

Representative Smith deferred to Representative Davis.

Representative Davis brought HB 219, jointly sponsored by Representatives Buckworth, D. Ennis, DiPinto, Fallon, Lofink, Maier, Maroney, Smith, Banning, Brady, Houghton, Keeley, Plant, Schroeder, Scott, West & Williams & Senators Bunting, McDowell, Henry & Reed, before the House for consideration.

HB 219 - An Act Proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware Relating to Qualifications for Voting and Forfeiture of Right. (2/3 bill)

Representatives Davis & Oberle made comments.

Representative Cloutier brought HA 1 to HB 219 before the House for consideration.

Representatives Cloutier, Ewing, Davis, VanSant, Cloutier, Davis, VanSant, Cloutier, Gilligan & Davis made comments.

HA 1 was adopted by voice vote.

Representative Banning introduced and brought HA 2 to HB 219 before the House for consideration.

Representatives Banning & Welch made comments.

HA 2 was adopted by voice vote.

The roll call on HB 219 w/HA 1 & 2 was taken and revealed:

YES: 31.

NO: Representatives B. Ennis, Ewing, Mack, Oberle, Petrilli, Quillen, Welch, Mr. Speaker Spence - 8.

ABSENT: Representatives Maroney, Roy - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 219 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Price.

Representative Price brought HB 220, jointly sponsored by Senator Voshell & Representatives Banning, Buckworth, Capano, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Plant, Quillen, Roy, Spence, Stone, VanSant, Wagner, Welch, West & Williams & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Reed, Sokola, Still, Vaughn & Venables, before the House for consideration.

HB 220 - An Act to Amend Title 18 of the Delaware Code Relating to Line-of-Duty Death Benefits.  
(F/N)

Representative Price brought HA 1 to HB 220 before the House for consideration. Representative Price made a comment. HA 1 was adopted by voice vote.

Representatives Smith, Price, Ewing, Fallon, B. Ennis & Oberle made comments.

Representative Spence announced that he will not voting on HB 220 w/HA 1 because of a possible conflict of interest.

Representatives Price, Ulbrich, VanSant & Welch made comments.

The roll call on HB 220 w/HA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representative Spence - 1.

ABSENT: Representatives Maroney, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, HB 220 w/HA 1 was sent to the Senate for concurrence.

Representatives Gilligan & Oberle requested and were granted personal privilege of the floor to make comments.

Representative Welch deferred to Representative Keeley.

Representative Keeley brought HB 153, jointly sponsored by Representatives DiPinto, D. Ennis, Gilligan, Maier, Maroney, Plant, Scott, VanSant & Williams & Senators Hauge & Marshall, before the House for consideration.

HB 153 - An Act to Amend Title 22 of the Delaware Code Relating to Parking Authorities.

Representative Keeley made a comment.

Representative Keeley brought HA 1 to HB 153 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Stone, Wagner, Keeley, Reynolds, Welch, B. Ennis, DiPinto, Oberle, Keeley, Ewing, Wagner, Scott, West & Petrilli made comments.

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

YES: 37.

ABSENT: Representatives Maroney, Price, Roy, Smith - 4.

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

Representatives Keeley, Welch & Oberle made comments.

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

POL ANAL & GOV ACCT: HB 205 - 4M,1U; SB 122 - 5M.

ED: HCR 26 - 6M; SB 126 - 6M.

Representative Welch deferred to Representative Ewing.

Representative Ewing brought HB 236, jointly sponsored by Senator Henry, before the House for consideration.

HB 236 - An Act to Amend Title 21, Delaware Code Relating to the Uniform Commercial Drivers Act. Representative Ewing made comments.

The roll call on HB 236 was taken and revealed:

YES: 32.

ABSENT: Representatives Banning, Gilligan, Houghton, Maroney, Price, Roy, Scott, Smith, VanSant

- 9.

Therefore, having received a constitutional majority, HB 236 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 243, jointly sponsored by Representative Reynolds & Senator Sokola, before the House for consideration.

HB 243 - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

Representative Wagner made comments.

The roll call on HB 243 was taken and revealed:

YES: 34.

ABSENT: Representatives Gilligan, Houghton, Maroney, Price, Roy, Smith, VanSant - 7.

Therefore, having received a constitutional majority, HB 243 was sent to the Senate for concurrence.

Representative Welch moved to suspend the rules which interfere with action on SJR 4. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Welch brought SJR 4, sponsored by Senator Sharp on Behalf of All Senators & Representative Spence on Behalf of All Representatives, before the House for consideration.

SJR 4 - Observing the Centennial Celebration of the Constitution of the State of Delaware of 1897.

Representative Welch made comments.

The roll call on SJR 4 was taken and revealed:

YES: 33.

ABSENT: Representatives Gilligan, Houghton, Maroney, Price, Roy, Smith, VanSant, Williams - 8.

Therefore, having received a constitutional majority, SJR 4 was returned to the Senate.

Representative Welch introduced and brought SCR 33, sponsored by Senator Sharp & Representative Spence, before the House for consideration.

SCR 33 - Providing for a Joint Session of the Senate and House and Extending an Invitation to the Governor for the Purpose of Observing the Centennial Celebration of the Constitution of the State of Delaware of 1897.

Representative Welch made a comment.

SCR 33 was adopted by voice vote and returned to the Senate.

Representative Welch introduced and brought SCR 34, jointly sponsored by Senators Bair & Blevins & Representative Maroney & Senators Connor, Amick, Reed, Hauge, Sorenson, Adams, Cook, Henry, McBride & McDowell & Representatives Capano, Fallon, Maier, Stone, Ulbrich, Wagner, Roy, Ewing, Carey, Reynolds, Buckworth, Lofink, Boulden, Lee, Petrilli, Cloutier, DiPinto, Mack, Quillen, Price, Houghton, Gilligan, Keeley, Scott, Brady, DiLiberto, Williams, VanSant & Plant, before the House for consideration.

SCR 34 - Recognizing June 5, 1997 as "Economic Equity for Working Women Day" and Commending the Women's Bureau of the United States Department of Labor and the Delaware Commission for Women for Their Collaboration on the National Working Women's Summit.

Representative Welch made a comment.

SCR 34 was adopted by voice and returned to the Senate.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: June 5, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-562	Buckworth	5/05/97	T	Elizabeth Maciarelo/1st Place Superstars in Education
H139-563	Spence cosponsor: All House Members	5/17/97	T	Mark Seifert & Cynthia Fallon/Marriage
H139-564	Brady	5/31/97	T	Gordon L. Strazella/Birthday & Retirement

H139-565	Welch	5/08/97	T	Richmond S. Wright, Jr./Rescued Staffer Jane Welch from Elevator
H139-566	Fallon	3/17/97	T	Charles C. Allen, Jr./Contributions/ U. of D. Bio-Technology Lab
H139-567	Fallon	5/21/97	T	Hazel Tokley/Custodian/Central Elementary School/Retirement
H139-568	Fallon	5/21/97	T	Barbara Nancarrow/Teacher/Seaford Middle School./Retirement
H139-569	Fallon	5/21/97	T	Marjorie Nielson/Nurse/Central Elementary School/Retirement
H139-570	Fallon	5/21/97	T	Elma Yoder/Teacher/Seaford Senior High/Retirement
H139-571	Fallon	5/21/97	T	David Baker/Teacher/Seaford High/Retirement
H139-572	Fallon	5/16/97	T	Ashley Lutton/Seaford High School/ Parent Group Scholarship
H139-573	Capano	5/17/97	T	Edgar H. Johnson/70th Birthday
H139-574	Fallon & Wagner	4/12/97	T	C. Wallace & Helen P. Hicks/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: June 5, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-575	Fallon	5/01/97	M	John A. Kern
H139-576	Maroney	5/20/97	T	Freddie M. Anderson/Jane Maroney Award Recipient/Excellence in Early Childhood Education
H139-577	Fallon	5/11/97	M	Michael C. "Mickey" Drugash
H139-578	Roy	5/15/97	T	Back Burner/Best Restaurant in Delaware /News Journal Reader's Choice Poll
H139-579	Quillen	5/15/97	T	Rourke B. Jones/U.S. National Award Winner in Science
H139-580	Ewing cosponsor: Quillen	5/19/97	T	Dr. Vincent Lobo, Jr./Outstanding Service to Community/Medical Care
H139-581	Ewing cosponsor: Quillen	5/19/97	T	Dr. Steve O. Quillin/Outstanding Service to Community/Medical Care
H139-582	Wagner	5/17/97	T	Cheryl Fischer/Girl Scout Gold Award/Troop 150
H139-583	Wagner	5/17/97	T	Erin Kirk/Girl Scout Gold Award /Troop 150
H139-584	Quillen	5/17/97	T	Beth Alexander/Girl Scout Gold Award/Troop 150
H139-585	Wagner	5/17/97	T	Marcia Lang/Girl Scout Gold Award/Troop 150
H139-586	Maier	5/15/97	T	Judith Austin/Jennie Smith Elementary School/Teacher of the Year
H139-587	Schroeder	5/06/97	T	Lesley A. Kroon/Secretary of Education Scholar for 1997

T - Tribute

M - Memoriam

The Majority Whip moved to recess to the call of the Chair at 5:55 p.m.

34th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 10, 1997

Mr. Speaker Spence called the House to order at 1:20 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 144, HB 56 w/HA 1,2 & 3, SB 78 w/SA 1, HB 170, HB 193 w/HA 1, HB 174, HCR 30 & HCR 31.

## MEMORANDUM

TO: Speaker Terry Spence  
 FROM: Representative Richard Davis  
 DATE: June 4, 1997  
 RE: Absence from Session

Due to an unexpected business trip, I will be required to be absent from Session on June 11 and June 12, 1997.

cc: JoAnn Hedrick, Chief Clerk  
 RFD/pcl

The Majority Leader moved to adjourn at 1:21 p.m., thereby ending the current legislative day. The House reconvened at 1:22 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

The House observed a moment of silence in memory of Mike DiEleuterio at the request of Representative Keeley.

Representative Keeley made comments.

Representatives Plant & DiLiberto requested that they be marked present.

Representatives DiPinto & Gilligan made comments.

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

The following prefiled legislation was introduced:

**HB 285** - BANNING, DILIBERTO, D. ENNIS, LEE, SCOTT, WILLIAMS; SENATORS SOKOLA, VAUGHN, VOSHELL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates.

**HB 286** - WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Tampering With a Juror. (2/3 bill)

**HB 287** - WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Juror Misconduct. (2/3 bill)

**HB 288** - WAGNER & SENATORS SHARP, VAUGHN - JUD: An Act to Amend Chapter 25, Title 11 of the Delaware Code Relating to Extradition Procedures.

**HB 289** - WAGNER, DILIBERTO & SENATORS VOSHELL, BAIR & AMICK - JUD: An Act Concurring in Proposed Amendments to Article IV of the Delaware Constitution of 1897 to Include the Family Court and Court of Common Pleas as Courts Established by the Constitution of the State of Delaware and Articles III and IV of the Delaware Constitution of the State of Delaware to Delete References to the Orphans' Court. (2/3 bill)

**HB 290** - EWING - P/S: An Act to Amend Title 21, Delaware Code, Directing the Division of Motor Vehicles to Implement a Replacement Program for the Issuance of Two Fully Reflective Number Plates. (2/3 bill)

**HB 291** - WAGNER & SENATOR SHARP - JUD: An Act to Amend Subchapter I of Chapter 15, Title 12 of the Delaware Code Relating to the Requirement of Notifying Testate Beneficiaries and Certain Beneficiaries Under Will of the Grant of Letters.

**HB 292** - FALLON & SENATOR VENABLES - H/ADM: An Act to Amend Chapter 34, Volume 58, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Blades", to Grant the Town Council of the Town of Blades the Power and the Authority to Enact an Ordinance or Ordinances to Levy, Assess and Collect or Provide the Levying, Assessment and Collection of Such Taxes as Shall be Determined by the Town Council of the Town of Blades to be Paid by the Transferor or Transferee Upon the Transfer of Real Property or Any Interest in Real Property, Situated Within the Corporate Limits of the Town of Blades, Said Transfer Tax Not to Exceed One Percent (1%) of the Sales Price (Including the Value of Any Assumed Mortgage or Mortgages) or Fair Market Value of the Real Property So Transferred; and Provided Further That No Tax Shall be Levied Upon an Organization Exempted From Ad Valorem Real Estate Taxes. (2/3 bill)

**HB 296** - QUILLEN - HOUSING & COM AFF: An Act to Amend Title 22 of the Delaware Code Relating to Preparation of Transcripts and Awarding of Costs on Appeals From the Board of Adjustment to the Superior Court.

**SB 78 w/SA 1** - BLEVINS & REPRESENTATIVE ULBRICH; SENATORS HENRY & SORENSON; REPRESENTATIVES HOUGHTON, SPENCE & WAGNER - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

**SB 144** - SOKOLA & REPRESENTATIVE REYNOLDS; SENATOR SORENSON - ED: An Act to Amend Chapter 100, Title 29 of the Delaware Code, Relating to the Freedom of Information Act.

Mr. Speaker introduced guests.

Representative Oberle made comments.

Representative Ewing made an announcement.

Representative DiPinto made comments.

The Majority Leader moved to recess for the Joint Session at 1:30 p.m.

#### JOINT SESSION - SENATE CHAMBER

The Sergeant-at-Arms announced the arrival of the House members.

The members of the House of Representatives were admitted and welcomed by the Lt. Governor. At the invitation of the Lt. Governor, Representative Spence joined her on the podium.

Senator Voshell moved that the House and Senate meet in Joint Session for the purpose of observing the Centennial Celebration of the Constitution of the State of Delaware of 1897 at 1:34 p.m. There was no objection.

Senator Voshell moved that the Lt. Governor, as President of the Senate, preside over the Joint Session. There was no objection.

Senator Voshell moved that the Secretary of the Senate and the Chief Clerk of the House act as secretaries to the Joint Session. There was no objection.

Senator Voshell moved that the Lt. Governor appoint a committee of four to escort the Governor to the Chamber. There was no objection. The Lt. Governor appointed Senator Thurman Adams, Jr. (spokesperson) and Senator Colin Bonini & Representative John Schroeder & Representative Roger Roy to escort the Governor to the Senate Chamber.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary, led by the Honorable E. Norman Veasey, Chief Justice of the Supreme Court of Delaware, and accompanied by Anne L. Naczi, President of the Delaware State Bar Association. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the former Governors of the State of Delaware. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Carper. They were admitted and seated.

Senator Adams introduced the Governor to the Joint Session.

Senator Voshell announced that The Honorable Randy J. Holland, Justice of the Supreme Court of Delaware, will act as the Master of Ceremonies for the Centennial Celebration.

Justice Holland introduced Patricia Malcolm who sang the National Anthem.

The Lt. Governor along with her grandson led those present in a pledge of allegiance to the American Flag.

Justice Holland introduced Dr. John A. Munroe, who gave the keynote address.

Justice Holland introduced Harvey Rubenstein, Esq., who presented SJR 4 to Governor Carper. Governor Carper then signed the resolution.

Governor Carper introduced the previous Governors of the State of Delaware.

Senator Sharp, Representative Spence and Chief Justice Veasey made comments.

Patricia Malcolm sang "Our Delaware".

Justice Holland thanked everyone for attending the ceremony.

The Lt. Governor thanked Justice Holland and all the participants and asked the previously named escort committee to reassemble and escort the Governor back to his Executive Office.

Senator Voshell moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals to see if they agree.

The Secretary of the Senate informed the Joint Session that he and the Chief Clerk of the House had compared their Journals and found that they agreed.

Senator Voshell moved that the Joint session adjourn at 2:45 p.m. and the two Houses separate to reconvene in their respective Chambers. There was no objection. The Lt. Governor declared the Joint Session adjourned.

The House reconvened at 3:15 p.m.

Mr. Speaker introduced a guest.

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

Representative Smith deferred to Representative Maroney.

Representative Scott requested that he be marked present.

Representative Maroney introduced **HB 295**, jointly sponsored by Representative Maier & Senator Blevins & Representatives Capano, DiPinto, Ewing, Petrilli, Stone, Banning, Houghton & Plant & Senators Henry, Bair, Amick, Connor & Sorenson & cosponsored by Representatives Cloutier & Keeley.

**HB 295** - An Act to Amend Title 18 of the Delaware Code Relating to the Managed Care Consumer Protection Act.

Mr. Speaker assigned HB 295 to Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 211, jointly sponsored by Representatives Welch & Ewing & Senator McBride & Representatives Spence, Carey, Caulk, DiPinto, Maier, Reynolds & Ulbrich & Senators Adams, Marshall, Bonini, Reed & Still, before the House for consideration.

HB 211 - An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

Representative Buckworth made a comment.

Representative Buckworth brought HA 1 to HB 211 before the House for consideration.

Representative Buckworth made a comment.

HA 1 was adopted by voice vote.

Representative Buckworth made comments.

Representative Buckworth deferred to Representative Davis.

Representative Williams requested that he be marked present.

Representative Davis introduced and brought HA 2 before the House for consideration.

Representatives Davis, Smith, Buckworth, Davis & Gilligan made comments.

HA 2 was defeated by voice vote.

Representative Buckworth made a comment.

Representative Buckworth deferred to Representative DiPinto.

Representative DiPinto introduced and brought HA 3 before the House for consideration.

Representatives DiPinto, Ewing, DiPinto & Oberle made comments.

Representative DiPinto requested and was granted the privilege of the floor for Ron Smith, House

Attorney.

Representatives DiPinto, Oberle, Buckworth, DiPinto & Cloutier made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Richard Henderson, Delaware Section Chair of the American College of Obstetrics & Gynecology.

Representatives Maroney, Oberle, Buckworth, Cloutier, Wagner, Buckworth, DiPinto & Cloutier made comments.

HA 3 was adopted by voice vote.

Representative Buckworth made comments.

Representative Buckworth moved to place HB 211 w/HA 1 & 3 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Buckworth made comments.

Representative Cloutier requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Keeley made comments.

Representative Smith deferred to Representative Roy.

Representative Roy deferred action on HB 255 to later in the day.

Representative Smith deferred to Representative Scott.

Representative Scott moved to lift HB 99 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Scott brought HB 99 w/HA 1, before the House for consideration.

HB 99 - An Act to Amend Chapter 7, Title 4 of the Delaware Code Relating to the Sale of Alcoholic Beverages. (2/3 bill)

Representatives Scott, Smith, Houghton, Scott, Ewing, Plant, Wagner, Scott, Ulbrich, Welch, Scott, Williams, Gilligan, DiPinto, Keeley & West made comments.

Representative Oberle requested and was granted the privilege of the floor for Bharat Patel, representing Delaware Alcoholic Beverage Retailers.

Representatives Smith, Gilligan & Plant made comments.

The roll call on HB 99 w/HA 1 was taken and revealed:

YES: 30.

NO: Representatives Lofink, Mack, Quillen, Reynolds, Welch - 5.

NOT VOTING: Representatives Caulk, Cloutier, Oberle, Spence - 4.

ABSENT: Representatives Davis, Roy - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 99 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Boulden.

Representative Boulden requested and was granted the privilege of the floor for the introduction of guests & presentation of a House Tribute to Jim Weldin.

Representatives Oberle, Ulbrich & D. Ennis made comments.

Mr. Speaker introduced a guest.

Representatives Oberle, Gilligan & D. Ennis made comments.

Representative Smith deferred to Representative Lee.

Representative Lee introduced HCR 32, jointly sponsored by Senator Vaughn.

HCR 32 - Approving the Comprehensive Plan of the Department of Correction Concerning Correctional Facilities.

Mr. Speaker assigned HCR 32 to the Corrections Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced HB 300, jointly sponsored by Representative B. Ennis & Senator Vaughn & Representatives Spence, Buckworth, Capano, Carey, DiPinto, Ewing, Fallon, Lee, Maroney, Petrilli, Quillen, Oberle, Roy, Stone, Gilligan, VanSant, Banning, Brady, Houghton, Keeley, Schroeder & Williams & Senators McDowell, Blevins, Bunting, Henry, Venables, Bair, Connor, Hauge & Sorenson & cosponsored by Representative Mack.

Representative D. Ennis made comments.

Representative D. Ennis requested that HS 1 to HB 250 be stricken.

HB 300 - An Act to Amend Titles 18 and 29 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Separate Accounts, Corporate Owned Life Insurance and Creating Special Funds for Greenway Projects and Historic Preservation Projects Throughout the State of Delaware. (3/4 bill)

Mr. Speaker assigned HB 300 to Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Stone.

Representative Stone introduced HB 302.

HB 302 - An Act to Amend Title 25 of the Delaware Code Relating to Mortgages and Other Liens.

Mr. Speaker assigned HB 302 to the Housing & Community Affairs Committee.

Representative Stone introduced HB 299, jointly sponsored by Representative Wagner & Senators Adams & Bonini & Representatives Capano, Davis, Ewing, Lee, Lofink, Maier, Oberle, Petrilli, Ulbrich, B. Ennis, Plant & Price.

HB 299 - An Act to Amend Title 6, Delaware Code, by Amending Chapter 33 Relating to Trademarks, Brands and Labels.

Mr. Speaker assigned HB 299 to the Business/Corporations/Commerce Committee.

Representatives Wagner & Petrilli made announcements.

Representative Smith deferred to Representative Roy.

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

Representative Roy requested that HB 255 be stricken.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 304. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HB 304, jointly sponsored by Representative West, before the House for consideration.

HB 304 - An Act to Amend Laws of Delaware and Title 7 of the Delaware Code Relating to Beverage Containers.

Representatives Roy & Cloutier made comments.

The roll call on HB 304 was taken and revealed:

YES: 40.

ABSENT: Representative Davis - 1.

Therefore, having received a constitutional majority, HB 304 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence moved to lift HS 1 for HB 93 from the Speaker's table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith deferred to Representative Spence.

Representative Spence brought HS 1 for HB 93, jointly sponsored by Representative Capano & Senator Connor & Representatives Welch, Boulden, Buckworth, Carey, Davis, DiPinto, D. Ennis, Ewing, Lee, Maier, Maroney, Oberle, Wagner, Stone, Gilligan, VanSant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Price, Scott & West & Senators Voshell, McDowell, Blevins, Bunting, Henry, Marshall, Vaughn, Bonini, Hauge & Still, before the House for consideration.

HB 93 - An Act to Amend Title 11, Delaware Code, Relating to Body-Piercing, Tattooing, or Branding Consent for Minors and Civil and Criminal Penalties. (2/3 bill)

Representative Smith introduced and brought HA 2 to HS 1 for HB 93 before the House for consideration.

Representatives Smith, Wagner, Capano, DiPinto, Oberle, Smith, Maroney, Ulbrich, DiPinto, Capano, Oberle & Smith made comments.

HA 2 was defeated by voice vote.

Representative Spence made comments.

Representative Spence requested and was granted the privilege of the floor for Peggy Hurley, representing the Ancient Art Tattoo Studio, Lewes, Delaware.

Representatives Spence & Keeley made comments.

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

Representatives Spence & Keeley made comments.

The roll call on HS 1 for HB 93 was taken and revealed:

YES: 40.

ABSENT: Representative Davis - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 93 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 227, jointly sponsored by Senators Sokola & Amick, before the House for consideration.

HB 227 - An Act to Amend Section 5, Title 4 of the Delaware Code Relating to Alcoholic Beverage Licensing.

Mr. Speaker Spence resumed the Chair.

Representative Roy made comments.

The roll call on HB 227 was taken and revealed:

YES: 40.

ABSENT: Representative Davis - 1.

Therefore, having received a constitutional majority, HB 227 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 49, jointly sponsored by Senator Cook & Representatives Spence, Petrilli, Boulden, Caulk, Capano, Davis, D. Ennis, Ewing, Lee, Lofink, Maier, Oberle, Smith, Ulbrich, Wagner, Banning, B. Ennis & Schroeder & Senators Venables, Bonini, Reed, Still & Bunting, before the House for consideration.

HB 49 - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.

Representative Welch requested that HA 1 to HB 49 be stricken.

Representative Welch introduced and brought HA 2 to HB 49 before the House for consideration.

Representative Welch made comments.

HA 2 was adopted by voice vote.

Representatives Welch & Brady made comments.

The roll call on HB 49 w/HA 2 was taken and revealed:

YES: 39.

NO: Representative Scott - 1.

ABSENT: Representative Davis - 1.

Therefore, having received a constitutional majority, HB 49 w/HA 2 was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to lift HB 211 w/HA 1 & 3 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Buckworth brought HB 211 w/HA 1 & 3, jointly sponsored by Representatives Welch & Ewing & Senator McBride & Representatives Spence, Carey, Caulk, DiPinto, Maier, Reynolds & Ulbrich & Senators Adams, Marshall, Bonini, Reed & Still, before the House for consideration.

HB 211 - An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

Representative Buckworth deferred to Representative DiPinto.

Representatives DiPinto & Oberle made comments.

Representative Buckworth deferred to Representative Cloutier.

Representative Cloutier introduced and brought HA 4 to HB 211 before the House for consideration.

Representative Cloutier made comments.

HA 4 was adopted by voice vote.

Representatives Wagner, Buckworth & Oberle made comments.

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

Representatives Stone & Buckworth made comments.



Representative Stone requested and was granted the privilege of the floor for Wendie Stabler, Attorney licensed in Delaware.

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

Representatives Stone, Welch & Brady made comments.

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

Representative Oberle made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Richard Henderson, Delaware Section Chair of the American College of Obstetrics & Gynecology.

Representatives Ewing, Oberle, DiPinto, Welch, Oberle, Keeley & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Janice Tildon-Burton, Obstetrician-Gynecologist in private practice.

Representatives Maroney & DiPinto made comments.

Representative Spence granted the privilege of the floor to Dr. Richard Henderson, Delaware Section Chair of the American College of Obstetrics & Gynecology.

Representatives DiPinto, Capano & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for former State Senator Andrew Knox, Vice Chairman of the Board of Planned Parenthood.

The roll call on HB 211 w/HA 1.3 & 4 was taken and revealed:

YES: 34.

NO: Representatives West, Williams - 2.

NOT VOTING: Representatives Capano, Maroney, Plant, Scott - 4.

ABSENT: Representative Davis - 1.

Therefore, having received a constitutional majority, HB 211 w/HA 1.3 & 4 was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Boulden introduced guests.

The House observed a moment of silence in memory of Senator David McBride's father at the request of Speaker Spence.

Representative Lee made an announcement.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: June 10, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-588	Schroeder	5/06/97	T	Richard Hunter Stokes/Secretary of Education Scholar for 1997
H139-589	D. Ennis	5/17/97	T	Lamar Alexander/Inspired Initiation of Delaware's Greenway Program
H139-590	D. Ennis	5/16/97	T	Opera House Delaware & DNREC/ "River House Festival"
H139-591	Gilligan	5/08/97	M	Paul D. Jones, Jr.
H139-592	B. Ennis	5/22/97	T	Smyrna-Clayton Rotary Club/ 70th Anniversary/May 8, 1997
H139-593	Fallon	5/15/97	T	University of Santo Tomas Singers/ Named 1995 Choir of the World
H139-594	Boulden	5/20/97	T	Suja Madhavan/1997 Newark Lions Club Teenager of the Year
H139-595	Boulden	5/20/97	T	Julia Bulkowski/1997 Newark Lions Club Teenager of the Year
H139-596	Welch	5/20/97	T	Mamie Warren Center/Dedication of Mamie A. Warren Rose Garden
H139-597	DiPinto	5/21/97	T	Hermann Vodicka/CEO/Ciba Specialty Chemicals/Visit Newport Facility
H139-598	cosponsors: Gilligan, VanSant Buckworth	5/18/97	T	Reverend Gray Walker/Bachelor Degree/Social Work/DSU/Age 84
H139-599	Williams	6/08/97	T	Clifford Johnson/Installment/8th Pastor/Shiloh Baptist Church
H139-600	cosponsors: Plant, Scott Fallon	5/16/97	M	W. Joseph Williams

## HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: June 10, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-601	Fallon	5/21/97	T	Richard Pusey/Seaford High/ Retirement
H139-602	Fallon	5/21/97	T	Jeanne Dunning/Teacher Seaford High/Retirement
H139-603	Wagner	6/12/97	T	Anna Hammond/Retirement/20 Years/ Capital School District
H139-604	Wagner	6/12/97	T	Betty Bellamy/Retirement/32 Years/ Capitol School District
H139-605	Quillen	6/14/97	T	Clarice S. Ward/90th Birthday
H139-606	Wagner	5/12/97	T	Grace Pierce-Beck/Conservation Award/Delaware Audubon Society
H139-607	Maroney	5/31/97	T	Katherine L. Esterly, M.D./Medal of Distinction Recipient from U. of D.
H139-608	Maroney	5/20/97	T	Mary Keller/Recognizing Leadership Skills & Peer Mentoring Contributions/DelTech
H139-609	Capano	5/17/97	T	Alva & Ethel Spahr/50th Wedding Anniversary
H139-610	Wagner	5/31/97	T	Nicole Bell & Ernest Chizmar/ Marriage
H139-611	Wagner	5/20/97	T	Allison Popen/Repeat Winner/No. 1 Singles Delaware High School Girls Tennis
H139-612	Wagner	6/30/97	T	Joseph L. Crossen/Superintendent/ Capitol School District
H139-613	Reynolds	6/02/97	T	Walt Laudien/Outstanding Contributions /Youth & Sports in Delaware

## HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: June 10, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-614	Carey	6/03/97	T	Ella Mae Reynolds/Kent-Sussex Industries '96 Employee of 1st Quarter
H139-615	Carey	6/03/97	T	Juanita McDonald/Kent-Sussex Industries '96 Employee of the Year
H139-616	Carey	6/03/97	T	Adam Knechel/Kent-Sussex Industries '96 Employee of the Year
H139-617	Carey	6/03/97	T	Scott Collins/Kent-Sussex Industries '96 Employee of 3rd Quarter
H139-618	Carey	6/03/97	T	Vernon Merrell/Kent-Sussex Industries '96 Employee of 4th Quarter
H139-619	Carey	6/03/97	T	Davis King/Kent-Sussex Industries '96 Employee of 2nd Quarter
H139-620	B. Ennis	5/27/97	T	Patrick & Sharon Lum/25th Wedding Anniversary
H139-621	West	7/11/97	T	Marine Corps League & Auxiliary/Mid-East Conference in Dover/July 11 & 12, 1997
H139-622	DiLiberto	6/12/97	T	Margaret Catts/Executive Director/Newark Senior Center/Retirement
	cosponsors: Boulden, Davis, Maier, Oberle Petrilli, Spence, Ulbrich			
H139-623	Welch	5/29/97	T	Basil & Sandra Battaglia/New Son, Scott Kaufmann Battaglia
H139-624	Reynolds	6/04/97	T	Harry Kutch/Colonial School District 1997 Teacher of the Year
H139-625	Reynolds	6/04/97	T	Neil Webster/1997 Geography Teacher of the Year

## HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: June 10, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-626	Buckworth	6/10/97	T	Charles Griffin/Outstanding Volunteer Work/Project Reachout
H139-627	Buckworth	6/10/97	T	Michael Bundy/Outstanding Volunteer Work/Project Reachout
H139-628	Wagner	5/22/97	M	Robert Alan Spencer
	cosponsor: Stone			
H139-629	Wagner	6/12/97	T	Natalie Mercer & Lewis Friday/Marriage
	cosponsor: Stone			
H139-630	Price	5/07/97	T	Vicki Jones/Insurance Woman of the Year
H139-631	Price	5/20/97	T	Oak Orchard Mature Lifestyle Center Cheer/20th Anniversary
H139-632	Ulbrich	5/17/97	T	Sidney Upshaw/First Place Winner/School Bus Drivers 1997 Competition
H139-633	Quillen	5/17/97	T	Bob Kennard/Second Place Winner/School Bus Drivers 1997 Competition
H139-634	Price	5/17/97	T	Luann Lathbury/Third Place Winner/School Bus Drivers 1997 Competition
H139-635	Davis	5/17/97	T	Janis Malloch/First Place Winner/District Drivers 1997 Competition
H139-636	Ulbrich	5/17/97	T	Sue Trotman/Second Place Winner/District Drivers 1997 Competition
H139-637	Oberle	5/17/97	T	Rich McGuire/Third Place Winner/District Drivers 1997 Competition
H139-638	VanSant	9/13/97	T	Dorothy & Edward Zarembo/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: June 10, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-639	VanSant	10/04/97	T	Adeline & Salvatore Schietroma/50th Wedding Anniversary
H139-640	VanSant	5/28/97	T	Bertha & Carol Gearhart/50th Wedding Anniversary
H139-641	VanSant	5/26/97	T	Phyllis & Samuel Johnson/50th Wedding Anniversary
H139-642	Schroeder	6/05/97	T	Christine Bastian Gillen/10 Years Dedicated Service/DELDOT
H139-643	Ewing	6/04/97	T	Nora Bouamari/Lyon, France/Graduation/U. of D.
H139-644	Ewing	6/05/97	T	William P. Smith/Owner/Bridgeville Pharmacy/Service to Community
H139-645	B. Ennis	6/14/97	T	Billie Jean & Davis Knox/25th Wedding Anniversary
H139-646	Brady	4/20/97	T	Rose & Nicholas Kukich, Sr./50th Wedding Anniversary
H139-647	Brady	5/10/97	T	Shirley & William Abrahams/50th Wedding Anniversary
H139-648	Boulden	6/05/97	T	James H. Weldin/Retirement/General Motors Corporation/33 Years
H139-649	Scott	6/05/97	T	Daniel Hicks/Outstanding Community Service
H139-650	Scott	6/05/97	T	Beverly Bell/Outstanding Community Service

H139-651 Lofink 5/16/97

T Constance Malin/1997 Outstanding  
Education Alumni Award/U of D

T - Tribute

M - Memoriam

Representative Smith introduced HB 1 to HB 81, jointly sponsored by Senators Sokola, Bair & Voshell & Representatives Reynolds, Spence, Welch, Capano, Cloutier, Davis, DiPinto, Maier, Maroney, Stone, Wagner, Gilligan, VanSant, Brady, Banning, DiLiberto, B. Ennis, Ulbrich, Houghton, Keeley, Schroeder & Williams & Senators Bunting, McDowell, Marshall, Amick, Blevins, Hauge, Reed & Sorenson.

HB 81 - An Act to Amend Title 14 of the Delaware Code Relating to Education.

Mr. Speaker assigned HB 1 to HB 81 to Education Committee.

Mr. Speaker introduced a guest.

The Majority Leader moved to recess to the call of the Chair at 6:38 p.m.

35th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 11, 1997

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 139, SS 1 for SB 115, SB 151, HB 145 w/HA 1, HB 147 w/HA 1 & 2, HB 151 w/HA 1, SB 76 w/SA 2, HB 138 w/HA 1 & SA 1, HCR 21 w/SA 1, SB 160, SB 161, SB 121 w/SA 1, SCR 31, SCR 32 & HB 246.

183 Brecks Lane  
Greenville, DE 19807  
June 5, 1997

Delaware House of Representatives

Legislative Hall

Dover, Delaware 19903

Dear Representatives:

On behalf not only of Polish-Americans but also of Delawareans and all peace-loving peoples, I offer my sincerest thanks for the effort you expended and the commitment you have shown in passing Resolution #9 in the Delaware legislature, supporting the proposal that Poland be invited into membership in NATO.

I have spoken constantly and worked hard in favor of NATO enlargement because I am convinced we must keep faith with those countries which suffered under five decades of oppression. I sincerely expect that your help in this matter will result in Poland's entry into NATO.

We are indebted to you for your courageous foresight. They have strengthened me and my colleagues in the work toward our common goal. I wish you every success in all of your endeavors for the good of all people.

Sincerely yours,  
Stefan Skielnik  
Chairman  
People for Poland

Representative Roy introduced HB 311, jointly sponsored by Representative Schroeder & Senator Venables & Representatives Banning, Brady, Capano, Cloutier, B. Ennis, Ewing, Lee, Petrilli, Price, Stone, Ulbrich & Wagner & Senators Voshell, Sokola, McDowell & Bunting.

HB 311 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Mr. Speaker assigned HB 311 to the Revenue & Finance Committee.

Representative DiPinto introduced HB 310.

HB 310 - An Act to Amend Title 9, of the Delaware Code Regarding Limitations on Taxing Powers.

Mr. Speaker assigned HB 310 to the Housing & Community Affairs Committee.

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

BUS/CORP/COMMERCE: HB 198 - 1M,5U.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Davis - 1.

A prayer was offered by Tony Maczynski, staff member.

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

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

The following prefiled legislation was introduced:

**HB 293** - WEST, BANNING, BUCKWORTH, BRADY, B. ENNIS, CAULK, LOFINK, PLANT, REYNOLDS, SCOTT, SPENCE, VANSANT, WELCH, WILLIAMS - AG: An Act to Amend Title 3 of the Delaware Code Relating to the Acquisition of Agricultural Lands Preservation Easements.

**HB 294** - BOULDEN & SMITH & SENATOR SOKOLA; REPRESENTATIVES CAPANO, CAULK, CLOUTIER, FALLON, MACK, MAIER, REYNOLDS, STONE, WAGNER, VANSANT, BANNING, BRADY, SCHROEDER, SCOTT; SENATORS BONINI, HAUGE - ED: An Act to Amend Title 14 of the Delaware Code Relating to Student Transportation.

**HB 297** - DAVIS, SPENCE, BOULDEN, BUCKWORTH, CAREY, CAULK, CLOUTIER, DIPINTO, EWING, LEE, LOFINK, MACK, MAIER, OBERLE, PETRILLI, QUILLEN, REYNOLDS, ROY, SMITH, STONE, ULBRICH, WAGNER, WELCH, BANNING, BRADY, GILLIGAN, HOUGHTON, PLANT, VANSANT, WEST; SENATORS BUNTING, COOK, VAUGHN, SORENSON, STILL - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code, to Permit the Establishment and Maintenance of Medical Savings Accounts; to Provide Penalties and Remedies; to Exempt Contributions From Taxation; and to Prescribe the Requirements of and Restrictions on Medical Savings Accounts.

**HB 298** - BRADY, BANNING, DILIBERTO, GILLIGAN, HOUGHTON, KEELEY, SCOTT, SPENCE, VANSANT, WILLIAMS - TRANS: An Act to Amend Title 2 of the Delaware Code Relating to the Liability of the Delaware Transportation Authority.

**HB 301** - WELCH & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, FALLON, LEE, QUILLEN, VANSANT, BRADY, B. ENNIS, HOUGHTON, PLANT, PRICE, SCHROEDER, WEST; SENATORS VOSHELL, ADAMS, COOK, STILL, VENABLES - R & F: An Act to Amend Title 12, Delaware Code, Relating to Other Unclaimed Property.

**HB 303** - SCHROEDER & SENATOR BLEVINS; REPRESENTATIVES CAREY, MAIER; SENATOR MCBRIDE - APPRO: An Act to Amend Title 29 of the Delaware Code Relating to a State Revolving Loan Program for Drinking Water Facilities and Other Qualifying Projects.

**HB 307** - SMITH & CAPANO, SPENCE, BOULDEN, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, MACK, MAIER, REYNOLDS, STONE, ULBRICH, WAGNER, PRICE, WEST, WILLIAMS; SENATORS BAIR, AMICK, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - R & F: An Act to Amend Chapter 11, Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 308** - LEE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Arrests Without Warrant for Motor Vehicle Violations.

**HB 309** - CAPANO & SMITH, SPENCE, WELCH, BOULDEN, BUCKWORTH, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, EWING, LEE, LOFINK, MACK, MAIER, OBERLE, QUILLEN, REYNOLDS, STONE, ULBRICH, PLANT; SENATORS BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HJR 8** - SPENCE & SENATOR SHARP ON BEHALF OF ALL HOUSE AND SENATE MEMBERS - P/S: Recognizing the Delaware State Police for 75 Years of Service to the Citizens of Delaware.

**HA 2 to HB 202** - OBERLE - AGENDA: Placed with the bill.

**HA 1 to HB 242** - B. ENNIS - HEALTH & HUM DEV: Placed with the bill.

**HA 1 to HB 257** - CAPANO - R & F: Placed with the bill.

**HA 1 to HB 262** - PRICE - READY LIST: Placed with the bill.

**HA 2 to HB 262** - KEELEY - READY LIST: Placed with the bill.

**HA 1 to HB 263** - GILLIGAN - AGENDA: Placed with the bill.

**SB 76 w/SA 2** - COOK & REPRESENTATIVE DAVIS - APPRO: An Act to Amend Titles 3, 11, 19, 28 and 29 of the Delaware Code Relating to the Department of Administrative Services.

**SS 1 for SB 115** - SHARP & REPRESENTATIVE WAGNER - JUD: An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Registration and Regulation of Registered Limited Liability Partnerships. (3/5 bill)

**SB 121 w/SA 1** - VOSHELL & REPRESENTATIVE LEE; SENATOR ADAMS & REPRESENTATIVE CAREY - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Size and Weight Restrictions for Motor Vehicles. (3/5 bill)

**SB 139** - SHARP; REPRESENTATIVES SPENCE, WAGNER, DILIBERTO - JUD: An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

**SB 151** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Chapter 31 of Title 25 of the Delaware Code Relating to Federal Liens. (3/5 bill)

**SB 160** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade, the Uniform Trade Secrets Act.

**SB 161** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Part II, Title 12 of the Delaware Code Relating to Fiduciary Relations; and Providing for a "Uniform International Wills Acts".

**SCR 31** - HENRY & REPRESENTATIVE MAIER - CORR: Extending the Reporting Date of the Task Force Committee on Delaware's Juvenile Justice System.

**SCR 32** - BLEVINS, MCBRIDE & REPRESENTATIVE KEELEY; SENATORS MCDOWELL, MARSHALL, HENRY; REPRESENTATIVE SPENCE - NAT RES: Creating a Combined Sewer Overflow Task Force to Provide Investigation of the Sewer Overflows and to Issue Its Final Report.

**HA 1 to SB 80** - WAGNER - READY LIST: Placed with the bill.

Representative Scott requested that he be marked present.

Representatives Ulbrich, Welch & Lee made announcements.

The Majority Leader moved to recess for committee meetings at 2:26 p.m.

The House reconvened at 4:23 p.m.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Richard A. DiLiberto, do hereby request that my name be removed as Co-Sponsor of **HB 272**.

Date: June 11, 1997.

Signed: Richard A. DiLiberto

**HOUSE TRIBUTE ANNOUNCEMENT #51**

DATE: June 11, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-652	Carey	5/29/97	T	Terry Lynn Suess/Cape Henlopen School District Teacher of the Year
H139-653	Ulbrich	6/06/97	T	St. Mark's High School Softball Team/'97 State Championship
H139-654	Ulbrich	6/06/97	T	St. Mark's High School/Winner of Eight 1996-1997 State Championships
H139-655	B. Ennis	5/28/97	M	Mary Jane Short
H139-656	Fallon	6/04/97	T	Henry Parker/Student Mentoring Presidential Award Recipient
H139-657	Fallon	6/04/97	T	Tomika West/Literacy Mentoring Presidential Award Recipient
H139-658	Wagner	6/21/97	T	Margaret Tate & Edward Ergenzinger, Jr./Marriage
H139-659	Wagner	6/21/97	T	Catherine Sullivan & T. Andrew Mercer/Marriage
H139-660	Ulbrich	6/06/97	T	St. Mark's High School Baseball Team/1997 State Championship
H139-661	Scott	6/05/97	T	Joe White/Outstanding Community Service
H139-662	Buckworth	6/10/97	T	Veronica Hopkins/DSU/Volunteer Work/Project Reachout
H139-663	Buckworth	6/10/97	T	Ted Lewis/Allen Frear School/Retirement/30 Years Service
H139-664	Buckworth	6/10/97	T	Sandy Jones/Allen Frear School/Retirement/26 Years Service

**HOUSE TRIBUTE ANNOUNCEMENT #52**

DATE: June 11, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-665	Brady	6/01/97	T	Ethelene & Robert Krauss, Jr./50th Wedding Anniversary
H139-666	Roy	5/17/97	T	Joan & William Rowe, Jr./50th Wedding Anniversary
H139-667	VanSant	6/07/97	T	Dolores & Edward Rosiak/50th Wedding Anniversary
H139-668	Wagner	6/07/97	T	William & Dorothy Hill McDaniel/50th Wedding Anniversary
H139-669	Wagner	6/14/97	T	Robert Tornoe/Eagle Scout
H139-670	Welch	6/10/97	T	Nicole Shaner/1997 Outstanding Female Athlete Award/Smyrna High

H139-671	Welch	6/10/97	T	Derek Harman/1997 Outstanding Female Athlete Award/Smyrna High
H139-672	Welch	6/10/97	T	Shawn Davis/1997 Outstanding Male Athlete Award/Smyrna High
H139-673	VanSant	6/26/97	T	Knights of Columbus Delaware/St. Pius X Council 4425/40th Anniversary
H139-674	Roy	6/15/97	T	Dr. Hai Kenney/Graduation/Ohio University College of Osteopathic Medicine
H139-675	Scott	6/10/97	T	Ted Pridgen/Outstanding Community Service
H139-676	Fallon	6/10/97	T	Jane Short/Seaford BPW /Woman of the Year
H139-677	Brady	6/11/97	T	Evelyn Gilbert Nicholson/Retirement/37 Years/Brandywine School District

T - Tribute

M - Memoriam

The following prefiled Consent Calendar #9 was introduced:

HCR 21 w/SA 2 - PETRILLI & ULBRICH & SENATORS VAUGHN, SHARP & STILL; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, QUILLEN, REYNOLDS, ROY, STONE, WAGNER, GILLIGAN, VANSANT, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, WEST - Creating a DelDot Organizational Review Task Force.

HCR 33 - MARONEY, CAPANO, FALLON, MAIER, ULBRICH, WAGNER & STONE ON BEHALF OF ALL REPRESENTATIVES; SENATORS BAIR, COOK, BLEVINS, HENRY, REED & SORENSON ON BEHALF OF ALL SENATORS - Recognizing Sunday, June 15, 1997 as Father's Day in Delaware.

SCR 26 - MARSHALL & REPRESENTATIVE OBERLE - Commending the United Farm Workers of America's California Strawberry Organizing Campaign and Expressing Concern Over Abuses That Workers in the Strawberry Industry Must Face.

Consent Calendar #9 was adopted by voice vote and HCR 33 was sent to the Senate for concurrence & SCR 26 was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought HB 202, jointly sponsored by Representatives Spence, Welch, Lofink, Petrilli, Gilligan, VanSant, Banning, Houghton, Keeley, Plant, Scott & Williams & Senators McDowell, Henry, McBride, Marshall, Amick, Bonini & Connor, before the House for consideration.

HB 202 - An Act to Amend Chapter 13 of Title 19 of the Delaware Code Relating to the Public Employment Relations Act.

Representative Oberle requested that HA 1 to HB 202 be stricken.

Representative Oberle brought HA 2 to HB 202 before the House for consideration.

Representative Oberle made a comment.

HA 2 was adopted by voice vote.

Representatives Oberle & Smith made comments.

The roll call on HB 202 w/HA 2 was taken and revealed:

YES: 38.

NOT VOTING: Representative Cloutier - 1.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority, HB 202 w/HA 2 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 144, jointly sponsored by Senator Henry & Representatives Spence, Buckworth, Capano, DiPinto, D. Ennis, Maier, Petrilli, Ulbrich, VanSant, Keeley, Plant & Scott & Senators Blevins, McDowell, Voshell & Bair, before the House for consideration.

HB 144 - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations. (2/3 bill)

Representative Ewing made comments.

Representative Ewing introduced and brought HA 1 to HB 144 before the House for consideration.

Representative Ewing made a comment.

HA 1 was adopted by voice vote.

Representative Welch introduced and brought HA 2 to HB 144 before the House for consideration. Representatives Welch & Ewing made comments.

HA 2 was adopted by voice vote.

The roll call on HB 144 w/HA 1 & 2 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Davis, Lee - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 144 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on SB 83. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis brought SB 83, sponsored by Senator Vaughn, before the House for consideration.

SB 83 - An Act to Amend 69 Laws of Delaware, Chapter 463 Relating to Insurance Fraud.

Representative D. Ennis made comments.

The roll call on SB 83 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Davis, Williams - 3.

Therefore, having received a constitutional majority, SB 83 was returned to the Senate.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli brought HB 216 before the House for consideration.

HB 216 - An Act to Amend Title 19 of the Delaware Code Relating to the Unemployment Compensation Advisory Council.

Representative Petrilli made comments.

The roll call on HB 216 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Davis, Lofink, Oberle - 4.

Therefore, having received a constitutional majority, HB 216 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 200, jointly sponsored by Senator Blevins & Representatives Maier, Stone, Ulbrich, B. Ennis, Plant & Williams & Senators Henry, Marshall, Sokola, Amick & Reed, before the House for consideration.

HB 200 - An Act to Amend Titles 16, 24, and 29 of the Delaware Code Relating to Occupations and Professions and Transferring Responsibility for the Licensure of Plumbers From the Division of Public Health to the Division of Professional Regulation. (3/5 bill)

Representative Maroney made comments.

The roll call on HB 200 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 200 was sent to the Senate for concurrence.

Representative Smith brought HB 138 w/HA 1 & SA 1, sponsored by Representative Welch & Senator Bonini, before the House for concurrence on SA 1.

HB 138 - An Act to Amend Chapter 47, Title 16 of the Delaware Code Relating to Drug Paraphernalia. (2/3 bill)

Representative Smith made a comment.

The roll call on HB 138 w/HA 1 & SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Davis - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 138 w/HA 1 & SA 1 was sent to the Governor.

Representative Smith introduced and brought SCR 35, sponsored by Senators Amick, Reed & Sorenson & Representatives DiLiberto & Ulbrich, before the House for consideration.

SCR 35 - Extending Best Wishes to Margaret Seavy Catts, Executive Director of the Newark Senior Center, On the Occasion of Her Retirement.

Representatives Smith & Maroney made comments.

SCR 35 was adopted by voice vote and returned to the Senate.

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

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: Representative Wayne Smith, Majority Leader



FROM: Representative J. Benjamin Ewing, Jr.

RE: Absence From Session

DATE: June 11, 1997

During my absence (brief, I hope) Representative Jerry Buckworth will work my bills and conduct any business related to the Public Safety Committee.

I have spoken to Representative Buckworth and he has generously agreed to do this for me.

Thank you.

JBEjr/ile

The Senate wishes to inform the House that it has passed: SCR 35.

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

BUSINESS/CORP/COM: HB 299 - 11M; SB 114 - 11M.

H/ADM: HB 279 - 5M; HB 292 - 4M; SB 150 - 5M; SB 157 - 5M.

JUD: HB 280 - 5M; HB 283 - 5M; HB 286 - 5M; HB 287 - 5M; HB 288 - 5M; HB 291 - 5M;

SS 1/SB 115 - 5M; SB 139 - 5M; SB 160 - 5M; SB 161 - 5M.

P/S: HB 271 - 4M; HB 285 - 1F,5M; HB 290 - 6M.

ED: HS 1/HB 81 - 6M; HB 269 - 6M; HB 275 - 1F,5M.

R & F: HB 257 - 4F,4M.

ECON DEV, B & I: HB 256 - 1F,7M; HB 281 - 3F,5M; HB 295 - 3F,3M; HB 300 - 2F,3M,2U; SB 102 - 1F,6M; SB 124 w/SA 1 - 7M.

LABOR: HB 121 - 5M; HB 204 - 1M,3U; HB 231 - 5M.

CORR: HCR 32 - 5M; SCR 31 - 4M.

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

36th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 12, 1997

Mr. Speaker Spence called the House to order at 2:04 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 106, SS 1 for SB 74 w/SA 2, SB 145 w/SA 1 & SB 147 w/SA 3.

June 11, 1997

LEGISLATIVE ADVISORY #16

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/10/97 - SJR 4. 6/11/97 - HB 193 aab HA 1, HB 166 aab HA 1, SB 60 aab SA 1 & HA 1, HB 56 aab HA 1,2 & 3, HB 170, HB 174 & SB 90.

The following amendment to the Delaware Constitution does not require the signature of Governor Carper: SB 45.

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

R & F: HB 311 - 5F,2M.

HEALTH & HUM DEV: HB 112 - 6M; HB 240 - 6M; HB 242 - 6M; HB 276 - 7M.

Mr. Speaker assigned HB 231 & HB 208 to the Appropriations Committee.

The following prefiled legislation was introduced:

HB 312 - SPENCE & SENATOR COOK - ED: An Act to Amend Title 14 of the Delaware Code Relating to Education Benefits for Active Members of the Delaware National Guard.

The Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Davis, Ewing - 2.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

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

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

The following prefiled legislation was introduced:

HB 305 - OBERLE, QUILLEN, WAGNER, SCHROEDER & SENATOR MCBRIDE - ED: An Act to Amend Title 14 of the Delaware Code Relating to Donated Leave Program(s) for School Employees; and Sick Leave.

HB 306 - B. ENNIS, VANSANT, BANNING, HOUGHTON; SENATOR VAUGHN - JUD: An Act to Amend Chapter 29, Title 10 of the Delaware Code Relating to the Issuance of Search Warrants to "Code Enforcement Constables" in Priority Circumstances.

**HB 313** - PETRILLI, DIPINTO & QUILLEN; SENATOR SORENSON - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Veterinary Practice Act.

**HB 314** - ULBRICH - POL ANAL & GOV ACCT: An Act to Amend Chapter 88, Title 29 of the Delaware Code Relating to the Department of Administrative Services.

**HA 3 to HB 149** - VANSANT - L.O.T.: Placed with the bill.

**SS 1 for SB 74 w/SA 2** - BLEVINS & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, REED, STILL; REPRESENTATIVES CAPANO, MAIER, SCOTT - POL ANAL & GOV ACCT: An Act to Amend Chapter 53, Title 24 of the Delaware Code Relating to Massage and Bodywork.

**SB 106** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 145 w/SA 1** - VAUGHN; REPRESENTATIVE LEE - CORR: An Act to Amend Chapter 65, Title 11, of the Delaware Code Relating to Creation of a Special Fund for Monies Confiscated as Contraband.

**SB 147 w/SA 3** - MARSHALL & REPRESENTATIVE OBERLE; SENATORS ADAMS, BLEVINS, BUNTING, COOK, HENRY, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON & STILL; ALL REPRESENTATIVES - LABOR: An Act to Amend Title 19, Title 18, Title 29 and Title 30 of the Delaware Code Relating to Workers' Compensation.

Representative Fallon requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Spence made an announcement.

Representatives Lee, Lofink, Capano & D. Ennis requested that they be marked present.

Representative DiLiberto requested that action on **HB 205** be Deferred to a Day Certain, Thursday, June 19, 1997.

Representatives Buckworth, Carey, Cloutier & Gilligan requested that they be marked present.

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

The House reconvened at 4:36 p.m.

Mr. Speaker assigned **HB 275** to the Appropriations Committee.

Mr. Speaker requested that **HJR 5** be stricken.

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

Representative Smith made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 103**, jointly sponsored by Senator Sharp, before the House for consideration.

**SB 103** - An Act to Amend Title 12 of the Delaware Code Relating to Fiduciary Relations, the "Uniform Testamentary Additions to Trusts Act".

Representative Wagner made comments.

The roll call on **SB 103** was taken and revealed:

YES: 39.

ABSENT: Representatives Davis, Ewing - 2.

Therefore, having received a constitutional majority, **SB 103** was returned to the Senate.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 225**, jointly sponsored by Senator Sharp & Representatives Capano, D. Ennis & Ewing, before the House for consideration.

**HB 225** - An Act to Amend Title 10 of the Delaware Code Relating to Courts and Judicial Procedure, and Providing for a "Uniform Foreign-Money Claims Act".

Representative Wagner made comments.

The roll call on **HB 225** was taken and revealed:

YES: 38.

ABSENT: Representatives Davis, Ewing, Petrilli - 3.

Therefore, having received a constitutional majority, **HB 225** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 249**, jointly sponsored by Representative Ewing & Senator Henry & Representatives Spence, Smith, Boulden, Carey, Cloutier, Davis, DiPinto, D. Ennis, Maier, Quillen, Reynolds, Roy, Ulbrich, VanSant & B. Ennis & Senators Sharp, McDowell, Blevins, Bunting, Sokola, Voshell, Bair, Amick, Connor, Reed, Sorenson & Still, before the House for consideration.

**HB 249** - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Laws.

Representative Buckworth made a comment.

Representative Buckworth introduced and brought **HA 1 to HB 249** before the House for consideration.

Representatives Buckworth & Lee made comments.

Representative Buckworth requested and was granted the privilege of the floor for Lieutenant Mark Seifert, representing the Delaware State Police.

HA 1 was adopted by voice vote.

Representative Buckworth requested and was granted the privilege of the floor for Sergeant Glenn Hansen, Supervisor, Howard County, Ellicott City, Maryland Police Department.

Representatives Brady, Maier, Welch, Ulbrich, West, D. Ennis & DiLiberto made comments.

Representative Buckworth requested and was granted the privilege of the floor for Lieutenant Alex VonKoch, representing the Newark Police Department.

Representatives DiLiberto, Scott, Price, Caulk, Plant, Houghton, Keeley, Lee, Schroeder, Buckworth, Keeley & DiPinto made comments.

Representative Buckworth requested and was granted the privilege of the floor for Trish Roberts, Director, Delaware Office of Highway Safety.

Representative DiPinto made comments.

Representative Oberle requested and was granted the privilege of the floor for Lieutenant Alexander VonKoch, representing the Newark Police Department.

Representatives Oberle, DiPinto, B. Ennis, Oberle & Schroeder made comments.

Representative Buckworth requested and was granted the privilege of the floor for Lieutenant Alex VanKoch, representing the Newark Police Department.

Representative Schroeder made comments.

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

Representatives Oberle, Stone, VanSant, Buckworth & Stone made comments.

The roll call on HB 249 w/HA 1 was taken and revealed:

YES: 31.

NO: Representatives Banning, Capano, Caulk, Houghton, Quillen - 5.

NOT VOTING: Representatives Brady, Price, Scott - 3.

ABSENT: Representatives Davis, Ewing - 2.

Therefore, having received a constitutional majority, HB 249 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative Buckworth made comments.

Representative Smith moved to suspend the rules which interfere with adding SB 126 to Consent Agenda D.

Representative Smith requested that HB 212 be removed from Consent Agenda D.

The motion was properly seconded and adopted by voice vote.

SB 126 - SOKOLA & REPRESENTATIVE OBERLE; SENATORS BLEVINS, BUNTING, MCDOWELL, VENABLES & VOSHALL; REPRESENTATIVES BANNING, BUCKWORTH, CAREY, CAULK, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, LEE, MACK, PLANT, PRICE, REYNOLDS, SCHROEDER, SCOTT, VANSANT & WILLIAMS - An Act to Amend Title 14 of the Delaware Code Relating to Higher Education Incentives for Student Achievement.

Representative Smith brought Consent Agenda D, before the House for consideration.

HB 127 - QUILLEN - An Act to Amend Title 21, Chapter 28 of the Delaware Code Relating to Habitual Offenders.

HB 212 - SMITH; SENATOR VAUGHN - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

HB 277 - WAGNER; SENATOR SHARP - An Act to Amend Title 11 of the Delaware Code Relating to the Repeal of Certain Criminal Statutes.

HB 75 - WEST, BANNING, CAPANO, B. ENNIS, EWING, HOUGHTON, MACK, PETRILLI, PRICE, SCOTT, VANSANT, WELCH, SPENCE; SENATORS BLEVINS, BONINI, HENRY, MCBRIDE, STILL, VOSHALL; REPRESENTATIVES BUCKWORTH, CLOUTIER, D. ENNIS, GILLIGAN, KEELEY, MARONEY, PLANT, SCHROEDER, STONE, WAGNER, WILLIAMS; SENATORS ADAMS, BUNTING, HAUGE, MARSHALL, MCDOWELL, VAUGHN - An Act to Amend Chapter 87, Title 29, Delaware Code Relating to the Delaware Commission of Veterans Affairs.

HB 252 - VANSANT, BANNING, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, FALLON, LOFINK, QUILLEN, WAGNER, SPENCE; SENATORS BLEVINS, VAUGHN, VOSHALL; REPRESENTATIVES BRADY, CAPANO, CLOUTIER, DAVIS, B. ENNIS, EWING, LEE, MARONEY, ULBRICH, WEST; SENATORS BAIR, SORENSON, VENABLES - An Act to Amend Title 11 of the Delaware Code Relating to Escape.

HB 253 - DILIBERTO, BANNING, BUCKWORTH, CAREY, CAULK, DIPINTO, D. ENNIS, FALLON, HOUGHTON, LOFINK, MARONEY, SCHROEDER, STONE, WAGNER, WEST, SPENCE; SENATORS BAIR, COOK, REED, STILL; REPRESENTATIVES BRADY, CAPANO, CLOUTIER,

DAVIS, B. ENNIS, EWING, GILLIGAN, KEELEY, MAIER, PLANT, SCOTT, VANSANT, WELCH, WILLIAMS; SENATORS AMICK, CONNOR, HAUGE, SORENSON, VOSHELL - An Act to Amend Chapter 13, Title 10 of the Delaware Code Relating to Transfer of Judgments From the Court of Common Pleas.

**SB 150** - SHARP - An Act Waiving the Statutory Provisions of §107(a) of Chapter 1, Title 13, Delaware Code, as It Relates to the Marriage of Steven Shelton and Stephanie Campbell, Non-Residents of the State of Delaware.

**SB 157** - CONNOR; REPRESENTATIVES MACK, REYNOLDS - An Act to Waive Statutory Provisions of Title 13 of the Delaware Code Relating to the Solemnization of Certain Marriages.

**SB 126** - SOKOLA & REPRESENTATIVE OBERLE; SENATORS BLEVINS, BUNTING, MCDOWELL, VENABLES & VOSHELL; REPRESENTATIVES BANNING, BUCKWORTH, CAREY, CAULK, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, LEE, MACK, PLANT, PRICE, REYNOLDS, SCHROEDER, SCOTT, VANSANT & WILLIAMS - An Act to Amend Title 14 of the Delaware Code Relating to Higher Education Incentives for Student Achievement.

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

YES: 39.

ABSENT: Representatives Davis, Ewing - 2.

Therefore, having received a constitutional majority, **HB 127, HB 277, HB 75, HB 252 & HB 253** were sent to the Senate for concurrence & **SB 150, SB 157 & SB 126** were returned to the Senate.

Representative Smith brought **HB 212**, jointly sponsored by Senator Vaughn, before the House for consideration.

**HB 212** - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

Representative Smith deferred to Representative Welch.

Mr. Speaker introduced a guest.

Representative Welch introduced and brought **HA 1 to HB 212** before the House for consideration.

Representative Welch made comments.

**HA 1** was adopted by voice vote.

Representatives Smith, Ulbrich, Williams, Keeley, Banning, Price, Smith, Welch & Brady made comments.

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

YES: 37.

NO: Representatives Keeley, Williams - 2.

ABSENT: Representatives Davis, Ewing - 2.

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

Representative Smith made an announcement.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 311**, jointly sponsored by Representative Schroeder & Senator Venables & Representatives Banning, Brady, Capano, Cloutier, B. Ennis, Ewing, Lee, Petrilli, Price, Stone, Ulbrich & Wagner & Senators Voshell, Sokola, McDowell & Bunting, before the House for consideration.

**HB 311** - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representatives Roy, Welch, Oberle & Roy made comments.

The roll call on **HB 311** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Davis, Ewing - 3.

Therefore, having received a constitutional majority, **HB 311** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 258**, jointly sponsored by Senator Blevins & cosponsored by Representative DiPinto, before the House for consideration.

**HB 258** - An Act to Amend Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

Representative Oberle made comments.

The roll call on **HB 258** was taken and revealed:

YES: 39.

ABSENT: Representatives Davis, Ewing - 2.

Therefore, having received a constitutional majority, **HB 258** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested that action on **SB 75** be Deferred to a Day Certain, Tuesday, June 17,

Representative Maier introduced HB 321, jointly sponsored by Representative Spence & Senator McDowell & Representatives Smith, Welch, DiPinto, Lofink, Maroney, Roy, VanSant, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West & Williams & Senators Blevins, Sokola, Amick & Sorenson.

HB 321 - An Act to Amend Title 31 of the Delaware Code Relating to Child Day Care Centers.

Mr. Speaker assigned HB 321 to the Health & Human Development Committee.

Representative Capano introduced HB 319, jointly sponsored by Senator McBride & Representatives Carey, Caulk, Mack, Quillen, Price, Schroeder & West & Senators Venables & Sorenson.

HB 319 - An Act to Amend Title 7, Delaware Code Relating to Hydraulic Mulching.

Mr. Speaker assigned HB 319 to the Natural Resources Committee.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested that HA 2 to HB 262 be stricken.

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

LAND USE & INFRA: HB 182 - 5M.

POL ANAL & GOV ACCT: HB 244 - 3F,2M; SB 136 w/SA 1 & 2 - 3F,2M.

LABOR: HB 167 - 5M; SB 147 w/SA 3 - 5M.

AG: HB 293 - 2F,2M.

Mr. Speaker assigned HB 167 to the Appropriations Committee.

The Majority Leader moved to recess to the call of the Chair at 6:24 p.m.

37th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 17, 1997

Mr. Acting Speaker Welch called the House to order at 2:09 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 131 w/SA 1, SCR 36, HB 224 w/HA 1, HS 1 for HCR 18, SB 128, SB 129, SB 130, SB 155, SB 158, SB 154, SB 123, HB 214, HB 245 & HB 236 w/SA 1.

M E M O R A N D U M

DATE: June 9, 1997

TO: SENATOR BOB VOSHELL

FROM: SENATOR JOHN STILL

RE: HORSESHOE CRAB PERMITS BILL - SB 113

Rep. Bobby Quillen would like to be listed as a Co-sponsor of the Bill concerning horseshoe crab permit fees rebates.

Thank you for your attention.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Ewing - 1.

A prayer was offered by Reverend Brooks Reynolds.

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

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

The following prefiled legislation was introduced:

HB 315 - OBERLE, SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, QUILLEN, REYNOLDS, STONE, WAGNER, VANSANT, BANNING, HOUGHTON, PLANT, PRICE, SCHROEDER, WEST - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act.

HB 316 - WELCH & WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Chapter 45, Part V, Title 12 of the Delaware Code, Making Certain Changes in the Delaware Uniform Transfers to Minors Act.

HB 317 - KEELEY & SENATOR HENRY; REPRESENTATIVES BRADY, FALLON, PLANT, PRICE, QUILLEN; SENATOR VENABLES - BUS/COM/CORP: An Act to Amend Title 4 of the Delaware Code Relating to Purchases of Alcoholic Beverages by Retail License Holders.

HB 318 - EWING & SENATOR HENRY - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Certain Motor Vehicle Offenses.

**HB 320** - CAPANO & SENATOR MCDOWELL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxation on the Distribution and Use of Public Utilities. (3/5 bill)

**HB 325** - SCHROEDER & SENATOR VOSHELL - H/ADM: An Act to Amend an Act Being Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled, "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors" to Require United States Citizenship of All Otherwise Qualified Voters in Order to Vote. (2/3 bill)

**HA 1 to HB 141** - BOULDEN - AGENDA III: Placed with the bill.

**HA 1 to HB 188** - WAGNER - AGENDA II: Placed with the bill.

**HA 2 to HB 263** - GILLIGAN - AGENDA: Placed with the bill.

**HA 1 to HB 273** - REYNOLDS; SENATORS HAUGE, SOKOLA - APPRO: Placed with the bill.

**HA 1 to HB 300** - D. ENNIS - AGENDA: Placed with the bill.

**SB 123** - BLEVINS & REPRESENTATIVE ULBRICH; SENATORS BUNTING, SOKOLA, REED, STILL; REPRESENTATIVES CAPANO, MAIER - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Nursing Practice Act. (2/3 bill)

**SB 128** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Regarding Certain Crimes. (F/N)

**SB 129** - SHARP & REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 31 of the Delaware Code Regarding Abandonment of an Infirm Adult.

**SB 130** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Regarding Sentencing in Criminal Cases.

**SB 131 w/SA 1** - SHARP; REPRESENTATIVE WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Sentencing in Criminal Cases. (F/N)

**SB 154** - VAUGHN & REPRESENTATIVE B. ENNIS - H/ADM: An Act to Amend Chapter 291, Volume 66, Laws of Delaware, as Amended, Entitled: "An Act to Reincorporate the Town of Clayton" Relating to the Establishment of a Specific Date for the Annual Election of Council Members of the Town of Clayton. (2/3 bill)

**SB 155** - ADAMS; REPRESENTATIVE EWING - H/ADM: An Act to Amend Chapter 299, Volume 64, Laws of Delaware, Entitled "An Act to Amend an Act Being Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville" to Grant the Ultimate Jurisdiction for Certain Criminal Offenses. (2/3 bill)

**SB 158** - BLEVINS; REPRESENTATIVES HOUGHTON, VANSANT - H/ADM: An Act to Amend an Act Being Chapter 3, Volume 68 of the Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Relating to Municipal Elections and Qualifications of the Mayor. (2/3 bill)

**HA 1 to SB 79** - WAGNER - ED: Placed with the bill.

Mr. Acting Speaker assigned **HB 156, HB 295 & SS 1** for **SB 115** to the Appropriations Committee.

Representatives Petrilli, Stone & Lee requested that they be marked present.

Representatives D. Ennis & Maier requested and were granted the privilege of the floor for the introduction of guests.

Representatives Plant, Boulden, Mack & Scott requested that they be marked present.

Representative West requested and was granted the privilege of the floor for Megan Gorman, Miss National Pre-Teen; Aimee Parker, Junior National Teenager; Jesse Savage, Outstanding Wrestler & Alison Catherine White, Miss Delaware, 1997.

Representatives DiLiberto, Buckworth, Williams & Ulbrich requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:44 p.m.

The House reconvened at 4:59 p.m. with Representative Quillen as Acting Speaker.

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

Representatives Oberle & Petrilli made comments.

Representative Smith deferred to Representative Welch.

Representative Welch moved to suspend the rules which interfere with action on **SB 147 w/SA 3**. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Welch brought **SB 147 w/SA 3**, jointly sponsored by Senator Marshall & Representative Oberle & Senators Adams, Blevins, Bunting, Cook, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson & Still & All Representatives, before the House for consideration.

**SB 147** - An Act to Amend Title 19, Title 18, Title 29 and Title 30 of the Delaware Code Relating to Workers' Compensation.

Representative Welch deferred to Representative Oberle.

Representative Oberle made comments.

The roll call on SB 147 w/SA 3 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, SB 147 w/SA 3 was returned to the Senate.

Representative Gilligan made comments.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 75, jointly sponsored by Senators Blevins, Henry & Sorenson & Representatives Keeley, Maroney, Ulbrich, Gilligan, Plant & Capano, before the House for consideration.

SB 75 - An Act to Amend Title 16 of the Delaware Code Relating to the General Powers of the Secretary, Delaware Health and Social Services. (3/5 bill)(F/N)

Representative Maier made comments.

The roll call on SB 75 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Ewing, Lee - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 75 was returned to the Senate.

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

HB 139 - REYNOLDS, CAPANO, DAVIS, FALLON, LOFINK, MAIER, ULBRICH, BANNING, B. ENNIS, HOUGHTON, SCOTT, CAULK, DIPINTO, LEE, MACK, MARONEY, WAGNER, BRADY, GILLIGAN, PLANT, VANSANT - An Act to Amend Title 29, Delaware Code Relating to State Procurement.

HB 274 - REYNOLDS, SPENCE, SMITH, BUCKWORTH, CAULK, DAVIS, D. ENNIS, FALLON, LOFINK, MARONEY, PETRILLI, REYNOLDS, STONE, WAGNER, VANSANT, BRADY, B. ENNIS, KEELEY, PRICE, SCOTT, WELCH, BOULDEN, CAPANO, CLOUTIER, DIPINTO, EWING, LEE, MACK, OBERLE, QUILLEN, ROY, ULBRICH, GILLIGAN, BANNING, DILIBERTO, HOUGHTON, PLANT, SCHROEDER, WILLIAMS - An Act to Amend Title 14 of the Delaware Code Relating to Education.

HB 183 - VANSANT; SENATOR COOK; REPRESENTATIVES BRADY, CAREY, B. ENNIS, GILLIGAN, LEE, WEST; SENATOR ADAMS; REPRESENTATIVE BUNTING; SENATOR VAUGHN; REPRESENTATIVES BANNING, BUCKWORTH, DAVIS, EWING, HOUGHTON, WELCH, SPENCE; SENATORS BONINI, STILL, VENABLES - An Act to Amend Title 19 of the Delaware Code Relating to the Regulation of Employees.

HB 184 - WAGNER; SENATOR VAUGHN - An Act to Amend Title 10 of the Delaware Code Relating to Fees and Costs.

HB 221 - VANSANT, BANNING, BRADY, CLOUTIER, DAVIS, D. ENNIS, FALLON, KEELEY, LOFINK, MARONEY, PLANT, QUILLEN, SMITH, WEST; SENATORS AMICK, BLEVINS, CONNOR, MCDOWELL, VAUGHN; REPRESENTATIVES BOULDEN, BUCKWORTH, CAULK, B. ENNIS, EWING, HOUGHTON, LEE, MAIER, OBERLE, PRICE, SCHROEDER, ULBRICH, SPENCE; SENATORS BAIR, BONINI, MARSHALL, REED, VOSHELL - An Act to Amend Chapter 13, Title 24 of the Delaware Code Relating to Private Investigators and Private Security Agencies.

HS 1 for HCR 24 - SMITH; SENATOR BAIR; REPRESENTATIVE BRADY - Requesting the Department of Natural Resources and Environmental Control (DNREC) to Proceed With the Necessary Steps and Processes to Analyze the Naamans Creek Watershed.

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

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HB 139, HB 274, HB 183, HB 184, HB 221 & HS 1 for HCR 24 were sent to the Senate for concurrence.

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

SB 104 - SHARP; REPRESENTATIVE WAGNER - 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. (3/5 bill)

SB 105 - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Chapter 19, Title 6 of the Delaware Code Relating to Commerce and Trade; and Providing for a "Uniform Unincorporated Nonprofit Association Act."

SB 107 - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

SB 139 - SHARP; REPRESENTATIVES SPENCE, DILIBERTO, WAGNER - An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

**SB 160** - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade, the Uniform Trade Secrets Act.

**SB 161** - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Part II, Title 12 of the Delaware Code Relating to Fiduciary Relations; and Providing for a "Uniform International Wills Acts".

**SB 110 w/SA 1** - VAUGHN; REPRESENTATIVE LEE; SENATORS SHARP, BLEVINS; REPRESENTATIVES STONE, BUCKWORTH, EWING, VANSANT; SENATORS VENABLES, SOKOLA, MCDOWELL; REPRESENTATIVES CAREY, CAPANO, REYNOLDS, WILLIAMS - An Act to Amend Title 11 of the Delaware Code Relating to Assaults in Detention Facilities.

**SB 113 w/SA 1** - VOSHALL; REPRESENTATIVE CAREY - An Act to Amend Chapter 19 of Title 7 of the Delaware Code Relating to Surf Clams and Horseshoe Crabs.

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

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 104, SB 105, SB 107, SB 139, SB 160, SB 161, SB 110 w/SA 1 & SB 113 w/SA 1** were returned to the Senate. Representative Smith brought Consent Agenda E, which requires a two-thirds vote, before the House for consideration.

**HB 264** - BUCKWORTH; SENATOR BONINI - An Act to Amend Chapter 272, Volume 63, Laws of Delaware, as Amended, Relating to the Town of Camden. (2/3 bill)

**HB 279** - B. ENNIS; SENATORS VAUGHN, COOK; REPRESENTATIVE WELCH - An Act to Amend Chapter 339, Volume 62, Laws of Delaware, as Amended, Relating to the Town of Smyrna. (2/3 bill)

**HB 292** - FALLON; SENATOR VENABLES - An Act to Amend Chapter 34, Volume 58, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Blades", to Grant the Town Council of the Town of Blades the Power and the Authority to Enact an Ordinance or Ordinances to Levy, Assess and Collect or Provide the Levying, Assessment and Collection of Such Taxes as Shall be Determined by the Town Council of the Town of Blades to be Paid by the Transfer or Transferee Upon the Transfer of Real Property or Any Interest in Real Property, Situated Within the Corporate Limits of the Town of Blades, Said Transfer Tax Not to Exceed One Percent (1%) of the Sales Price (Including the Value of Any Assumed Mortgage or Mortgages) or Fair Market Value of the Real Property So Transferred; and Provided Further That No Tax Shall be Levied Upon an Organization Exempted From Ad Valorem Real Estate Taxes. (2/3 bill)

**HB 286** - WAGNER - An Act to Amend Title 11 of the Delaware Code Relating to Tampering With a Juror. (2/3 bill)

**HB 287** - WAGNER - An Act to Amend Title 11 of the Delaware Code Relating to Juror Misconduct. (2/3 bill)

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

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 264, HB 279, HB 292, HB 286 & HB 287** were sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano requested that **HB 309** be stricken.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 263**, jointly sponsored by Senator Voshell & Representatives Banning, Buckworth, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Houghton, Lofink, Plant, Quillen, Reynolds, Schroeder, VanSant, West, Williams & Spence & Senator Henry, before the House for consideration.

**HB 263** - An Act to Amend Title 20 of the Delaware Code Relating to Civil Defense and Emergency Management.

Representative Gilligan brought **HA 1** to **HB 263** before the House for consideration.

Representative Gilligan made a comment.

**HA 1** was adopted by voice vote.

Representative Gilligan brought **HA 2** to **HB 263** before the House for consideration. Representative Gilligan requested that **HA 2** be stricken.

Representative Gilligan introduced and brought **HA 3** to **HB 263** before the House for consideration.

Representative Gilligan made comments.

**HA 3** was adopted by voice vote.

Representatives Gilligan & Lee made comments.

The roll call on **HB 263 w/HA 1 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.



Therefore, having received a constitutional majority, HB 263 w/HA 1 & 3 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano requested that HB 181 be stricken.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought HB 207, jointly sponsored by Representative Maier & Senators Sharp, Blevins & Amick & Representatives Boulden, Capano, D. Ennis & Lofink, before the House for consideration. HB 207 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representative DiPinto made comments.

The roll call on HB 207 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HB 207 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Oberle.

Representative Oberle brought HB 267, jointly sponsored by Senator Marshall, before the House for consideration.

HB 267 - An Act to Amend Titles 18 and 19 of the Delaware Code Relating to Worker's Compensation Insurance.

Representative Oberle made comments.

The roll call on HB 267 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HB 267 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Roy.

Representative Roy brought HB 204, jointly sponsored by Senator Cook, before the House for consideration.

HB 204 - An Act to Amend Title 19 of the Delaware Code Pertaining to Worker's Compensation.

Representative Roy moved to place HB 204 on the Speaker's table. The motion was seconded by Representative Lofink and adopted by voice vote.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 188, jointly sponsored by Senator Sharp, before the House for consideration.

HB 188 - An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes. (2/3 bill)

Representative Wagner brought HA 1 to HB 188 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 188 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 188 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Price.

Representative Price brought HB 262 before the House for consideration.

HB 262 - An Act to Amend Chapter 9 of Title 7 of the Delaware Code Relating to Food Fish Dealer Reporting. (2/3 bill)

Representative Price brought HA 1 to HB 262 before the House for consideration.

Representative Price made comments.

HA 1 was adopted by voice vote.

Representative Price made comments.

The roll call on HB 262 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 262 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 5:51 p.m.

The House reconvened at 6:08 p.m.

Representative Smith deferred to Representative Banning.

Representative Banning introduced and brought HCR 34, jointly sponsored by Senator Vaughn, before the House for consideration.

HCR 34 - Congratulating Odessa's Corbit-Calloway Memorial Library as It Celebrates Its 150th Anniversary as Delaware's First Free Public Library.

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

HCR 34. The motion was properly seconded and adopted by voice vote.

Representative Banning made comments.

HCR 34 was adopted by voice vote and sent to the Senate for concurrence.

Representative Welch deferred to Representative Oberle.

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

HS 1 for HB 239. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought HS 1 for HB 239 before the House for consideration.

HB 239 - An Act to Amend Title 19 of the Delaware Code Relating to Fair Share Fees and the Public Employment Relations Act.

Representative Oberle made comments.

The roll call on HS 1 for HB 239 was taken and revealed:

YES: 37.

NO: Representative Boulden - 1.

NOT VOTING: Representative Capano - 1.

ABSENT: Representatives Ewing, Smith - 2.

Therefore, having received a constitutional majority, HS 1 to HB 239 was sent to the Senate for concurrence.

Representative Welch deferred to Representative DiLiberto.

Representative DiLiberto brought HB 222, jointly sponsored by Representatives Banning, Buckworth, Capano, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Houghton, Keeley, Oberle, Plant, Reynolds, Scott, VanSant, Wagner, Welch, West, Williams & Spence & Senator Vaughn, before the House for consideration.

HB 222 - An Act to Amend Chapter 15, Title 24 of the Delaware Code Relating to Public Eating Places.

Representative DiLiberto brought HA 1 to HB 222 before the House for consideration.

Representative DiLiberto made comments.

HA 1 was adopted by voice vote.

Representatives DiLiberto & DiPinto made comments.

The roll call on HB 222 w/HA 1 was taken and revealed:

YES: 29.

NO: Representatives Boulden, Cloutier, Davis, DiPinto, Fallon, Lee, Quillen - 7.

NOT VOTING: Representatives Brady, Capano - 2.

ABSENT: Representatives Ewing, Roy, Smith - 3.

Therefore, having received a constitutional majority, HB 222 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Davis.

Representative Davis introduced HJR 9, jointly sponsored by Senator Cook.

HJR 9 - Allowing Delaware Schools and Libraries to Receive Federal Universal Service Support for Telecommunications and Other Services.

Mr. Acting Speaker assigned HJR 9 to the Telecommunications & Electric Utility Deregulation Committee.

Representative Welch brought HB 236 w/SA 1, sponsored by Representative Ewing & Senator Henry, before the House for concurrence on SA 1.

HB 236 - An Act to Amend Title 21, Delaware Code Relating to the Uniform Commercial Drivers Act.

Representative Welch made comments.

The roll call on HB 236 w/SA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Ewing, Gilligan, Roy, Smith, VanSant - 5.

Therefore, having received a constitutional majority, HB 236 w/SA 1 was sent to the Governor.

Representatives Welch & Petrilli made announcements.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 288, jointly sponsored by Senators Sharp & Vaughn, before the House for consideration.

HB 288 - An Act to Amend Chapter 25, Title 11 of the Delaware Code Relating to Extradition Procedures.

Representative Wagner made comments.

The roll call on HB 288 was taken and revealed:

YES: 36.

ABSENT: Representatives Ewing, Gilligan, Roy, Smith, VanSant - 5.

Therefore, having received a constitutional majority, HB 288 was sent to the Senate for concurrence.

Representative Welch deferred to Representative DiPinto.

Representative DiPinto introduced HB 328, jointly sponsored by Representative Lee & Senator Vaughn & Representatives Buckworth, Carey, Quillen, Welch & B. Ennis & Senator Voshell.

HB 328 - An Act to Amend Chapter 66, Title 16 of the Delaware Code, Relating to the Right of Appeal to the State Fire Prevention Commission by Persons Aggrieved by Decisions of Assistant State Fire Marshals.

Mr. Acting Speaker assigned HB 328 to the Public Safety Committee.

Representative Stone requested that action on HB 292 be Deferred to a Day Certain, Thursday, June 19, 1997.

Representative Welch deferred to Representative Maier.

Representative Maier made comments.

Representative Maier introduced HB 331, jointly sponsored by Representative Spence & Senators McDowell, Bair & Sorenson & Representatives Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton, Keeley, Plant, Price & Williams & Senator Sokola.

HB 331 - An Act to Amend Title 29 of the Delaware Code Relating to the Creation of the Office of Child Advocate.

Mr. Acting Speaker assigned HB 331 to the Health & Human Development Committee.

Representative Welch deferred to Representative Spence.

Representative Spence introduced HB 322, jointly sponsored by Senator Sharp & Representatives Welch, Buckworth, Cloutier, Ewing, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Petrilli, Wagner, Banning, B. Ennis, Houghton & West & Senators Bonini & Still.

HB 322 - An Act to Amend Title 14 of the Delaware Code Relating to Education. (2/3 bill)

Mr. Acting Speaker assigned HB 322 to the Education Committee.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: June 17, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-678	Spence	5/14/97	T	Colonel Sherry Freebery/Retirement
H139-679	Spence	6/10/97	T	/New Castle County Chief of Police
H139-680	Cloutier	6/10/97	T	Gambacorta Chrysler-Plymouth-Jeep-Eagle Dealer/40th Anniversary
H139-681	Maier	6/10/97	T	Darren Weaver/Became a Microsoft Certified Professional
H139-682	Reynolds	6/10/97	T	Christopher Springer/Became a Microsoft Certified Professional
H139-683	VanSant	6/10/97	T	Everette Smith/Became a Microsoft Certified Professional
H139-684	Oberle	6/10/97	T	Brian McKeon/Became a Microsoft Certified Professional
H139-685	VanSant	6/10/97	T	Renee McClure/Became a Microsoft Certified Professional
H139-686	Reynolds	6/10/97	T	Dawn Hoover/Became a Microsoft Certified Professional
H139-687	Houghton	6/10/97	T	Jason Hobbs/Became a Microsoft Certified Professional
H139-688	Keeley	6/10/97	T	Cam Herring, Jr./Became a Microsoft Certified Professional
H139-689	Spence	6/10/97	T	Ca-Cea Henry/Became a Microsoft Certified Professional
H139-690	D. Ennis	6/10/97	T	Glenn Ford/Became a Microsoft Certified Professional
			T	Andrew Clemens/Became a Microsoft Certified Professional

#### HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: June 17, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-691	Davis	6/10/97	T	Ryan Cavanaugh/Became a Microsoft Certified Professional
H139-692	Spence	6/10/97	T	Nathan Bonsall/Became a Microsoft Certified Professional
H139-693	Fallon	6/14/97	T	The Fallon Family/Housewarming/ "New Old House"
H139-694	Brady	6/21/97	T	Rosenberger Cold Storage Companies/25th Anniversary
H139-695	Brady	5/31/97	T	Melanie Edwards/Graduation/U. of D.
H139-696	Banning	4/02/97	T	William & Marlene Garlic/25th Wedding Anniversary
H139-697	B. Ennis	6/21/97	T	Gene & Jan Hart/25th Wedding Anniversary
H139-698	B. Ennis	6/08/97	M	Ivan O. Smith
H139-699	Fallon	6/06/97	T	Bertha Conaway/101st Birthday
H139-700	Quillen	6/12/97	T	Grace Wanda Quillen/Retirement/20 Years /Lake Forest School District
H139-701	Quillen	6/12/97	T	Violet Testerman/30 Years Service/ Lake Forest School District
H139-702	Spence	6/18/97	T	WDEL 1150 AM/75 Years of Outstanding Public Service
H139-703	Quillen	6/21/97	T	Harrington Fire Co., Inc./Dedication of Fire Equipment and Ambulance
H139-704	Fallon	6/21/97	T	Jean Shepherd/Retirement/ Seaford Schools/Teacher

T - Tribute

M - Memoriam

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

38th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 18, 1997

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:26 p.m.

Mr. Speaker Spence introduced guests.

Representative Smith and Speaker Spence made comments.

Representative Smith deferred to Representative Petrilli.

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

HJR 11. The motion was seconded by Representative Buckworth and adopted by voice vote.

Mr. Speaker Spence introduced guests.

Representative Petrilli introduced and brought HJR 11, jointly sponsored by Representatives Oberle, Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott & Williams & Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still & Venables, before the House for consideration.

HJR 11 - Directing the Public Service Commission to Complete Docket 97-65 by February 1, 1998, Report Its Decision to the Governor and the General Assembly; and Require Delmarva Power & Light Company to Temporarily Limit Its Activities in Certain Ways.

Representative Petrilli moved to place HJR 11 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

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

HJR 12. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle introduced and brought HJR 12, jointly sponsored by Representatives Petrilli, Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott & Williams & Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still & Venables, before the House for consideration.

HJR 12 - Directing the Public Service Commission to Issue a Consent Order Requiring Delmarva Power & Light Company to Submit to Audits of Their Affiliates and Notify the Commission of Certain Acquisitions.

Representative Oberle moved to place HJR 12 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Buckworth.

Representatives Buckworth & Capano made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 48, HB 146, HB 169, SB 162 w/SA 1 & SB 137.

The Majority Leader moved to adjourn at 2:38 p.m., thereby ending the current legislative day. The House reconvened at 2:39 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Ewing, Ulbrich - 2.

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

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

Mr. Speaker Spence & Representative Carey made comments.

The following prefiled legislation was introduced:

HB 323 - SCHROEDER, BANNING, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, DILIBERTO, B. ENNIS, FALLON, HOUGHTON, KEELEY, LOFINK, MACK, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, SCOTT, STONE, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE; SENATORS BAIR, BUNTING, CONNOR, REED, SOKOLA, SORENSON, STILL, VOSHALL - NAT RES: An Act to Amend Chapter 22 of Title 23 of the Delaware Code Relating to the Operation of Personal Watercraft.

HB 324 - B. ENNIS - NAT RES: An Act Authorizing and Directing the Department of Natural Resources and Environmental Control to Issue a Commercial Gill Net Foodfishing Permit to Lawrence Voss of Smyrna, Delaware, Who is Presently Prohibited From Obtaining a Permit Under Delaware Finfishing Statutes.

HB 326 - ROY, SPENCE, SMITH & VANSANT & SENATORS BLEVINS & SOKOLA - BUS/CORP/COM: An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

HB 327 - CAPANO & SMITH, SPENCE, WELCH, BOULDEN, BUCKWORTH, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, EWING, LEE, LOFINK, MACK, MAIER, OBERLE, QUILLEN, REYNOLDS, STONE, ULBRICH, PLANT; SENATORS BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 329 - QUILLEN - ENV MAN: An Act to Amend Title 7 of the Delaware Code Relating to Environmental Control.

HB 330 - REYNOLDS & SENATOR HAUGE - ED: An Act to Amend Title 14 of the Delaware Code Relating to School District Enrollment Choice Program.

HB 332 - OBERLE - LABOR: An Act to Amend Title 29 of the Delaware Code Relating to the Economic Development Training Act.

HB 333 - WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Title 11 of the Delaware Code Regarding the State Bureau of Identification.

HA 1 to HS 1 for HB 81 - CLOUTIER - AGENDA: Placed with the bill.

HA 1 to HB 112 - WAGNER - READY LIST: Placed with the bill.

HA 1 to HB 234 - DAVIS - TRANS: Placed with the bill.

SB 48 - BLEVINS, SORENSON & BONINI; REPRESENTATIVES CAPANO & WELCH - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Protection From Abuse Proceedings.

SB 137 - MARSHALL & REPRESENTATIVE OBERLE - LABOR: An Act to Amend Chapter 7, Title 19, of the Delaware Code, Relating to Replacement Workers.

SB 162 w/SA 1 - BLEVINS & REPRESENTATIVES MAIER & MARONEY; SENATORS VOSHALL, BAIR; REPRESENTATIVES PLANT & WILLIAMS - JUD: An Act to Amend Titles 7, 10, 13, 16, 18, 21, 29 and 30 of the Delaware Code Relating to Paternity and Child Support Obligations and the Division of Child Support Enforcement.

Mr. Speaker granted the privilege of the floor to former House Member, Casimir Jonkiert.

Mr. Speaker Spence presented a gift to Representative Jonkiert.

Representative Gilligan introduced and brought HR 33, jointly sponsored by All Representatives, before the House for consideration.

HR 33 - Commending Casimir S. Jonkiert of Wilmington, Delaware for His Twenty-Six Year Tenure of Dedicated, Outstanding and Illustrious Political Service in the Delaware House of Representatives, and

Further Wishing Him a Notably Fitting and Healthy Future That Will be Equally as Fruitful and Characteristic as His Years of Service With the State of Delaware.

WHEREAS, Casimir S. Jonkiert of the 5th Representative District, City of Wilmington, better known as "**Brown Town**" was elected to the Delaware House of Representatives in 1970 where he served for 26 years representing his constituents to the fullest extent and strength that the office would permit; and

WHEREAS, Cas, as he was called by fellow colleagues, did not only represent the wishes and views of his constituents of the 5th District, he also took on, at an early stage in his illustrious career, the mantle of leadership that he was able to perform with exemplary excellence earning for himself the highest respect from his fellow colleagues; and

WHEREAS, the leadership post he held throughout his political career, he conducted and discharged the duties and responsibilities of the offices with the utmost distinction, dedication and undivided attention. He had a listening ear for everyone's view; and

WHEREAS, Cas was elected as Speaker of the House of Representatives in 1975-76 (128th General Assembly) and served impeccably for two years manifesting not only his leadership skills, but equally portraying his acumen and skills at parliamentary procedure, an essential and vital tool needed to discharge the awesome responsibilities of the office; and

WHEREAS, during Cas' tenure, he served on numerous House standing committees, but none more important than the House Appropriation Committee and the Joint Finance Committee, two major committees that control State appropriations, expenditures, projects and new programs, and it is from this extraordinary responsibility he was effectively instrumental in accomplishing many of the goals and projects, not only for his district, but for the State as a whole; and

WHEREAS, in 1977-78, during the 129th General Assembly, Cas' colleagues elected him as Majority Leader fully recognizing his ability and political artfulness of getting things accomplished, and also being able to persuade, convince and market his innovative ideas into practical and useful programs and projects which have proved, over the years, to be beneficial by a vast majority of all citizens; and

WHEREAS, Cas also faithfully and effectively served on the Capitol Bond Bill Committee, a committee that has awesome responsibility, relative long term construction projects such as highways, new schools, sewer projects and numerous other projects whose life spans twenty years or more; and

WHEREAS, Cas' 26 year political career has given him the distinct and high honor of being the longest serving member in the Delaware House of Representatives, a salutary accolade worthy of many honors; and

WHEREAS, the legacy that Cas has left as the result of his long years of dedicated and devoted service to the State of Delaware will forever be indelibly stamped in the legislative annals for future politicians, statesmen and future generations to reflect upon and to emulate.

NOW, THEREFORE:

BE IT RESOLVED by the members of the House of Representatives of the 139th General Assembly of the State of Delaware that congratulations and many, many thanks and best wishes are hereby extended to Casimir S. Jonkiert of Wilmington, Delaware who faithfully served in the House of Representatives for 26 years and two of the highest leadership posts the institution provided, namely Speaker and Majority Leader.

BE IT FURTHER RESOLVED that upon passage of this Resolution, a suitably prepared copy be presented to former Representative Casimir S. Jonkiert of Wilmington, Delaware.

Representative Gilligan made comments.

Representatives Plant & DiLiberto requested that they be marked present.

Representatives Spence, Oberle, B. Ennis, VanSant, D. Ennis, Plant, West, Wagner, Reynolds & Spence made comments.

Mr. Speaker Spence granted the privilege of the floor to Senator Robert Marshall.

**HR 33** was adopted by voice vote.

Former Representative Casimir Jonkiert made comments.

Mr. Speaker presented a House Tribute to Pete Booker, General Manager, WDEL & Bob Mercer, Operations Manager, WDEL, recognizing the radio station's 75th Anniversary.

Mr. Speaker Spence granted the privilege of the floor to Pete Booker and Bob Mercer.

Representative Smith introduced and brought **HCR 35**, sponsored by Representative Spence & Senator Bair on Behalf of All House & Senate Members, before the House for consideration.

**HCR 35** - Honoring WDEL Radio for 75 Years of Outstanding Public Service to the Citizens of Delaware.

**HCR 35** was adopted by voice vote and sent to the Senate for concurrence.

Mr. Speaker introduced Ralph Landolfi, Delaware's participant in the World Transplant Games.

Representative Spence granted the privilege of the floor to Ralph Landolfi.

Representative Buckworth and Speaker Spence made comments.

Representative VanSant introduced a guest.

Representative Brady requested that he be marked present.

Representative Smith deferred to Representative Quillen.

Representative Quillen introduced guests.

Mr. Speaker Spence made an announcement.

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

Representative Smith deferred to Representative Fallon.

Representative Fallon made comments and introduced a guest.

Representative Smith deferred to Representative Capano.

Representative Capano made an announcement.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli moved to suspend the rules which interfere with lifting HJR 11 from the Speaker's table. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Petrilli brought HJR 11, jointly sponsored by Representatives Oberle, Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott & Williams & Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still & Venables, before the House for consideration.

HJR 11 - Directing the Public Service Commission to Complete Docket 97-65 by February 1, 1998, Report Its Decision to the Governor and the General Assembly; and Require Delmarva Power & Light Company to Temporarily Limit Its Activities in Certain Ways.

Representatives Welch, VanSant, Schroeder, Lofink, Capano, Lee, Caulk, Fallon & Stone announced that they will not vote on HJR 11 because of a possible conflict of interest.

Representative Petrilli made comments.

Representative West announced that he will not voting on HJR 11 because of a possible conflict of interest.

The roll call on HJR 11 was taken and revealed:

YES: 29.

NOT VOTING: Representatives Capano, Caulk, Lofink, Schroeder, Stone, VanSant, Welch, West - 8.

ABSENT: Representatives Ewing, Fallon, Lee, Ulbrich - 4.

Therefore, having received a constitutional majority, HJR 11 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to lift HJR 12 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HJR 12, jointly sponsored by Representatives Petrilli, Spence, Smith, Buckworth, Carey, Cloutier, Davis, DiPinto, D. Ennis, Mack, Maier, Maroney, Quillen, Reynolds, Roy, Ulbrich, Wagner, Gilligan, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott & Williams & Senators McDowell, Amick, Bair, Blevins, Bonini, Connor, Cook, Hauge, Marshall, McBride, Reed, Sokola, Sorenson, Still & Venables, before the House for consideration.

HJR 12 - Directing the Public Service Commission to Issue a Consent Order Requiring Delmarva Power & Light Company to Submit to Audits of Their Affiliates and Notify the Commission of Certain Acquisitions.

Representatives Welch, VanSant, Schroeder, Lofink, Fallon, Stone, Caulk, Capano & West announced that they will not voting on HJR 12 because of a possible conflict of interest.

Representative Oberle made comments.

The roll call on HJR 12 was taken and revealed:

YES: 28.

NOT VOTING: Representatives Capano, Caulk, Fallon, Lofink, Schroeder, Stone, VanSant, Welch - 8.

ABSENT: Representatives Ewing, Lee, Maroney, Ulbrich, West - 5.

Therefore, having received a constitutional majority, HJR 12 was sent to the Senate for concurrence.

Representative Spence introduced Tom Wagner, State Auditor.

The Reading Clerk read the following communication into the record:

June 18, 1997

Honorable Terry R. Spence

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Representative Spence,

Please be advised that I, Representative Stephanie A. Ulbrich, will be unable to attend session on Wednesday, June 18, 1997, due to illness. I hope to return to session by Thursday, June 19th.

Sincerely,

State Representative Stephanie A. Ulbrich  
25th District

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

The Majority Leader moved to recess for committee meetings at 3:48 p.m.

The House reconvened at 5:47 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 38, SB 174, SB 86, HB 144 w/HA 1 & 2 & SA 1.

June 17, 1997

#### LEGISLATIVE ADVISORY #17

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/16/97 - SB 96 aab SA 1, HB 30 aab HA 1, HB 90 aab HA 1, HB 246 aab HA 1, HB 151 aab HA 1, HB 147 aab HA 1 & 2, HB 138 aab HA 1 & SA 1, HB 214, SB 83, HB 145 aab HA 1. 6/17/97 - SB 157, SB 150 & HB 224 aab HA 1.

Representative Smith deferred to Representative Roy.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Roy introduced HB 343, jointly sponsored by Representatives Davis & Banning & Senators Sokola & Amick.

HB 343 - An Act to Amend Title 6 of the Delaware Code Relating to Residential Heating Systems.

Mr. Acting Speaker assigned HB 343 to the Telecommunications & Electric Utility Deregulation Committee.

Representative Roy introduced HB 345, jointly sponsored by Senator Voshell & Representatives Cloutier & Maier & Senators Sokola & Sorenson.

HB 345 - An Act to Amend Title 24 and Title 30 of the Delaware Code Relating to the Assessment of Real Property for the Purpose of Ad Valorem Taxation.

Mr. Acting Speaker assigned HB 345 to the House Administration Committee.

Representative Smith deferred to Representative Banning.

Mr. Acting Speaker assigned HB 300 to the Appropriations Committee.

Representative Banning introduced HJR 10, jointly sponsored by Senator Vaughn & Representatives Spence, Lofink, Oberle & B. Ennis.

HJR 10 - Establishing a Reporting Deadline for the Division of Natural Resources and Environmental Control to Issue a Detailed Written Report Including Conclusions, Recommendations and Schedule for the Cleanup of the Healthways Site in Odessa, New Castle County, Delaware.

Mr. Acting Speaker assigned HJR 10 to the Environmental Management Committee.

Representative Banning introduced HB 338, jointly sponsored by Representative B. Ennis & Senator Vaughn.

HB 338 - An Act to Amend Title 21 of the Delaware Code Relating to the Revocation of a License to Drive a Motor Vehicle for Persons Convicted of Drug Offenses.

Mr. Acting Speaker assigned HB 338 to the Public Safety Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought HB 251 before the House for consideration.

HB 251 - An Act to Amend Title 11 of the Delaware Code Relating to Trespassing With Intent to Peer or Peep.

Representative D. Ennis brought HA 1 to HB 251 before the House for consideration.

Representative D. Ennis made a comment.

HA 1 was adopted by voice vote.

Mr. Speaker Spence resumed the Chair.

Representative D. Ennis made comments.

The roll call on HB 251 w/HA 1 was taken and revealed:

YES: 31.

ABSENT: Representatives Cloutier, DiLiberto, Ewing, Keeley, Maier, Price, Quillen, Reynolds, Ulbrich, West - 10.

Therefore, having received a constitutional majority, HB 251 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Brady.

Representative Brady brought HB 261, jointly sponsored by Representatives Banning, Buckworth, Carey, Caulk, DiPinto, B. Ennis, Ewing, Keeley, Lofink, Plant, Reynolds, Scott, VanSant & West & Senators Bair & Hauge, before the House for consideration.

HB 261 - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.



Representatives Brady, DiPinto, Schroeder, Brady & Smith made comments.

Representative Schroeder requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Schroeder, Wagner & Brady made comments.

The roll call on HB 261 was taken and revealed:

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

YES: 22.

NO: Representatives Boulden, Cloutier, Davis, Lee, Maier, Maroney, Quillen, Stone, Wagner, Welch, Williams - 11.

NOT VOTING: Representatives DiPinto, Mack, Petrilli, Roy, Smith - 5.

ABSENT: Representatives Ewing, Ulbrich, West - 3.

Therefore, having received a constitutional majority, HB 261 was sent to the Senate for concurrence.

Representative Smith introduced guests.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HB 141, jointly sponsored by Senator Amick & Representatives Spence, Smith, Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, Ewing, Fallon, Lee, Maroney, Oberle, Petrilli, Quillen, Roy, Stone, Ulbrich, Gilligan, Brady, Houghton, Price & West & Senator Hauge & cosponsored by Senator Connor, before the House for consideration.

HB 141 - An Act Directing the Secretary of Education to Create a Pilot Project to Change the Date of the Unit Count. (F/N)

Representative Boulden made comments.

Representative Boulden brought HA 1 to HB 141 before the House for consideration.

Representative Boulden made comments.

HA 1 was adopted by voice vote.

Representatives Davis, Boulden, Oberle, Wagner, Boulden, Davis, Maier & Plant made comments.

The roll call on HB 141 w/HA 1 was taken and revealed:

YES: 32.

NOT VOTING: Representatives Banning, Davis, Wagner - 3.

ABSENT: Representatives D. Ennis, Ewing, Roy, Smith, Ulbrich, West - 6.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Therefore, having received a constitutional majority, HB 141 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Spence.

Representative Spence brought HCR 28, jointly sponsored by Representative Oberle & Senators Sharp & McBride & Representatives Smith, Welch, Buckworth, Capano, Maroney, Maier, Ulbrich & Wagner & Senators Bair & Connor, before the House for consideration.

HCR 28 - Re-establishing a Joint Task Force to Review Home Builder Practices and Regulation in Delaware.

Representative Spence brought HA 1 to HCR 28 before the House for consideration.

Representative Spence made a comment.

HA 1 was adopted by voice vote.

Representative Spence introduced and brought HA 2 to HCR 28, jointly sponsored by Representative Capano, before the House for consideration.

Representative Spence made a comment.

HA 2 was adopted by voice vote.

Representative Spence made a comment.

HCR 28 w/HA 1 & 2 was adopted by voice vote and sent to the Senate for concurrence.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on HB 300. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis brought HB 300, jointly sponsored by Representative B. Ennis & Senator Vaughn & Representatives Spence, Buckworth, Capano, Carey, DiPinto, Ewing, Fallon, Lee, Maroney, Petrilli, Quillen, Oberle, Roy, Stone, Gilligan, VanSant, Banning, Brady, Houghton, Keeley, Schroeder & Williams & Senators McDowell, Blevins, Bunting, Henry, Venables, Bair, Connor, Hauge & Sorenson & cosponsored by Representative Mack, before the House for consideration.

HB 300 - An Act to Amend Titles 18 and 29 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Separate Accounts, Corporate Owned Life Insurance and Creating Special Funds for Greenway Projects and Historic Preservation Projects Throughout the State of Delaware. (3/4 bill)(F/N)

Representative D. Ennis deferred to Representative Davis.

Representatives Davis, D. Ennis, DiPinto & Gilligan made comments.

Representative D. Ennis moved to place HB 300 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith introduced SCR 38, sponsored by Senator Voshell & Representative Fallon.

SCR 38 - Commending the 1997 Girls' State Participants, Held Under the Auspices of the Ladies Auxiliary of the American Legion, for Their Devotion and Interest in State Government; and Extending to the Ladies Auxiliary Congratulations On a Very Successful Program.

SCR 38 was placed on Consent Calendar #10.

The following prefiled Consent Calendar #10 was introduced:

HCR 36 - CLOUTIER & SENATOR MCBRIDE - Recognition of 25th Anniversary of Authorization of the Delaware Professional Engineers' Act and Formation of the Delaware Association of Professional Engineers.

SCR 36 - REED & SORENSON & REPRESENTATIVES ULBRICH & MAIER - Commending the 1996-97 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America, Wishing Each of Them a Successful Future, and Hoping That They Continue to Live by the Ideals of Scouting.

Consent Calendar #10 was adopted by voice vote and HCR 36 was sent to the Senate for concurrence & SCR 36 & SCR 38 were returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy introduced HB 352, jointly sponsored by Senator Sharp.

HB 352 - An Act to Amend Title 11, Delaware Code Regarding Registration and Community Notification of Sex Offenders.

Mr. Acting Speaker assigned HB 352 to Judiciary Committee.

Representative Smith introduced guests.

Representative Smith deferred to Representative Stone.

Representative Stone requested that action on HB 299 be Deferred to a Day Certain, Thursday, June 19, 1997.

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

TELE & ELEC UTIL DEREG: HJR 9 - 1F,3M.

JUD: HB 306 - 4M; HB 316 - 4M; SB 106 - 4M; SB 128 - 4M; SB 129 - 4M; SB 130 - 4M; SB 131 w/SA 1 - 4M; SB 151 - 4M.

P/S: HB 308 - 4M; HB 328 - 4M; HJR 8 - 4M; SB 121 w/SA 1 - 4M.

CORR: SB 145 w/SA 1 - 4M.

NAT RES: HB 323 - 1F,4M.

APPRO: HB 300 - 3F,3M; HB 156 - 1F,5M; HB 208 - 6M; HB 235 - 5M; HB 259 - 5F; HB 273 - 1F,4M; HB 303 - 5M; SB 76 w/SA 2 - 2F,3M; SS 1/SB 115 - 1F,5M.

R & F: HB 307 - 2F,4M; HB 320 - 2F,4M; HB 327 - 1F,5M.

ED: HB 305 - 1F,5M; HB 312 - 6M; SS 1/SB 18 w/SA 2 & 3 - 4M,2U; SB 144 - 7M.

HEALTH & HUM DEV: HB 97 - 1F,6M; HB 321 - 7M; HB 331 - 7M; SB 65 w/SA 2 - 7M; SB 81 - 7M; SB 132 w/SA 1 & 2 - 7M.

The Majority Leader moved to recess to the call of the Chair at 6:54 p.m.

### 39th LEGISLATIVE DAY 139th GENERAL ASSEMBLY

First Session

June 19, 1997

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:38 p.m.

Representative Ulbrich requested that she be marked present.

The Majority Leader moved to adjourn at 2:39 p.m., thereby ending the current legislative day. The House reconvened at 2:40 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Ewing - 1.

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

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

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

The following prefiled legislation was introduced:

HB 144 w/HA 1 & 2 & SA 1 - EWING & SENATOR HENRY; REPRESENTATIVES SPENCE, BUCKWORTH, CAPANO, DIPINTO, D. ENNIS, MAIER, PETRILLI, ULBRICH, VANSANT, KEELEY, PLANT, SCOTT; SENATORS BLEVINS, MCDOWELL, VOSHELL, BAIR - H/ADM: An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**HB 334** - WELCH & SENATOR BONINI; REPRESENTATIVES SPENCE & OBERLE - JUD: An Act to Amend Title 11, Delaware Code Relating to Obstruction of Government Operations. (2/3 bill)

**HB 335** - CAPANO & SENATOR BLEVINS; REPRESENTATIVES SPENCE, SMITH, WELCH, DIPINTO, QUILLEN, ROY, STONE, GILLIGAN, B. ENNIS, PLANT; SENATORS HENRY, BAIR, AMICK & SORENSON - BUS/CORP/COM: An Act to Amend Chapter 7, Title 4 of the Delaware Code, as Amended, Relating to Alcoholic Liquors.

**HB 336** - WELCH, STONE & SENATOR BONINI - JUD: An Act to Amend Title 11, Delaware Code, Relating to Rented Property. (2/3 bill)

**HB 337** - WELCH & SENATOR VENABLES - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Regulations and Prohibitions Concerning Game and Fish.

**HB 339** - OBERLE, SPENCE & BOULDEN, SMITH, WELCH, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, PETRILLI, QUILLEN, REYNOLDS, ROY, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, WEST, WILLIAMS; SENATORS BLEVINS, MCBRIDE, AMICK, BONINI - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 340** - CAPANO & SENATOR BLEVINS; REPRESENTATIVES SMITH, QUILLEN, ROY, STONE, GILLIGAN, B. ENNIS, PLANT; SENATORS HENRY, BAIR, AMICK, SORENSON - BUS/CORP/COM: An Act to Amend Chapter 5, Title 4 of the Delaware Code, as Amended, Relating to Alcoholic Liquors.

**HB 341** - ROY - P/S: An Act to Amend Title 21, Delaware Code Regarding Information on Drivers Licenses.

**HB 344** - WAGNER & SENATOR SHARP - JUD: An Act to Amend Subchapter II, Chapter 15, Title 12 of the Delaware Code Relating to the Demand That the Personal Representative of an Estate be Bonded.

**HB 346** - WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Title 11, Delaware Code, Relating to the Criminal Justice Information System.

**HB 347** - CAPANO - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Public Swimming and Bathing Places.

**HB 348** - WEST & SENATOR ADAMS - APPRO: An Act Authorizing and Directing the Board of Pension Trustees to Grant Myrtle A. Thomas Credited Service Pursuant to Chapter 55, Title 29 of the Delaware Code for Service With the Sussex County Council From July 19, 1976 Through April 15, 1985; and Appropriating Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware to Fund Such Credited Service.

HA 2 to HS 1 for HB 81 - SMITH - AGENDA: Placed with the bill.

HA 3 to HS 1 for HB 81 - WAGNER - AGENDA: Placed with the bill.

HA 2 to HB 112 - WAGNER - READY LIST: Placed with the bill.

HA 1 to HA 1 to HB 205 - CLOUTIER - AGENDA: Placed with the bill.

HA 1 to HB 215 - KEELEY - READY LIST: Placed with the bill.

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

HA 1 to HB 276 - MARONEY - AGENDA: Placed with the bill.

HA 2 to HB 276 - OBERLE & STONE - AGENDA: Placed with the bill.

HA 2 to HB 300 - D. ENNIS - AGENDA: Placed with the bill.

HA 1 to HCR 4 - CAPANO - AGENDA IV: Placed with the bill.

**HJR 13** - STONE, WELCH, DIPINTO, DAVIS; SENATORS SOKOLA, BUNTING, BONINI, STILL - HOUSING & COM AFF: Creating a Task Force to Study and Report on Ways to Reduce the Number of Abandoned Dwellings in the State of Delaware.

**HCR 37** - BRADY, BANNING, B. ENNIS, CAREY, DILIBERTO, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WILLIAMS; SENATORS MCDOWELL, VAUGHN, VENABLES - HOUSING & COM AFF: Creating a Task Force to Investigate the Financing Needed for Those Libraries Not Funded Sufficiently.

**SB 86** - HENRY & VOSHELL; REPRESENTATIVES EWING & WILLIAMS; SENATORS MCDOWELL, BLEVINS, BAIR, HAUGE & REED; REPRESENTATIVES LEE, CAPANO, PLANT, SCOTT, D. ENNIS, KEELEY, BUCKWORTH, ULBRICH, MAIER, SPENCE & DIPINTO - P/S: An Act to Amend Title 11 of the Delaware Code Relating to the Possession of Deadly Weapons.

**SS 2 to SB 127** - VAUGHN & REPRESENTATIVE SCHROEDER - NAT RES: An Act to Amend Chapter 28 of Title 7 of the Delaware Code Relating to Trawlins for Commercial Conch Pots.

**SB 164** - VAUGHN & REPRESENTATIVE LEE - CORR: An Act to Amend Chapter 69, Title 10, of the Delaware Code Relating to Appeals in Habeas Corpus Cases.

**SB 174** - HENRY & REPRESENTATIVE EWING - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Social Security Numbers on Driver's Licenses and Identification Cards Issued by the Division of Motor Vehicles.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 164 & SS 2 to SB 127.

M E M O R A N D U M

TO: The Honorable Thomas R. Carper, Governor  
The Honorable Terry R. Spence, Speaker of the House  
Bernard J. Brady, Secretary of the Senate  
JoAnn Hedrick, House Chief Clerk  
William S. Montgomery, Director, Division of Research

FROM: Senator Thomas B. Sharp, President Pro Tempore

RE: House Concurrent Resolution No. 21 as Amended by Senate Amendment No. 2

DATED: June 18, 1997

Pursuant to House Concurrent Resolution No. 21 as amended by Senate Amendment No. 2 of the 139th General Assembly creating a DelDot Organizational Task Force, the following have been appointed to serve:

Senator James T. Vaughn  
Senator Robert J. Voshell  
Senator John C. Still  
Mr. G. Donald Dryden  
Mr. Richard Bewick

TBS:bac

cc: Appointees

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

HOUSING & COM AFF: HB 302 - 6M.

JUD: HB 352 - 4M.

POL ANAL & GOV ACCT: HB 314 - 5M; SB 20 w/SA 1 & 2 - 5M; SS 1/SB 74 w/SA 2 - 5M.

Mr. Speaker assigned SB 65 w/SA 2, SB 81, SB 131 w/SA 1, SB 132 w/SA 1 & 2 & HB 97 to the Appropriations Committee.

Representatives Oberle & Cloutier requested that they be marked present.

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

The House reconvened at 5:05 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 243, HJR 11, HJR 12, SB 187, SB 172.

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

HOUSING & COM AFF: HB 302 - 6M.

JUD: HB 352 - 4M.

POL ANAL & GOV ACCT: HB 314 - 5M; SB 20 w/SA 1 & 2 - 5; SS 1/SB 74 w/SA 2 - 5M.

NAT RES: SS 2/SB 127 - 2F,2M.

H/ADM: HB 345 - 3M,2U.

AG: HB 195 - 3M,1U.

Representatives DiPinto, Schroeder, B. Ennis & Williams requested that they be marked present.

Representative DiPinto introduced HB 355, jointly sponsored by Representatives Spence, Capano, Roy, Banning, Houghton & Scott & Senator Sokola & Representatives Buckworth, Lofink, VanSant, B. Ennis & Plant & Senators Adams & Still.

HB 355 - An Act to Amend Title 12, Delaware Code, Relating to Qualified Dispositions in Trust.

Mr. Speaker assigned HB 355 to the Public Safety Committee.

Representatives Stone & Maroney requested that they be marked present.

Representative D. Ennis introduced HB 356.

HB 356 - An Act to Amend Title 12, Delaware Code, Relating to Qualified Dispositions in Trust.

Mr. Speaker assigned HB 356 to the Economic Development, Banking & Insurance Committee.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 257, jointly sponsored by Senator Marshall, before the House for consideration.

HB 257 - An Act to Amend Titles 5 and 30 of the Delaware Code Relating to Delaware Taxes. (3/5 bill)

Representative Capano brought HA 1 to HB 257 before the House for consideration.

Representative Capano made a comment.

HA 1 was adopted by voice vote.

Representative Capano made comments.

The roll call on HB 257 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 257 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought HB 121, jointly sponsored by Representatives Banning, Brady, Buckworth, B. Ennis, Ewing, Houghton, Plant & Price & Senators Vaughn & Venables, before the House for consideration.

HB 121 - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

Representative West brought HA 1 to HB 121 before the House for consideration.

Representative West made a comment.

HA 1 was adopted by voice vote.

Representative West brought HA 2 to HB 121 before the House for consideration.

Representative West made a comment.

HA 2 was adopted by voice vote.

Representatives Wagner, Oberle & DiPinto made comments.

The roll call on HB 121 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HB 121 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Ulbrich brought HB 178, jointly sponsored by Representatives Welch, Capano, DiPinto, Lofink, Oberle, Quillen, Stone, Gilligan, Banning, B. Ennis, Plant, Schroeder & West & Senators Sokola, Connor & Reed & Representatives Boulden, Carey, Lee, Maier, Petrilli, Reynolds, Wagner, VanSant, DiLiberto, Keeley, Price, Scott & Williams & Senators Amick & Hauge, before the House for consideration.

HB 178 - An Act to Amend Title 14 of the Delaware Code Relating to Unit Funding. (F/N)

Representative Ulbrich made comments.

The roll call on HB 178 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

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

Representative Ulbrich made comments.

Representative Smith deferred to Representative Roy.

Representative Roy requested that action on HB 204 be Deferred to a Day Certain, Tuesday, June 24, 1997/

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto brought HB 205, jointly sponsored by Representatives Banning, Brady, Buckworth, Cloutier, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Mack, Plant, Price, Reynolds, Roy, Scott, Stone, VanSant, Welch, West & Spence & Senators Adams, Cook, Henry, Still, Vaughn & Voshell, before the House for consideration.

HB 205 - An Act to Amend Title 29 of the Delaware Code Relating to Open Meetings and Deliberations.

Representative DiLiberto brought HA 1 to HB 205 before the House for consideration.

Representatives DiLiberto & Cloutier made comments.

Representative Cloutier brought HA 1 to HA 1 before the House for consideration.

Representatives Cloutier & Petrilli made comments.

Representative DiLiberto rose on a point of order. Mr. Acting Speaker concurred.

Representatives Smith, DiLiberto, Cloutier, Roy, Oberle, Plant, Cloutier, DiLiberto, Smith, Oberle, Cloutier, Smith, DiLiberto & Cloutier made comments.

The roll call on HA 1 to HA 1 was taken and revealed:

YES: Representatives Caulk, Cloutier, Maier, Maroney, Reynolds, Ulbrich, Wagner - 7.

NO: 24.

NOT VOTING: Representatives Capano, Carey, Fallon, Plant - 4.

ABSENT: Representatives Banning, B. Ennis, Ewing, Spence, West - 6.

Therefore, not having received a constitutional majority, HA 1 to HA 1 was declared defeated.

HA 1 to HB 205 was adopted by voice vote.

Representatives DiLiberto, Plant & Ulbrich made comments.

Representative Ulbrich requested and was granted the privilege of the floor for John Flaherty, representing Common Cause of Delaware.

Representatives Stone, Smith, Ulbrich & DiLiberto made comments.

The roll call on HB 205 w/HA 1 was taken and revealed:

YES: 30.

NO: Representatives Caulk, Maier, Maroney, Reynolds, Ulbrich 5.

NOT VOTING: Representatives Cloutier, B. Ennis, Fallon, Scott - 4.

ABSENT: Representatives Ewing, West - 2.

Therefore, having received a constitutional majority, HB 205 w/HA 1 was sent to the Senate for concurrence.

Representative DiLiberto rose on a point of order. Mr. Acting Speaker concurred.

Representative Roy introduced HB 353, jointly sponsored by Senators McBride & Connor.

HB 353 - An Act to Amend Title 4, Delaware Code Relating to Alcoholic Liquors, License, and Fees. (3/5 bill)

Mr. Acting Speaker assigned HB 353 to the Business/Corporations/Commerce Committee.

Representative Gilligan introduced HB 358, jointly sponsored by Representative Gilligan.

HB 358 - An Act to Amend Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members; and the Vote Requirement for Certain Ordinances.

Mr. Acting Speaker assigned HB 358 to House Administration Committee.

Representative Caulk introduced HB 357, jointly sponsored by Senator Connor & Senator Bonini & Representative Reynolds.

HB 357 - An Act to Amend Title 30 of the Delaware Code Relating to Taxation of Construction Transportation Contractors. (3/5 bill)

Mr. Acting Speaker assigned HB 357 to the Revenue & Finance Committee.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Arthur Scott, do hereby request that my name be removed as Co-Sponsor of HB 205.

Date: June 6, 1997.

Signed: Arthur L. Scott.

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

BUS/CORP/COM: HB 326 - 7M; HB 340 - 2F,5M; HB 335 - 7M.

TRANS: HB 298 - 1F,8M; HS 1/HB 57 - 1F,8M.

P/S: HB 338 - 4M.

The Majority Leader moved to recess to the call of the Chair at 6:19 p.m.

40th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 24, 1997

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:20 p.m.

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

BUS/CORP/COM: HB 326 - 7M; HB 335 - 7M; HB 340 - 2F,5M.

TELECOM & ELEC UTIL DEREG: HB 343 - 2F,2M.

TRANS: HS 1/HB 57 - 1F,8M; HB 298 - 1F,8M.

P/S: HB 338 - 4M.

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

Representative Ewing made comments.

Representative Smith deferred to Representative Welch.

Mr. Speaker assigned HB 312 to the Appropriations Committee.

Representative Welch introduced HB 363, jointly sponsored by Senator Cook.

HB 363 - An Act to Amend Chapter 171, Volume 58, Laws of Delaware, as Amended, Entitled "An Act to Change the Jurisdictional Powers of the Police Department of the Town of Cheswold". (2/3 bill)

Mr. Speaker assigned HB 363 to the House Administration Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 58, SB 16 w/SA 1, SCR 39, HB 249 w/HA 1, HB 200, HB 197 w/HA 1, HCR 34, HCR 35, HCR 36, HB 304, HB 153 w/HA 1, HB 311 & HB 99 w/HA 1.

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

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

HS 1 to HB 282 - PRICE, SCHROEDER & SENATOR VOSHALL; REPRESENTATIVES DIPINTO, KEELEY, PLANT, SPENCE; SENATOR VENABLES - APPRO: An Act Proposing an Amendment to the Delaware Constitution Relating to the Budget Reserve Account. (2/3 bill)

HB 342 - SMITH, SPENCE, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, OBERLE, PETRILLI, REYNOLDS, ULBRICH, WAGNER, B. ENNIS, BANNING; SENATORS BAIR, BONINI, CONNOR, REED, HAUGE, SORENSON, STILL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

HB 349 - CLOUTIER & ROY - TRANS: An Act to Amend Chapter 1, Title 17, Delaware Code, Relating to Transportation Projects and Public Utilities. (3/5 bill)

HB 350 - WELCH & SENATOR MCDOWELL - BUS/CORP/COM: An Act to Amend Title 30 of the Delaware Code Relating to Motor Vehicle Dealers.

HB 351 - VANSANT - ENV MAN: An Act to Amend Title 7 of the Delaware Code Relating to Environmental Laws and Compliance Thereto. (3/5 bill)

HB 354 - MAIER & SENATOR MCDOWELL - ED: An Act to Amend Title 29 Chapter 55, of the Delaware Code Relating to the State Employees' Pension Plan.

HCR 38 - D. ENNIS & B. ENNIS, BANNING, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, FALLON, GILLIGAN, HOUGHTON, KEELEY, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SMITH, SPENCE, STONE, VANSANT, WAGNER, WELCH, WILLIAMS - LABOR: Urging a Continued Review and Assessment of State of Delaware Personnel and Employee Relations Issues.

HA 4 to HS 1 to HB 81 - MAIER - AGENDA: Placed with the bill.

HA 2 to HB 182 - PRICE - AGENDA IV: Placed with the bill.

HA 1 to HB 231 - D. ENNIS & B. ENNIS - APPRO: Placed with the bill.

HA 3 to HB 276 - OBERLE - AGENDA: Placed with the bill.

HA 1 to HB 306 - B. ENNIS - READY LIST: Placed with the bill.

HA 1 to HB 317 - KEELEY - BUS/CORP/COM: Placed with the bill.

HA 1 to HB 339 - OBERLE - R & F: Placed with the bill.

SB 16 w/SA 1 - BLEVINS & REPRESENTATIVE ULBRICH - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

SB 58 - VOSHALL - BUS/CORP/COMM: An Act to Amend Chapter 35, Title 6 of the Delaware Code Relating to Late Payments to Suppliers Under Construction Contracts.

SB 172 - ADAMS & VOSHALL; REPRESENTATIVES EWING, BUCKWORTH, QUILLEN, WEST, LEE, B. ENNIS & VANSANT - P/S: An Act to Amend Title 11 of the Delaware Code Regarding the Appointment of the Hearing Boards Pursuant to the Law Enforcement Officers' Bill of Rights.

SB 187 - VOSHALL - H/ADM: An Act to Amend an Act Waiving the Statutory Provisions of §107(a) of Chapter 1, Title 13, Delaware Code, as It Relates to the Marriage of Kenneth Scott Graham and Sandra Marks-Rusin, Non-Residents of the State of Delaware.

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

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

Representative Welch requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Spence made comments.

Representative Smith deferred to Representative DiPinto.

Representative Mack requested that he be marked present.

Representative DiPinto introduced HB 361, jointly sponsored by Representatives Quillen, Wagner, Banning, Price & Schroeder & Senators Bunting, McDowell, Venables, Bonini, Reed & Still.

HB 361 - An Act to Amend Title 9, of the Delaware Code Regarding Limitations on Taxing Powers.

Mr. Speaker assigned HB 361 to the Housing & Community Affairs Committee.

Representative DiPinto introduced HB 362, jointly sponsored by Representatives Quillen, Wagner, Banning, Price & Schroeder & Senators Bunting, McDowell, Venables, Bonini, Reed & Still.

HB 362 - An Act to Amend Title 30 of the Delaware Code Relating to Motor Vehicle Document Fees.

Mr. Speaker assigned HB 362 to the Housing & Community Affairs Committee.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 299**, jointly sponsored by Representative Wagner & Senators Adams & Bonini & Representatives Capano, Davis, Ewing, Lee, Lofink, Maier, Oberle, Petrilli, Ulbrich, B. Ennis, Plant & Price, before the House for consideration.

**HB 299** - An Act to Amend Title 6, Delaware Code, by Amending Chapter 33 Relating to Trademarks, Brands and Labels.

Representatives Stone and Scott made comments.

Representative Stone requested and was granted the privilege of the floor for Dennis McGlynn, President, Dover Downs.

Representatives Scott, Stone & Maier made comments.

The roll call on **HB 299** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 299** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 204**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 204** - An Act to Amend Title 19 of the Delaware Code Pertaining to Worker's Compensation.

Representatives Roy, Oberle & Mack made comments.

Representative Roy moved to lift **HB 204** from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representatives Roy & Ulbrich made comments.

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

Representatives Ulbrich, Davis, Scott, Roy, Scott, Oberle & Smith made comments.

Representative Roy moved to place **HB 204** on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Capano.

Representative Capano brought **HB 320**, jointly sponsored by Senator McDowell, before the House for consideration.

**HB 320** - An Act to Amend Title 30 of the Delaware Code Relating to Taxation on the Distribution and Use of Public Utilities. (3/5 bill)

Representative Capano made comments.

The roll call on **HB 320** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 320** was sent to the Senate for concurrence.

Representative Smith brought **HS 1 to HB 81**, jointly sponsored by Senators Sokola, Bair & Voshell & Representatives Reynolds, Spence, Welch, Capano, Cloutier, Davis, DiPinto, Maier, Maroney, Stone, Ulbrich, Wagner, Gilligan, VanSant, Brady, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Schroeder & Williams & Senators Bunting, McDowell, Marshall, Amick, Blevins, Hauge, Reed & Sorenson, before the House for consideration.

**HB 81** - An Act to Amend Title 14 of the Delaware Code Relating to Education. (F/N)

Representative Smith made a comment.

Representative Smith moved to place **HS 1 to HB 81** on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 242**, jointly sponsored by Senator Vaughn & Representatives D. Ennis & DiPinto, before the House for consideration.

**HB 242** - An Act to Amend Title 29, Chapter 82, and Title 16, Chapters 63 and 68, of the Delaware Code Relating to the State Emergency Response Commission.

Representative B. Ennis brought **HA 1 to HB 242** before the House for consideration.

Representative B. Ennis made comments.

**HA 1** was adopted by voice vote.

Representative B. Ennis made comments.

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

YES: 41.

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

Representative Smith deferred to Representative Banning.



Mr. Speaker Spence introduced guests.

Representative Banning brought **HB 285**, jointly sponsored by Representatives DiLiberto, B. Ennis, Lee, Scott & Williams & Senators Sokola, Vaughn & Voshell, before the House for consideration.

**HB 285** - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates.

Representative Banning introduced and brought **HA 1** to **HB 285** before the House for consideration. Representative Banning made a comment.

**HA 1** was adopted by voice vote.

Representative Banning introduced and brought **HA 2** to **HB 285** before the House for consideration.

Representative Banning made comments.

**HA 2** was adopted by voice vote.

Representatives Banning, Maier & Stone made comments.

The roll call on **HB 285 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Oberle - 2.

Therefore, having received a constitutional majority, **HB 285 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative West.

Representative West brought **HB 269**, jointly sponsored by Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Mack, Maier, Maroney, Oberle, Plant, Price, Quillen, Reynolds, Schroeder, Scott, Smith, Stone, Ulbrich, VanSant, Wagner, Welch, Williams & Spence & Senators Adams, Amick, Bunting, Bonini, Cook, Hauge, Henry, Marshall, McDowell, Reed, Sokola, Sorenson, Vaughn, Venables & Voshell, before the House for consideration.

**HB 269** - An Act Authorizing and Approving the Transfer of Certain Real Property in the Indian River School District Known as the Gumboro Elementary School Property, to the Gumboro Vol. Fire Co., With Certain Provisions and Waiving the Provisions of Section 1057 of Chapter 10, Title 14, Delaware Code. (F/N)

The roll call on **HB 269** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 269** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Wagner brought **SS 1** for **SB 115**, jointly sponsored by Senator Sharp, before the House for consideration.

**SB 115** - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Registration and Regulation of Registered Limited Liability Partnerships. (3/5 bill)(F/N)

Representative Wagner made comments.

The roll call on **SS 1** for **SB 115** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SS 1** for **SB 115** was returned to the Senate.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #55

DATE: June 24, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-705	Fallon	6/28/97	T	Brian Truit/Eagle Scout
H139-706	Buckworth	6/30/97	T	John "Jack" Whitby/Retirement/ Kent County Motors/40 Years Service
H139-707	Quillen	5/20/97	T	Betty Wyatt/Business Education Teacher/ Lake Forest High/Teacher of the Year
H139-708	Buckworth	5/15/97	T	LeRoy Klein/Chamber of Commerce "Small Business Person of the Year" Award
H139-709	Carey	6/11/97	T	Richard Samworth/KSI Appreciation Award
H139-710	DiLiberto	7/05/97	T	Mildred T. Godwin/90th Birthday
H139-711	Keeley	6/06/97	M	Michael A. DiEleuterio
H139-712	Fallon	6/11/97	M	Charles Elmer Moore
H139-713	West	6/17/97	T	Megan Gorman/Miss Delaware National Pre-Teen, 1997

H139-714	West	6/17/97	T	Aimee Parker/Delaware National Junior Teen
H139-715	West	6/17/97	T	Jesse Savage/State Wrestling Champion
H139-716	West	6/17/97	T	Alison White/Miss Delaware, 1997
H139-717	Wagner	7/26/97	T	Tracey Dorneman & Hudson Keller/Marriage
H139-718	Wagner	7/27/97	T	Esther Size & John Wagenhoffer, Jr. /Marriage
H139-719	Wagner	7/19/97	T	Angela Peeples & Vincent Brown/ Marriage

## HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: June 24, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-720	Wagner	6/28/97	T	Christine Mullen & George Eilers/ Marriage
H139-721	Wagner	7/13/97	T	Amanda Clark & Brock McCloskey/ Marriage
H139-722	Roy	6/21/97	T	Nancy Sawin/80th Birthday
H139-723	Welch	6/17/97	T	Patricia Thompson/Induction/Phi Delta Kappa
H139-724	DiLiberto	6/12/97	T	Francis G.X. Pileggi, Esq./New Law- yers' Distinguished Service Award
	cosponsors: All House Members			
H139-725	Banning	6/29/97	T	Eleanor Rausch/70th Birthday
H139-726	Banning	6/09/97	T	Jeffrey Guseman/Graduation/Hodgson Vo-Tech.
H139-727	Banning	5/20/97	T	Odessa's Corbit-Calloway Memorial Library/150th Anniversary/First Free Library
H139-728	Welch	6/04/97	T	John Brady/Pro Bono Service Award
	cosponsor: All House Members			
H139-729	Fallon	6/18/97	T	Melissa Wills/Seaford School District Teacher of the Year
H139-730	Maier	6/23/97	T	Sean O'Keefe/Commitment & Dedication to Children in Delaware
	cosponsors: Maroney, Boulden, Cloutier Oberle, Reynolds, Ulbrich, DiLiberto, Keeley,			Price & Schroeder
H139-731	Lee	6/22/97	T	Living Water Church/20th Anniversary
H139-732	VanSant	6/15/97	T	Eva & John Marini/50th Wedding Anniversary
H139-733	Maier	6/17/97	T	Betty Martin/30 Years Service/ New Castle County Crossing Guard

T - Tribute

M - Memoriam

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

**SB 109** - VOSHELL, BLEVINS, COOK, SOKOLA, AMICK, HAUGE, STILL, REPRESENTATIVES CAREY, EWING, QUILLEN, B. ENNIS, PLANT; SENATORS BUNTING, MCDOWELL, VENABLES, CONNOR, REED; REPRESENTATIVES BUCKWORTH, D. ENNIS, OBERLE, BRADY, HOUGHTON, WEST - An Act to Amend Title 21 of the Delaware Code Relating to Special Registration Plates.

**SB 117** - VOSHELL; REPRESENTATIVE CAREY; SENATORS COOK, ADAMS - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Heavy Motor Vehicles.

**SB 125** - VOSHELL, HENRY; REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to License Qualifications.

**HJR 6** - BOULDEN, BUCKWORTH, CLOUTIER, DIPINTO, LEE, REYNOLDS, ULBRICH, BANNING, DILIBERTO, HOUGHTON, SCOTT, WILLIAMS, CAPANO, DAVIS, EWING, MAIER, STONE, WAGNER, BRADY, B. ENNIS, PLANT, WEST - Calling for a Collaborative Effort on the Part of Division of Motor Vehicles (DMV) Management and Employees, the American Federation of State, County and Municipal Employees (AFSCME) and Others Designated by the Governor and the Secretary of Public Safety to Undertake a Study to Determine the Operating Hours of DMV That Will Optimize Productivity, Cost Effectiveness and the Timely Delivery of Quality Customer Service.

**HCR 15** - WAGNER, SMITH, BOULDEN, LEE; SENATORS VOSHELL, SOKOLA; REPRESENTATIVES CAREY, ROY, D. ENNIS - Encouraging the Expansion of English as a Second Language Program and the Teaching of Foreign Languages in Delaware's Public Schools.

**HCR 26** - WAGNER, SPENCE; SENATORS VENABLES, AMICK, SORENSON, MARSHALL, BAIR, HAUGE - Establishing a Task Force on High School Graduation Requirements to Study and Report on the Impact of Graduation Requirements for Graduating Classes of 1999 Through 2001.

**SCR 31** - HENRY; REPRESENTATIVE MAIER - Extending the Reporting Date of the Task Force Committee on Delaware's Juvenile Justice System.

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

YES: 41.

Therefore, having received a constitutional majority, **HJR 6**, **HCR 15** & **HCR 26** were sent to the Senate for concurrence & **SB 109**, **SB 117**, **SB 125** & **SCR 31** were returned to the Senate.

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

**SB 51** - COOK, VAUGHN; REPRESENTATIVES OBERLE, DAVIS - An Act to Amend Chapter 10, Title 20, Delaware Code Relating to the Filing for Paralegic Pension Benefits in the State Employees' Pension Plan.

**SB 91** - COOK; REPRESENTATIVES DAVIS, DIPINTO; SENATOR SOKOLA - An Act to Amend Title 29, of the Delaware Code Relating to the Contracts With Public Library Systems.

**SB 94** - BLEVINS; REPRESENTATIVES MAIER, ULBRICH; SENATOR SORENSON; REPRESENTATIVES GILLIGAN, CAPANO, MARONEY; SENATORS HENRY, BONINI; REPRESENTATIVES PLANT, KEELEY - An Act to Amend Title 24 of the Delaware Code Regarding Pharmacists.

**SB 101** - BLEVINS; REPRESENTATIVE ULBRICH; SENATOR SOKOLA; REPRESENTATIVES CAPANO; SENATORS BUNTING, REED; REPRESENTATIVE MAIER - An Act to Amend Title 24 Chapter 39 of the Delaware Code Relating to the Board of Clinical Social Work Examiners.

**SB 136 w/SA 1 & 2** - VENABLES, SHARP, BUNTING, VOSHELL; REPRESENTATIVES VANSANT, EWING; SENATORS MCBRIDE, VAUGHN; REPRESENTATIVES SPENCE, LEE - An Act to Amend Title 24, Delaware Code Relating to Real Estate Brokers, Salespersons and Appraisers.

**HCR 32** - LEE; SENATOR VAUGHN - Approving the Comprehensive Plan of the Department of Correction Concerning Correctional Facilities.

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

YES: 41.

Therefore, having received a constitutional majority, **HCR 32** was sent to the Senate for concurrence & **SB 51**, **SB 91**, **SB 94**, **SB 101** & **SB 136 w/SA 1 & 2** were returned to the Senate.

Representative Smith deferred to Representative Davis.

Representative Davis introduced **HB 375**, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, Houghton & West & Senators Cook, Henry, McBride, Vaughn & Sorenson.

**HB 375** - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1998; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.

Representatives Davis, Oberle & DiPinto made comments.

Mr. Acting Speaker Oberle assigned **HB 375** to the Appropriations Committee.

Representative Maier made a comment.

The Majority Leader moved to recess for caucus at 3:40 p.m.

The House reconvened at 5:47 p.m.

Mr. Speaker Spence resumed the Chair.

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

P/S: **HB 341** - 4M.

H/ADM: **HB 363** - 4M; **SB 154** - 4M; **SB 155** - 4M; **SB 158** - 4M; **SB 187** - 4M; **HB 144 w/HA 1 & 2** & **SA 1** - 4M.

HEALTH & HUM DEV: **HB 347** - 5M,1U.

HOUSING & COM AFF: **HCR 37** - 7M; **HJR 13** - 1F,6M.

JUD: **HB 334** - 4M; **SB 162 w/SA 1** - 4M; **HB 21** - 3M; **HB 64** - 4M; **HB 217** - 4M; **HB 344** - 4M; **HB 346** - 4M; **SB 48** - 4M.

BUS/CORP/COM: **HB 353** - 1F,4M; **HB 317** - 7M.

Mr. Speaker assigned **HB 64** to the Appropriations Committee.

Representative DiPinto requested that **HB 310** be stricken.

Representative Smith deferred to Representative Oberle.

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

Representative Oberle introduced **HB 364**, jointly sponsored by Senator Marshall.

**HB 364** - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation and Chapter 34, Title 19 of the Delaware Code Relating to Counseling, Training and Placement Activities. (2/3 bill)

Mr. Speaker assigned **HB 364** to the Labor Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to lift **HB 300** from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis brought **HB 300**, jointly sponsored by Representative B. Ennis & Senator Vaughn & Representatives Spence, Buckworth, Capano, Carey, DiPinto, Ewing, Fallon, Lee, Maroney, Petrilli, Quillen, Oberle, Roy, Stone, Gilligan, VanSant, Banning, Brady, Houghton, Keeley, Schroeder & Williams & Senators McDowell, Blevins, Bunting, Henry, Venables, Bair, Connor, Hauge & Sorenson & cosponsored by Representative Mack, before the House for consideration.

**HB 300** - An Act to Amend Titles 18 and 29 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Separate Accounts, Corporate Owned Life Insurance and Creating Special Funds for Greenway Projects and Historic Preservation Projects Throughout the State of Delaware. (3/4 bill)(F/N)

Representative D. Ennis brought **HA 1 to HB 300** before the House for consideration.

Representative D. Ennis made comments.

**HA 1** was adopted by voice vote.

Representative D. Ennis brought **HA 2 to HB 300** before the House for consideration.

Representative D. Ennis made comments.

**HA 2** was adopted by voice vote.

Representative D. Ennis made comments.

The roll call on **HB 300 w/HA 1 & 2** was taken and revealed:

YES: 35.

NOT VOTING: Representatives Caulk, Davis, Gilligan, Smith, VanSant - 5.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 300 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

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

Representative Oberle introduced **HA 1 to HB 375**, jointly sponsored by Representative Roy. **HA 1** was placed with the bill.

Representative Smith deferred to Representative Banning.

Representative Banning requested that **HJR 10** be stricken.

Representative Banning moved to suspend the rules which interfere with introduction of and action on **HJR 14**. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Banning introduced and brought **HJR 14**, jointly sponsored by Senator Vaughn & Representatives Spence, Lofink, Oberle & B. Ennis, before the House for consideration.

**HJR 14** - Establishing a Reporting Deadline for the Environmental Protection Agency and the Department of Natural Resources and Environmental Control to Issue a Detailed Written Report Including Conclusions, Recommendations and Schedule for the Cleanup of the Healthways Site in Odessa, New Castle County, Delaware.

Representatives Banning, Oberle, Mack, B. Ennis & Spence made comments.

The roll call on **HJR 14** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 14** was sent to the Senate for concurrence.

Representative Banning made comments.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **HB 273**, jointly sponsored by Senators Sokola & Hauge & Representatives Smith, Boulden, Cloutier, Mack & Ulbrich & Senators Bunting, Bair, Amick, Reed, Sorenson & Still, before the House for consideration.

**HB 273** - An Act to Amend Title 14 of the Delaware Code Relating to Educational Rules and Regulations. (F/N)

Representative Reynolds brought **HA 1 to HB 273**, jointly sponsored by Senators Hauge & Sokola, before the House for consideration.

Representative Reynolds made comments.

Representative Reynolds requested and was granted the privilege of the floor for Senator Richard Hauge.

Representatives Reynolds, Gilligan, Maier & Price made comments.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representatives Wagner, Mack, Ulbrich, Scott & Smith made comments.

HA 1 was adopted by voice vote.

The roll call on HB 273 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 273 w/HA 1 was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 271, jointly sponsored by Representative B. Ennis & Senator Venables & Representatives Spence, Capano, Caulk, Cloutier, Davis, DiPinto, Ewing, Fallon, Petrilli, Quillen, Ulbrich, Banning, Houghton, Keeley, Price, Schroeder, West & Williams, before the House for consideration.

HB 271 - An Act to Amend Title 16, Delaware Code Relating to Smoke Detectors. (2/3 bill)

Representative Lee made comments.

The roll call on HB 271 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 271 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Lee.

Representative Lee brought HB 256, jointly sponsored by Senator Vaughn & Representatives Capano, Caulk, DiPinto, Ewing, Fallon, Quillen, Reynolds, Wagner, Banning, Brady, B. Ennis, Houghton, Scott, VanSant, West & Williams & Senator Hauge, before the House for consideration.

HB 256 - An Act to Amend Chapter 39, Title 18, Delaware Code Relating to Prohibition Against Premium Increases in Certain Circumstances and Cancellation or Nonrenewal of Automobile Policy.

Representative Lee made comments.

The roll call on HB 256 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 256 was sent to the Senate for concurrence.

Representative Scott made comments.

Representative Smith moved to lift HS 1 to HB 81 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought HS 1 to HB 81, jointly sponsored by Senators Sokola, Bair & Voshell & Representatives Reynolds, Spence, Welch, Capano, Cloutier, Davis, DiPinto, Maier, Maroney, Stone, Ulbrich, Wagner, Gilligan, VanSant, Brady, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Schroeder & Williams & Senators Bunting, McDowell, Marshall, Amick, Blevins, Hauge, Reed & Sorenson, before the House for consideration.

HB 81 - An Act to Amend Title 14 of the Delaware Code Relating to Education. (F/N)

Representative Smith made comments.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier brought HA 1 to HS 1 to HB 81 before the House for consideration.

Representatives Cloutier & Roy made comments.

Representative Roy introduced and brought HA 1 to HA 1 to HS 1 to HB 81 before the House for consideration.

Representatives Roy, Cloutier, Smith, Davis, Roy & Cloutier made comments.

Representative Roy requested and was granted the privilege of the floor for John Brady, House

Attorney.

Representatives Cloutier, Roy, Davis, Smith, Cloutier, Wagner, Roy, Cloutier & Roy made comments.

HA 1 to HA 1 was adopted by voice vote.

Representatives DiPinto, Cloutier & Smith made comments.

Representative Gilligan requested and was granted the privilege of the floor for Dr. Robert Andrejewski, Acting Superintendent, Red Clay School District.

Representatives Gilligan, Capano, Cloutier, Roy, Cloutier, Davis & Roy made comments.

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

YES: Representatives Banning, Brady, Buckworth, Cloutier, Davis, D. Ennis, Ewing, Fallon, Lee, Mack, Quillen, Reynolds, Smith, Spence, Stone, VanSant, Wagner, Welch, Mr. Acting Speaker Oberle - 19.

NO: 21.

NOT VOTING: Representative Caulk - 1.

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

Representative Smith brought HA 2 to HS 1 to HB 81 before the House for consideration.

Representative Smith made comments.

Mr. Speaker Spence resumed the Chair.

Representative Davis made comments.

HA 2 was adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HA 3 to HS 1 to HB 81 before the House for consideration.

Representative Wagner made comments.

Representative Wagner requested and was granted the privilege of the floor for Teresa Allen, Chairman, Christian Science Committee for Publications.

Representative Wagner requested and was granted the privilege of the floor for Michael Ferguson, Deputy Secretary, Department of Public Instruction.

Representative Wagner made comments.

HA 3 was defeated by voice vote.

Representative Smith deferred to Representative Maier.

Representative Maier brought HA 4 to HS 1 to HB 81 before the House for consideration.

Representative Maier made comments.

HA 4 was adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought HA 5 to HS 1 to HB 81 before the House for consideration.

Representative Wagner made comments.

HA 5 was adopted by voice vote.

The roll call on HS 1 to HB 81 w/HA 2,4 & 5 was taken and revealed:

YES: 39.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HS 1 to HB 81 w/HA 2,4 & 5 was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on HS 1 to HB 356.

Representative Cloutier requested that HB 259 be stricken.

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

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

Representative D. Ennis introduced and brought HS 1 to HB 356, jointly sponsored by Senator Adams & Representatives Capano, DiPinto, Stone & Houghton & Senator Sorenson, before the House for consideration.

HB 356 - An Act to Amend Title 12, Delaware Code, Relating to Qualified Dispositions in Trust.

Representative D. Ennis made comments.

The roll call on HS 1 to HB 356 was taken and revealed:

YES: 39.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, HS 1 to HB 356 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 352. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Roy introduced and brought HS 1 for HB 352, jointly sponsored by Senator Sharp, before the House for consideration.

HB 352 - An Act to Amend Title 11, Delaware Code Regarding Registration and Community Notification of Sex Offenders.

Representative Roy moved to place HS 1 for HB 352 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Roy introduced HB 371, jointly sponsored by Senator Adams.

HB 371 - An Act to Amend Chapter 58, Title 29, Delaware Code Relating to Financial Disclosure.

Mr. Speaker assigned HB 371 to the House Administration Committee.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich introduced HB 373, jointly sponsored by Senator Bunting & cosponsored by Representative Fallon.

HB 373 - An Act to Amend Title 30 of the Delaware Code Relating to Collection of Debts Owed to Certain State Agencies.

Mr. Speaker assigned HB 373 to the Revenue & Finance Committee.

Representative Ulbrich introduced HA 1 to SB 78. HA 1 was placed with the bill.

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 276, jointly sponsored by Representative Maier & Senator Blevins & Representatives Capano, Carey, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Oberle, Quillen, Reynolds, Stone, Wagner, VanSant, B. Ennis, Houghton, Keeley, Plant, Price & Williams & Senators Voshell, Henry, Sokola, Bair, Sorenson & Reed, before the House for consideration.

HB 276 - An Act to Amend Chapter 99 of Title 16 of the Delaware Code Relating to Health Care Information.

Representative Maroney brought HA 1 to HB 276 before the House for consideration.

Representative Maroney made a comment.

HA 1 was adopted by voice vote.

Representative Maroney deferred to Representative Oberle.

Representative Oberle requested that HA 2 & HA 3 to HB 276 be stricken.

Representative Oberle introduced and brought HA 4 to HB 276, jointly sponsored by Representative Stone, before the House for consideration.

Representatives Oberle & Maroney made comments.

HA 4 was adopted by voice vote.

Representative Maroney made comments.

The roll call on HB 276 w/HA 1 & 4 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HB 276 w/HA 1 & 4 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 148, jointly sponsored by Senator Blevins & Representatives Smith, Welch, Boulden, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Brady, B. Ennis, Houghton, Plant, Scott & Williams, before the House for consideration.

HB 148 - An Act to Amend Title 24 of the Delaware Code by the Revision of Section 2606 Relating to Qualifications of Applicants for Licensure as Athletic Trainers.

Representative Ulbrich brought HA 1 to HB 148 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

Representative Ulbrich made comments.

The roll call on HB 148 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HB 148 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought HB 182, jointly sponsored by Representatives Welch, Davis, Maier & Quillen, before the House for consideration.

HB 182 - An Act to Amend Title 26 of the Delaware Code Relating to the Regulation of Investor-Owned Wastewater Utilities by the Public Service Commission.

Representative Ulbrich moved to place HB 182 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought SB 102, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 102 - An Act to Amend Title 18, Chapter 50, Delaware Code Relating to Appeals From Certain Actions of, or the Failure to Act by the Insurance Commissioner of the State of Delaware.

Representative D. Ennis made comments.

The roll call on SB 102 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, SB 102 was returned to the Senate.

Representative Smith deferred to Representative Capano.

Representative Capano brought HCR 4, jointly sponsored by Representatives Boulden, Carey, DiPinto, Petrilli, Quillen, Stone & Schroeder, before the House for consideration.

HCR 4 - Creating a Privatization Task Force Consisting of Representatives From Government, Labor and Business to Evaluate Existing Privatized Government Services and to Explore and Recommend Other State Services for Privatization.

Representative Capano brought HA 1 to HCR 4 before the House for consideration.

Representative Capano made a comment.

HA 1 was adopted by voice vote.

Representatives Capano & Schroeder made comments.

Representative Capano moved to place HCR 4 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith requested that HB 240 & HB 291 be removed from Consent Agenda H.

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

HB 240 - MARONEY; SENATOR HENRY; REPRESENTATIVES EWING, LOFINK, STONE, BANNING, HOUGHTON, PRICE; SENATORS VOSHELL, ADAMS, COOK, CONNOR; REPRESENTATIVES CAREY, LEE, MAIER, ULBRICH, BRADY, PLANT, WEST; SENATORS MCDOWELL, BLEVINS, VAUGHN, SORENSON - An Act to Amend Title 16 of the Delaware Code Relating to Osteoporosis.

HJR 9 - DAVIS; SENATOR COOK - Allowing Delaware Schools and Libraries to Receive Federal Universal Service Support for Telecommunications and Other Services.

HB 283 - ROY - An Act to Amend Title 11 of the Delaware Code Relating to Registration of Sexual Offenders.

HB 291 - WAGNER; SENATOR SHARP - An Act to Amend Subchapter 1 of Chapter 15, Title 12 of the Delaware Code Relating to the Requirement of Notifying Testate Beneficiaries and Certain Beneficiaries Under Will of the Grant of Letters.

SB 114 - VENABLES, MCDOWELL - An Act to Amend Title 16 of the Delaware Code Relating to County or Municipal Building, Plumbing, Electrical and Other Codes.

SB 124 w/SA 1 - ADAMS; REPRESENTATIVE D. ENNIS - An Act to Amend Section 6112, Title 12, Delaware Code, Relating to the Allocation of Trust Income and Principal.

HB 303 - SCHROEDER; SENATOR BLEVINS; REPRESENTATIVES MAIER, CAREY; SENATOR MCBRIDE - An Act to Amend Title 29 of the Delaware Code Relating to a State Revolving Loan Program for Drinking Water Facilities and Other Qualifying Projects.

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

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HJR 9, HB 283 & HB 303 were sent to the Senate for concurrence & SB 114 & SB 124 w/SA 1 were returned to the Senate.

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

Representative Smith requested that HB 316, HB 321 & HB 326 be removed from Consent Agenda I.

HB 316 - WELCH, WAGNER; SENATOR VAUGHN - An Act to Amend Chapter 45, Part V, Title 12 of the Delaware Code Making Certain Changes in the Delaware Uniform Transfers to Minors Act.

HB 321 - MAIER, SPENCE, SMITH, DIPINTO, MARONEY; SENATORS BLEVINS, AMICK; REPRESENTATIVES VANSANT, DILIBERTO, HOUGHTON, PLANT, SCOTT, WILLIAMS; SENATOR MCDOWELL; REPRESENTATIVES WELCH, LOFINK, ROY; SENATORS SOKOLA, SORENSON; REPRESENTATIVES BANNING, B. ENNIS, KEELEY, PRICE, WEST - An Act to Amend Title 21 of the Delaware Code Relating to Child Day Care Centers.

HB 323 - SCHROEDER, BANNING, BRADY, CAPANO, DILIBERTO, FALLON, KEELEY, MACK, PLANT, QUILLEN, SCOTT, VANSANT, WEST, SPENCE, BUNTING; SENATORS REED, SORENSON, VOSHELL; REPRESENTATIVES BOULDEN, BUCKWORTH, CAREY, B. ENNIS, HOUGHTON, LOFINK, PETRILLI, PRICE, REYNOLDS, STONE, WAGNER, WILLIAMS; SENATORS BAIR, CONNOR, SOKOLA, STILL - An Act to Amend Chapter 22 of Title 23 of the Delaware Code Relating to the Operation of Personal Watercraft.

HB 328 - DIPINTO, LEE, BUCKWORTH, QUILLEN, B. ENNIS; SENATOR VAUGHN; REPRESENTATIVES CAREY, WELCH; SENATOR VOSHELL - An Act to Amend Chapter 66, Title 16 of the Delaware Code, Relating to the Right of Appeal to the State Fire Prevention Commission by Persons Aggrieved by Decisions of Assistant State Fire Marshals.

HJR 8 - SPENCE ON BEHALF OF ALL HOUSE MEMBERS & SHARP ON BEHALF OF ALL SENATE MEMBERS - Recognizing the Delaware State Police for 75 Years of Service to the Citizens of Delaware.



HB 326 - ROY, SPENCE, VANSANT; SENATOR SOKOLA; REPRESENTATIVE SMITH;  
SENATOR BLEVINS - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

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

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HB 323, HB 328 & HJR 8 were sent to the Senate for concurrence.

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

SB 121 w/SA 1 - VOSHELL; REPRESENTATIVES LEE, CAREY; SENATOR ADAMS - An Act to Amend Title 21 of the Delaware Code Relating to Size and Weight Restrictions for Motor Vehicles.

SB 76 w/SA 2 - COOK; REPRESENTATIVE DAVIS - An Act to Amend Titles 3, 11, 19, 28 and 29 of the Delaware Code Relating to the Department of Administrative Services.

SB 122 - BLEVINS; REPRESENTATIVE ULBRICH; SENATOR SOKOLA; REPRESENTATIVE CAPANO; SENATORS BUNTING, REED; REPRESENTATIVE MAIER - An Act to Amend Chapter 17, Title 24 of the Delaware Code Regarding the Board of Medical Practice.

SB 128 - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Title 11 of the Delaware Code Regarding Certain Crimes. (F/N)

SB 130 - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Title 11 of the Delaware Code Regarding Sentencing in Criminal Cases.

SB 144 - SOKOLA; REPRESENTATIVE REYNOLDS; SENATOR SORENSON - An Act to Amend Chapter 100, Title 29 of the Delaware Code, Relating to the Freedom of Information Act.

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

YES: 39.

ABSENT: Representatives Caulk, D. Ennis - 2.

Therefore, having received a constitutional majority, SB 121 w/SA 1, SB 76 w/SA 2, SB 122, SB 128, SB 130 & SB 144 were returned to the Senate.

Representative Smith moved to suspend the rules which interfere with rescinding the roll call on SB 144.

SB 144 - An Act to Amend Chapter 100, Title 29 of the Delaware Code, Relating to the Freedom of Information Act.

Representatives Oberle & Roy made comments.

Mr. Speaker granted the privilege of the floor to John Brady, House Attorney.

Representatives Oberle, Smith, Maier & Reynolds made comments.

Representative Smith withdrew his motion.

Representative Oberle made comments.

Mr. Speaker assigned SB 162 to the House Administration Committee.

Representative Smith made an announcement.

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

LABOR: HB 26 - 4M; SB 137 - 4M.

CORR: SB 164 - 6M.

POL ANAL & GOV ACCT: SB 123 - 5M; SB 16 w/SA 1 - 5M.

APPRO: HB 97 - 1F,5M; SB 65 w/SA 2 - 6M; SB 81 - 6M; SB 131 w/SA 1 - 1F,5M.

Corrected committee report from LABOR: HB 217 - 4M.

ECON DEV, B & I: SB 78 w/SA 1 - 8M.

The Majority Leader moved to recess to the call of the Chair at 8:48 p.m.

41st LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 25, 1997

Mr. Speaker Spence called the House to order at 3:01 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 151 w/SA 1, SB 185 w/SA 1, SB 191, SB 171, SB 183, HB 49 w/HA 2, HB 252, HB 264, HB 279, HB 292, SS 1 for SB 166 w/SA 1 & HB 199 w/SA 1 & 2.

The following prefiled legislation was introduced:

HB 368 - DIPINTO - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Veterinary Practice Act.

HB 372 - CAULK & SENATORS BUNTING & ADAMS - AG: An Act to Amend Title 3 of the Delaware Code Relating to Agricultural Lands Preservation.

The Majority Leader moved to adjourn at 3:02 p.m., thereby ending the current legislative day.  
The House reconvened at 3:03 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Stephanie A. Ulbrich, Twenty-Fifth Representative District.

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

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

The following prefiled legislation was introduced:

**HS 1 to HB 315** - OBERLE & SENATOR BLEVINS; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, QUILLEN, REYNOLDS, STONE, WAGNER, VANSANT, BANNING, HOUGHTON, PLANT, PRICE, SCHROEDER, WEST - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act.

**HB 359** - VANSANT & WELCH - H/ADM: An Act to Amend Chapter 5 of Title 11 of the Delaware Code Relating to the Reporting of Lost and Stolen Handguns.

**HB 360** - PLANT - BUS/CORP/COM: An Act to Amend Title 4 of the Delaware Code Relating to the Sale of Alcoholic Liquors.

**HB 365** - MAIER & SENATOR AMICK - HEALTH & HUM DEV: An Act to Amend Title 13 of the Delaware Code Relating to Adoption, and Providing for a Uniform Adoption Act.

**HB 366** - MAIER & SENATOR BLEVINS - HEALTH & HUM DEV: An Act to Amend Chapter 91, Title 16, of the Delaware Code Regarding Regulation of Managed Care Organizations.

**HB 367** - CAPANO & SENATOR BONINI - ED: An Act to Amend Title 14, Delaware Code Relating to Establishing an Educational Scholarship Program.

**HB 369** - PETRILLI & SENATOR VENABLES - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Employment Practices.

**HB 370** - OBERLE & SENATOR SHARP - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Insurance Fees and Taxes.

**HA 3 to HB 144** - VANSANT - READY LIST: Placed with the bill.

**HA 1 to HB 156** - DAVIS - READY LIST: Placed with the bill.

**HA 2 to HB 231** - D. ENNIS & B. ENNIS - APPRO: Placed with the bill.

**HA 2 to HB 244** - WAGNER - AGENDA V: Placed with the bill.

**HA 1 to HB 307** - PLANT & WILLIAMS & KEELEY - READY LIST: Placed with the bill.

**HA 1 to HB 318** - EWING - P/S: Placed with the bill.

**HA 1 to HB 321** - MAIER - AGENDA: Placed with the bill.

**HA 2 to HB 321** - SMITH - AGENDA: Placed with the bill.

**HA 1 to HB 331** - MAIER - READY LIST: Placed with the bill.

**HA 1 to HB 345** - SMITH & ROY - AGENDA: Placed with the bill.

**SB 156 w/SA 1** - HENRY, BLEVINS, MARSHALL, SOKOLA, VAUGHN, VENABLES, CONNOR & SORENSON; REPRESENTATIVES DAVIS, EWING, FALLON & MARONEY - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Child Immunizations.

**SS 1 for SB 166 w/SA 1** - VAUGHN; REPRESENTATIVE MAIER - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code, Relating to Health Insurance Concerning Measures Necessary for Delaware to Maintain Regulatory Authority Over Certain Aspects of Health Care Coverage Under the Federal "Health Insurance Portability and Accountability Act of 1996", and, in Connection Therewith, Making Delaware Requirements Related to the Renewability of Health Insurance Policies, Preexisting Condition Limitations, and Guaranteed Issue of Coverage Consistent With Federal Law.

**SB 171** - VAUGHN & REPRESENTATIVE BANNING - ECON DEV, B & I: An Act to Amend Title 18, Delaware Code Relating to the Cancellation of Agency Contracts With Independent Insurance Agents.

**SB 183** - MARSHALL & REPRESENTATIVE OBERLE - LABOR: An Act to Amend Title 29 of the Delaware Code Relating to the Economic Development Training Act.

**SB 185 w/SA 1** - BLEVINS & VOSHELL; REPRESENTATIVES CAPANO & PETRILLI; SENATORS MCDOWELL, HENRY, BAIR & REED; REPRESENTATIVES D. ENNIS, SCOTT, WILLIAMS, KEELEY, PLANT, SPENCE, BUCKWORTH, MAIER, ULBRICH & DIPINTO - H/ADM: An Act to Amend Title 11 Relating to Deadly Weapons.

**SB 191** - VOSHELL & STILL; REPRESENTATIVE CAREY; SENATORS BUNTING, VENABLES, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED & SORENSON; REPRESENTATIVES CAULK & QUILLEN - NAT RES: An Act Relating to the Purchase of Certain Horseshoe Crab Collecting Permits. (F/N)

**HA 1 to SB 162** - WELCH - H/ADM: Placed with the bill.

**HA 2 to SB 162** - MAIER & WAGNER - H/ADM: Placed with the bill.

Representatives Carey & DiLiberto requested and were granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 316, jointly sponsored by Representative Wagner & Senator Vaughn, before the House for consideration.

HB 316 - An Act to Amend Chapter 45, Part V, Title 12 of the Delaware Code, Making Certain Changes in the Delaware Uniform Transfers to Minors Act.

Representative Welch introduced and brought HA 1 to HB 316 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Welch made comments.

The roll call on HB 316 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 316 w/HA 1 was sent to the Senate for concurrence.

Representatives DiPinto, Gilligan, Quillen, Stone, Oberle, D. Ennis & B. Ennis requested that they be marked present during the roll call.

Representative Smith brought HB 199 w/SA 1 & 3, jointly sponsored by Representative Wagner & Senator Sharp & Representatives Spence, Welch, Boulden, Buckworth, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Maroney, Quillen, Reynolds & Scott, before the House for concurrence on SA 1 & 3.

HB 199 - An Act to Amend Chapter 41, Title 21 of the Delaware Code Relating to Driving Under the Influence of Alcohol and/or Drugs.

Representatives Smith, Brady, Plant & Banning made comments.

The roll call on HB 199 w/SA 1 & 3 was taken and revealed:

YES: 38.

NOT VOTING: Representatives Banning, Brady - 2.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 199 w/SA 1 & 3 was sent to the Governor.

Representative Smith deferred to Representative Maier.

Representative Maier brought HB 321, jointly sponsored by Representative Spence & Senator McDowell & Representatives Smith, Welch, DiPinto, Lofink, Maroney, Roy, VanSant, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West & Williams & Senators Blevins, Sokola, Amick & Sorenson, before the House for consideration.

HB 321 - An Act to Amend Title 31 of the Delaware Code Relating to Child Day Care Centers. (F/N)

Representative Maier brought HA 1 to HB 321 before the House for consideration.

Representative Maier made comments.

HA 1 was adopted by voice vote.

Representative Maier brought HA 2 to HB 321, sponsored by Representative Smith, before the House for consideration.

Representative Maier made comments.

HA 2 was adopted by voice vote.

Representatives Maier, Davis, Smith, Davis & Maier made comments.

Representative Maier moved to place HB 321 w/HA 1 & 2 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Roy.

Representative Roy requested that HB 326 be removed from the Agenda and be returned to the Ready List.

Mr. Speaker reassigned HB 369 to the Business/Corporations/Commerce Committee.

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 240, jointly sponsored by Senator Henry & Representatives Carey, Ewing, Lee, Lofink, Maier, Stone, Ulbrich, Banning, Brady, Houghton, Plant, Price & West & Senators Voshell, McDowell, Adams, Blevins, Cook, Vaughn, Connor & Sorenson, before the House for consideration.

HB 240 - An Act to Amend Title 16 of the Delaware Code Relating to Osteoporosis.

Representative Maroney made comments.

The roll call on HB 240 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 291, jointly sponsored by Senator Sharp, before the House for consideration.

HB 291 - An Act to Amend Subchapter 1 of Chapter 15, Title 12 of the Delaware Code Relating to the Requirement of Notifying Testate Beneficiaries and Certain Beneficiaries Under Will of the Grant of Letters.

Representatives Wagner, B. Ennis, Wagner & Welch made comments.

Representative Wagner moved to place HB 291 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought SS 1 for SB 74 w/SA 2, jointly sponsored by Senators Blevins, Bunting, Sokola, Reed & Still & Representatives Capano, Maier & Scott, before the House for consideration.

SB 74 - An Act to Amend Chapter 53, Title 24 of the Delaware Code Relating to Massage and Bodywork.

Representative Ulbrich made comments.

The roll call on SS 1 for SB 74 w/SA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SS 1 for SB 74 w/SA 2 was returned to the Senate.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis introduced HA 3 to HB 231, jointly sponsored by Representative B. Ennis.

HA 3 was placed with the bill.

Representative D. Ennis made a comment.

Representative Welch deferred to Representative Davis.

Representative Davis brought SB 108, jointly sponsored by Senators Cook, Vaughn, Henry, McBride, Bonini & Sorenson & Representatives DiPinto, Buckworth, Maroney, Houghton & West, before the House for consideration.

SB 108 - An Act to Amend Title 29, Title 11, and Title 16 of the Delaware Code Relating to the Board of Pension Trustees and the Investment of Pension Funds.

Representative Davis made comments.

The roll call on SB 108 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, SB 108 was returned to the Senate.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 244, jointly sponsored by Representatives Ulbrich, Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Stone, Gilligan, VanSant, Banning, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder, Scott & West & Senators Sharp, Blevins, Bunting, Sokola, Bair, Bonini, Connor, Hauge, Sorenson & Still, before the House for consideration.

HB 244 - An Act to Amend Title 29 Regarding the Delaware Freedom of Information Act.

Representative Wagner requested that HA 1 to HB 244 be stricken.

Representative Wagner brought HA 2 to HB 244 before the House for consideration.

Representative Wagner made comments.

HA 2 was adopted by voice vote.

The roll call on HB 244 w/HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Smith - 2.

Therefore, having received a constitutional majority, HB 244 w/HA 2 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Wagner.

Representative Wagner brought HB 235, jointly sponsored by Representative Spence & Senator Sharp & Representatives Ewing, Lee, Lofink, Maier, Petrilli, Stone, Banning, Brady, B. Ennis & Houghton, before the House for consideration.

HB 235 - An Act to Amend Title 11 of the Delaware Code Relating to Time Limitations Applying to Certain Criminal Prosecutions. (F/N)

Representative Wagner made comments.

The roll call on HB 235 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Gilligan, Smith - 3.

Therefore, having received a constitutional majority, HB 235 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Lee.

Representative Lee brought SB 145 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 145 - An Act to Amend Chapter 65, Title 11, of the Delaware Code Relating to Creation of a Special Fund for Monies Confiscated as Contraband.

Representative Lee made a comment.

The roll call on SB 145 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Smith - 1.

Therefore, having received a constitutional majority, SB 145 w/SA 1 was sent to the Senate for concurrence.

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

Representative Welch deferred to Representative Wagner.

Representative Wagner brought SB 151, jointly sponsored by Senator Sharp, before the House for consideration.

SB 151 - An Act to Amend Chapter 31 of Title 25 of the Delaware Code Relating to Federal Liens. (3/5 bill)

Representative Wagner made comments.

The roll call on SB 151 was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 151 was returned to the Senate.

Mr. Speaker introduced guests.

Representative Reynolds made a comment.

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

The Majority Leader moved to recess for caucus at 4:09 p.m.

The House reconvened at 6:33 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 53 w/SA 1, SB 170 w/SA 1 & 2, SB 179 w/SA 1, SB 190 & SCR 40.

#### MEMORANDUM

DATE: June 25, 1997

TO: Representative Tim Boulden

FROM: Senator Dori Connor

RE: Co-Sponsor HB 141 -- Unit Count Date Change

CC: JoAnn Hedrick, Chief Clerk of the House

This is to request that my name be added as a Co-Sponsor of House Bill 141 re: changing the date of the unit count.

Thank you.

DAC/dew

The following prefiled Consent Calendar #11 was introduced:

SCR 39 - AMICK, HAUGE; REPRESENTATIVES BRADY, DILIBERTO, CLOUTIER & WELCH - Extending Best Wishes to William T. Allen, Chancellor of the Delaware Court of Chancery on His Appointment to the Faculty of New York University Where He Will Serve as Director of the Newly-Created New York University Center of Law and Business, a Joint Venture of the Stern School of Business and the NYU Law School, and as Professor of Law and Clinical Professor of Business.

SCR 40 - BLEVINS & REPRESENTATIVE HOUGHTON - Commending the Director of the Bureau of Examination, Rehabilitation, and Guaranty of the Insurance Department, Catherine S. Mulholland on Her Outstanding Record of Achievement During Her Years of Government Service.

Consent Calendar #11 was adopted by voice vote and SCR 39 & SCR 40 were returned to the Senate.

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

Representative Smith requested that HJR 13 be removed from Consent Agenda K.

HJR 13 - STONE, WELCH, DAVIS; SENATORS BUNTING, STILL; REPRESENTATIVE DIPINTO; SENATORS SOKOLA, BONINI - Creating a Task Force to Study and Report on Ways to Reduce the Number of Abandoned Dwellings in the State of Delaware.

HCR 37 - BRADY, BANNING, CAREY, GILLIGAN, KEELEY, PRICE, SCOTT, WILLIAMS; SENATOR VAUGHN; REPRESENTATIVES B. ENNIS, DILIBERTO, HOUGHTON, PLANT, SCHROEDER, VANSANT; SENATORS MCDOWELL, VENABLES - Creating a Task Force to Investigate the Financing Needed for Those Libraries Not Funded Sufficiently.

HS 1/HB 57 - BRADY, BANNING, KEELEY, WILLIAMS, DILIBERTO, SCOTT - An Act to Amend Title 2 of the Delaware Code Relating to the Liability of the Delaware Transportation Authority.

HB 302 - STONE - An Act to Amend Title 25 of the Delaware Code Relating to Mortgages and Other Liens.

**HB 335** - CAPANO; SENATOR BLEVINS; REPRESENTATIVES SMITH, DIPINTO, ROY, GILLIGAN, PLANT; SENATORS BAIR, SORENSON; REPRESENTATIVES SPENCE, WELCH, QUILLEN, STONE, B. ENNIS; SENATORS HENRY, AMICK - An Act to Amend Chapter 7, Title 4 of the Delaware Code, as Amended, Relating to Alcoholic Liquors.

**SB 20 w/SA 1 & 2** - BLEVINS; REPRESENTATIVE ULBRICH - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act.

**SS 2 to SB 127** - VAUGHN; REPRESENTATIVE SCHROEDER - An Act to Amend Chapter 28, Title 7, Delaware Code Relating to Use of Trawlins in Harvesting Conch.

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

YES: 38.

ABSENT: Representatives Caulk, Ewing, Williams - 3.

Therefore, having received a constitutional majority, **HCR 37, HS 1 for HB 57, HB 302 & HB 335** were sent to the Senate for concurrence & **SB 20 w/SA 1 & 2 & SS 2 to SB 127** were returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HJR 13**, jointly sponsored by Representatives Welch, DiPinto & Davis & Senators Sokola, Bunting, Bonini & Still, before the House for consideration.

**HJR 13** - Creating a Task Force to Study and Report on Ways to Reduce the Number of Abandoned Dwellings in the State of Delaware.

Representative Stone introduced and brought **HA 1 to HJR 13** before the House for consideration.

Representative Stone made comments.

**HA 1** was adopted by voice vote.

The roll call on **HJR 13 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 1.

Therefore, having received a constitutional majority, **HJR 13 w/HA 1** was sent to the Senate for concurrence.

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

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

Representative Smith requested that **SB 129** be removed from Consent Agenda L.

**SB 106** - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 129** - SHARP; REPRESENTATIVE WAGNER - An Act to Amend Title 31 of the Delaware Code Regarding Abandonment of an Infirm Adult.

**SB 123** - BLEVINS; REPRESENTATIVE ULBRICH; SENATORS SOKOLA, STILL; REPRESENTATIVE MAIER; SENATORS BUNTING, REED; REPRESENTATIVE CAPANO - An Act to Amend Title 24 of the Delaware Code Relating to the Nursing Practice Act. (2/3 bill)

**SB 154** - VAUGHN; REPRESENTATIVE B. ENNIS - An Act to Amend Chapter 291, Volume 66, Laws of Delaware, as Amended, Entitled: "An Act to Reincorporate the Town of Clayton" Relating to the Establishment of a Specific Date for the Annual Election of Council Members of the Town of Clayton.

**SB 155** - ADAMS; REPRESENTATIVE EWING - An Act to Amend Chapter 299, Volume 64, Laws of Delaware, Entitled "An Act to Amend an Act Being Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville" to Grant the Ultimate Jurisdiction for Certain Criminal Offenses.

**SB 158** - BLEVINS; REPRESENTATIVES HOUGHTON, VANSANT - An Act to Amend an Act Being Chapter 3, Volume 68 of the Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Relating to Municipal Elections and Qualifications of the Mayor. (2/3 bill)

**HB 363** - WELCH; SENATOR COOK - An Act to Amend Chapter 171, Volume 58, Laws of Delaware, as Amended, Entitled "An Act to Change the Jurisdictional Powers of the Police Department of the Town of Cheswold". (2/3 bill)

**HB 334** - WELCH; SENATOR BONINI; REPRESENTATIVES OBERLE, SPENCE - An Act to Amend Title 11, Delaware Code Relating to Obstruction of Government Operations. (2/3 bill)

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

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 106, SB 123, SB 154, SB 155 & SB 158** were returned to the Senate & **HB 363 & HB 334** were sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 129**, jointly sponsored by Senator Sharp, before the House for consideration.

**SB 129** - An Act to Amend Title 31 of the Delaware Code Regarding Abandonment of an Infirm Adult. Representatives Wagner, Oberle & Wagner made comments.

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

Representatives Oberle, Price & Oberle made comments.

The roll call on **SB 129** was taken and revealed:

YES: 39.

ABSENT: Representative Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **SB 129** was returned to the Senate.

At the request of Speaker Spence, **SB 170 w/SA 1 & 2**, sponsored by Senator Sharp & Representative Maier & Senators Adams, Bunting, Henry, Sokola, Amick, Reed & Still & Representatives Capano, Cloutier, D. Ennis, Lofink, Maroney, Petrilli, Reynolds, Ulbrich, DiLiberto, Houghton, Plant, VanSant & Spence & Senators Blevins, Cook, Marshall, Vaughn, Bair & Sorenson & Representatives Buckworth, Carey, DiPinto, Lee, Mack, Oberle, Quillen, Stone, Wagner, Gilligan, Keeley, Schroeder & Price, was given it's first reading.

**SB 170** - An Act to Amend Titles 10, 11, 16, 18 and 29 Relating to the Department of Services for Children Youth and Their Families and the Protection of Children From Abuse or Neglect.

Mr. Speaker assigned **SB 170 w/SA & 2** to the Health & Human Development Committee.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on **HCR 40**. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis introduced and brought **HCR 40**, jointly sponsored by Representatives B. Ennis, Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, Fallon, Gilligan, Houghton, Keeley, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Smith, Spence, Stone, VanSant, Wagner, Welch & Williams & Senators Vaughn, Venables, Sorenson & Still, before the House for consideration.

**HCR 40** - Urging a Continued Review and Assessment of State of Delaware Personnel and Employee Relations Issues.

Representatives D. Ennis, B. Ennis, Oberle, Davis, D. Ennis & Wagner made comments.

**HCR 40** was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **SB 187**. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Gilligan brought **SB 187**, sponsored by Senator Voshell, before the House for consideration.

**SB 187** - An Act to Amend an Act Waiving the Statutory Provisions of §107(a) of Chapter 1, Title 13, Delaware Code, as It Relates to the Marriage of Kenneth Scott Graham and Sandra Marks-Rusin, Non-Residents of the State of Delaware.

Representative Gilligan made a comment.

The roll call on **SB 187** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **SB 187** was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SB 53 w/SA 1**. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought **SB 53 w/SA 1**, jointly sponsored by Senators Henry, Bunting, McDowell, Voshell, Bair & Sorenson & Representatives DiPinto & Schroeder & cosponsored by Representatives Keeley, Williams & Scott, before the House for consideration.

**SB 53** - An Act to Amend Title 11 of the Delaware Code Relating to Hate Crimes.

Representatives Oberle, Smith, Oberle, Williams & Scott made comments.

The roll call on **SB 53 w/SA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Smith - 1.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **SB 53 w/SA 1** was returned to the Senate.

Representative Oberle made a comment.

Mr. Speaker assigned **SS 1 to SB 18** to the Appropriations Committee.

Representatives Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 314** before the House for consideration.

**HB 314** - An Act to Amend Chapter 88, Title 29 of the Delaware Code Relating to the Department of Administrative Services.

Representative Ulbrich made comments.

The roll call on HB 314 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 1.

Therefore, having received a constitutional majority, HB 314 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that HB 364 be stricken.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HB 374. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought HB 374, jointly sponsored by Senator Marshall & cosponsored by Representative Petrilli, before the House for consideration.

HB 374 - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

(3/5 bill)

Representative Oberle made comments.

The roll call on HB 374 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 374 was sent to the Senate for concurrence.

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

Representative Welch requested that HB 350 be stricken.

At the request of Speaker Spence, SB 197, jointly sponsored by Senator Cook & Representative Spence was given it's first reading.

SB 197 - An Act to Amend Title 11 of the Delaware Code Relating to State Police Pensions and the Employment of Pension Beneficiaries by the State.

Mr. Speaker assigned SB 197 to the Public Safety Committee.

Representative Welch deferred to Representative Oberle.

Representative Oberle requested that HB 305 be stricken.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on SB 190. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought SB 190, jointly sponsored by Senators McBride & Representatives Quillen, Wagner & Schroeder, before the House for consideration.

SB 190 - An Act to Amend Title 14 of the Delaware Code Relating to Donated Leave Program(s) for School Employees; and Sick Leave. (F/N)

Representatives Oberle & Davis made comments.

The roll call on SB 190 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Reynolds, Smith - 4.

Therefore, having received a constitutional majority, SB 190 was returned to the Senate.

Representative Welch deferred to Representative Lee.

Representative Lee brought HB 308 before the House for consideration.

HB 308 - An Act to Amend Title 21 of the Delaware Code Relating to Arrests Without Warrant for Motor Vehicle Violations.

Representative Lee introduced and brought HA 1 to HB 308 before the House for consideration.

Representative Lee made comments.

HA 1 was adopted by voice vote.

Representative Lee made comments.

Representative Lee moved to place HB 308 w/HA 1 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Welch deferred to Representative B. Ennis.

Representative B. Ennis brought HB 306, jointly sponsored by Representatives VanSant, Houghton & Banning & Senator Vaughn, before the House for consideration.

HB 306 - An Act to Amend Chapter 29, Title 10 of the Delaware Code Relating to the Issuance of Search Warrants to "Code Enforcement Constables" in Proper Circumstances.

Representative B. Ennis made a comment.

Representative B. Ennis requested that action on HB 306 be Deferred to a Day Certain, Thursday, June 26, 1997.

Representative Welch deferred to Representative Davis.

Representative Davis brought SB 100, jointly sponsored by Senators Cook & Vaughn & Representative Oberle, before the House for consideration.



SB 100 - An Act to Amend Title 29 of the Delaware Code Relating to the Employment of Pensioners. Representative Davis made comments.

The roll call on SB 100 was taken and revealed:

YES: 35.

ABSENT: Representatives Caulk, Ewing, Oberle, Petrilli, Reynolds, Stone - 6.

Therefore, having received a constitutional majority, SB 100 was returned to the Senate.

Representative Welch deferred to Representative Banning.

Representative Banning brought HB 338, jointly sponsored by Representative B. Ennis & Senator Vaughn, before the House for consideration.

HB 338 - An Act to Amend Title 21 of the Delaware Code Relating to the Revocation of a License to Drive a Motor Vehicle for Persons Convicted of Drug Offenses.

Representative Banning made comments.

The roll call on HB 338 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 338 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Spence moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 322. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Spence introduced and brought HS 1 for HB 322, jointly sponsored by Senator Sharp & Representatives Welch, Buckworth, Cloutier, Ewing, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Petrilli, Wagner, Banning, B. Ennis, Houghton & West & Senators Bonini & Still, before the House for consideration.

HB 322 - An Act to Amend Title 14 of the Delaware Code Relating to Education. (2/3 bill)

Representative Spence made comments.

The roll call on HB 322 was taken and revealed:

YES: 35.

NOT VOTING: Representatives Scott, Williams - 2.

ABSENT: Representatives Caulk, Ewing, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 322 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano requested that HCR 4 be stricken.

Representative Capano moved to suspend the rules which interfere with introduction of and action on HCR 39. The motion was properly seconded and adopted by voice vote.

Representative Capano introduced and brought HCR 39, jointly sponsored by Representatives Boulden, Carey, DiPinto, Petrilli, Quillen, Stone & Schroeder, before the House for consideration.

HCR 39 - Creating a Privatization Task Force Consisting of Representatives From Government, Labor and Business to Evaluate Existing Privatized Government Services and to Explore and Recommend Other State Services for Privatization.

Representative Capano made comments.

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

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 353, jointly sponsored by Senators McBride & Connor, before the House for consideration.

HB 353 - An Act to Amend Title 4, Delaware Code Relating to Alcoholic Liquors, Licenses, and Fees. (3/5 bill)

Mr. Speaker Spence resumed the Chair.

Representative Roy made comments.

The roll call on HB 353 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 353 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 343, jointly sponsored by Representatives Davis & Banning & Senators Sokola & Amick, before the House for consideration.

HB 343 - An Act to Amend Title 6 of the Delaware Code Relating to Residential Heating Systems.

Representatives Roy & Davis made comments.

The roll call on HB 343 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 343 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Brady.

Representative Brady brought HB 298, jointly sponsored by Representatives Banning, DiLiberto, Gilligan, Houghton, Keeley, Scott, Spence, VanSant & Williams, before the House for consideration.

HB 298 - An Act to Amend Title 2 of the Delaware Code Relating to the Liability of the Delaware Transportation Authority.

Representative Brady made comments.

Representative D. Ennis introduced and brought HA 1 to HB 298 before the House for consideration.

Representatives D. Ennis, Oberle, Roy, Oberle, D. Ennis, Davis, Oberle, Davis, Oberle, Gilligan, Smith, Gilligan, Oberle, Wagner, Oberle, Wagner, Plant, Smith, Roy, D. Ennis, Roy, DiLiberto, D. Ennis & Oberle made comments.

HA 1 was adopted by voice vote.

The roll call on HB 298 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Petrilli, Reynolds - 4.

Therefore, having received a constitutional majority, HB 298 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought HB 341 before the House for consideration.

HB 341 - An Act to Amend Title 21, Delaware Code Regarding Information on Drivers Licenses. (F/N)

Representative Roy introduced and brought HA 1 before the House for consideration.

Representative Roy made comments.

HA 1 was adopted by voice vote.

The roll call on HB 341 w/HA 1 was taken and revealed:

YES: 34.

NOT VOTING: Representatives Cloutier, Scott - 2.

ABSENT: Representatives Caulk, DiPinto, Ewing, Petrilli, Reynolds - 5.

Therefore, having received a constitutional majority, HB 341 w/HA 1 was sent to the Senate for concurrence.

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

P/S: HB 355 - 4M; SB 172 - 4M; SB 174 - 4M.

JUD: HB 333 - 4M; HB 336 - 4M.

AG: HB 372 - 2F,3M.

ECON DEV, B & I: SS 1/SB 166 w/SA 1 - 8M; SB 156 w/SA 1 - 8M.

BUS/CORP/COM: HB 360 - 5M; SB 58 - 5M.

HOUSING & COM AFF: HB 361 - 1F,6M,1U; HB 362 - 1F,6M,1U.

H/ADM: HB 325 - 4M.

APPRO: SB 132 w/SA 1 & 2 - 1F,5M.

Representative Scott requested and was granted the privilege of the floor for Reverend Silvester S. Beaman, Bethel AME Church, representing the Wilmington Interfaith Network.

Representatives D. Ennis, Smith & Plant made comments.

The Majority Leader moved to recess to the call of the Chair at 8:55 p.m.

42nd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 26, 1997

Mr. Acting Speaker Welch called the House to order at 2:19 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 193, SB 180, SB 184 & SB 197.

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

P/S: SB 197 - 6M.

HEALTH & HUM DEV: SB 170 w/SA 1 & 2 - 1F,5M.

HOUSING & COM AFF: HB 296 - 6M.

POL ANAL & GOV ACCT: HB 368 - 4M; HS 1/HB 315 - 4M.

H/ADM: HB 371 - 3M.

Mr. Acting Speaker made an announcement.

Representative Smith introduced HB 379, jointly sponsored by Representatives Spence & Welch & Senators Bair & Amick.

HB 379 - An Act to Amend Title 15 of the Delaware Code Regarding Primary Elections.

Mr. Acting Speaker assigned HB 379 to the House Administration Committee.

Representative Smith introduced HJR 15, sponsored by Representatives Spence, Welch, Lee, Carey & Buckworth & Senator Sharp.

HJR 15 - Establishing a Task Force to Evaluate the Staffing Needs, Monetary Support, Training, Equipment, and Technology for Non-Emergency Calls, and Related Matters Relevant to Each of the Three County 911 Centers.

Mr. Acting Speaker assigned HJR 15 to the House Administration Committee.

Representative Smith introduced HJR 16, sponsored by Representative Spence.

HJR 16 - Creating a Residential Treatment Program Site Selection Task Force to Investigate Laws and Regulations Affecting Availability of Sites for Residential Treatment Facilities, Recommend Such Facility Distribution and Locations, and Proposing Legislation Necessary to Allow Such Facilities.

Mr. Acting Speaker assigned HJR 16 to the House Administration Committee.

Representative Smith introduced HB 385, sponsored by Representative Spence & Senator Marshall & Representative Maier & Senator Blevins & Representatives DiPinto, Oberle, Gilligan, Keeley, Plant, Scott & Williams & Senators Henry, McBride & Voshell.

HB 385 - An Act to Amend Chapter 85, Title 11 of the Delaware Code Relating to Employment Practices, Quality in Hiring, Adult Abuse Registry, and Child Care and Health Care Facilities.

Mr. Acting Speaker assigned HB 385 to the Judiciary Committee.

Representative Smith deferred to Representative VanSant.

Representative VanSant introduced HB 386, jointly sponsored by Representative Welch & Senators Voshell & Cook & cosponsored by Senator Bonini.

HB 386 - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

Mr. Acting Speaker assigned HB 386 to House Administration Committee.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth introduced HB 381.

HB 381 - An Act to Amend Chapter 13, Title 14, Delaware Code, Relating to the Employment of Assistant Principals in Schools.

Mr. Acting Speaker assigned HB 381 to Education Committee.

The Majority Leader moved to adjourn at 2:30 p.m., thereby ending the current legislative day. The House reconvened at 2:31 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Bruce C. Reynolds, Fifteenth Representative District.

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

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

Representative Fallon made comments.

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

Representative Smith deferred to Representatives Quillen & Carey.

The minutes of the previous Legislative Day were approved as posted.

Representative Quillen requested and was granted the privilege of the floor for Cheryl Crowe, Miss Delaware, Teen U.S.A.

Representative Carey made comments.

Representative Quillen presented a House Tribute to Cheryl Crowe, Miss Delaware, Teen U.S.A.

Representative Quillen introduced guests.

Representative D. Ennis made a comment.

The following prefiled legislation was introduced:

HB 376 - WEST, KEELEY, BANNING, PLANT, VANSANT - NAT RES: An Act to Amend Chapter 5, Subchapter 1, Title 7, Delaware Code Relating to the Permit Fee for Killing Deer.

HB 377 - ROY & SENATOR SOKOLA - LAND USE & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to Land Development Agreements.

HB 378 - KEELEY, BANNING, BRADY, PLANT, DIPINTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, PLANT, PRICE, QUILLEN, REYNOLDS, WEST, WILLIAMS; SENATOR MARSHALL - HOUSING & COM AFF: An Act to Amend Title 29 of the Delaware Code Relating to the Licensure of Residential and Nonresidential Child Care Facilities.

HB 382 - LOFINK & SENATOR CONNOR; REPRESENTATIVES CLOUTIER, OBERLE, REYNOLDS, BANNING; SENATOR REED - TRANS: An Act to Amend Title 17 of the Delaware Code Relating to Access to State-Maintained Highways in New Castle County.

HB 383 - SCHROEDER & SENATOR BUNTING - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Registration.

HB 384 - MAIER & DIPINTO; SENATOR BLEVINS - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

HR 34 - MAIER ON BEHALF OF ALL HOUSE MEMBERS - HEALTH & HUM DEV: Creating the House Child Care Licensing and Oversight Task Force in Order to Study Delaware's Child Care System and to Make Recommendations on Improvements Regarding Licensing and Oversight of the Facilities.

HA 2 to HB 156 - ULBRICH, MAIER & CAPANO - AGENDA VIII: Placed with the bill.

HA 3 to HB 156 - STONE - AGENDA VIII: Placed with the bill.

HA 4 to HB 156 - ULBRICH, MAIER & CAPANO - AGENDA VIII: Placed with the bill.

HA 2 to HB 234 - DAVIS & SENATOR SHARP - TRANS: Placed with the bill.

HA 1 to HB 360 - PLANT - AGENDA VIII: Placed with the bill.

SB 179 w/SA 1 - VENABLES - ED: An Act to Amend Title 14 of the Delaware Code Relating to Orthopedically Disabled Children. (F/N)

SB 180 - MCBRIDE & REPRESENTATIVE MACK; SENATOR VOSHALL - ENV MAN: An Act to Amend Title 7 of the Delaware Code Relating to Criminal Penalties.

SB 184 - MCBRIDE & REPRESENTATIVE OBERLE; SENATORS BLEVINS, MCDOWELL; REPRESENTATIVES BANNING, HOUGHTON, PLANT, SCOTT, SPENCE, WELCH & WILLIAMS - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to the Public Employment Relations Act.

SB 193 - BUNTING & REPRESENTATIVE CAULK - AG: An Act to Amend Title 3 of the Delaware Code to Allow for Expansions to Agricultural Preservation Districts Within a Three-Mile Radius of Established Districts and to Change the Foundation's Annual Report Period.

HA 1 to SS 1 for SB 18 - REYNOLDS, SMITH, WELCH, CAPANO, CLOUTIER, CAULK, DAVIS, MACK, ULBRICH, WAGNER - APPRO: Placed with the bill.

HA 2 to SB 80 - WAGNER - AGENDA VIII: Placed with the bill.

HA 1 to SB 132 - MAIER - READY LIST: Placed with the bill.

Representative Smith requested and was granted the privilege of the floor for Pam Price, staff member, who requested that House Committee chairmen present House Tributes to the Legislative Fellows.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker assigned HB 281 to the Appropriations Committee.

Representative Price requested and was granted the privilege of the floor for the introduction of a guest.

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

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 347 before the House for consideration.

HB 347 - An Act to Amend Title 16 of the Delaware Code Relating to Public Swimming and Bathing Places.

Representative B. Ennis requested that he be marked present.

Representative Capano introduced and brought HA 1 to HB 347 before the House for consideration.

Representative Capano made a comment.

HA 1 was adopted by voice vote.

Representatives Capano & DiLiberto made comments.

The roll call on HB 347 w/HA 1 was taken and revealed:

YES: 30.

NO: Representatives DiLiberto, Lee, Mack, Oberle, Scott, VanSant, Williams - 7.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Caulk, Cloutier, Quillen - 3.

Therefore, having received a constitutional majority, HB 347 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought HB 306, jointly sponsored by Representatives Quillen, VanSant, Banning & Houghton & Senator Vaughn, before the House for consideration.

HB 306 - An Act to Amend Chapter 29, Title 10 of the Delaware Code Relating to the Issuance of Search Warrants to "Code Enforcement Constables" in Proper Circumstances.

Representative B. Ennis brought HA 1 to HB 306 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

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

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

Representatives B. Ennis, Price, Plant, Scott & West made comments.

Representative B. Ennis moved to place HB 306 w/HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on HB 371. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy brought HB 371, jointly sponsored by Senator Adams, before the House for consideration.

HB 371 - An Act to Amend Chapter 58, Title 29, Delaware Code Relating to Financial Disclosure.

Representative Roy made a comment.

The roll call on HB 371 was taken and revealed:

YES: 38.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Caulk, Cloutier - 2.

Therefore, having received a constitutional majority, HB 371 was sent to the Senate for concurrence.

Representative Spence introduced guests.

Representative Smith deferred to Representative Roy.

Representative Roy requested that HB 345 w/HA 1 be removed from the Agenda and be placed on the Ready List.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought HB 215, jointly sponsored by Representatives Banning, Buckworth, D. Ennis, Houghton, Maier, Maroney, Price, Wagner, West & Spence & Senators Blevins, Marshall & McDowell, before the House for consideration.

HB 215 - An Act to Amend Chapter 48, Title 21 of the Delaware Code Relating to Child Restraint in Motor Vehicles. (2/3 bill)

Representative Keeley moved to place HB 215 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Davis.

Representative Davis introduced HB 380, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, Houghton & West & Senators Cook, Henry, McBride, Vaughn, Bonini & Sorenson.

HB 380 - An Act Making Appropriations for Certain Grants-In-Aid for the Fiscal Year Ending June 30, 1998; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Davis made a comment.

Mr. Speaker assigned HB 380 to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 3:28 p.m.

The House reconvened at 6:19 p.m.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: Thomas R. Carper, Governor  
Thomas B. Sharp, President Pro-Tempore  
William Montgomery, Director Legislative Council  
Bernard Brady, Secretary to the Senate  
JoAnn Hedrick, Chief Clerk of the House

FROM: Terry R. Spence, Speaker

DATE: June 26, 1997

RE: Appointment HCR 21 w/SA 1

Pursuant to HCR 21 w/SA 2, creating a DelDot Organizational Review Task Force, I have made the following appointments:

Rep. Stephanie Ulbrich

Rep. Joseph Petrilli

Rep. Bruce Ennis

Mr. Victor Singer

Mr. John McMahon, Jr.

Rep. Stephanie Ulbrich will be the Chair of this Task Force. Thank you.

TRS/rec

cc: Appointees

Maggie Smith, Legislative Council

June 25, 1997

#### LEGISLATIVE ADVISORY #18

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/24/97 - SB 126 & HB 245, 6/25/97 - HB 169, SB 113 aab SA 1, HB 304, SB 139, SB 103, SB 104, SB 107, SB 105, SB 160,

SB 161, HB 243, HB 311, HJR 11 & HJR 12.

Representative Smith deferred to Representative Quillen

Representative Quillen introduced HB 388, jointly sponsored by Representatives Buckworth, Carey & Fallon & Senator McDowell.

HB 388 - An Act to Amend Title 29, Section 7101, of the Delaware Code as It Applies to Racetracks.

Mr. Speaker assigned HB 388 to the House Administration Committee.

Representatives Cloutier & Caulk requested that they be marked present.

Representative Smith deferred to Representative Carey.

Representative Carey introduced HS 3 for HB 50, jointly sponsored by Senator Voshell & Representatives Spence, Smith, Buckworth, Capano, Davis, D. Ennis, Ewing, Quillen, Petrilli, Lee & Banning & Senators Bunting, Venables, Amick, Bonini & Sorenson.

HB 50 - An Act to Amend Chapter 11, Title 30 of the Delaware Code Relating to Personal Income Tax.

Mr. Speaker assigned HS 3 for HB 50 to the Revenue & Finance Committee.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with lifting HS 1 for HB 352 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy brought HS 1 for HB 352, jointly sponsored by Senator Sharp, before the House for consideration.

HB 352 - An Act to Amend Title 11, Delaware Code Regarding Registration and Community Notification of Sex Offenders.

Representative Roy made comments.

The roll call on HS 1 for HB 352 was taken and revealed:

YES: 38.

ABSENT: Representatives Banning, Buckworth, Caulk - 3.

Therefore, having received a constitutional majority, HS 1 for HB 352 was sent to the Senate for concurrence.

Representative Smith brought Consent Agenda M, before the House for consideration.

Representative Smith requested that HB 333, HB 344, HB 346 & HB 195 be removed from Consent Agenda M.

HB 333 - WAGNER; SENATOR VAUGHN - An Act to Amend Title 11 of the Delaware Code Regarding the State Bureau of Identification.

HB 344 - WAGNER; SENATOR SHARP - An Act to Amend Subchapter II, Chapter 15, Title 12 of the Delaware Code Relating to the Demand That the Personal Representative of an Estate be Bonded.

HB 346 - WAGNER; SENATOR VAUGHN - An Act to Amend Title 11, Delaware Code, Relating to the Criminal Justice Information System.

SB 48 - BLEVINS, SORENSON; REPRESENTATIVE CAPANO; SENATOR BONINI; REPRESENTATIVE WELCH - An Act to Amend Title 10 of the Delaware Code Relating to Protection From Abuse Proceedings.

HB 195 - CAULK, SCHROEDER, SMITH, BOULDEN, CAPANO, D. ENNIS, LOFINK, MAIER, PETRILLI, ROY, ULBRICH, GILLIGAN, BANNING, DILIBERTO, WEST; SENATORS BAIR, BONINI, REED, STILL, BUNTING; REPRESENTATIVES WELCH, BUCKWORTH, DAVIS, EWING, MACK, OBERLE, REYNOLDS, STONE, WAGNER, VANSANT, BRADY, B. ENNIS; SENATORS ADAMS, AMICK, HAUGE, SORENSON - An Act to Amend Title 3 of the Delaware Code Relating to Delaware Agricultural Lands Preservation Act.

HB 296 - QUILLEN - An Act to Amend Title 22 of the Delaware Code Relating to Preparation of Transcripts and Awarding of Costs on Appeals From the Board of Adjustment to the Superior Court.

SB 58 - VOSHALL - An Act to Amend Chapter 35, Title 6 of the Delaware Code Relating to Late Payments to Suppliers Under Construction Contracts.

HB 355 - DIPINTO, SPENCE, CAPANO, ROY, BANNING, HOUGHTON, SCOTT; SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, LOFINK, VANSANT, B. ENNIS, PLANT; SENATORS ADAMS, STILL - An Act to Amend Title 21 of the Delaware Code Relating to Projecting Loads.

SB 174 - HENRY - An Act to Amend Title 21 of the Delaware Code Relating to Social Security Numbers on Driver's Licenses and Identification Cards Issued by the Division of Motor Vehicles.

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

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

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

YES: 39.

ABSENT: Representatives Buckworth, Caulk -2.

Therefore, having received a constitutional majority, SB 48, SB 58 & SB 174 were returned to the Senate & HB 296 & HB 355 were sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Cloutier requested that HA 2 to HB 149 be stricken.

Representative Capano introduced HB 389, jointly sponsored by Representatives Smith, Spence, Welch, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lofink, Mack, Maier, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich & Wagner & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 389 - An Act to Amend Title 30 of the Delaware Code Relating to Inheritance Taxes.

Mr. Speaker assigned HB 389 to the Revenue & Finance Committee.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on HS 1 to HB 315. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HS 1 to HB 315, jointly sponsored by Senator Blevins & Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Quillen, Reynolds, Stone, Wagner, VanSant, Banning, Houghton, Plant, Price, Schroeder & West, before the House for consideration.

HB 315 - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act.

Representatives Oberle & DiLiberto made comments.

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

Representative DiLiberto made comments.

Representative Oberle moved to place HS 1 to HB 315 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Plant.

Representative Plant brought HB 360 before the House for consideration.

HB 360 - An Act to Amend Title 4 of the Delaware Code Relating to the Sale of Alcoholic Liquors.

Representative Plant moved to suspend the rules which interfere with action on HB 360. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Plant moved to place HB 360 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 197, sponsored by Senator Cook & Representative Spence, before the House for consideration.

SB 197 - An Act to Amend Title 11 of the Delaware Code Relating to State Police Pensions and the Employment of Pension Beneficiaries by the State.

Representative Ewing moved to suspend the rules which interfere with action on SB 197. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ewing made a comment.

The roll call on SB 197 was taken and revealed:

Representative Ewing made a comment.

YES: 39.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, SB 197 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 333, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 333 - An Act to Amend Title 11 of the Delaware Code Regarding the State Bureau of Identification.

Representatives Wagner & Williams made comments.

Representative Wagner requested and was granted the privilege of the floor for Michael McLaughlin, Deputy Director of the Administrative Office of the Courts.

Representatives Williams, Ewing & B. Ennis made comments.

The roll call on HB 333 was taken and revealed:

YES: 38.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, HB 333 was sent to the Senate for

Representative Smith deferred to Representative Wagner.

Representative Wagner brought HB 346, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 346 - An Act to Amend Title 11, Delaware Code, Relating to the Criminal Justice Information System.

Representative Wagner made a comment.

The roll call on HB 346 was taken and revealed:

YES: 38.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, HB 346 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that HB 344 be returned to the Ready List.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on SB 170 w/SA 1 & 2.

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

Representative Maier brought SB 170 w/SA 1 & 2, jointly sponsored by Senator Sharp & Representative Spence & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, Sokola, Vaughn, Amick, Bair, Reed, Sorenson & Still & Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Stone, Ulbrich, Wagner, DiLiberto, Gilligan, Houghton, Keeley, Plant, Schroeder & VanSant, before the House for consideration.

SB 170 - An Act to Amend Titles 10, 11, 16, 18 and 29 Relating to the Department of Services for Children Youth and Their Families and the Protection of Children From Abuse or Neglect. (F/N)

Representative Maier introduced and brought HA 1 to SB 170 before the House for consideration.

Representative Maier made a comment.

HA 1 was adopted by voice vote.

Representative Maier introduced and brought HA 2 to SB 170 before the House for consideration.

Representative Maier made a comment.

HA 2 was adopted by voice vote.

Representatives Maier, Davis & Brady made comments.

The roll call on SB 170 w/SA 1 & 2 & HA 1 & 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, SB 170 w/SA 1 & 2 & HA 1 & 2 were returned to the Senate for concurrence on HA 1 & 2.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 80, sponsored by Senators Sharp, Adams & Vaughn & Representative VanSant, before the House for consideration.

SB 80 - An Act to Amend Chapter 13, Title 10, Delaware Code Relating to Judges of the Court of Common Pleas.

Representative Wagner requested that HA 1 to SB 80 be stricken.

Representative Wagner brought HA 2 to SB 80 before the House for consideration.

Representative Wagner made comments.

HA 2 was adopted by voice vote.

Representative Wagner made a comment.

Mr. Speaker appointed Representative Roy as Acting Speaker.

Representative DiPinto made comments.

The roll call on SB 80 w/HA 2 was taken and revealed:

YES: 37.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives Banning, Buckworth, Smith - 3.

Therefore, having received a constitutional majority, SB 80 w/HA 2 was returned to the Senate for concurrence on HA 2.

Representative Welch deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on SB 132 w/SA 1 & 2. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Spence brought SB 132 w/SA 1 & 2, jointly sponsored by Senators Marshall & Blevins & Representative Maier & Senators Henry, McBride & Voshell & Representatives DiPinto, Oberle, Gilligan, Keeley, Plant, Scott & Williams, before the House for consideration.

SB 132 - An Act to Amend Title 11 and Title 19 of the Delaware Code Relating to Employment Practices and Quality in Hiring. (F/N)

Representative Spence made comments.

Representative Maier brought HA 1 to SB 132 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Spence & Ewing made comments.



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

Representative Ewing made a comment.

Representative Spence requested and was granted the privilege of the floor for Senator Robert Marshall.

Representatives Ewing, Spence & Schroeder made comments.

The roll call on SB 132 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, SB 132 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Welch deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on HB 385. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Spence brought HB 385, jointly sponsored by Senator Marshall & Representative Maier & Senator Blevins & Representatives DiPinto, Oberle, Gilligan, Keeley, Plant, Scott & Williams & Senators Henry, McBride & Voshell, before the House for consideration.

HB 385 - An Act to Amend Chapter 85, Title 11 of the Delaware Code Relating to Employment Practices, Quality in Hiring, Adult Abuse Registry, and Child Care and Health Care Facilities.

Representative Spence made comments.

Representative Spence introduced and brought HA 1 to HB 385 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Spence, Ewing & Davis made comments.

Representative Spence requested and was granted the privilege of the floor for Lisa Blunt-Bradley, representing the Department of Health & Social Services.

Representatives Spence, Ewing & Davis made comments.

The roll call on HB 385 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Banning, Buckworth - 2.

Therefore, having received a constitutional majority, HB 385 w/HA 1, was sent to the Senate for concurrence.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced and brought HR 35, jointly sponsored by Representative Plant on Behalf of All House Members, before the House for consideration.

Mr. Speaker Spence resumed the Chair.

HR 35 - Creating a Task Force to Investigate the Operation and Management of the Courtyard Apartments, and to Conduct a Community Impact Study of the Residential Apartment Complex.

Representatives D. Ennis, Plant & Gilligan made comments.

HR 35 was adopted by voice vote.

Representative D. Ennis moved to suspend the rules which interfere with action on HB 232. The motion was properly seconded and adopted by voice vote.

Representative D. Ennis brought HB 232, jointly sponsored by Representative B. Ennis, before the House for consideration.

HB 232 - An Act to Amend Title 29 of the Delaware Code Relating to the Office of State Personnel.

Representative D. Ennis made comments.

The roll call on HB 232 was taken and revealed:

YES: 38.

ABSENT: Representatives Banning, Buckworth, Petrilli - 3.

Therefore, having received a constitutional majority, HB 232 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with introduction of and action on HS 1 to HJR 7. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Scott introduced and brought HS 1 to HJR 7, jointly sponsored by Representatives Banning, Brady, Buckworth, Carey, Cloutier, Caulk, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lofink, Maier, Plant, Price, Schroeder, Ulbrich, VanSant, West, Williams & Spence & Senators Amick, Bair, Blevins, Connor, Henry, Marshall, McDowell, Sokola, Sorenson, Venables & Voshell, before the House for consideration.

HJR 7 - Urging the Delaware Congressional Delegation to Extend, as It Deems Appropriate, the United States Voting Rights Act.

Representative Scott made a comment.

The roll call on HS 1 to HJR 7 was taken and revealed:

YES: 35.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives Banning, Buckworth, Oberle, Petrilli, Schroeder - 5.

Therefore, having received a constitutional majority, HS 1 for HJR 7 was sent to the Senate for concurrence.

Representative Scott made a comment.

Representative Smith deferred to Representative Quillen.

Representative Quillen introduced HB 392.

HB 392 - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

Mr. Speaker assigned HB 392 to the House Administration Committee.

Representative Quillen introduced HB 391, jointly sponsored by Representatives Carey & Schroeder & Senator Voshell.

HB 391 - An Act to Amend Chapter 27, Title 7, of the Delaware Code Relating to the Issuance of Commercial Collecting Permits for Horseshoe Crabs.

Mr. Speaker assigned HB 391 to the Natural Resources Committee.

Mr. Speaker reassigned HB 382 to the Land Use & Infrastructure Committee.

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

ENV MAN: SB 180 - 5M.

P/S: HB 318 - 4M.

LABOR: SB 183 - 5M; SB 184 - 5M.

AG: SB 193 - 5M.

H/ADM: HJR 15 - 3M; HJR 16 - 3M.

HEALTH & HUM DEV: HB 366 - 6M.

The Majority Leader moved to recess to the call of the Chair at 8:10 p.m.

43rd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
First Session  
June 30, 1997

Mr. Speaker Spence called the House to order at 2:17 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 199 w/SA 1, HB 262 w/HA 1, HB 263 w/HA 1 & 3 & SA 1, SB 142 w/SA 2, SB 198, HS 1 for HB 356, HB 323, SB 153 w/SA 1, SS 1 for SB 192, HB 209, HB 221, HB 141 w/HA 1, HB 157, HB 205 w/HA 1, HB 220 w/HA 1, SB 88 w/SA 1, SB 181, SB 99 w/SA 3, SB 167 w/SA 2, SB 186 & SB 200.

June 26, 1997

LEGISLATIVE ADVISORY #19

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/26/97: SB 147 aab SA 3, SB 75, HB 197 aab HA 1, HB 236 aab SA 1, SB 110 aab SA 1, HB 249 aab HA 1 & HB 146.

The following prefiled legislation was introduced:

HS 1 to HB 231 - D. ENNIS, B. ENNIS, SPENCE & WAGNER, BANNING, WEST, LEE, PLANT, DIPINTO, PRICE, EWING, BRADY, MAIER, CAPANO, ULBRICH, CAULK, WELCH, STONE, BOULDEN, BUCKWORTH, LOFINK, DAVIS, MACK; SENATORS VAUGHN, BONINI - APPRO: An Act to Amend Chapter 11, Title 29 of the Delaware Code; and Providing for the Office of State Ombudsman.

HB 390 - MAIER & SPENCE & SENATOR MCDOWELL; REPRESENTATIVES SMITH, WELCH, DIPINTO, LOFINK, MARONEY, ROY; SENATORS BLEVINS, SOKOLA, AMICK, SORENSON - HEALTH & HUM DEV: An Act to Amend Title 31 of the Delaware Code Relating to Child Welfare. (2/3 bill)

HCR 41 - B. ENNIS, BANNING & SENATOR VAUGHN; REPRESENTATIVES GILLIGAN, VANSANT, WEST, HOUGHTON, PLANT, KEELEY, WILLIAMS, BRADY, DILIBERTO, PRICE, SCOTT, SPENCE, LOFINK, BOULDEN, EWING, MACK, D. ENNIS, WAGNER, REYNOLDS, ULBRICH, FALLON, PETRILLI, BUCKWORTH, MAIER, OBERLE, STONE - H/ADM: Memorializing the Delaware Congressional Delegation and the United States Army Corps. of Engineers to Urgently Consider the Continued Usage and Maintenance of the Old St. George's Bridge Crossing the Chesapeake and Delaware Canal, Not Only for Communal Reasons, Eliminating the Possibility of Splitting a Closely Knit Community Into Two Distinct Parts, but Also for Vital and Strategic Economic Reasons to the Local and State Economies, and to Also Act as an Alternative Relief Route to Route 1 Which is Veritably Estimated That in a Very Short Span of Time, the State Route 1 Bridge Will Have Fulfilled Its Potential and Capacity, Thus Requiring an Engineering Look-See Alternative.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

Representative Lee requested that he be marked present.

Representative Keeley requested and was granted the privilege of the floor for the introduction of guests.

Representative Smith deferred to Representative Price.

Representative Price requested and was granted the privilege of the floor for the introduction of guests.

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

Representatives Gilligan & Price made comments.

The following prefiled legislation was introduced:

**HB 387** - PRICE, BANNING, BRADY, CAREY, B. ENNIS, HOUGHTON, KEELEY, MAIER, OBERLE, PLANT, REYNOLDS, SCOTT, WELCH, WEST, WILLIAMS - ECON DEV, B & I: An Act to Amend Title 5 of the Delaware Code Relating to Prepayment of Residential Mortgage Loans by Individuals.

**HB 393** - OBERLE - H/ADM: An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**HB 394** - CLOUTIER; SENATOR SOKOLA; REPRESENTATIVES SPENCE, GILLIGAN; SENATORS BAIR, SORENSON, AMICK, CONNOR - LAND USE & INFRA: An Act to Amend Title 29 of the Delaware Code Relating to the Advisory Panel on Intergovernmental Planning and Coordination.

**HB 395** - LOFINK; SENATOR BUNTING; REPRESENTATIVES SPENCE, GILLIGAN; SENATORS STILL, BAIR, SORENSON - LAND USE & INFRA: An Act to Amend Chapter 91 of Title 29 of the Delaware Code Relating to State Planning.

**HB 396** - SCHROEDER; SENATOR VOSHELL; REPRESENTATIVES SPENCE, GILLIGAN, BRADY; SENATORS BAIR, SORENSON - LAND USE & INFRA: An Act to Amend Title 22 of the Delaware Code Relating to Municipal Planning.

**HB 397** - SPENCE; SENATORS VOSHELL, BAIR; REPRESENTATIVES GILLIGAN, BRADY; SENATORS STILL, REED, SORENSON, CONNOR - LAND USE & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to County and Municipal Planning and Zoning Coordination.

**HB 398** - OBERLE; SENATOR SOKOLA; REPRESENTATIVES SPENCE, BRADY; SENATORS BAIR, REED, CONNOR, SORENSON, AMICK - LAND USE & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to County Comprehensive Plans and Zoning Maps.

**HA 5 to HB 156** - CAPANO, ULBRICH - AGENDA VIII: Placed with the bill.

**HA 6 to HB 156** - DIPINTO, OBERLE, ULBRICH, CAPANO & MAIER - AGENDA VIII: Placed with the bill.

**HA 7 to HB 156** - MARONEY - AGENDA VIII: Placed with the bill.

**HA 1 to HS 1 to HB 315** - DILIBERTO - L.O.T.: Placed with the bill.

**HA 2 to HB 331** - OBERLE - AGENDA VIII: Placed with the bill.

**SB 88 w/SA 2** - BLEVINS & REPRESENTATIVE CAPANO - HOUSING & COM AFF: An Act to Amend Chapter 13, Title 25, Delaware Code Relating to Fences and Barbed Wire.

**SB 99 w/SA 3** - VENABLES, BUNTING, VOSHELL, CONNOR, HAUGE & STILL - BUS/CORP/COM: An Act to Amend Title 4 of the Delaware Code Relating to Liquor Licenses.

**SB 142 w/SA 2** - MCDOWELL & REPRESENTATIVE MAIER; SENATORS BLEVINS, HENRY, VOSHELL, BAIR, SORENSON, REED - HEALTH & HUM DEV: An Act to Amend Title 29, Chapter 90 Relating to the Department of Services for Children Youth and Their Families. (F/N)

**SB 153 w/SA 1** - SORENSON & SENATOR BLEVINS & REPRESENTATIVE DIPINTO & SENATORS ADAMS, AMICK, BAIR, BONINI, BUNTING, CONNOR, COOK, HAUGE, HENRY, MARSHALL, MCDOWELL, REED, SHARP, SOKOLA, STILL, VAUGHN, VENABLES, VOSHELL; REPRESENTATIVES CAPANO, DAVIS, EWING, FALLON, KEELEY, LOFINK, MAIER, PETRILLI, PLANT, QUILLEN, REYNOLDS, SCOTT, STONE, WAGNER, WILLIAMS - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Genetic Information.

**SB 167 w/SA 2** - SHARP & REPRESENTATIVE PETRILLI - H/ADM: An Act to Amend Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members.

**SB 177 w/SA 1** - HENRY, BLEVINS, BUNTING, MARSHALL, MCDOWELL, SOKOLA, BONINI; REPRESENTATIVES BRADY, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, B. ENNIS, EWING, HOUGHTON, KEELEY, MARONEY, PETRILLI, PLANT, PRICE, SCHROEDER, SCOTT, STONE, ULBRICH & WILLIAMS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to the Neighborhood Assistance Act. (F/N)

**SB 181** - COOK & REPRESENTATIVE DIPINTO - JUD: An Act to Amend Title 6, of the Delaware Code Relating to the Regulation of Securities, Broker-Dealers, Investment Advisers and Agents. (F/N)(3/5 bill)

**SB 186** - BUNTING & REPRESENTATIVE SCHROEDER - H/ADM: An Act to Amend Chapter 197, Volume 54, Laws of Delaware, the Charter of the City of Rehoboth Beach as Amended, With Regard to the Procedures for Sale of the City of Rehoboth Beach's Real and Personal Property. (2/3 bill)

**SS 1 for SB 192** - SHARP & VAUGHN; REPRESENTATIVE LEE - CORR: An Act to Amend Title 11 of the Delaware Code Relating to the Boot Camp Inmate Training Program.

**SB 198** - MCDOWELL & BLEVINS - ED: An Act to Amend Title 14 of the Delaware Code Regarding the Ivyane D.F. Davis Memorial Scholarship Fund.

**SB 199 w/SA 1** - ADAMS; REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Title 11 of the Delaware Code Relating to the Registration of Foreign Corporations. (3/5 bill)

**SB 200** - SORENSON - H/ADM: An Act to Waive Statutory Provisions of Title 13 of the Delaware Code Relating to the Solemnization of Certain Marriages.

**HA 2 to SS 1 to SB 18** - WELCH - APPRO: Placed with the bill.

**HA 1 to SB 185** - WELCH - H/ADM: Placed with the bill.

Representative Smith deferred to Representative Capano.

Representative Capano requested that **HB 340** be stricken.

Representative Smith deferred to Representative Roy.

Representative Roy requested that **HB 204** be returned to the Ready List.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HR 36**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy introduced and brought **HR 36** before the House for consideration.

**HR 36** - Urging the Public Service Commission to Complete a Proceeding on Restructuring the State's Electric Utility Business and Submit Its Report to the House of Representatives by January 31, 1998.

Representative Roy made comments.

**HR 36** was adopted by voice vote.

Representative Smith brought **HB 263 w/HA 1 & 3 & SA 1**, sponsored by Representative Gilligan & Senator Voshell & Representatives Banning, Buckworth, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, D. Ennis, Ewing, Houghton, Lofink, Plant, Quillen, Reynolds, Schroeder, VanSant, West, Williams & Spence & Senator Henry, before the House for concurrence on **SA 1**.

**HB 263** - An Act to Amend Title 20 of the Delaware Code Relating to Civil Defense and Emergency Management.

Representatives Smith & Lee made comments.

The roll call on **HB 263 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 263 w/HA 1 & 2 & SA 1** was sent to the Governor.

Representatives Boulden, Plant, Scott, Williams & D. Ennis requested that they be marked present during the roll call.

Representative Smith brought **Consent Agenda N**, which has a two-thirds vote requirement, before the House for consideration.

Representative Smith requested that **SB 186** be placed on **Consent Agenda N**.

**HB 325** - SCHROEDER; SENATOR VOSHELL - An Act to Amend an Act Being Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled, "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes, Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors" to Require United States Citizenship of All Otherwise Qualified Voters in Order to Vote. (2/3 bill)

**HB 336** - WELCH, STONE; SENATOR BONINI - An Act to Amend Title 11, Delaware Code, Relating to Rented Property. (2/3 bill)

**SB 186** - BUNTING; REPRESENTATIVE SCHROEDER - An Act to Amend Chapter 197, Volume 54, Laws of Delaware, the Charter of the City of Rehoboth Beach as Amended, With Regard to the Procedures for Sale of the City of Rehoboth Beach's Real and Personal Property. (2/3 bill)

Representative Welch requested that **HB 336** be removed from **Consent Agenda N**.

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

The roll call on **Consent Agenda N** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 325** was sent to the Senate for concurrence & **SB 186** was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to lift HS 1 to HB 315 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle brought HS 1 to HB 315, jointly sponsored by Senator Blevins & Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Quillen, Reynolds, Stone, Wagner, VanSant, Banning, Houghton, Plant, Price, Schroeder & West, before the House for consideration.

HB 315 - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act. (F/N)

Representative Oberle deferred to Representative DiLiberto.

Representative DiLiberto brought HA 1 to HS 1 to HB 315 before the House for consideration.

Representatives DiLiberto & Oberle made comments.

HA 1 was adopted by voice vote.

Representatives Oberle & Davis made comments.

The roll call on HS 1 to HB 315 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HS 1 for HB 315 w/HA 1 was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with placing HR 34 on Consent Agenda Q.

Representative Smith brought Consent Agenda Q, before the House for consideration.

SB 200 - SORENSON - An Act to Waive Statutory Provisions of Title 13 of the Delaware Code Relating to the Solemnization of Certain Marriages.

HJR 15 - SPENCE, WELCH, CAREY; SENATOR SHARP; REPRESENTATIVES LEE, BUCKWORTH - Establishing a Task Force to Evaluate the Staffing Needs, Monetary Support, Training, Equipment, and Technology for Non-Emergency Calls, and Related Matters Relevant to Each of the Three County 911 Centers.

HJR 16 - SPENCE - Creating a Residential Treatment Program Task Force to Investigate Laws and Regulations Affecting Availability of Sites for Residential Treatment Facilities, Recommend Such Facility Distribution and Locations, and Proposing Legislation Necessary to Allow Such Facilities.

HB 366 - MAIER; SENATOR BLEVINS - An Act to Amend Chapter 91, Title 16, of the Delaware Code Regarding Regulation of Managed Care Organizations.

HR 34 - MAIER ON BEHALF OF ALL HOUSE MEMBERS - Creating the House Child Care Licensing and Oversight Task Force in Order to Study Delaware's Child Care System and to Make Recommendations on Improvements Regarding Licensing and Oversight of the Facilities.

Representative Smith requested that HJR 15 & HJR 16 be removed from Consent Agenda Q.

The motion to suspend the rules was properly seconded and adopted by voice vote.

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

YES: 41.

Therefore, having received a constitutional majority, SB 200 was returned to the Senate & HB 366 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested that HB 321 be stricken.

Representative Maier moved to suspend the rules which interfere with action on HB 390. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier brought HB 390, jointly sponsored by Representative Spence & Senator McDowell & Representatives Smith, Welch, DiPinto, Lofink, Maroney & Roy & Senators Blevins, Sokola, Amick & Sorenson, before the House for consideration.

HB 390 - An Act to Amend Title 31 of the Delaware Code Relating to Child Welfare. (2/3 bill)

Representative Smith introduced and brought HA 1 to HB 390 before the House for consideration.

Representative Smith made a comment.

HA 1 was adopted by voice vote.

Representatives Maier, Houghton, Maier & Brady made comments.

The roll call on HB 390 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 390 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought HB 114, jointly sponsored by Representative Ewing, before the House for consideration.

**HB 114** - An Act Awarding Special Pension Benefits to Charlotte B. Tarr Transferring Monies Into the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware, and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by This Act as If the Award Were Pursuant to Chapter 53, Title 29, Delaware Code.

Representative Buckworth made comments.

Representative Buckworth deferred to Representative Ewing.

Representative Ewing made comments.

The roll call on **HB 114** was taken and revealed:

YES: 39.

NOT VOTING: Representative Davis - 1.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority, **HB 114** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 331**, jointly sponsored by Representative Spence & Senators McDowell, Bair & Sorenson & Representatives Capano, Cloutier, Davis, DiPinto, Ewing, Lee, Lofink, Oberle, Petrilli, Reynolds, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton, Keeley, Plant, Price & Williams & Senator Sokola, before the House for consideration.

**HB 331** - An Act to Amend Title 29 of the Delaware Code Relating to the Creation of the Office of Child Advocate. (F/N)

Representative Maier moved to suspend the rules which interfere with action on **HB 331**. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Maier brought **HA 1 to HB 331** before the House for consideration.

Representative Maier made a comment.

**HA 1** was adopted by voice vote.

Representative Maier deferred to Representative Oberle.

Representative Oberle brought **HA 2 to HB 331** before the House for consideration.

Representative Oberle made comments.

Representative Oberle requested that **HA 2 to HB 331** be stricken.

Representative Maier made a comment.

The roll call on **HB 331 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative West -1.

Therefore, having received a constitutional majority, **HB 331 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HB 400**. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Roy introduced & brought **HB 400**, jointly sponsored by Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Blevins, Cook, McBride, Venables, Bonini & Hauge.

**HB 400** - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1998; Deauthorizing State Guaranteed Bond Authorizations; Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Appropriating Funds From the Transportation Trust Fund; Deauthorizing and Reauthorizing Certain Funds of the Transportation Trust Fund; Appropriating Special Funds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Amending Chapter 51, Title 30, Delaware Code Relating to Municipal Street Aid; and Amending Chapter 43, Title 30, Delaware Code Reallocating and Pledging Certain Transportation Related General Funds to the Transportation Trust Fund; and Establishing Certain Fees Pledged to the Transportation Trust Fund; Appropriating General Funds and Special Funds of the State; Appropriating Monies from the Twenty-First Century Fund; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; Amending the Fiscal Year 1998 Appropriations Act; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representative Roy moved to place **HB 400** on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 208**, jointly sponsored by Representative Quillen, before the House for consideration.

**HB 208** - An Act to Amend Title 30 of the Delaware Code Relating to Computation of Gross Receipts Taxes. (F/N)

Representatives Stone, Gilligan, Stone & DiLiberto made comments.

The roll call on HB 208 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 208 was sent to the Senate for concurrence. Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 144 w/HA 1 & 2 & SA 1, jointly sponsored by Senator Henry & Representatives Spence, Buckworth, Capano, DiPinto, D. Ennis, Maier, Petrilli, Ulbrich, VanSant, Keeley, Plant & Scott & Senators Blevins, McDowell, Voshell & Bair, before the House for concurrence on SA 1.

HB 144 - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations. (2/3 bill)

Representative Ewing made comments.

Representative VanSant deferred to Representative Ewing.

Representative Ewing brought HA 3 to HB 144, sponsored by Representative VanSant, before the House for consideration.

Representative Ewing made a comment.

HA 3 was adopted by voice vote.

Representative Welch introduced and brought HA 4 to HB 144 before the House for consideration.

Representative Welch made comments.

HA 4 was adopted by voice vote.

The roll call on HB 144 w/HA 1 & 2 & SA 1 & HA 3 & 4 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 144 w/HA 1 & 2 & SA 1 & HA 3 & 4 was returned to the Senate for concurrence on HA 3 & 4.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on SS 1 for SB 166 w/SA 1. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative D. Ennis brought SS 1 for SB 166 w/SA 1, sponsored by Senator Vaughn & Representative Maier & Senator Still, before the House for consideration.

SB 166 - An Act to Amend Title 18 of the Delaware Code, Relating to Health Insurance Concerning Measures Necessary for Delaware to Maintain Regulatory Authority Over Certain Aspects of Health Care Coverage Under the Federal "Health Insurance Portability and Accountability Act of 1996", and, in Connection Therewith, Making Delaware Requirements Related to the Renewability of Health Insurance Policies, Preexisting Condition Limitations, and Guaranteed Issue of Coverage Consistent With Federal Law.

Representative D. Ennis made comments.

The roll call on SS 1 for SB 166 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SS 1 for SB 166 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Scott.

Representative Scott brought HB 97, cosponsored by Representatives Williams & Keeley, before the House for consideration.

HB 97 - An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances. (F/N)

Representative Scott brought HA 1 to HB 97 before the House for consideration. HA 1 was adopted by voice vote.

Representatives Scott & Plant made comments.

The roll call on HB 97 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle, Smith - 2.

Therefore, having received a constitutional majority, HB 97 w/HA 1 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with action on SS 1 for SB 192. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Lee brought SS 1 for SB 192, jointly sponsored by Senators Sharp & Vaughn, before the House for consideration.

SB 192 - An Act to Amend Title 11 of the Delaware Code Relating to the Boot Camp Inmate Training Program.

Representatives Lee & Schroeder made comments.

The roll call on SS 1 for SB 192 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SS 1 for SB 192 was returned to the Senate.

Representatives Lee & Spence made comments.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought HB 318, jointly sponsored by Senator Henry, before the House for consideration.

HB 318 - An Act to Amend Title 21 of the Delaware Code Relating to Certain Motor Vehicle Offenses.

Representative Ewing brought HA 1 to HB 318 before the House for consideration.

Representatives Ewing & Davis made comments.

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

Representatives Davis & Ewing made comments.

HA 1 was adopted by voice vote

Representatives DiLiberto & Ewing made comments.

The roll call on HB 318 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority, HB 318 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought SB 172, jointly sponsored by Senators Adams & Voshell & Representatives Buckworth, Quillen, West, Lee, B. Ennis & VanSant, before the House for consideration.

SB 172 - An Act to Amend Title 11 of the Delaware Code Regarding the Appointment of the Hearing Boards Pursuant to the Law Enforcement Officers' Bill of Rights.

Representatives Ewing & Oberle made comments.

The roll call on SB 172 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 172 was returned to the Senate.

Representative Smith deferred to Representative Mack.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Mack brought SB 180, jointly sponsored by Senators McBride & Voshell, before the House for consideration.

SB 180 - An Act to Amend Title 7 of the Delaware Code Relating to Criminal Penalties.

Representative Mack made comments.

The roll call on SB 180 was taken and revealed:

YES: 39.

ABSENT: Representatives Gilligan, Spence - 2.

Therefore, having received a constitutional majority, SB 180 was returned to the Senate.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis deferred to Representative Ulbrich.

Representative Ulbrich brought SB 78 w/SA 1, jointly sponsored by Senators Blevins, Henry & Sorenson & Representatives Houghton, Spence & Wagner, before the House for consideration.

SB 78 - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

Representative Ulbrich brought HA 1 to SB 78 before the House for consideration.

Representative Ulbrich made a comment.

HA 1 was adopted by voice vote.

Representatives Ulbrich & Maroney made comments.

The roll call on SB 78 w/SA 1 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, SB 78 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich brought SB 16 w/SA 1, jointly sponsored by Senator Blevins, before the House for consideration.

SB 16 - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

Representative Ulbrich made comments.

The roll call on SB 16 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Smith, Spence - 2.

Representative Boulden introduced guests.

Therefore, having received a constitutional majority, SB 16 w/SA 1 was returned to the Senate.



The Majority Leader moved to recess for caucus at 4:21 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 5:20 p.m.

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

ED: SB 198 - 6M.

HEALTH & HUM DEV: HR 34 - 6M.

H/ADM: SB 162 w/SA 1 - 4M.

HOUSING & COM AFF: SB 88 w/SA 2 - 8M.

R & F: HB 357 - 6M.

NAT RES: SB 191 - 1F,4M.

R & F: SB 177 w/SA 1 - 6M.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on HB 368. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought HB 368 before the House for consideration.

HB 368 - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Veterinary Practice

Act.

Representative DiPinto made comments.

Representative DiPinto introduced and brought HA 1 to HB 368 before the House for consideration.

HA 1 was adopted by voice vote.

Representatives DiPinto, Scott, Keeley, DiPinto, Schroeder & Maier made comments.

The roll call on HB 368 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, HB 368 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that HA 1 to HB 375 be stricken.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to lift HB 149 w/HA 1 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative VanSant brought HB 149 w/HA 1, jointly sponsored by Senator Marshall, before the House for consideration.

HB 149 - An Act to Amend Title 10 of the Delaware Code Relating to Civil Liability.

Representative VanSant deferred to Representative Cloutier.

Representative Cloutier made a comment.

Representative VanSant brought HA 3 to HB 149 before the House for consideration.

Representative VanSant made a comment.

HA 3 was adopted by voice vote.

Representatives VanSant & Scott made comments.

Representative VanSant requested and was granted the privilege of the floor for Andrew Stayton, representing the Delaware State Chamber of Commerce & Delaware Retail Council.

Representatives Scott, Houghton & Davis made comments.

Representative VanSant moved to place HB 149 w/HA 1 & 3 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich introduced and brought SB 134, jointly sponsored by Senator Reed &

Representative Maier & Senators Amick, Bair, Bonini, Blevins, Bunting, Connor, Hauge, Marshall, Sokola, Sorenson & Still & Representatives Banning, Davis, Ewing, Houghton, Oberle, Wagner & Welch, before the House for consideration.

SB 134 - An Act to Amend Title 7 of the Delaware Code Relating to Penalties for Certain Dog Law Violations. (2/3 bill)

Representative Ulbrich moved to suspend the rules which interfere with introduction of and action on SB 134.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

The motion was properly seconded and adopted by voice vote.

Representatives Ulbrich & Caulk made comments.

The roll call on SB 134 was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, Lee, West - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 134 was returned to the Senate.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to lift HB 149 w/HA 1 & 3 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative VanSant brought HB 149 w/HA 1 & 3, jointly sponsored by Senator Marshall, before the House for consideration.

HB 149 - An Act to Amend Title 10 of the Delaware Code Relating to Civil Liability.

Representatives VanSant, Houghton, West, Scott, Brady, Ewing, VanSant, Williams & DiLiberto made comments.

The roll call on HB 149 w/HA 1 & 3 was taken and revealed:

YES: 32.

NO: Representatives Davis, Houghton, Keeley, Price, Scott, West - 6.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives DiPinto, Spence - 2.

Therefore, having received a constitutional majority, HB 149 w/HA 1 & 3 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with introduction of and action on SB 182 w/SA 1. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Reynolds introduced and brought SB 182 w/SA 1, jointly sponsored by Senators Hauge, Sokola, Bunting, Bair, Amick, Reed, Sorenson & Still & Representatives Smith, Boulden, Cloutier, Mack & Ulbrich, before the House for consideration.

SB 182 - An Act to Amend Title 14 of the Delaware Code Relating to Educational Rules and Regulations.

Representative Reynolds made comments.

Representative Plant requested and was granted the privilege of the floor for the introduction of a guest.

The roll call on SB 182 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 182 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Petrilli.

Representative Price introduced guests.

Representative Petrilli introduced HB 399, jointly sponsored by Representatives Davis, DiPinto & Quillen.

HB 399 - An Act to Amend Part VII of Title 7 of the Delaware Code Relating to Environmental Control.

Mr. Acting Speaker assigned HB 399 to the Business/Corporations/Commerce Committee.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested that HB 107 & HB 108 be stricken.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought HB 372, jointly sponsored by Senators Bunting & Adams, before the House for consideration.

HB 372 - An Act to Amend Title 3 of the Delaware Code Relating to Agricultural Lands Preservation.

Representative Caulk made comments.

The roll call on HB 372 was taken and revealed:

YES: 40.

ABSENT: Representative DiPinto - 1.

Therefore, having received a constitutional majority, HB 372 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schroeder.

Representative Schroeder moved to suspend the rules which interfere with action on HB 383. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Schroeder brought HB 383, jointly sponsored by Senator Bunting, before the House for consideration.

HB 383 - An Act to Amend Title 21 of the Delaware Code Relating to Registration.

Representative Schroeder made comments.

The roll call on HB 383 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 383 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 257 w/HA 1 & SA 1, jointly sponsored by Senator Marshall, before the House for concurrence on SA 1.

HB 257 - An Act to Amend Titles 5 and 30 of the Delaware Code Relating to Delaware Taxes. (3/5 bill)

Representative Capano made a comment.

The roll call on HB 257 w/HA 1 & SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 257 w/HA 1 & SA 1 was sent to the Governor.

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

Representative Smith deferred to Representative Capano.

Representative Capano introduced and brought SB 201, jointly sponsored by Senator Marshall, before the House for consideration.

SB 201 - An Act to Amend Title 30, of the Delaware Code Relating to Assessment and Collection of Taxes.

Representative Capano moved to suspend the rules which interfere with introduction of and action on SB 201. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Capano made a comment.

The roll call on SB 201 was taken and revealed:

YES: 40.

ABSENT: Representative Schroeder - 1.

Therefore, having received a constitutional majority, SB 201 was returned to the Senate.

Representatives Oberle & DiPinto requested and were granted personal privilege of the floor for the introduction of guests.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 177 w/SA 1, HB 385 w/HA 1, SCR 42, HB 75 & HB 121 w/HA 1 & 2.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Buckworth, do hereby request that my name be removed as Co-Sponsor of HB 387.

Date: June 30, 1997.

Signed: Gerald A. Buckworth.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Nancy Wagner, do hereby request that my name be removed as Co-Sponsor of HB 387.

Date: June 30, 1997.

Signed: Nancy Wagner.

The Senate wishes to inform the House that it has passed: HB 6, HB 132 w/HA 1, HB 127, HB 242 w/HA 1, HB 276 w/HA 1 & 4, HJR 4 w/HA 2, HJR 14, HB 286, HB 303, HB 374, SB 182 w/SA 1, SB 201, SB 202, SB 203, HB 257 w/HA 1 & SA 1, HB 320 & SB 134.

The Majority Leader moved to recess for dinner at 6:42 p.m.

The House reconvened at 9:48 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 102 w/HA 1, HB 218, HB 363 & HCR

2.

#### HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: June 30, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-734	Quillen	6/30/97	T	Philip R. Oyerly/Eagle Scout
H139-735	Banning	6/01/97	T	Lawrence & Susie Webber/29th Anniversary
H139-736	Gilligan	6/14/97	T	Gordon & Jacqueline Kyle 50th Wedding Anniversary
H139-737	Scott	6/18/97	T	Portia O. Johnson/Outstanding Community Service
H139-738	West	6/22/97	T	Reverend Dr. W. Daniel Rich/Retirement/Pastor/Grace United Methodist Church
H139-739	Boulden	6/17/97	T	Thomas & Terrance McBride Support of Fair Competition
H139-740	Lofink	6/13/97	T	Houston Ruck/1997 Governor/Boys State
H139-741	Welch	6/24/97	T	J. Richard Smith/Retirement/Dover Police Department/21 Years Service

cosponsors: All Representatives  
cosponsors: All Representatives

Number	Sponsor	Presentation Date	Type	Description
H139-742	Carey	6/20/97	T	Melody Rudd/Govenor/1997 Session of Girls State
H139-743	Houghton	7/16/97	T	John Francis Connor/70th Birthday
H139-744	Houghton	6/20/97	T	George Mock/25th Birthday
H139-745	Houghton	6/19/97	T	Susan Cargnino/50th Birthday
H139-746	Wagner	6/14/97	M	Tony LaCerva
	cosponsor: Stone			
H139-747	Wagner	6/20/97	M	Joseph B. Ferguson

## HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: June 30, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-748	B. Ennis	6/16/97	M	Everett H. Johnson
H139-749	Keeley	6/21/97	T	Mary& Joseph Bonk/ 50th Wedding Anniversary
H139-750	Gilligan	6/21/97	T	William & Beatrice Willis/50th Wedding Anniversary
H139-751	Gilligan	6/22/97	T	Carroll & Mildred Fischel/50th Wedding Anniversary
H139-752	Price	6/18/97	T	Betty & Frederick Brotherton/ 50th Wedding Anniversary
H139-753	Banning	6/23/97	T	Mrs. Dorothy Thompson/70th Birthday
H139-754	West	6/27/97	T	Mr. Harvey Donovan/80th Birthday
H139-755	Wagner	6/01/97	T	Harold& Sarah Austin/50th Anniversary
H139-756	Buckworth	7/25/97	T	Roy & Evelyn Voshell/60th Wedding Anniversary
H139-757	Buckworth	6/24/97	T	Amy Bates/Caesar Rodney District Teacher of the Year/'97-'98
H139-758	Spence	6/27/97	T	Captain John W. "Billy" Ford/Retirement/ 30+ Years Service/Delaware State Police
H139-759	Carey	6/26/97	T	Cheryl Crowe/Miss Delaware Teen USA/ cosponsor: Quillen
H139-760	Gilligan	6/21/97	T	Joe Passalacqua/Volunteer of the Week/ News Journal

T - Tribute

M - Memoriam

Representative Smith deferred to Representative Maroney.

Representative Maroney brought HB 156, jointly sponsored by Representative Maier & Senator Blevins & Representatives Spence, Buckworth, Reynolds, Gilligan, Banning, DiLiberto, B. Ennis, Plant & Price & Senators McDowell, Henry, Bair & Sorenson, before the House for consideration.

HB 156 - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance. (F/N)

Representative Maroney made comments.

Representative Maroney deferred to Representative Davis.

Representative Davis brought HA 1 to HB 156 before the House for consideration. Representative Davis moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maroney deferred to Representative Ulbrich.

Representative Ulbrich brought HA 2 to HB 156, jointly sponsored by Representatives Maier & Capano, before the House for consideration. Representative Ulbrich introduced and brought HA 1 to HA 2 before the House for consideration.

Representatives Ulbrich & Maroney made comments.

HA 1 to HA 2 was adopted by voice vote.

Representative Ulbrich made a comment.

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

Representative Maroney deferred to Representative Stone.

Representative Stone brought HA 3 to HB 156 before the House for consideration.

Representative Stone made comments.

HA 3 was adopted by voice vote.

Representative Maroney deferred to Representative Ulbrich.

Representative Ulbrich made comments.

Representative DiPinto brought HA 4 to HB 156, jointly sponsored by Representatives Maier & Capano, before the House for consideration. HA 4 was adopted by voice vote.

Representative Maroney deferred to Representative Capano.

Representative Capano requested that HA 5 to HB 156 be stricken.

Representative DiPinto brought HA 6 to HB 156, jointly sponsored by Representatives Oberle, Ulbrich, Capano & Maier, before the House for consideration.

Representatives DiPinto & Maroney made comments.

HA 6 was adopted by voice vote.

Representative Maroney brought HA 7 to HB 156 before the House for consideration. Representative Maroney moved to place HA 7 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Maroney made a comment.

The roll call on HB 156 w/HA 2 w/HA 1, HA 3,4 & 6 was taken and revealed:

YES: 40.

NO: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 156 w/HA 2 w/HA 1, HA 3,4 & 6 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested and was granted the privilege of the floor to present a House Tribute to Representative Maroney.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on HS 1 to HB 231.

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

Representative D. Ennis brought HS 1 to HB 231, jointly sponsored by Representatives B. Ennis, Wagner, West, Plant, Price, Brady, Capano, Caulk, Stone, Buckworth & Davis & Senator Vaughn & Representatives Spence, Banning, Lee, DiPinto, Ewing, Maier, Ulbrich, Welch, Boulden, Lofink, Mack & Bonini, before the House for consideration.

HB 231 - An Act to Amend Chapter 11, Title 29, of the Delaware Code; and Providing for the Office of State Ombudsman. (F/N)

Representative D. Ennis introduced and brought HA 1 to HS 1 to HB 231, jointly sponsored by Representative B. Ennis, before the House for consideration.

Representative D. Ennis made comments.

HA 1 was adopted by voice vote.

Representative D. Ennis made comments.

Representative D. Ennis deferred to Representative B. Ennis.

Representatives B. Ennis, Wagner, Oberle, D. Ennis, Davis, D. Ennis, Wagner, Fallon, D. Ennis, B. Ennis, Plant, D. Ennis, Spence, Plant, Davis, West, D. Ennis & Price made comments.

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

Representatives Price, D. Ennis, Davis & Wagner made comments.

The roll call on HS 1 to HB 231 w/HA 1 was taken and revealed:

YES: 34.

NO: Representative Davis - 1.

NOT VOTING: Representatives Cloutier, Fallon, Oberle, Price, West - 5.

ABSENT: Representative Lofink - 1.

Therefore, having received a constitutional majority, HS 1 to HB 231 w/HA 1 was sent to the Senate for concurrence.

Representative Smith requested and was granted the privilege of the floor for Pam Price, who introduced Legislative Fellow, Mimi Dixon.

Representative Gilligan presented a House Tribute to Mimi Dixon.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HCR 42. The motion was seconded by Senator McDowell and adopted by voice vote.

Representative DiPinto made comments.

Representative DiPinto introduced & brought HCR 42, jointly sponsored by Senator McDowell, before the House for consideration.

HCR 42 - Urging the Members of Delaware's Federal Delegations to Work Within the Congress of the United States to Overturn the EPA's Proposed New Air Quality Standards.

Representatives Gilligan & DiPinto made comments.

HCR 42 was adopted by voice vote and sent to the Senate for concurrence.

Representative DiPinto made comments.

Mr. Speaker Spence introduced a guest.

Representative Smith introduced and brought HR 39, jointly sponsored by Representative Gilligan On Behalf of All House Members.

HR 39 - Offering a Fond Farewell to News Journal Legislative Hall Reporter Robert Moore Who is Embarking on the Next Stage of His Career on the West Coast.

WHEREAS, Robert Moore has spent the last year in the hallowed halls of Legislative Hall uncovering the story and sometimes the "non-story" as it pertains to our duly elected officials; and

WHEREAS, the 31-year old husband and father of three has maintained a level of objectivity throughout his coverage of the General Assembly, and not to mention, a sense of humor; and

WHEREAS, Robert, at the end of each legislative session, vows to withhold the name of the ubiquitous William A. Oberle, Jr. from his stories so as to provide reporting space to other more pressing issues; and

WHEREAS, Robert and his calm, soft-spoken demeanor will be surely missed among lawmakers' more abrupt approach to the legislative day; and

WHEREAS, Robert has accepted a job on the left coast (this is not a partisan move) to work as an ace reporter with the Fresno Bee's Sacramento Bureau; and

WHEREAS, Robert will put to good use his honed writing skills, as well as his patience, in covering Delaware politics when he reports on the California State Legislature.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 139th General Assembly of the State of Delaware send a fond farewell to Robert Moore as he embarks on the next stage of his career as an outstanding reporter; and

BE IT FURTHER RESOLVED that the House of Representatives wish Robert and his family a safe trip as they travel to the West Coast to begin a new chapter in their lives; and

BE IT FURTHER RESOLVED that Robert be encouraged to stop by Legislative Hall when he returns on visits to Delaware; and

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Robert Moore.

Representative Smith requested and was granted the privilege of the floor to present a House Tribute to Robert Moore.

Representatives Gilligan, DiLiberto, Scott, Buckworth, Williams, Reynolds, B. Ennis, D. Ennis, DiPinto & Spence made comments.

HR 39 was adopted by voice vote.

The Chief Clerk read the following communication into the record:

June 30, 1997

The Hon. Terry Spence

Speaker of the House

Delaware Legislature

Legislative Hall

Dover, DE 19901

Dear Mr. Speaker:

I'm guessing that by the time this letter is read into the record, it will be quite late, attention spans will be short, and the good humor of everyone in this august body -- even the normally sweet-natured Joe Petrilli -- might already have evaporated. So I will avoid the cruel temptation to make this a long greeting.

Still, I think it's important that we find out if, at this time of night, House Clerk JoAnn Hedrick, who is by the way the finest House clerk in the nation, can still clearly speak phrases like "the sixth sick shiek's sixth sheep's sick" or Sinful Caesar seized his knees and sneezed" or Oconomowoc, Wisconsin. If she can, I say she should get a big bonus, aina?

But seriously folks, life in Wisconsin is good. Summerfest, the Brewers, bratwurst and beer -- do you really need anything else? Still, I hope to visit my second home state of Delaware sometime in the future.

Best wishes and congratulations on finishing another session.

Sincerely,

Bill Zaferos

PS -- If you like being here on June 30, I know a good political consultant who can bring you back year after year.

Mr. Speaker Spence declared a recess at 11:05 p.m.

The House reconvened at 11:17 p.m.

Representatives Wagner, Maroney, Maier, Fallon, Stone, Keeley, Ulbrich, Capano, Price & Reynolds made comments.

Representative Smith made an announcement.

Representative Smith deferred to Representative Capano.

Representative Capano moved to suspend the rules which interfere with introduction of and action on HB 403. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Capano introduced and brought HB 403, jointly sponsored by Senator Sharp & All Representatives & All Senators, before the House for consideration.

HB 403 - An Act to Amend Title 30 of the Delaware Code Relating to Inheritance Taxes. (F/N)

Representative Capano made comments.

The roll call on HB 403 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 403 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Welch.

Representative Welch requested and was granted personal privilege of the floor to introduce his son.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto made comments.

Representative Smith deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with introduction of and action on HB 402.

Mr. Speaker introduced a guest.

Representative Petrilli made a comment.

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

Representative Carey introduced & brought HB 402, jointly sponsored by Representative Capano & Senator Sharp & All Representatives & All Senators, before the House for consideration.

HB 402 - An Act to Repeal Chapter 14, Title 30, Delaware Code Relating to Gift Tax. (F/N)

Representatives Carey & Ewing made comments.

The roll call on HB 402 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 402 was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with introduction of and action on SB 219. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Smith introduced and brought SB 219, jointly sponsored by Senator Voshell & Representative Carey & All Senators & All Representatives, before the House for consideration.

SB 219 - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (F/N)

Representative Smith deferred to Representative Carey.

Representative Carey made comments.

The roll call on SB 219 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 219 was returned to the Senate.

Representative Smith deferred to Representative Petrilli.

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

HJR 17. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Petrilli introduced and brought HJR 17, jointly sponsored by Representatives Davis & Gilligan & Senators Cook & Still, before the House for consideration.

HJR 17 - The Official Estimate of General Fund Revenues for Fiscal Year 1997.

The roll call on HJR 17 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 17 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Petrilli.

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

HJR 18. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Petrilli introduced and brought HJR 18, jointly sponsored by Representatives Davis & Gilligan & Senators Cook & Still, before the House for consideration.

HJR 18 - The Official Estimate of General Fund Revenues for Fiscal Year 1998.

The roll call on HJR 18 was taken and revealed:

YES: 41.

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

Representative Smith deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with action on HB 375. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Davis brought HB 375, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, Houghton & West & Senators Cook, Henry, McBride, Vaughn & Sorenson, before the House for consideration.

HB 375 - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1998, Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.

Representatives Davis, Spence, Maroney, DiPinto, Houghton, Davis & Gilligan made comments.

Representative Roy announced that he will not be voting on HB 375 because of a possible conflict of interest.

The roll call on HB 375 was taken and revealed:

YES: 40.

NOT VOTING: Representative Roy - 1.

Therefore, having received a constitutional majority, HB 375 was sent to the Senate for concurrence.

The Majority Leader moved to adjourn the First Session of the 139th General Assembly at 12:00 midnight.

1st LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
FIRST SPECIAL SESSION  
July 1, 1997

The Reading Clerk read the following communication into the record:

TO: Members of the 139th General Assembly  
FROM: Ruth Ann Minner, Lt. Governor, State of Delaware  
Terry R. Spence, Speaker of the House of Representatives  
SUBJECT: Special Session  
DATE: June 30, 1997

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 139th General Assembly of the State of Delaware in Special Session.

Ruth Ann Minner, Lt. Governor and  
President of the Senate  
Terry R. Spence  
Speaker of the House of Representatives

Mr. Speaker Spence called the House to order at 12:01 a.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

Mr. Speaker announced that the minutes of the previous legislative day were available in the Chief Clerk's Office.

Representatives Oberle & Spence made announcements.

Representative Smith deferred to Representative Roy.

Representative West requested and was granted personal privilege of the floor for the introduction of guests.

Representative Roy moved to lift HB 400 from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy brought HB 400, jointly sponsored by Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Blevins, Cook, McBride, Venables, Bonini & Hauge, before the House for consideration.

HB 400 - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1998; Deauthorizing State Guaranteed Bond Authorizations; Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Appropriating Funds From the Transportation Trust Fund; Deauthorizing and Reauthorizing Certain Funds for the Transportation Trust Fund; Appropriating Special Funds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Amending Chapter 51, Title 30, Delaware Code Relating to Municipal Street Aid; and Amending Chapter 43, Title 30, Delaware Code Reallocating and Pledging Certain Transportation Related General Funds to the Transportation Trust Fund; and Establishing Certain Fees Pledged to the Transportation Trust Fund; Appropriating General Funds and Special Funds of the State; Appropriating Monies from the Twenty-First Century Fund; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; Amending the Fiscal Year 1998 Appropriations Act; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)



Representative Roy made a comment.

Representative Roy requested and was granted the privilege of the floor for Leo Strine, Counsel to the Governor.

Representatives Roy, Brady, Roy, Brady, Oberle, Caulk, Roy, Schroeder, Caulk, Roy & Gilligan made comments.

Representative Gilligan requested and was granted the privilege of the floor for Ann Canby, Secretary, Department of Transportation.

Representative Gilligan made comments.

The Reading Clerk read the following communication into the record:

Office of Secretary of Finance

Debt Limit Statement Dated June 30, 1997

This Debt Limit Statement to be attached to H.B. 400

as required by Section 7422, Title 29, Delaware Code.

- |     |  |                     |
|-----|--|---------------------|
| (1) | Estimated Net General Fund revenue for the fiscal year ending June 30, 1998 as per the joint resolution of the House and Senate and signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. |                     |
|     |  | \$1,863,700,000     |
| (2) | Multiply by 5%   | x _____ .05         |
| (3) | Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 1998   | \$ _____ 93,185,000 |
| (4) | Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit  | \$ _____ 0          |
| (5) | AVAILABLE DEBT LIMIT prior to appended legislation (3-4)   | \$ _____ 93,185,000 |
| (6) | Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation  | \$ _____ 93,185,000 |
| (7) | REMAINING DEBT LIMIT (5-6)   | \$ _____ 0          |

John C. Carney

Secretary of Finance

Representatives Caulk, Roy & Gilligan made comments.

The roll call on HB 400 was taken and revealed:

YES: 41.

Mr. Speaker Spence made a comment.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 400 was sent to the Senate for concurrence.

Mr. Speaker Spence made a comment.

Representative Smith deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with action on HB 380. The motion was seconded by Representative Welch.

Representative Davis brought HB 380, jointly sponsored by Representatives Buckworth, DiPinto, Maroney, Houghton & West & Senators Cook, Henry, McBride, Vaughn, Bonini & Sorenson, before the House for consideration.

HB 380 - An Act Making Appropriations for Certain Grants-In-Aid for the Fiscal Year Ending June 30, 1998; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Representatives Davis & Caulk made comments.

The motion to suspend the rules was adopted by voice vote.

The roll call on HB 380 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 380 was sent to the Senate for concurrence.

Representative Welch deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on SB 162 w/SA 1. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Maier brought SB 162 w/SA 1, jointly sponsored by Senator Blevins & Representative Maroney & Senators Voshell & Bair & Representatives Plant & Williams, before the House for consideration.

SB 162 - An Act to Amend Titles 7, 10, 13, 16, 18, 21, 29 and 30 of the Delaware Code Relating to Paternity and Child Support Obligations and the Division of Child Support Enforcement.

Representative Maier deferred to Representative Welch.  
 Representative Welch brought HA 1 to SB 162 before the House for consideration.  
 Representative Welch requested that HA 1 be stricken.  
 Representative Maier brought HA 2 to SB 162, jointly sponsored by Representative Wagner, before the House for consideration. HA 2 was adopted by voice vote.  
 Representative Maier deferred to Representative Welch.  
 Representative Welch introduced and brought HA 3 to SB 162 before the House for consideration.  
 Representative Welch made a comment.  
HA 3 was adopted by voice vote.  
 Representative Welch introduced and brought HA 4 to SB 162 before the House for consideration.  
 Representative Welch made a comment.  
HA 4 was adopted by voice vote.  
 Representative Welch introduced and brought HA 5 to SB 162 before the House for consideration.  
 Representative Welch made a comment.  
HA 5 was adopted by voice vote.  
 Representative Maier made comments.  
 Representative Davis requested and was granted the privilege of the floor for Carmen Nazario, Secretary, Department of Health & Social Services.  
 Representatives Davis, Wagner, Maroney, Welch & Maier made comments.  
 The roll call on SB 162 w/SA 1 & HA 2,3,4 & 5 was taken and revealed:  
 YES: 30.  
 NO: Representative Welch - 1.  
 NOT VOTING: Representatives Banning, Boulden, Buckworth, Carey, Caulk, Mack, Oberle, Petrilli, Quillen - 9.  
 ABSENT: Representative Ewing - 1.  
 Therefore, having received a constitutional majority, SB 162 w/SA 1 & HA 2,3,4 & 5 were returned to the Senate for concurrence on HA 2,3,4 & 5.  
 Representative Smith deferred to Representative Reynolds.  
 Representative Reynolds moved to suspend the rules which interfere with action on HB 330. The motion was seconded by Representative Welch.  
 Representative Reynolds brought HB 330, jointly sponsored by Senator Hauge, before the House for consideration.  
HB 330 - An Act to Amend Title 14 of the Delaware Code Relating to School District Enrollment Choice Program.  
 The motion to suspend the rules was adopted by voice vote.  
 Representative Reynolds introduced and brought HA 1 to HB 330 before the House for consideration.  
 Representative Reynolds made comments.  
HA 1 was adopted by voice vote.  
 Representative Reynolds introduced and brought HA 2 to HB 330, jointly sponsored by Senator Hauge, before the House for consideration.  
 Representative Reynolds made comments.  
HA 2 was adopted by voice vote.  
 Representatives Reynolds & Stone made comments.  
 The roll call on HB 330 w/HA 1 & 2 was taken and revealed:  
 YES: 41.  
 Therefore, having received a constitutional majority, HB 330 w/HA 1 & 2 was sent to the Senate for concurrence.  
 Representative Smith deferred to Representative Caulk.  
 Representative Caulk moved to suspend the rules which interfere with action on HB 357. The motion was seconded by Representative Lofink and adopted by voice vote.  
 Representative Caulk brought HB 357, jointly sponsored by Senators Connor & Bonini & Representative Reynolds, before the House for consideration.  
HB 357 - An Act to Amend Title 30 of the Delaware Code Relating to Taxation of Construction Transportation Contractors. (3/5 bill)(F/N)  
 Representatives Caulk & Schroeder made comments.  
 The roll call on HB 357 was taken and revealed:  
 YES: 40.  
 ABSENT: Representative Ewing - 1.  
 Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 357 was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Spence moved to suspend the rules which interfere with introduction of and action on SS 1 to SB 31. The motion was properly seconded and adopted by voice vote.

Representative Spence introduced and brought SS 1 to SB 31, jointly sponsored by Senators McBride & Henry & Representatives Houghton & Scott, before the House for consideration.

SB 31 - An Act to Amend Chapter 16, Title 24 of the Delaware Code Relating to Adult Entertainment Establishments.

Representatives Spence, Oberle, Petrilli, Spence, Stone, B. Ennis, Oberle, Davis & Reynolds made comments.

The roll call on SS 1 to SB 31 was taken and revealed:

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, SS 1 to SB 31 was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on Consent Agenda P. The motion was seconded by Representative Davis and adopted by voice vote.

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

SB 198 - MCDOWELL, BLEVINS - An Act to Amend Title 14 of the Delaware Code Regarding the Ivyane D. F. Davis Memorial Scholarship Fund.

SB 184 - MCBRIDE; REPRESENTATIVE OBERLE; SENATOR MCDOWELL; REPRESENTATIVES DILIBERTO, PLANT, SPENCE, WILLIAMS; SENATOR BLEVINS; REPRESENTATIVES BANNING, HOUGHTON, SCOTT, WELCH - An Act to Amend Title 19 of the Delaware Code Relating to the Public Employment Relations Act.

SB 88 w/SA 1 & 2 - BLEVINS; REPRESENTATIVE CAPANO - An Act to Amend Chapter 13, Title 25, Delaware Code Relating to Fences and Barbed Wire.

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

YES: 39.

ABSENT: Representatives Ewing, Oberle - 2.

Therefore, having received a constitutional majority, SB 198, SB 184 & SB 88 w/SA 1 & 2 were returned to the Senate.

Representative Quillen requested that HB 388 be stricken..

Representative Quillen introduced HB 406, jointly sponsored by Representatives Buckworth, Carey & Fallon & Senator McDowell.

HB 406 - An Act to Amend Title 29, of the Delaware Code as It Applies to Racetracks.

Mr. Acting Speaker assigned HB 406 to the House Administration Committee.

Representative Smith introduced HB 405, jointly sponsored by Senator McDowell.

HB 405 - An Act to Amend Title 14, Delaware Code Relating to the State Board of Education and School Board Members Compensation.

Mr. Acting Speaker assigned HB 405 to the Education Committee.

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

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

SCR 42 - BAIR & BLEVINS, AMICK, HAUGE, REED, SORENSON, STILL, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VENABLES, VOSHALL; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, QUILLEN, SMITH, STONE, ULBRICH, WAGNER, WELCH, BANNING, BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS - Recognizing the Month of October 1997 as National Learning Disabilities Month in the State of Delaware and Commending the GFWC Delaware State Federation of Women's Clubs for Their Laudable Public Education Efforts on Behalf of This Issue.

HCR 41 - B. ENNIS, BANNING & SENATOR VAUGHN; REPRESENTATIVES GILLIGAN, VANSANT, WEST, HOUGHTON, PLANT, KEELEY, WILLIAMS, BRADY, DILIBERTO, PRICE, SCOTT, SPENCE, LOFINK, BOULDEN, EWING, MACK, D. ENNIS, WAGNER, REYNOLDS, ULBRICH, FALLON, PETRILLI, BUCKWORTH, MAIER, OBERLE, STONE - Memorializing the Delaware Congressional Delegation and the United States Army Corps. of Engineers to Urgently Consider the Continued Usage and Maintenance of the Old St. George's Bridge Crossing the Chesapeake and Delaware Canal, Not Only for Communal Reasons, Eliminating the Possibility of Splitting a Closely Knit Community Into Two Distinct Parts, but Also for Vital and Strategic Economic Reasons to the Local and State Economies, and to Also Act as an Alternative Relief Route to Route 1 Which is Veritably Estimated That in a Very Short Span of Time, the State Route 1 Bridge Will Have Fulfilled Its Potential and Capacity, Thus Requiring an Engineering Look-See Alternative.

SB 171 - VAUGHN; REPRESENTATIVE BANNING - An Act to Amend Title 18, Delaware Code Relating to the Cancellation of Agency Contracts With Independent Insurance Agents.

Representative Smith deferred to Representative Spence.

Representative Spence introduced and brought HR 37 before the House for consideration.

HR 37 - Creating a Residential Treatment Program Site Selection Task Force to Investigate Laws and Regulations Affecting Availability of Sites for Residential Treatment Facilities, Recommend Such Facility Distribution and Locations, and Proposing Legislation Necessary to Allow Such Facilities.

Representative Smith requested that HR 37 be placed on Consent Agenda Q.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced & brought HR 38, jointly sponsored by Representatives B. Ennis, Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, Fallon, Gilligan, Houghton, Keeley, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Reynolds, Roy, Smith, Spence, Stone, VanSant, Wagner, Welch & Williams.

HR 38 - Urging a Continued Review and Assessment of State of Delaware Personnel and Employee Relations Issues.

Representative Smith requested that HR 38 be placed on Consent Agenda Q.

Representative Smith introduced & brought SCR 41, sponsored by Senator Sharp & Representative Spence.

SCR 41 - Commending the Members of the Centennial Celebration Planning Committee for the Successful Planning and Execution of the Centennial Celebration for the Delaware Constitution of 1897.

Representative Smith requested that SCR 41 be placed on Consent Agenda Q.

The motion to suspend the rules was seconded by Representative Buckworth and adopted by voice vote. Representative Smith moved to suspend the rules which interfere with action on Consent Agenda Q. The motion was properly seconded and adopted by voice vote.

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

YES: 40.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, SCR 42, SB 171 & SCR 41 were returned to the Senate & HCR 41 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought SB 193, jointly sponsored by Senator Bunting, before the House for consideration.

SB 193 - An Act to Amend Title 3 of the Delaware Code to Allow for Expansions to Agricultural Preservation Districts Within a Three-Mile Radius of Established Districts and to Change the Foundation's Annual Report Period.

Representative Oberle moved to recess for caucus at 1:40 a.m.

The House reconvened at 2:00 a.m.

The Majority Leader moved to recess for caucus at 2:01 a.m.

The House reconvened at 2:14 a.m.

Representative Caulk moved to place SB 193 on the Speaker's table. The motion was seconded by Representative Mack and adopted by voice vote.

Representative Smith deferred to Representative Petrilli.

Representative Petrilli moved to suspend the rules which interfere with action on SB 167 w/SA 2. The motion was properly seconded and adopted by voice vote.

Representative Petrilli brought SB 167 w/SA 2, jointly sponsored by Senator Sharp, before the House for consideration.

SB 167 - An Act to Amend Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members.

Representatives Petrilli & Gilligan made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on SB 167 w/SA 2 was taken and revealed:

YES: 38.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives Caulk, Ewing -2.

Therefore, having received a constitutional majority, SB 167 w/SA 2 was returned to the Senate.

Representative Welch deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on HR 40. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Keeley introduced and brought HR 40, jointly sponsored by Representatives Spence, Banning, Carey, B. Ennis, Houghton, Plant, Price, Reynolds, Scott, Welch, West & Williams, before the House for consideration.

**HR 40** - Relating to the Creation of a Task Force to Assess the Proposal to Create an Annual Fund to Support Youth Programs Statewide.

Representatives Keeley, Spence, Welch & Petrilli made comments.

**HR 40** was adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Mr. Speaker Spence made an announcement.

Representative Wagner introduced **HB 404**, jointly sponsored by Representative D. Ennis.

**HB 404** - An Act to Amend Title 30 of the Delaware Code Relating to Tax Credits and Reductions Providing for a Delaware Headquarters and Commercial Relocation Act.

Mr. Speaker assigned **HB 404** to the Revenue & Finance Committee.

Representative Smith brought **HS 1 for HCR 24 w/SA 1**, jointly sponsored by Senator Bair & cosponsored by Representative Brady, before the House for concurrence on **SA 1**.

**HCR 24** - Requesting the Department of Natural Resources and Environmental Control (DNREC) to Proceed With the Necessary Steps and Processes to Analyze the Naamans Creek Watershed.

Representative Smith made a comment.

**HS 1 for HCR 24 w/SA 1** was adopted by voice vote.

Representative Smith deferred to Representative Price.

Representative Price brought **HB 254**, jointly sponsored by Senator Voshell & Representatives Brady, Buckworth, Capano, Carey, Cloutier, Caulk, Davis, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lofink, Maier, Plant, Schroeder, Scott, Ulbrich, Welch & West & Senators Cook, Sokola & Still, before the House for consideration.

**HB 254** - An Act to Amend Title 30 of the Delaware Code Relating to Gross Receipts Taxes. (F/N)

Representative Price made a comment.

The roll call on **HB 254** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **HB 254** was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis introduced and brought **HR 41**, jointly sponsored by Representatives Banning, Gilligan, VanSant, West, Houghton, Plant, Keeley, Williams, Brady, DiLiberto, Price, Scott, Spence, Lofink, Boulden, Ewing, Mack, D. Ennis, Wagner, Reynolds, Ulbrich, Fallon, Petrilli, Buckworth, Maier, Oberle & Stone, before the House for consideration.

**HR 41** - Memorializing the Delaware Congressional Delegation and the United States Army Corps. of Engineers to Urgently Consider the Continued Usage and Maintenance of the Old St. George's Bridge Crossing the Chesapeake and Delaware Canal, Not Only for Communal Reasons, Eliminating the Possibility of Splitting a Closely Knit Community Into Two Distinct Parts, But Also for Vital and Strategic Economic Reasons to the Local and State Economies, and to Also Act as an Alternative Relief Route to Route 1 Which is Veritably Estimated That in a Very Short Span of Time, the State Route 1 Bridge Will Have Fulfilled Its Potential and Capacity, Thus Requiring an Engineering Look-See Alternative.

Representative B. Ennis made comments.

**HR 41** was adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **SB 183**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 183** - An Act to Amend Title 29 of the Delaware Code Relating to the Economic Development Training Act.

Representative Oberle made comments.

The roll call on **SB 183** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, **SB 183** was returned to the Senate.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought **SB 191**, jointly sponsored by Senators Voshell & Still & Representative Carey & Senators Bunting, Venables, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson & Representative Caulk, before the House for consideration.

**SB 191** - An Act Relating to the Purchase of Certain Horseshoe Crab Collecting Permits. (F/N)

Representative Quillen made a comment.

The roll call on **SB 191** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, SB 191 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 131 w/SA 1, jointly sponsored by Senator Sharp, before the House for consideration.

SB 131 - An Act to Amend Title 11 of the Delaware Code Relating to Sentencing in Criminal Cases.

(F/N)

Representative Wagner made comments.

The roll call on SB 131 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, SB 131 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Capano.

Representative Capano brought HB 163 w/HA 1 & SA 1, jointly sponsored by Senator Blevins & Representatives Spence, Welch, Buckworth, Stone & Ulbrich & Senators Reed & Sorenson & cosponsored by Representative Carey, before the House for concurrence on SA 1.

HB 163 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Requiring Mandatory Incarceration for Criminal Contempt of Family Court Protective Orders.

Representative Capano made a comment.

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

YES: 38.

NO: Representative Scott - 1.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HB 163 w/HA 1 & SA 1 was sent to the Governor.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on SB 199. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis brought SB 199 w/SA 1, jointly sponsored by Senator Adams, before the House for consideration.

SB 199 - An Act to Amend Title 11 of the Delaware Code Relating to the Registration of Foreign Corporations. (3/5 bill)

Representative D. Ennis made a comment.

The roll call on SB 199 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 199 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on SB 181. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought SB 181, jointly sponsored by Senator Cook, before the House for consideration.

SB 181 - An Act to Amend Title 6, of the Delaware Code Relating to the Regulation of Securities, Broker-Dealers, Investment Advisers and Agents. (3/5 bill)(F/N)

Representatives Keeley & Price requested and were granted personal privilege of the floor to make comments.

Representatives DiPinto, DiLiberto & Smith made comments.

The roll call on SB 181 was taken and revealed:

YES: 33.

NOT VOTING: Representatives DiLiberto, Mack, Oberle, Schroeder, West, Williams - 6.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 181 was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on SB 204. The motion was seconded by Representative Representative Welch and adopted by voice vote.

Representative DiPinto introduced and brought SB 204, jointly sponsored by Senators Henry, Marshall, McDowell, Bunting, Cook, Sokola, Amick, Bair, Bonini, Hauge, Sorenson & Still & Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Cloutier, Davis, DiLiberto, B. Ennis, D. Ennis, Gilligan, Keeley, Lofink, Maier, Maroney, Oberle, Petrilli, Plant, Price, Quillen, Roy, Scott, Smith, Spence, Stone, Ulbrich, VanSant, Wagner, Welch, West & Williams, before the House for consideration.

SB 204 - An Act Amending the Delaware Code and the Laws of Delaware Relating to the Organization, Composition, and Operation of the Judiciary of the State of Delaware. (2/3 bill)

Representative DiPinto made comments.

The roll call on SB 204 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 204 was returned to the Senate.

Representative Smith made comments.

Representative Smith deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with introduction of and action on SB 221. The motion was properly seconded and adopted by voice vote.

Representative Davis introduced and brought SB 221, jointly sponsored by All Senators & All Representatives, before the House for consideration.

SB 221 - An Act to Amend Chapter 83, Title 11, and Chapters 55 and 56, Title 29, Delaware Code, to Provide Post-Retirement Increases to Pensioners.

Representatives Davis, Fallon & Scott made comments.

The roll call on SB 221 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, SB 221 was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on HB 207 w/SA 2.

The motion was properly seconded and adopted by voice vote.

Representative DiPinto brought HB 207 w/SA 2, jointly sponsored by Representative Maier & Senators Sharp, Blevins & Amick & Representatives Boulden, Capano, D. Ennis & Lofink, before the House for concurrence on SA 2.

HB 207 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representative DiPinto made comments.

The roll call on HB 207 w/SA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Ewing - 2.

Therefore, having received a constitutional majority, HB 207 w/SA 2 was sent to the Governor.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on SB 165 w/SA 1. The motion was properly seconded and adopted by voice vote.

Representative D. Ennis introduced and brought SB 165 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 165 - An Act to Amend Chapter 13, Title 18 of the Delaware Code Relating to Investments of Insurers.

Representative D. Ennis made a comment.

The roll call on SB 165 w/SA 1 was taken and revealed:

YES: 36.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Caulk, Ewing, Maroney, Petrilli - 4.

Therefore, having received a constitutional majority, SB 165 w/SA 1 was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought HR 42, jointly sponsored by Representative Spence, before the House for consideration.

Representative Wagner made comments.

HR 42 - Establishing a Task Force on High School Graduation Requirements to Study and Report on the Impact of Graduation Requirements for Graduating Classes of 1999 Through 2001.

HR 42 was adopted by voice vote.

Representative West made comments.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 3:21 a.m.

Mr. Speaker Spence called the House to order at 2:29 p.m.

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

HOUSING & COM AFF: HB 378 - 2F,5M.

HEALTH & HUM DEV: SB 142 w/SA 2 - 6M.

Mr. Speaker assigned SB 142 & SB 177 to the Appropriations Committee.

The House observed a moment of silence in memory of Representative Oakley M. Banning, Jr. at the request of Representative Gilligan.

The Majority Leader moved that the First Special Session of the 139th General Assembly be adjourned. The second session of the 139th General Assembly convened at 2:32 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Member Absent: Representative Caulk - 1.

Vacancy: 1.

A prayer was offered by Reverend Brooks Reynolds, father of Representative Bruce C. Reynolds.

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

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

The following out-of-session prefiled legislation was introduced:

June 30, 1997

HB 401 - CLOUTIER, CAPANO, CAREY, CAULK, DIPINTO, EWING, LEE, LOFINK, MACK, OBERLE, REYNOLDS, STONE, ULBRICH, WEST - APPRO: An Act to Amend Title 20 of the Delaware Code Relating to Health Care Insurance.

Reassignment of House Bill introduced on July 1, 1997

HB 406 - QUILLEN, BUCKWORTH, FALLON, CAREY; SENATOR MCDOWELL - SPECIAL COMMITTEE ON GAMING AND PARI-MUTUELS: An Act to Amend Title 29, of the Delaware Code as It Applies to Racetracks.

August 18, 1997

HB 194 - MARONEY & SENATORS BLEVINS & SOKOLA; REPRESENTATIVES DAVIS, MAIER, ROY; SENATORS MCBRIDE, HENRY, BAIR, HAUGE, SORENSON - R & F: An Act to Amend Chapter 53, Title 30 of the Delaware Code Relating to the Tobacco Product Tax. (3/5 bill)

HB 248 - MARONEY & SENATOR BLEVINS; REPRESENTATIVE ROY; SENATORS BAIR, MCBRIDE, HENRY, SOKOLA, SORENSON - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code to Authorize a Fund to Promote Healthy Lifestyles and Tobacco-Related Disease Prevention.

HB 407 - DILIBERTO, B. ENNIS, PLANT, PRICE, SMITH, VANSANT, WELCH, SPENCE; SENATOR SHARP - BUS/CORP/COM: An Act to Amend Chapter 9, Title 4 of the Delaware Code, as Amended, Relating to Alcoholic Liquors.

HA 1 to HB 393 - OBERLE - H/ADM: Placed with the bill.

SB 202 - COOK & REPRESENTATIVES STONE & B. ENNIS; SENATORS ADAMS, VAUGHN, VOSHELL, BONINI & STILL; REPRESENTATIVES BUCKWORTH, CAULK, QUILLEN, WAGNER & WELCH - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to Unpaid Kent County Sewer Service Charges.

SB 203 - COOK & REPRESENTATIVES STONE & B. ENNIS; SENATORS ADAMS, VAUGHN, VOSHELL & BONINI; REPRESENTATIVES BUCKWORTH, CAULK, QUILLEN, WAGNER & WELCH - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to Public Hearings on Petitions to Establish Garbage Collection Districts.

SJR 5 w/SA 1 - MARSHALL, MCDOWELL & HENRY; REPRESENTATIVES DIPINTO, PLANT, WILLIAMS, SCOTT & KEELEY - JUD: Relating to the Consolidation of the Municipal Court of the City of Wilmington With the Court of Common Pleas and the Justice of the Peace Courts.

SCR 43 - MCDOWELL & REPRESENTATIVES SPENCE, MARONEY - HEALTH & HUM DEV: Memorializing President Clinton and the Members of Delaware's Congressional Delegation to Support and Promote the Morris K. Udall Parkinson's Research and Education Act.

SCR 45 - MCDOWELL & REPRESENTATIVE D. ENNIS; SENATORS BLEVINS, BONINI, BUNTING, CONNOR; REPRESENTATIVE ROY - BUS/CORP/COM: Urging the Public Service Commission of the State of Delaware to Study and Make Recommendations to Manage the Placement of Towers Used for Cellular Communication Devices.

November 20, 1997

HB 408 - GILLIGAN & VANSANT - ED: An Act to Amend Chapter 10, Title 14 of the Delaware Code Relating to the Reorganization of School Districts.

HB 409 - WILLIAMS, B. ENNIS, GILLIGAN, KEELEY, PLANT, WEST, SPENCE; SENATORS HENRY, VOSHELL - H/ADM: An Act to Amend Title 11 of the Delaware Code Relating to the Possession of a Handgun by a Juvenile.



**HB 410** - WILLIAMS, BUCKWORTH, DILIBERTO, B. ENNIS, GILLIGAN, KEELEY, WEST, SPENCE; SENATORS HENRY, VOSHELL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Missing Children.

**HB 411** - KEELEY, BRADY, PRICE, SPENCE; SENATORS HENRY, VENABLES - H/ADM: An Act to Amend Title 28 of the Delaware Code Relating to Bingo and Charitable Gambling.

**HB 412** - SCOTT - BOND BILL: An Act to Amend Volume 70, Chapter 210, Laws of Delaware, Relating to the Fiscal Year 1996 Bond and Capital Improvement Act. (2/3 bill)

**HB 413** - SCOTT - P/S: An Act to Amend Title 21, Section 2123, Delaware Code, Relating to Number Plates for Elective or Constitutional Officers of the State and for State and Federal Judges.

**HB 414** - SCOTT - JUD: An Act to Amend Title 21 of the Delaware Code Relating to Unlawfully Administering Drugs; Class A Misdemeanor. (2/3 bill)

**HB 415** - SCOTT - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Unlawfully Administering Controlled Substance or Counterfeit Substance or Narcotic Drugs; Class G Felony (Amendment Effective With Respect to Crimes Committed June 30, 1990, or Thereafter). (2/3 bill)

**HB 416** - PLANT - JUD: An Act to Amend Title 10, Section 3924, Delaware Code, Relating to Malicious Destruction of Property by Minors; Recovery of Damages From Parents. (2/3 bill)

**HB 417** - KEELEY - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Adult Entertainment Establishments.

**HB 418** - KEELEY - BOND BILL: An Act to Amend Volume 70, Chapter 210, Laws of Delaware, Relating to the Fiscal Year 1996 Bond and Capital Improvement Act to Amend Certain Pertinent Statutory Provisions. (2/3 bill)

**HB 419** - SCOTT - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Hearings.

**HB 420** - SPENCE & WAGNER, BOULDEN, BUCKWORTH, CAPANO, CAREY, CATHCART, DAVIS, EWING, LEE, LOFINK, MACK, MAIER, SMITH, STONE, WELCH - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances. (2/3 bill)

**HB 421** - SPENCE & OBERLE - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence. (2/3 bill)

December 18, 1997

**HB 422** - SPENCE - P/S: An Act to Amend Title 4 of the Delaware Code Relating to Commercial Servers of Alcoholic Beverages Liability. (2/3 bill)

**HB 423** - SPENCE - HEALTH & HUM DEV: An Act to Amend Title 13 Delaware Code Relating to Visitation.

**HB 424** - SPENCE - JUD: An Act to Amend Title 21 of the Delaware Code Relating to Obedience to Authorized Persons Directing Traffic. (2/3 bill)

Representative Smith moved that the Certificate of Election be received and that a Committee be appointed to examine the Certificate.

Mr. Speaker Spence appointed Representative Jane Maroney & Representative Charles P. West to examine the Certificate of Election.

Mr. Speaker Spence introduced the fourth grade class and four of their teachers and principal from Lewes Middle School who performed before the House after Representative Schroeder made comments.

Representative Schroeder, Speaker Spence & Representative B. Ennis made comments.

Representative Maroney reported that the Certificate of Election had been examined and was found to be in order.

Mr. Speaker Spence requested that the Chief Clerk read the Certificate of Election as follows:

The State of Delaware  
New Castle County, ss.

BE IT REMEMBERED, That at the Special Election held on Saturday, the Thirteenth day in September, in the year of our Lord One Thousand Nine Hundred Ninety-Seven for New Castle County, according to the Constitution and Laws of the State of Delaware,

RICHARD C. CATHCART  
was duly elected  
Representative -- 9th District

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we HENRY duPONT RIDGELY and VINCENT A. BIFFERATO constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 15th day of September, A.D. 1997.

Henry duPont Ridgely, President Judge  
Vincent A. Bifferato, Resident Judge

The Majority Leader moved that the Oath of Office be administered to Representative-Elect Cathcart by the Honorable John K. Welch, Associate Judge, Municipal Court. The motion was properly seconded. There was no objection. Judge Welch administered the oath as follows:

"I, Richard C. Cathcart, do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and State, so help me God."

Richard C. Cathcart  
State Representative  
Sworn and subscribed before me  
this 13th day of January A.D. 1998  
John K. Welch  
Associate Judge, Municipal Court

Judge Welch & Representative Cathcart made comments.

Representative Cathcart introduced guests.

Mr. Speaker Spence & Representative Maroney made comments.

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

Representative Fallon made comments.

The Majority Leader moved that the Chief Clerk call the roll of the members of the House of Representatives of the 139th General Assembly. The motion was seconded by Representative Welch and adopted by voice vote.

The roll call was taken and revealed:

Members Present: 40.

Member Absent: Representative Caulk - 1.

The Majority Leader moved that the roll call as just called be adopted as the permanent roll of the House of Representatives of the 139th General Assembly. The motion was seconded by Representative Welch and adopted by voice vote.

The Chief Clerk read the following communications into the record:

#### M E M O R A N D U M

TO: Speaker of the House Spence

FROM: Rep. G. Wallace Caulk, Jr.

RE: Attendance at the opening session of the 139th General Assembly

Please be advised that I will be unable to attend the General Assembly session on Tuesday, January 13, 1998, Wednesday, January 14, 1998 and Thursday, January 15, 1998 due to Farm Bureau business.

Thank you.

cc: JoAnn M. Hedrick

Chief Clerk

September 27, 1997

Ms. JoAnn M. Hedrick

Please express our heartfelt thanks to the House of Representatives for offering to us their congratulations and tribute on the occasion of our 60th Wedding Anniversary, August 31, 1997.

We were so happy to receive this tribute, which was delivered to us at our home by Representative Dave Brady.

Anna Marie Dawson  
James C. Dawson

The Senate wishes to inform the House that it has passed: SS 1 for SB 31, HB 143, HB 302, HB 316 w/HA 1, HB 333, HB 299, HB 346, HJR 8, HS 1 for HB 352, HB 123, HB 225, HB 18 w/HA 1, HB 353 & HS 1 to HB 81 w/HA 2,4 & 5, SCR 45, HCR 32, SCR 41, HB 325, HJR 3 w/HA 1 w/HA 1, HB 335, HB 144 w/HA 1 & 2 & SA 1 & HA 3 & 4, SB 219, HB 271, HB 328, HS 1 for HB 322, HB 274, HS 1 for HB 57, HB 62, HB 202 w/SA 2, HB 244 w/HA 2, HB 298 w/HA 1, HCR 6, SB 204, SB 165 w/SA 1, SJR 5 w/SA 1, HB 375, HB 402, HB 403, SB 221, HB 380, HJR 17, HJR 18, SCR 43, HB 163 w/HA 1 & SA 1, HB 400, HB 374, HS 1 for HCR 24.

Department of the Army  
Office of the Secretary  
July 3, 1997

Ms. JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
State of Delaware

Legislative Hall  
Dover, Delaware 19903  
Dear Ms. Hedrick:

Your July 11, 1997, letter to the Honorable William S. Cohen, Secretary of Defense enclosing Delaware House of Representatives Resolution Number 41 concerning the old St. Georges Bridge was received on July 16, 1997.

Sincerely,  
John H. Zirschky  
Acting Assistant Secretary of the Army

June 26, 1997  
House of Representatives  
Dover, DE 19903

Dear Members of the House of Representatives:

Thank you very much for the tribute you paid me on May 31, 1997, the day of my receiving the Medal of Distinction from the University of Delaware.

I accept, also, the responsibility to continue to work to improve the health of the children of Delaware.

Sincerely,  
Katherine L. Esterly, MD  
Chairperson  
Department of Pediatrics  
KLE/ah

June 30, 1997

#### LEGISLATIVE ADVISORY #20

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/30/97 - SB 80 aab HA 2, HB 153 aab HA 1, HB 252, HB 264, HB 279, SB 109, SB 128, SB 130, SB 129, SB 145 aab SA 1, SB 94, SB 20 aab SA 1 & 2, SB 136 aab SA 1 & 2, SB 123, SB 122, SB 101, SB 125, SS 1 to SB 74 aab SA 2, HB 99 aab HA 1, SB 91, SB 51, HB 292, HB 49 aab HA 2, SS 1 to SB 115, SB 102, SB 114, SB 144, SB 124 aab SA 1, SB 100, SB 106, SB 108, SS 2 to SB 127, SB 151, SB 154, SB 155, SB 158, SB 187.

July 1, 1997

#### LEGISLATIVE ADVISORY #21

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/30/97 - SB 117, 7/01/97 - HB 403, HB 402, SB 219, HJR 17, HJR 18, HB 375.

July 3, 1997

#### LEGISLATIVE ADVISORY #22

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/03/97 - SB 174, SB 58, SB 134, SB 190, SB 48, SB 76 aab SA 2, SB 16 aab SA 1, SB 180, SB 186, SB 197, SS 1 to SB 166 aab SA 1, SB 201, HB 123, HB 121 aab HA 1 & 2, HB 374, HB 225.

July 10, 1997

#### LEGISLATIVE ADVISORY #23

Governor Thomas R. Carper signed the following legislation on the dates indicated: 7/03/97 - HB 144 aab HA 1 & 2 & SA 1 & HA 3 & 4, 7/09/97 - HB 400, HB 363, HB 209, HB 6, SB 131 aab SA 1, SB 191, SB 200, SB 88 aab SA 2, HB 286, HS 1 to HB 356, SS 1 to SB 31, SB 171, SB 181, SB 183, SB 184, SB 221, SB 172, SB 198, HJR 9, HB 157, HB 380, HB 320, SB 199 aab SA 1, HB 218, HB 102 aab HA 1.

July 16, 1997

#### LEGISLATIVE ADVISORY #24

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/11/97 - SS 1 to SB 192, 7/12/97 - SB 53 aab SA 1, 7/14/97 - SB 204, 7/15/97 - HB 276 aab HA 1 & 4, SB 78 aab SA 1 & HA 1, HB 163 aab HA 1 & SA 1, 7/16/97 - HS 1 to HB 81 aab HA 2, 4 & 5, SB 182 aab SA 1, HB 353, HB 328, HB 18 aab HA 1, HB 200, HB 221, HB 62, HB 75, HB 143, HB 302, HB 205 aab HA 1, HB 141 aab HA 1, HB 244 aab HA 2, HJR 4 aab HA 2, HJR 6, HJR 8, HB 274, HB 299, HB 316 aab HA 1, HB 325 & SB 167 aab SA 2.

Governor Thomas R. Carper vetoed the following legislation on the date indicated: 7/16/97 - HJR 14.

July 16, 1997

#### TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 139TH GENERAL ASSEMBLY:

On July 7, 1997, I received House Joint Resolution Number 14, entitled:

“ESTABLISHING A REPORTING DEADLINE FOR THE ENVIRONMENTAL PROTECTION AGENCY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE A DETAILED WRITTEN REPORT INCLUDING CONCLUSIONS, RECOMMENDATIONS AND SCHEDULE FOR THE CLEANUP OF THE HEALTHWAYS SITE IN ODESSA, NEW CASTLE COUNTY, DELAWARE.”

# HEALTHWAYS SITE IN ODESSA, NEW CASTLE COUNTY, DELAWARE."

I am returning H.J.R. 14 to the House of Representatives without my signature for the following reasons.

House Joint Resolution Number 14 requests, among other things, that the federal Environmental Protection Agency ("EPA") "investigate the delay in cleanup of the Healthways site". As the lead sponsors know, there is no need for such an investigation. The Department of Natural Resources and Environmental Control ("DNREC") had proposed a remedy for the site, conducted appropriate proceedings in accordance with the State's Hazardous Substances Cleanup Act, and issued a final clean-up order on November 19, 1996. To address concerns raised by certain community members, whose views the prime sponsors advocate, the order was withdrawn and the record reopened to allow the community additional time to provide meaningful comment on the cleanup decision. The delay is a result of the Department's attempt to accommodate the interests of these community members and the prime sponsors.

Furthermore, the resolution requests DNREC to "prepare a written report outlining the Department's findings of fact, recommendations and schedule for cleanup" of the Healthways site on or before July 26, 1997. DNREC cannot, by law, act by July 26, 1997 as H.J.R. 14 requests, since the public record on the remedy would still be open. At the sponsors' request, DNREC reopened the public record on the remedy for the site to enable additional input from the community. That hearing record will not close until August 18, 1997, and may have to be extended even further to accommodate the technical review being conducted by the independent consultant which DNREC obtained to accommodate concerned citizens and their representatives. In fact, that consultant is being partially funded by an appropriation obtained at the specific request of one of the prime sponsors. The independent consultant has indicated to DNREC that it needs until the end of September to complete its review. Once the public record is complete, DNREC will again choose a remedy. Depending on the administrative and legal process which then ensues, and the nature of the remedy selected, the remedial design and implementation could be completed in approximately twenty-four months.

Finally, there is no basis for the Joint Resolution's attempt to involve the federal EPA in this protracted matter, which falls solely within the State of Delaware's jurisdiction. It is the people of this State who will bear any public costs of the cleanup, not federal Taxpayers. In fact, on March 24, 1994, the federal government decided that the site fell under DNREC's jurisdiction and was not subject to the federal Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"). Any further involvement by the EPA would simply delay the cleanup.

DNREC has invested substantial public funds and employee time in investigating the conditions at the Healthways site, arranging for the closing of the business which operated at the site, holding over a dozen public meetings, developing appropriate remedies, and accommodating the community's desire for further input on the remedy. It is, to say the least, unfortunate that DNREC is now blamed for a delay it did not cause. I urge the proponents of H.J.R. 14 to expedite the cleanup by supporting the Department when the Department, after considering the public record, chooses a final remedy for the site, thereby allowing the cleanup to proceed as expeditiously as possible.

For all the foregoing reasons, I return H.J.R. 14 without my signature.

Sincerely,

Thomas R. Carper

July 18, 1997

## LEGISLATIVE ADVISORY #25

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/17/97 - SB 170 aab SA 1 & 2 & HA 1 & 2, SB 132 aab SA 1 & 2 & HA 1, HB 385 aab HA 1, HJR 3 aab HA 1 & HA 1 to HA 1, SB 165 aab SA 1, HS 1 to HB 352, HB 346, HB 333, HB 323, HB 263 aab HA 1 & 3 & SA 1, HB 242 aab HA 1, HB 199 aab SA 1 & 3, HB 207 aab SA 2 & HB 132 aab HA 1.

Governor Thomas R. Carper vetoed the following legislation on the date indicated: 7/17/97 - HB 127.

July 17, 1997

## TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 139TH GENERAL ASSEMBLY:

On July 7, 1997, I received House Bill Number 127. House Bill Number 127 amends Delaware's motor vehicle habitual offender law. Currently, persons may be prosecuted as and declared by the court to be a habitual offender after a third or subsequent conviction for any combination of very serious offenses, including driving without a license, during a five year period. 21 Del. C. § 2802(1). House Bill number 127 would weaken the motor vehicle habitual offender statute by making offenders who drive without a license only subject to prosecution as a habitual offender if they received ten such convictions over a three year period.

After careful thought, I have concluded that I cannot sign this legislation into law. Delaware's motor vehicle habitual offender laws were enacted to: 1) enhance the safety for all persons who travel or otherwise use the public highways of this State; 2) deny the privilege of operating a motor vehicle on our highways to persons who by their conduct and record have demonstrated their indifference to the safety and welfare of others and their disrespect for the laws of this State; and 3) discourage repetition of criminal acts by individuals who have been convicted repeatedly of violating our laws by depriving such individuals of the privilege of

operating a motor vehicle. 21 Del. C. § 801. Delaware's license requirements are designed to ensure that those who drive know the rules of the road, demonstrate adequate compliance with those rules and are otherwise qualified to drive the class of vehicle for which their license allows. Persons who drive without a valid license habitually flout the law; moreover, many persons who drive without a valid license do so because they have been convicted of very serious motor vehicle violations or they are not qualified to drive a certain class of vehicle.

Any person who has been convicted of driving without a license and/or any of the other very serious offenses listed in 21 Del. C. § 801(1) three or more times during a five year period has clearly demonstrated, by his or her own conduct, an indifference to the safety and welfare of others as well as a disrespect for laws of our State. In short, I believe that the current law is fair and just and I do not support weakening it.

For all the foregoing reasons, I am returning H.B. 127 without my signature.

Sincerely,  
Thomas R. Carper

July 25, 1996

#### LEGISLATIVE ADVISORY #26

Governor Thomas R. Carper signed the following legislation on the date indicated: 7/21/97 - HB 303, HB 220 aab HA 1, HB 262 aab HA 1, HS 1 for HB 57, SB 162 aab SA 1 & HA 2, 3, 4 & 5. 7/23/97 - HB 257 aab HA 1 & SA 1, HS 1 for HB 322, HB 271. 7/24/97 - SB 121 aab SA 1.

Governor Thomas R. Carper vetoed the following legislation on the date indicated: 7/21/97 - HB 298 aab HA 1. 7/24/97 - HB 335.

Governor Thomas R. Carper vetoed the following legislation on the date indicated. This was inadvertently omitted from previous advisories: 6/13/97 - SB 54.

July 21, 1997

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 139TH GENERAL ASSEMBLY:

On July 9, 1997, I received House Bill No. 298, which is entitled:

"AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE LIABILITY OF THE DELAWARE TRANSPORTATION AUTHORITY."

I am returning H.B. 298 to the House of Representatives without my signature.

House Bill Number 298 amends §1329 of the Title 2 of the Delaware Code to retroactively reduce the extent of the Delaware Transportation Authority's protection under the State's sovereign immunity doctrine. Under present Delaware law, the Delaware Transportation Authority ("DTA") liability "shall not exceed the amount of said insurance covering the risk or loss or the amount of \$300,000 whichever amount shall be the lesser for any and all claims arising out of a single occurrence."

House Bill Number 298 was introduced for the purpose of increasing the extent of insurance available with respect to a claim against DTA which occurred in February 1996. At that time, however, Delaware law was clear. Less than four months earlier, on October 25, 1995, the Delaware supreme Court ruled that the State's waiver of sovereign immunity for DART was governed by the plain language of 2 Del. C. § 1329, which waived immunity to the extent of applicable insurance or \$300,000, whichever was lesser. *Turnbull v. Fink*, Del. Supr., 668 A.2d 1370 (1995).

I have several concerns with H.B. 298. First, if signed into law, H.B. 298 would result in a waiver of the DTA's sovereign immunity to the extent of any applicable insurance, regardless of the limits.

Second, H.B. 298 would set \$300,000 as the minimum liability of the DTA under any circumstances, whether DTA is insured or not. Because the bill is retroactive to March 1, 1990, the State's potential exposure for any claims against DTA over the past seven years will increase substantially. For example, there is another pending claim which arose in approximately the same time period as the February 1996 claim which motivated the proponents of H.B. 298.

I am concerned not only with unresolved claims, but also with those claims which have been resolved through settlement or the courts and which were subject to the \$300,000 limit of liability. The interests of equity require equal treatment of all claims during this period; however, most claims during the applicable time period have been resolved. Moreover, to the extent the plaintiffs in those cases would attempt to resurrect them to obtain access to the higher limits if H.B. 298 is enacted, this could result in additional litigation for the DTA with an uncertain outcome.

Third, H.B. 298 also reassess serious issues concerning the DTA's sovereign immunity. Section 1329, as it is now written, unequivocally provides that DTA's operations, services and programs are protected by sovereign immunity, unless covered by insurance, and that no action for damages may be permitted or damages recovered except to the extent the activity is covered by insurance. The present statute also clearly extends the sovereign immunity to the Authority's "agencies, administrations, subsidiaries and each of their respective officers and employees."

To allow claimants to obtain access to any applicable insurance, regardless of the limits, only one word in § 1329 had to be changed. Instead, the entire statute has been rewritten and by doing so, H.B. 298 removes

the sovereign immunity extension to DTA's agencies, administrations, subsidiaries and each of their respective officers and employees, and removes the affirmative statements that DTA is protected by the doctrine of sovereign immunity and that no action may be permitted or damages recovered absent the existence of insurance.

Finally, decisions about the extent of state agency liability, and the trade-off between fairness to claimants and the need to protect taxpayers (who after all, bear the costs of lawsuits against the State) from burdensome litigation, are important and for reasons of fairness and prudent management should not be altered after the fact. If H.B. 298 prospectively altered the extent of the DTA's required liability insurance, and did not otherwise weaken the Delaware Transportation Authority's sovereign immunity, my decision today might be different. I cannot, however, support changing DTA's liability retroactively when the potentially will cause inequities among similarly situated claimants and produce additional litigation against a state agency.

Sincerely,  
Thomas R. Carper  
July 24, 1997

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 139TH GENERAL ASSEMBLY:

On July 16, 1997, I received House Bill Number 335, entitled:

"AN ACT TO AMEND CHAPTER 7, TITLE 4 OF THE DELAWARE CODE, AS AMENDED, RELATING TO ALCOHOLIC LIQUORS."

House Bill Number 335 would enable microbreweries and brewery-pubs (collectively, "brew-pubs") to sell their products off-premises on Sundays.

As the proponents of H.B. 335 know, I do not support legislation which would permit retail liquor stores to sell alcoholic beverages for off-premises consumption on Sundays. Nor do I favor extending Sunday sales by other types of businesses.

Moreover, while I recognize that some distinctions can be made between brew-pubs and other businesses which sell alcoholic beverages for off-premises consumption (for example, the brew-pubs make their own product), I do not believe it would be equitable to me to support H.B. 335 but continue to oppose Sunday sales in general. I cannot justify enabling brew-pubs to sell for off-premises consumption while denying retail liquor stores -- whose entire income depends, unlike brew-pubs, on sales for off-premises consumption -- that same opportunity.

Since H.B. 335 is inconsistent with my general position on Sunday sales and would create such inequities, I am returning it to the House of Representatives without my signature.

Sincerely,  
Thomas R. Carper

Mr. Speaker introduced guests.

Representative Smith requested and was granted personal privilege of the floor Pam Price who introduced the 1998 Legislative Fellows as follows: Lauren Berk; Michael Brairton; Michael Geppi; Lisa Kondraschow; Margaret Montgomery; Alex Mull & Christopher Spizzirri.

Mr. Speaker Spence introduced a guest and made comments.

Representative Welch deferred to Representative Wagner.

Representative Wagner introduced HB 425.

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

HB 425 - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence.

Mr. Speaker assigned HB 425 to Public Safety Committee.

Representative Welch introduced & brought HCR 43, jointly sponsored by Representative Spence on Behalf of All House Members and Senator Sharp on Behalf of All Senate Members, before the House for consideration.

Representatives Lofink, Spence, Quillen & Price introduced guests.

HCR 43 - Honoring Mr. Bruce L. Hammonds, Vice Chairman of MBNA America, N.A., Upon His Retirement as Chairman of the Board of the Delaware State Chamber of Commerce.

Representative Welch made a comment.

HCR 43 was adopted by voice vote and sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Petrilli made a comment.

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

Representative Petrilli introduced and brought HCR 44, jointly sponsored by Senator Sorenson, before the House for consideration.

HCR 44 - Honoring the Contributions Made by W.L. Gore, His Wife Genevieve W. Gore, and the Company They Co-Founded - W.L. Gore & Associates, Inc. - On the Occasion of Its 40th Anniversary.

Representative Petrilli made comments.

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

Representative Smith deferred to Representative Capano.

Representative Capano presented a House Tribute to Nick Hood, grandson of staff member Peg Hood & made comments.

Representative Ewing made comments.

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

The House observed a moment of silence in memory of Dawn Furgele at the request of Representative DiLiberto.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #59

DATE: January 13, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-761	Gilligan	6/22/97	T	Reverend Ethel Cooper/"Woman of the Next Century"/YMCA of New Castle County
H139-762	D. Ennis	7/20/97	T	Daniel Young/Eagle Scout
H139-763	Caulk	6/26/97	T	Deborah Norman/Outstanding Performance/Committee Assistant/Ag., Nat. Res., Env. Man.
	cosponsors: Quillen, Carey, Mack, Price Schroeder, West			
H139-764	Reynolds	6/26/97	T	Christina Carucci/Outstanding Performance/Committee Assistant/Ed. & Health Hum. Dev.
	cosponsors: Maier, Maroney, Boulden Cloutier, Oberle, Reynolds, Ulbrich, DiLiberto, Keeley, Price & Schroeder			
H139-765	Boulden	6/26/97	T	Arkady Lapidus/Outstanding Performance/Committee Assistant/Trans. & Land Use & Infrastructure
	cosponsors: Cloutier, Lofink, Ulbrich Caulk, Banning, Brady, B. Ennis, Price			
H139-766	Wagner	6/26/97	T	John Matlusky/Outstanding Performance/Committee Assistant/Jud., P/S & Corr.
	cosponsors: Ewing, Lee, Buckworth, Banning, DiLiberto, Williams			
H139-767	Gilligan	6/26/97	T	Mimi Dixon/Outstanding Performance/Legislative Fellow/House Minority Caucus
	cosponsor: VanSant			
H139-768	Buckworth	6/30/97	T	Dr. Reed Stewart/President/Wesley College/Retirement/15 Years of Service
	cosponsors: Stone, Wagner			
H139-769	Welch	6/24/97	T	Jason Fox/Outstanding Performance/Committee Assistant/Labor & House Administration
	cosponsors: Reynolds, Mack, Oberle, Maier, Smith, Spence, Plant, Scott, Gilligan, VanSant			
H139-770	D. Ennis	6/24/97	T	Isabelle Sattig/Outstanding Performance/Committee Assistant/Econ. Dev., B & I; Revenue & Finance
	cosponsors: Stone, Capano, DiPinto, Fallon, Petrilli, Quillen, Ulbrich, Wagner, Brady, Houghton, Keeley, Scott			
H139-771	Lee	6/16/97	M	W. Jack Northam

#### HOUSE TRIBUTE ANNOUNCEMENT #60

DATE: January 13, 1997

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

Number	Sponsor	Presentation Date	Type	Description
H139-772	Maier	6/22/97	T	Honorable Jane Maroney/"Woman of the Next Century"/YWCA of New Castle County
H139-773	Fallon	5/20/97	T	Edythe Gum/90th Birthday
H139-774	Welch	6/21/97	T	James & Joan Schwartz/40th Wedding Anniversary
H139-775	Fallon	6/14/97	T	Reverend B. Leslie James/3rd Year/Pastor of Macedonia AME/Dedication to Church
H139-776	Fallon	6/26/97	T	Herb Dayton/Gold Award/Presented by Buyer's Agent of Memphis, Tennessee
H139-777	Fallon	6/26/97	T	Wendy Adams/Bronze Award/Presented by Buyer's Agent of Memphis, Tennessee
H139-778	Fallon	6/01/97	T	N. Shad Keene/'97 K. Richard Varrell Memorial Award Recipient
H139-779	Fallon	5/30/97	T	Melissa Lynch/Magna Cum Laude/ BA Degree/University of Delaware

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-780	Fallon	5/22/97	T	Diane Lubkeman, M.D./Athena Award Presented by BPW
H139-781	Price	12/24/97	T	Elisha & Sarah Hickman/56th Wedding Anniversary
H139-782	Buckworth	7/26/97	T	Barbara & Clarence Savage/25th Wedding Anniversary
H139-783	Fallon	6/02/97	T	Nina Santos/Bachelor's Degree/Swarthmore College
H139-784	Wagner	5/10/97	T	Marion & Robert Wagner/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #61

DATE: January 13, 1997

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-785	Buckworth	7/19/97	T	Frederic W. Brown/70th Birthday
H139-786	Brady	4/30/97	T	Donna McCormick/Retirement/AgrEvo USA/13 Years of Service
H139-787	Brady	3/31/97	T	W. Wayne Surles/Retirement/AgrEvo USA/21 Years of Service
H139-788	Brady	6/30/97	T	Sandra Walraven/Retirement/AgrEvo USA/18 Years of Service
H139-789	Brady	6/30/97	T	Dorothy Ogle/Retirement/AgrEvo USA/38 Years of Service
H139-790	Maier	6/26/97	T	Jennifer Buckley/Dickinson High/Named '97 News Journal Academic All-Star
H139-791	Brady	10/31/95	T	Mary D. Regan/Retirement/AgrEvo USA/24 Years of Service
H139-792	Gilligan	5/25/97	T	Brian & Cheryl Shirey/New Daughter/Rebecca Elise
H139-793	Fallon	6/14/97	M	Dennis G. Messick
H139-794	B. Ennis	6/23/97	M	George Everett Scott
H139-795	VanSant	6/28/97	T	Theresa & Bernie Baker/50th Wedding Anniversary
H139-796	Gilligan	5/24/97	T	Joseph & Margaret Dorsey/50th Wedding Anniversary
H139-797	Brady	6/14/97	T	Josephine & Eugene Petrella/50th Wedding Anniversary
H139-798	Smith	6/30/97	T	Robert Moore/Appreciation/News Journal Legislative Reporter

cosponsors: Welch &amp; Spence

## HOUSE TRIBUTE ANNOUNCEMENT #62

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-799	VanSant	5/26/97	T	Robert Pugliese/70th Birthday
H139-800	Boulden	6/17/97	T	Terrence Shannon/I.D. Griffith, Inc. /Support Fair Competition in Delaware
H139-801	Brady	6/20/97	T	Rachel & Thomas Blythe/50th Wedding Anniversary
H139-802	Maroney	6/26/97	M	Estelle Sawyer
H139-803	Ewing	6/30/97	T	Henry Peters/New Process Fibre Co., Inc./Contributions to Community
H139-804	B. Ennis	6/26/97	M	C. Rodney Fox
H139-805	VanSant	7/02/97	T	Sadie & Harold Bockman/65th Wedding Anniversary
H139-806	Scott	6/14/97	T	Helen & Joseph Markowski/50th Wedding Anniversary
H139-807	Williams	7/04/97	M	Evelyn C. Dorris



<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-808	Stone	7/01/97	M	Mitchell Schwartz
H139-809	Roy	7/10/97	T	Dr. William B. Funk/'97 Family Doctor of Year/Academy of Physicians
H139-810	B. Ennis	6/14/97	T	Keri A. Laws/Gold Medals/Swimming /Softball/Special Olympics
H139-811	Price	7/14/97	M	John W. Johnson, Jr.
H139-812	Price	7/28/97	T	Patsy Brown/Dedicated Service/Roxanna Mature Life Style Center
H139-813	Price	7/28/97	T	Roxanna Cheer Mature Life Style Center/23rd Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #63

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-814	Oberle	9/06/97	T	Local Union 313, I.B.E.W./95 Years of Service/Construction Industry
	cosponsors: Spence, Welch			
H139-815	Spence	7/18/97	T	Karen Janes/Information Processing Employee of the Quarter/Opportunity Center
H139-816	Spence	7/18/97	T	Helena Maddux/10 Years of Employment /Opportunity Center
H139-817	Spence	7/18/97	T	Thelma Cardenti/35 Years of Employment /Opportunity Center.
H139-818	Spence	7/26/97	T	Alexis C. Saville/60th Birthday
H139-819	Gilligan	7/12/97	T	Nicholas & Catherine Talmo/50th Wedding Anniversary
H139-820	Welch	7/19/97	T	Kimberly Brown & Brian Dawson/Marriage
H139-821	B. Ennis	7/18/97	M	C. Richard Vaughn
H139-822	B. Ennis	7/12/97	T	Jean & Sam Everage/25th Wedding Anniversary
H139-823	Fallon	7/09/97	M	John V. Marino, Sr.
H139-824	Fallon	7/12/97	M	William P. Meluney
H139-825	Fallon	7/09/97	M	Margaret E. L. Joseph
H139-826	Fallon	7/10/97	M	George G. Widdowson
H139-827	Fallon	6/26/97	M	Nelson M. Spence, Sr.
H139-828	Fallon	7/13/97	M	Anne T. Darden
H139-829	Fallon	7/04/97	T	Madeline D. A. Dunn/Works Displayed/Laurel Public Library

## HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-830	Spence	7/18/97	T	Willie McKinley/10 Years of Employment/Opportunity Center
H139-831	Spence	7/18/97	T	Alfredia Forrest/25 Years of Employment /Opportunity Center
H139-832	Spence	7/18/97	T	Bruce Bartleson/10 Years of Employment /Opportunity Center
H139-833	Carey	7/25/97	T	Virginia "Gin" Grier/90th Birthday
H139-834	Stone	7/30/97	T	Nancy Errera/90th Birthday
H139-835	Brady	7/24/97	T	Doris T. Boulanger/21 Years/CIGNA
H139-836	Buckworth	7/24/97	T	Mary E. Monroe/22 Years Dedicated Service/ Children of Caesar Rodney School District
H139-837	Brady	8/01/97	T	Commander Bill Doty/Promotion to Commander/ /U.S. Coast Guard Reserve
H139-838	Scott	6/30/97	T	Gerald Allen/Promotion to Assistant Principal/ Hodgson Vo-Tech High School
H139-839	Capano	7/11/97	T	Thelma & Harry Hall/50th Wedding Anniversary

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-840	Capano	6/28/97	T	Betty & Clarence Hagerty/50th Wedding Anniversary
H139-841	Price	6/29/97	T	Herschel & Edith Hudson/50th Wedding Anniversary
H139-842	Smith	6/30/97	T	Raymond E. Tomasetti/Board Member /Brandywine School District/'92-'97
H139-843	Smith	9/25/97	T	Janice Tunell/6 Years Service /Students/Lancashire Elementary School

## HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-844	Brady	8/16/97	T	Lisa Kirk & David Brady/Marriage
H139-845	Brady	8/30/97	T	Suzanne Livermore & John French, III/Marriage
H139-846	Ewing	8/01/97	T	Richard I. Lewis/Distinguished Service/Bridgeville
H139-847	Ewing	8/01/97	T	W. Allen Jones/Distinguished Service/Bridgeville
H139-848	Wagner	8/01/97	T	Donald Bierer/Retirement/15 Years/DNREC
H139-849	Fallon	7/23/97	M	Shirley A. Young
H139-850	Carey	8/07/97	T	Daisey V. Daniels/80th Birthday
H139-851	Fallon	8/31/97	T	Louise Epperson/95th Birthday
H139-852	Stone	6/30/97	T	George F. Gardner, III/Retirement/ Practice of Law
H139-853	Scott	8/07/97	T	United House of Prayer/Grand Opening of Church
H139-854	DiLiberto	7/24/97	M	Giovanna Bellafiore
H139-855	Brady	7/29/97	M	Harold W. Hansen
H139-856	Fallon	7/31/96	T	Raymond E. Lloyd/Retirement/DelTech.
H139-857	Ewing	8/01/97	T	Mabel F. Hitchens/90th Birthday
H139-858	Wagner	8/03/97	M	Louise Mercer Kuenzler
H139-859	Williams	8/10/97	T	Benjamin "Twinby" Brown/29 Years/ Outstanding Community Service

## HOUSE TRIBUTE ANNOUNCEMENT #66

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-860	B. Ennis	8/23/97	T	James K. Craig/Dedicated Service/ Volunteer Hose Co./35 Years
H139-861	Capano	5/25/97	T	Raymond & Emma Gilbert/51st Wedding Anniversary
H139-862	Welch	8/19/97	T	Captain David Cox/Retirement/DE State Police, Troop 3
H139-863	B. Ennis	8/04/97	M	Oakley M. Banning, Jr.
cosponsors: All House Members				
H139-864	B. Ennis	8/13/97	T	Alan F. Robinson, Jr./50th Birthday
H139-865	B. Ennis	7/28/97	T	David C. VanArsdall/44th Birthday
H139-866	Welch	9/30/97	T	Estella Stanley/Retirement/Wyoming Town Clerk/12 Years Dedicated Service
cosponsor: Buckworth				
H139-867	Ewing	8/24/97	T	Kay Hassler & Bill Seitz/40th Wedding Anniversary
H139-868	B. Ennis	8/06/97	M	Merrill E. Brittingham
H139-869	Wagner	8/29/97	T	Hope Z. Schladen/11 Years/Director of Agricultural Museum & Village
H139-870	Carey	8/08/97	T	Charles H. Wilkerson/80th Birthday
H139-871	VanSant	8/26/97	T	Patricia & Joseph Meyer/25th Wedding Anniversary
H139-872	Capano	9/28/97	T	Lisa Rayner & Rand Snyder/Marriage
H139-873	Wagner	8/30/97	T	Megan Tuck & Dan McHenry/Marriage

## HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-874	Stone	8/12/97	M	Robert H. Reed
	cosponsor: Wagner			
H139-875	Stone	8/07/97	M	Dr. J. Robert Fox
H139-876	Price	8/15/97	T	Tom Burns/New Commander/ American Legion Post 24
H139-877	Price	8/15/97	T	George Ritchie/Mason Dixon #7234/Named All-American Commander
H139-878	B. Ennis	9/10/97	T	Chief Donald H. McGinty/Retirement/ Smyrna Police Department
H139-879	B. Ennis	9/13/97	T	Laura Rebekah Lodge #11/75th Anniversary
H139-880	Houghton	9/10/97	T	In Memory of Captain Paul N. Dill
H139-881	VanSant	9/14/97	T	Steven A. Kaper/Eagle Scout
H139-882	VanSant	9/14/97	T	Stephen K. Schumann/Eagle Scout
H139-883	Williams	8/12/97	M	Ralph Harris Tiller
H139-884	B. Ennis	9/18/97	T	Doris & Marvin Knox/50th Wedding Anniversary
H139-885	VanSant	8/17/97	T	Minnie & Joseph Barranco/ 50th Wedding Anniversary
H139-886	VanSant	8/16/97	T	Ellen & John Finch/50th Wedding Anniversary
H139-887	Price	12/31/96	T	Jean & Horace Davis/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-888	Scott	8/20/97	T	Detective William Wells/Outstanding Service/Wilmington's East Side
H139-889	Scott	8/20/97	T	Wilmington Police Department Vice Squad /Outstanding Service/East Side/Wilmington
H139-890	Wagner	9/13/97	T	L. Scott Berry & Angel Parks/ Marriage
H139-891	Wagner	7/05/97	T	WendyParent & Joshua Bushweller/Marriage
H139-892	Wagner	5/08/97	T	Gary Traynor & Kathleen Andrus/Marriage
H139-893	Fallon	8/17/97	M	Elizabeth A. H. Vane
H139-894	Fallon	8/09/97	M	John Dale Holt
H139-895	Fallon	8/09/97	M	John A. 'Sweed' Swanson
H139-896	Fallon	8/21/97	T	Nancy C. Willis/Book Publication
H139-897	Fallon	8/21/97	T	Brittany Abbott/Equestrian Championships
H139-898	Fallon	8/08/97	M	Hayden L. Norwood
H139-899	Williams	8/18/97	M	Floyd Julius Jackson
H139-900	Welch	6/05/97	T	Mitchell J. Clark/Birth
H139-901	B. Ennis	8/20/97	M	Mary Louise Conley
H139-902	B. Ennis	8/19/97	M	Mary G. Procell

## HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-903	Wagner	9/13/97	T	Jozelle Burton & Anthony Roane/Marriage

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-904	Wagner	9/27/97	T	Gloria Ho & Robert Ruggiero/ Marriage
H139-905	Wagner	9/06/97	T	Patricia Maximo & Adrian Guajardo/Marriage
H139-906	Wagner	8/29/97	T	Maxine Travis/18 Years Service/Aid in Dover, Inc.
H139-907	Fallon	8/26/97	T	Mary Lou & Shelley Spicer/50th Wedding Anniversary
H139-908	Quillen	10/10/97	T	Patsy & Harry Sapp/45th Wedding Anniversary
H139-909	Price	9/11/97	T	Linford & Lillian Wootten/60th Wedding Anniversary
H139-910	Welch	7/09/97	T	Edward S. Metz/Birth
H139-911	Scott	9/01/97	T	Frances Reed/Outstanding Community Service
H139-912	Brady	9/01/97	T	Norma S. Saulsbury/Retirement/AgrEvo USA Co./14 Years
H139-913	Brady	8/17/97	M	William E. Anderson
H139-914	Price	9/07/97	T	Millville United Methodist Church/90th Anniversary
H139-915	Williams	8/25/97	M	Mildred Salus
H139-916	Williams	8/26/97	M	Oscar Lewis Tucker

## HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-917	Scott	9/04/97	T	L.T. Blackshear/Outstanding Community Service
H139-918	Boulder	9/25/97	T	Donald L. Lewis, Jr./Eagle Scout
H139-919	West	9/14/97	T	Warrington Girls Major League Softball Team/Eastern Regional Champions
H139-920	Brady	8/31/97	T	Anna Marie & James Dawson/ 60th Wedding Anniversary
H139-921	Brady	8/24/97	T	Doris & Charles Wallace/50th Wedding Anniversary
H139-922	Brady	8/23/97	T	Helen & James Jamison/50th Wedding Anniversary
H139-923	Caulk	9/14/97	T	Edna & George Walton, Sr./ 65th Wedding Anniversary
H139-924	DiLiberto	9/08/97	T	Bonnie Yeatman/3 Years Dedicated Service/ 14th District Democratic Committee Chairperson
H139-925	West	9/23/97	T	Jan Battaglino/97-'98 Indian River School District Teacher of the Year
H139-926	Wagner	10/01/97	T	The Dover Century Club Federation of Women's Clubs/100 Years
H139-927	VanSant	9/20/97	T	William C. Clymer/69th Birthday/ Eleanor E. Clymer/70th Birthday
H139-928	Buckworth	9/07/97	M	Kathryn Ford
H139-929	Gilligan	9/06/97	T	Davis & Laura Essick/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-930	Schroeder	9/06/97	T	Elizabeth & Harold Wilson/50th Wedding Anniversary
H139-931	Keeley	9/06/97	T	Gladys & Sylvester Szaroleta/50th Wedding Anniversary

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-932	Carey	10/19/97	T	Reverend J. Randall Miller/5th Anniversary/ Pastor/Milford Church of God
H139-933	Carey	9/06/97	M	Maradel G. Burton
H139-934	Wagner	9/09/97	M	Franklin 'Earl' McGinnes
H139-935	Wagner	9/07/97	M	Luther "Lu" D. Shank
H139-936	Keeley	9/15/97	T	Officer David Simmons/Heroic Efforts
H139-937	Keeley	9/15/97	T	Officer Andrea Horisk/Heroic Efforts
H139-938	Price	9/15/97	T	Janice Marvel/Elected President/Ladies Auxiliary /Sussex County Volunteer Fireman's Association
H139-939	B. Ennis	10/19/97	T	Howard M. Sparks/90th Birthday
H139-940	B. Ennis	9/06/97	M	Ella W. Sparks
H139-941	Caulk	9/15/97	T	Beverly Tuthill/Contributions to Community
H139-942	Carey	9/16/97	T	Honorable Tina Fallon/80th Birthday
	cosponsors: All House Members			
H139-943	DiPinto	9/13/97	T	Brother Ronald Giannone/25th Anniversary/Capuchin Friar

## HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-944	Caulk	8/26/97	T	Stephen M. West/Eagle Scout
H139-945	Keeley	10/01/97	T	Jerzy Kozminski/Poland's Ambassador to U.S./Keynote Speaker
H139-946	D. Ennis	10/04/97	T	WSFS/165th Birthday
H139-947	Oberle	9/25/97	T	I.D. Griffith, Inc./50 Years in Business
H139-948	Scott	9/16/97	T	Vernon Oates/Outstanding Community Service
H139-949	Scott	9/16/97	T	Theresa Johnson/Outstanding Community Service
H139-950	Quillen	9/11/97	T	Edgar & Lillie Graef/60th Wedding Anniversary
H139-951	Wagner	9/16/97	T	William W. Tromble, Ph.D/Dedicated Service/Delaware State University
H139-952	VanSant	9/01/97	T	Irene & John Zulinski/50th Wedding Anniversary
H139-953	Brady	9/06/97	T	Helen & Walter Oliver/50th Wedding Anniversary
H139-954	Brady	7/24/97	T	Angeline & Rocco Guzzo, Sr./ 60th Wedding Anniversary
H139-955	Carey	10/03/97	T	Parallel Program/DelTech/U. of D./ 30th Anniversary
	cosponsors: Sussex County Representatives			
H139-956	DiLiberto	9/19/97	T	Malvern Retreat League/75th Anniversary
H139-957	Carey	10/07/97	T	O.R. Nurses at Milford Memorial Hospital/ Appreciation Week

## HOUSE TRIBUTE ANNOUNCEMENT #73

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-958	B. Ennis	9/14/97	M	Shawn Michael Ryan
H139-959	VanSant	9/20/97	T	Olive & Charles Reilly/50th Wedding Anniversary
H139-960	Ulbrich	9/30/97	T	Ethel & Tony Bender/50th Wedding Anniversary
H139-961	Capano	9/06/97	T	Elise & Charles Staub/50th Wedding Anniversary
H139-962	Capano	9/23/97	T	Stephanie & Richard Ulbrich/ 25th Wedding Anniversary
H139-963	Williams	9/11/97	M	Helen J. Rutherford

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-964	Williams	9/16/97	M	Lillian A. Pyle
H139-965	Williams	9/16/97	M	Gracealynn Harris
H139-966	Williams	9/14/97	M	Robert E. Spurlock
H139-967	Wagner	9/01/97	T	Patty R. Hinchey/1st Place/State Contest for Delaware Press Women
H139-968	Wagner	9/01/97	T	Elizabeth H. Jones/Retirement/Capitol School District/30 Years Service
H139-969	Price	9/11/97	T	Janet Reifsnnyder/Named News Journal Volunteer of the Week
H139-970	Price	9/13/97	T	Arlene & J. Alfred Davis/50th Wedding Anniversary
H139-971	Price	7/19/97	T	Betsy Bruso & Thomas Neary/ Marriage

## HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-972	Caulk	9/29/97	T	Marion MacDonald/97 Kent County Farm Bureau Distinguished Service Award
H139-973	Caulk	9/29/97	T	Charles H. West Family/97 Kent County Farm Bureau "Farm Family of the Year"
H139-974	Caulk	9/29/97	T	Jennifer Larimore/Kent County Farm Bureau '98 Queen
H139-975	Wagner	9/26/97	M	Philip R. Fenimore
H139-976	Keeley	10/05/97	T	Alliance for the Mentally Ill/Mental Illness Awareness Week
H139-977	DiLiberto	9/14/97	T	Gladys & David Williams/70th Wedding Anniversary
H139-978	Wagner	12/28/97	T	Berlin & Reba Hollingsworth/50th Wedding Anniversary
H139-979	Roy	9/20/97	T	Albert & Rita Anthony/50th Wedding Anniversary
H139-980	Schroeder	9/13/97	T	Mildred & Jack Weer/50th Wedding Anniversary
H139-981	Gilligan	8/09/97	T	Roy & Lucy Hougentogler/50th Wedding Anniversary
H139-982	Price	9/27/97	T	Margaret & Charles Moore/50th Wedding Anniversary
H139-983	Fallon	9/13/97	T	Donald & Harriet Acker/50th Wedding Anniversary
H139-984	Fallon	10/19/97	T	Seaford District Library/95 Years of Service

## HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-985	DiLiberto	9/24/97	M	Justice William Duffy
cosponsors: All House Members				
H139-986	Lofink	9/30/97	T	Edie Murphy/Coach/97 Delaware Major Softball Championship
H139-987	Lofink	9/30/97	T	Adrianne Maloney/Coach/97 Delaware Major Softball Championship
H139-988	Lofink	9/30/97	T	Charles Marioni/Manager/97 Delaware Major Softball Championship
H139-989	Lofink	9/30/97	T	Linday Niggebrugge/Canal Little League/97 Major Softball Champions
H139-990	Lofink	9/30/97	T	Stacy Maloney/Canal Little League/97 Major Softball Champions

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-991	Lofink	9/30/97	T	Lindsey DiStefano/Canal Little League /97 Major Softball Champions
H139-992	Lofink	9/30/97	T	Katie Laird/Canal Little League/97 Major Softball Champions
H139-993	Lofink	9/30/97	T	Amber Hicken/Canal Little League/97 Major Softball Champions
H139-994	Lofink	9/30/97	T	Lindsay Long/Canal Little League/97 Major Softball Champions
H139-995	Lofink	9/30/97	T	Jaclyn Temple/Canal Little League/97 Major Softball Champions
H139-996	Lofink	9/30/97	T	Christin Mills/Canal Little League/97 Major Softball Champions

## HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-997	Lofink	9/30/97	T	Faye Mormando/Canal Little League/97 Major Softball Champions
H139-998	Lofink	9/30/97	T	Ashley James/Canal Little League/97 Major Softball Champions
H139-999	Lofink	9/30/97	T	Jenna Billic/Canal Little League/97 Major Softball Champions
H139-1000	Lofink	9/30/97	T	Kenya Hodges/Canal Little League/97 Major Softball Champions
H139-1001	Lofink	9/30/97	T	Debbie Slifer/Canal Little League/97 Major Softball Champions
H139-1002	Lofink	9/30/97	T	David Blake/Manager/Canal Little League /97 Major Softball Champions
H139-1003	Lofink	9/30/97	T	Ernie Spence/Coach/Canal Little League/97 Major Softball Champions
H139-1004	Lofink	9/30/97	T	Rob Walcome/Coach/Canal Little League/97 Major Softball Champions
H139-1005	Lofink	9/30/97	T	Nate Husser/Canal Little League Baseball/97 Senior Champions
H139-1006	Lofink	9/30/97	T	Matt Folke/Canal Little League Baseball/97 Senior Champions
H139-1007	Lofink	9/30/97	T	Shawn McCarthy/Canal Little League Baseball/97 Senior Champions
H139-1008	Lofink	9/30/97	T	Kevin Maloney/Canal Little League Baseball/97 Senior Champions

## HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1009	Lofink	9/30/97	T	Chuck Epperson/Canal Little League Baseball/97 Senior Champions
H139-1010	Lofink	9/30/97	T	Matt Jordan/Canal Little League Baseball/97 Champions
H139-1011	Lofink	9/30/97	T	J. P. Reinholt/Canal Little League Baseball/97 Champions
H139-1012	Lofink	9/30/97	T	Tim Vaillancourt/Canal Little League Baseball/97 Champions
H139-1013	Lofink	9/30/97	T	Tom Gallagher/Canal Little League Baseball/97 Champions
H139-1014	Lofink	9/30/97	T	Brock Donovan/Canal Little League Baseball/97 Champions
H139-1015	Lofink	9/30/97	T	Devin Wiley/Canal Little League Baseball/97 Champions

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1016	Lofink	9/30/97	T	Alan Hurt/Canal Little League Baseball/'97 Champions
H139-1017	Lofink	9/30/97	T	John DiStefano/Canal Little League Baseball/'97 Champions
H139-1018	Lofink	9/30/97	T	Pete Romano/Canal Little League Baseball/'97 Champions
H139-1019	Fallon	10/10/97	T	DuPont Co./Seaford/80th Board of Director's Safety Award
H139-1020	Quillen	10/18/97	T	Lyda Thorpe/100th Birthday
H139-1021	Oberle	9/15/97	T	Betsy Williams/Blue Hens Softball Team/League B Division Champions

## HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1022	Oberle	9/15/97	T	Chris Tribert/Blue Hens Softball Team/League B Division Champions
H139-1023	Oberle	9/15/97	T	Diana Morrill/Blue Hens Softball Team/League B Division Champions
H139-1024	Oberle	9/15/97	T	Donna Ditchkus/Blue Hens Softball Team/League B Division Champions
H139-1025	Oberle	9/15/97	T	Kathryn Miller/Blue Hens Softball Team/League B Division Champions
H139-1026	Oberle	9/15/97	T	Kathy Parker/Blue Hens Softball Team/League B Division Champions
H139-1027	Oberle	9/15/97	T	Laura Bryant/Blue Hens Softball Team/League B Division Champions
H139-1028	Oberle	9/15/97	T	Laurie Black/Blue Hens Softball Team/League B Division Champions
H139-1029	Oberle	9/15/97	T	Lauren Bassing/Blue Hens Softball Team/League B Division Champions
H139-1030	Oberle	9/15/97	T	Lisa Lorimer/Blue Hens Softball Team/League B Division Champions
H139-1031	Oberle	9/15/97	T	Melissa Markiewicz/Blue Hens Softball Team/League B Division Champions
H139-1032	Oberle	9/15/97	T	Pat Beu/Blue Hens Softball Team/League B Division Champions
H139-1033	Oberle	9/15/97	T	Pat Burke/Blue Hens Softball Team/League B Division Champions

## HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1034	Oberle	9/15/97	T	Tomi Gibson/Blue Hens Softball Team/League B Division Champions
H139-1035	Oberle	9/15/97	T	Zaz Brelsford/Blue Hens Softball Team/League B Division Champions
H139-1036	Oberle	9/15/97	T	Kevin Brennan/Blue Hens Softball Team/League B Division Champions
H139-1037	Oberle	9/15/97	T	Erin Hunter/Blue Hens Softball Team/League B Division Champions
H139-1038	B. Ennis	9/26/97	T	Lillian Minus/100th Birthday
H139-1039	Oberle	10/03/97	T	Edward "Pete" Peterson/Retirement /50 Years
cosponsors: Welch, Cathcart, Davis, Lofink, Mack Reynolds				
H139-1040	Welch	10/04/97	T	Christine McNulty & Dr. Paul Meenan/Marriage



<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1041	Spence	10/01/97	T	Child, Inc./Unique & Innovative Project Award/National Council Juvenile & Family Court Judges
H139-1042	Ulbrich	10/29/97	T	Dr. James Kent/'97 Distinguished Service Award/Delaware School Boards Association
H139-1043	D. Ennis	10/01/97	M	W. Robert "Bob" Smallwood
H139-1044	Oberle	9/15/97	T	April Hayden/Blue Hens Softball Team/League B Division Champions
H139-1045	Fallon	9/27/97	M	Jeffrey L. Carey
H139-1046	Schroeder	10/07/97	T	Helena Walters/DeVries Business & Professional Women/Woman of the Year
H139-1047	Schroeder	10/07/97	T	Gertrude Hillman/DeVries Business & Professional Women/Employer of the Year

## HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1048	Wagner	9/29/97	M	Ruth T. Fisher
H139-1049	Wagner	9/29/97	M	Margaret "Peg" Woods
H139-1050	Wagner	9/29/97	M	Doris Townsend Lewis
H139-1051	Smith	10/15/97	T	Sonia & Gilbert Sloan/'97 ACLU Kandler Memorial Award
H139-1052	B. Ennis	10/16/97	T	Lillian Smith Senior Center./30th Anniversary
H139-1053	B. Ennis	11/11/97	T	C. Preston Poore/86th Birthday
H139-1054	Fallon	10/12/97	T	Davis Family/Contribute to Community
H139-1055	Fallon	11/01/97	T	Odd Fellows Hebron Lodge #14/Seaford/150th Anniversary
H139-1056	Fallon	10/10/97	T	Paul & Barbara Couvillion/Contributions to Seaford Community
H139-1057	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Dover Air Force Base Hospital
H139-1058	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ AORN of Del-A-Mar
H139-1059	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Memorial Hospital of Easton
H139-1060	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Dorchester General Hospital
H139-1061	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Kent & Queen Anne's Hospital
H139-1062	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Beebe Medical Center

## HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: January 13, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1063	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Central Delaware Surgical Center
H139-1064	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Kent General Hospital
H139-1065	Wagner	10/03/97	M	Jamie S. "Stu" Moore
H139-1066	Carey	10/07/97	T	O.R. Nurses' Appreciation Week/ Nanticoke Memorial Hospital
H139-1067	D. Ennis	10/11/97	T	Board of Directors & Volunteers/EAA East Coast Fly In/New Castle County Airport
H139-1068	Wagner	9/27/97	T	Ami Knox & Timothy Slavin/Marriage
H139-1069	VanSant	10/21/97	T	Corpus Christi School/Incorporating Environmental Awareness in Curriculum
H139-1070	Caulk	10/11/97	T	Representative Charles P. West/'97 Sussex County Farm Bureau Distinguished Service Award

Number	Sponsor	Presentation Date	Type	Description
H139-1071	West	10/11/97	T	Amy Banks Davidson/Sussex County Farm Bureau '98 Queen
H139-1072	Carey	10/11/97	T	Palmer Corey Family/'97 Sussex County Farm Family of the Year Award
H139-1072A	Ewing	10/23/97	T	Pay & Ray Ellerman/50th Wedding Anniversary
H139-1073	Williams	9/01/97	M	Linda D. Marrow
H139-1074	Williams	9/29/97	M	Elizabeth G. Winnington
H139-1075	Williams	9/29/97	M	Wanda C. Malone
T - Tribute				
M - Memoriam				

Representative Smith deferred to Representative Cathcart.  
Representative Cathcart introduced HB 427, jointly sponsored by Representatives Spence, Smith, Capano, Buckworth, Mack, Maier, DiPinto, Price, Roy, Brady & VanSant & Senators Blevins & Sorenson.  
Representative Cathcart made comments.  
HB 427 - An Act to Amend Title 16 of the Delaware Code Relating to Water Utilities, Water Systems, Water Quality, Penalties, and Enforcement.  
Mr. Speaker assigned HB 427 to the Health & Human Development Committee.  
Representative Smith deferred to Representative D. Ennis.  
Representative D. Ennis introduced HB 426, jointly sponsored by Representatives B. Ennis & Spence & Senator Vaughn.  
Representative D. Ennis made comments.  
HB 426 - An Act to Amend Title 18 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Corporate Owned Life Insurance.  
Mr. Speaker assigned HB 426 to the Economic Development, Banking & Insurance Committee.  
Representatives Smith, Gilligan & Mr. Speaker Spence made announcements.  
The Majority Leader moved to recess to the call of the Chair at 3:39 p.m.

2nd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 14, 1998

Mr. Acting Speaker Welch called the House to order at 2:10 p.m.  
The Chief Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed: HCR 43 & HCR 44.  
WITHDRAWAL OF SPONSORSHIP REQUEST  
I, Representative Tina Fallon, do hereby request that my name be removed as Co-Sponsor of HB 194.  
Date: January 13, 1998.  
Signed: Representative Tina Fallon.  
Mr. Acting Speaker reassigned SB 86 to the House Administration Committee.  
The following prefiled legislation was introduced:  
HJR 19 - REYNOLDS, SPENCE, MACK, HOUGHTON; SENATORS SOKOLA & CONNOR - ED:  
Establishing the Public School Transportation Task Force to Review and Make Recommendations Regarding Governing Public School Transportation.  
HA 1 to HB 377 - ROY - LAND USE & INFRA: Placed with the bill.  
HA 1 to SB 142 - DAVIS - APPRO: Placed with the bill.  
The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.  
The Chief Clerk called the roll.  
Members Present: 40.  
Member Absent: Representative Caulk - 1.  
A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.  
The Acting Speaker led those present in a pledge of allegiance to the American Flag.  
Representatives Cloutier, Capano, Petrilli & Mack requested that they be marked present.  
The minutes of the previous legislative day were approved as posted.  
Representatives Oberle, Spence, Quillen & Reynolds requested that they be marked present.  
Representatives Gilligan & Oberle made comments.  
Representative Carey requested that he be marked present.

Representative Gilligan introduced & brought HR 43, jointly sponsored by All Representatives, before the House for consideration.

Representatives Schroeder & DiPinto requested that they be marked present.

HR 43 - Expressing Profound Sympathy Upon Learning of the Sudden and Unexpected Death of Our Colleague, Representative Oakley M. Banning, Jr., Age Seventy-Two, a Beloved and Devoted Husband, Father and Grandfather Who Will be Terribly Missed, and Extending Deep Sympathy and Remorse to Mrs. Arlene Banning, Wife of Oakley M. Banning, Jr., and Her Family.

WHEREAS, members of the House of Representatives of the State of Delaware of the 139th General Assembly learned of the death of Oakley M Banning, Jr. on August 11, 1997; and

WHEREAS, "Oak", as he was invariably called by all throughout Legislative Hall, was a plain-spoken, hard-working family man, who was known to speak on public policy issues unabashedly; and

WHEREAS, the unexpected and sudden death of Oak Banning occurred while he was working in his vegetable garden, an avocation he loved, particularly the growing of green lima beans; and

WHEREAS, Oak Banning was first elected to the House of Representatives in 1992, and notwithstanding his short tenure in the Delaware legislature, he was quite familiar with the process because of his many years of being an activist within the local Democrat party organization; and

WHEREAS, Oak Banning was a native of the Middletown area, and he held many different jobs to include car salesman, carpenter, New Castle County Government, and in 1975 he was appointed Executive Director of the State's Victims of Violent Crimes Compensation Board, a position he held for 15 years before retiring; and

WHEREAS, Oak Banning worked tirelessly in the legislature helping to craft legislation that not only benefited his constituents, but proved to be benevolent acts for the development of all citizens of the State; and

WHEREAS, Oak Banning represented the 9th District at a time when southern New Castle County was witnessing its most rapid and explosive growth, and to no one's surprise, Oak had begun to legislatively address this uncontrolled growth through many legislative proposals; and

WHEREAS, Oak Banning, despite being in the minority, served on some of the most significant House Standing Committees to which some of the most important legislation introduced was channeled for consideration; they were Judiciary, Corrections, Public Safety, Land Use and Infrastructure and Transportation; and

WHEREAS, Oak Banning's tenure as a Representative can be best classified as quintessential, always working in a bipartisan manner with Democrats and Republicans alike, caring less about what party one belonged to, but concentrating on an equitable resolution of the issue at hand; and

WHEREAS, Oak Banning will not only be sadly missed by his family and dearest friends, he will be missed by each of us as we continue to strive to do the work for which our constituents sent us here to do.

NOW, THEREFORE:

BE IT RESOLVED by the members of the House of Representatives of the 139th General Assembly of the State of Delaware, expressions of sympathy are hereby expressed to Mrs. Arlene Banning and her family upon the sudden and unexpected death of Oakley M. Banning, Jr., age 72, of Middletown, Delaware.

BE IT FURTHER RESOLVED that upon passage of this Resolution, a suitably prepared copy be forwarded to Mrs. Arlene Banning of Middletown, Delaware.

Representative Gilligan introduced Mrs. Arlene Banning and her family and made comments.

Representative Spence made comments and presented a gift to Mrs. Banning.

Representatives B. Ennis, Oberle, Scott, DiLiberto, Wagner, D. Ennis, Ulbrich, Mr. Acting Speaker Welch & Representative Spence made comments.

Representative Cathcart requested that he be marked present.

Representatives Cathcart, Smith & Gilligan made comments.

HR 43 was adopted by voice vote.

Representatives Lofink & Brady requested that they be marked present.

Representatives Roy & Quillen made announcements.

The Majority Leader moved to recess for committee meetings at 2:52 p.m.

The House reconvened at 4:38 p.m.

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

JUD: HB 414 - 5M; HB 419 - 6M; HB 424 - 6M; SJR 5 w/SA 1 - 4M.

APPRO: HB 281 - 4M.

ECON DEV, B & I: HB 426 - 7F.

The following prefiled Consent Calendar #12 was introduced:

HCR 45 - B. ENNIS, WELCH; SENATORS VAUGHN, COOK - Commending Morris W. King of Hartly, Delaware for Sixty Years of Continuous Active Service With the Hartly Volunteer Fire Company and Various Other Fire Services Throughout the County and State Levels, and Further Extending Morris W. King Many, Many Thanks for His Dedicated and Loyal Service and Wishing Him Many More Years of Service Accompanied With the Best of Health and Happiness.

**HCR 47 - B. ENNIS; SENATOR VAUGHN & REPRESENTATIVE CATHCART ON BEHALF OF ALL REPRESENTATIVES & SENATORS** - Commending Clarence A. Schwatka, Jr. of Townsend, Delaware on His Sixty Years of Dedicated Service as an Active Member of the Townsend Fire Co., Inc. and Further Wishing Him the Best of Health and Happiness Along With Many More Years of Service.

Consent Calendar #12 was adopted by voice vote and HCR 45 & HCR 47 were sent to the Senate for concurrence.

Representative Quillen introduced & brought HCR 46, jointly sponsored by Representatives Ewing, Carey, Fallon, Lee, Price, Schroeder, Wagner & West, before the House for consideration.

HCR 46 - A Resolution Supporting the Construction of a Pitched Roof on the Sussex Courthouse Annex as Part of Its Renovations to House the Court of Chancery, the Register in Chancery and the Register of Wills.

HCR 46 was adopted by voice vote and sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:45 p.m.

3rd LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 15, 1998

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:22 p.m.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Caulk, Maier - 2.

Representative Wagner requested that she be marked present.

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

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

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

The following prefiled legislation was introduced:

HB 428 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, REED, STILL - POL ANAL & GOV ACCT: An Act to Amend Chapter 36, Title 24 of the Delaware Code Relating to Geology and Title 29 of the Delaware Code.

HA 1 to HB 280 - WELCH - AGENDA: Placed with the bill.

Representatives B. Ennis, DiPinto & West requested that they be marked present.

The Assistant Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HCR 41.

MEMORANDUM

TO: Representative Terry Spence  
Speaker of the House  
FROM: Representative Pamela Maier  
DATE: January 15, 1998  
RE: Absence from session

I am unable to attend session today due to the illness of my son.

cc: J. Hedrick

PSM/jjv

Representatives Price & Scott requested that they be marked present.

Representatives DiLiberto & DiPinto requested and were granted personal privilege of the floor to make comments.

Representative Carey & Schroeder requested that they be marked present.

Representative Gilligan requested and was granted the privilege of the floor to introduce Donald Mulrine, Jr., Mayor of Newport.

Mr. Speaker granted privilege of the floor to Mr. Mulrine who presented a gift to Representative Gilligan.

Representatives Gilligan, Petrilli & VanSant made comments.

Representative D. Ennis presented a House Tribute to Representative Gilligan.

Representatives Gilligan & D. Ennis made comments.

Representative Reynolds requested that he be marked present.

Representative Reynolds made comments.

Representative Plant & Mr. Speaker Spence made comments.

Representatives Roy & Lofink requested that they be marked present.

Representative Smith introduced guests and made comments.

Representative Smith requested and was granted the privilege of the floor for Mike Patterson & Melissa Dugan, representing the Office of Residence Life at the University of Delaware.

Representative Smith made an announcement.

Representatives Stone & Ulbrich requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:44 p.m.

The House reconvened at 4:15 p.m.

Representative Smith deferred to Representative Capano.

Representative Capano requested that HB 327 & HB 389 be stricken.

Representative Smith deferred to Representative Roy.

Representative Roy introduced & brought HCR 48, jointly sponsored by Senator Cook, before the House for consideration.

HCR 48 - Extending Many Times Perpetual "Thanks" to Gerard M. McNesby, Transportation Trust Fund Administrator and Acting Director of the Motor Fuel Tax Administration on His Soon to be Tenth Anniversary with the Department of Transportation, and Further Extending to Him, in His New Pursuance, as Acting Vice President of Delaware Technical and Community College for Finance, Absolute and Spontaneous Success.

Representatives Roy & Gilligan made comments.

HCR 48 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that HJR 2 be stricken.

Representative Brady requested that he be marked present.

Mr. Speaker Spence introduced guests.

Representative Mack requested that he be marked present.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift HB 291 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Wagner brought HB 291, jointly sponsored by Senator Sharp, before the House for consideration.

HB 291 - An Act to Amend Subchapter 1 of Chapter 15, Title 12 of the Delaware Code Relating to the Requirement of Notifying Testate Beneficiaries and Certain Beneficiaries Under Will of the Grant of Letters.

Representative Wagner made a comment.

The roll call on HB 291 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Maier.

Therefore, having received a constitutional majority, HB 291 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Welch.

Representative Welch brought HB 280, jointly sponsored by Representatives Smith & Spence & Senators Voshell & Bonini, before the House for consideration.

HB 280 - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Relations With a Minor.

Representative Welch made comments.

Representative Welch brought HA 1 to HB 280 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representatives Stone & Welch made comments.

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

Representatives Stone, Welch, DiLiberto, Oberle, Welch, Scott & DiLiberto made comments.

The roll call on HB 280 w/HA 1 was taken and revealed:

YES: 36.

NO: Representative Keeley - 1.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Caulk, Maier, Maroney - 3.

Therefore, having received a constitutional majority, HB 280 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought HB 426, jointly sponsored by Representatives B. Ennis & Spence & Senator Vaughn, before the House for consideration.

HB 426 - An Act to Amend Title 18 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Corporate Owned Life Insurance.

Representative D. Ennis introduced and brought HA 1 to HB 426 before the House for consideration.

Representative D. Ennis made a comment.

HA 1 was adopted by voice vote.

Representative D. Ennis made comments.

The roll call on HB 426 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Maier, Maroney - 3.

Therefore, having received a constitutional majority, HB 426 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee introduced HCR 49, jointly sponsored by Representatives Buckworth & Ewing & Senators Vaughn, Bunting & Amick.

HCR 49 - Establishing a Committee to Investigate Whether or Not the Implementation of a Boot Camp for Youthful Offenders Would be Beneficial to the State, to the Effectiveness of Our Corrections Department, and to the Citizens of This State.

Mr. Speaker assigned HCR 49 to the Corrections Committee.

Representatives Gilligan, VanSant & Oberle requested and were granted personal privilege of the floor to make comments.

Representative Wagner requested that HCR 2 be stricken.

Representative Wagner rescinded her request to strike HJR 2.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #82

DATE: January 15, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1076	Williams	9/30/97	M	Theodore E. Parker
H139-1077	Williams	10/01/97	M	Beatrice P. Hills
H139-1078	Quillen	10/03/97	T	Michael W. Andrew/Eagle Scout
H139-1079	Quillen	10/12/97	T	Brandy L. Holz/'97 State 4-H Sheep Winner
H139-1080	Quillen	10/12/97	T	Ted Palmer/Kent County 4-H Agent/Growth & Leadership Skills Within Program
H139-1081	West	8/31/97	T	Georgetown Boys Major League/State Champions
H139-1082	D. Ennis	10/11/97	T	Family of Coach David M. Nelson/Unveiling of Memorial Bust/U. of D.
H139-1083	Fallon	10/11/97	T	Donald & Goldie Huggins/Contributions /Seaford Community
H139-1084	Roy	10/18/97	T	Wilmington & Western Railroad Chartering in 1867/Continuous Operation Since 1872
H139-1085	Stone	5/17/97	T	Donna Jones & Jeffrey Coe/Marriage
H139-1086	Stone	10/11/97	T	Robert G. & Marian E. Snyder/50th Wedding Anniversary
H139-1087	DiLiberto	10/04/97	T	Laurene & Charles Warden/50th Wedding Anniversary
H139-1088	Capano	10/07/97	T	Helen & Edward Frederick/50th Wedding Anniversary
H139-1089	Caulk	10/18/97	T	Kimberly Clay/New Castle County Farm Bureau '98 Queen

#### HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1090	B. Ennis	10/18/97	T	Thomas Unruh Family/New Castle County Farm Bureau "Farm Family of the Year"
H139-1091	Ulbrich	10/18/97	T	Dr. Donald Crossan/'97 New Castle County Farm Bureau/Distinguished Service Award
H139-1092	DiLiberto	10/26/97	T	Elizabeth & Patsy Castrogiovanni/ 50th Wedding Anniversary
H139-1093	Gilligan	9/24/97	T	Thomas & Mary Frances Kane/ 50th Wedding Anniversary
H139-1094	Williams	10/06/97	M	Valerie A. Johnson Jones Pettiford
H139-1095	Stone	10/22/97	T	Williams State Service Center/25th Anniversary cosponsors: B. Ennis, Welch, Quillen, Wagner, Caulk, Buckworth
H139-1096	Stone	10/22/97	T	Milford State Service Center/25th Anniversary cosponsors: B. Ennis, Welch, Quillen, Wagner, Caulk, Buckworth, Carey
H139-1097	Fallon	10/22/97	T	Shipley State Service Centre/25th Anniversary cosponsors: Ewing, Carey, Schroeder, Price, Lee, West
H139-1098	Fallon	10/22/97	T	Laurel State Service Center/25th Anniversary cosponsors: Ewing, Carey, Schroeder, Price, Lee, West
H139-1099	Fallon	10/22/97	T	Pyle State Service Center/25th Anniversary cosponsors: Ewing, Carey, Schroeder, Price, Lee, West
H139-1100	Fallon	10/22/97	T	Georgetown State Service Center/25th Anniversary cosponsors: Ewing, Carey, Schroeder, Price, Lee, West

## HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1101	Fallon	10/22/97	T	Bridgeville State Service Center/25th Anniversary cosponsors: Ewing, Carey, Schroeder, Price, Lee, West
H139-1102	Maier	10/21/97	T	Appoquinimink State Service Center/ Anniversary cosponsors: All New Castle County Reps
H139-1103	Maier	10/21/97	T	Claymont State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1104	Maier	10/21/97	T	Porter State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1105	Maier	10/21/97	T	Northeast State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1106	Maier	10/21/97	T	Hudson State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1107	Maier	10/21/97	T	Delaware State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1108	Maier	10/21/97	T	Belvedere State Service Center/25th Anniversary cosponsors: All New Castle County Reps.
H139-1109	Houghton	10/25/97	T	Leonard Williams/Eagle Scout
H139-1110	Reynolds	10/25/97	T	Willard Taylor/Eagle Scout
H139-1111	Reynolds	10/25/97	T	Charles D. Hacken/Eagle Scout
H139-1112	D. Ennis	11/18/97	T	Jonathan Ross Kaufmann/Eagle Scout
H139-1113	Keeley	8/26/97	T	James F. Lee/80th Birthday
H139-1114	Wagner	10/16/97	M	Anthony P. DePrima
H139-1115	Fallon	11/13/97	T	Acorn Club of Seaford/95th Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1116	Fallon	10/20/97	T	Anna Mowrey/Olympic Gold Medal/ Bowling/Delaware Senior Olympics
H139-1117	Fallon	10/21/97	T	Julie A. Chelton/Becoming a Certified Municipal Clerk
H139-1118	Fallon	10/26/97	T	Robert Freehorn/25 Years Dedicated Service/ Custodian/St. John's United Methodist Church

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1119	Scott	10/24/97	T	Wilmington Webbers/1st Place/National Black Data Processing Association Web Page Development Competition
H139-1120	Scott	10/24/97	T	Willie Bufkin/Outstanding Community Service
H139-1121	Scott	11/01/97	T	Major General John S. Cowings/"Welcome to Delaware"
H139-1122	Scott	10/11/97	T	Frances & Martin Reed, Sr./50th Wedding Anniversary
H139-1123	Brady	8/02/97	T	Shirley & Raymond Axsom/50th Wedding Anniversary
H139-1124	Maroney	10/25/97	T	L.G. "Dick" McCoy/50 Years Distinguished Service/Talleyville Fire Co.
H139-1125	Capano	9/27/97	M	William M. Wassam
H139-1126	Brady	10/18/97	M	Margaret B. Hyman
H139-1127	Scott	10/20/97	M	Henrietta Johnson
H139-1128	Maier	10/23/97	T	Elizabeth Simmons/Selected to Serve on the John Newbery Medal Committee
H139-1129	Spence	10/30/97	T	Reverend John P. Hopkins/Dedicated Leadership /Role Model for Area Youth

## HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1130	Wagner	10/124/97	M	Bernyce A. Foss
	cosponsor: Stone			
H139-1131	B. Ennis	10/29/97	T	Clarence Collins/Paul Harris Fellow Award/Smyma Rotary Club
H139-1132	Brady	10/22/97	M	Beulah H. Derrickson
H139-1133	DiPinto	10/30/97	T	Shirley Gilbert/10 Years Dedicated Employment/ Opportunity Center, Inc.
H139-1134	Scott	10/30/97	T	Wayne Washam/20 Years Dedicated Employment/ Opportunity Center, Inc.
H139-1135	Williams	10/30/97	T	Lindsay Walls/25 Years Dedicated. Employment /Opportunity Ctr. Inc.
H139-1136	Ewing	11/5/97	T	Cindy Whaley/Woodbridge School District '97-'98 Teacher of the Year
H139-1137	Fallon	11/01/97	T	Henry Nutter, Jr./Dedicated Service/ Seaford City Councilman
H139-1138	Welch	11/03/97	T	The Father Henry Berg Senior Center/ Grand Opening
H139-1139	Ulbrich	10/25/97	T	Reverend Herbert & Doris Hoeflinger/ 50th Wedding Anniversary
H139-1140	Fallon	10/25/97	T	Jane Short/Business & Professional Women's Delaware Woman of the Year
H139-1141	Fallon	10/31/97	T	George Sapna, Kent Peterson & William Robertson/Penco Owners/ Business People of the Year
H139-1142	Quillen	10/31/97	T	Michelle Welch/"Who's Who of High School Students" Listing

## HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1143	Quillen	10/31/97	T	Kimberly Vincent/Harrington Business & Professional Woman of the Year
H139-1144	Cloutier	8/02/97	T	John Russo, D.D.S./Fellowship Award /Academy of General Dentistry



<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1145	Cloutier	6/18/97	T	Sister Jeanne Frances Cashman, O.S.U./25th Anniversary
H139-1146	Stone	10/29/97	T	Tina & Greg Kramedas/'97 Kent County Tourism Award
	cosponsors: B. Ennis, Welch, Quillen, Wagner, Caulk, Buckworth			
H139-1147	Stone	10/29/97	T	Jo & Dave Wood/'97 Kent County Tourism Award
	cosponsors: B. Ennis, Welch, Quillen, Wagner, Caulk, Buckworth			
H139-1148	Gilligan	10/25/97	T	John & Grace Gillespie/50th Wedding Anniversary
H139-1149	Gilligan	10/11/97	T	Carmine & Margaret Balascio/50th Wedding Anniversary
H139-1150	Williams	10/25/97	T	Mary & Charles Bradley/50th Wedding Anniversary
H139-1151	Price	10/11/97	T	Jean & John Foote/50th Wedding Anniversary
H139-1152	Price	9/27/97	T	Selma & Howard Leishman/50th Wedding Anniversary
H139-1153	VanSant	10/18/97	T	Charlotte & Carl Helbing, Jr./50th Wedding Anniversary
H139-1154	Schroeder	10/10/97	T	Dorothy & Ben Rothman/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1155	Schroeder	10/18/97	T	Dorothy & Charles Allen/50th Wedding Anniversary
H139-1156	Schroeder	10/18/97	T	Fay & Thomas Brounce/50th Wedding Anniversary
H139-1157	Oberle	11/04/97	M	Thomas J. Masley
H139-1158	DiPinto	10/13/97	M	Merle E. Ward
H139-1159	Stone	10/16/97	M	Anthony DePrima
H139-1160	Wagner	11/01/97	M	Reverend Howell O. Wilkins
H139-1161	Quillen	11/09/97	T	Daniel Wood/Eagle Scout
H139-1162	D. Ennis	11/23/97	T	Adam Haley/Eagle Scout
H139-1163	Gilligan	11/12/97	T	Raymond Peden/Retirement/DELDOT/ 10 Years Dedicated Service
H139-1164	Ulbrich	11/09/97	T	Cheryl Hamilton/Oakcrest High School Wall of Fame
H139-1165	Fallon	11/12/97	T	Helen McCool/Retirement/Counselor /Turnabout Counseling
H139-1166	Price	11/12/97	T	Mayor Charles Bartlett/Dedicated Service/ Town of Bethany/'91-'97
H139-1167	Spence	11/12/97	T	Honorable Robert F. Gilligan/25th Anniversary as a State Representative
H139-1168	Buckworth	11/12/97	T	Debbie Reese/'97 Dover Business & Professional Women/Woman of the Year
H139-1169	Fallon	11/8/97	M	Alyce Cordrey

## HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: January 15, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1170	Fallon	11/6/97	M	Troy Lare
H139-1171	Fallon	10/30/97	M	Coleman Willey
H139-1172	West	11/22/97	T	Ronald Lewis, Jr./Eagle Scout
H139-1173	B. Ennis	11/6/97	M	Frank Slaughter
H139-1174	Williams	11/02/97	M	Sophie Supinski
H139-1175	Keeley	11/08/97	T	Eleanor & Charlie Chickadel/ 50th Wedding Anniversary

Number	Sponsor	Presentation Date	Type	Description
H139-1176	Gilligan	11/06/97	T	Reverend Frederick & Lorraine Romer/ 50th Wedding Anniversary
H139-1177	Scott	11/7/97	T	Mary & Leon Heller/50th Wedding Anniversary
H139-1178	Capano	11/10/97	T	Ann D. Wick/Delaware Philanthropist of the ear/'97
H139-1179	Wagner	11/12/97	M	Nicholas P. Callahan
H139-1180	Fallon	12/04/97	T	Jackie Cunningham/U.S. Citizen
H139-1181	Buckworth	11/19/97	T	Matthew Minear/Winner/'97 Wendy's High School Heisman Program
H139-1182	Buckworth	12/02/97	T	John Bond/Caesar Rodney High/Horatio Alger Scholarship
H139-1183	Smith	11/21/97	T	Claude A. Green, Jr./60th Birthday
H139-1184	B. Ennis	11/16/97	T	Mary & George Diamond/50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: January 15, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1185	B. Ennis	11/01/97	T	Margaret & Earnest Freeman/44th Wedding Anniversary
H139-1186	B. Ennis	9/26/97	T	Ila & John Poore/50th Wedding Anniversary
H139-1187	Buckworth	11/19/97	T	James & Virginia Metz/65th Wedding Anniversary
H139-1188	Wagner	11/14/97	T	Harvest Years Senior Center/25th Anniversary
H139-1189	Stone	11/20/97	T	Fred B. Carey, Jr./Central DE Chamber of Commerce/'97 Buchanan Award
H139-1190	Stone	11/22/97	T	Stephany Spriggs & Jerome Foster/ Marriage
H139-1191	Carey	11/30/97	T	Reverend Dr. George B. Moody/Dedication /Loyalty to Community
H139-1192	Cathcart	12/02/97	T	Julie Filasky/'97 Young Farmer & Rancher Winner
H139-1193	B. Ennis	12/02/97	T	Dr. Donald F. Crossan/State Winner/'97 Distinguished Service to Agriculture
H139-1194	Quillen	12/02/97	T	Mr. & Mrs. Joseph Strachar/'97 Young Farmer & Rancher Winner
H139-1195	Scott	11/21/97	T	Charma C. Bell/Volunteer of the Week
H139-1196	Welch	11/21/97	T	Twin County Regional Hospital ER Staff /Accident Involving Chuck & June Welch
H139-1197	Welch	11/21/97	T	Independence Volunteer Rescue Squad/ Rescue Efforts/Chuck & June Welch

T - Tribute

M - Memoriam

Representatives D. Ennis &amp; Smith made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:58 p.m.

4th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 20, 1998

Mr. Speaker Spence called the House to order at 2:30 p.m.

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

The Majority Leader moved to adjourn at 2:31 p.m., thereby ending the current legislative day. The House reconvened at 2:32 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Boulden - 1.

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

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

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

The following prefiled legislation was introduced:

**HB 429** - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, KEELEY, PRICE; SENATORS BUNTING, SOKOLA, REED, STILL - POL ANAL & GOV ACCT: An Act to Amend Chapter 20, Title 24 of the Delaware Code Relating to Occupational Therapy. (2/3 bill)

**HB 430** - WAGNER & SENATOR VAUGHN - JUD: An Act to Amend Title 10 of the Delaware Code Relating to the Court's Authority to Tax Expert Witness Fees as Court Costs.

**HB 431** - EWING; SENATOR ADAMS - H/ADM: An Act to Amend Chapter 237, Volume 51, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Bridgeville", and Providing for the Levy of a Real Estate Transfer Tax Not to Exceed One Percent of the Purchase Price. (2/3 bill)

**HB 432** - WAGNER & SCHROEDER & SENATOR SHARP; REPRESENTATIVES SPENCE, SMITH, WELCH, BUCKWORTH, CATHCART, CAPANO, CLOUTIER, EWING, LOFINK, STONE - JUD: An Act to Amend Title 10 of the Delaware Code Relating to the Prosecution of Adults and the Presentation of Delinquency Matters in the Family Court.

**HB 433** - LEE - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Occupational Licenses.

**HB 434** - EWING & SENATOR VENABLES; REPRESENTATIVES SPENCE, SMITH, WELCH, FALLON, LEE, BRADY, B. ENNIS, SCOTT, WEST - HOUSING & COM AFF: An Act to Amend Title 31, Delaware Code Relating to the Delaware State Housing Code.

**HB 437** - WAGNER, BUCKWORTH, CAPANO, CLOUTIER, DAVIS, EWING, MAIER, SMITH, SPENCE, STONE - JUD: An Act to Amend Title 4 of the Delaware Code Relating to Offenses Relating to Certain Persons. (2/3 bill)

**HA 2 to HB 306** - WEST - L.O.T.: Placed with the bill.

**HA 1 to HB 411** - KEELEY - H/ADM: Placed with the bill.

**SB 228** - SHARP, ADAMS, BLEVINS, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL; REPRESENTATIVES BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income. (F/N)

**SB 229** - SHARP, ADAMS, BLEVINS, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL; REPRESENTATIVES BRADY, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, KEELEY, PLANT, PRICE, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxes. (F/N)

Representative Buckworth requested that he be marked present.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **SB 228 and SB 229, HCR 45, HCR 47 & HCR 48.**

#### MEMORANDUM

TO: Terry R. Spence

Speaker of the House

FROM: Representative Timothy U. Boulden

DATE: January 20, 1998

RE: Attendance for Session

I will not be in attendance for legislative session this week, January 20, 1998 thru January 22, 1998, due to the illness of my son.

Thank you for your attention in this matter.

TUB/ner

Representatives Wagner & DiPinto requested that they be marked present.

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

The House reconvened at 4:40 p.m.

Representatives Davis & Brady requested that they be marked present.

The Assistant Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: **HB 237 w/HA 1.**

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

POL. ANAL. & GOV ACCT: **HB 417** - 2F,3M; **HB 428** - 2F,3M.

Representative Gilligan requested that he be marked present.

The Assistant Chief Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: January 20, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1198	B. Ennis	11/16/97	T	Myrtle Biddle/85th Birthday
H139-1199	Spence	12/06/97	T	Regina Clark/90th Birthday
H139-1200	Scott	11/08/97	T	A. Rovella Debrick/70th Birthday
H139-1201	Williams	11/15/97	M	Juanita Jean Wells
H139-1202	Wagner	12/28/97	T	Berlin & Reba Hollingsworth/50th Wedding Anniversary
H139-1203	DiPinto	11/29/97	T	The Oblates of St. Francis De Sales/ /100 Years/Diocese of Wilmington
	cospensors: Lofink, Gilligan			
H139-1204	Fallon	11/24/97	T	Paul Viehman/Blades Chief of Police/ /Community Service
H139-1205	Fallon	11/24/97	T	Wayne Chaffinch/Blades Fire Department/ /Community Service
H139-1206	Fallon	11/24/97	T	Robert Bennett/Chief of Seaford Fire Department/Community Service
H139-1207	Fallon	11/24/97	T	Charles Pugh/Seaford Police Captain/ Community Service
H139-1208	Oberle	11/12/97	T	Liam P. McCauley/Birth/September 17, 1997
H139-1209	Buckworth	11/25/97	T	Dave Sweeney/Caesar Rodney High/ All-State 3rd Team/Soccer
H139-1210	Buckworth	11/25/97	T	Cyril Broderick, Jr./ Caesar Rodney High/ All-Conference 1st Team/Soccer.
H139-1211	Buckworth	11/25/97	T	Jason Fennemore/Caesar Rodney High/1st Team/All- State/All-Conference/All-Regional/Soccer

HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: January 20, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1212	Buckworth	11/25/97	T	Matt Andrade/Caesar Rodney High/1st Team /All-State/All-Conference/Soccer
H139-1213	Buckworth	11/25/97	T	Matt Swierzbinski/Caesar Rodney High/All-State 1st Team/Cross Country
H139-1214	Buckworth	11/25/97	T	Kim Kucharik/Caesar Rodney High/All-State/1st Team/Cross Country
H139-1215	Scott	11/15/97	T	Meghan Mooney/St. Ann's/1st Place/ Bishop Curtis Council Spelling Bee
H139-1216	Scott	11/15/97	T	Maureen Reardon/St. Ann's/2nd Place /Bishop Curtis Council Spelling Bee
H139-127	Scott	11/15/97	T	Amy McDermott/St. Ann's/3rd Place /Bishop Curtis Council Spelling Bee
H139-1218	Gilligan	12/7/97	T	John Hanna/Pearl Harbor Remembrance Day/Town of Newport
H139-1219	Gilligan	12/7/97	T	Frederick Hess/Pearl Harbor Remembrance Day/Town of Newport
H139-1220	Gilligan	11/22/97	T	Vivian Quinn/News Journal's Volunteer of the Week
H139-1221	Williams	11/22/97	T	Barbara & Basil Cannatelli/60th Wedding Anniversary
H139-1222	Keeley	11/15/97	T	Elizabeth & Joseph Wysocki/50th Wedding Anniversary
H139-1223	Spence	11/22/97	T	Our Lady of Fatima Parish/ 50th Anniversary
H139-1224	Spence	11/22/97	T	Simpson United Methodist Church/ 155th Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: January 20, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1225	B. Ennis	11/30/97	T	Newnam Lee-Urban VFW Post #8801 /50th Anniversary
H139-1226	Smith	12/6/97	T	Carl Hoffmann/President General/SAR /100th Ratification Day Dinner
H139-1227	Quillen	12/01/97	T	Viva Poore/Lake Forest School District/ '97 Education Support Staff of the Year Award
H139-1228	Spence	12/05/97	T	Dr. Mohammad Ilyas/President/Goldey Beacom/1st Annual Research Symposium Honoree
H139-1229	Wagner	11/26/97	M	William R. Bailey
H139-1230	Wagner	9/14/97	T	Peter & Sara DeMarie/50th Wedding Anniversary
H139-1231	DiLiberto	11/6/97	T	Ada & Thomas Short/60th Wedding Anniversary
H139-1232	VanSant	11/27/97	T	Hannah & Benjamin Bialkowski/ 50th Wedding Anniversary
H139-1233	Gilligan	11/24/97	T	Dennis & Isobel McCauley/50th Wedding Anniversary
H139-1234	Gilligan	11/25/97	T	Franklin & Thelma Wilson/60th Wedding Anniversary
H139-1235	Quillen	11/11/97	T	Barry Breeding/Outstanding Young Delawarean/Delaware State Jaycees
H139-1236	Gilligan	11/29/97	T	Daniel & Mary Mullin/50th Wedding Anniversary
H139-1237	Williams	12/7/97	T	Northern DE Chapter N. C. Agricultural Technical State University Alumni Association/20th Anniv.

## HOUSE TRIBUTE ANNOUNCEMENT #94

DATE: January 20, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1238	Ewing	12/2/97	T	Charles H. West Family/'97 Farm Family of the Year
H139-1239	Quillen	12/03/97	T	George "Johnny" Steward/58 Years of Dedicated Service/Felton Fire Co.
H139-1240	Welch	12/13/97	T	Jessica Marr & William Kidwell/ Marriage
H139-1241	DiPinto	12/7/97	T	Catherine P. Coin/50th Birthday
H139-1242	Maier	12/5/97	T	Charlotte Kieffer/Crossing Guard/ Red Clay School District/30 Years
H139-1243	Price	12/5/97	T	Cheryl & Al Gargano/Dedication/Youth of Oak Orchard
H139-1244	Price	12/5/97	T	Danielle Bradley/Saved Life/First Aid
H139-1245	West	1/4/98	T	William R. Hall, III/Eagle Scout
H139-1246	Oberle	12/28/97	T	Jean & Ronald Rogalewicz/40th Wedding Anniversary
H139-1247	Spence	8/23/97	T	Delaware Air National Guard Softball Team/ Tournament Win
H139-1248	Quillen	12/14/97	T	Donna Harrington/50th Birthday
H139-1249	B. Ennis	12/4/97	M	Charles Spader, Jr.
H139-1250	West	1/8/98	T	Pat Rust/Dedicated Service/ Seniors of Sussex County/11 Years
H139-1251	Capano	1/6/98	T	Mrs. Wally McBride Baker/100th Birthday

## HOUSE TRIBUTE ANNOUNCEMENT #95

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1252	West	11/1/97	T	Harold Stintsman/Fireman of the Year/ Georgetown Fire Department
H139-1253	West	11/1/97	T	William Bryan/Life Fireman of the Year/ Georgetown Fire Department
H139-1254	West	11/1/97	T	Thomas Purnell/67 Years Dedicated Service/ Georgetown Fire Co.
H139-1255	Spence	2/14/98	T	Robert Seinsoth, Sr./10+ Years Dedicated Service/Delaware Crime Stoppers
H139-1256	B. Ennis	1/3/98	T	Arthur Ricker/60th Birthday
H139-1257	Buckworth	12/11/97	T	Matt Minear/Caesar Rodney High/All- Conference Football/1st Team
H139-1258	Buckworth	12/11/97	T	Reggie Goethe/Caesar Rodney High/ All-Conference Football/1st Team
H139-1259	Boulden	12/27/97	T	Patrick Turner/Eagle Scout
H139-1260	Buckworth	12/11/97	T	Chastity Brown/Polytech High /All-Conference/1st Team Field Hockey
H139-1261	Buckworth	12/11/97	T	Lori Shockley/Polytech High/ All-Conference/1st Team Field Hockey
H139-1262	Buckworth	12/11/97	T	Julie Haight/Polytech High/ All-Conference/1st Team Field Hockey
H139-1263	Buckworth	12/11/97	T	Tracy Raksnis/Polytech High/ All-Conference/1st Team Cross Country
H139-1264	Cathcart	12/5/97	T	'97 Middletown Cavaliers Football Team/Flight B State Champions

## HOUSE TRIBUTE ANNOUNCEMENT #96

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1265	Cathcart	12/5/97	T	Bill DiNardo/Middletown Cavaliers /Blue Hen Conference Football Coach of the Year
H139-1266	Wagner	12/10/97	T	Tabitha Kemerling & Ryan Rowedder/Marriage
H139-1267	Wagner	10/25/97	T	Tiffany Towns & Jess Manning/ Marriage
H139-1268	Wagner	10/25/97	T	Dara Woodruff & Scott Stoyke/Marriage
H139-1269	Spence	12/12/97	M	Joseph Jeffrey "J.J." Stein, III
H139-1270	Schroeder	12/18/97	T	Braxton Bell/'97 National President of the Ruritan/Welcome to Delaware
H139-1271	Reynolds	12/20/97	T	Ellis Schorah/"Fire Police Emeritus" Award/Wilmington Manor Vol. Fire. Co.
H139-1272	B. Ennis	11/8/97	T	Betty Plass/Meritorious Service Award/ Grand Lodge & Rebekah Assembly
H139-1273	B. Ennis	12/14/97	T	Ladies Auxiliary./Houston Vol. Fire Co./ 30th Anniversary
H139-1274	Buckworth	12/11/97	T	Matt Andrade/Caesar Rodney High/All-Conference & All-State Football/1st Team
H139-1275	Buckworth	12/11/97	T	Aubrey Watts/Caesar Rodney High/All-Conference & All-State Football 1st Team
H139-1276	Wagner	12/27/97	T	Erin Minner & Christopher Klein/Marriage
H139-1277	VanSant	12/13/97	T	Phyllis & Samuel Kauffman/ 50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #97

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1278	Williams	11/20/97	T	Theresa & Ernest Webster/50th Wedding Anniversary
H139-1279	B. Ennis	12/11/97	M	Franklin T. Cooke
H139-1280	B. Ennis	12/10/97	M	John E. Pleasanton, Sr.
H139-1281	Wagner	1/15/98	T	Modern Maturity Center/30th Anniversary
H139-1282	Wagner	12/15/97	T	Debra Berry/Outstanding Contributions /City of Dover
H139-1283	Quillen	1/17/98	T	Irene Outten/50 Years Service/Ladies Auxiliary/Volunteer Fire Companies
H139-1284	Quillen	12/19/97	T	Jennifer L. Curtis/1st Place/Fire Prevention Essay Contest
H139-1285	Welch	12/31/97	T	Heather Kidwell & Joshua Hedges/Marriage
H139-1286	Schroeder	12/19/97	T	Patrick Jackson/Cape Henlopen/Freshman/JROTC/Range Rifle
H139-1287	Schroeder	12/19/97	T	Julie T. Jackson/Cape Henlopen/JROTC/Superior Cadet
H139-1288	VanSant	12/5/97	T	John M. Hedrick/Student of the Year/Korean Martial Arts Institute
H139-1289	Capano	1/13/97	T	Nicholas Hood/Apprehended Robber
H139-1290	B. Ennis	12/25/97	T	Gay & John Long/55th Wedding Anniversary
H139-1291	Wagner	9/27/97	T	Lisa Eberly & Sean Sanderson/Marriage

## HOUSE TRIBUTE ANNOUNCEMENT #98

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1292	Davis	1/12/98	T	Joseph Bussiere/Leadership/Organizing Fundraisers/Bear Library
H139-1293	B. Ennis	1/10/98	T	Clarence A. Schwatka, Jr./60 Years Dedicated Service/Townsend Fire Co.
H139-1294	B. Ennis	1/8/98	T	Mildred Patterson/97th Birthday
H139-1295	Carey	12/27/97	T	Jonathon R. Boggs/Eagle Scout
H139-1296	B. Ennis	1/10/98	T	Morris King/60 Years/Hartly Volunteer Fire Company
H139-1297	Quillen	1/19/98	T	Michael T.L. Masche/Eagle Scout
H139-1298	Wagner	2/21/98	T	John Whitby, Jr./Citizen of the Year/Elks Lodge #1903
H139-1299	D. Ennis	1/6/98	T	Sue Early/Director of Edgemoor Community Center/14 Years/Retirement
H139-1300	Stone	1/3/98	M	Philip G. Adams
H139-1301	Fallon	1/6/98	T	Daniel B. Short/Doug Bennett Award/Delaware Association of Life Underwriters
H139-1302	Fallon	2/27/98	T	Wright Robinson/Maryland-Delaware-D.C. Newspaper Hall of Fame
H139-1303	Fallon	1/6/98	T	West Seaford Elementary School/National Exemplary Status Award/HOSTS
H139-1304	Fallon	1/6/98	T	Seaford Middle School/National Exemplary Status-Quality Assurance Award/HOSTS
H139-1305	Fallon	1/6/98	T	Central Elementary School/National Exemplary Status Award/HOSTS

## HOUSE TRIBUTE ANNOUNCEMENT #99

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1306	Carey	1/17/98	T	Danielle R. Jackson/Bat Mitzvah
H139-1307	Wagner	10/12/97	T	Kimberley Lytle & Howard Hastings/Marriage
H139-1308	Wagner	9/27/97	T	Sandee Walker & Russell Catts/Marriage
H139-1309	Oberle	1/11/98	T	David A. Zitter/Navy Sea Cadet Corps/Tireless Service
	cosponsor: Cathcart			
H139-1310	Williams	1/1/98	M	Alfred J. Vilone
H139-1311	Quillen	1/8/98	T	Linda L. Chick/'97 Volunteer of the Year Award/Delmarva Rural Ministries
	cosponsor: Ewing			
H139-1312	Williams	1/8/98	T	Velda Jones-Potter/17th Annual Trailblazer Award
H139-1313	Ewing	1/30/98	T	Ruth A. Bowers/Retirement/30 Years/State Employment
H139-1314	DiLiberto	12/30/97	M	Dawn F. Goggins
H139-1315	Schroeder	1/13/98	T	Margaret Menear/Principal/Lewes Middle School
H139-1316	Schroeder	1/13/98	T	Sallie W. Jones/Social Studies/History Teacher/4th Grade/Lewes Middle School
H139-1317	Schroeder	1/13/98	T	Nancy Battaglini/Home Room Teacher /4th Grade/Lewes Middle School
H139-1319	Schroeder	1/13/98	T	Colleen Lowe/Art Teacher/4th Grade /Lewes Middle School
H139-1318	Schroeder	1/13/98	T	Bill Bennett/Music Teacher/4th Grade /Lewes Middle School

## HOUSE TRIBUTE ANNOUNCEMENT #100

DATE: January 20, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1319	Schroeder	1/17/98	T	E. Ralph Baringer/55 Years/Lewes Fire Department
H139-1320	Wagner	1/12/98	T	Josephine Owens/Appreciation/Member/Officer /Delaware Federation of Republican Women
H139-1321	B. Ennis	1/12/98	T	Elizabeth Bartlett/100th Birthday
H139-1322	Wagner	7/5/97	T	Brook Antle & John Scacheri/Marriage
H139-1323	D. Ennis	1/13/98	T	Carmen Nazario/Dedicated Leadership /Health & Social Services '93-'97
H139-1324	Maier	1/13/98	T	Katherine Beck/20 Years/Dedicated Service/State Trooper
H139-1325	Fallon	9/10/97	T	Woody & Ethel Schuler/50th Wedding Anniversary
H139-1326	Petrilli	1/14/98	T	W. L. Gore Co. & Family/Contributions/40th Anniversary
H139-1327	Lee	1/15/98	T	Nola Hearn/Retirement/27 Years/Food Service Manager/Delmar School District
H139-1328	West	12/30/97	T	Thelma & Murray White/50th Wedding Anniversary
H139-1329	Lee	1/18/98	T	Boys & Girls Club of Western Sussex /Grand Opening
	cosponsors: Fallon, Ewing			
H139-1330	Fallon	1/15/98	T	City of Seaford/Support/Boys & Girls Club of Western Sussex
H139-1331	Fallon	1/15/98	T	Lovett Purnell/Recognition/Giving Back to Hometown

T - Tribute

M - Memorial

Representative Fallon brought HB 281 jointly sponsored by Representative Maroney & Senator Blevins & Representatives Welch, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing,



Lee, Lofink, Oberle, Petrilli, Quillen, Reynolds, Stone, Wagner, Gilligan, VanSant, Banning, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Schroeder & Williams & Senators Bair, Connor, Hauge & Sorenson, before the House for consideration.

**HB 281** - An Act to Amend Title 18 of the Delaware Code Relating to Mammograms. (F/N)

Representatives Fallon, Ulbrich, Fallon & Wagner made comments.

Representative Mack requested that he be marked present.

The roll call on **HB 281** was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Mack, Oberle, Smith - 4.

Therefore, having received a constitutional majority, **HB 281** was sent to the Senate for concurrence.

Representatives Reynolds, Roy & West requested that they be marked present during the roll call.

Representative Welch deferred to Representative Stone.

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

Representative Welch deferred to Representative Keeley.

Representative Keeley brought **HB 378** jointly sponsored by Representatives Banning, Brady, DiPinto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Plant, Price, Quillen, Reynolds, West & Williams & Senator Marshall, before the House for consideration.

**HB 378** - An Act to Amend Title 29 of the Delaware Code Relating to the Licensure of Residential and Non-Residential Child Care Facilities.

Representative Keeley introduced and brought **HA 1** to **HB 378** before the House for consideration.

Representatives Keeley, Wagner, Keeley & Davis made comments.

**HA 1** was adopted by voice vote.

The roll call on **HB 378 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Mack, Oberle - 3.

Therefore, having received a constitutional majority, **HB 378 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 344**, jointly sponsored by Senator Sharp, before the House for consideration.

**HB 344** - An Act to Amend Subchapter II, Chapter 15, Title 12 of the Delaware Code Relating to the Demand That the Personal Representative of an Estate be Bonded.

Representatives Wagner & D. Ennis made comments.

The roll call on **HB 344** was taken and revealed:

YES: 38.

NO: Representative Welch - 1.

ABSENT: Representatives Boulden, Mack - 2.

Therefore, having received a constitutional majority, **HB 344** was sent to the Senate for concurrence.

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

Representative Welch deferred to Representative Caulk.

Representative Caulk moved to suspend the rules which interfere with lifting **SB 193** from the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Caulk brought **SB 193**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 193** - An Act to Amend Title 3 of the Delaware Code to Allow for Expansions to Agricultural Preservation Districts Within a Three-Mile Radius of Established Districts and to Change the Foundation's Annual Report Period.

Representative Caulk made comments.

The roll call on **SB 193** was taken and revealed:

YES: 38.

ABSENT: Representatives Boulden, Mack, Reynolds - 3.

Therefore, having received a constitutional majority, **SB 193** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 5:10 p.m.

5th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 21, 1998

Mr. Acting Speaker Oberle called the House to order at 2:09 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: HB 240 & HB 254.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Boulden - 1.

Mr. Acting Speaker Oberle made an announcement.

A prayer was offered by Representative Stephanie A. Ulbrich, Twenty-Fifth Representative District.

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

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

The following prefiled legislation was introduced:

HB 435 - LEE & SENATOR BUNTING; REPRESENTATIVES WAGNER, B. ENNIS - P/S: An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer Bill of Rights. (2/3 bill)

HB 436 - LEE & SENATOR BUNTING - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Commissioners of the Superior Court and the Court of Common Pleas.

HB 438 - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, BUCKWORTH, LOFINK, STONE, ULBRICH, HOUGHTON, PRICE; SENATORS BAIR, REED, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Relating to Pay for Substitute Teachers.

HB 439 - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, LOFINK, STONE, ULBRICH, HOUGHTON, PRICE; SENATORS BAIR, REED, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Relating to School District Professional Staff.

HB 440 - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, SMITH, WELCH, BOULDEN, CAPANO, CAREY, B. ENNIS, LEE, LOFINK, MARONEY, PETRILLI, PRICE, QUILLEN, STONE, ULBRICH, HOUGHTON, PLANT, VANSANT, WEST; SENATORS BAIR, HAUGE, REED, SORENSON - ED: An Act to Amend Title 14 of the Delaware Code Relating to Department of Education Professional Staff.

HB 441 - WAGNER & SCHROEDER & SENATOR SHARP; REPRESENTATIVES BUCKWORTH, CAPANO, CAREY, D. ENNIS, EWING, LEE, PETRILLI, STONE, ULBRICH, B. ENNIS, KEELEY, PRICE, SCHROEDER, SCOTT - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Prosecution of Criminal and Traffic Cases in the Courts of the Justices of the Peace of the State of Delaware.

HB 442 - WAGNER & SCOTT & SENATOR BLEVINS; REPRESENTATIVES STONE, KEELEY, HOUGHTON - POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to the Board of Cosmetology and Barbering, and Complaints Regarding Nail Salons.

HA 2 to HB 175 - MARONEY - ECON DEV, B & I: Placed with the bill.

HA 1 to HB 386 - WELCH - H/ADM: Placed with the bill.

HA 1 to HJR 19 - REYNOLDS - ED: Placed with the bill.

HA 1 to SB 69 - WELCH - JUD: Placed with the bill.

HA 1 to SB 86 - WELCH - H/ADM: Placed with the bill.

Representatives Keeley & Scott requested that they be marked present.

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

The House reconvened at 4:25 p.m. with Representative Buckworth as Acting Speaker.

Representatives Mack, Capano, Cathcart, Spence, Williams, Brady, West, DiPinto, D. Ennis, Stone, Welch & Maroney requested that they be marked present.

Mr. Speaker Spence resumed the chair.

Representative Reynolds requested that he be marked present.

Representative Smith introduced & brought HCR 50, jointly sponsored by Representatives Spence, Welch, Gilligan & VanSant & Senators Sharp, Voshell, McDowell, Bair & Amick, before the House for consideration.

HCR 50 - Providing That a Joint Session of the House of Representatives and the Senate be Convened for the Purpose of Receiving the Annual State of the State Address by the Honorable Thomas R. Carper, Governor of the State of Delaware.

Representative Smith made a comment.

HCR 50 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Fallon.

Representative Fallon introduced and brought HCR 51, jointly sponsored by Senator Venables, before the House for consideration.

HCR 51 - Honoring the Seaford Senior League Softball All-Stars for Their Superlative Play During the 1997 Season.

WHEREAS, the Seaford Senior League Softball All-Stars showed superior team ability in winning the state title despite not having the services of two of their skilled players; and,

WHEREAS, they swept New Jersey in the best-of-three series to earn the Eastern Regional Championship in West Haven, Connecticut to become the first-ever Sussex County team to advance to the World Series; and,

WHEREAS, in World Series play they continued to distinguish themselves by placing third; and,

WHEREAS, the skill and sportsmanship they displayed during the 1997 season served as a shining example to younger players; and,

WHEREAS, their achievements served to reinforce the solid values of the Seaford community.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 139th General Assembly of the State of Delaware, the Senate concurring therein, that the members of the General Assembly do hereby honor the achievements of the Seaford Senior League Softball All-Stars (Danielle Thomas, Shana Riggleman, Jackie Palmer, Vantrese Powell, Shiree Halley, Cassandra Wright, Khristina Passwaters, Tracy Torbert, Ashley Riggleman, Tamikia Ross, Krystal Wright, Audrey Fisher, Sara Shirey and Jessica Bloom), their coaches Mike MacCoy and Glen Dickerson, and team manager Gary Passwaters.

BE IT FURTHER RESOLVED that our best wishes go with the team in the upcoming season.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be prepared upon its passage for presentation to each of the players, the coaches and the manager of the 1997 Seaford Senior League Softball All-Stars--a team of superior Delawareans.

HC 51 was adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich made a comment.

Representative Ulbrich introduced HB 444, jointly sponsored by Senator Vaughn & Representatives B. Ennis & Petrilli & Senators Still & Voshell.

Representative Gilligan requested that he be marked present.

HB 444 - An Act to Amend Titles 17 and 29 of the Delaware Code Relating to Delaware Department of Transportation Acquisition and Sale of Real Property.

Mr. Speaker assigned HB 444 to the Transportation Committee.

Representative Smith deferred to Representative Capano.

Representative Capano introduced HB 447, jointly sponsored by Representatives Caulk, Spence, Smith, Welch, Boulden, Buckworth, Carey, Cathcart, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich & Wagner & cosponsored by Representatives Mack, Houghton, Schroeder, DiLiberto, Scott, Brady, Price & VanSant & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 447 - An Act to Amend Title 30 of the Delaware Code Relating to Inheritance Taxes.

Mr. Speaker assigned HB 447 to the Revenue & Finance Committee.

Representative Capano introduced HB 448, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Carey, Cathcart, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich & Wagner & cosponsored by Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 448 - An Act to Amend Title 30 of the Delaware Code With Regard to Personal Income Tax.

Mr. Speaker assigned HB 448 to the Revenue & Finance Committee.

Representative Capano introduced HB 449, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Carey, Cathcart, Caulk, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Stone, Ulbrich & Wagner & cosponsored by Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 449 - An Act to Amend Title 30 of the Delaware Code Relating to Corporate Income Tax.

Mr. Speaker assigned HB 449 to the Revenue & Finance Committee.

Representative Smith introduced HB 450, jointly sponsored by Representatives Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Wagner & Welch & cosponsored by Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still.

HB 450 - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

Mr. Speaker assigned HB 450 to the Revenue & Finance Committee.

Representative Smith deferred to Representative D. Ennis.

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

Mr. Speaker Spence made comments.

Representative Smith made an announcement.

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

P/S: HB 425 - 5M.

CORR: HCR 49 - 3F,3M.

JUD: HB 133 - 1F,6M; HB 185 - 7M; HB 415 - 7M; HB 416 - 6M,1U; SB 69 w/SA 1 - 6M.

H/ADM: SB 86 - 5M; SB 185 - 4M,1U.

HOUSING & COM AFF: SB 202 - 7M.

ED: HR 19 - 2F,4M.

Representative West requested and was granted the privilege of the floor for to make a comment.

Representatives Reynolds & West made comments.

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

The Majority Leader moved to recess to the call of the Chair at 4:54 p.m.

6th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 22, 1998

Mr. Speaker Spence called the House to order at 1:55 p.m.

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

HEALTH & HUM DEV: HB 420 - 6M; SCR 43 - 6M.

TRANS: HB 444 - 5M.

The following prefiled legislation was introduced:

HB 446 - VANSANT & SENATORS VOSHELL, COOK - H/ADM: An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

The Majority Leader moved to adjourn at 1:56 p.m., thereby ending the current legislative day. The House reconvened at 1:57 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Boulden - 1.

A prayer was offered by Representative G. Robert Quillen, Thirtieth Representative District.

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

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

The following prefiled legislation was introduced:

HB 445 - OBERLE, STONE & VANSANT; SENATORS VAUGHN & CONNOR - JUD: An Act to Amend Title 6 of the Delaware Code Relating to the Sales of Goods.

SB 234 - BUNTING; REPRESENTATIVE PRICE - H/ADM: An Act to Amend Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Fenwick Island, Delaware" to Clarify When Appeals of Tax Assessments May be Made. (2/3 bill)

SB 237 - VENABLES & REPRESENTATIVE FALLON - H/ADM: An Act to Amend Chapter 42, Volume 53, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford." (2/3 bill)

The Majority Leader moved to recess for the Joint Session at 2:03 p.m.

JOINT SESSION  
HOUSE CHAMBER  
January 22, 1998

The Sergeant-at-Arms announced the arrival of the Members of the Senate. They were admitted and seated. The Speaker invited the President of the Senate and the President pro Tem to be his guests on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary. They were admitted & seated. They were welcomed by Speaker Spence.

The Sergeant-at-Arms announced the arrival of the statewide elected officials. They were admitted and seated. They were welcomed by Speaker Spence.

The Sergeant-at-Arms announced the arrival of the Governor's cabinet and the Presidents of the University of Delaware and Delaware State University. They were admitted and seated. They were welcomed by Speaker Spence.

The Majority Leader moved that the House and Senate convene in Joint Session at 2:10 p.m. for the purpose of hearing the State of the State address by Thomas R. Carper, Governor of the State of Delaware. The motion prevailed.

The Majority Leader moved that the Speaker of the House preside over the Joint Session. The motion prevailed.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. The motion prevailed.

The Majority Leader moved that the Speaker of the House appoint a committee of four to escort the Governor to the Chamber. The motion prevailed. The Speaker appointed Representative Jane Maroney (Spokesperson), Representative William I. Houghton, Senator Harris B. McDowell and Senator Liane M. Sorenson.

The Speaker declared a short recess at 2:12 p.m. to await the arrival of Governor & Mrs. Carper and the escort committee.

The House reconvened at 2:15 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Carper and First Lady Martha S. Carper.

Representative Maroney introduced the Governor to the Joint Session.

The Governor addressed the Joint Session as follows:

### **LEADING AMERICA INTO THE 21ST CENTURY**

Mr. Speaker, to our escort committee; to our Lieutenant Governor, Ruth Ann Minner, to our President pro Tem, Senator Sharp; to all the Members of the House and Senate that are gathered here today, to our statewide elected officials who have joined us today, to the Chief Justice of the Supreme Court and the members of the Judiciary, to members of my cabinet, would you all raise your hands, especially good to see you, and to the people of Delaware who have joined us on this day.

Well, ladies and gentlemen, I am pleased to join you today to deliver my fifth state of the state address to the members of the General Assembly and the people of Delaware. I don't know that these speeches have gotten any better over time. My wife, Martha says she thinks they've gotten a little longer over time. In fact, Martha said to me just before we came down today, reminded me of the old adage that no sinners are saved after the first thirty minutes of a sermon. And I suppose it's safe to assume they won't be saved after the first thirty minutes of this speech either.

Well, whether or not the speeches have improved, one thing we can all agree on and that is really the state of our state has improved a lot and improved on many fronts. Just as we did over 200 years ago, we're achieving things that in the past really seemed impossible. We're living up to our proud history as the First State by leading America into the 21st Century.

Our economy today is as strong as an oak. 1998 finds Delaware with perhaps the lowest unemployment rate on the East Coast -- 3 percent. The 49th smallest state in the nation, that's us, was number four in job creation over the last 12 months. Over 400,000 people will go to work in Delaware today. Over 50,000 new jobs have been created since 1993 alone.

Robust economic growth has fostered equally robust revenue growth. Our budget remains balanced. We continue to spend less than 98 percent of available revenue. Our Rainy Day Fund is full. We've cut taxes for the last five years -- business or personal, and sometimes both -- and we're poised to cut them again, I hope, this month. To top it off, Delaware enjoys the highest credit rating in our state's history. Now that's something to cheer about.

To keep our economy growing in the next century, we've launched the most comprehensive statewide education reforms of any state in America. We have established world-class academic standards. This May, students in grades 3,5,8 and 10 will take a new test to measure their progress in reaching those rigorous standards we have set in math and in English. Last year's writing assessments showed improvement in every county, every school district, every grade level tested.

To help continue that progress, every public school classroom will be wired for access to the information highway by this fall. No other state can make that claim.

Over 8,000 students now exercise public school choice, introducing a healthy dose of competition into our public schools. Additional charter schools will open in Delaware too, this fall, showing how shared decision-making can raise academic performance.

We're leading the nation in other areas, as well. Less than three years after launching A Better Chance -- one of America's first statewide welfare reform initiatives -- our welfare rolls are down by over 25 percent, and the number of people on welfare who are working has grown by almost 200 percent.

To fight crime, we are using the largest prison expansion in state history to create a new prison system with expanded drug treatment, education, and work programs to cut recidivism and reduce the crime rate. We've added an extra 100, you have added, an extra 100 state troopers and invested heavily in better training and equipment to keep our streets safer.

To protect our natural resources, we've purchased the land or development rights for over 30,000 acres of farmland and open space, and established conservation districts to preserve and protect over 100,000 additional acres. In the entire nation, in the entire nation, tiny Delaware ranks second in agland preservation and we can be proud of that.

Working with industry and environmentalists, we've cut toxic emissions into our air by over 60 percent, and into our waterways by over 90 percent, since 1988. We've implemented an ambitious plan to protect our inland bays. Last year, I signed a landmark agreement with EPA to reduce water pollution even more dramatically over the next 10 years.

And finally, more than 25 years after Governor Russ Peterson's historic Coastal Zone Act was enacted in this chamber, a compromise has been reached for new rules to preserve our fragile coastline forever.

Delaware, our Delaware, is truly leading America into the 21st Century.

Let me also say a word or two about everybody's favorite whipping boy -- DelDOT. Where is Ann? Ann, while taking potshots and some of them well-deserved from just about everybody over the last year or so, the folks at DelDOT have also managed in recent years to restore I-495 to a six-lane highway, to convert Route 113 to a four-lane highway between Georgetown and Milford, and complete the expansion of Route 896 south all the way to the C&D canal, as well as projects like Rockland Road and Lancaster Pike. By the end of next year, State Route 1 -- the largest highway project in Delaware history -- will be completed except for a seven-mile stretch from Odessa to Smyrna. The Naamans Road expansion will be done, as will the Bridgeville bypass. Scarborough Road and Churchman's Road will be nearing completion and the Puncheon Run Connection linking US 13 and Route 113 will be well underway.

Meanwhile, transit service has been introduced throughout Sussex County. A new train station has opened in Newark, with another near Churchman's Crossing in the works. DART service has been expanded by 40 percent. Buses now operate at night and on weekends. Imagine that! And, paratransit ridership for the disabled has jumped 55 percent since 1993.

Let me just say while I regret the inconvenience that transportation construction projects and there are a lot of them, cause for travelers in Delaware, I don't apologize for our commitment to address the very real transportation needs of our state that were ignored for too long.

We are fixing the problems that remain at DelDOT. We're even learning how to sell surplus property. And if we get your legislative help this month, when February begins, we're going to sell a lot of it. We're going to sell a lot of it. We're going to sell a lot of it. I don't know if they believe me, Ann, we're going to sell a lot of it, aren't we?

#### Let me turn to **AFFORDABLE HEALTH CARE**

One of the great successes we can point to in the past year is implementation of the Diamond State Health Plan, our managed care program for people on Medicaid. The savings from moving into managed care have allowed us to expand coverage to over 12,000 previously uninsured Delawareans.

In addition, our partnership with the Nemours Foundation has led to 10 pediatric health clinics from Claymont down to Selbyville, or actually, it's Claymont to Seaford, serving over 20,000 children in low income areas across our state.

We are within reach of our goal to provide universal access to health insurance for every Delaware child. Today, I am proposing to use new federal and state dollars to create the Diamond State Health Plan for Children -- to enable every uninsured child with family income under 200 percent of poverty to obtain a high-quality, low-cost health care policy similar to the Diamond State Health Plan. There are over 10,500 children in Delaware in this income category who lack health insurance. I propose to offer coverage to all of them, increasing the percentage of our insured children to over 93 percent.

And we're not going to stop there. Partnering with our employers who have a stake in this and a responsibility in this, we won't stop until every Delaware child has affordable coverage. We're proposing to open this Plan to uninsured children whose family income is below 300 percent of poverty on a full premium basis, costing considerably less than anything on the open market. We hope the State's extension of coverage will give the Nemours Foundation the financial ability to extend its services, too. Let us pledge to make Delaware the first state in America to achieve the goal of universal health care access for every child! Now, wouldn't that be a wonderful legacy for you and for me to leave to the children of this state.

#### **YOUTH SMOKING**

During my time as governor, another important part of our child health care effort has been reducing tobacco use among children. Tobacco use is still the number one health problem in Delaware. Tobacco use kills more people than alcohol, accidents, suicides, homicides, AIDS, illegal drugs, and fires together. We owe it to our children to establish policies and programs aimed at reducing tobacco use before it becomes a lifelong addiction. Over the past several years, we have taken significant steps to that end: eliminating the sale of single cigarettes; prohibiting free samples; and removing vending machines from locations accessible to teens.

The average age of smoking initiation is now in our state 12 1/2 years. 12 1/2 years! Faced with this sobering statistic, I support legislation to prevent teen tobacco use, encourage kids to stop smoking, and help make sure that smokers pay the cost of treating smoking-related diseases. A clear majority of Delawareans hope that you will join me in supporting this legislation too.

Smoking now costs Delaware over \$10 million annually in Medicaid expenses. During the last 10 years, the total cost has been about \$71 million. By increasing the excise tax by 25 cents, we can repay the

Medicaid costs of the past years and cover new costs in the future. At the same time, the new tax will help us provide health care coverage to thousands of additional Delawareans by offsetting the added cost of the Diamond State Health Plan for Children. It will also allow us to create new education and prevention programs to stop teen smoking, help smokers end their addiction, and provide Delawareans with accurate health information about tobacco use.

### **CHILD WELFARE**

Concern over the welfare of our children doesn't end with health care and smoking. Last year at this time, we agonized over the tragic death of Bryan Martin. We also moved quickly though to respond more effectively to child abuse victims: providing additional resources and enacting the landmark Child Abuse Prevention Act of 1997 to make clear that protecting children is this state's number one priority.

Now, we need to take the next step to ensure the placement of children who are abused or neglected into safe, loving, and permanent homes.

During the past five years, I have sought to strengthen families with your support because I believe, and I know we believe, there is a need to do everything possible to support keeping families together. In that same vein, however, we need to strike the right balance between keeping families together and supporting the best interests of children who have been abused or neglected.

On this point, on this point, let me be very clear. We will not return children to homes where we know their safety cannot be assured. Neither will we leave children in foster homes for years with no permanent home in sight.

Delaware law should allow our state to permanently remove children from the custody of abusive and neglectful families. I will propose such a law. Why should we return a child who has been abused or neglected to a home where a parent has been convicted of serious felonies against a child, or abandoned a child or sold a child? We should not! In cases like these, we are far wiser to terminate parental rights than to return a child to an uncertain fate.

Now let me hasten to add that these new laws cannot work unless we increase the number of safe placements for children who are abused and neglected. Our first lady, my wife Martha is spearheading an initiative to sign up more foster families so that when we do remove children, we can place them in a stable, loving environment.

We must also redouble our efforts to promote adoption so that children who are permanently removed from their homes will have new homes and new families. President Clinton has challenged all states to double the number of adoptions by the year 2000. I want Delaware to be one of the first states in this nation to reach that goal.

### **NURSING HOMES**

At the other end of the age spectrum, we are addressing the health and welfare of another vulnerable population in our state: Delawareans in nursing homes. I'm pleased with the changes our Department of Health and Social Services already is making to protect nursing home patients. We've begun conducting surprise inspections in nursing homes, and we are undertaking serious management reforms in an overburdened Ombudsman office.

We've also begun a comprehensive review of all nursing home regulations to identify cumbersome and weak rules, and to ensure that appropriate penalties are in place.

In the weeks ahead, we will work with the General Assembly's nursing home task force to develop any additional legislation that's needed this year.

### **MEDICAID MANAGED LONG TERM CARE**

Safe nursing homes that deliver quality care are essential because Delaware and America face significant increases in demand for long-term care services for our elderly and for our disabled populations. Why is that? Because people over 80 are the fastest growing group of elderly; because more people with disabilities are leading productive, satisfying lives with appropriate support; and, as much as I hate to admit it, because baby boomers like the Speaker back here and me aren't exactly teenagers anymore and neither are some of the rest of you.

In the coming year, I will be working with consumers and providers to present the first elements of a Medicaid Long-Term Managed Care plan. Already, 30 percent of the Medicaid population, our Medicaid population, is responsible for 60 percent of our Medicaid costs, and that rate is going to get worse. With your help, we can build on the success of our Diamond State Health Plan and be on the cutting edge of managed long-term health care -- not to control costs for that sake alone, but to guarantee that we provide quality long-term care to all elderly and disabled Delawareans who truly need it.

### **CRIME**

Long-term health care is only one of the areas where states are seeing populations rise and costs skyrocket.

Delaware's Department of Corrections is the fastest growing part of state government. Our prison population has grown almost 40 percent just since Lt. Governor Minner and I took office some five years ago.

We are in the middle today of the largest prison expansion in our state's history. But our recidivism rate -- the percentage of inmates who once released, commit more crimes and return to jail, the rate of recidivism -- still stands at over 60 percent. If that trend continues, we may need to propose more new prisons before I leave office in three years.

Law enforcement agencies know that most crimes are committed by people who are already criminals. Many have already done jail time. Rather than build more prisons, we need to redouble our efforts to rebuild the people already inside of them. That may well be the single most effective crime-fighting initiative that we can pursue.

I want us to create a new prison system within the walls of the ones that we have already built. A prison system that punishes those who commit crimes against our citizens. A prison system that is secure and protects the public safety. But a prison system that also works with inmates so that when they are released -- as over 90 percent of them will be -- they will be far less likely to commit more crime. Here's how:

First, we know that 80 percent of our prison population are serious drug abusers, and drug abuse plays a major role in repeat offenses. We have tough, discipline-based drug treatment programs -- Key and Crest -- with a proven track record of breaking this cycle. Prisoners also complete our rigorous Key and Crest drug treatment regimen are 40 percent less likely to be rearrested, 40 per cent. That means 40 percent fewer crimes committed, 40 percent fewer victims, and 40 percent fewer new prison beds needed.

Last year, I announced our intent to make sure every inmate with a sentence of one year or more must complete this regimen. This year, this year, I propose that we finish that job by fully funding Key, Crest, and Aftercare -- creating a prison system that will demand of those prisoners the discipline and commitment that these programs require. By doing so, by doing so, we will become the first state in the nation to implement fully such an aggressive substance abuse program. Second, we also know that quality, prison-based educational programs have proven to reduce recidivism by as much as 45 percent. Last year, we sought the help of our award winning vo-tech school districts to better manage educational programs in our prisons. In a few short weeks, I will announce a plan to transform prison education so that quality education is taking place in our prison systems both day and night.

Third, I propose to significantly expand our prison industry programs -- in conjunction with vocational training -- so that inmates go to work while they're in prison and apply some of the skills that they have learned in their classes there.

These three initiatives: substance abuse treatment, vocational education, and work programs, will help stem the rising tide in our prisons and reduce crime on our streets.

Police also need our help in the fight against crime. Over the past five years, we've invested heavily in technology to give law enforcement the tools that they need to do their jobs better. This spring, our new 800 MHz radio system will be fully operational in Kent and in New Castle counties, with Sussex County soon to follow. We will have the first statewide system in America that allows direct communication among police anywhere in our state. In addition, mobile data terminals in police cars now give officers instant access to vast amounts of crime-fighting information. Video-phones link up prisons and courts, saving transportation costs while increasing public safety.

Keeping our focus on technology, I want us to establish a statewide crime tracking system where crimes are immediately mapped and tracked so that all police departments statewide can have crime data on a real-time basis to better deploy their assets. With the State leading the way, I challenge Delaware's Police Chiefs to develop a plan by the end of this March, this March, to implement just such a plan.

Technology is opening the door to better coordination among state and criminal justice agencies, too. The more our law enforcement agencies come together, the more powerful our crime fighting punch.

We threw that punch last summer to help slow the rapid rise in shootings in Wilmington with Operation Safe Streets, a cooperative law enforcement effort between probation and parole officers from the Department of Correction and Youth Rehabilitative Services, the Delaware State Police, and the Wilmington Police Department. Most of the shooting suspects were convicted felons on probation, and most of the shootings were occurring in certain designated "hot spots" in the City. Operation Safe Streets targeted these areas and probationers for "zero tolerance" enforcement. The efforts resulted in over 400 arrests. Later, the New Castle County Police Department joined forces to further increase police presence in the City last summer. The results of these initiatives has been a significant decrease in the rate of shootings and violence in the City of Wilmington.

I intend to expand our success in Wilmington to "hot spots" for violent crime statewide. My recommended budget next week will propose adding 35 additional probation and parole officers. I want us to use some of those officers, in coordination with local police, to crack down on probation violators who are causing a large part of our crime population all over the state of Delaware.

I also will recommend major reforms to our juvenile probation system. That system was designed for a time when juvenile crime meant shoplifting and other non-violent crimes. Today, juvenile offenders carry weapons and commit serious offenses. I propose a "zero tolerance" policy for serious juvenile criminals. And



listen to this, with probation violators sent to a no-frills, military-style boot camp.

The Wilmington shootings also remind us yet again that one major contributor to the rise in violent crime is the easy access to guns by those prohibited from having them -- kids and convicted felons. In fact, over 90 percent of the suspects connected with the Wilmington shootings in 1996 had a prior violent felony arrest. The record is clear. They did not buy their guns in gun stores -- they bought them on the streets.

Delaware is the only state in this region which does not require a criminal records check for the sale of used handguns. Last year, I proposed legislation to record checks on the sale of all handguns -- new and used -- in Delaware. Law enforcement needs this tool to stem the flow of illegal guns. It is time to give them that tool.

## **PLANNING AND INFRASTRUCTURE INVESTMENTS**

Personal safety is never far from the everyday concerns of Delawareans and is critical to our quality of life. This past year, more than ever, we have been focused on another important quality of life issue: and that is, how do we manage the use of our land.

Last year's land-use summit reinforced the need for a comprehensive and coordinated growth management strategy.

And I think we've made a lot of progress since then. Each county now has a comprehensive plan in place to help guide a sustainable growth managed policy. New Castle County in particular deserves special praise for their innovative, comprehensive approach.

In conjunction with local and county comprehensive plans, my Cabinet Committee on State Planning now has begun to develop a statewide growth strategy map to help direct state, county and local investments into areas we all agree should be designated for growth. In the next few weeks, I will sign an executive order requiring the Cabinet Committee to present a formal Administration plan to help guide investment decisions and exercise the State's legal and regulatory authority to support and enhance those county plans. In addition, the legislative package introduced last year to continue the State's path forward to a responsible growth management strategy must still be addressed. I fully support those bills and I urge you in the General Assembly to act on them so that we can continue the progress that's been begun.

The state's strong economic growth, and the one-time revenues created by our victory in the Delaware v. NY lawsuit, provided us with an unprecedented opportunity to invest over \$220 million in Delaware's future. We're introducing today technology into all classrooms, we're modernizing our Port, we're preserving agland and open space, we're building water and wastewater treatment facilities, we're improving communities and their housing, and we're fostering high-tech job growth. Now, I propose a new \$104 million infrastructure investment package that is focused on four objectives: (1) complement State and county land use goals by directing investment in existing communities and growth areas; (2) protect critical farmland and open space from sprawling development; (3) enhance Delaware's economic competitiveness and create quality jobs; and, (4) further the State's commitment to education technology for Delaware teachers and students.

With most of these monies, I propose to create a Growth Management Fund to continue our investments in farmland preservation, and open space, and water and wastewater systems, and affordable housing. These investments, coupled with changes in the Agland Preservation Program, are critical tools in meeting state and county land-use objectives.

In addition, I recommend that another \$10 million be invested in the Port of Wilmington -- a Delaware asset that's created nearly 4,000 jobs and almost \$400 million in revenues for our State's economy. To further revitalize Wilmington's rapidly-changing riverfront, I am proposing that an additional \$10 million be invested there next year. To speed up transportation projects, I propose the investment of at least another \$6 million in all three counties.

And finally, to help students learn, I recommended an additional \$13 million to provide students and teachers with thousands of additional new computers in classrooms -- and training in how to use those computers.

## **EDUCATION**

Well I've already asked the General Assembly to make many important investments in our schools these past five years. Delawareans can be proud of the priority we've given to children and to their education. Only five states spend more money per pupil than Delaware. Let me say that again. Only five states spend more money per pupil than Delaware.

In the past few years, we've created new funding streams for teacher professional development. Collectively, we now provide over \$1,200 per teacher annually for their continued training. In addition, we've increased funds available for classroom resources by nearly 25 percent and invested an additional \$40 million for textbooks and educational technology.

We are providing a continuum of parenting training statewide to enable parents to better prepare their youngster for schools and for productive lives. We are working to give every four-year-old child in poverty the chance to attend Head Start. We've funded disruption prevention programs for every single Delaware public

school to reduce classroom disruptions and to help misbehaving children get back on the right track. We've placed wellness centers in high schools to address the health and social problems which cause too many adolescents to drop out of school. And when this year ends, every single high school that wants a wellness center will have a wellness center for their students. This year, we're providing local school districts with over \$7 million in funds so that one out of every three students between kindergarten and grade six can receive roughly 20 days of additional instruction -- summer school, after-school tutoring and, in some cases, full-day kindergarten -- to better enable all kids to meet the rigorous academic standards that you and I established. We're recruiting 10,000 mentors, too, as tutors and positive role models for Delaware students and for those of you here in this room and who are listening today who are mentoring, I just want to say from this Governor a heartfelt thank you.

Lt. Governor Minner, as chairman of the Workforce Development Council, is spearheading efforts to ensure that when kids leave school, they make a smooth transition to work and that they are prepared for the jobs of the future.

Delaware, the General Assembly, this Governor, we're putting our money where our mouths are on education. Delaware deserves an "A" for effort.

But, despite pockets of excellence and the heroic efforts of many educators, Delaware is not yet passing the educational competitiveness test. While our per pupil spending is sixth highest in the nation, our fourth-grade reading scores ranked 32nd on the last national reading assessment and our SAT scores lag behind most of our neighbors. Those grades are not acceptable to this governor, those grades are not acceptable to this governor, to this General Assembly, those grades are not acceptable to the people of Delaware.

We can do better. Our students can do better. We must do better. You know it, and I know that.

Having said that, I am convinced that we are on the right path to improving student academic performance across the board if we stay the course on the reforms that we've begun and adopt the accountability measures I outlined earlier this week along with Secretary Metts.

Our State is a nationally-recognized leader in the movement to raise standards and spell out what we expect kids to know and be able to do at different grade levels in English, in math, science and social studies. Delaware's rigorous academic standards, largely developed by many of the best and brightest teachers among us, have been in the hands of Delaware teachers and principals now for over two years. Training continues to be provided to bring classroom instruction into line with those standards. Tests in both English and math will be administered for the first time this spring to measure student progress toward meeting those standards. A year later, similar tests will be introduced in science and in social studies, as well.

Last year, I asked you to assign responsibility in the political arena for improved student performance to me, to the Governor, and to a new Secretary of Education. You said to me, you want accountability, you've got it and that's what you did. Parental responsibility reminds me of the old adage, be careful what you ask for, sometime you may get it and you've given it to me. Parental responsibility is receiving renewed emphasis too. Now, the challenge is to hold, after we've addressed the political arena, parents as well as students, schools, and districts accountable for meeting the academic standards that we've set. Last year, legislators in this body took a great step in that direction by requiring high school students in the class of 2002 to pass state tests in English and math before receiving a State of Delaware diploma.

This General Assembly recognized this important reform though was insufficient in and of itself. That's why you asked for a complete accountability plan designed to motivate students and schools to perform better. Two days ago, Secretary Metts and I publicly unveiled that plan. This afternoon, let me just briefly revisit it with you on several of its major elements.

The heart of the plan is quite simple. We call for an end to social promotion in the most important subject of all: reading. If children can't read at grade levels, they can't read a grade level science or social studies textbook. If children leave the school system without reading skills, they can't succeed in the workplace in the 21st century.

Socially promoting students who can't read is a crime against children. I am asking you today to help me stop it. Will you? But in ending social promotion, we must assure that students who need extra help are identified early on and that resources are available to provide the extra help that they need.

Toward that goal, we are recommending an additional \$3 million for extra instructional time for grades 7-12. Combined with current funding, this gives our schools \$10 million annually for extra time -- enough to provide almost an extra month of instruction for one-third of all Delaware students in grades kindergarten up to grade twelve.

In addition, I want us to reduce class size in the core academic subjects. As I visit Delaware schools across our state, I hear a consistent plea from teachers and parents and I know you do too -- especially in September and October: we need to hire more teachers, we need to hire them sooner. Let me tell you, your Governor hears your plea.

Currently, districts hire teachers based on the number of students they have on September 30, well after the school year already has started. As a result, many districts hire too late. This inflates class size unduly in

September and October and makes it harder to hire the best new teachers as they graduate from college in the previous spring.

I propose to end this policy by guaranteeing school districts at least 100 percent of their previous year's funding. This will allow our districts to compete early for the brightest new teachers and help keep class size down from day one, from day one, each September.

I also propose to hire more teachers by lowering the unit count to provide a teacher for every 15 students at the kindergarten to grade three level, and a teacher for every 16.3 students at grades 4 through 12. I understand as I know that you do, that school districts still will need to hire librarians and counselors from these funds but, coupled with the new federal monies, these changes will still translate into 180 new teachers -- or 360 new instructional aides -- in Delaware schools this fall.

Teachers and parents tell me that kids learn better when they are in a class with a more reasonable number of students. As a parent, I believe that. With that in mind, in addition to asking for funds to hire more teachers, I support new requirements to keep class size down. I propose capping elementary class size in the core academic subjects at 22 students, and capping middle and high school classes in the core academic subjects at 28 students. And I hope you will support that as well. Reducing class size in elementary school and core subjects should be among our highest priorities.

Well, given the generous investments I have mentioned -- in professional development, in early childhood education, in discipline, in classroom materials, in technology, in extra time, and in class size -- we have a right to expect to see significant improvements, measurable improvements, in student achievement in the years ahead.

I believe we should recognize and reward schools which do well, and those that improve. Our recently-released accountability plan proposes to do just that by granting state accreditation and monetary bonuses to those schools and their faculties.

For schools which fail to show improvement over time, the school staff, the local school board, the parents that are involved are called upon to develop a plan for improvement. The State will not "take over", the State will not take over, schools run by duly elected school boards, but we should deny them state accreditation unless their performance improves.

I want to point out that our accountability plan does not impose new burdens on Delaware's hard-working teacher corps. It does not tie individual teacher compensation or evaluation to the assessment scores of their students. Instead, our plan rewards teamwork, teamwork, among a school's staff. It focuses on motivating students and parents, and on ensuring that school districts provide classroom teachers with the resources that they need to get the job done. It calls for increasing the number of teachers and guaranteeing that teachers are assigned to the schools that need them in order to keep class sizes reasonable.

Finally, I propose that the State study a new salary schedule for teachers that will reward meaningful continuing education, increase incentives for teachers to pursue national teacher certification, provide more time for professional development, and help Delaware attract the brightest new teachers. I invite the full involvement of the Delaware State Education Association, our partner in so many of these reforms, so that the views of teachers are fully considered in this endeavor.

Well the education agenda that I've outlined today is an ambitious one. It will challenge students, it will challenge educators and it will challenge parents alike. It focuses on results -- on whether our students are meeting high standards of academic achievement. If we want the best for our children, and I know that we do, we must have the courage to demand results, to end social promotion, and meet high standards. Succeeding in this endeavor, it will be the most important thing we do as elected officials in this state. The most important thing that we do. The choice is ours: to fall back or to lead America into the 21st century. I say we lead.

## **CLOSE**

As we prepare for the challenges of that century, let us pause and just remember and be mindful of Delaware's leadership role in an earlier century. Some 210 years have passed since Delaware helped start this nation in a place not far from where we are gathered here today. It was not just any nation that we started, either.

As this "American Century" draws to a close, our nation's economy remains the strongest on earth. Our workforce is once again the most productive on earth. Our armed forces constitute the mightiest military force for justice on earth. Indeed, 210 years after our country's founding, America remains the longest-living experiment in democracy in the history of the world -- and that Constitution which Delaware first ratified all those years ago remains the one most emulated by all the other nations of this world.

I stand before you today confident that the state which helped deliver a newborn nation 210 years ago can deliver on its commitment to ensuring that babies born today will grow up healthy and strong. I'm confident that the state which has built the strongest economy on the east coast can also build prisons that will produce better people, and not just better criminals. I'm confident that the state whose financial controls are among the most admired in America can work with local officials to control the sprawl that threatens our

quality of life. And, I'm confident that the state which wrote the book on welfare reform can produce students able to read books, to use computers, to live lives free of abuse, and graduate from our schools fully prepared to meet the challenges of the next century.

If our children are our hope for the future, then we are their hope for today. I know that I speak for all of us on this day when I pledge to these children, our children, and to their parents and their grandparents, our tireless efforts to ensure that their state -- our beloved Delaware -- will be remembered not only as the state that started a nation, but the one that helped to lead that nation into the 21st century and beyond. Thank you very much.

The Speaker thanked the Governor for his address and asked the previously named escort committee to reassemble to escort the Governor and the First Lady back to the Executive Office.

Representative VanSant announced that tomorrow is Governor Carper's birthday. Those assembled sang "Happy Birthday".

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

The Chief Clerk of the House informed the Joint Session that she and the Secretary of the Senate had compared their Journals and found that they agreed.

The Majority Leader moved that the Joint Session adjourn at 3:10 p.m. and the two Houses separate to reconvene in their respective chambers. There was no objection and the Speaker declared the Joint Session adjourned.

The Majority Leader moved to recess for caucus.

The House reconvened at 5:20 p.m.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 234, SB 237 & HCR 50.

Representative Smith made an announcement.

Representative Smith deferred to Representative Lee.

Mr. Speaker Spence introduced a guest.

Representative Plant requested that he be marked present.

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

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

Representative Lee brought HCR 49, jointly sponsored by Representatives Buckworth & Ewing & Senators Vaughn, Bunting & Amick, before the House for consideration.

HCR 49 - Establishing a Committee to Investigate Whether or Not the Implementation of a Boot Camp For Youthful Offenders Would Be Beneficial to the State, to the Effectiveness of Our Corrections Department, and to the Citizens of This State.

Representative Lee made comments.

HCR 49 was adopted by voice vote and sent to the Senate for concurrence.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Lee.

Representative Lee brought SB 164, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 164 - An Act to Amend Chapter 69, Title 10 of the Delaware Code Relating to Appeals in Habeas Corpus Cases.

Representative Lee made comments.

The roll call on SB 164 was taken and revealed:

YES: 39.

NOT VOTING: Representative Plant - 1.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, SB 164 was returned to the Senate.

Representatives Scott, Stone & Williams requested that they be marked present during the roll call.

Representative Roy made a comment.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought SB 69 w/SA 1, sponsored by Senators Voshell & Henry & Representatives Ewing & Williams, before the House for consideration.

SB 69 - An Act to Amend Title 11 of the Delaware Code Relating to Persons Prohibited.

Representative Welch brought HA 1 to SB 69 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Wagner made a comment.

The roll call on SB 69 w/SA 1 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, SB 69 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

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

Representative Smith made a comment.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on HB 133. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ewing brought HB 133, jointly sponsored by Representative Williams & Senators Henry & Voshell, before the House for consideration.

HB 133 - An Act to Amend Title 11 of the Delaware Code Relating to the Possession of Deadly Weapons.

Representative Welch introduced and brought HA 1 to HB 133 before the House for consideration.

Representatives Welch, Davis, DiPinto & Welch made comments.

HA 1 was adopted by voice vote.

The roll call on HB 133 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 133 w/HA 1 was sent to the Senate for concurrence.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to suspend the rules which interfere with action on HB 446. The motion was seconded by Representative Welch and adopted by voice vote.

Representative VanSant brought HB 446, jointly sponsored by Senators Voshell & Cook, before the House for consideration.

HB 446 - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

Representatives VanSant, Welch, Maier, VanSant & Brady made comments.

The roll call on HB 446 was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Boulden - 1.

Therefore, having received a constitutional majority, HB 446 was sent to the Senate for concurrence.

Representative Smith made comments.

The Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #101

DATE: January 22, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1332	Fallon	1/15/98	T	Delino DeShields/Appreciation/Giving Back to Hometown
H139-1333	Fallon	1/15/98	T	Davey & Susan Johnson/Appreciation/Making Delaware a Better Place to Live
H139-1334	Fallon	1/15/98	T	Dr. Benjamin Carson & Family/Support /Boys & Girls Club of Western Sussex
H139-1335	Fallon	1/15/98	T	Charles Towers/Extraordinary Effort /Boys & Girls Club of Western Sussex
H139-1336	Fallon	1/15/98	T	Bill Kenton, WBOC-TV/Appreciation/Work With Boys & Girls Club of Western Sussex
H139-1337	Fallon	1/15/98	T	Tom Draper, WBOC-TV/ Appreciation/Work With Boys & Girls Club of Western Sussex
H139-1338	Fallon	1/15/98	T	Jim Bowden, WBOC-TV/Appreciation/Work With Boys & Girls Club of Western Sussex
H139-1339	Scott	1/18/98	T	Reverend Barron Sherrer/Wishes for Continued Success/New Congregation
H139-1340	VanSant	1/17/98	T	George & Rita McBride/50th Wedding Anniversary
	cosponsor: Lofink			
H139-1341	Houghton	1/05/98	T	Beatrice & Vaughn Thomas/50th Wedding Anniversary

Number	Sponsor	Presentation Date	Type	Description
H139-1342	Maier	12/20/97	T	St. Mark's Wrestling Team & Coaches/ Mid-Atlantic Tournament/Top Ranked
H139-1343	Maier	11/22/97	T	American Karate Studios/#1 School of the Year /U.S./England/Canada/Australia/Puerto Rico

## HOUSE TRIBUTE ANNOUNCEMENT #102

DATE: January 22, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1344	Maier	11/21/97	T	John Sarmousakis/Instructor of the Year/EFC International Martial Arts Association
H139-1345	Maier	11/22/97	T	Judy & Jim Clapp/International Martial Arts Association. '97 Hall of Fame Award
H139-1346	Ewing	1/23/98	T	Wallace & Frances Merrick/50th Wedding Anniversary
H139-1347	Ewing	1/3/98	M	Jacob L. Hatfield
H139-1348	Wagner	1/30/98	T	Fred W. O'Nions/Retirement/19 Years of Teaching/Dover High
H139-1349	B. Ennis	1/14/98	M	E. Temple Heinold
H139-1350	Wagner	1/12/98	M	Carole D. Collison
H139-1351	Wagner	1/10/98	M	Dr. Marvin R. Berman
H139-1352	DiPinto	1/18/98	T	Michael Rosenello/Golden Jubilee/Oblate
H139-1353	Spence	1/11/98	M	Amanda M. Dera
H139-1354	Wagner	1/5/98	M	Nancy B. Ward
H139-1355	Wagner	1/14/98	M	Frank R. Latourette
H139-1356	Wagner	1/16/98	M	Josephine 'Jo' Owens
H139-1357	Oberle	1/13/98	M	Anne Houck

cosponsors: Stone  
cosponsors: Stone  
cosponsors: Stone  
cosponsors: Welch, Quillen, Caulk, Buckworth, Stone, Ulbrich, Maier,  
Maroney, Fallon, Capano

cosponsors: Spence on Behalf of All House Members

T - Tribute

M - Memoriam

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HJR 20, jointly sponsored by Representatives Spence & B. Ennis & Senator Vaughn on Behalf of All Representatives & Senators.

HJR 20 - Urging the Department of Natural Resources and Environmental Control to Clean Up the Healthways Company, Inc. Environmental Site, Odessa, Delaware and to Pay the Outstanding Costs Thereof; and Directing the Department of Transportation to Clean Up and Dedicate the Site as a Park-N-Ride in Memory of the Honorable Oak Banning.

WHEREAS, the Healthway Company, Inc. site in Odessa, Delaware is currently being environmentally cleaned up; and

WHEREAS, there remain outstanding certain clean up study costs in the amount of \$25,000 to Cummings Riter Consultants, Inc.; and

WHEREAS, the community requested the consultant plan for environmental clean up; and

WHEREAS, the environmental study was necessary to properly complete this site evaluation; and

WHEREAS, the New Castle County Soil and Water Conservation District would be involved in the clean up; and

WHEREAS, the Healthways site is located on the northbound lanes of Route 13 and lies near the new Route 1 bypass of Odessa; and

WHEREAS, Odessa is a convenient location for a park-n-ride site for commuters to the Wilmington area from southern New Castle County, Kent, and Sussex Counties; and

WHEREAS, the late Honorable Oak Banning loved and worked diligently to protect the environment and was instrumental in getting the Healthways site cleaned up.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 139th General Assembly, with the approval of the Governor, that the Department of Natural Resources and Environmental Control is directed to proceed to complete the clean -up of this site and pay the reasonable costs thereof incurred by Cummings Riter Consultants, Inc.

BE IT FURTHER RESOLVED that the Department of Transportation is directed to clean and develop the Healthways Site as a park-n-ride location and demolish the unusable buildings.

BE IT FURTHER RESOLVED that the Department of Transportation is directed to dedicate such a park-n-ride site in honor of the memory of Oak Banning

Representatives Cathcart, B. Ennis & Spence made comments.

Mr. Speaker assigned HJR 20 to the Natural Resources Committee.

Representative Smith deferred to Representative Fallon.

Representative Fallon introduced HCR 52, jointly sponsored by Senator Adams.

HCR 52 - A Resolution Requesting the Department of Education to Consider Adding a Community Service Requirement in Order to Receive a High School Diploma.

Representative Fallon made a comment.

Mr. Speaker assigned HCR 52 to the Education Committee.

Representative Smith deferred to Representative DiLiberto.

Representative DiLiberto introduced HB 443, jointly sponsored by Senator Sokola & Representatives Boulden, Capano, Cathcart, Ewing, Gilligan, Keeley, Maier, Maroney, Price, Roy, Scott, VanSant, Williams & Spence & Senator Marshall.

HB 443 - An Act to Amend Chapter 29, Title 14, Delaware Code Relating to Transportation of Pupils.

Representative DiLiberto made comments.

Mr. Speaker assigned HB 443 to the Education Committee.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced HB 455, jointly sponsored by Senator Henry & Representative

Wagner.

The House Members sang "Happy Birthday" to Representative Welch.

Representatives Ulbrich & Welch made comments.

HB 455 - An Act to Amend the Delaware Code and the Laws of Delaware Relating to the Organization, Composition and Operation of the Judiciary of the State of Delaware.

Mr. Speaker assigned HB 455 to the Judiciary Committee.

Mr. Speaker Spence made an announcement.

Representatives Davis, Fallon, DiPinto, DiLiberto, Davis & DiPinto made comments.

Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:09 p.m.

7th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 27, 1998

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

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SS 1 for SB 231.

Representative Smith made an announcement.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Boulden, Plant - 2.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

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

The following prefiled legislation was introduced:

HB 451 - BUCKWORTH & MARONEY & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, CAREY, CLOUTIER, LEE, MAIER, DILIBERTO; SENATORS MCDOWELL, BAIR, BONINI - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code Relating to Organ and Tissue Procurement, Also to be Known as the Gift of Life Initiative, and Creating a Voluntary Organ and Tissue Awareness Trust Fund.

HB 452 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES QUILLEN, PRICE - P/S: An Act to Amend Title 21 of the Delaware Code Regarding Driving Under the Influence. (2/3 bill)

HB 453 - DILIBERTO - BUS/CORP/COM: An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Commercial Code.

HB 454 - SCOTT - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Unlawfully Administering Drugs; Class A Misdemeanor. (2/3 bill)

HJR 21 - REYNOLDS & SENATOR SOKOLA ON BEHALF OF ALL REPRESENTATIVES AND ALL SENATORS - ED: Celebrating "Read Across America" On March 2, 1998.

HA 1 to HB 336 - WELCH - READY LIST: Placed with the bill.

HA 1 to HB 415 - SCOTT - READY LIST: Placed with the bill.

HA 1 to HB 444 - DAVIS - AGENDA: Placed with the bill.

HA 2 to HJR 19 - SCHROEDER & REPRESENTATIVE CLOUTIER - AGENDA: Placed with the bill.

SS 1 TO SB 231 - VOSHELL & REPRESENTATIVE CAREY; SENATORS ADAMS, AMICK, BAIR, BLEVINS, BONINI, BUNTING, CONNOR, COOK, HAUGE, HENRY, MARSHALL, MCBRIDE, MCDOWELL, REED, SHARP, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, CAPANO, CATHCART, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, PRICE, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS - NAT RES - An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates.

HA 2 to SB 185 - DAVIS - AGENDA: Placed with the bill.

HA 3 to SB 185 - WELCH - AGENDA: Placed with the bill.

HA 4 TO SB 185 - WELCH - AGENDA: Placed with the bill.

HA 5 to SB 185 - WELCH - AGENDA: Placed with the bill.

HA 6 to SB 185 - WELCH - AGENDA: Placed with the bill.

HA 7 to SB 185 - WELCH - AGENDA: Placed with the bill.

HA 8 to SB 185 - WELCH - AGENDA: Placed with the bill.

The House observed a moment of silence in memory of Russell Cory at the request of Representative Petrilli.

The Chief Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Tina Fallon, do hereby request that my name be removed as Co-Sponsor of HB 440.

Date: 1/27/98.

Signed: Tina Fallon.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Representative Timothy U. Boulden  
DATE: January 27, 1998  
RE: Attendance for Session

I will not be in attendance for legislative session today, January 27, 1998 due to the illness of my son.  
Thank you for your attention to this matter.

TUB/ner

Representatives DiPinto & Maroney requested that they be marked present.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on HB 444. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ulbrich brought HB 444, jointly sponsored by Senator Vaughn & Representatives B. Ennis & Petrilli & Senators Still & Voshell, before the House for consideration.

HB 444 - An Act to Amend Titles 17 and 29 of the Delaware Code Relating to Delaware Department of Transportation Acquisition and Sale of Real Property.

Representatives Price, Stone, Schroeder, Gilligan, West & Davis requested that they be marked present.

Representative Davis brought HA 1 to HB 444 before the House for consideration.

Representatives Davis & Petrilli made comments.

HA 1 was adopted by voice vote.

Representative Ulbrich made a comment.

Representative Ulbrich moved to place HB 444 w/HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

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

The House reconvened at 5:05 p.m.

Mr. Speaker Spence introduced a guest.

Representatives Brady & Mack requested that they be marked present.



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

POL ANAL & GOV ACCT: HB 429 - 3M.

JUD: HB 455 - 5M.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 366.

TO: Terry Spence, Speaker of the House

DATE: January 27, 1998

FROM: Rep. Joseph R. Petrilli

Due to personal circumstances I will be unable to attend session on Wednesday, January 28, 1998 and Thursday, January 29, 1998.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to lift HB 444 w/HA 1 from the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Ulbrich brought HB 444, jointly sponsored by Senator Vaughn & Representatives B. Ennis & Petrilli & Senators Still & Voshell, before the House for consideration.

HB 444 - An Act to Amend Titles 17 and 29 of the Delaware Code Relating to Delaware Department of Transportation Acquisition and Sale of Real Property.

Representative Reynolds requested that he be marked present.

Representative Ulbrich introduced and brought HA 2 to HB 444 before the House for consideration.

Representative Ulbrich made comments.

HA 2 was adopted by voice vote.

Representative Ulbrich introduced and brought HA 3 to HB 444 before the House for consideration.

Representative Ulbrich made comments.

HA 3 was adopted by voice vote.

Representatives Ulbrich & B. Ennis made comments.

The roll call on HB 444 w/HA 1, 2 & 3 was taken and revealed:

YES: 36.

ABSENT: Representatives Boulden, Capano, Lofink, Plant, West - 5.

Therefore, having received a constitutional majority, HB 444 w/HA 1, 2 & 3 was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought SB 81 sponsored by Senators McDowell, Adams, Bunting, Henry, Marshall, Sharp, Venables & Voshell & Representatives B. Ennis, D. Ennis, Ewing, Gilligan, Keeley, Lee, Stone & Wagner, before the House for consideration.

SB 81 - An Act to Amend Title 16 of the Delaware Code Relating to Minors and Uniform Controlled Substances. (F/N)

Representatives Maier & Davis made comments.

The roll call on SB 81 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Mack, Plant, West - 4.

Therefore, having received a constitutional majority, SB 81 was returned to the Senate.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought HJR 19, jointly sponsored by Representatives Spence, Mack & Houghton & Senator Sokola & cosponsored by Senator Connor, before the House for consideration.

HJR 19 - Establishing the Public School Transportation Task Force to Review and Make Recommendations Regarding Governing Public School Transportation.

Representative Reynolds brought HA 1 to HJR 19 before the House for consideration.

Representative Reynolds made a comment.

HA 1 was adopted by voice vote.

Representative Reynolds brought HA 2 to HJR 19, sponsored by Representatives Schroeder & Cloutier, before the House for consideration.

Representative Reynolds deferred to Representative Schroeder.

Representative Schroeder made a comment.

HA 2 was adopted by voice vote.

Representative Reynolds made comments.

The roll call on HJR 19 w/HA 1 & 2 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Mack, Plant, West - 4..

Therefore, having received a constitutional majority, HJR 19 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Oberle requested and was granted personal privilege of the floor to make comments.  
Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Stone.

Representative Stone brought SB 202, jointly sponsored by Senator Cook & Representative B. Ennis & Senators Adams, Vaughn, Voshell, Bonini & Still & Representatives Buckworth, Caulk, Quillen, Wagner & Welch, before the House for consideration.

SB 202 - An Act to Amend Title 9 of the Delaware Code Relating to Unpaid Kent County Sewer Service Charges.

Representative Stone made comments.

The roll call on SB 202 was taken and revealed:

YES: 36.

ABSENT: Representatives Boulden, Mack, Oberle, Plant, West - 5.

Therefore, having received a constitutional majority, SB 202 was returned to the Senate.

Representative Smith deferred to Representative Scott.

Representative Scott requested that HB 419 be stricken.

Representative Scott moved to suspend the rules which interfere with introduction of and action on HB 456. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Scott introduced and brought HB 456, jointly sponsored by Representative Keeley, before the House for consideration.

HB 456 - An Act to Amend Title 24 of the Delaware Code Relating to Adult Entertainment Establishments.

Representative Scott made comments.

The roll call on HB 456 was taken and revealed:

YES: 35.

ABSENT: Representatives Boulden, Mack, Petrilli, Plant, West, Williams - 6.

Therefore, having received a constitutional majority, HB 456 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on HB 455. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto brought HB 455, jointly sponsored by Senator Henry & Representative Wagner, before the House for consideration.

HB 455 - An Act to Amend the Delaware Code and the Laws of Delaware Relating to the Organization, Composition and Operation of the Judiciary of the State of Delaware.

Representatives DiPinto & Gilligan made comments.

The roll call on HB 455 was taken and revealed:

YES: 37.

ABSENT: Representatives Boulden, Mack, Plant, West - 4.

Therefore, having received a constitutional majority, HB 455 was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HCR 54. The motion was seconded by Representative Welch and adopted by voice vote.

Representative DiPinto introduced and brought HCR 54, jointly sponsored by Representatives Spence, Smith, Capano, Lofink, Maroney, Petrilli, Roy, Wagner, Gilligan, Brady, Scott & Williams & Senators McDowell, McBride & Bonini, before the House for consideration.

HCR 54 - Urging the University of Delaware Board of Trustees to Reconsider Its Decision to Demolish the Wilmington Squash Racquets Club Building at Wilcastle and the Wilcastle Building.

Representative DiPinto requested and was granted the privilege of the floor for Rick Armitage, Director of Government Relations, University of Delaware.

Representatives Roy, Capano, DiPinto & Fallon made comments.

Representative Fallon requested and was granted the privilege of the floor for Rick Armitage, Director of Government Relations, University of Delaware.

Representatives Fallon, D. Ennis, Wagner & Maroney made comments.

HCR 54 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HCR 55. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HCR 55, jointly sponsored by Representative Gilligan & Senator Sokola & cosponsored by Representative Cloutier, before the House for consideration.

HCR 55 - Requesting That the Delaware Department of Transportation Establish Guidelines for Stop Signs Within Residential Developments.

Representatives Roy & D. Ennis made comments.

HCR 55 was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on SB 217 w/SA 2 & 3.

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

Representative Oberle introduced and brought SB 217 w/SA 2 & 3, jointly sponsored by Senator Sokola & Representative Spence, before the House for consideration.

SB 217 - An Act to Amend Title 22 of the Delaware Code Regarding Residency Requirements of Municipal Employees. (2/3 bill)

Representatives Oberle, Keeley, Williams Oberle, Scott, Williams, Scott & Oberle made comments.

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

Representatives Keeley, DiPinto, Davis, Oberle, Mr. Speaker Spence, DiPinto & Oberle made comments.

The roll call on SB 217 w/SA 2 & 3 was taken and revealed:

YES: 35.

NO: Representatives Keeley, Williams - 2.

ABSENT: Representatives Boulden, Mack, Plant, West - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 217 w/SA 2 & 3 was returned to the Senate.

Representative Smith made an announcement.

Representative Smith requested that action on SB 185 w/SA 1 be deferred to a Day Certain, Thursday, March 19, 1998.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted personal privilege of the floor to make comments regarding HB 175.

Representative Smith made comments.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 217 w/SA 2 & 3 & HCR 51.

Representative Smith made comments.

Representative Brady & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with introduction of and action on HCR 56. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Ulbrich introduced and brought HCR 56, before the House for consideration.

HCR 56 - Relating to the DELDOT Organizational Review Task Force.

Representatives Ulbrich, Smith & Mr. Speaker Spence made comments.

HCR 56 was adopted by voice vote and sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:37 p.m.

8th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 28, 1998

Mr. Speaker Spence called the House to order at 2:12 p.m.

The Chief Clerk read the following communications into the record:

January 27, 1998

LEGISLATIVE ADVISORY #27

Governor Thomas R. Carper signed the following legislation on the date indicated: 1/27/98 - SB 193, HB 237 aab HA 1 & HB 240.

January 27, 1998

Mr. William E. Lowe, Jr.

109 Monroe Street

Lewes, DE 19958

Dear Mr. Lowe:

Pursuant to Senate Bill No. 260 of the 138th General Assembly, I hereby appoint you a member of the Diamond State Port Corporation Advisory Board.

Thank you for agreeing to serve the citizens of Delaware.

Sincerely,

Senator Thomas B. Sharp, President Pro Tempore

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:14 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Petrilli, Plant - 2.

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

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

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

The following prefiled legislation was introduced:

**HB 457 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAPANO, CAREY, DAVIS, D. ENNIS, EWING, LOFINK, MACK, PETRILLI, QUILLEN, REYNOLDS, STONE, ULBRICH, GILLIGAN, HOUGHTON, PRICE - P/S:** An Act to Amend Title 21 of the Delaware Code Relating to Driving a Vehicle While License is Suspended or Revoked, Penalty. (2/3 bill)

**HB 458 - WAGNER & SENATOR VOSHALL; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, DAVIS, D. ENNIS, EWING, LOFINK, MACK, PETRILLI, STONE, ULBRICH, B. ENNIS, GILLIGAN, HOUGHTON, PRICE, VANSANT - P/S:** An Act to Amend Title 21 of the Delaware Code Relating to Requirement of Insurance for Motor Vehicles, Penalty.

**HA 3 to HB 175 - MARONEY - ECON DEV, B & I:** Placed with the bill.

**HA 9 to SB 185 - B. ENNIS - DEFERRED:** Placed with the bill.

Representative Boulden made comments.

Representatives Buckworth, Ulbrich, DiPinto & DiLiberto requested that they be marked present.

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

Representative Smith deferred to Representative DiLiberto.

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

Representatives Cathcart & Schroeder requested that they be marked present.

Representatives Lofink & Williams requested that they be marked present.

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

Representative Oberle introduced and brought **HCR 53**, jointly sponsored by Senator Hauge & Representatives Spence, Smith, Welch, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, D. Ennis, Ewing, Fallon, Lee, Maier, Petrilli, Quillen, Roy, Stone, Ulbrich, Wagner, DiLiberto, Houghton, Price & Scott & Senators Blevins, Sokola, Venables, Amick, Bonini, Reed, Sorenson & Still, before the House for consideration.

**HCR 53 - Honoring the Contributions of Home Schools and Recognizing the First Week of April as Home Education Week in Delaware.**

Representative Oberle introduced a guest and made comments.

**HCR 53** was adopted by voice vote and sent to the Senate for concurrence.

Mr. Speaker Spence & Representative Scott introduced guests.

Representative Brady requested that he be marked present.

Representative Gilligan made an announcement.

Representative Ewing introduced **HB 462**, jointly sponsored by Representatives Brady, Buckworth, Carey, Cathcart, Caulk, Cloutier, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Oberle, Petrilli, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Spence, Stone, Ulbrich, VanSant, Wagner, Welch & Williams & cosponsored by Representative Boulden.

**HB 462 - An Act to Amend Title 30 of the Delaware Code With Regard to Personal Income Tax.**

Mr. Speaker assigned **HB 462** to the Revenue & Finance Committee.

Representative Brady introduced **HB 461**, jointly sponsored by Representatives Gilligan, Buckworth, Capano, Carey, Cloutier, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Mack, Plant, Price, Roy, Schroeder, Scott, Stone, Ulbrich, VanSant, Wagner, Welch, West, Williams & Spence & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables & Voshell & cosponsored by Representative Oberle.

**HB 461 - An Act Authorizing and Directing the Board of Pension Trustees to Grant Arlene E. Banning a Survivor's Pension; and Appropriating Monies to the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware.**

Mr. Speaker assigned **HB 461** to the House Administration Committee.

Representative Smith made an announcement.

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

The House reconvened at 4:29 p.m.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Roy.

Representatives Roy, Mack, Cloutier, Reynolds & Davis requested that they be marked present.

Representative Roy introduced & brought HR 45 before the House for consideration.

HR 45 - Expressing Many Thanks to Pamela J. Scott, Esquire, Director of Policy for the Department of Transportation Who Will be Resigning from Her Position Effective January 30, 1998 to Further Fulfill Her Professional Career as a Private Attorney.

Representative Roy made comments.

HR 45 was adopted by voice vote.

Representative Smith deferred to Representative Lofink.

Representative Lofink introduced & brought HR 46, jointly sponsored by Representatives Ulbrich & Oberle, before the House for consideration.

HR 46 - Mourning the Untimely Passing of Ivan and Zoran Vidanovic and Conveying the Sympathies of the State House of Representatives to Their Surviving Family and Friends.

Representative Lofink made comments.

HR 46 was adopted by voice vote.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with introduction of and action on HB 465. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Reynolds introduced and brought HB 465, jointly sponsored by Representative Spence & Senator Sokola & Representative Mack, before the House for consideration.

HB 465 - An Act to Amend Title 14 of the Delaware Code Relating to School District Enrollment Choice Program.

Representative Reynolds made comments.

The roll call on HB 465 was taken and revealed:

YES: 37.

ABSENT: Representatives Petrilli, Plant, Scott, Williams - 4.

Therefore, having received a constitutional majority, HB 465 was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on HB 463. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Oberle introduced and brought HB 463, jointly sponsored by Representatives Spence, Smith, Welch, Gilligan, VanSant & Capano & cosponsored by Representatives Mack, Scott & B. Ennis, before the House for consideration.

HB 463 - An Act to Amend Titles 3 and 29 of the Delaware Code and the Laws of Delaware Relating to the Video Lottery and Harness Racing.

Representatives Oberle, Stone, Oberle & Wagner made comments.

Representative Oberle requested and was granted the privilege of the floor for John Carney, Secretary of Finance.

Representatives Wagner, Oberle, Davis, DiLiberto, Davis, Oberle, Davis, Oberle & Gilligan made comments.

Representative Gilligan requested and was granted the privilege of the floor for John Carney, Secretary of Finance.

Representatives Gilligan, Oberle, B. Ennis & Oberle made comments.

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

Representatives Davis, Oberle & Davis made comments.

Representative Davis requested and was granted the privilege of the floor for John Carney, Secretary of Finance.

Representative Davis & Mr. Speaker Spence made comments.

Representative Schroeder introduced and brought HA 1 to HB 463 before the House for consideration.

Representative Smith requested a ruling from the chair regarding HA 1.

Mr. Speaker Spence ruled that HA 1 is out of order due to the fact that it is a substantial amendment and it had not been prefiled.

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

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

Mr. Speaker Spence ruled that HA 1 is out of order.

Representative Schroeder made a comment.

Mr. Speaker Spence declared a recess at 5:30 p.m.

The House reconvened at 5:35 p.m.

Mr. Speaker Spence made an announcement.

Representative Schroeder moved to suspend the rules which interfere with introduction of and action on HA 1 to HB 463. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Schroeder brought HA 1 to HB 463 before the House for consideration.

Representatives Schroeder & Smith made comments.

Representative Smith moved to place HA 1 to HB 463 on the Speaker's table. The motion was seconded by Representative Welch and adopted by voice vote.

Representatives Schroeder, Quillen, Oberle & Caulk made comments.

Representative D. Ennis announced that he will not voting on HB 463 because of a possible conflict of interest.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on HA 2 to HB 463. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Cathcart introduced and brought HA 2 to HB 463, jointly sponsored by Representative Quillen, before the House for consideration.

Representatives Cathcart, Oberle, Smith, Houghton & Cathcart made comments.

HA 2 was defeated by voice vote.

The roll call on HB 463 was taken and revealed:

YES: 37.

NO: Representative Maier - 1.

NOT VOTING: Representative D. Ennis - 1.

ABSENT: Representatives Petrilli, Plant - 2.

Therefore, having received a constitutional majority, HB 463 was sent to the Senate for concurrence.

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

Representative DiPinto introduced and brought SCR 47, sponsored by Senators Bair & Sharp & Representatives Spence & Gilligan & Senators Adams, Amick, Blevins, Cook, Sorenson & Voshell & Representatives Capano, Davis, Smith, VanSant & Welch, before the House for consideration.

Representative Smith made an announcement.

SCR 47 - Commending and Extending Heartfelt Best Wishes to the Honorable Helen S. Balick, Chief Judge of the United States Bankruptcy Court for the District of Delaware on the Occasion of Her Retirement from the Federal Bench.

Representative DiPinto introduced the Honorable Helen Balick and her husband and made comments.

SCR 47 was adopted by voice vote.

Mr. Speaker Spence granted the privilege of the floor to Judge Balick.

Representative Brady made a comment.

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

Representative Davis introduced and brought HJR 22, jointly sponsored by Senator Cook, before the House for consideration.

HJR 22 - The Official Estimate of General Fund Revenues for Fiscal Year 1998.

Representative Davis made a comment.

The roll call on HJR 22 was taken and revealed:

YES: 37.

ABSENT: Representatives Oberle, Petrilli, Plant, Williams - 4.

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

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on HB 467. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Roy introduced and brought HB 467 jointly sponsored by Representatives Carey, Lofink, Oberle, Plant & Schroeder & Senators Blevins, Cook, McBride, Venables, Bonini & Hauge, before the House for consideration.

HB 467 - An Act to Amend Chapter 150, Volume 71, Delaware Laws; Appropriating General Funds; Specifying Certain Procedures, Conditions and Limitations for the Expenditures for Such Funds; and Amending Certain Pertinent Statutory Provisions of the Laws of Delaware and the Delaware Code. (3/4 bill)

Representatives Roy, Gilligan, Roy, Davis, Oberle, DiPinto, Roy, Keeley & Roy made comments.

The roll call on HB 467 was taken and revealed:

YES: 38.

ABSENT: Representatives Petrilli, Plant, Williams - 3.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 467 was sent to the Senate for concurrence.

Representative Cloutier made an announcement.

The Chief Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #103

DATE: January 28, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1358	Fallon	1/20/98	T	Hannah Brinsfield/Dedication/ Republican Party & Seaford Community
H139-1359	Capano	1/15/98	M	Rt. Reverend Quintin E. Primo
H139-1360	Quillen	1/21/98	T	Marion Fluhr/Retirement/40 Years Dedicated Service/Education
H139-1361	Wagner	12/10/97	T	Dr. Greg Hammer/Veterinary Medical Association's Veterinarian of the Year
H139-1362	Buckworth	1/31/98	T	George & Nancy Benner/25th Wedding Anniversary
H139-1363	Caulk	2/07/98	T	John & Felicia Seery/50th Wedding Anniversary
H139-1364	Keeley	1/6/98	T	Tiana Morris/Athlete of the Week
H139-1365	Brady	1/30/98	T	Grace Modica/Retirement/24 Years/Christina & Brandywine School Districts
H139-1366	Gilligan	1/24/98	M	Raymond A. Peden, Jr.
H139-1367	Spence	1/14/98	T	John W. Rollins, Sr./48th Recipient of Josiah Marvel Cup
H139-1368	Mack	1/31/98	T	Good-Will Fire Co. No. 1/90th Anniversary
H139-1369	Capano	2/21/98	T	Jason F. Bryde/Eagle Scout
H139-1370	Cathcart	1/11/98	T	Corey C. Fagles/Eagle Scout
H139-1371	Carey	4/26/98	T	Pauline C. Wiest/80th Birthday
H139-1372	Gilligan	2/01/98	T	Mr. & Mrs. Theodore Czajkowski/ 50th Wedding Anniversary

T - Tribute

M - Memoriam

Representative Smith made an announcement.

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

JUD: HB 430 - 2F,4M; HB 436 - 6M; HB 437 - 6M.

NAT RES: SS 1 to SB 231 - 4F.

P/S: HB 435 - 1F,5M.

ED: SB 179 w/SA 1 - 6M.

HEALTH & HUM DEV: HB 427 - 6M.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m..

9th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
January 29, 1998

Mr. Acting Speaker Welch called the House to order at 2:50 p.m.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SJR 6, SB 239 w/SA 1 & 2, SCR 48, SCR 47, SB 224, HB 256, HB 206 w/SA 1 & HCR 53.

Mr. Acting Speaker assigned SB 179 to the Appropriations Committee.

Representative Maier introduced & brought HCR 57, jointly sponsored by Representative Maroney & Senator Bair & Representatives Capano, Fallon, Stone, Ulbrich, Wagner, Keeley & Price & Senators Blevins, Cook, Henry, Connor, Reed & Sorenson & cosponsored by Representatives Houghton & Brady, before the House for consideration.

Representative Maier made comments.

**HCR 57** - Commemorating March as "Women's History Month", and Celebrating the Many Contributions Women Have Made to the Growth of Our Nation.

Representatives Houghton, Maier, Fallon & Wagner made comments.

Mr. Speaker Spence resumed the Chair.

**HCR 57** was adopted by voice vote and sent to the Senate for concurrence.

The Majority Leader moved to adjourn at 2:54 p.m., thereby ending the current legislative day. The House reconvened at 2:55 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Petrilli, Plant - 2.

A prayer was offered by Representative Arthur L. Scott, Third Representative District.

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

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

The following prefiled legislation was introduced:

**HB 459** - EWING, SPENCE, BUCKWORTH, CAREY, DAVIS, DIPINTO, MAIER & SENATORS VENABLES, BONINI & REED: POL ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

**HB 460** - BRADY, CAPANO, CAREY, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, KEELEY, MACK, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE, OBERLE; SENATORS BUNTING, VAUGHN, VENABLES - H/ADM: An Act to Amend Title 1 of the Delaware Code Relating to Legal Holidays.

**HB 464** - OBERLE & VANSANT - JUD: An Act to Amend Title 6 of the Delaware Code Relating to Sales of Goods.

**HB 466** - OBERLE & SENATOR HENRY & REPRESENTATIVES SCHROEDER, WILLIAMS, KEELEY - LABOR: An Act to Amend Titles 9, 19 and 29 of the Delaware Code Relating to Discrimination in Employment and in Public Works Contracting.

**HB 468** - DIPINTO, KEELEY, SCOTT, WILLIAMS, HOUGHTON; SENATORS HENRY, MARSHALL, MCDOWELL - HOUSING & COM AFF: An Act to Amend Title 22, Delaware Code Relating to Residency Requirements for Municipal Elected Officers and Appointed Officers.

**HB 469** - ULBRICH - POL ANAL & GOV ACCT: An Act to Amend Chapter 1, Title 24 of the Delaware Code Relating to the Board of Accountancy.

**SB 224** - MCBRIDE, AMICK, VOSHELL & REPRESENTATIVES CLOUTIER, VANSANT, SPENCE - POL ANAL & GOV ACCT: An Act to Amend Chapter 28, Title 24, Delaware Code, Relating to Professional Engineers.

**SB 239 w/SA 1 & 2** - SHARP, ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES & VOSHELL - TRANS: An Act to Amend Title 17 of the Delaware Code Pertaining to the Acquisition of Real Property by the Department of Transportation.

**SJR 6** - SHARP - TRANS: Directing the Department of Transportation to Establish a "Maintenance Hot Line" to Address Constituent Issues.

**SCR 48** - VOSHELL; REPRESENTATIVE QUILLEN - NAT RES: Calling Upon the United States Army Corps of Engineers to Issue General Drainage and Flood Control Permits.

Representative Smith deferred to Representative Quillen.

The House observed a moment of silence in memory of former Speaker Harold T. Bockman at the request of Representative Quillen.

Representative Roy requested that he be marked present.

Representative Smith deferred to Representative Capano.

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

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

Representative Smith deferred to Representative Reynolds.

Representatives Lofink, Mack, Oberle & D. Ennis requested that they be marked present.

Representative Reynolds introduced & brought **HCR 58**, jointly sponsored by Senator Connor & Representatives Spence, Mack & Houghton, before the House for consideration.

**HCR 58** - Recognizing Phyllis Thompson for Over Twenty-Eight Years of Distinguished Service to the State of Delaware.

**HCR 58** was adopted by voice vote and sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Brady made a comment regarding **HCR 58**.



Representative Ewing introduced and brought HR 47, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Caulk, Davis, DiPinto, Fallon, Lee, Quillen, Brady, B. Ennis, Houghton & Williams, before the House for consideration.

HR 47 - Expressing Our Support and Best Wishes to Alabama Judge Roy Moore.

Representative Ewing made a comment.

HR 47 was adopted by voice vote.

Representative Smith deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on HB 461. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Brady brought HB 461, jointly sponsored by Representatives Gilligan, Buckworth, Capano, Carey, Cloutier, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Mack, Plant, Price, Roy, Schroeder, Scott, Stone, Ulbrich, VanSant, Wagner, Welch, West, Williams & Spence & Senators Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Vaughn, Venables & Voshell & cosponsored by Representative Oberle, before the House for consideration.

HB 461 - An Act Authorizing and Directing the Board of Pension Trustees to Grant Arlene E. Banning a Survivor's Pension; and Appropriating Monies to the Special Pension Fund Created by Volume 61, Chapter 455, Laws of Delaware.

Representatives Brady, Oberle & VanSant made comments.

The roll call on HB 461 was taken and revealed:

YES: 35.

NOT VOTING: Representatives Davis, Smith - 2.

ABSENT: Representatives Cloutier, Petrilli, Plant, Price - 4.

Therefore, having received a constitutional majority, HB 461 was sent to the Senate for concurrence.

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

Representative Wagner made an announcement.

The Majority Leader moved to recess for caucus at 3:13 p.m.

The House reconvened at 4:43 p.m.

The Chief Clerk read the following communications into the record:

January 29, 1998

#### LEGISLATIVE ADVISORY #28

Governor Thomas R. Carper signed the following legislation on the dates indicated: 1/28/98 - SB 217 aab SA 2 & 3. 1/29/98 - HB 254.

The Senate wishes to inform the House that it has passed: HB 318 w/HA 1, HB 97 w/HA 1, HB 216, HB 446 & HB 426 w/HA 1 & SA 1.

Representative Smith deferred to Representative Lee.

Representative Lee brought HB 435, jointly sponsored by Senator Bunting & Representatives Wagner & B. Ennis, before the House for consideration.

HB 435 - An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer Bill of Rights. (2/3 bill)

Representatives Lee & DiLiberto made comments.

The roll call on HB 435 was taken and revealed:

YES: 37.

ABSENT: Representatives Cloutier, Petrilli, Plant, Reynolds - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 435 was sent to the Senate for concurrence.

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

Representative Reynolds performed a dramatic reading.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to suspend the rules which interfere with action on HJR 21. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Reynolds brought HJR 21, jointly sponsored by Senator Sokola on Behalf of All Representatives & All Senators, before the House for consideration.

HJR 21 - Celebrating "Read Across America" on March 2, 1998.

Representative Reynolds made comments and introduced a guest.

The roll call on HJR 21 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Plant - 3.

Therefore, having received a constitutional majority, HJR 21 was sent to the Senate for concurrence.

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

Representative Lofink made comments.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis introduced and brought HCR 59, jointly sponsored by Senator McDowell, before the House for consideration.

HCR 59 - Urging the Surface Transportation Board to Reserve for Future Passenger Rail Use That Portion of the Existing Conrail Lines in the State of Delaware Included in the Merger Transaction of Conrail by Norfolk Southern Railroad and CSX Railroad.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on HCR 59. The motion was seconded by Representative Welch and adopted by voice vote.

Representative D. Ennis made comments.

HCR 59 was adopted by voice vote and sent to the Senate for concurrence.

Representative Welch deferred to Representative Quillen.

Representative Quillen brought SS 1 for SB 231, jointly sponsored by Senator Voshell & All Representatives & All Senators, before the House for consideration.

SB 231 - An Act to Amend Chapter 1, Title 23, Delaware Code, Relating to Pilotage Rates.

Representative Quillen deferred to Representative Carey.

Representative Carey made comments.

The roll call on SS 1 for SB 231 was taken and revealed:

YES: 36.

ABSENT: Representatives Cloutier, Oberle, Petrilli, Plant, Smith - 5.

Therefore, having received a constitutional majority, SS 1 for SB 231 was returned to the Senate.

Representative Carey made a comment.

Representative Welch deferred to Representative Quillen.

Representative Quillen moved to suspend the rules which interfere with action on SCR 48. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Quillen brought SCR 48, jointly sponsored by Senator Voshell, before the House for consideration.

SCR 48 - Calling Upon the United States Army Corps of Engineers to Issue General Drainage and Flood Control Permits.

Representative Quillen made comments.

SCR 48 was adopted by voice vote and returned to the Senate.

Representative Welch deferred to Representative Keeley.

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

Representative Keeley brought HB 317, jointly sponsored by Senator Henry & Representatives Brady, Fallon, Plant, Price & Quillen & Senator Venables, before the House for consideration.

HB 317 - An Act to Amend Title 4 of the Delaware Code Relating to Purchases of Alcoholic Beverages by Retail License Holders.

Representative Keeley brought HA 1 to HB 317 before the House for consideration.

Representative Keeley made a comment.

HA 1 was adopted by voice vote.

Representative Keeley made comments.

The roll call on HB 317 w/HA 1 was taken and revealed:

YES: 35.

NOT VOTING: Representative Davis - 1.

ABSENT: Representatives Cloutier, Oberle, Petrilli, Plant, Smith - 5.

Therefore, having received a constitutional majority, HB 317 w/HA 1 was sent to the Senate for concurrence.

Representative Welch brought HB 336, jointly sponsored by Representative Stone & Senator Bonini, before the House for consideration.

HB 336 - An Act to Amend Title 11, Delaware Code, Relating to Rented Property. (2/3 bill)

Representative Welch brought HA 1 to HB 336 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representatives Welch, Ewing, Welch, B. Ennis, Welch, Williams, Scott, Welch, Keeley & Ulbrich made comments.

The roll call on HB 336 w/HA 1 was taken and revealed:

YES: 37.

NOT VOTING: Representative Scott - 1.

ABSENT: Representatives Cloutier, Petrilli, Plant - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 336 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Maier.

Representative Maier brought SCR 43, sponsored by Senator McDowell & Representative Spence & cosponsored by Representative Maroney, before the House for consideration.

SCR 43 - Memorializing President Clinton and the Members of Delaware's Congressional Delegation to Support and Promote the Morris K. Udall Parkinson's Research and Education Act.

Representative Maier made a comment.

Representative Maier requested and was granted the privilege of the floor for Mary Ann Kelly, Senate Attorney and relative of a Parkinson's disease sufferer.

Representatives Wagner & DiPinto made comments.

SCR 43 was adopted by voice vote and returned to the Senate.

Representative Welch deferred to Representative D. Ennis.

Representative D. Ennis brought HB 426 w/HA 1 & SA 1, jointly sponsored by Representatives B. Ennis & Spence & Senator Vaughn, before the House for concurrence on SA 1.

HB 426 - An Act to Amend Title 18 of the Delaware Code Relating to Delaware Insurance Law Pertaining to Corporate Owned Life Insurance.

Representative Smith made an announcement.

Representative D. Ennis made a comment.

The roll call on HB 426 w/HA 1 & SA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Cloutier, Petrilli, Plant, Williams - 4.

Therefore, having received a constitutional majority, HB 426 w/HA 1 & SA 1 was sent to the Governor.

Representative Smith deferred to Representative Gilligan.

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

HB 475 - A Bond and Capital Improvements Act of the State of Delaware and Certain of Its Authorities for the Fiscal Year Ending June 30, 1999; Deauthorizing State Guaranteed Bond Authorizations; Authorizing the Issuance of General Obligation Bonds of the State; Authorizing the Issuance of Revenue Bonds of the Delaware Transportation Authority; Appropriating Funds from the Transportation Trust Fund; Appropriating Special Funds of the Delaware Transportation Authority; Reverting and Reprogramming Certain Funds of the State; Appropriating General Funds and Special Funds of the State; Appropriating Monies from the Twenty-First Century Fund; Appropriating General Funds to an Infrastructure Investment Plan; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions. (3/4 bill)

Mr. Speaker assigned HB 475 to the Bond Bill Committee.

Representative Smith brought HB 206 w/SA 1, sponsored by Representatives Carey, Quillen, Price & Schroeder, before the House for concurrence on SA 1.

HB 206 - An Act to Amend Chapters 19, 21 and 23 of Title 7 of the Delaware Code Relating to Shellfish Licenses, Permits and Leases.

Representative Smith made a comment.

The roll call on HB 206 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Plant - 3.

Therefore, having received a constitutional majority, HB 206 w/SA 1 was sent to the Governor.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced HB 473, jointly sponsored by Representatives Spence, Smith, Welch, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Roy, Stone, Ulbrich, Wagner, B. Ennis, Houghton & Price & Senators McDowell, Vaughn, Voshell, Connor & Still.

HB 473 - An Act to Amend 3 Delaware Laws, Chapter 78 So as to Permit the State of Delaware to Purchase the Existing St. Georges Bridge.

Representative Cathcart made comments.

Mr. Speaker assigned HB 473 to the Land Use & Infrastructure Committee.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth introduced and brought HR 48, jointly sponsored by Representatives B. Ennis, Welch, Lee, Stone, Quillen & Wagner, before the House for consideration.

HR 48 - Honoring the Contributions Made by Camden-Wyoming Fire Company Member Alfred B. Thomas and Wishing Him a Speedy Recovery from Injuries He Recently Suffered While Protecting the Community.

Representative Buckworth made comments.

HR 48 was adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought HR 49, jointly sponsored by Representatives Carey & Quillen, before the House for consideration.

HR 49 - A Resolution Concerning the Kyoto Protocol on Global Climate Change.

Representative DiPinto made comments.

HR 49 was adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representatives Wagner and Smith made comments.

Representative Wagner introduced HB 470, jointly sponsored by Representative Ulbrich & Senator Sokola & Representatives Smith, Welch, Buckworth, Capano, Carey, Cathcart, Davis, DiPinto, D. Ennis, Fallon, Lee, Lofink, Mack, Maroney, Petrilli, Reynolds, Stone, Brady & Houghton.

HB 470 - An Act to Amend Title 14 of the Delaware Code Relating to Department of Education.

Mr. Speaker assigned HB 470 to the Education Committee.

Representative Smith deferred to Representative Boulden.

Representative Boulden moved to suspend the rules which interfere with action on SB 239 w/SA 1 & 2. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Boulden brought SB 239 w/SA 1 & 2, sponsored by Senators Sharp, Adams, Blevins, Bunting, Cook, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables & Voshell, before the House for consideration.

SB 239 - An Act to Amend Title 17 of the Delaware Code Pertaining to the Acquisition of Real Property by the Department of Transportation.

Representatives Boulden, Davis, Boulden, Smith, Davis & Ulbrich made comments.

The roll call on SB 239 w/SA 1 & 2 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Plant - 3.

Therefore, having received a constitutional majority, SB 239 w/SA 1 & 2 was returned to the Senate.

Representative Smith deferred to Representative Boulden.

Representative Boulden moved to suspend the rules which interfere with action on SJR 6. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Boulden brought SJR 6, sponsored by Senator Sharp, before the House for consideration.

SJR 6 - Directing the Department of Transportation to Establish a "Maintenance Hot Line" to Address Constituent Issues.

Representatives Boulden & Ulbrich made comments.

The roll call on SJR 6 was taken and revealed:

YES: 38.

ABSENT: Representatives Cloutier, Petrilli, Plant - 3.

Therefore, having received a constitutional majority, SJR 6 was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representatives Davis & Ewing made comments regarding SJR 6.

Representative Ulbrich introduced and brought HR 50, jointly sponsored by Representatives Petrilli & B. Ennis, before the House for consideration.

HR 50 - Relating to the DELDOT Organizational Review Task Force.

HR 50 was adopted by voice vote.

Representative Welch deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on HJR 23. The motion was seconded by Representative Welch and adopted by voice vote.

Representative Cathcart introduced and brought HJR 23, jointly sponsored by Representatives Spence, B. Ennis & Senator Vaughn on Behalf of All Representatives & Senators, before the House for consideration.

HJR 23 - Urging the Department of Natural Resources and Environmental Control to Clean Up the Healthways Company, Inc. Site, Odessa, Delaware; and Directing the Department of Public Safety to Consider Acquisition of the Property for Use as a Helicopter Landing Facility; and Directing the Department of Transportation to Clean Up and Dedicate the Adjacent Park-N-Ride Site in Memory of the Honorable Oak Banning.

Representative Cathcart made comments.

Representative Cathcart deferred to Representative B. Ennis.

Representative B. Ennis, Mr. Speaker Spence & Representative Cathcart made comments.

The roll call on HJR 23 was taken and revealed:

YES: 35.

ABSENT: Representatives Cloutier, Ewing, Petrilli, Plant, West, Williams - 6.

Therefore, having received a constitutional majority, HJR 23 was sent to the Senate for concurrence.

Representative Smith made an announcement.

Mr. Speaker Spence appointed Representative Welch as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence made comments.

Representative Spence introduced HB 474, jointly sponsored by Representatives Welch, Boulden, Buckworth, Carey, Cathcart, D. Ennis, Fallon, Lee, Mack, Oberle, Quillen, Reynolds, Roy, Stone, Ulbrich, Gilligan, VanSant, Brady, DiLiberto, B. Ennis, Keeley, Price, Schroeder, Scott, West & Williams & Senators Marshall, McBride, Connor & Reed & cosponsored by Representative Houghton.

HB 474 - An Act to Amend the Laws of Delaware to Give State Employees a Raise in Compensation.

Mr. Acting Speaker assigned HB 474 to the Appropriations Committee.

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

Representative Spence introduced HB 476, jointly sponsored by Representative Oberle & Senator Sharp & Representatives Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Caulk, Davis, DiPinto, Ewing, Fallon, Lee, Lofink, Mack, Petrilli, Quillen, Reynolds, Roy, Wagner, Gilligan, VanSant, B. Ennis, Houghton, Keeley, Price, Scott, West & Williams.

HB 476 - An Act to Amend Title 11 of the Delaware Code Relating to the Law Enforcement Officer Bill of Rights. (2/3 bill)

Mr. Acting Speaker assigned HB 476 to the Public Safety Committee.

Representative Welch deferred to Representative Ulbrich.

Representative Ulbrich made an announcement.

Representative Welch deferred to Representative Gilligan.

Representative Gilligan introduced HB 478, jointly sponsored by Representative Buckworth.

HB 478 - An Act to Amend Chapter 41 and Chapter 70 of Title 21 of the Delaware Code Relating to the Enforcement of Handicapped Persons' Parking Areas and Fire Lanes.

Mr. Acting Speaker assigned HB 478 to the Public Safety Committee.

The Majority Whip moved to recess for caucus at 6:27 p.m.

The House reconvened at 7:28 p.m.

Mr. Speaker Spence resumed the Chair.

Representative Smith made comments.

The Majority Leader moved to recess to the call of the Chair at 7:30 p.m.

10th LEGISLATIVE DAY  
139th GENERAL ASSEMBLY  
Second Session  
March 17, 1998

Mr. Speaker Spence called the House to order at 2:16 p.m.

The following out of session prefiled legislation was introduced:

January 29, 1998

HB 471 - WAGNER, SPENCE, CAREY - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Commissioners of the Courts.

HB 472 - BRADY, CAREY, CLOUTIER, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, KEELEY, PLANT, PRICE, QUILLEN, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE; SENATORS VAUGHN, VENABLES - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

HB 477 - STONE, WELCH, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MAIER, PETRILLI, QUILLEN, ULBRICH, WAGNER, GILLIGAN, VANSANT, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, KEELEY, PLANT, PRICE, SCOTT, WEST, WILLIAMS; SENATORS ADAMS, BUNTING, HENRY, VAUGHN, BAIR, AMICK, CONNOR, REED - POL ANAL & GOV ACCT: An Act to Amend Title 29 of the Delaware Code Relating to Residency Requirements for Cabinet Secretaries.

HB 479 - ROY, WELCH, CLOUTIER, DILIBERTO; SENATORS VAUGHN, AMICK, HAUGE - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Wrongful Death Actions.

**HB 480** - LEE, WELCH & WAGNER - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Assault in the Second Degree.

**HB 481** - MAIER & SENATOR BLEVINS; REPRESENTATIVES CLOUTIER, DAVIS, D. ENNIS, FALLON, MARONEY, REYNOLDS, SMITH, ULBRICH, WELCH; SENATORS MCDOWELL, SORENSON, CONNOR - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code, Relating to Mandatory Testing for Human Immunodeficiency Virus as a Component of Prenatal Care.

**HB 482** - CATHCART & SENATOR VAUGHN; REPRESENTATIVES LOFINK, B. ENNIS - HOUSING & COM AFF: An Act to Amend Title 9 of the Delaware Code Relating to School Impact Fees for the Appoquinimink School District. (3/5 bill)

March 10, 1998

**HS 1 for HB 407** - DILIBERTO, B. ENNIS, PLANT, PRICE, SMITH, VANSANT, WELCH, SPENCE; SENATOR SHARP - BUS/CORP/COM: An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors. (2/3 bill)

**HB 483** - DIPINTO, SPENCE, SMITH, WELCH, BUCKWORTH, CAPANO, CAREY, CATHCART, CLOUTIER, DAVIS, D. ENNIS, EWING, FALLON, LOFINK, MACK, STONE, ULBRICH, WAGNER; SENATOR VAUGHN - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Assault. (2/3 bill)

**HB 484** - MARONEY, DIPINTO, STONE, HOUGHTON, WEST; SENATORS COOK, MCBRIDE, VAUGHN, SORENSON - POL. ANAL & GOV ACCT: An Act to Amend Title 24 of the Delaware Code Relating to Pharmacy.

**HB 485** - WEST & WILLIAMS, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, CATHCART, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, KEELEY, LEE, LOFINK, PETRILLI, PLANT, PRICE, QUILLEN, SCHROEDER, SCOTT, STONE, ULBRICH, VANSANT, WAGNER, WELCH, SPENCE; SENATORS ADAMS, COOK, VOSHELL - R & F: An Act to Amend Title 30 of the Delaware Code Relating to State Taxes.

**HB 486** - B. ENNIS & SENATOR COOK; REPRESENTATIVES BRADY, BUCKWORTH, CATHCART, CAULK, DAVIS, EWING, D. ENNIS, GILLIGAN, HOUGHTON, KEELEY, LEE, MAIER, MARONEY, PLANT, PRICE, QUILLEN, SCOTT, VANSANT, WAGNER, WEST, WILLIAMS, SPENCE; SENATORS VAUGHN, BLEVINS - HEALTH & HUM DEV: An Act to Amend Chapter 98, Title 16 of the Delaware Code, Relating to Initial Training of Paramedics Employed by a County Pursuant to This Chapter.

**HB 487** - WEST, BRADY, BUCKWORTH, CAREY, CATHCART, CAULK, B. ENNIS, FALLON, KEELEY, MACK, QUILLEN, PLANT, PRICE, SCHROEDER, WELCH, SPENCE; SENATORS ADAMS, BUNTING, VENABLES, VOSHELL - BOND: An Act to Amend Title 30 of the Delaware Code Relating to Taxes.

**HB 488** - WEST & EWING, CAREY, CAULK, FALLON, LEE, PRICE, QUILLEN, SCHROEDER; SENATORS ADAMS, BUNTING, VOSHELL - JUD: An Act to Amend Title 10 of the Delaware Code Relating to the Issuance of Search Warrants to Code Enforcement Constables.

**HB 489** - DILIBERTO, BRADY, CAREY, CATHCART, CAULK, B. ENNIS, KEELEY, MAIER, PLANT, PRICE, QUILLEN, SCHROEDER, WAGNER, WELCH, WEST, SPENCE; SENATORS BLEVINS, REED, STILL - BOND: An Act to Amend Title 30 of the Delaware Code Relating to State Taxes.

**HB 490** - DILIBERTO & ROY & BOULDEN, BRADY, CAPANO, CAREY, CATHCART, CAULK, DIPINTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, KEELEY, LOFINK, MAIER, MARONEY, OBERLE, PRICE, SCHROEDER, SCOTT, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS, SPENCE; SENATORS BONINI, STILL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Registration of Sex Offenders.

**HB 491** - PRICE - TELECOM & ELEC UTIL DEREG: An Act to Amend Title 6 and Title 29 of the Delaware Code Relating to Telemarketing. (3/5 bill)

**HB 492** - WEST & SENATOR BUNTING - H/ADM: An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro", to Delete the Limitation On the Annual Appropriation for a Pension and Health and Welfare Plan From Section 30(41). (2/3 bill)

**HB 493** - SCOTT - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Required Information for Driver's Licenses.

**HB 495** - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, CATHCART, CLOUTIER, DAVIS, KEELEY, LOFINK, MAIER, MARONEY, PETRILLI, PRICE, REYNOLDS, ROY; SENATORS SORENSON, STILL, BAIR, BONINI, AMICK - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

**HB 496** - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, CATHCART, CLOUTIER, DAVIS, HOUGHTON, KEELEY, LOFINK, MAIER, MARONEY, PETRILLI, PRICE, REYNOLDS, ROY, SCHROEDER; SENATORS SORENSON, AMICK, BONINI, BAIR - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Sale and Distribution of Tobacco Products to Minors.

**HB 497** - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, CATHCART, DAVIS, KEELEY, LOFINK, MAIER, MARONEY, PETRILLI, SCHROEDER; SENATORS SORENSON, BONINI, BAIR - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

**HB 498** - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, CAREY, CATHCART, CLOUTIER, DAVIS, B. ENNIS, KEELEY, LOFINK, MAIER, MARONEY, PETRILLI, PRICE, ROY, SCHROEDER, ULBRICH; SENATORS SORENSON, AMICK, BONINI, REED, STILL, BAIR - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Confiscation of Authority.

**HB 499** - CAPANO & SENATOR VAUGHN; REPRESENTATIVES BOULDEN, BRADY, CATHCART, DAVIS, KEELEY, LOFINK, MARONEY, PETRILLI, PRICE, SCHROEDER; SENATORS SORENSON, AMICK, STILL, BONINI - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Distribution of Tobacco Products to Minors.

**HB 500** - CAPANO & STONE & SENATOR BUNTING; REPRESENTATIVES PETRILLI, EWING, MAIER, BRADY; SENATORS SORENSON, BAIR - R & F: An Act Proposing an Amendment to Article VIII of the Delaware Constitution of 1897, as Amended, Relating to Revenue and Taxation. (2/3 bill)

**HB 501** - CAPANO & SENATOR MCBRIDE; REPRESENTATIVES VANSANT, MACK, HOUGHTON, DAVIS, DIPINTO, B. ENNIS; SENATOR CONNOR - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Insurance Fraud.

**HB 502** - OBERLE & BOULDEN, SPENCE, ROY, EWING, SCHROEDER, PRICE, WAGNER, PETRILLI, MAIER, CAULK, WEST, MARONEY, MACK, BRADY, BUCKWORTH, LOFINK, LEE, DILIBERTO, HOUGHTON, D. ENNIS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Taxable Income Exclusions.

**HA 1 to HB 420** - SPENCE & WAGNER - READY LIST: Placed with the bill.

**HA 1 to HB 427** - PRICE - READY LIST: Placed with the bill.

The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current legislative day. The House reconvened at 2:18 p.m.

The Chief Clerk called the roll.

Members Present: 41.

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

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

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

Representatives Roy, Williams, Plant, Scott, Wagner, Boulden & Maier requested that they be marked present.

Representative Smith made an announcement.

Mr. Speaker assigned **HB 427** to the Appropriations Committee.

Mr. Speaker reassigned **HB 482** to the Land Use & Infrastructure Committee.

The Assistant Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **HB 355, HB 383, HB 461, HB 467, HCR 49, HCR 55, HCR 57, HCR 58, HCR 59, HJR 21, HJR 22, HS 1 for HB 93, HB 455, HB 465, HB 444 w/HA 1,2 & 3, HB 212 w/HA 1, HB 334, HB 39, HB 343 & HB 133 w/HA 1.**

February 5, 1998

#### LEGISLATIVE ADVISORY #29

Governor Thomas R. Carper signed the following legislation on the dates indicated: 2/4/98 - **HB 444 aab HA 1,2 & 3, HJR 22 & HB 467.** 2/05/98 - **HB 256, HB 366, SB 69 aab SA 1 & HA 1, SB 164, SB 202, SS 1 for SB 231 & SB 81.**

#### LEGISLATIVE ADVISORY #30

Governor Thomas R. Carper signed the following legislation on the dates indicated: 2/10/98 - **SB 239 aab SA 1 & 2, SJR 6, HB 39, HB 216, HB 343, HB 426 aab HA 1 & SA 1, HB 455, HB 461, HB 465, HJR 21, HS 1 to HB 93, HB 97 aab HA 1, HB 206 aab SA 1, HB 212 aab HA 1, HB 318 aab HA 1, HB 334, HB 355 & HB 383.**

#### LEGISLATIVE ADVISORY #31

Governor Thomas R. Carper signed the following legislation on the date indicated: 2/12/98 - **HB 133 aab HA 1, HB 446.**

March 2, 1998

Ms. JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
Legislative Hall  
Dover, Delaware 19903

Dear JoAnn:

Thank you for sending me the House Resolution regarding the proposed global warming treaty.

I am aware of the potential impacts of global warming on our coastal state, particularly the consequence of a rise in sea levels. But I am also aware of the need to better understand the scientific findings, as well as the economic consequences of this treaty.

I might also add that without scheduled commitments for key developing countries to mitigate greenhouse gas emissions, it will be difficult to find support in the Senate for this treaty.

Again, I appreciate your advising me of the House Resolution on this issue. I will keep that in mind as the Senate debates this issue.

Sincerely,  
William V. Roth, Jr.  
U.S. Senate

WVR:aam

February 25, 1998

Rep. J. Benjamin Ewing  
R.D. 1, Box 170  
Bridgeville, Delaware 19933

Dear Rep. Ewing & Members of the Delaware House of Representatives:

I am in receipt today of Mr. Ewing's January 29, 1998 letter and accompanying Resolution #47 passed by the Delaware House of Representatives, 139th General Assembly, which expressed support for my display of the Ten Commandments on the wall of my Etowah County, Alabama courtroom. I must tell you that I am greatly honored to be recognized in such a way by the Delaware House of Representatives. The very fact that the Delaware House of Representatives would pass such a resolution is a testimony of its members' collective and individual courage and fortitude, and a reflection of the Representatives' accurate understanding that the First Amendment to the United States Constitution was never intended to separate God from government. As you no doubt know, our founding fathers wisely recognized that our nation could not remain strong and secure absent a firm reliance upon God and His immutable laws and precepts. God's laws do and always will supercede man's laws. This is a truth that was recognized by our founding fathers and one which we must never forget.

Again, I am sincerely grateful for and honored by the actions of the Delaware House of Representatives as reflected in House Resolution No 47. God bless you all and Godspeed.

Very sincerely yours,  
Roy S. Moore  
Circuit Court Judge  
Etowah County Alabama  
March 2, 1998

Dear Presiding Officer:

I am pleased to transmit herewith an original signed copy of H.P. 1568, JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REMOVE TOBACCO SUBSIDIES.

Sincerely,  
Joseph W. Mayo  
Clerk of the House

Enclosure  
JWM/arb

#### STATE OF MAINE

#### In the Year of Our Lord Nineteen Hundred and Ninety-Eight JOINT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REMOVE TOBACCO SUBSIDIES

WE, your Memorialists, the Members of the One Hundred and Eighteenth Legislature of the State of Maine now assembled in the Second Regular Session, most respectfully present and petition the President of the United States and the United States Congress, as follows:

WHEREAS, tobacco is addictive and detrimental to people's health; and

WHEREAS, people of all ages are affected by the use of tobacco; and

WHEREAS, the United States Secretary of Agriculture sets price supports for tobacco; authorizes loans to tobacco producers; provides noninsured crop disaster assistance; and, through the Commodity Credit Corporation, provides federal crop insurance for tobacco producers; and

WHEREAS, the State of Maine, the 49 other states and the Federal Government have spent billions of dollars collectively on health care costs related to tobacco; and

WHEREAS, farms with fertile soil grow over a ton of tobacco per acre; and

WHEREAS, 124,000 farms in the United States grow a total of 1.65 billion pounds of tobacco annually; and



WHEREAS, the \$358.5 billion settlement from tobacco companies to the states could be used by producers to grow food crops; and

WHEREAS, the tobacco quota rights program gives producers permission to grow tobacco at \$8 per pound and gives transition payments to producers who lease the quota rights; and

WHEREAS, the price paid to tobacco producers for tobacco will fall if the price support is eliminated; and

WHEREAS, federal price supports are critical and producers will not grow tobacco without this assistance; now, therefore, be it

RESOLVED: That We, your Memorialists, request the President of the United States and the United States Congress to remove the financial assistance necessary to grow the tobacco crop; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Honorable William J. Clinton, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; the Speaker of the House or the equivalent officer in the 49 other states; the President of the Senate or the equivalent officer in the 49 other states; and each member of the Maine Congressional Delegation.

House of Representatives

Read and Adopted

February 9, 1998

Sent Up for Concurrence

Joseph W. Mayo

Clerk of the House

ATTEST: Elizabeth H. Mitchell

In Senate Chamber

Read and Adopted

February 10, 1998

In Concurrence

Joy J. O'Brien

Secretary of the Senate

ATTEST: Mark W. Lawrence

Speaker of the House of Representatives President of the Senate

Sponsored By:

Rep. Albion D. Goodwin

of Pembroke

Cosponsored By:

Sen. Mark W. Lawrence

of York County

Rep. Brian Bolduc

of Auburn

Rep. Patrick Colwell

of Gardiner

Rep. Charles C. LaVerdiere

of Wilton

Rep. Alton E. Morgan

of South Portland

Rep. Michael V. Saxl

of Portland

Rep. Ronald E. Usher

of Westbrook

Sen. Jill M. Goldthwait

of Hancock County

Sen. Anne M. Rand

of Cumberland County

In Testimony Whereof, I have caused the seal of the State to be hereunto affixed. GIVEN under my hand at Augusta, this twelfth day of February, in the year one thousand nine hundred and ninety-eight.

Dan A. Gwadosky

Secretary of State

Representative Buckworth made comments.

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

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

Representative Smith made comments.

Representative Brady requested that he be marked present.

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

Representative Fallon made an announcement.

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

Representative Smith introduced a guest.

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

The House reconvened at 5:15 p.m. with Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Caulk.

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

Representative Caulk requested and was granted the privilege of the floor for Amber Miller, National Vice-President, Future Farmers of America.

The Assistant Chief Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #104

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1373	Wagner	12/31/97	T	Jo Thompson & Richard Bergold /Marriage
H139-1374	Wagner	1/31/98	T	Edward L. Hazlett/Retirement/30 Years /DELDOT
H139-1375	Buckworth	1/22/98	T	Honorable Henry duPont Ridgely /Supreme Court Justice Award
H139-1376	VanSant	1/16/98	T	Etsel & Joseph Dobrzynski/50th Wedding Anniversary
H139-1377	Price	1/26/98	T	Lillie B. Webb/80th Birthday
H139-1378	Ewing	1/28/98	T	Susan Shank, RN/School Nurse of the Year
H139-1379	Fallon	2/9/98	T	Richard Rice/Birthday
H139-1380	Boulden	1/27/98	T	Joel Christensen/Renovations-Choate Street/Better Newark Award
H139-1381	Wagner	1/12/98	T	Elizabeth Bartlett/100th Birthday
H139-1382	Ulbrich	1/17/98	T	Harold & Esther Godwin/50th Wedding Anniversary
H139-1383	Brady	1/31/98	T	Claymont Fire Co./70 Years of Service/ Greater Claymont Community
H139-1384	Cathcart	1/28/98	T	Timothy Burroughs, Jr./Nomination /U.S. Military/Academy
H139-1385	Carey	2/15/98	T	Honorable Robert J. Voshell/40 Years /Department of Public Safety/State Senator '92-'98
H139-1386	Oberle	1/27/98	T	Bob Agnor/'97 Newark Police Officer of the Year

#### HOUSE TRIBUTE ANNOUNCEMENT #105

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1387	Buckworth	1/28/98	T	Charles Bell/CaesarRodney High/Delaware Cross Country Coach of the Year
H139-1388	Cathcart	2/07/98	T	Brett V. McConnell/Age 11/Heroic Efforts In Saving Lives/House Fire
H139-1389	Price	2/07/98	T	Connie Carpenter/Award of Excellence/ Delaware Children's Fire Safety Foundation/
H139-1390	Gilligan	1/29/98	M	Harold T. Bockman
H139-1391	B. Ennis	2/07/98	T	M. Marie & James Reynolds/Retirement
H139-1392	DiLiberto	1/22/98	M	John J. Talmo, Sr.
H139-1393	Scott	2/07/98	T	Emma R. S. Ruth/100th Birthday
H139-1394	VanSant	11/23/97	T	Stella & Lawrence Trincia, Sr./ 50th Wedding Anniversary
H139-1395	Schroeder	1/25/98	M	Emory B. Brittingham
H139-1396	Lofink	1/29/98	M	Zoran & Ivan Vidanovic
H139-1397	Cathcart	2/07/98	T	Charles Johnson/Odessa Fire Co./ '98 Senior Fireman of the Year
H139-1398	Cathcart	2/07/98	T	Jason Synor/Odessa Fire Co./'98 Junior Junior Fireman of the Year
H139-1399	Fallon	3/04/98	T	Honorable Battle Robinson/Recognition of Success and Achievements
139-1400	Fallon	3/04/98	T	Lois Studte/ Recognition of Success and Achievements

cosponsor: Maier

## HOUSE TRIBUTE ANNOUNCEMENT #106

DATE: March 17, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1401	Fallon	3/04/98	T	Sally Higgins/ Recognition of Success and Achievements
	cosponsor: Maier			
H139-1402	Welch	6/14/97	T	Paul Tebbutt/1st Amateur Umpire/Inducted into Delaware Baseball Hall of Fame
H139-1403	Ulbrich	1/29/98	T	Joy Dalton/Recipient of Presidential Award/Mathematics & Science Teaching
H139-1404	Oberle	1/28/98	T	General Teamsters Local #326/30th Anniversary - 8/25/97
H139-1405	Capano	2/15/98	T	Chris Corey/Eagle Scout
H139-1406	Stone	1/31/98	T	Dr. Cherrita Matthews/Retirement/30 Years of State Employment
H139-1407	Reynolds	1/29/98	T	Phyllis Thompson/28 Years/ State of Delaware/Retirement
	cosponsors: Mack, Houghton			
H139-1408	Lee	2/01/98	T	Ladies Auxiliary/Laurel Fire Department /60th Anniversary
H139-1409	Roy	1/29/98	T	Pamela J. Scott, Esq./Departure/ DELDOT/Continued Success
H139-1410	Welch	1/22/98	M	Margaret W. King
	cosponsors: B. Ennis, Quillen, Wagner, Stone, Caulk, Buckworth			
H139-1411	D. Ennis	2/7/98	T	Stuart Levine/Pharm.D./University of Kentucky
	cosponsor: DiPinto			
H139-1412	Wagner	1/27/98	M	Henry A. Riddle
H139-1413	Fallon	1/30/98	M	Leslie "Bud" King
H139-1414	D. Ennis	12/19/97	M	Edward H. Smagala, Sr.

## HOUSE TRIBUTE ANNOUNCEMENT #107

DATE: March 17, 1998

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

Number	Sponsor	Presentation Date	Type	Description
H139-1415	Boulden	1/31/98	T	Ruth & Angelo Cataldi/50th Wedding Anniversary
H139-1416	Petrilli	2/07/98	M	Russell M. Cory
H139-1417	Stone	2/06/98	T	'97-'98 Dover High Cheerleaders /Best Wishes/Competition
	cosponsor: Wagner			
H139-1418	Fallon	2/05/98	T	Frederick Ford/ 50th Anniversary
H139-1419	Fallon	12/27/97	T	Edward & Delma Williams/50th Wedding Anniversary
H139-1420	Caulk	2/06/98	T	Robert & Betty Smith/45th Wedding Anniversary
H139-1421	Quillen	2/14/98	T	Dale "Butch" Hill/KentCounty Outstanding Fire Policeman of 1997
H139-1422	Quillen	2/14/98	T	Ronald Vincent/Past President/'97 Farmington Fire Co./Outstanding Contributions
H139-1423	Cathcart	2/07/98	T	William Bell/Dedication/Volunteer Fire Service
H139-1424	Welch	8/26/97	T	Katherine E. Clark/Birth
H139-1425	West	2/28/98	T	Frances Wingate, RN/35 Years/Stockely Center
H139-1426	Welch	11/10/97	T	Judith S. Patton/National Board Certification
H139-1427	Welch	11/10/97	T	Jane Ragains/National Board Certification
H139-1428	Lofink	2/06/98	T	Kevin McCormick/'97 All State Football/Salesianum School

## HOUSE TRIBUTE ANNOUNCEMENT #108

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1429	Lofink	2/03/98	T	Joe D'Amico/Heavyweight Wrestler/ News Journal's Athlete of the Week
H139-1430	Lofink	2/10/98	T	James Stiner/Eagle Scout
H139-1431	Houghton	1/31/98	T	Joseph & Betty Oboyrshko/50th Wedding Anniversary
H139-1432	Houghton	11/22/97	T	Marie & Samuel Hall/50th Wedding Anniversary
H139-1433	Cloutier	1/26/98	M	Florence Paolino
H139-1434	VanSant	2/07/98	T	Robert J. Zulinski/'97 Service Award/ Five Points Fire Co./25 Years
H139-1435	VanSant	2/07/98	T	Frank J. Lindell, Jr./'97 Service Award/ Five Points Fire Co./25 Years
H139-1436	VanSant	2/07/98	T	Charles Hayes/'97 Service Award/ Five Points Fire Co./25 Years
H139-1437	VanSant	2/07/98	T	Fred Shewbrooks/'97 Service Award/ Five Points Fire Co./50 Years
H139-1438	VanSant	2/07/98	T	Thomas Harvey/'97 Service Award/ Five Points Fire Co./55 Years
H139-1439	VanSant	2/07/98	T	Donald Hope/'97 Member of the Year/ Five Points Fire Co.
H139-1440	VanSant	2/07/98	T	Keith Bowman/'97 Service Award/ Five Points Fire Co./15 Years of Service
H139-1441	VanSant	1/31/98	T	Marjorie & Thomas Faux, Sr./50th Wedding Anniversary

## HOUSE TRIBUTE ANNOUNCEMENT #109

DATE: March 17, 1998

The following tributes and memoriams have been

issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1442	Fallon	2/20/98	T	Audrey Jones/Executive Assistant /Pediatric Neurosurgery/Johns Hopkins
H139-1443	Fallon	2/14/98	T	Sharon Brothers Parker /Outstanding Businesswoman
H139-1444	Fallon	2/06/98	T	Otelia Oliver/Outstanding Career Educator
H139-1445	Fallon	3/21/98	T	Gaeton "Guy" Longo/14 Years Service as Mayor of Seaford/6 Years/Town Council
H139-1446	Fallon	2/07/98	T	Ronald Marvel/25 Years of Service/Seaford Volunteer Fire Department/Life Member
H139-1447	Quillen	2/10/98	T	Courtland Kerstetter/Volunteer Service/'98 Prudential Spirit of Community Award
H139-1448	Wagner	9/27/97	T	Jill Murphy & Kevin Lamb/Marriage
H139-1449	cosponsor: Stone Scott	2/10/98	T	Marjorie F. Ash-Ferrell/Outstanding Community Service
H139-1450	Spence	2/10/98	T	Gerald C. Turnauer/Bayshore Ford/ Rotary's '97 Outstanding Businessperson
H139-1451	Houghton	2/01/98	T	Rosemarie & William Olsen/50th Wedding Anniversary
H139-1452	VanSant	2/07/98	T	Marie & Joe Reverdito/50th Wedding Anniversary
H139-1453	Price	2/07/98	T	Fayette & Joseph Iverson/50th Wedding Anniversary
H139-1454	Quillen	2/13/98	T	William Weller/Legislative Hall Print Shop Supervisor/Retirement/27 Years

## HOUSE TRIBUTE ANNOUNCEMENT #110

DATE: March 17, 1998

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

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H139-1455	Carey	2/12/98	T	Tom Purnell/68 Years Dedicated Service/Georgetown Vol. Fire Co.