22, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Donna K. Sandstrom** - 2 Favorable, 2 Merits; **Nancy J.**

Shevock - 4 Merits.

From Executive: **HB 447** - 4 Merits.

From Agriculture: **HB 475** - 1 Favorable, 3 Merits; **HB 425 w/HA 1, HA 1 to HA 1** - 3 Favorable, 1 Merits; **SB 273** - 4 Merits; **SB 377** - 1 Favorable, 3 Merits.

From Administrative Services: **SJR 10** - 1 Favorable, 4 Merits; **SB 370** - 5 Merits.

From Public Safety: **SB 376** - 5 Merits; **HB 256 w/HA 2, HA 5, HA 6, HA 7** - 4 Merits; **HB 482 w/HA 5, HA 6** - 4 Merits; **HB 486** - 4 Merits; **HB 492** - 3 Merits;

From Small Business: **HB 419** - 5 Merits.

From Insurance & Elections: **HB 410 w/HA 1, HA 2, HA 3** - 4 Merits; **SB 340** - 1 Favorable, 3 Merits.

From Health & Social Services: **SB 368** - 4 Merits.

From Education: **SB 384** - 4 Merits; **HB 483** - 4 Merits;

From Sunset: **HB 200** 4 Merits; **HB 266** - 4 Merits; **SB 346** - 4 Merits; **SB 383** - 4 Merits; **SB 365** - 4 Merits; **SB 378** - 4 Merits; **SB 379** - 4 Merits.

At 03:31 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 42nd Legislative Day.

42ND LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 22, 2006

The Senate convened at 3:31 PM with Lt Governor Carney presiding.
A prayer was offered by Senator Bunting 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 Peterson requested personal privilege of the floor to introduce her niece, Dawn Doyle and her children Alex and Katie.

On motion of Senator Adams, the following nomination by the Governor was considered.

Donna Sandstrom: 20 Senator(s) voting YES, 1 (Bonini) ABSENT.

Appointment was declared CONFIRMED.

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

On motion of Senator Adams, the following nomination by the Governor was considered.

Nancy Shevock: 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

HB 419 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 419 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Senator Venables yields to Senator Marshall to floor manage the bill.

Senator Still questioned the floor manager.

Roll call vote on **HB 419** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

HB 419 was declared passed the Senate and returned to the House.

HB 455 w/SA 2 was lifted from table and brought before the Senate for Consideration on the motion of the floor manager, Senator Venables.

HB 455 w/SA 2 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.

Senator McBride requested that **SA 3 to HB 455** be stricken.

SA 4 to HB 455 was brought before the Senate for consideration on the motion of Senator McBride.

Senator McBride requested personal privilege of the floor for John Hughes, Secretary Department of Natural Resource of Delaware.

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

Roll call vote on **SA 4 to HB 455** was taken and revealed:

YES: 19

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

SA 4 to HB 455 was declared part of the bill.

HB 455 w/SA 2 & SA 4 was now before the Senate.

Roll call vote on **HB 455 w/SA 2 & SA 4** was taken and revealed:

YES: 19

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

HB 455 w/SA 2 & SA 4 was declared passed the Senate and returned to the House for Reconsideration.

Senator McDowell requested personal privilege to introduce Mayor Baker of Wilmington who was visiting the Chamber.

Senator DeLuca commented.

SB 358 was brought before the Senate for consideration on the motion of Senator Henry.

**SB 358 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE
RELATING TO COMMERCIAL DRIVER LICENSES AND COMMERCIAL MOTOR
VEHICLES.**

SA 1 to SB 358 was brought before the Senate for consideration on the motion of Senator Henry.

Senator Still questioned the sponsor.

Roll call vote on **SA 1 to SB 358** was taken and revealed:

YES: 19

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

SA 1 to SB 358 was declared part of the bill.

SB 358 w/SA 1 was now before the Senate.

Roll call vote on **SB 358 w/SA 1** was taken and revealed:

YES: 19

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

SB 358 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 366 was brought before the Senate for consideration on the motion of Senator McDowell.

**SB 366 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE
RELATING TO TRANSPORTATION.**

SA 1 to SB 366 was brought before the Senate for consideration on the motion of Senator Adams.

Senator Adams moved to lay **SA 1 to SB 366** on the Table.

SA 2 to SB 366 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Still questioned the sponsor.

Roll call vote on **SA 2 to SB 366** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bonini, Marshall, McBride - 3.

SA 2 to SB 366 was declared part of the bill.

SB 366 w/SA 2 was now before the Senate.

Senator Adams requested that **SA 1 to SB 366** be stricken.

Senator Simpson questioned the sponsor.

Roll call vote on **SB 366 w/SA 2** was taken and revealed:

YES: 19

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

SB 366 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 68 was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 68 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE
RELATING TO GROUND LEVELS OF ARSENIC.**

Senator Sokola requested personal privilege of the floor for James D. Werner, representing Delaware Department of Natural Resources & Environmental Control.

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

Senator Sokola moved to lay **SB 68** on the Table.

SB 371 was brought before the Senate for consideration on the motion of Senator Adams.

**SB 371 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE
RELATING TO THE TRANSFER OF CRIMINAL PROCEEDINGS IN COURT OF
COMMON PLEAS, JUSTICE OF THE PEACE COURTS, AND FAMILY COURT.**

Senator Adams requested personal privilege of the floor for Judge Edward Davis, representing the Justice of the Peace Courts. After addressing the Senate the witness was excused.

Roll call vote on **SB 371** was taken and revealed:

YES: 19

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

SB 371 was declared passed the Senate and sent to the House for Consideration.

SB 372 was brought before the Senate for consideration on the motion of Senator Adams.

**SB 372 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE
RELATING TO THE STATE DEPARTMENT OF JUSTICE.**

SA 1 to SB 372 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on **SA 1 to SB 372** was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.

SA 1 to SB 372 was declared part of the bill.
SB 372 w/SA 1 was now before the Senate.

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

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

Roll call vote on **SB 372 w/SA 1** was taken and revealed:
 YES: 18
 ABSENT: Senator(s) Bonini, Marshall, Vaughn - 3.

SB 372 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 326 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 326 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER RECEIVERSHIPS.

SA 1 to SB 326 was brought before the Senate for consideration on the motion of Senator Blevins.

Senator Still questioned the sponsor.

Senator Blevins requested personal privilege of the floor for Michael Vild, representing the Department of Insurance. After addressing the Senate, he was excused.

Roll call vote on **SA 1 to SB 326** was taken and revealed:
 YES: 18
 ABSENT: Senator(s) Bonini, Marshall, Venables - 3.

SA 1 to SB 326 was declared part of the bill.
SA 2 to SB 326 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to SB 326** was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.

SA 2 to SB 326 was declared part of the bill.
SB 326 w/SA 1 & SA 2 was now before the Senate.

Senators Still, Blevins and Bunting commented.

Senator Blevins requested personal privilege of the floor for Michael Vild, representing the Department of Insurance.

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

Senator Still requested personal privilege of the floor for Clifford Hearn, representing the AIA.

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

Senator Blevins requested personal privilege of the floor once again for Michael Vild.

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

Roll call vote on **SB 326 w/SA 1, SA 2** was taken and revealed:
 YES: 12
 NOT VOTING: Senator(s) Amick, Cloutier, Connor, Copeland, Simpson, Sorenson, Still - 7.

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

SB 326 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 373 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 373 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO REGULATION OF PRIVATE SECURITY AGENCIES.

Senator Copeland questioned the sponsor.

Senator DeLuca requested personal privilege of the floor for Sgt. Benjamin L. NeFosky, representing the Delaware State Police.

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

Roll call vote on **SB 373** was taken and revealed:

YES: 19

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

SB 373 was declared passed the Senate and sent to the House for Consideration.

SB 374 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 374 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION FINANCIAL ACCOUNTABILITY.

SA 1 to SB 374 was brought before the Senate for consideration on the motion of Senator DeLuca.

Roll call vote on **SA 1 to SB 374** was taken and revealed:

YES: 19

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

SA 1 to SB 374 was declared part of the bill.

SB 374 w/SA 1 was now before the Senate.

Several Senators questioned the sponsor.

Roll call vote on **SB 374 w/SA 1** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) Copeland - 1.

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

SB 374 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 354 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 354 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION.

Several Senators questioned the sponsor.

Roll call vote on **SB 354** was taken and revealed:

YES: 16

NOT VOTING: Senator(s) Blevins, Henry, Peterson - 3.

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

SB 354 was declared passed the Senate and sent to the House for Consideration.

Senator Still requested the personal privilege of the floor to introduce his wife, Kathy, who was visiting the Chamber.

HB 439 was brought before the Senate for consideration on the motion of the floor manager, Senator McBride on behalf of Senator Vaughn.

HB 439 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROSTITUTION.

Several Senators questioned the floor manager.

Senator McBride requested personal privilege of the floor for Tim Willard, Senate Attorney.

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

Roll call vote on **HB 439** was taken and revealed:

YES: 14

NO: Senator(s) Amick, Bunting, Simpson, Venables - 4.

NOT VOTING: Senator(s) Peterson - 1.

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

HB 439 was declared passed the Senate and returned to the House.

HB 425 w/HA 1, HA 1 to HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 425 w/HA1, HA1 to HA 1 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE.

At 06:44 PM, Senator DeLuca presiding.

Senator Bunting requested personal privilege of the floor for Kathleen M. Gallaher, representing Attorney General's Task Force Animal Cruelty and Jane Pierantozzi, representing Faithful Friends, Inc.

The witnesses addressed the Senate, after which were excused.

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

Senators Connor and McDowell commented.

Senators McDowell, Cook, Amick, Sorenson, Bunting & DeLuca request to be added as co-sponsors.

Roll call vote on **HB 425 w/HA 1, HA 1 to HA 1** was taken and revealed:

YES: 19

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

HB 425 w/HA 1, HA 1 to HA 1 was declared passed the Senate and returned to the House.

SB 352 was brought before the Senate for consideration on the motion of Senator Adams.

SB 352 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE BOARD OF TRUSTEES OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE EDUCATIONAL FOUNDATION.

Roll call vote on **SB 352** was taken and revealed:

YES: 19

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

SB 352 was declared passed the Senate and sent to the House for Consideration.

At 06:58 PM, Lt. Governor Carney presiding.

HB 260 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 260 w/HA 1 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO RABIES CONTROL IN ANIMAL AND HUMAN POPULATIONS.

Roll call vote on **HB 260 w/HA 1** was taken and revealed:

YES: 19

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

HB 260 w/HA 1 was declared passed the Senate and returned to the House.

HB 405 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 405 - AN ACT TO AMEND CHAPTER 202, VOLUME 73, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE.

Roll call vote on **HB 405** was taken and revealed:

YES: 19

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

HB 405 was declared passed the Senate and returned to the House.

HB 434 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 434 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE ELECTION OF THE COMMISSIONERS OF BRIDGEVILLE UPON THE ESTABLISHMENT OF ELECTION DISTRICTS BY ORDINANCE.

SA 1 to HB 434 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to HB 434** was taken and revealed:

YES: 19

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

SA 1 to HB 434 was declared part of the bill.

HB 434 w/SA 1 was now before the Senate.

Roll call vote on **HB 434 w/SA 1** was taken and revealed:

YES: 19

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

HB 434 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

SS 1 for SB 198 was brought before the Senate for consideration on the motion of Senator Sorenson.

SS 1 for SB 198 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RADON.

SA 1 to SS 1 for SB 198 was brought before the Senate for consideration on the motion of Senator Sorenson.

Senator Amick questioned the sponsor.

Roll call vote on **SA 1 to SS 1 for SB 198** was taken and revealed:

YES: 19

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

SA 1 to SS 1 for SB 198 was declared part of the bill.

SS 1 for SB 198 w/SA 1 was now before the Senate.
 Senator Sokola commented.
 Roll call vote on SS 1 for SB 198 w/SA 1 was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.
SS 1 for SB 198 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

SB 376 was brought before the Senate for consideration on the motion of Senator McBride.
SB 376 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE.
SA 1 to SB 376 was brought before the Senate for consideration on the motion of Senator McBride.
 Roll call vote on SA 1 to SB 376 was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.
SA 1 to SB 376 was declared part of the bill.
SA 2 to SB 376 was brought before the Senate for consideration on the motion of Senator McBride.
 Roll call vote on SA 2 to SB 376 was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.
SA 2 to SB 376 was declared part of the bill.
SB 376 w/SA 1 & SA 2 was now before the Senate.
 Senator Sokola requested to be added as a co-sponsor.
 Senator Still questioned the sponsor.
 Senator McBride requested personal privilege of the floor for Jeffrey Clark, Senate Attorney. After addressing the Senate he was excused.
 Roll call vote on SB 376 w/SA 1 & SA 2 was taken and revealed:
 YES: 19
 ABSENT: Senator(s) Bonini, Marshall - 2.
SB 376 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 369 was brought before the Senate for consideration on the motion of Senator McDowell.
SB 369 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS.
SA 1 to SB 369 was brought before the Senate for consideration on the motion of Senator McDowell.
 Senator McDowell requested personal privilege of the floor for Matt Denn, Insurance Commissioner. After addressing the Senate he was excused.
 Roll call vote on SA 1 to SB 369 was taken and revealed:
 YES: 18
 ABSENT: Senator(s) Bonini, Marshall, Peterson - 3.
SA 1 to SB 369 was declared part of the bill.
SB 369 w/SA 1 was now before the Senate.
 Roll call vote on SB 369 w/SA 1 was taken and revealed:
 YES: 18
 ABSENT: Senator(s) Bonini, Marshall, Peterson - 3.
SB 369 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SJR 10 was brought before the Senate for consideration on the motion of Senator Peterson.
SJR 10 - DIRECTING THE SECRETARY OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES TO DEDICATE THE WING OF THE ABSALOM JONES COMMUNITY CENTER HOUSING THE WAGSTAFF DAY CARE CENTER AND NEW CASTLE COUNTY HEAD START CLASSROOMS IN HONOR OF ETHEL MAE COOPER.
 Senator Peterson moved to lay SJR 10 on the Table.
HB 475 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 475 - AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS.

Roll call vote on **HB 475** was taken and revealed:

YES: 19

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

HB 475 was declared passed the Senate and returned to the House.

HB 410 w/HA 1, HA 2 & HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 410 w/HA 1, HA 2 & HA 3 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE DEALING WITH MUNICIPAL ELECTIONS.

Senator Blevins moved to lay **SA 1 to HB 410** on the table.

SA 2 to HB 410 w/HA 1, HA 2 & HA 3 was brought before the Senate for consideration on the motion of Senator Blevins.

Senator Still questioned the sponsor.

Senator Still requested personal privilege of the floor regarding Jeffrey Clark, Senate Attorney. After addressing the Senate he was excused.

Roll call vote on **SA 2 to HB 410** was taken and revealed:

YES: 19

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

SA 2 to HB 410 was declared part of the bill.

HB 410 w/HA 1, HA 2, HA 3 & SA 2 was now before the Senate.

Senator Simpson questioned the floor manager.

Roll call vote on **HB 410 w/HA 1, HA 2, HA 3 & SA 2** was taken and revealed:

YES: 18

NO: Senator(s) Bunting - 1.

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

HB 410 w/HA 1, HA 2, HA 3 & SA 2 was declared passed the Senate and returned to the House for Reconsideration.

SB 382 was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McDowell.

SB 382 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE PROVIDING FOR THE RECOVERY AND RECYCLING OF USED ELECTRONIC DEVICES.

Senator Henry questioned the sponsor.

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

Senators Simpson & McBride questioned the sponsor.

Senator McDowell moved to lay **SB 382** on the Table.

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

Senator Simpson, on behalf of his colleagues, expressed best wishes to Senator McBride upon his upcoming birthday, June 23.

SENATE CONSENT CALENDAR # 17 was introduced and considered for adoption n motion of Senator McBride. The calendar included the following Resolutions:

SR 23 - SUPPORTING THE EFFORTS OF "PHILADELPHIA 2016" TO SECURE PHILADELPHIA'S DESIGNATION AS THE U.S. CANDIDATE CITY BY THE UNITED STATES OLYMPIC COMMITTEE. Sponsors: Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Still & Sen. Sorenson; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, Henry, Marshall, McBride, Peterson, Simpson, Sokola, Vaughn, Venables.

HCR 69 - PROCLAIMING THE MONTH OF JUNE, 2006 "FATHERHOOD AWARENESS MONTH". Sponsors: Rep. Johnson & Sen. Henry

HCR 71 - CREATING THE TASK FORCE ON HARNESS AND HORSE RACING SAFETY. Sponsors: Rep. Oberle & Sen. Adams; Reps. Atkins, Hocker, Lofink; Sens. Bunting, Simpson.

A roll call vote was taken on **SENATE CONSENT CALENDAR # 17** and revealed 19 Senators voting YES, 2 (Bonini, Marshall) 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
SECOND SESSION
READ TO THE SENATE RECORD**

6/22/06

6/21/06

SA 1 to HB 410 - Sponsor: Sen. Blevins; Senate Ready List; Senate Insurance & Elections; Placed with the Bill.

SB 385 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT. Sponsor: Sen. Copeland; Rep. Ulbrich; **Health & Social Services.**

SB 386 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY. Sponsor: Sen. Cook; Rep. Hall-Long; Sen. Marshall, & Oberle; **Finance.**

6/22/06

SA 2 to SB 337 - Sponsor: Sen. Blevins; Placed with the Bill.

SB 387 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPENSATION OF THE GENERAL ASSEMBLY. Sponsor: Sen. Cloutier; Sen. Connor, & Rep. Valihura, & Rep. Lavelle, & Rep. Ulbrich, & Rep. Oberle, Sens. Bonini, Copeland, Simpson; Reps. Cathcart, Hudson, Lofink; **Permanent Rules.**

SB 388 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT. Sponsor: Sen. Bunting; Rep. Valihura, & Rep. Stone, Reps. Ennis, Hocker, Hudson, Lavelle, Schwartzkopf, Thornburg; Sens. Simpson, Venables; **Agriculture.**

HB 7 w/HA 1 - AN ACT TO AMEND TITLE 11 AND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE. Sponsor: Rep. Smith; Rep. Spence, & Rep. Van Sant, & Sen. Vaughn, & Sen. Cloutier, Reps. Lee, Carey, Ennis, Keeley, Schwartzkopf, Stone, Caulk, Ewing; **Energy & Transit.**

HB 423 w/HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTION CONCERNING FISH AND GAME. Sponsor: Rep. Outten; Sen. Simpson, Reps. Smith, Booth, Ewing, Hocker, Hudson, Caulk; **Natural Resources & Environmental Control.**

HB 461 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. Sponsor: Rep. Wagner; Rep. Valihura, & Sen. Peterson, & Sen. Sokola; **Judiciary.**

HB 485 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. Sponsor: Rep. Spence; Rep. Ewing, & Rep. Ulbrich, & Sen. DeLuca, & Sen. Sokola, Reps. Smith, Lee, Carey, Fallon, Hudson, Lavelle, Maier, Miro, Stone, Valihura, Wagner; **Judiciary.**

HB 498 w/HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING. Sponsor: Rep. Hall-Long; Rep. Maier, & Sen. Blevins, Reps. Ewing, Lavelle, McWilliams, Ulbrich, Van Sant; **Health & Social Services.**

HB 500 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. M Marshall; Sen. Sokola, Reps. Ewing, Valihura, Lavelle, Spence; **Judiciary.**

HB 511 w/HA 1 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. Sponsor: Rep. Valihura; Rep. Hudson, & Rep. Johnson, & Rep. Stone, & Sen. DeLuca, & Sen. Cloutier; **Judiciary.**

HS 1 FOR HB 312 w/HA 2 - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS. Sponsor: Rep. Valihura; Rep. Stone, Rep. Wagner; **Judiciary**.

* * *

The Secretary announced the agenda for June 27, 2006.

On motion of Senator McDowell, the Senate recessed at 8:21 PM until June 27 2006 at 02:00 PM.

The Senate reconvened at 03:08 PM, on June 27, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health & Social Services: **HB 498 w/HA 1** - 4 Merits.

From Finance: **SB 351** - 5 Merits; **SB 386** - 4 Merits.

From Judiciary: **HB 472 w/HA 1, HA 2** - 1 Favorable, 3 Merits.

From Energy & Transit: **SB 286** - 4 Merits.

From Children, Youth & Families: **HB 442** - 5 Merits.

From Agriculture: **SB 388** - 2 Favorable, 2 Merits.

Senator Bonini was marked present.

A communication from the House was read informing the Senate that it had passed **HB 511 w/HA 1; HB 423 w/HA 1; HB 461; SB 320; SB 321 w/SA 1 & 3; SB 266; SB 310 w/SA 1; SB 311; SB 312; SB 313; SB 314; SB 319 w/SA 1; SCR 42; HB 508; HB 502; SB 331 w/SA 2; SS1 for SB 109 w/SA 1, HA 4, HA 5, HA 7, HA 8; SB 329; SB 323; SB 343; SB 31w/SA 1; HB 430 w/HA 3, HA 4, HA 5, HA 6; HB 51 w/HA 1, SA 2, HA 2; HB 518 w/HA 1, HA 2; HB 481; HB 487; HB 7 w/HA 1; HB 491; HCR 72; SB 270 w/SA 1, SA 2; HB 500 w/HA 1; HB 483; HB 498 w/HA 1; HS 1 for HB 312 w/HA 2; SCR 43; HB 485 w/HA 1, HA 2.**

A communication from the Office of the Chief Clerk of the House, JoAnn Hedrick was read informing the Senate that Representative Joseph G. DiPinto signed **SS 1 for SB 109** as an additional sponsor.

At 03:12 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 43rd Legislative Day.

**43RD LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 27, 2006**

The Senate convened at 03:12 PM with Senator DeLuca 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 McDowell welcomed Councilman Charles Potter of Wilmington who was visiting the Chamber.

HB 486 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 486 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE PERTAINING TO SPECIFIC SPEED LIMITS.

Roll call vote on **HB 486** was taken and revealed:

YES: 21

HB 486 was declared passed the Senate and returned to the House.

Senator Bunting was marked present during the above roll call.

HB 492 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 492 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Roll call vote on **HB 492** was taken and revealed:

YES: 21.

HB 492 was declared passed the Senate and returned to the House.

HB 256 w/HA 2, HA 5, HA 6, HA 7 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 256 w/HA 2, HA 5, HA 6, HA 7 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES.

Senators Connor and Sokola requested to be added as a co-sponsor.

Senator Amick commented.

Roll call vote on **HB 256 w/HA 2, HA 5, HA 6, HA 7** was taken and revealed:

YES: 21.

HB 256 w/HA 2, HA 5, HA 6, HA 7 was declared passed the Senate and was returned to the House.

HB 482 w/HA 5, HA 6 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 482 w/HA 5, HA 6 - AN ACT TO AMEND TITLES 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, CONSTABLES AND CAPITOL POLICE AND BUILDINGS AND GROUNDS.

Senator Simpson questioned the floor manager.

Senator Henry requested personal privilege of the floor for Elizabeth Olsen, representing the Department of Safety & Homeland Security. After addressing the Senate she was excused.

Roll call vote on **HB 482 w/HA 5, HA 6** was taken and revealed:

YES: 21.

HB 482 w/HA 5, HA 6 was declared passed the Senate and returned to the House.

HB 414 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 414 - 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.

Roll call vote on **HB 414** was taken and revealed:

YES: 21.

HB 414 was declared passed the Senate and returned to the House.

SB 368 was brought before the Senate for consideration on the motion of Senator Sorenson.

SB 368 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TESTING OF PREGNANT WOMEN FOR HIV INFECTION.

Senator Sorenson request personal privilege of the floor for Susan Tanner, representing the Delaware HIV Consortium.

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

Roll call vote on **SB 368** was taken and revealed:

YES: 21.

SB 368 was declared passed the Senate and sent to the House for Consideration.

HB 442 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 442 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS.

Senators Bonini and Sorenson questioned the floor manager.

Senator McDowell request personal privilege of the floor for Edward Kafader, Senate Attorney.

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

Senator McDowell conveyed the condolences of the Senate to Senate Attorney, Edward F. Kafader, upon the death of his mother, Mrs. Rita Burke Kafader.

Several Senators commented.

Roll call vote on **HB 442** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 442 was declared passed the Senate and returned to the House.

HB 447 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HB 447 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS.

Roll call vote on **HB 447** was taken and revealed:

YES: 21.

HB 447 was declared passed the Senate and returned to the House.

SB 351 was brought before the Senate for consideration on the motion of Senator Amick.

SB 351 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE COLLEGE INVESTMENT PLAN ACCOUNTS.

Roll call vote on **SB 351** was taken and revealed:

YES: 21.

SB 351 was declared passed the Senate and sent to the House for Consideration.

HB 426 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 426 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH, CHAPTER 295, VOLUME 65, LAWS OF DELAWARE AS AMENDED TO ALLOW THE TOWN TO RECOVER ITS COSTS AND REASONABLE ATTORNEYS FEES IF IT IS THE PREVAILING PARTY IN ANY ACTION TO ENFORCE COMPLIANCE WITH A TOWN ORDINANCE OR TO CORRECT OR ABATE A NUISANCE; TO AMEND SECTION 15 OF CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED TO ALTER THE TERM OF OFFICE FOR ALDERMAN AND ASSISTANT ALDERMAN FROM ONE (1) YEAR TO TWO (2) YEARS, TO PERMIT THE APPOINTMENT OF MORE THAN ONE (1) ASSISTANT ALDERMAN AND TO PERMIT REASONABLE FINES TO BE SET BY TOWN ORDINANCE; AND TO AUTHORIZE THE TOWN TO ADOPT, BY REFERENCE, ANY STATE MOTOR VEHICLE STATUTE OR CORRESPONDING PENALTY, INCLUDING FUTURE AMENDMENTS THERETO.

Senator Bunting requested that **SA 1 to HB 426** be stricken.

SA 2 to HB 426 was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 2 to HB 426** was taken and revealed:

YES: 21.

SA 2 to HB 426 was declared part of the bill.

HB 426 w/SA 2 was now before the Senate.

Roll call vote on **HB 426 w/SA 2** was taken and revealed:

YES: 21.

HB 426 w/SA 2 was declared passed the Senate and returned to the House for Reconsideration.

SS 1 for SB 382 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator McDowell.

SS 1 for SB 382 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE PROVIDING FOR THE RECOVERY AND RECYCLING OF USED ELECTRONIC DEVICES.

Senator Simpson questioned the sponsor.

Senators Simpson & Sokola requested to be added as co-sponsors.

Senator Sorenson commented.

Senator Venables questioned the sponsor.

Roll call vote on **SS 1 for SB 382** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SS 1 for SB 382 was declared passed the Senate and sent to the House for Consideration.

SS 1 for SB 357 was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Peterson.

SS 1 for SB 357 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FLOODING, EROSION AND SEDIMENTATION CONTROL, AND STORMWATER MANAGEMENT.

Senator Amick questioned the sponsor and requested to be added as a co-sponsor.

Several Senators questioned the sponsor.
Senator McDowell requested to be added as a co-sponsor.
Roll call vote on **SS 1 for SB 357** was taken and revealed:

YES: 19

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

SS 1 for SB 357 was declared passed the Senate and sent to the House for Consideration.

SJR 11 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Peterson.

SJR 11 DIRECTING THE SECRETARY OF THE OFFICE OF THE MANAGEMENT AND BUDGET TO DEDICATE THE WING OF THE ABSALOM JONES COMMUNITY CENTER HOUSING THE WAGSTAFF DAY CARE CEANTER AND NEW CASTLE COUNTY HEAD START CLASSROOMS IN HONOR OF ETHEL MAE COOPER.

Roll call vote on **SJR 11** was taken and revealed:

YES: 21.

SJR 11 was declared passed the Senate and was sent to the House for Consideration.

SB 392 was lifted from table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Cook.

SB 392 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS FOR THE CREATION OF A PUBLIC EDUCATION CLASSROOM INSTRUCTION FUND, FOR THE PURCHASE OF INFLUENZA ANTIVIRALS AND TO SUPPORT THE HOUSING DEVELOPMENT FUND.

Senators DeLuca and McDowell requested to be added as co-sponsors.

Several Senators questioned the sponsor.

Roll call vote on **SB 392** was taken and revealed:

YES: 21.

SB 392 was declared passed the Senate and sent to the House for Consideration.

SB 386 was brought before the Senate for consideration on the motion of Senator Cook.

SB 386 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY.

Senator Cook requested personal privilege of the floor for Mr. William S. Schenck, representing the Delaware Board of Geology. After addressing the Senate he was excused.

Roll call vote on **SB 386** was taken and revealed:

YES: 21.

SB 386 was declared passed the Senate and sent to the House for Consideration.

HB 498 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 498 w/HA 1 - AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING.

Senator Simpson questioned the floor manager.

Senator Marshall commented.

Roll call vote on **HB 498 w/HA 1** was taken and revealed:

YES: 21.

HB 498 w/HA 1 was declared passed the Senate and returned to the House.

SB 286 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 286 - AN ACT TO AMEND TITLE 26 RELATING TO PUBLIC SERVICE COMMISSION RATES.

Several Senators commented.

Roll call vote on **SB 286** was taken and revealed:

YES: 21.

SB 286 was declared passed the Senate and sent to the House for Consideration.

SB 75 w/SA 1 was lifted from the table and brought before the Senate for Consideration on the motion of Senator Venables.

SB 75 w/SA 1 - 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 WITHOUT THE REQUIREMENT OF A PUBLIC HEARING AND SPECIAL ELECTION, 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.

Roll call vote on **SB 75 w/SA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Still - 1.

SB 75 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Bonini raised a point of order.

SB 367 was brought before the Senate for consideration on the motion of Senator Venables.

SB 367 - AN ACT TO AMEND VOLUME 43, CHAPTER 184, LAWS OF DELAWARE AS AMENDED ENTITLED "AN ACT CHANGING THE NAME OF THE TOWN OF SEAFORD TO THE CITY OF SEAFORD AND ESTABLISHING A CHARTER THEREFOR", RELATING TO THE SALE OF TOWN PROPERTY.

Roll call vote on **SB 367** was taken and revealed:

YES: 21.

SB 367 was declared passed the Senate and sent to the House for Consideration.

HB 20 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 20 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senator Venables moved to lay **HB 20** on the table.

SB 273 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 273 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE REGARDING DANGEROUS DOGS.

Several Senators commented.

Roll call vote on **SB 273** was taken and revealed:

YES: 14

NO: Senator(s) Adams, Amick, Cook, Simpson, Still, Vaughn, Venables - 7.

SB 273 was declared passed the Senate 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 made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
6/27/2006**

SA 1 to SB 377 - Sponsor: Sen. Bunting; Placed with the Bill.

SA 1 to SB 362 - Sponsor: Sen. Venables; Placed with the Bill

SA 2 to SB 362 - Sponsor: Sen. Venables; Sens. Copeland, Still, Sorenson; Placed with Bill

SB 389 - AN ACT AMENDING TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE. Sponsor: Sen. Adams; Reps. Ewing; **Executive**.

SB 390 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO HEALTH AND SAFETY AND EXPLOSIVE MATERIALS. Sponsor: Sen. Sokola; Rep. Roy, & Rep. Miro; **Community/County Affairs**.

SB 391 - AN ACT TO AMEND TITLES 19 AND 22 OF THE DELAWARE CODE RELATING TO THE WITHHOLDING OF WAGES. Sponsor: Sen. Blevins; Rep. Hudson; **Labor & Industrial Relations**.

SB 393 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS. Sen. Cloutier; Sen. Connor, & Sen. Marshall, & Rep.

Hudson; Sens. Amick, Bonini, Copeland, Henry, Simpson, Sorenson, Still, Vaughn; Reps. Buckworth, DiPinto, Maier, Smith, Spence, Ulbrich; **Revenue & Taxation.**

SB 350 - 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. Cook; Rep. DiPinto; Henry, McBride, Vaughn, Amick, Cloutier, Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance.**

SB 394 - AN ACT AUTHORIZING FAMILY COURT TO GRANT EXTENDED JURISDICTION OVER MARILU SANDOVAL RAMIREZ AND ELVIRA CHILEL NIZ. Sponsor: Sen. Sorenson; Rep. Miro; Sens. Amick, Bunting, McDowell; Reps. Maier, M Marshall, Oberle, Schooley, Spence, Valihura; **Judiciary.**

SB 395 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING EMPLOYEE DISABILITY BENEFITS. Sponsor: Sen. Cook; Rep. DiPinto, & Rep. Wagner; Sens. McBride, Henry, Vaughn, Amick, Cloutier, Still; Reps. Buckworth, Fallon, Ulbrich, Schwartzkopf, Williams; **Finance.**

SB 396 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. Sponsor: 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, Maier, Miro, Outten, Roy, Stone, Thornburg, Valihura, Wagner, Ennis, Hall-Long, Johnson, Keeley, Longhurst, M Marshall, McWilliams, Mulrooney, Schooley, Plant, Viola; **Finance.**

HB 7 w/HA 1 - AN ACT TO AMEND TITLE 11 AND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE. Sponsor: Rep. Smith; Rep. Spence, & Rep. Van Sant, & Sen. Vaughn, & Sen. Cloutier; Reps. Lee, Carey, Ennis, Keeley, Schwartzkopf, Stone, Caulk, Ewing; **Public Safety.**

HB 51 w/HA 1, SA 2 & HA 2 - 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.**

HB 430 w/HA 3, HA 4, HA 5, HA 6 - AN ACT TO AMEND TITLES 5, 6 AND 11 OF THE DELAWARE CODE RELATING TO THE REGULATION OF DEBT-MANAGEMENT SERVICES. Sponsor: Rep. Keeley; Rep. Stone, & Rep. Ennis, & Sen. DeLuca; **Banking.**

HB 481 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE, CHAPTER 217, VOLUME 24, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLVILLE", TO AMEND SUBSECTION (a) OF SECTION 31, ENUMERATION OF POWERS BY ADDING AUTHORIZATION FOR IMPOSING "IMPACT FEES" FOR INSTALLING, ENLARGING, IMPROVING OR EXPANDING PUBLIC OR MUNICIPAL IMPROVEMENTS AND/OR TO CONTRIBUTE TO THE COSTS OF OPERATIONS OF VOLUNTEER FIRE AND PARAMEDIC COMPANIES PROVIDING SERVICES WITHIN THE TOWN. Sponsor: Rep. Hocker; Sen. Bunting; **Community/County Affairs.**

HB 487 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF TOWNSEND, CHAPTER 241, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, TO INCREASE THE LENGTH OF RESIDENCY FROM 90 DAYS TO ONE YEAR TO QUALIFY TO HOLD OFFICE. Sponsor: Rep. Hall-Long; Sen. Vaughn; **Community/County Affairs.**

HB 491 - AN ACT TO ESTABLISH THE DELAWARE ABRAHAM LINCOLN BICENTENNIAL COMMISSION. Sponsor: Rep. Smith; Sen. Cook; **Finance.**

HB 508 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING ON ROADWAYS LANED FOR TRAFFIC. Sponsor: Rep. Valihura; Rep. Maier, & Sen. Sokola, Reps. Spence, DiPinto, Ewing, Thornburg, Wagner, Keeley; **Public Safety.**

HB 518 w/HA 1, HA 2 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE "HAL" BELOTE HARNESS AND/OR HORSE RACING SAFETY ACT. Sponsor: Rep. Oberle; Sen. Adams, & Sen. Marshall; Reps. Atkins, Ewing, Hocker, Lee, Lofink, Outten; Sens. Bunting, Marshall, Simpson; **Agriculture.**

The following nominations were assigned to the **Executive** Committee:

Catherine C. Marvel
409 Woodland Drive
Milford, DE

to be appointed a member of
the Delaware Interscholastic
Athletic Association to serve a term
to expire 3 years from the date of
Senate confirmation.

Gerald L. Allen
201 Stewards Court
Bear, DE 19701

to be reappointed a member
of the Delaware Interscholastic
Athletic Association to serve a term
to expire 3 years from the date of
Senate confirmation.

Robert L. Brady
33 Abelia Lane
Newark, DE 19711

to be appointed a member of the
New Castle County Board of
Elections to serve a term to expire
June 28, 2009.

William F. Steele
6 Biltmore Court
Wilmington, DE 19808

to be appointed member of
the New Castle County Board
of Elections to serve a term to expire
June 28, 2009.

* * *

On motion of Senator McDowell, the Senate recessed at 06:07 PM until June 28 2006 at 02:30 PM.

The Senate reconvened at 03:08 PM, June 28, 2006 with Senator DeLuca presiding.

Lt. Governor Carney presiding at 03:08 PM.

From Executive: **Gerald Allen**, 4 Merits; **Robert Brady**, 4 Merits; **Richard Cordrey** 1 Favorable, 3 Merits; **Catherine Marvel**, 4 Merits, **William Steele**, 4 Merits; **Pallatheri Subramanian**, 4 Merits.

The following committee reports were announced:

From Community/County Affairs: **SB 390** – 2 Favorable, 2 Merits; **HB 481** – 5 Merits; **HB 487** – 5 Merits.

From Small Business: **SB 362** – 2 Merits, 3 Unfavorable.

From Executive: **SB 389** – 1 Favorable, 3 Merits.

From Health & Social Services: **HS 1 for HB 134** – 4 Merits.

From Finance: **SB 395** – 1 Favorable, 5 Merits; **SB 396** – 1 Favorable, 5 Merits; **HB 502** – 5 Merits.

From Children, Youth & Families: **SB 361** – 6 Merits; **SB 337** – 6 Merits.

A communication from the Office of Senator Catherine L. Cloutier was read requesting her name be removed as co-sponsor of **HB 359**.

A communication from the Office of Senator Harris B. McDowell, III, was read requesting he be added as a co-sponsor of **SS 1 for SB 2**.

A communication from the Office of Senator Harris B. McDowell, III, was read requesting he be added as a co-sponsor of **SB 392**.

At 03:24 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 44th Legislative Day.

**44TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 28, 2006**

The Senate convened at 03:24 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, Copeland, Cook, 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 Amick, Connor and Copeland were marked present.

SS 1 for SB 109 w/SA 1, HA 4, HA 5, HA 7 & HA 8, which was returned from the House with amendments, was brought before the Senate for consideration on the motion of Senator Venables.

SS 1 for SB 109 w/SA 1, HA 4, HA 5, HA 7 & HA 8 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CLEAN CREDIT AND IDENTITY THEFT PROTECTION ACT.

Roll call vote on **SS 1 for SB 109 w/SA 1, HA 4, HA 5, HA 7 & HA 8** was taken and revealed:

YES: 21

SS 1 for SB 109 w/SA 1, HA 4, HA 5, HA 7 & HA 8 was declared passed the Senate as amended and sent to the Governor.

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

SB 377 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 377 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO BEACH PRESERVATION.

Senator McBride requested personal privilege of the floor for Anthony Pratt, representing DNREC. After addressing the Senate he was excused.

Roll call vote on **SB 377** was taken and revealed:

YES: 21.

SB 377 was declared passed the Senate and sent to the House for Consideration.

SB 388 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 388 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT.

Senators Simpson & Connor requested to be added as co-sponsors.

Roll call vote on **SB 388** was taken and revealed:

YES: 21.

SB 388 was declared passed the Senate and sent to the House for Consideration.

SB 389 was brought before the Senate for consideration on the motion of Senator Adams.

SB 389 - AN ACT AMENDING TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE.

Roll call vote on **SB 389** was taken and revealed:

YES: 21.

SB 389 was declared passed the Senate and sent to the House for Consideration.

SB 361 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 361 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENSES.

Roll call vote on **SB 361** was taken and revealed:

YES: 21.

SB 361 was declared passed the Senate and sent to the House for Consideration.

SB 337 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 337 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE.

Senator Blevins requested that **SA 1 to SB 337** be stricken.

SA 2 to SB 337 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to SB 337** was taken and revealed:

YES: 21.

SA 2 to SB 337 was declared part of the bill.

SB 337 w/SA 2 was now before the Senate.

Roll call vote on **SB 337 w/SA 2** was taken and revealed:

YES: 21.

SB 337 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 383 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 383 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE EXAMINING BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS

Roll call vote on **SB 383** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SB 383 was declared passed the Senate and sent to the House for Consideration.

SB 379 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 379 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS.

Roll call vote on **SB 379** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

SB 379 was declared passed the Senate and sent to the House for Consideration.

SB 395 was brought before the Senate for consideration on the motion of Senator Cook.

SB 395 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING EMPLOYEE DISABILITY BENEFITS.

SA 1 to SB 395 was brought before the Senate for consideration on motion of Senator Cook.

Senator Still questioned the sponsor.

Senator Cook requested personal privilege of the floor for David Craik, representing the Pension Office. After addressing the Senate, he was excused.

Roll call vote on **SA 1 to SB 395** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Marshall - 1.

SA 1 to SB 395 was declared part of the bill.

SB 395 w/SA 1 was now before the Senate.

Roll call vote on **SB 395 w/SA 1** was taken and revealed:

YES: 21.

SB 395 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 267 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Connor.

SB 267 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITING THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS.

Roll call vote on **SB 267** was taken and revealed:

YES: 21.

SB 267 was declared passed the Senate and sent to the House for Consideration.

SB 340 was brought before the Senate for consideration on the motion of Senator Still.

SB 340 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MILITARY DEPLOYMENT.

SA 1 to SB 340 was brought before the Senate for consideration on the motion of Senator Still.

Roll call vote on **SA 1 to SB 340** was taken and revealed:

YES: 21.

SA 1 to SB 340 was declared part of the bill.

SB 340 w/SA 1 was now before the Senate.

Senator Connor commented.

Roll call vote on **SB 340 w/SA 1** was taken and revealed:

YES: 21.

SB 340 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Cloutier requested that **SB 325** be stricken.

Senator Sokola requested a communication from Susan Vavala, be read to the record in its entirety.

Senator DeLuca requested personal privilege of the floor to recognize this year's Senate Legislative Fellows, Sarah Noonam and Ray Callaway. Each were presented with a tribute from the Senate.

Lt. Governor Carney and Senator Connor recognized the work of Ray Callaway.

Senator Still recognized Senate Legislative Fellow, Garrett Wozniak. Mr.

Wozniak was presented with a Senate tribute.

Senators Connor and McDowell commented on the work of Garrett Wozniak.

Senator McDowell recognized Huei Wong, State Senate Energy Fellow. Mr.

Wong was presented with a Senate tribute.

Senator McDowell moved to recess for Party Caucus at 04:40 PM.

The Senate reconvened at 06:48 PM with Lt. Governor Carney presiding.

HB 20 was lifted from table and brought before the Senate for Consideration on the motion of the floor manager, Senator Venables.

SA 1 to HB 20 was brought before the Senate for consideration on motion of Senator McBride.

Roll call vote on **SA 1 to HB 20** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting - 1.

SA 1 to HB 20 was declared part of the bill.

HB 20 w/SA 1 was now before the Senate.

Senator Bonini questioned the floor manager.

Senator Venables commented.

Senator Copeland questioned the floor manager.

Roll call vote on **HB 20 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

HB 20 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HB 366 w/SA 1 was brought before the Senate for consideration on motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 366 w/SA 1 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE.

Senator Peterson requested to be added as co-sponsor.

Roll call vote on **HB 366 w/HA 1** was taken and revealed:

YES: 21.

HB 366 w/HA 1 was declared passed the Senate and returned to the House.

HB 392 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins on behalf of Senator Vaughn.

HB 392 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY.

Several Senators questioned the floor manager.

Roll call vote on **HB 392** was taken and revealed:

YES: 21.

HB 392 was declared passed the Senate and returned to the House.

HB 502 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 502 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH.

Senator Simpson questioned the floor manager.

Roll call vote on **HB 502** was taken and revealed:

YES: 21.

HB 502 was declared passed the Senate and returned to the House.

HB 487 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 487 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF TOWNSEND, CHAPTER 241, VOLUME 74, LAWS OF DELAWARE, AS

AMENDED, TO INCREASE THE LENGTH OF RESIDENCY FROM 90 DAYS TO ONE YEAR TO QUALIFY TO HOLD OFFICE.

Roll call vote on **HB 487** was taken and revealed:

YES: 21.

HB 487 was declared passed the Senate and returned to the House.

HS 1 for HB 134 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HS 1 for HB 134 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON CAUSES OF ACTIONS AGAINST MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING A STATE OF EMERGENCY.

SA 1 to HS 1 for HB 134 was brought before the Senate for consideration on motion of Senator Blevins.

Senator Simpson requested personal privilege of the floor for Dr. Rubacky, representing the Medical Society of Delaware.

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

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

Senator Amick questioned the witness, after which he was excused.

Senators Blevins and Simpson commented.

Roll call vote on **SA 1 to HS 1 for HB 134** was taken and revealed:

YES: 11

NO: Senator(s) Amick, Bonini, Bunting, Cloutier, Connor, Copeland, Simpson, Sorenson, Still, Venables - 10.

SA 1 to HS 1 for HB 134 was declared part of the bill.

HS 1 for HB 134 w/SA 1 was now before the Senate.

Roll call vote on **HS 1 for HB 134 w/SA 1** was taken and revealed:

YES: 21.

HS 1 for HB 134 w/SA 1 was declared passed the Senate and returned to the House for Reconsideration.

HB 430 w/HA 3, HA 4, HA 5 & HA 6 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator DeLuca.

HB 430 w/HA 3, HA 4, HA 5 & HA 6 - AN ACT TO AMEND TITLES 5, 6 AND 11 OF THE DELAWARE CODE RELATING TO THE REGULATION OF DEBT-MANAGEMENT SERVICES.

Senators Bonini and DeLuca commented.

Roll call vote on **HB 430 w/HA 3, HA 4, HA 5 & HA 6** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Copeland - 1.

HB 430 w/HA 3, HA 4, HA 5 & HA 6 was declared passed the Senate and returned to the House.

HB 355 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Blevins.

HB 355 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES.

Roll call vote on **HB 355** was taken and revealed:

YES: 21.

HB 355 was declared passed the Senate and returned to the House.

HB 310 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 310 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT.

Senator Bonini commented.

Senator McDowell moved to lay **HB 310** on the Table.

HB 500 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 on behalf of Senator Vaughn.

HB 500 w/HA 1 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senators Simpson and Bonini questioned the floor manager.
Senator Sokola requested personal privilege of the floor for Steve Wood, representing the Attorney General's Office.

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

Roll call vote on HB 500 w/HA 1 was taken and revealed:

YES: 17

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

HB 500 w/HA 1 was declared passed the Senate and returned to the House.

HB 7 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 Henry.

HB 7 w/HA 1 - AN ACT TO AMEND TITLE 11 AND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE.

Senators McDowell, Cook, Still, Adams, Venables & Connor requested to be added as a co-sponsor.

Senator Still questioned the floor manager.

Senator Cook commented.

Senator Simpson questioned the floor manager.

Roll call vote on HB 7 w/HA 1 was taken and revealed:

YES: 21.

HB 7 w/HA 1 was declared passed the Senate and returned to the House.

The following nomination(s) were assigned to the Executive committee:

Pallatheri M. Subramanian
110 Cameron Drive
Hockessin, DE 19707

to be reappointed a
member of the State
Coastal Zone Industrial
Control Board to serve a term
to expire 5 years from the
date of Senate confirmation.

The Honorable Richard S. Cordrey
230 River Drive
Millsboro, DE 19966

to be appointed Chair of
the Board of Directors of
the Diamond State Port
Corporation to serve at the
pleasure of the Governor.

* * *

On motion of Senator McDowell, the Senate recessed at 08:30 PM until June 29, 2006 at 01:00 PM.

The Senate reconvened at 3:04 PM, on June 29, 2006 with Lt. Governor Carney presiding.

A communication from the Office of Senator Karen Peterson was read requesting that SB 355 be stricken.

A communication from the Office of Senator Karen Peterson was read requesting that SJR 10 be stricken.

At 03:04 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 45th Legislative Day.

**45TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 29, 2006**

The Senate convened at 3:04 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 objection.

Senator McDowell yields to Senator Adams.

On motion of Senator Adams and without objection, the following nomination by the Governor was considered:

Richard Cordrey: 20 Senator(s) voting YES and 1 Senator(s) (Bonini) voting NO. Appointment was declared CONFIRMED.

Senator Amick was marked present during the above roll call.

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

Robert Brady: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

William Steele: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Catherine Marvel: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Gerald Allen: 20 Senator(s) voting YES and 1 Senator (s) (Venables) Absent. Appointment was declared CONFIRMED.

Pallatheri Subramanian: 20 Senator(s) voting YES and 1 Senator(s) Absent. Appointment was declared CONFIRMED.

HS 1 for HB 312 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HS 1 for HB 312 w/HA 2 - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS.

SA 1 to HS 1 for HB 312 was brought before the Senate for Consideration on the motion of Senator McDowell on behalf of Senator Vaughn.

Roll call vote on **SA 1 to HS 1 for HB 312** was taken and revealed:

YES: 21.

SA 1 to HS 1 for HB 312 was declared part of the bill.

HS 1 for HB 312 w/SA 1 was now before the Senate.

Senator McDowell requested personal privilege of the floor for Paul Wallace, representing the Attorney General's Office.

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

Senators Still, McDowell and McBride commented.

Senator McDowell moved to lay **HS 1 for HB 312 w/HA 2 & SA 1** on the Table.

SB 405 was brought before the Senate for consideration on motion of Senator McDowell.

Senator McDowell moved to lay **SB 405** on the Table.

SB 339 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 339 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE HEALTH INFORMATION NETWORK.

Roll call vote on **SB 339** was taken and revealed:

YES: 21.

SB 339 was declared passed the Senate and sent to the House for Consideration.

SB 390 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 390 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO HEALTH AND SAFETY AND EXPLOSIVE MATERIALS.

SA 1 to SB 390 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to SB 390** was taken and revealed:

YES: 21.

SA 1 to SB 390 was declared part of the bill.

SB 390 w/SA 1 was now before the Senate.

Roll call vote on **SB 390 w/SA 1** was taken and revealed:

YES: 21.

SB 390 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 398 was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules, on the motion of Senator Cook.

SB 398 w/SA 1 AN ACT TO AMEND CHAPTER 51 OF TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE.

Senators Connor, Cloutier and Still requested to be added as co-sponsors.

Roll call vote on **SB 398 w/SA 1** was taken and revealed:

YES: 21.

SB 398 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

SB 397 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Venables.

SB 397 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE RESOURCE MAPS.

Senator Venables moved to lay **SB 397** on the Table.

SB 402 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SB 402 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATED TO RENEWABLE ENERGY PORTFOLIO STANDARDS.

Several Senators questioned the sponsor.

Roll call vote on **SB 402** was taken and revealed:

YES: 18

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

SB 402 was declared passed the Senate and sent to the House for Consideration.

SB 401 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SB 401 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS.

SA 1 to SB 401 was brought before the Senate for Consideration on the motion of Senator McDowell.

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

YES: 21.

SA 1 to SB 401 was declared part of the bill.

SB 401 w/SA 1 was now before the Senate.

Senator Blevins questioned the sponsor.

Senator Blevins requested personal privilege of the floor for Edward Kafader, Senate Attorney.

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

Several Senators commented.

Senator McDowell moved to lay **SB 401 w/SA 1** on the Table.

SB 403 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Peterson.

SB 403 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

Senator Marshall questioned the sponsor.

Senator Peterson requested personal privilege of the floor for James Collins, representing Professional Regulations.

Senators Marshall and Peterson questioned the witness, after which he was excused.

Roll call vote on **SB 403** was taken and revealed:

YES: 15

NO: Senator(s) Bonini - 1.

NOT VOTING: Senator(s) Marshall, Simpson, Vaughn - 3.

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

SB 403 was declared passed the Senate and sent to the House for Consideration.

SB 394 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Sorenson.

SB 394 - AN ACT AUTHORIZING FAMILY COURT TO GRANT EXTENDED JURISDICTION OVER MARILU SANDOVAL RAMIREZ AND ELVIRA CHILEL NIZ.

Senator Copeland questioned the sponsor.

Senator Sorenson requested personal privilege of the floor for Deborah Gottschalk, representing the Community Legal Air Society, Inc. After addressing the Senate she was excused.

Roll call vote on **SB 394** was taken and revealed:

YES: 19

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

SB 394 was declared passed the Senate and sent to the House for Consideration.

SB 385 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Copeland.

SB 385 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT.

Senator Bonini commented.

Senator Marshall requested personal privilege of the floor for James Collins, representing Professional Regulations.

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

Roll call vote on **SB 385** was taken and revealed:

YES: 20

ABSENT: Senator(s) DeLuca - 1.

SB 385 was declared passed the Senate and sent to the House for Consideration.

SB 370 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 370 - AN ACT TO AMEND TITLE 24, CHAPTER 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE REAL ESTATE COMMISSION.

Roll call vote on **SB 370** was taken and revealed:

YES: 20

ABSENT: Senator(s) DeLuca - 1.

SB 370 was declared passed the Senate and sent to the House for Consideration.

SB 399 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Henry.

SB 399 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Senators McBride and Venables commented.

Roll call vote on **SB 399** was taken and revealed:

YES: 7

NO: Senator(s) Adams, Amick, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, McDowell, Simpson, Still, Vaughn, Venables - 14.

SB 399 was declared Defeated.

SB 318 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Marshall.

SB 318 - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND STATE GOVERNMENT.

SA 1 to SB 318 was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 1 to SB 318** was taken and revealed:

YES: 19

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

SA 1 to SB 318 was declared part of the bill.

SB 318 w/SA 1 was now before the Senate.

Senators Copeland and Bonini questioned the sponsor.

Senator Marshall requested personal privilege of the floor for Jeffery Clark, Senator Attorney. After addressing the Senate he was excused.

Several Senators questioned the sponsor.

Senator Marshall requested personal privilege of the floor once again for Jeffery Clark, Senator Attorney. After addressing the Senate he was excused.

Senator Bunting commented.

Roll call vote on **SB 318 w/SA 1** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Amick, Bonini, Cloutier, Connor, Copeland, DeLuca, Simpson, Sorenson, Vaughn, Venables - 11.

NOT VOTING: Senator(s) Bunting, Henry, McDowell, Peterson, Still - 5.

SB 318 w/SA 1 was declared Defeated.

SB 397 was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Venables.

SB 397 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE
RELATING TO STATE RESOURCE MAPS.

Senator Venables requested personal privilege of the floor for Tim Willard,
Senate Attorney.

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

Senator Venables requested personal privilege of the floor for Scott Kidner,
representing DE Association of Realtors.

Senators Venables & McBride questioned the witness, after which he was
excused.

Senator McBride requested personal privilege of the floor for John Hughes,
representing DNREC.

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

Senators Venables & McBride commented.

Roll call vote on **SB 397** was taken and revealed:

YES: 16

NO: Senator(s) McBride, McDowell, Sokola - 3.

NOT VOTING: Senator(s) Bunting, Simpson - 2.

SB 397 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini requested personal privilege of the floor to introduce his wife,
Melissa Harrington.

HB 367 w/HA 1 was brought before the Senate for consideration on the motion of
the floor manager, Senator Sokola.

HB 367 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE
RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT
COUNTY.

Senator Still requested that **SA 1 to HB 367** be stricken.

Senator Still requested that **SA 2 to HB 367** be stricken.

SA 3 to HB 367 was brought before the Senate for consideration on the motion of
Senator Still.

Senator Sokola commented.

Roll call vote on **SA 3 to HB 367** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Blevins, Cloutier, Connor, Cook, DeLuca, Henry,
Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Vaughn, Venables - 15.

NOT VOTING: Senator(s) Bunting - 1.

SA 3 to HB 367 was declared Defeated.

SA 4 to HB 367 was brought before the Senate for consideration on the motion of
Senator Cook.

Senator Bonini questioned the sponsor.

Roll call vote on **SA 4 to HB 367** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1.

SA 4 to HB 367 was declared part of the bill.

SA 5 to HB 367 was brought before the Senate for consideration on the motion of
Senator Simpson.

Roll call vote on **SA 5 to HB 367** was taken and revealed:

YES: 21.

SA 5 to HB 367 was declared part of the bill.

HB 367 w/HA 1, SA 4 & SA 5 was now before the Senate.

Senators Bonini, McBride and Still commented.

Roll call vote on **HB 367 w/HA 1, SA 4 & SA 5** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Marshall, Venables - 3.

NOT VOTING: Senator(s) Copeland - 1.

HB 367 w/HA 1, SA 4 & SA 5 was declared passed the Senate and returned to
the House for Reconsideration.

Senator Simpson requested personal privilege of the floor to introduce three
Superintendents that were visiting the chamber; Dr. Harry Roberts, Caesar Rodney
School District, Buddy Lloyd, Smyrna School District and Bob Smith, Milford School
District.

HB 472 w/HA 1 & HA 2 was brought before the Senate for consideration on the
motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 472 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

Roll call vote on **HB 472 w/HA 1 & HA 2** was taken and revealed:

YES: 19

NO: Senator(s) Simpson - 1.

NOT VOTING: Senator(s) Bonini - 1.

HB 472 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

HB 454 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager Senator McDowell on behalf of Senator Vaughn.

HB 454 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPUTES INVOLVING THE ENFORCEMENT OF DEED COVENANTS OR RESTRICTIONS.

Senator Connor questioned the floor manager and requested to be added as a co-sponsor.

Roll call vote on **HB 454** was taken and revealed:

YES: 21.

HB 454 was declared passed the Senate and returned to the House.

HB 485 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 McDowell on behalf of Senator Vaughn.

HB 485 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

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

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

Senator McDowell moved to lay **HB 485 w/HA 1 & HA 2** on the Table.

HB 266 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 266 - AN ACT TO AMEND TITLE 24, CHAPTER 35 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS IN PSYCHOLOGY.

Roll call vote on **HB 266** was taken and revealed:

YES: 21.

HB 266 was declared passed the Senate and returned to the House.

HB 334 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator DeLuca.

HB 334 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT PASSPORTS.

Roll call vote on **HB 334** was taken and revealed:

YES: 21.

HB 334 was declared passed the Senate and returned to the House.

HB 530 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Sokola.

HB 530 - AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" RELATING TO THE CITY OF REHOBOTH BEACH.

Roll call vote on **HB 530** was taken and revealed:

YES: 19

NO: Senator(s) Bonini - 1.

ABSENT: Senator(s) Copeland - 1.

HB 530 was declared passed the Senate and returned to the House.

HS 1 for HB 312 w/HA 2 & SA 1 was lifted from the table and brought before the Senate for consideration on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HS 1 for HB 312 - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS.

SA 2 to HS 1 for HB 312 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 2 to HS 1 for HB 312** was taken and revealed:

YES: 21.

SA 2 to HS 1 for HB 312 was declared part of the bill.

HS 1 for HB 312 w/HA 2, SA 1 & SA 2 was now before the Senate.

Senator McBride commented.

Senator McDowell requested personal privilege of the floor for Steve Wood,

Attorney General's Office.

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

Senator McDowell moved to lay **HS 1 for HB 312 w/HA 2, SA 1 & SA 2** on the

Table.

HB 485 w/HA 1 & HA 2 was lifted from the table and brought before the Senate for Consideration on the motion of the floor manager, Senator McDowell.

SA 1 to HB 485 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 1 to HB 485** was taken and revealed:

YES: 20

ABSENT: Senator(s) DeLuca - 1.

SA 1 to HB 485 was declared part of the bill.

HB 485 w/HA 1, HA 2 & SA 1 was now before the Senate.

Roll call vote on **HB 485 w/HA 1, HA 2 & SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Simpson - 1.

HB 485 w/HA 1, HA 2 & SA 1 were declared passed the Senate and returned to the House for Reconsideration.

SENATE CONSENT CALENDAR #18 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 72 - DESIGNATING THE MONTH OF OCTOBER AS ITALIAN HERITAGE MONTH. Sponsors: Rep. DiPinto & Sen. DeLuca; Reps. Buckworth, Hudson, Roy, Ulbrich, Van Sant, M Marshall, Schwartzkopf, Viola; Sens. McDowell, Cook, Henry, Marshall, McBride, Simpson.

HCR 74 - RESPECTFULLY REQUESTING THAT THE CITY OF WILMINGTON'S DEPARTMENT OF LICENSES AND INSPECTIONS AND THE WILMINGTON CITY COUNCIL WAIVE THE VACANT PROPERTY REGISTRATION FEE IN ITS ENTIRETY FOR NONPROFIT ORGANIZATIONS THAT ARE ENGAGED IN THE BUSINESS OF AFFORDABLE HOUSING. Sponsors: Rep. Oberle & Sen. Marshall; Reps. Hudson, Mulrooney; Valihura; Viola; Sens. Bonini, Bunting, Copeland & Sokola.

HCR 70 - ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A C2H60 ETHANOL PLANT AND DELIVERY SYSTEM WITHIN THE STATE OF DELAWARE. Sponsors: Rep. Spence & Sen. Cloutier.

HCR 73 - RESPECTFULLY REQUESTING THAT THE GOVERNOR AND THE DELAWARE STATE HOUSING AUTHORITY RETAIN A CONSULTANT TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE FUTURE OF AFFORDABLE HOUSING OPPORTUNITIES IN DELAWARE. Sponsors: Rep. Oberle & Sen. Marshall; Reps. Hudson; Mulrooney; Valihura; Viola; Sens. Bonini, Bunting, Copeland & Sokola.

SCR 44 - A RESOLUTION CREATING A LAND PROTECTION OVERSIGHT COMMITTEE. Sponsors: Senator Venables & Rep. Atkins; Reps. Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lee, Maier, Outten, Stone, Thornburg, Ulbrich; Sens. Adams, Bonini, Bunting, Copeland

SCR 45 - ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A SUSTAINABLE ENERGY UTILITY WITHIN THE STATE OF DELAWARE. Sponsor: Senator McDowell & Rep. Spence; Senators

Henry, Copeland, Sokola, Cloutier, Marshall; Reps. DiPinto, McWilliams, Plant, Johnson, Keeley & Buckworth.

SR 26 - ESTABLISHING THE HEALTH SERVICE CORPORATION TASK FORCE. Sponsor: Sen. Blevins.

SR 27 - A RESOLUTION HONORING THE DELAWARE JUDICIARY. Sponsors: Senators DeLuca & Vaughn.

SCR 46 - RESOLVING THAT THE CITY OF WILMINGTON IS URGED TO CONDUCT A PHASE II SITE ASSESSMENT OF THE BANCROFT MILL PROPERTY. Sponsors: Senator McDowell & Rep. DiPinto.

A roll call vote was taken on **SENATE CONSENT CALENDAR # 18** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

The following nomination(s) were assigned to **Executive** committee:

Stephanie Hansen
124 Staves Landing Road
Townsend, DE 19734

to be appointed a trustee of
the Delaware Solid Waste
Authority to serve a term to
Expire June 22, 2008.

J. Brian Murphy
1014 North Rodney Street
Wilmington, DE 19806

to be reappointed 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.

John E. Oliver
25447 Bethel Concord Road
Seaford, DE 19973

to be reappointed a member of
the Delaware Interscholastic
Athletic Association to serve a term
to expire 3 years from the date of
Senate confirmation.

Helen M. Dudlek
141 Warfel Drive
Delaware City, DE 19706

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 F. Lanouette
124 Rita Road
New Castle, DE 19720

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.

Vance G. Daniels
9242 Daniels Road
Lincoln, DE 19960

to be reappointed a member of
the Unemployment Insurance
Appeals Board to serve a term to
expire May 1, 2012.

LEGISLATIVE ADVISORY #23, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

LEGISLATIVE ADVISORY #23, dated June 29, 2006, the Governor signed the following legislation on the date indicated.

SB #62 aab HA2 and HA4 (06/28/06) - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. (Sponsors: Sens. Marshall & Peterson & Rep. Viola & Sens. DeLuca, Henry, McBride, McDowell, Blevins & Connor Reps. Oberle, Ennis, M Marshall, Gilligan, Hall-Long, Keeley, Mulrooney, Plant, Van Sant, Williams) (Volume 75, Chapter 314, Laws of Delaware.)

SB #270 aab SA1 and SA2 (06/28/06) - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES. (Sponsors: Sen. Blevins & Amick, Reps. Ulbrich & Schwartzkopf) (Volume 75, Chapter 315, Laws of Delaware.)

SB #321 aab SA1 and SA3 (06/28/06) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RECORDING DEVICES. (Sponsors: Sen. Vaughn & Reps. Valihura & Miro) (Volume 75, Chapter 316, Laws of Delaware.)

HB #414 (06/28/06) - 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: Rep. Valihura & Sen. Vaughn & Rep. Marshall & Sen. Amick) (Volume 75, Chapter 317, Laws of Delaware.)

HB #432 aab SA2 (06/28/06) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE. (Sponsors: Rep. Ewing & Sen. Henry) (Volume 75, Chapter 318, Laws of Delaware.)

HB #439 (06/28/06) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROSTITUTION. (Sponsors: Rep. Mulrooney & Sen. McBride & Reps. Carey, Cathcart, DiPinto, Ennis, Ewing, Johnson, Keeley, Lofink, Longhurst, Maier, Miro, Valihura, Sens. Cloutier, Connor, DeLuca & Sokola) (Volume 75, Chapter 319, Laws of Delaware.)

HB #447 (06/28/06) - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS. (Sponsors: Rep. Oberle, Sen. McBride & Rep. Adkins) (Volume 75, Chapter 320, Laws of Delaware.)

HB #475 (06/28/06) - AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS. (Sponsors: Rep. Carey & Rep. Hocker & Rep. Thornburg & Rep. Outten & Sen. Bunting & Reps. Spence, Atkins, Hall-Long, McWilliams & Mulrooney; Sens. Venables & Simpson) (Volume 75, Chapter 321, Laws of Delaware.)

HB 482 aab HA5 and HA6 (06/28/06) - AN ACT TO AMEND TITLES 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, CONSTABLES AND CAPITOL POLICE AND BUILDINGS AND GROUNDS. (Sponsors: Rep. Oberle, Lee & Williams & Sen. Vaughn & Reps. Smith, Spence, Buckworth, DiPinto & Ewing; Sens. Cook, Amick, Cloutier & Still) (Volume 75, Chapter 322, Laws of Delaware.)

HB #486 (06/28/06) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE PERTAINING TO SPECIFIC SPEED LIMITS. (Sponsors: Rep. Outten & Sen. Cook & Reps. Fallon, Hocker, Hudson, Wagner; Sen. Bonini) (Volume 75, Chapter 323, Laws of Delaware.)

HB #492 (06/28/06) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Sponsors: Rep. Miro & Sen. Henry) (Volume 75, Chapter 324, Laws of Delaware.)

HB #498 aab HA1 (06/28/06) - AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING. (Sponsors: Rep. Hall-Long & Maier & Sen. Blevins & Reps. Ewing, Lavelle, McWilliams, Ulbrich, Van Sant) (Volume 75, Chapter 325, Laws of Delaware.)

* * *

Announcement and additions were announced.

On motion of Senator McDowell, the Senate recessed at 08:19 PM until June 30, 2006 at 06:00 PM.

The Senate reconvened at 06:56 PM, on June 30, 2006 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Education: **SB 315** - 3 Merits.

From Agriculture: **SB 380** - 4 Merits.

From Children, Youth & Families: **SB 347** - 6 Merits.

At 06:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene for the 46th Legislative Day.

**46TH LEGISLATIVE DAY
143RD GENERAL ASSEMBLY
SECOND SESSION
JUNE 30, 2006**

The Senate convened at 6:58 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.

SENATE CITATION ANNOUNCEMENT NO. 11, S143-651 – 698 inclusive was introduced and a copy made available to each Senator.

The following nomination(s) were assigned to the **Executive** Committee:

F. Michael Parkowski
53 Nace Lane
Dover, De 19901

to be reappointed a commissioner of the Delaware River and Bay Authority commencing on July 1, 2006 and to expire July 1, 2011.

Dr. Sandra M. Falatek
6 Windy Way
Smyrna, DE 19977

to be appointed a member of the Professional Standards Board to serve a term to expire 3 years from the date of Senate confirmation.

Mary M. Furbush
8 Tiffany Drive
Rehoboth Beach, DE 19971

to be appointed a member of the Professional Standards Board to serve a term to expire 3 years from the date of Senate confirmation.

Richard L. Gregg
94 North Hunter Forge Road
Newark, DE 19713

to be appointed a member of the Professional Standards Board to serve a term to expire 3 years from the date of Senate confirmation.

Lori Y. Hudson
52 Mill Pond Road
Selbyville, DE 19975

to be appointed a member of the Professional Standards Board to serve a term to expire June 24, 2007.

Kathleen H. Thomas
720 Millet Lane
Wyoming, DE 19934

to be appointed a member of the Professional Standards Board to serve a term to expire June 24, 2007.

Dr. Michael D. Thomas
102 Portrush Court
Dover, DE 19904

to be appointed a member of the Professional Standards Board to serve a term to expire 3 years from the date of Senate confirmation.

Karen P. Gordon
2502 Raven Road
Wilmington, DE 19810

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

Barbara L. Grogg
819 Birch Lane
Wilmington, DE 19809

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

Karen Schilling Ross
28 North Booth Drive
New Castle, DE 19720

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

Dr. Carol Vukelich
33 The Strand
New Castle, DE 19716

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

* * *

On motion of Senator Adams and without objection, the necessary rules were suspended to consider the following nominations of the Governor.

Stephanie Hansen – 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

John Oliver: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Helen Dudlek, Paul Lanouette: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Vance Daniels: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

F. Michael Parkowski: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Sandra Falatek, Mary Furbush, Richard Gregg, Lori Hudson, Kathleen Thomas, Michael Thomas: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Karen Gordon, Barbara Grogg, Karen Schilling Ross, Carol Vukelich: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Senator Adams requested personal privilege of the floor for Mr. Robert Stickles, Sussex County Administrator. Senator Adams presented Mr. Stickles with a Senate tribute in honor of his retirement and years of service. Several Senators commented. The witness was then excused.

HB 328 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 Henry.

HB 328 - AN ACT TO AMEND TITLE 23, DELAWARE CODE RELATING TO OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS.

Roll call vote on **HB 328 w/HA 1** was taken and revealed:

YES: 21.

HB 328 w/HA 1 was declared passed the Senate and returned to the House.

HB 404 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 McDowell on behalf of Senator Vaughn.

HB 404 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senator Henry questioned the floor manager.

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

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

Senators Venables, Still and McDowell commented.

Senator McDowell moved to lay **HB 404 w/HA 1 & HA 2** on the Table.

HB 441 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 441 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS.

Roll call vote on **HB 441** was taken and revealed:

YES: 21.

HB 441 was declared passed the Senate and returned to the House.

HB 470 w/HA 2 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell on behalf of Senator Vaughn.

HB 470 w/HA 2 - AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS DOGS.

Senator McDowell moved to lay **HB 470 w/HA 2** on the Table.

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

HB 200 - AN ACT TO AMEND 73 DELAWARE LAWS, CHAPTER 187, RELATING TO ABUSE OF CHILDREN.

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

Roll call vote on **HB 200** was taken and revealed:

YES: 21.

HB 200 was declared passed the Senate and returned to the House.

HCR 27 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HCR 27 - ENCOURAGING ALL STATE AGENCIES TO INCLUDE ANTILITTER INFORMATION IN ALL PUBLIC SERVICE ANNOUNCEMENTS AND PUBLIC NOTICES.

Roll call vote on **HCR 27** was taken and revealed:

YES: 21.

HCR 27 was declared Adopted by the Senate and returned to the House.

HB 529 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Bunting.

HB 529 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. Sponsor: Rep. Valihura & Sen. McDowell; Sen. Bunting

Senator Bunting requested personal privilege of the floor for Michael P. Morton, representing DE Apt. Association. After addressing the Senate, he was excused.

YES: 20

ABSENT: Senator(s) Peterson - 1.

HB 529 was declared passed the Senate and returned to the House.

Senator Still requested the personal privilege of the floor to introduce his wife, Kathy, who was visiting the chamber.

SB 318 w/SA 1 was brought before the Senate for reconsideration on the motion of Senator Copeland.

SB 318 w/SA 1 - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND STATE GOVERNMENT.

Senator Marshall moved that the roll call be rescinded on **SB 318 w/SA 1**. No objection.

Senators Copeland & Bonini commented.

Roll call vote on **SB 318 w/SA 1** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Simpson - 2.

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

SB 318 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SCR 47 was brought before the Senate for consideration and read in its entirety on the motion of Senator Cloutier.

SCR 47 - CONGRATULATING JOHN AND GRACE MODICA ON THE CELEBRATION OF THEIR FIFTIETH WEDDING ANNIVERSARY.

Senators Sokola and McDowell commented.

Roll call vote on **SCR 47** was taken and revealed:

YES: 21.

SCR 47 was Adopted by the Senate and sent to the House for Consideration.

HB 429 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 McDowell.

HB 429 w/HA 1 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, COMMISSIONER AUTHORITY, ENFORCEMENT AND FUNDING.

Senator McDowell yielded to Senator McBride to floor manager the bill.

Senator Bonini questioned the floor manager.

Senator McBride requested personal privilege of the floor for John Cordrey, Commissioner of the Alcohol Beverage Control.

Senator Bonini questioned the witness, after which he was excused.

Roll call vote on **HB 429 w/HA 1** was taken and revealed:

YES: 21.

HB 429 w/HA 1 was declared passed the Senate and returned to the House.

SB 376 w/SA 1, SA 2 & HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration on the motion of Senator McBride.

SB 376 w/SA 1, SA 2 & HA 1 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE.

Senator McDowell yielded to Senator McBride as he was the prime sponsor of the bill.

Roll call vote on **SB 376 w/SA 1, SA 2 & HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1.

SB 376 w/SA 1, SA 2 & HA 1 was declared passed the Senate and sent to the House for Consideration.

HB 531 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Bunting.

HB 531 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT. Sponsor: Rep. Valihura & Sen. Bunting; Reps. Stone, Atkins, Ennis, Hocker, Hudson, Lavelle, Schwartzkopf, Thornburg; Sens. Simpson & Venables

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

Roll call vote on **HB 531** was taken and revealed:

YES: 21.

HB 531 was declared passed the Senate and returned to the House.

HB 95 w/HA 2 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Henry.

HB 95 w/HA 2 - AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO PARKING.

Senator Henry requested personal privilege of the floor for Judge Edward Davis, representing the Justice of the Peace Court, Sussex County.

Senators Bonini, Amick and Cook questioned the witness, after which he was excused.

Roll call vote on **HB 95 w/HA 2** was taken and revealed:

YES: 21.

HB 95 w/HA 2 was declared passed the Senate and returned to the House.

HB 503 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 Bunting.

HB 503 w/HA 1 & HA 2 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING.