

STATE OF DELAWARE



Journal of the STATE SENATE

**Session
of the
140th General Assembly**

**Convened
Tuesday, January 12, 1999
Dover, Delaware**

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**1999-2000**



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# **MEMBERSHIP**



# MEMBERSHIP OF THE DELAWARE STATE SENATE

## 140<sup>TH</sup> GENERAL ASSEMBLY

Lt. Governor Ruth Ann Minner, President of the Senate  
 Senator Thomas B. Sharp, President Pro Tempore

| <b><u>District</u></b> | <b><u>Senator</u></b>                                                                  |
|------------------------|----------------------------------------------------------------------------------------|
| 1 <sup>st</sup>        | Harris B. McDowell, III – 2321 Baynard Boulevard – Wilmington 19802                    |
| 2 <sup>nd</sup>        | Margaret Rose Henry – 110 West 21 <sup>st</sup> Street, Elliott Run – Wilmington 19802 |
| 3 <sup>rd</sup>        | Robert I. Marshall – 601 S. DuPont Street – Wilmington 19805                           |
| 4 <sup>th</sup>        | Dallas Winslow – 4629 Talley Hill Lane – Wilmington 19803                              |
| 5 <sup>th</sup>        | Myrna L. Bair – 4 Little Leaf Court – Wilmington 19810                                 |
| 6 <sup>th</sup>        | Liane M. Sorenson – 417 Snuff Mill – Hockessin 19707                                   |
| 7 <sup>th</sup>        | Patricia M. Blevins – 209 Linden Avenue – Wilmington 19805                             |
| 8 <sup>th</sup>        | David P. Sokola – 24 Beech Hill Drive – Newark 19711                                   |
| 9 <sup>th</sup>        | Thomas B. Sharp – 2226 E. Huntington Drive, Pinecrest – Wilmington 19808               |
| 10 <sup>th</sup>       | Steven H. Amick – 449 W. Chestnut Hill Road – Newark 19713                             |
| 11 <sup>th</sup>       | Anthony J. DeLuca – 27 Trevett Drive, Varlano Village – Newark 19702                   |
| 12 <sup>th</sup>       | Dorinda A. Connor – 18 Crippen Drive – New Castle 19720                                |
| 13 <sup>th</sup>       | David B. McBride – 7 Nicole Court, Hawk’s Nest – New Castle 19720-3760                 |
| 14 <sup>th</sup>       | James T. Vaughn – 201 Washington Avenue – Clayton 19938                                |
| 15 <sup>th</sup>       | Nancy W. Cook – Post Office Box 127 – Kenton 19955                                     |
| 16 <sup>th</sup>       | Colin R. J. Bonini – 255 South Shore Drive – Dover 19901-5740                          |
| 17 <sup>th</sup>       | John C. Still – Post Office Box 311 – Dover 19903-0311                                 |
| 18 <sup>th</sup>       | F. Gary Simpson – 6 W. Clarke Avenue – Milford 19963                                   |
| 19 <sup>th</sup>       | Thurman Adams, Jr. – Post Office 367 – Bridgeville 19933                               |
| 20 <sup>th</sup>       | George H. Bunting, Jr. – Post Office Box 1497 – Bethany Beach 19930                    |
| 21 <sup>st</sup>       | Robert L. Venables, Sr. – 116 Hearn Avenue – Laurel 19956                              |

Majority Leader - Thurman Adams, Jr.  
 Majority Whip - Harris B. McDowell, III  
 Minority Leader - Steven H. Amick  
 Minority Whip - Myrna L. Bair





# **COMMITTEE MEMBERSHIP**



## **COMMITTEE MEMBERSHIP**

### **140<sup>TH</sup> GENERAL ASSEMBLY**

**ADMINISTRATIVE SERVICES:** Nancy Cook, Chairman; Thurman Adams, George Bunting, Dorinda Connor.

**ADULT & JUVENILE CORRECTIONS:** James Vaughn, Chairman; Patricia Blevins, Nancy Cook, Colin Bonini.

**AGRICULTURE:** George Bunting, Chairman; Thurman Adams, Nancy Cook, Robert Venables, Gary Simpson, John Still.

**BANKING:** Thurman Adams, Chairman; Thomas Sharp, David Sokola, Liane Sorenson.

**BOND BILL:** Patricia Blevins; Nancy Cook, David McBride, Robert Venables, Colin Bonini, Dorinda Connor.

**CHILDREN YOUTH & FAMILIES:** Harris McDowell, Chairman; Patricia Blevins, Robert Marshall, Dorinda Connor.

**COMBAT DRUG ABUSE:** Margaret Rose Henry, Chairman; Robert Marshall, Thomas Sharp, Liane Sorenson.

**COMMUNITY AFFAIRS:** David Sokola, Chairman; Anthony DeLuca, Robert Venables, Gary Simpson.

**EDUCATION:** David Sokola, Chairman; Patricia Blevins, Anthony DeLuca, Liane Sorenson.

**ENERGY & TRANSIT:** Harris McDowell, Chairman; Nancy Cook, Robert Venables, Dallas Winslow.

**ETHICS:** Thomas Sharp, Chairman; Thurman Adams, Harris McDowell, Steven Amick, Myrna Bair.

**EXECUTIVE:** Thurman Adams, Chairman; Thomas Sharp, David Sokola, James Vaughn, Steven Amick, Myrna Bair.

**FINANCE:** Nancy Cook, Chairman; Margaret Rose Henry, David McBride, James Vaughn, Liane Sorenson, Dallas Winslow.

**HEALTH & SOCIAL SERVICES:** Patricia Blevins, Chairman; Margaret Rose Henry, Harris McDowell, Myrna Bair.

**HIGHWAYS & TRANSPORTATION:** Anthony DeLuca, Chairman; Nancy Cook, David Sokola, James Vaughn, Colin Bonini, Dallas Winslow.

**INSURANCE & ELECTIONS:** James Vaughn, Chairman; Patricia Blevins, Thomas Sharp, Dallas Winslow.

**JUDICIARY:** Thomas Sharp, Chairman; Thurman Adams, James Vaughn, Dallas Winslow.

**LABOR:** Robert Marshall, Chairman; David McBride, Thomas Sharp, Dorinda Connor.

**NATURAL RESOURCES & ENVIRONMENTAL CONTROL:** David McBride, Chairman; George Bunting, Robert Venables, Dorinda Connor.

**PERMANENT RULES:** James Vaughn, Chairman; Thurman Adams, Colin Bonini.

**PUBLIC SAFETY:** Margaret Rose Henry, Chairman; Patricia Blevins, Anthony DeLuca, Steven Amick.

**REVENUE & TAXATION:** Robert Marshall, Chairman; Nancy Cook, Anthony DeLuca, John Still.

**SMALL BUSINESS:** Robert Venables, Chairman; George Bunting, Harris McDowell, John Still.

**SUNSET:** Anthony DeLuca, Chairman; George Bunting, David Sokola, Gary Simpson, John Still.

### **LEGISLATIVE COUNCIL**

Thomas Sharp, Chairman

Thurman Adams

James Vaughn

Steven Amick

Myrna Bair



# **RULES OF THE SENATE**

## IN REFERENCE TO RULES OF THE DELAWARE STATE SENATE

### SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the 140th General Assembly that the following Rules of the Senate be and they hereby are adopted as Rules for the governing of the present session, until further action of the Senate:

Rule 1. ORDER OF BUSINESS

1. Calling of the Senate to Order.
2. Prayer.
3. Salute to Flag.
4. Roll Call.
5. Reading of Journal.
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Secretary of prior filed bills, resolutions and citations.
9. Introductions of all other bills and resolutions by members.
10. Agenda for the day.
11. Miscellaneous business.

Rule 2. CONVENING OF SENATE

Unless otherwise ordered by a majority of its members, the Senate will convene Tuesday, Wednesday, Thursday at 2:00 p.m. All proceedings of the Senate shall be public.

Rule 3. ATTENDANCE OF MEMBERS

- (a) Every member shall be in their place at the time to which the Senate stands recessed.
- (b) No Senator shall absent themselves from the service of the Senate without notifying the President Pro Tem.

Rule 4. ROLL CALL; READING OF JOURNAL

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

Rule 5. CONTENTS OF JOURNAL

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting on all roll calls.

Rule 6. PRESENTATION OF PETITIONS, MEMORIAL OR COMMUNICATIONS TO THE SENATE

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments or State Boards, and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon the presiding officer's table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) Messages from the Governor or from the House of Representatives may be received at any stage of proceedings with the concurrence of the Presiding Officer, except while the Journal is being read, while a question of order or a motion to adjourn is pending, or while a bill is on the floor.

(d) When a message is brought to the Senate by the Governor or the Governor's messenger, or by a member of the House of Representatives, or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

Rule 7. DELIVERY OF MESSAGES FROM THE SENATE; DUTIES OF SECRETARY

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to the Secretary by the Senate.

Rule 8. PREPARATION OF BILLS AND RESOLUTIONS

(a) No bill or resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of Legislative Council. At the end of each bill, Joint Resolution or amendments there shall be placed the name of the author and/or Department who was responsible for writing same and a brief synopsis of the intent of the bill. In the lower left hand corner of page one there shall be the initials of the unit preparing the bill or resolution, the initials of the author and the typist, and, if prepared by automatic equipment, the identification number. Each bill or resolution shall have an appropriate enacting or resolving clause. The first name listed after the word "sponsor" on the first page of a bill or resolution shall be the "prime" sponsor. Once a bill or resolution has been pre-filed or introduced, the addition or deletion of a sponsor shall not cause the bill to be reprinted. The change in sponsorship shall be noted in the calendar, on the jacket of the original bill and on the first page of the original bill.

(b) Every bill or resolution introduced in the Senate which establishes and/or creates a committee, commission, task force or similar body, either for a specified period of time or on a permanent statutory basis shall require that the following functional details be incorporated in the bill and/or resolution, if necessary; provided, however, the requirements of subparagraph (4) in drafting legislation affecting the Delaware Code need not be made a part of the Code.

- (1) The date on which the report is due;
- (2) to whom the report is to be presented;
- (3) the appointing authority or authorities;
- (4) the designation of a temporary chairperson to enable the committee to commence its duties.

(c) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and one backed copy. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; and one backed copy shall be delivered to the Legislative Council. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(d) The master used to produce the bill or resolution together with a minimum 160 true copies of the bill or resolution, shall be made available to the Legislative Council immediately after the introduction of a bill.

(e) All bills for the amendment of any statutes contained in the Delaware Code of 1974 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

Rule 9. PROCEDURE APPLICABLE TO BILLS AND JOINT RESOLUTIONS

(a) Unless the bill or joint resolution has been placed upon a President Pro Tem's pre-filed list, every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

(b) No bill or joint resolution shall be considered on the same day it is reported out of committee, or in the absence of the prime sponsor who introduced it, unless by his or her written consent. After any bill has reached its order of preference on the agenda, it may be deferred twice to the end of the agenda. After it has been deferred twice it must be considered when its order of preference is next reached or removed to the ready list by the Secretary of the Senate. In the event of such removal, no bill shall again be placed on the agenda for the same or the next legislative day.

(c) When considered, each bill or resolution shall be given its final reading by title only unless any member requests a reading in full.

(d) An agenda of bills to be considered on the succeeding legislative day shall be kept by the Secretary of the Senate; and announced at the end of each calendar day; and published each day and a copy thereof distributed to each member, and any bill placed upon the agenda by any member of the Senate, without otherwise limiting the right of any member to put a bill upon its passage, stand in the same order of preference for consideration by the Senate unless otherwise ordered by it.

(e) Every bill or resolution shall be introduced by a member or group of members or by order of the Senate or by report of a committee. Introduction may be by either of two methods:

A. Filing of Bills and Resolutions with the Secretary of the Senate.

(1) A bill or resolution may be introduced by being filed with the Secretary of the Senate at any time while the General Assembly is meeting.

(2) A bill or resolution that is presented to the Secretary of the Senate while the Senate stands in recess, in adjournment, or is not otherwise meeting, may be given a number, entered upon a docket kept for that purpose.

(3) As soon as may be practicable following the filing of a bill or resolution with the Secretary, unless the bill or resolution was placed upon a President Pro Tem's pre-filed list, the Reading Clerk shall read the bill or resolution number and title of all bills filed with the Secretary and entered upon the docket prior to the convening of the Senate which have not been previously read.

(4) Such reading of the bill or resolution by the Reading Clerk shall constitute the first reading of such bill or resolution.

(5) Upon such first reading, or upon placement upon the President Pro Tem's pre-filed list, copies of the bill, amendments or resolutions shall be distributed as provided in Rule 8.

B. Other Methods of Introduction.

(1) A bill or resolution may also be introduced from the floor while the Senate is in session.

C. President Pro Tem's pre-filed list.

(1) A bill or resolution filed with the Secretary may, in the discretion of the President Pro Tem, be placed upon the "President Pro Tem's pre-filed list" and the bill or resolution shall at such time be assigned to a Committee by the President Pro Tem. Copies of the President Pro Tem's pre-filed list shall be distributed to members prior to its reading by the Reading Clerk. The President Pro Tem's pre-filed list shall be read as soon as practicable by the Reading Clerk.

(f) No bill that has been tabled, shall be lifted from the table for further consideration until such bill is first placed upon the agenda, unless such bill is lifted for further consideration on the same legislative day the bill was tabled.

(g) No Senate Bill returning from the House shall be acted on by the Senate unless the bill is first placed on the agenda.

#### **Rule 10. MOTIONS**

(a) All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

(b) Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the yeas and nays.



(c) A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

(d) When a question is pending, no motions shall be received but:

To adjourn;

To adjourn to a certain day.

To take a recess;

To proceed to the consideration of executive business;

To lay on the table;

To postpone indefinitely;

To postpone to a certain day;

To commit;

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

#### **RULE 11. VOTING**

Every bill, amendment, joint resolution, concurrent resolution, or simple resolution shall be decided by a roll call vote and shall require a majority vote of all members elected to the Senate for adoption. The names of the Senators shall be called alphabetically and each Senator shall without debate answer "Yes" or "No" or "Not Voting"; and no Senator shall be permitted to vote after the roll call shall have been announced by the Secretary, but may change their vote prior to said announcement. No Senator shall be granted privilege of the floor from the time the Secretary has announced the roll call to the time the roll call is declared by the presiding officer of the Senate. Tabling of roll calls is prohibited.

#### **RULE 12. RECONSIDERATION**

Any motion for reconsideration must be made by a member of the prevailing side within three (3) legislative days of the original action. When a motion for reconsideration is granted, there can be no further consideration until the sponsor or floor manager rescinds the roll call and takes appropriate action.

#### **RULE 13. PROCEDURE WHEN BILL OR OTHER MATTER SOUGHT TO BE RECONSIDERED HAS BEEN SENT TO THE HOUSE OF REPRESENTATIVES OR TO THE GOVERNOR**

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, or to the Governor, the motion to reconsider shall be accompanied by a motion to request the House or Governor to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

#### **RULE 14. QUESTION OF ORDER**

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

#### **RULE 15. SPECIAL ORDER OF BUSINESS**

Any subject may, without objection by any member elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

#### **RULE 16. PETITION OUT OF COMMITTEE**

Upon written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill, joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

#### **RULE 17. CONDUCT**

(a) When a Senator desires to speak, the Senator shall rise and address the Presiding Officer, and shall not proceed until recognized, and the Presiding Officer shall recognize the Senator who shall first address him or her.

(b) No Senator shall interrupt another in debate without his or her consent, and to obtain such consent the Senator shall first address the Presiding Officer; and no Senator shall speak more than three times upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

(c) No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

(d) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call the Senator to order; and when a Senator shall be called to order, the Senator shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that the Senator be allowed to proceed in order, which motion shall be determined without debate.

(e) If any person who is not a member of the Senate shall be granted the privilege of the floor for the purpose of addressing the Senate, such person and the Senate members shall then accord each other the same courtesies and respect that is required among members of the Senate.

(f) Any person in the chamber and/or balcony who is not a member of the Senate and who refuses to salute the American flag at the time such ceremony occurs shall leave the chamber and/or balcony.

#### **RULE 18. APPOINTMENT OF COMMITTEES**

The President Pro Tempore shall appoint all committees; however, the President Pro Tempore, on at the Pro Tem's own initiative or upon order of the Senate, may appoint special or select committees.

#### **RULE 19. STANDING COMMITTEE**

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

- Administrative Services
- Adult and Juvenile Corrections
- Agriculture
- Banking
- Bond Bill
- Children, Youth and Their Families
- Committee to Combat Drug Abuse
- Community/County Affairs
- Education
- Energy and Transit
- Ethics
- Executive
- Finance
- Health and Social Services/Aging
- Highways and Transportation
- Insurance and Elections
- Judiciary
- Labor and Industrial Relations
- Natural Resources and Environmental Control
- Public Safety
- Revenue and Taxation
- Small Business
- Sunset

#### **RULE 20. DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES**

(a) Each bill, resolution or other legislative matter assigned to a standing committee shall pass through deliberative process before being brought to the floor of either House, unless it is sooner petitioned out of committee. Such deliberative process shall include pre-announced meetings whereby the committee receives testimony from the general public, including those affected by the proposed legislation; considers an analysis of the proposed legislation; and by notice to the sponsor, makes time available for each formal sponsor to explain the legislation and answer possible committee questions.

(b) Regular standing committee meetings may be held every Wednesday, while the Senate is in session, between the hours of noon and 3 P.M. The

scheduling of the regular meetings shall be coordinated with the Secretary of the Senate. The Chairman of a standing committee may call other meetings as deemed necessary.

(c) The day before a meeting each standing committee shall release a Committee Agenda which shall include, among other things, all matters to be considered by the committee at its next meeting and any other announcements from the committee including the times, places and dates of future meetings.

(d) Minutes shall be taken at each formal standing committee meeting, and the results of any committee votes shall be recorded. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.

(e) A quorum does not have to be present to constitute a committee meeting. Committee members unable to attend pre-announced meetings may subsequently affix their signatures to legislation considered at such meetings.

(f) Nothing in this rule shall preclude the option of a committee chairman to cancel a regular or special meeting or call additional meetings when necessary.

#### RULE 21. CONTESTS

Any contest for a seat in this body shall be referred to the Leadership.

#### RULE 22. UNDER THE LEADERSHIP, SUPERVISION OF ATTACHES

The officers, attaches and employees of the Senate shall be under the supervision of the Leadership in the performance of the duties of their respective offices.

#### RULE 23. PRIVILEGE OF THE FLOOR

(a) No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated, stand or allowed to proceed in that area in front of the rear line of the last row of members' seats from the rostrum, to the left of the right line of the farthest right row of members' seats, as facing the rostrum and to the right of the left line of the farthest left row of members' seats as facing the rostrum, while the Senate is in session except:

The Governor of the State  
The Secretary of the State  
Ex-Governors of the State  
Ex-Lieutenant Governors of the State  
Ex-Members of the General Assembly  
Members of the Congress of the United States  
Ex-Members of the Congress of the United States  
Members of the House of Representatives of the State  
Attorneys, Officers and Employees of the Senate  
Attorneys, Officers and Employees of the House of Representatives of the State  
The staff of Legislative Council

(b) Notwithstanding anything contained in subsection (a) of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

#### RULE 24. CHANGE OR SUSPENSION OF RULES

Any rules of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

#### RULE 25. RULES OF ORDER

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative Procedure.

#### RULE 26. NEWS MEDIA

Members of the press, with permission of the President Pro Tempore, may use personal recording devices in the Senate Chamber during live session of that body.

#### RULE 27. TRAVEL BY MEMBERS OF THE SENATE

Any member of the State Senate who takes an out-of-state trip on official business at taxpayer expense shall upon the Senator's return and at the request of the Senate, give an oral report to the Senate on the extent of the Senator's travel, the

nature of the official business and a summary of the convention, conference, seminar, or other proceedings.

**RULE 28. CONSENT CALENDAR**

(a) Any member of the Senate may propose any Senate Resolution, Senate Concurrent Resolution or House Concurrent Resolution, which ever the case may be, for inclusion on a Consent Calendar for the purpose of a final reading; provided that no amendment to the resolution is proposed.

(b) Any proposal by a member of the Senate for inclusion of a Senate Resolution, Senate Concurrent Resolution, or House Concurrent Resolution on a Consent Calendar shall be made to the Secretary of the Senate.

(c) Upon receipt of a proposal for inclusion the Secretary of the Senate shall prepare the Consent Calendar noting each inclusion thereon and present the Consent Calendar to the membership at an appropriate time during each legislative day.

(d) All resolutions included on the Consent Calendar shall be read and voted on collectively as a single group.

(e) Any resolution may be removed from the Consent Calendar for individual action if objection is made to its inclusion by any member.

**RULE 29. CITATIONS**

Every member of the Senate shall be granted the privilege to issue citations, in the categories or classifications available, at anytime during his or her tenure; provided, however, the procedures herein prescribed are adhered to. Citations, unlike resolutions which are highly detailed, invoking the entire Delaware State Senate as a body shall be sequentially numbered by the Secretary of the Senate and made a part of the permanent record of the Senate. Each citation before becoming an official document of the Senate shall be signed by the sponsor and/or sponsors, the President Pro Tempore of the Senate and the Secretary of the Senate. When the Senate is in session pursuant to Article II, Section 4 of the 1897 Constitution, as amended, the President Pro Tempore or their designee shall cause to be read into the permanent record of the Senate, for informational and archival purposes, on one of the three (3) legislative days mentioned in Rule 2, such citations as have been filed with the Secretary of the Senate, by topical notation along with the name of the Chief sponsor thereof. Such citations shall not require an official vote; however, at the time such citations are officially read into the record, any member of the Senate may comment, elaborate or simply expand on the content of the citation. Citations requested and issued by members of the Senate when the Senate stands in recess or adjournment (July 1 - December 31st) shall be administratively managed by the Secretary of the Senate and in the duties of compiling the permanent record of the Senate proceedings (the Senate Journal) shall cause such citations to be made a part of the official proceedings of the Senate.

**RULE 30. PROHIBITING SMOKING IN SENATE CHAMBER, CAUCUS ROOMS AND GALLERY**

No member of the Senate, staff person, member of the press or visitor shall smoke a cigarette, cigar, pipe or other smoking object or equipment in the Senate chamber, caucus rooms and gallery while the Senate is in session.

## **SENATE STAFF**



**SENATE STAFF**  
**140<sup>TH</sup> GENERAL ASSEMBLY**  
**1999 - 2000**

Bernard J. Brady – Secretary of the Senate  
Donna Kay Sandstrom – Assistant Secretary of the Senate  
Joy C. Bower – Journal/Calendar Clerk

**Attaches**

|                         |                       |
|-------------------------|-----------------------|
| Jennifer E. Adams       | Valerie D. Jones      |
| Louise C. Allen         | Kathryn E. Keller     |
| Scotty Wallace Amerine  | Marikate Leith        |
| Katherine E. Artigliere | Floyd Macklin, Jr.    |
| William A. Baker        | Anna Mae Massey       |
| Madeleine M. Bayard     | Kendall McDowell      |
| Mary Lou Berry          | Letitia P. McQuay     |
| Carl E. Brooks          | Patricia C. Moore     |
| Tiffany Rose Bruner     | James E. Murray       |
| Helen F. Carnell        | Guenisha N. Patrick   |
| Danielle L. Catarelli   | Carol A. Pedrotty     |
| Albert C. Clark         | Andrea S. Price       |
| Gail A. Cole            | Noah M. Richardson    |
| Teresa M. Collier       | Wilma J. Roberts      |
| Deirdre L. Comer        | Jennifer C. Sandstrom |
| Colleen L. Conner       | Albert J. Schmidt     |
| Jessica T. Davis        | George T. Sharp       |
| Betty M. Dickinson      | Clarence A. Schwatka  |
| Elizabeth H. Dupont     | Krista V. Seifert     |
| Richard W. Eakle        | Charlotte L. Shirey   |
| Stephanie A. Fedena     | Gregory E. Smith      |
| Andrew J. Fioravanti    | Doris C. Spicer       |
| Kym L. Fisher           | Brian P. Strong       |
| Brian F. Funk           | Lauren E. Strong      |
| Nancy R. Green          | Kay B. Stubbs         |
| Sharone L. Green        | Helen C. Truitt       |
| Sarah Stein Greenberg   | Robert H. Turner      |
| Mary Louise Guyer       | Sennie R. Wiggins     |
| Leigh Ann Harrison      | John E. Williams, Jr. |
| Lorielee J. Harrison    | Amy M. Voshell        |
| Betty Ann Havelow       | Mindy A. Weller       |
| Mary Ann Hearne         | Janice C. Yerkes      |
| Harold M. Hilyard       | Erik W. Yoder         |
| Sylvia A. Holloway      | Robert J. Zigler, Jr. |
| Winifred H. Hulme       |                       |

### **Administrative Assistants**

Nancy Bastidas  
David L. Bonar  
Christopher A. Bradley  
Richard B. Carter  
Brigitte A. Conner  
Mary F. Dugan  
Valerie Newman McCartan  
Hannah B. McKinney  
Richard L. Puffer  
Stephen P. Tanzer  
Terry R. Young  
David E. Wilkins

### **Attorneys**

Jeffrey Clark, Esq.  
John H. Cordrey, Esq.  
Richard T. Dillard, Esq.  
Francis J. Murphy, Esq.



# **LEGISLATIVE DAYS**

**LEGISLATIVE DAYS  
140<sup>TH</sup> GENERAL ASSEMBLY**

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**LEGISLATIVE DAYS  
140<sup>TH</sup> GENERAL ASSEMBLY**

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## **SENATE ACTION**



**140<sup>TH</sup> GENERAL ASSEMBLY  
FIRST SESSION  
1<sup>ST</sup> LEGISLATIVE DAY  
DOVER, DELAWARE  
JANUARY 12, 1999**

Pursuant to Section 4, Article 2, of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware at 2:17 PM on January 12, 1999, Lt. Governor Minner presiding.

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

On motion of Senator Sharp and without objection, Bernard J. Brady was appointed temporary Secretary of the Senate and Stephen P. Tanzer was appointed temporary Reading Clerk. No objection.

The temporary Secretary of the Senate then called the roll of the hold-over Senators:

**PRESENT:** Senators Adams, Bair, Blevins, Bunting, Connor, Cook, McBride, McDowell, Sharp, Sokola, Vaughn – 11.

Senator Sharp moved that the President of the Senate appoint two members to examine the Certificates of Election. No objection.

The President of the Senate appointed Senators Vaughn and Connor to inspect the Certificates of Election of the newly elected Senators.

Senator Sharp called a short recess for the purpose of the examination of the Certificates of Election.

The Senate reconvened with Lt. Governor Minner presiding.

Senator Vaughn reported that the Certificates of Election were examined and found to be in order.

The Certificates of Election were as follows:

For New Castle County: District 2 – Margaret Rose Henry, District 3 – Robert I. Marshall, District 4 – Dallas Winslow, District 6 – Liane McD. Sorenson, District 10 – Steven H. Amick, District 11 – Anthony J. DeLuca.

For Kent County: District 16 – Colin R. J. Bonini, District 17 – John C. Still, III, District 18 – F. Gary Simpson.

For Sussex County: District 21 – Robert L. Venables, Sr.

The original Certificates of Election are in the activity file for this legislative day.

The President of the Senate thanked the committee for its timely and effective work.

Senator Sharp moved that the Acting Reading Clerk read the Certificate of Election of Senator Henry and that the reading constitute the readings of all the Certificates. No objection.

The Acting Reading Clerk then read the Certificate of Election as follows:

The State of Delaware  
New Castle County, ss

Be it remembered, that the General Election held on Tuesday, the Third day in November, in the year of our Lord, One Thousand Nine Hundred Ninety-Eight, for New Castle County, according to the Constitution and the Laws of the State of Delaware,

**Margaret R. Henry**

was duly elected

**Senator –2<sup>nd</sup> 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 5<sup>th</sup> day of November, A.D. 1998.

Henry duPont Ridgely, President Judge  
Vincent A. Bifferato, Resident Judge

\* \* \*

Senator Sharp moved that the Oath of Office be administered to the newly elected Senators.  
 District 2 – Senator Margaret Rose Henry, sworn in by Judge James T. Vaughn, Jr.  
 District 3 – Senator Robert I. Marshall, sworn in by Judge James T. Vaughn, Jr.  
 District 4 – Senator Dallas Winslow, sworn in by Julian D. Winslow, Esq.  
 District 6 – Senator Liane McDowell Sorenson, sworn in by Judge Susan C. Del Pesco.  
 District 10 – Senator Steven H. Amick, sworn in by Judge Richard R. Cooch.  
 District 11 – Senator Anthony J. DeLuca, sworn in by Lt. Governor Minner.  
 District 16 – Senator Colin R. J. Bonini, sworn in by Vice-Chancellor Leo E. Strine, Jr.  
 District 17 – Senator John C. Still, III, sworn in by President Judge Henry DuPont Ridgely.  
 District 18 – Senator F. Gary Simpson, sworn in by Judge Randy J. Holland.  
 District 21 – Senator Robert L. Venables, sworn in by Lt. Governor Minner.

The following oath was administered to the Senators as noted above.

### OATH OF OFFICE MEMBER OF THE STATE SENATE

“I, **NAME**, do proudly swear (or affirm) to carry out the responsibilities of the office of **Senator** 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 (or affirm) 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.”

(Signed)  
Senator

Sworn (or affirmed) and subscribed before me  
This 12<sup>th</sup> day of January A.D. 1999

(Signed)  
Administrator of the Oath  
\* \* \*

The Temporary Secretary of the Senate then called the attendance roll of the Senate members for the legislative day, which revealed:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow – 21.

Senator Sharp moved that **SR 1** be brought before the Senate for consideration.

**SR 1 – IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE.** Sponsor: Senator Sharp & Senators Adams & McDowell.

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

YES: 21

**SR 1** was declared Adopted.

Senator Vaughn moved that **SR 2** be brought before the Senate for consideration.

**SR 2 – IN REFERENCE TO RULES OF THE DELAWARE STATE SENATE.** Sponsor: Senator Vaughn & Senators Adams, Sharp & McDowell.

Several Senators commented.

Roll call vote on **SR 2** was taken and revealed:

YES: 11

NO: Senator (s) Bonini; Still – 2

NOT VOTING: Senator(s) Amick; Bair; Bunting; Connor; Simpson; Sokola; Sorenson; Winslow - 8

**SR 2** was declared Adopted.

Senator Adams moved that **SR 3** be brought before the Senate for consideration.

**SR 3 – IN REFERENCE TO THE ELECTION OF THE PRESIDENT PRO TEMPORE.** Sponsor: Senator Adams & Senator McDowell; Senators Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Sokola, Vaughn, Venables.

Roll call vote on **SR 3** was taken and revealed:

YES: 21



**SR 3** was declared Adopted.

The Oath of Office of the PRESIDENT PRO TEMPORE was then administered to Senator Thomas B. Sharp by Judge T. Henley Graves.

**OATH OF OFFICE  
PRESIDENT PRO TEMPORE  
OF THE STATE SENATE**

“I, **Thomas B. Sharp**, do Proudly swear (or affirm) to carry out the responsibilities of the office of **President Pro Tempore**, 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 (or affirm) 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.”

(Signed) Thomas B. Sharp  
President Pro Tempore

Sworn (or affirmed) and subscribed before me  
This 12<sup>th</sup> day of January A.D. 1999

(Signed) T. Henley Graves  
Judge, Superior Court, State of Delaware  
\* \* \*

Senator Sharp moved that **SR 4** be brought before the Senate for consideration.

**SR 4** – IN REFERENCE TO THE ELECTION OF OFFICERS. Sponsor: Senator Sharp & Senators Adams & McDowell.

Roll call vote on **SR 4** was taken and revealed:

YES: 21

**SR 4** was declared Adopted.

The Oath for SECRETARY OF THE SENATE was then administered to Bernard J. Brady by Lt. Governor Minner.

**OATH FOR SECRETARY OF THE SENATE**

I, Bernard J. Brady, Secretary of the Senate, do proudly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Secretary of the Senate according to the best of my ability.

(Signed) Bernard J. Brady

Sworn to and subscribed before me this 12<sup>th</sup> day of January 1999, A. D.

(Signed) Ruth Ann Minner  
Lieutenant Governor and President  
of the Delaware State Senate  
\* \* \*

Senator Sharp announced that the Majority Caucus has met and officially elected Senator Thurman Adams, Jr. as Majority Leader and Senator Harris B. McDowell, III as Majority Whip.

Senator Still announced that the Minority Caucus has met and officially elected Senator Steven H. Amick as Minority Leader and Senator Myrna L. Bair as Minority Whip.

Senator Sharp moved that **SJR 1** be introduced and brought before the Senate for consideration under the suspension of the necessary rules.

**SJR 1** – IN REFERENCE TO ELECTION OF OFFICERS. Sponsor: Senator Sharp & Senators Adams & McDowell.

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

YES: 21

**SJR 1** was declared passed the Senate and sent to the House for Consideration.

Messengers from the House were announced and admitted, notifying the Senate that the House was organized and ready for business.

Senator Sharp moved that **SR 5** be brought before the Senate for consideration.

**SR 5** – APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE SENATE IS ORGANIZED. Sponsor: Senator Sharp & Senators Adams & McDowell.

Roll call vote on **SR 5** was taken and revealed:

YES: 21

**SR 5** was declared Adopted.

Pursuant to the above resolution, Lt. Governor Minner appointed Senators Cook and Bonini to notify the Governor that the Senate is organized and ready for business.

Senator Sharp moved that **SR 6** be brought before the Senate for consideration.

**SR 6** – APPOINTING A COMMITTEE TO NOTIFY THE HOUSE OF REPRESENTATIVES THAT THE SENATE IS ORGANIZED. Sponsor: Senator Sharp & Senators Adams & McDowell.

Roll call vote on **SR 6** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini; Cook - 2

**SR 6** was declared Adopted.

Pursuant to the above resolution, Lt. Governor Minner appointed Senators Venables and Connor to notify the House that the Senate is organized and ready for business.

On motion of Senator Adams, the Senate recessed at 03:32 PM for a reception for the newly elected members and guests of the Senate.

The Senate reconvened at 04:30 PM with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed

#### **HJR 1.**

Senator Sharp moved that **HJR 1** be introduced and brought before the Senate for consideration under the suspension of the necessary rules.

**HJR 1** – IN REFERENCE TO OFFICERS. Sponsor: Representative Smith & Representative Welch.

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

YES: 19

ABSENT: Senator(s) Bunting; McBride – 2

**HJR 1** was declared passed the Senate and returned to the House.

Senator Cook announced that she and Senator Bonini had informed the Governor that the Senate was organized as instructed.

Senator Venables announced that he and Senator Connor had informed the House that the Senate was organized as instructed.

On motion of Senator Adams, the Senate recessed at 04:36 PM until January 13, 1999 at 03:00 PM.

The Senate reconvened on January 13, 1999 at 03:14 PM with Lt. Governor Minner presiding.

At 03:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Second Legislative Day.

### **140<sup>TH</sup> GENERAL ASSEMBLY FIRST SESSION 2<sup>ND</sup> LEGISLATIVE DAY JANUARY 13, 1999**

The Senate convened at 03:15 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

The Temporary Reading Clerk was requested to read the committee membership for the 140<sup>th</sup> General Assembly. Copies were available to the Senators.

A copy of this communication is on file for this legislative day. (See Table of Contents – Committee Membership)

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 01/13/99**

**SB 1** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES. (3/4) Sponsor: Senators McDowell & Sharp; Senators, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Sokola, Vaughn & Venables; **Finance**.

**SB 4** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO CONSTITUTIONAL AMENDMENTS; AND PROVIDING THAT CONSTITUTIONAL AMENDMENTS BE RATIFIED AT THE POLLS. (2/3) Sponsor: Senator McBride; **Executive**.

**SB 7** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LEGISLATIVE AUTHORITY; AND PROVIDING FOR INITIATIVE AND REFERENDUM. (2/3) Sponsor: Sen. McBride; **Executive**.

**SB 2** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE. Sponsor: Senator Marshall & Representative Welch; Senators Blevins, DeLuca, Henry, McDowell, Connor; Representatives Mulrooney, Scott; **Labor**.

**SB 3** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PRESCRIPTION DRUG PAYMENT ASSISTANCE FOR LOW-INCOME SENIOR CITIZENS. Sponsor: Senator McBride & Representative, Spence, Senators Blevins, Bunting, Cook, DeLuca, Henry, McDowell, Sokola, Representatives Buckworth, Capano, Cathcart, D. Ennis, Gilligan, Houghton, Lee, Lofink, Miro, Plant, Price, Roy, Schroeder, Van Sant, Wagner, Welch; **Finance**.

\* \* \*

Senator Adams moved to recess for Party Caucus at 03:21 PM.

The Senate reconvened at 04:15 PM with Senator Sharp presiding.

At 04:16 PM, Lt. Governor Minner presiding.

Senator(s) Bair, Bonini, Marshall and McBride marked present.

On motion of Senator Adams, the Senate recessed at 04:20 PM until January 14, 1999 at 03:00 PM.

The Senate did not meet January 14, 1999 at 03:00 PM due to inclement weather.

The Senate reconvened on January 19, 1999 at 02:25 PM with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 1; SJR 1**.

At 02:25 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Third Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
3<sup>RD</sup> LEGISLATIVE DAY  
JANUARY 19, 1999**

The Senate convened at 02:25 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Vaughn, Venables, Winslow – 20

**ABSENT:** Senator(s) Still - 1.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

Senator Adams moved to recess for Party Caucus at 02:28 PM.

The Senate reconvened at 05:11 PM with Lt. Governor Minner presiding.

A messenger from the Governor was announced and admitted.  
Senator(s) McBride, Sorenson, Bunting and Marshall marked present.  
Additions to the agenda, committee and other legislative meeting were announced.  
The Secretary of the Senate announced the agenda for January 20, 1999.  
At 05:17 PM on motion of Senator Adams, the Senate adjourned.

**140<sup>th</sup> GENERAL ASSEMBLY  
FIRST SESSION  
4<sup>th</sup> LEGISLATIVE DAY  
JANUARY 20, 1999**

The Senate convened at 04:16 PM with Lt. Governor Minner presiding.  
A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Still - 1.

The Secretary announced a message from the House informing the Senate that it had passed **HB 4**.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 01/20/99**

**SB 8** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING THE CREATION OF THE DELAWARE HEALTH FUND. Sponsor: Sen. Blevins & Rep. Maier, Sens. Bair, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sokola, Still, Venables; Reps. Gilligan, Houghton, Plant, Price, Schroeder, Van Sant; **Finance**.

**SB 9** - AN ACT TO AMEND AN ACT, BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE" TO PROVIDE FOR INDEMNIFICATION OF OFFICERS, AGENTS AND EMPLOYEES. Sponsor: Sen. Bunting & Rep. Price; **Community Affairs**. (2/3)

**SB 10** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF RECORDS. Sponsor: Sen. Vaughn & Rep. Lee; Sen. Winslow; **Children Youth & Families**.

**SB 11** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING DUTIES AND RESPONSIBILITIES OF THE COMMISSIONER RELATING TO THE TRANSPORTATION OF INMATES. Sponsor: Sen. Vaughn & Rep. Lee; Sen. Winslow; **Adult and Juvenile Corrections**.

**HB 4** - AN ACT TO AMEND § 923, TITLE 13 OF THE DELAWARE CODE AS AMENDED BY CHAPTER 481, VOLUME 71, LAWS OF DELAWARE RELATING TO ADOPTED ACCESS TO CERTAIN INFORMATION. Sponsor: Rep. Caulk & Rep. Welch; Sens. Blevins, Connor; **LOT**. (F/N)

**SB 12** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF CARJACKING. Sponsor: Sen. Marshall & Rep. Wagner; **Public Safety**.

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

Mr. Robert A. Glen  
8 Hobson Drive  
West Riding  
Hockessin, Delaware 19707

To be appointed as State Bank  
Commissioner to serve a four  
-year term to replace Timothy  
McTaggart, who resigned.

\* \* \*

The following committee report was announced:

From Executive: **Robert A. Glen** – 5 Favorable, 1 Merit.

Senator(s) Amick, Bair, Blevins, Cook and Marshall marked present.

**SCR 1** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 1** – PROVIDING THAT A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES 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. Sponsor: Senator Sharp & Senators Adams, McDowell; Representatives Spence, Smith, Welch.

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

YES: 20

ABSENT: Senator(s) Still - 1

**SCR 1** was declared Adopted by the Senate and sent to the House for Consideration. Senator McBride marked present during the above roll call.

**HB 4** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Blevins.

**HB 4** – AN ACT TO AMEND § 923, TITLE 13 OF THE DELAWARE CODE AS AMENDED BY CHAPTER 481, VOLUME 71, LAWS OF DELAWARE RELATING TO ADOPTEES ACCESS TO CERTAIN INFORMATION.

Senator Bonini commented.

Senator Blevins requested the privilege of the floor for Raina Fishbane, representing the Office of the Governor.

Senator(s) Sokola and McDowell questioned the witness, after which the witness was excused.

Several Senators commented.

Roll call vote on **HB 4** was taken and revealed:

YES: 19

NOT VOTING: Senator(s) McBride - 1

ABSENT: Senator(s) Still - 1

**HB 4** was declared passed the Senate and returned to the House.

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

Senator Sokola requested to be added as a co-sponsor to **SB 2**.

At 04:50 PM on motion of Senator Adams, the Senate adjourned.

### **140<sup>th</sup> GENERAL ASSEMBLY FIRST SESSION 5<sup>th</sup> LEGISLATIVE DAY JANUARY 21, 1999**

The Senate convened at 01:49 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Still -1.

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

On motion of Senator Adams, the Senate recessed at 01:50 PM to reconvene for the Joint Session pursuant to **SCR 1**.

The Sergeant-of-Arms announced the members of the House of Representatives were ready to enter the Chamber. They were admitted and welcomed to the Senate Chamber.

Lt. Governor invited the Speaker of the House, Representative Terry R. Spence and the President Pro Tempore of the Senate, Thomas B. Sharp to join her on the podium.

The Sergeant-of-Arms announced the members of the Judiciary were ready to enter the Chamber.

They were admitted and welcomed.

The Sergeant-of-Arms announced the statewide elected officials were ready to enter the Chamber.

They were admitted and welcomed.

The Sergeant-of-Arms announced the members of the Governor's cabinet officials were ready to enter the Chamber along with the Presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College.

They were admitted and welcomed.

### **JOINT SESSION – SENATE CHAMBER**

#### **State of the State Message**

**January 21, 1999**

At 01:53 PM, Senator Adams moved the Senate and House meet in Joint Session for the purpose of hearing an address from The Honorable Thomas R. Carper, Governor of the State of Delaware. No objection.

Senator Adams moved that the Lt. Governor preside over the Joint Session. No objection.

Senator Adams moved the Secretary of the Senate and the Chief Clerk of the House act as secretaries to the Joint Session. No objection.

Senator Adams moved that the Chair appoint a committee of four to escort the Governor to the Joint Session. No objection.

Pursuant to the above motion, the Chair appointed Senator Marshall (spokesperson), Senator Connor, Representatives Quillen and Price to form the escort committee.

Upon the departure of the escort committee, the Chair called a short standing recess to await the arrival of the Governor.

After a short period the Chair called the Joint Session back into session and recognized the Sergeant-of-Arms that announced the arrival of the escort party with the Governor.

Governor Carper was admitted and introduced by Senator Marshall.

The Governor was welcomed by the Chair and invited to the rostrum.

The Governor addressed the assembly as follows:

To our Lieutenant Governor, our President Pro Tem, to the Speaker of the House, Terry Spence, to the Chief Justice Veasey and the members of the Judiciary, to the members of my cabinet and other elected officials, to our First Lady, my bride Martha, to the members of this General Assembly, at least one former Governor who is here, and ladies and gentlemen:

There are some new faces here in Legislative Hall today as we gather to assess the state of our state. Legislators with names like Mulrooney, Miro, DeLuca, Cloutier, Viola, Valihura and Winslow have joined us here for the first time. Why don't we start this afternoon by warmly welcoming each of them and expressing our appreciation for the men and women that they succeed?

One of our members is missing this afternoon. Missing inaction. Remember the House of Representatives, Democrat, Charlie West. Charlie, was admitted to the hospital early this week with pneumonia, as well as his wife, Eleanor. They are going to be okay. I talked to him on the phone a few minutes ago. I kid him about giving true meaning to the term double pneumonia. Those who know them, they have been married 52 years. All I know is when I catch a cold, I tell people I kissed the wrong baby. I know where Charlie got his double pneumonia. I am happy to report that he is doing okay. I said, do you have any messages to pass on to your colleagues? He said, tell them I'm on the mend. Then, he mentioned something about dirt roads. So, I know he's feeling better.

For those who are new members here today join a group that includes many distinguished legislators -- and one or two real characters. Let me take a few moments to mention the accomplishments of four of this General Assembly's most distinguished members. We'll save the characters to another day. Joining Lt. Governor Minner and President Pro-Tem Sharp in presiding over this session of the General Assembly is the person who has been selected as Speaker of the House for more terms than anyone in Delaware history and that's Terry Spence. Congratulations.

Bob Gilligan, the Democratic leader of the House, has been elected by the people of his district 14 times now and that's more than any member of the House in Delaware history. Congratulations.

Thurman Adams, dean of the Senate with 26 years of service -- and chair at various times of both the Executive and Agriculture Committees becomes this month at the tender age of 70, the majority leader of the Delaware State Senate. Congratulations. And, Bruce Reynolds, who joined Senator Sokola and others in co-sponsoring our landmark education accountability legislation last year, becomes the first coach in Delaware history whose high school football teams have won 200 games. Congratulations folks.

There is another special person here today, someone who has given up her day job at the DuPont Company for a year or so in order to push hard to be sure Delaware kids learn to read better. That's Delaware's First Lady, my bride, Martha. Martha, thanks for coming.

Governors have been delivering an annual state of the state address in Delaware for more than 2 centuries. Today, I will give the last state of the state address of this century.

I went back and actually read the first state of the state address of this century it was given by a fellow named Ebe Tunnell some 98 years ago. The issues that he touched on that day are one that are still important today to Delawareans, expanding Naamans Road to four lanes, education reform, the preservation of natural resources, and the safety of residents throughout the state. Governor Tunnell also called for elections to be more "orderly", he would be happy to know that campaigns are a bit more orderly these days. He would probably have a heart attack on how much they cost now, though. Where is our State Treasurer? Know what I mean. They are expensive.

Governor Tunnell laid out almost a century ago what he believed Delaware needed to undertake as it began the 20th century. Today, I'll speak to those things which Delaware needs to complete as we prepare to step into a new century and a new millennium. My message today focuses on finishing what we've begun -- providing a foundation so that future generations may enjoy a quality of life as good as, or better than, the one that we enjoy now.

Where does the end of the 20th century find our state, anyway? It finds us with the strongest economy in our region and one of the strongest economies in America. Survey after survey, Delaware's praise as one of the best states in America which to locate and grow a business. In the last year alone, Delaware was #5 in job creation and listen to this, had the second-fastest growth nationwide of any state in median family income over the last two years. Over 62,000 jobs been created in Delaware since January of 1993 when a number of us took office. Tomorrow, Delaware's Department of Labor will report that our state unemployment rate dropped last month, the month of December, to 3.1 percent -- the lowest in a decade.

Two decades of bipartisan financial stewardship have yielded a string of balanced budgets, a Rainy Day fund and now holds over \$114 million, and the highest credit rating in Delaware history. We have no sales tax. Our property taxes are among the lowest in America. With the latest tax cuts that became effective in this state three weeks ago, our state's top marginal personal income tax rate -- not long ago the second highest in America -- has been reduced by more than two-thirds. Most working families still living in poverty pay no state income taxes until their income exceeds 100 percent of poverty. Every business in Delaware paying the gross receipts tax also received a tax cut in January, January 1, a third of them now pay no gross receipts tax at all.

Taxes aren't the only thing we've cut in Delaware. Our welfare rolls are down by over 40 percent since 1994. Families are better off working today in Delaware than remaining on welfare. We've eliminated the waiting list for low-income eligible childcare, and families in Delaware no longer have to choose between going to work on the one hand and keeping health care coverage on the other.

We're waging a war against infant mortality, too -- and we're winning. Delaware's rate, just a few years ago the highest in the nation, has been driven below the national average. Every Delaware public school now has a nurse. Wellness centers operate in most public high schools. Nemours pediatric health clinics dot our landscape. Medicaid managed care has enabled us to extend coverage to 15,000 additional poor working people. Tax credits encourage our smallest employers to coverage their employees.

A recent report from the U.S. Census Bureau shows that while the percentage of uncovered persons nationwide is going up, in Delaware, it's coming down.

On January 1, we took another giant step forward: kids without coverage from families earning between 100 and 200 percent of poverty became eligible to participate in a good, comprehensive plan of health care known as the Delaware Healthy Children's Program -- for as little as \$10 to \$25 per month, per family.

Universal health care coverage for children of Delaware -- a goal that many of us in this room share -- is finally, finally within our grasp.

We have been fighting on another front too, as well: to take back our streets. The State Police reported just two weeks ago that violent crimes in their jurisdictions across Delaware were down by 14 percent in 1998. 14 percent. We congratulate them. Every single category of violent crime came down.

Operation Safe Streets has helped drive down shootings in Wilmington by a third over the past 12 months and more than 1,400 probation and parole violators have found out that zero tolerance means zero tolerance.

We've hired more police. We're training them better than ever, and we are equipping them with the kind of technology that's enabling them to turn the tide against crime.

Delaware has launched the largest prison expansion in our state history, too, we're doing more than just adding prison cells. Beginning this year, every inmate serving a year or more in prison must participate in our internationally recognized Key and Crest programs. Participation in both of these programs reduces by 40 percent the likelihood that inmates upon release will reoffend and end up back in our prison.

Let me add to that, early results from our boot camp, which we have had now for about two years, show that a tough regimen of exercise and school work, drug and alcohol treatment -- along with intensive community service -- can actually help young men and women to turn their lives around.

Well, prisons aren't the only things we're building either. The year just ending saw more road construction, more maintenance, and repair than in any year in Delaware history. DelDOT completed the dualization of Route 896 to the C&D Canal, the resurfacing of Route 141, the Bridgeville bypass, the Route 273 and Lancaster Pike expansions, and major improvements at the Christina waterfront. All done in 1998.

In 1999, another impressive list awaits: the dualization of Naamans Road, a project like I said earlier, I don't know which was first recommended by Ebe Tunnell, but it seems that long. It's going to be completed and that's the important thing. Naamans Road, we're going to get it done. The Scarborough Road extension here in Dover will open, as well, and so will the next leg of SR 1 between the C&D Canal and Odessa. Finally, Churchman's Crossing, the busiest intersection in Delaware, will be completed under budget and ahead of schedule.

Other transportation improvements include the introduction something called E-Z pass on I-95 and later this year on SR1. A new Integrated Traffic Management System is moving traffic through busy thoroughfares from Newark's Main Street to the Kirkwood Highway, and on to Concord Pike in northern Delaware and soon, it will serve the rest of our state. With similar results.

Public transit has been introduced throughout central and southern Delaware. DART ridership is up 22 percent statewide since 1995. We now run buses at night and on weekends. More people are taking the train, too. With the opening of a new station in Newark, rail ridership grew by nearly 25 percent since 1997. Another new station near Churchman's Crossing opens in just, just about a year from now and with it, commuter rail ridership will surge again.

I know everybody -- even governors -- complains about their states' transportation departments. Other Governors actually tell me this. For you and I to complain, it's natural, it's our birthright. But, it's also important to remember that there are a lot of good men and women at DelDOT who are working harder these days to create a transportation system for Delaware that is ready for the 21st Century. They have my thanks, I hope they have yours, as well.

Where we build our roads has a large impact on where people live. We've been working with the Gordon Administration in New Castle County to try to limit unnecessary sprawl, especially in southern part of New Castle County. Smart the land policies are an important part of our stewardship of the environment and the preservation of our natural resources.

Today, Delaware, the First State, Delaware is the #1 state in America for agland preservation. #1! Working with you and the General Assembly and environmentalists over the past six years, we have protected forever another 16,000 acres of open space.

We're transforming a long-abandoned industrial wasteland along the banks of the Christina River, Senator Marshall, into a recreational area of real beauty for a million visitors each year to enjoy. And, we've assumed management of the Brandywine Park and Zoo along the Brandywine River -- with a commitment to making them shine.



The past decade, we've cut industrial and manufacturing emissions of toxic chemicals into our water, by check this, nearly 80 percent and into our air by even more than that. We have met the strict requirements of the federal Clean Air Act too. We're also implementing a 10-year action plan to dramatically reduce pollution emptying into our inland bays and into the Appoquinimink River, and other waterways that have suffered from decades of neglect.

And finally, more than 25 years after the General Assembly enacted Governor Russell Peterson's Coastal Zone Act to protect our state's fragile coastline, this month, January 1999, new regulations to fully implement that law will finally take effect.

Governor Peterson is here with us today. I'd would ask him to stand and be recognized for the leadership he has provided in preserving our coastline and our open space. Governor Peterson would you stand up and remain standing, please? Don't sit down so soon. Everyone else sit down. I want you to stay on your feet my friend. Go head. Stand back up there. It's ironic how you get more applause then I do and I'm the Governor. Thank you for joining us. I really want to thank you for reminding us as the people to remain vigilant in meeting our responsibility to protect our environment to make sure that we do that not just for ourselves but for future generations of Delawareans. What I would like to do ladies and gentlemen to take this opportunity today to make a proposal and that proposal is that we name that urban wildlife refuge, Senator Marshall, up there along the Christina River that we are developing to name it in your honor of Governor Russell Peterson. What do you think?

Despite the great progress we're making in Delaware, there is still plenty to do. I pledge to you today that those of us in the Carper-Minner Administration will use every one of the next 726 days, 21 hours, 11 minutes, to work with this General Assembly to complete what we've begun -- preparing for our future and all the opportunity it holds.

This afternoon, I want to begin to outline an ambitious and comprehensive agenda that builds on our successes and addresses the challenges that lie ahead. Let's begin by focusing first on taxes and fiscal responsibility.

For six years now and actually administrations prior to this, but for six years now, we've prudently managed our state's fiscal affairs while providing Delawareans with a wide variety of tax cuts. This year as you know, revenue growth has slowed a bit sending us a warning signal to proceed with caution in enacting further tax reductions.

As you know, left on the table from last year's tax cut discussions was \$48 million in a show of good faith to study school financing and the role of property taxes.

Now, I understand and appreciate the strongly held beliefs of some in this room that we should eliminate school property taxes and ask Delaware taxpayers to assume those costs using state revenues. I believe there are some school taxes that we ought to cut, and I will be offering a proposal to reduce dramatically the property tax burden on our senior citizens and I say the following gently, but I continue to question the wisdom of eliminating altogether Delaware's school property taxes -- already they are among the lowest in the nation, they represent a stable revenue source both good times and in bad times. And before we take that step I ask, do we need to stop and ask ourselves this question: do we really want to increase state spending by more than a quarter of a billion dollars over the next five years without putting one extra dollar to work in improving our classrooms? Do we want to do that? I just think we need to think long and hard before taking that step.

And next week, I will offer a balanced package of business and personal tax reductions and I think it's sustainable and fair and supportive of further economic growth it meets my litmus test. I look forward to working with each one of you in the General Assembly on my ideas -- and certainly on yours -- in the months ahead.

Our work in cutting taxes will help keep Delaware's strong in the future.

This week, the General Assembly began to consider another important piece of economic development legislation and that's electric deregulation. The agreement hammered out over the last six months provides significant residential rate reductions, consumer protections, and the opening up of competition for industrial, commercial and for other users. I believe it is a good deal for Delaware. It will keep us competitive in the years ahead, I urge its passage.

Now, staying competitive in a rapidly changing global economy depends on how well that we anticipate new economic trends. Now some of you heard me quote former hockey great, Wayne Gretzky. Someone once asked him why are you so good at playing hockey, and he said, and this is what he said, he said, "I go where the puck will be -- not

where it is,” “I go where the puck will be -- not where it is.” Well, ladies and gentlemen the information technology initiative which we’ve launched with our high tech businesses, our colleges, and universities is one important initiative that will enable Delaware’s economy to go where the puck will be in the next century.

Similarly, the expansion of life sciences is about to usher in a new chapter in American history. Delaware has a truly unique opportunity to be at the forefront. Two Delaware companies, duPont and Zeneca – the latter likely to become AstraZeneca -- are world leaders in life sciences, as you know. By helping both of them to grow together in our state and creating in Delaware a really a life sciences corridor, we could help put our little state on the map – and on the radar screens of some of the most promising international business companies in the world. And with that in mind, my budget will propose creating a new Economic Development 2000 Fund to help establish a Delaware Biotechnology Institute in partnership with the University of Delaware, Delaware State University, and Delaware Tech.

Even sooner, we’ll put forward a package of infrastructure improvements and economic incentives to attract and grow AstraZeneca in New Castle County. You know I think we can do so and some of you have shared this with me. But, I think we can do so in a way that creates open space and recreational opportunities for area residents at the very same time and that provides the potential for a real win-win situation that we cannot allow to pass us by.

We know what employers if they are to locate and go into our state: they told us, they want reasonable taxes, they want a quality workforce, they want excellent schools, and they want safe communities in which to live. I have already cited the drop in crime throughout our state and some of the reasons why. Two weeks ago, I announced that Operation Safe Streets would be expanded to Kent and to Sussex Counties. Soon, we will announce a new community probation policing system for our state one that will allow for closer supervision of probationers -- the group that history has shown or more likely or most likely to commit additional crimes.

We also designed a program to further break the cycle of crime by targeting probationers for several things like first for drug treatment, for drug testing, and also providing real consequences for failing to remain drug-free.

I am convinced that aggressive probation policing -- coupled with drug treatment -- is a good crime prevention strategy for Delaware. You know what, so is creating more after-school and weekend activities for our kids. Last year, I received a letter, I think from the police chief down in Seaford. He was writing to tell me that in the months following the opening of the Western Sussex Boys & Girls Club, juvenile complaints dropped in Seaford by more than 60 percent.

Boys and Girls Clubs, the Y’s, Scouts, PAL Centers and other youth programs throughout our state have a track record of success that we need to build on. In short, they help keep kids out of trouble. I will ask this General Assembly to join me in creating a Youth Crime Prevention Fund, modeled after the successful Arts Stabilization Fund. It’s purpose would be to provide incentive grants and to attract substantial private support for expand these successful proven after school programs. A state that’s spending hundreds of millions of dollars as we are each year for arrest and incarcerate adult offenders can afford to spend a few million dollars more to keep kids off the street and on the right path in life. I hope you’ll join with me in this effort.

Well, the coming year will also see heightened attention on the increasing incidence of domestic abuse -- particularly abuse against children. Working with Chief Justice Norm Veasey, I will propose legislation creating a Domestic Abuse Court Project to ensure that the state’s response to all cases of domestic abuse are coordinated, timely, and effective.

No one in this room is left unmoved by the senseless deaths of children who are abused. While we need to separate fact from fiction how these tragedies are reported, we know one thing for sure: we are asking our Division of Family Services today to do something much different than when the Lt. Governor Minner and I joined you here six years ago. No longer an agency designed primarily to reunify families in distress, the Division is now increasingly expected to protect every child with whom it comes in contact.

Two years ago, the General Assembly passed the Child Protection Accountability Act to make clear that the safety of children is paramount in DFS cases. This year, I am asking this General Assembly to pass three bills, three bills to give that Division the power and direction it needs to carry out its expanding role.

As we search for new leadership at the Division of Family Services, I have emphasized the need to make sure the policies that you and I enacted in 1997 to protect children are followed up with clear and decisive action by caseworkers and by their supervisors. At the same time, it is imperative that we continue to improve the training of agency personnel, while reducing the turnover that has caused by the incredible burnout on their job. Doing these things will do more than enhance our expertise in identifying at-risk children before tragedies occur. Doing these things will save lives.

There's another more insidious -- but no less lethal -- threat to the lives of our children: it's tobacco. We need to do more to keep our kids from getting hooked on it. On this day in America, this day in America, 3,000 children -- who's average age is twelve-and-a-half -- will begin smoking. At least 1,000 of them will die from that choice.

Last week, I joined Senator Blevins and Representatives Capano and Maier, and others, as well as Attorney General, in supporting a new campaign to reduce teen smoking.

That campaign can be funded, at least in part, by the tobacco settlement worked out by the nation's attorney generals. The settlement was an important turning point in tobacco litigation, and I want to thank our Attorney General for helping to make it possible. Let me add though.

How much money that Delaware ultimately receives will depend on many things. How the money will be spent will be debated here in this chamber and across the hall for months. I do hope we can agree on one thing now and that's this, the money should be put in a Delaware Health Fund, primary for two purposes, and they are to expand health care coverage and keep Delawareans healthy.

I said earlier that Delaware's health care numbers are improving. Used wisely, these funds can make Delaware a national leader in providing health care to our residents. Already there are creative ideas on the table: from completing universal health care coverage for kids to a "pill bill" aimed at helping our senior citizens to handle the rising cost of prescription drugs, Senator McBride.

Let me mention one other health care challenge we cannot ignore and that's Delaware's emergency medical system. Last November, a study I requested found that our EMS system is fragmented and it's costly, and it's inefficient. The simple fact is that more lives could be saved with a more effective system. I know that many good people -- professionals and volunteers -- are part of the EMS system. You know them too. I ask them to work with our Public Safety, Secretary Brian Bushweller and the committee he has established to develop an action plan that will reduce response times and better serve Delawareans whose lives depend on them.

We all know that the health of every Delawarean is closely linked to a healthy environment. In the 1990's -- governments in Delaware and really around the country -- tried to balance protection of our environment and our natural resources on the one hand with our need for a strong economy on the other.

For the past six years, I have asked our Department of Natural Resources and Environmental Control to work with polluters in an effort to find cost-effective and common sense solutions to reduce harmful emissions. When those good intentions are rebuffed, then we get tougher. It's a combination that has worked.

Well, today we face a major challenge and that is how do we preserve one of the major industries of our state agriculture -- and at the same time, improve water quality.

In short, here's the situation that we face. For every person living here in Delaware, there are about 300 chickens who call Delaware home, too -- at least for a couple of months. Historically, the manure, or litter, of our feathered friends has been used to fertilize the hundreds of thousands of acres of cropland on the Delmarva Peninsula. There we grow a lot of the corn and soybeans that are needed to feed all of those chickens.

Since 1960, the number of acres of cropland under fertilization across our state has diminished by nearly a third. Meanwhile, the number of chickens raised in our state over that period of time, has almost tripled. Today, we have more poultry litter than ever and fewer farm fields across which to spreader. When it rains, excess nutrients from the litter run off into ditches and streams -- resulting in more nitrogen and phosphorous than what's good for our groundwater or our waterways.

So much for the problem. What do we do about it? First, we need to be honest we need to acknowledge that not all nutrient loading of our waterways comes from farming operations. Other sources, including wastewater treatment, our own lawns, golf courses, runoff from driveways and parking lots, it could contribute to the problem as well.

If we want to dramatically improve water quality, and I know we do, all of these sources, all of these sources must be addressed. The cleanup plans for every Delaware waterway which we are developing with the EPA as part of the Clean Water Act will do that over the next 10 years.

In the shorter term, the harm caused by the over-application of poultry litter on fields cannot be ignored. Our goal is to sharply reduce the over-application of those nutrients.

Now I know, there are some people who, people with good faith who believe that a regulatory approach requiring farmers to obtain what some people call, "industrial-strength" permits is a large part of the solution and I do say with all due respect, I'm afraid that's a course of action which may well result in more lawsuits than it does in clean water.

So, what do we do? Several months ago, I charged an inter-agency team within my Administration with finding solutions for our nutrient overloading problem in Delaware. They have worked with the agriculture advisory committee of farmers that I created -- as well as with EPA, the large poultry integrators, environmentalists, the ag extension service and scientists, along with biotech companies like duPont. Several of them even traveled to Europe in search of answers and what's coming together is a plan of action that incorporates the best ideas from some of the smartest people around the world.

For example, researchers shown that a substance called phytase when it's introduced into chicken feed, the phosphorous coming out of the other end of the chicken is reduced by about 25 percent. Already in Delaware, some of our chickens are eating feed that includes phytase. We hope a lot more will. In addition, integrators operating in Delaware will soon require their growers to develop nutrient management plans before those growers receive any additional chicks to raise.

Millions of state and federal dollars are being used to help to build manure storage sheds at farms throughout Kent and Sussex Counties to prevent runoff. We are in hopeful that millions of additional federal dollars will soon be coming to Delaware to create a natural buffer strips, you know along side waterways and ditches, strips that will keep nutrients and filter the nutrients out of the water. And meanwhile, the duPont Company and others are developing genetically-altered corn and other feeds that will result in a couple of years and less phosphorus in chicken litter.

We've also begun to explore another environmentally-safe, cost-effective use for poultry litter -- one that has been used effectively in Europe for years. That is to incinerate it and to extract B2 value of the litter and transform it into energy. Europe's experience has demonstrated that odors can be tightly contained. Stack gasses, we also know, can be readily scrubbed to dramatically reduce nitrogen oxide emissions. The byproduct of the incineration is a nitrogen-free ash that can be marketed for use where fertilizers are needed.

Last month, we began discussions with the leadership of Conectiv Power to explore whether a specially-designed boiler could be added to Conectiv's existing coal fire plant in Vienna, Maryland or at its Indian River facility, for poultry litter incineration. I have also contacted Maryland Governor Parris Glendening to explore with him whether this waste-to-energy initiative might hold promise as a, really is a peninsula-wide solution to nutrient management. Early next month, Conectiv CEO Howard Cosgrove and I will meet with Governor Glendening to discuss whether and how we might proceed. I might also say, I spoke just earlier today a good friend of mine, Congressman Wayne Gilchrist, from the Eastern Shore of Maryland. Called to say, wish he could actually be here with us today, and a, but he can't. But, he called to say that he likes this idea. He's been to Europe and looked at the technology and those of you that know, Wayne, knows that he has a great environmental record, but he wants to join with us and work with his own Governor and those of this state to see if we can finally find another good situation. Part of a broad comprehensive plan.

Finally, we will be discussing with legislators, integrators, and the nutrient management committee that group of farmers that I created on the need for legislation similar to that which has been proposed in Virginia, that coupled with a provision to protect farmers and our environment from "bad actors" who just refused to do their part to solve this problem.

The actions I have outlined here today won't be all easy and not going to be all that cheap. But I am confident that the course we are taking will meet our twin objectives, cleaner water and a strong farm economy.

I want to take the rest of my time with you today to focus on the education of our children. As leader of the National Governors' Association, I have made raising student

achievement the focus of the NGA. As governor, as your Governor, I have made education of our children the focus of our administration.

Ensuring that young men and women graduate from our schools able to read and write, to do math, to work with computers, and it's the most important thing we are endeavoring to do in Delaware and I think it's the most important thing we are endeavoring to do in America. The future of our kids literally depends on us.

When talk first began in Delaware six years ago about education reforms based on rigorous academic standards in math, and science, and English and social studies, a lot of people figured that that idea -- like most education fads -- would simply fade away. It did not. When talk then began of developing high-stakes tests to measure student progress toward those rigorous academic standards, a lot of people said those tests would never be given. They were mistaken.

Finally, a lot of people never believed we would put in place an accountability system that provides real consequences both positive and negative -- for students, and schools, and school districts. We have.

Beginning with the start of this school year this coming September, the rubber really hits the road. A new era of accountability in education begins in Delaware.

In the spring of 2000, a little more than a year from now, students in grades 3, 5, 8, and 10 will take challenging tests we call them assessments -- in reading, writing, and math. Students in grades 3 and 5, whose reading comprehension tests well below our standard, got to go to summer school and hone their reading skills. Students whose reading skills improve will move on to the next grade. Those whose reading skills don't improve will repeat the same grade with a curriculum that focuses on reading.

Now, similar requirements apply to both reading and math in the 8<sup>th</sup> and 10<sup>th</sup> grade. The focus on these subjects is critical because, beginning with the class of 2002, now that is kids that are freshmen today, class of 2002. Delaware students must demonstrate that they have mastered our rigorous standards in order to receive a high school diploma. If they fail to meet Delaware standards in reading or math by the end of the 12<sup>th</sup> grade, they may attend commencement exercises with the class of 2002. They may even receive a certificate of completion. But let me be clear: those students will not receive a diploma from the State of Delaware.

Now, schools and districts will also be held accountable. They ought to be. The test scores from 1998 and 1999 will be used to establish baselines. Two years from this spring -- in 2001 -- schools whose students show significant improvement will be rewarded with public recognition and with monetary awards.

Conversely, schools whose students show no improvement or who decline face the loss of state accreditation and I guess, I expect, the wrath of parents.

Now, we haven't chosen this path to be mean-spirited or we haven't chosen this path to be hard-hearted. We've chosen this path because it has succeeded in raising student achievement in other states, and because we are convinced that it will help to raise student achievement in Delaware, too.

Now, the assessments given last spring in 3<sup>rd</sup>, 5<sup>th</sup>, 8<sup>th</sup>, and 10<sup>th</sup> grades do more than just show how our students measure up to Delaware standards. A separate section of each test also shows how some 40,000 of our students measure up to their counterparts all across the nation in reading and in math. Those results that you probably have heard, indicate that our students are -- by and large -- average. Let me say again today, as I have said on many number of occasions: average is not good enough for Delaware.

If we want Delawareans to continue to enjoy a high standard of living in the next century, it won't be because our schools turn out students with average skills. It will be because our schools graduate students with skills that will enable them and their employers to be successful in a rapidly changing, ever more challenging world and it's our job, yours and mine, to make sure those students gain those skills. I want to ask each of you here something today, I want to ask each of you to join with me in renewing our collective pledge to do whatever it takes to ensure that our students do succeed. Will you join me.

As many of you know, our two children attend public schools. Martha and I believe they are receiving an excellent education. We're proud of our sons like you are of your kids and grandchildren, got every reason to believe that they will be able to meet Delaware's academic standards. But, it's important to us, I'm sure it's important to you -- that all Delaware children have a real shot, a real chance to meet those standards.

Toward that goal, we must continue to make extraordinary investments in kids' lives -- not just after they enter school, at the age of 5, but in the critical, formative years before they ever get to kindergarten.

Now, thanks to the consistent bipartisan support of both the Senate and the House for doing a lot of things, combating teenage pregnancy, providing home visits for all first-time moms, offering parenting training, whole cross section of people, that includes parents on welfare and in our prisons, too. Our Lt. Governor and the PTA are leading the charge for more involvement more parents in their children's education. We've dramatically expanded the availability of childcare for kids whose parents must work, and we've made it possible, I think we are one of two states in the country for where every four-year-olds who live in poverty has a chance now to participate in a Head Start program. I am proud of that and by golly, you ought to be proud of it too. One of two states.

That kids be successful once they get to school, we've provided additional teachers to lower class size. We have funded an extra 20 instructional days for one out of three students that now have a chance to meet those academic standards. That's one out of three, between kindergarten and grade 12.

Better ensure that students gain the computer skills they'll need, a few months ago Delaware became as far as I know, the first state, the first state of the nation to wire every single public school classroom with access to the Internet, and on top of that we allocated, you allocated, 13 million extra dollars to attach computers to those wires. Teachers are being trained to use this technology to make learning come alive and to be more relevant for a generation of youngsters who really more comfortable with a joystick than playing stickball.

On top of that, scores of Delaware employers have adopted schools and are providing mentors, some of you in this room are mentors. This week, close to 10,000 mentors will work with students to help them meet our academic standards. And you know what? Those individual, personal efforts are paying off. Among most students with mentors, academic performance and attendance are up. Disruptive behavior and absenteeism are down.

Finally, we've introduced competition into our public schools through public school choice and charter schools. Fully 10 percent of Delaware students that's the highest percent in any state in America, 10 percent, now exercise that choice.

In addition, growing numbers of Delaware students are enrolling in Delaware's public charter schools. There, real genuine school-based decision making is unleashing innovation and energy too rarely found in other schools whether they're public or private. As a result, more charter schools are on the way.

We have laid a solid foundation. It's time now to build on that foundation and to finish the job that you and I and a lot of people working together around the state, have done. What remains to be done?

School reform won't be effective in classrooms that are too disruptive for teachers to teach and students to learn. To help create disciplined classrooms we've initiated disruption prevention programs in every single Delaware public school. We've created alternative learning centers for chronically disruptive students in each county of our state. Many elementary schools now have family crisis therapists, and a growing number of high schools have something that we call school resource officer, really a state cop in plain clothes who is trained and really good at working with teens.

It hasn't been enough. This year, this Governor, will propose to increase by 50 percent what we currently spend in our schools and in our classrooms, on discipline. We are awaiting the results of an evaluation of our existing discipline programs -- to find out what's working well and frankly, what's not, working well. With that information, I want us to expand -- statewide -- those programs that are successful at creating classrooms that are conducive to learning.

Too often, we hear that some children are not successful because schools can overcome the negative impact of society. You have heard that and so have I. Current research disputes that though, showing that teacher qualifications and class size together can have as great an impact on student achievement as poverty, race, and parent education combined. Now, make no mistake about it -- the success of education reform hinges largely on the effectiveness of our teachers.

There're thousands of dedicated teachers that work in our schools every day. Some of those are in public schools and some are in private schools. We've been the beneficiary for many number through our own children of some excellent teachers. Each

year, we add hundreds of new teachers to their ranks. The skills of those new teachers are critical to the success of our students.

As a result, we must improve our ability to recruit and retain highly skilled, competent teachers. Toward that goal, I propose to adopt the recommendations of the Teacher Salary Schedule Improvement Committee, ably chaired over the last six months by the University of Delaware, Dr. Joe Pika. Now, among those recommendations that they made are the following ones:

First, make salaries more competitive with others in our region, 13 percent increase in pay for the first three years, and a four percent increase to more experienced teachers.

Second, encourage focused, career-long professional development for all teachers and to do it in three ways: 1) by phasing in five additional, paid work days for training, professional development over the next three years; 2) by compensating teachers for enhanced skills and knowledge; and 3) by paying more to teachers who work extra hours as academic leaders.

As we enhance compensation and work to provide quality professional development, we also must put in place policies that ensure high standards for becoming and remaining a teacher in Delaware. Education Secretary Iris Metts and I will propose a plan for professional growth and accountability of our teachers.

First, and perhaps most importantly, we will propose -- for the first time -- to link teacher appraisals to student achievement. I believe a significant portion of a teacher's evaluation should be based on how effective that teacher is in helping children to learn and what we will propose that at least 20 percent of a teacher's evaluation be based on student performance, along with 30 percent of an administrator's evaluation and those percentages that as far as I know, are among the highest of any state in America.

Secondly, we will propose to make it more challenging to earn a certificate to teach in our state. Applicants will be required to pass a national exam that measures mastery of content knowledge and how to teach that content. New teachers also will serve an induction period under the mentorship of an experienced teacher and must earn satisfactory appraisals that include evidence of improved student performance.

Third, we will propose to initiate a re-certification process to ensure that our teachers update and renew their skills. Recertification will require ongoing professional development, combined with successful performance appraisals that are linked to improve student achievement.

If a teacher receives unsatisfactory evaluations, every effort should be made to improve that teacher's skills. If, despite appropriate intervention, a teacher continues to receive unsatisfactory evaluations, that teacher will face the loss of his/her license to teach in Delaware. I believe, we have a responsibility on one hand, to better equip teachers with the skills that they need to enable them to be effective in Delaware classrooms, but on the other hand, we also have the responsibility to ensure that every child, every child has an effective teacher in their classroom.

These teacher compensation and professional accountability plans make clear once again that education reform in Delaware at least, is not a passing fad. The course to which we are committed is, it's more like a marathon than a sprint. Our kids' futures are at stake. So is the future economic vitality of Delaware in the 21st century. Delaware's children, Delaware's children, your children and mine deserve nothing less than the best education that our state can offer. The responsibility, the responsibility to make that a reality for them rests with us.

As I close here today, let me say that in spite of all that we've accomplished. Do you know what I'm struck by, I'm always struck by how much work there is still left to do. And it occurs to me that the reason is really pretty simple: to stay ahead, got to keep moving forward.

I am proud of the record that our Administration, working with you and this legislature and those that has come before, working with people all over the state. I'm proud of our accomplishments and what we have put together over the past six years. Our collective leadership has prepared this state well for a new century. Our economy is strong. Taxes are lower. Crime is decreasing. Health care is increasing. Our schools are getting better. Our environment is getting cleaner.

Many challenges await us, of course -- some of which I have outlined here today. But, let us dedicate ourselves today to meeting those challenges with the same energy, the same enthusiasm, the same bipartisan spirit of cooperation, that has been our recipe in Delaware for success for these past six years and before.

And let the governor and legislature who are preparing to greet another new century, right here, 100 years from now, say of us: they saw their future and they reached out to embrace it.

Thank you very much.

\* \* \*

Lt. Governor Minner thanked the Governor and asked the escort committee to reassemble and escort the Governor back to his executive office.

Senator Adams 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, Bernard J. Brady, reported that the Journals were in agreement.

Senator Adams moved that the Joint Session be adjourned and the two House separate to reconvene in their respective Chambers. No objection. The Joint Session was declared adjourned.

On motion of Senator Adams, the Senate recessed for approximately one half hour to allow the Chamber to be put back in order.

The Senate reconvened at 04:27 PM with Lt. Governor Minner presiding.

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

**Glen, Robert A.** – 20 Senators voting YES, 1 (Still) ABSENT. Appointment CONFIRMED.

Senator Marshall moved that **SB 13** be introduced and brought before the Senate for consideration under the suspension of the necessary rules.

**SB 13** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO QUALITY IN HIRING OF EMPLOYEES AND OTHERS WHO PROVIDE SERVICES IN NURSING HOMES AND SIMILAR FACILITIES. Sponsor: Senator Marshall & Representative Maier.

Senator(s) Bair, Simpson, Amick and Connor commented.

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

YES: 16

NOT VOTING: Senator(s) Amick; Bair; Simpson; Sorenson - 4

ABSENT: Senator(s) Still - 1

**SB 13** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for January 26, 1999.

On motion of Senator Adams, the Senate recessed at 04:47 PM until January 26, 1999 at 02:00 PM.

The Senate reconvened at 02:30 PM on January 26, 1999 with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 1; HB 3; HB 16**.

The following committee reports were announced:

From Labor: **SB 2** – 2 Favorable, 1 Merit.

From Community/County Affairs: **SB 9** – 4 Merits.

From Children, Youth & Families: **SB 10** – 3 Merits.

From Executive: **Hon. Randy J. Holland** – 5 Favorable, 1 Merit; **Hon. Kenneth L. Millman** – 2 Favorable, 4 Merits; **Carolee M. Grillo, Esq.** – 6 Merits; **Patricia Tate Stewart, Esq.** – 1 Favorable, 5 Merits; **Martha F. Sackovich, Esq.** – 6 Merits; **Mary Susan Much, Esq.** – 6 Merits; **Mary Ann H. Herlihy, Esq.** – 6 Merits; **M. DeSales Haley, Esq.** – 6 Merits; **John R. Carrow, Esq.** – 6 Merits; **Donald J. Puglisi** – 6 Merits; **Dr. Patricia A. DeLeon** – 6 Merits.

At 02:35 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Sixth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
6th LEGISLATIVE DAY  
JANUARY 26, 1999**

The Senate convened at 02:35 PM with Lt. Governor Minner presiding.



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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 01/26/99**

**01/21/99**

**SB 14** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BRAKE FLUIDS. Sponsor: Sen. Bonini; **Public Safety**.

**SB 15** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF AUTHORITIES. Sponsor: Sen. Bonini; **Executive**.

**SB 16** - AN ACT TO AMEND CHAPTER 23, TITLE 19 OF THE DELAWARE CODE RELATING TO THE WORKERS' COMPENSATION FUND. Sponsor: Sen. Marshall; & Rep. Welch; **Labor**.

**SB 17** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE ASSESSMENTS. Sponsor: Sen. Marshall & Rep. Welch; **Labor**.

**SA 1 to SB 9** - Sponsor: Senator Bunting; Placed with the bill.

**01/26/99**

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

|                                                                                                 |                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Brigadier General Frank D. Vavala<br>5 Lindberg Avenue<br>Silview<br>Wilmington, Delaware 19804 | To be appointed as<br>Adjutant General of the<br>Delaware National Guard<br>to serve a term during<br>the pleasure of the<br>Governor.                           |
| Mr. William L. Witham<br>425 Greenhill Avenue<br>Dover, Delaware 19901                          | To be appointed as an<br>Associate Judge of the<br>Superior Court of the<br>State of Delaware for a<br>term of twelve years to<br>fill a newly-created position. |
| Hon. Randy J. Holland<br>505 Seabury Avenue<br>Milford, Delaware 19963                          | to be reappointed Justice<br>of the Supreme Court<br>of the State of Delaware<br>for a term of twelve years.                                                     |
| Hon. Kenneth M. Millman<br>R. D. #1, Box 405<br>Lincoln, Delaware 19960                         | To be reappointed as<br>Judge of the Family Court<br>of the State of Delaware for<br>a term of twelve years.                                                     |
| Hon. Richard F. Stokes<br>36 Sycamore Drive<br>Edgewater Estates<br>Lewes, Delaware 19958       | To be appointed as an<br>Associate Judge of the<br>Superior Court of the<br>State of Delaware for a                                                              |

|                                                                                               |                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                               | term of twelve years to fill a newly-created position.                                                                                                                 |
| Donald J. Puglisi<br>31 Covered Bridge Lane<br>Covered Bridge Farms<br>Newark, Delaware 19711 | to be reappointed a member Public Service Commission for a five-year term.                                                                                             |
| John R. Carrow, Esq.<br>2500 Chelmsford Circle<br>Newark, Delaware 19713                      | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| M. DeSales Haley, Esq.<br>11 Carolina Court<br>Wilmington, Delaware 19808                     | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| Mary Ann H. Herlihy, Esq.<br>2301 West 11th Street<br>Wilmington, Delaware 19805              | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| Mary Susan Much, Esq.<br>2000 N. Van Buren Street<br>Wilmington, Delaware 19802               | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| Martha F. Sackovich, Esq.<br>33 Waterloo Court<br>Hockessin, Delaware 19707                   | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| Patricia Tate Stewart, Esq.<br>804 West 25th Street<br>Wilmington, Delaware 19802             | To be appointed a Commissioner of the Family Court for a four-year term, to hold a Commissioner position authorized by the Fiscal Year 1999 Annual Appropriations Act. |
| Carolee M. Grillo, Esq.<br>2010 Delaware Avenue<br>Wilmington, Delaware 19806                 | To be reappointed a Commissioner of the Family Court for a four-year term.                                                                                             |
| Dr. Patricia A. DeLeon<br>28 Kimmie Court<br>Bear, Delaware 19701                             | to be reappointed a member of the Board of Trustees of the University of Delaware to serve a six-year term.                                                            |

**SB 24** - AN ACT TO AMEND CHAPTER 378, VOLUME 71, LAWS OF DELAWARE; AND PROVIDING FOR THE DEVELOPMENT AND OPERATION OF THE CIVIL AIR TERMINAL, KENT COUNTY AEROPARK AND THE DELAWARE

AIR PARK. Sponsor: Sen. Blevins & Rep. Roy; Sens. Cook, McBride, Venables, Bonini, Connor & Reps. Carey, Lofink, Oberle, Plant, Schroeder; **Bond Bill**. (3/4)

**HB 3** - AN ACT TO AMEND CHAPTER 27 OF TITLE 7 OF THE DELAWARE CODE RELATING TO THE RENEWAL OF HORSESHOE CRAB DREDGE PERMITS BY CURRENT PERMIT HOLDERS. Sponsor: Rep. Quillen; **Natural Resources & Environmental Control**.

**HB 16** - AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING.

Sponsor: Rep. Buckworth & Sen. Bonini; **Community Affairs**. (2/3)

\* \* \*

On motion of Senator Adams, the following nominations by the Governor were considered.

**Carrow, John R. Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator(s) McBride marked present during the above roll call.

**Haley, M. DeSales Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Herlihy, Mary Ann H. Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

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

**Sackovich, Martha F. Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Stewart, Patricia Tate Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Grillo, Carolee M. Esq.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Puglisi, Donald J.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**DeLeon, Dr. Patricia A.**: 18 Senator(s) voting YES, 1 (Amick) NO, 2 (Bair, Still) NOT VOTING. Appointment was declared CONFIRMED.

**SB 2** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 2** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE.

**SA 1 to SB 2** was introduced and brought before the Senate for consideration on motion of Senator Marshall.

Senator(s) Adams and Amick commented.

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

YES: 15

NO: Senator(s) Adams; Bonini; Simpson; Sorenson; Still; Winslow - 6

**SA 1 to SB 2** was declared part of the bill.

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

Senator(s) Bonini, DeLuca, Henry commented.

Senator Amick requested the privilege of the floor for Spiros Mantzavinos, representing New Castle County Chamber of Commerce.

Senator(s) Bair and McDowell questioned the witness, after which the witness was excused.

Several Senators commented.

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

YES: 14

NO: Senator(s) Adams; Amick; Bair; Bonini; Sorenson; Still; Winslow - 7

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

Senator Adams moved to recess for Party Caucus at 03:35 PM.

The Senate reconvened at 05:31 PM with Lt. Governor Minner presiding.

**SB 9** was brought before the Senate for consideration on motion of Senator Bunting.

**SB 9** – AN ACT TO AMEND AN ACT, BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE” TO PROVIDE FOR INDEMNIFICATION OF OFFICERS, AGENTS AND EMPLOYEES. 2/3

**SA 1 to SB 9** was brought before the Senate for consideration on motion of Senator Bunting.

Roll call vote on **SA 1 to SB 9** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1

**SA 1 to SB 9** was declared part of the bill.

**SB 9 w/SA 1** was now before the Senate.

Roll call vote on **SB 9 w/SA 1** was taken and revealed:

YES: 21

**SB 9 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator Cook moved that **SB 31** be introduced and brought before the Senate for consideration under the suspension of the necessary rules.

**SB 31** – AN ACT TO AMEND SECTION 17, CHAPTER 354, VOLUME 71, LAWS OF DELAWARE RELATING TO THE STATE EMPLOYER PENSION RATE FOR FISCAL YEAR 1999. Sponsor: Senator Cook & Representative DiPinto; Senator Sharp & Representative Smith.

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

YES: 21

**SB 31** was declared passed the Senate and sent to the House for Consideration.

Senator Sokola moved that **SR 7** be introduced and brought before the Senate for consideration.

**SR 7** – HONORING KENTON CASHELL, ASSOCIATE SECRETARY OF EDUCATION, FOR HIS YEARS OF SERVICE TO THE STATE OF DELAWARE. Sponsor: Senator Sokola & Senator Cook, On behalf of all Senators.

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

YES: 21

**SR 7** was declared Adopted.

Senator Sokola requested the privilege of the floor for Kenton Cashell, representing Department of Education.

After addressing the Senate the witness was excused.

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

The Secretary of the Senate announced the agenda for January 27, 1999.

On motion of Senator Adams, the Senate recessed at 05:49 PM until January 27, 1999 at 04:00 PM.

The Senate reconvened on January 27, 1999 at 04:30 PM, with Lt. Governor Minner presiding.

The following committee report was announced:

From Bond: **SB 32** – 5 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 10 w/HA 1, HA 2 aab HA 1**.

At 04:35 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Seventh Day.

**140<sup>TH</sup> GENERAL ASSEMBLY  
FIRST SESSION  
7<sup>TH</sup> LEGISLATIVE DAY  
JANUARY 27, 1999**

The Senate convened at 04:35 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 3**.

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

On motion of Senator Adams, the following nominations by the Governor were considered.

**Millman, Honorable Kenneth M.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Holland, Honorable Randy J.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 01/27/99**

**01/26/99**

**SB 26** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Sen. Henry & Reps. Ewing & Oberle; **Public Safety**.

**SB 27** - AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 13 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Sen. Marshall & Rep. Oberle; **Labor**.

**SB 28** - AN ACT TO AMEND TITLE 19, DELAWARE CODE, CHAPTER 16 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT. Sponsor: Sen. Marshall & Rep. Oberle; **Labor**.

**SB 29** - AN ACT TO AMEND TITLE 14, DELAWARE CODE, CHAPTER 40 CREATING A STATUTE OF LIMITATIONS FOR THE FILING OF UNFAIR LABOR PRACTICE CHARGES UNDER THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT. Sponsor: Sen. Marshall & Rep. Oberle; **Labor**.

**SB 30** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE AGE OF CONSENT. Sponsor: Sen. Bonini; **Executive**.

**SB 32** - AN ACT TO AMEND CHAPTER 378, VOLUME 71, LAWS OF DELAWARE; AND PROVIDING FOR THE DEVELOPMENT AND OPERATION OF THE CIVIL AIR TERMINAL, KENT COUNTY AEROPARK AND THE DELAWARE AIR PARK. Sponsor: Sen. Blevins & Rep. Roy; Sens. Cook, McBride, Venables, Bonini, Connor & Reps. Carey, Lofink, Oberle, Plant, Schroeder; **Bond Bill**. (3/4)

**01/27/99**

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

|                                                                                      |                                                                                                   |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Hon. Thomas E. Cole<br>1325 Greenleaf Road<br>Oak Hill<br>Wilmington, Delaware 19805 | to be reappointed as a Justice of<br>the Peace for New Castle County<br>to serve a six-year term. |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|

**SB 20** - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS. Sponsor: Sen. Marshall & Sen. Blevins; Reps. Maier, Lofink, Scott, Sens. McDowell, Henry & Connor; Rep. Spence; **Health & Social Services**.

**SB 21** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. Sponsor: Sen. Marshall; Sen. Blevins; Reps. Lofink, Maier, Scott; Sens. Connor, Henry, McDowell; Rep. Spence; **Health & Social Services**. (2/3)

**SB 22** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES. CHANGE. Sponsor: Sen. Marshall; Sen. Blevins; Reps. Maier, Lofink, Scott; Sens. Henry, McDowell, Connor; Rep. Spence; **Health & Social Services**.

**SB 23** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION. Sponsor: Sen. Marshall & Sen. Blevins; Reps. Maier, Lofink & Scott; Sens. McDowell, Henry & Connor; Rep. Spence; **Health & Social Services**.

\* \* \*

**SB 10** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 10** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF RECORDS.

Senator(s) McDowell and Still commented.

Senator Vaughn requested the privilege of the floor for Carl Danberg, representing the Department of Corrections.

Senator(s) Amick and Winslow questioned the witness, after which the witness was excused.

Roll call vote on **SB 10** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Henry – 1

**SB 10** was declared passed the Senate and sent to the House for consideration.

Senator Adams moved to recess for Party Caucus at 05:03 PM.

The Senate reconvened at 05:42 PM with Lt. Governor Minner presiding.

**SENATE CONSENT CALENDAR #1** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 1** - URGING THE DELAWARE VETERANS AFFAIRS COMMISSION AND DELAWARE'S CONGRESSIONAL DELEGATION TO ASSIST IN IDENTIFYING DELAWARE'S SURVIVING WORLD WAR I VETERANS WHO FOUGHT IN FRANCE. Sponsor: Representative Smith & Senator Bunting.

**HCR 3** - ENCOURAGING STATE AND LOCAL GOVERNMENTS, ELECTED OFFICIALS AND CIVIC LEADERS TO SUPPORT THE CREATION OF A LOCAL CHAPTER OF THE NATIONAL URBAN LEAGUE. Sponsor: Representatives Plant, DiPinto, Scott, Keeley, Lofink; Senators Henry, Marshall, McDowell, Representatives Oberle, Spence.

Roll call vote was taken on the **SENATE CONSENT CALENDAR #1** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted. The House Concurrent Resolutions were returned to the House.

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

Senator Blevins requested that **SB 24** be stricken. No objection.

The Secretary announced the agenda for January 28, 1999.

On motion of Senator Adams, the Senate recessed at 05:48 PM until January 28, 1999 at 02:00 PM.

The Senate reconvened on January 28, 1999 at 02:31 PM with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Hon. Thomas E. Cole** – 5 Merits; **Brig. Gen. Frank D. Vavala** – 2 Favorable, 4 Merits; **William L. Witham** – 3 Favorable, 2 Merits.

From Community/County Affairs: **HB 16** – 4 Merits.

From Public Safety: **SB 14** – 1 Favorable, 3 Merits; **SB 12** – 2 Favorable, 2 Merits; **SB 26** – 2 Favorable, 2 Merits.

At 02:35 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Eighth Legislative Day.

## 140<sup>TH</sup> GENERAL ASSEMBLY FIRST SESSION 8<sup>TH</sup> LEGISLATIVE DAY JANUARY 28, 1999

The Senate convened at 02:35 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

On motion of Senator Adams and without objection, the following nominations by the Governor were considered:

**Cole, Hon. Thomas E.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator(s) Amick, Bair, Bonini marked present during the above roll call.

**Vavala, Brig. Gen. Frank D.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**SB 32** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 32** – AN ACT TO AMEND CHAPTER 378, VOLUME 71, LAWS OF DELAWARE; AND PROVIDING FOR THE DEVELOPMENT AND OPERATION OF THE CIVIL AIR TERMINAL, KENT COUNTY AEROPARK AND THE DELAWARE AIR PARK. 3/4 VOTE

**SA 1 to SB 32** was laid on the table on motion of Senator Blevins.

**SA 2 to SB 32**, which was previously placed with the bill, was brought before the Senate for consideration on motion of Senator Blevins.

Roll call vote on **SA 2 to SB 32** was taken and revealed:

YES: 21

**SA 2 to SB 32** was declared part of the bill.

**SB 32 w/SA 2** was now before the Senate.

Several Senators commented.

Roll call vote on **SB 32 w/SA 2** was taken and revealed:

YES: 20

NO: Senator(s) Simpson – 1

**SB 32 w/SA 2** was declared passed the Senate as amended and sent to the House for consideration.

Senator Adams moved to recess for Party Caucus at 02:57 PM.

The Senate reconvened at 04:19 PM with Lt. Governor Minner presiding.

On motion of Senator Adams and without objection, the following nomination by the Governor was considered:

**Witham, William L.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**HB 16** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 16** – AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. 2/3 VOTE

**SA 1 to HB 16** was introduced and brought before the Senate for consideration on motion of Senator Bonini.

Several Senators questioned the sponsor.

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

YES: 21

**SA 1 to HB 16** was declared part of the bill.

**HB 16 w/SA 1** was now before the Senate.

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

YES: 20

NO: Senator(s) Still – 1

**HB 16 w/SA 1** was declared passed the Senate and returned to the House for Reconsideration.

Senator Marshall requested the personal privilege of the floor to comment on food stamps and banks being available to food stamps recipients.

Senator(s) McBride, Henry and McDowell commented.

Senator Marshall requested the privilege of the floor for Lynn Howard, representing Governor's office.

Senator(s) Bair and Blevins questioned the witness, after which the witness was excused.

The Secretary announced a message from the House informing the Senate that it had passed **HB 45; HB 43**.

**HB 43** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 43** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT CALENDARS. Sponsor: Representative Reynolds & Senator Sokola.

Senator Henry commented.

Roll call vote on **HB 43** was taken and revealed:

YES: 21

**HB 43** was declared passed the Senate and returned to the House.

**HB 45** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Marshall.

**HB 45** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND OR SIMILAR FACILITIES AND ABUSE, NEGLECT, MISTREATMENT, OR FINANCIAL EXPLOITATION OF PATIENTS OR RESIDNETS. Sponsor: Representative Maier & Senator Marshall.

Senator Bonini questioned the floor manager.

Senator Bair requested the privilege of the floor for Mary McDonough, representing Delaware Health and Social Services.

Senator Still questioned the witness, after the witness was excused.

Roll call vote on **HB 45** was taken and revealed:

YES: 21

**HB 45** was declared passed the Senate and returned to the House.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD JANUARY 28, 1999**

**SB 8** - REASSIGNED TO **HEALTH AND SOCIAL SERVICES** COMMITTEE  
ON 01/26/99

01/27/99

**SA 1 to SB 32** - Sponsor: Senator Blevins; Placed with the bill.

01/28/99

**SB 25** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2000; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Sen. Sharp; Sens. Adams, McDowell, Blevins & Reps. Gilligan & Van Sant; **Bond Bill**. (3/4)

**SB 33** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL CRAB DREDGERS LICENSE TO SAMUEL J. FOX, III OF LEIPSIC, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER §1918(B), TITLE 7 OF THE DELAWARE CODE. Sponsor: Sen. Still & Sen. Vaughn; Reps. Welch, B. Ennis, Wagner, Stone; **Natural Resources & Environmental Control**.

**SB 34** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND THE VALUATION, ASSESSMENT AND TAXATION OF PROPERTY. Sponsor: Sen. Vaughn & Sens. Adams, Bunting, Still; Reps. Carey, Cathcart, Caulk, Quillen, Mulrooney & Price; **Community Affairs**.

**SB 35** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF ENROLLMENT INFORMATION. Sponsor: Sen. Sorenson & Rep. Welch; Sens. Bair, Simpson, Sokola; **Education**.



**SA 1 to SB 26** - Sponsor: Senator Henry; Placed with the bill.

**SA 2 to SB 32** – Sponsor: Senator Blevins; Placed with the bill.

\* \* \*

A communication was received from the President Pro Tempore, Senator Thomas B. Sharp, appointing the following Senators to the Delaware Commission on Interstate Cooperation.

Senator Thurman Adams, Jr., Chair, Senate Committee

Senator James T. Vaughn

Senator Liane Sorenson

\* \* \*

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

On motion of Senator Adams, the Senate recessed at 05:11 PM until March 16, 1999 at 02:00 PM or to the Call of the President Pro Tempore.

The Senate reconvened at 02:57 PM on March 16, 1999, with Lt. Governor Minner presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 9; HB 6 w/HA 1 aab HA 1; HCR 2 w/HA 1; HCR 4; HB 12; HB 18; SB 31; SB 13; SB 32 w/SA 2.**

A communication from the Office of Senator Robert I. Marshall was read requesting Representative Dennis Williams be added as a co-sponsor to **SB 2.**

A communication from the Office of Senator Patricia M. Blevins was read requesting Senators Connor, Simpson, Sorenson and Winslow be added as co-sponsors to **SB 8.**

**LEGISLATIVE ADVISORIES #1 through 5**, from the Office of Counsel to the Governor were announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #1**, dated January 22, 1999, the Governor signed the following legislation on the date indicated.

**HB #4** (1/21/99) – AN ACT TO AMEND § 923, TITLE 13 OF THE DELAWARE CODE AS AMENDED BY CHAPTER 481, VOLUME 71, LAWS OF DELAWARE RELATING TO ADOPTION. (Sponsors: Rep. Caulk & Rep. Welch; Sens. Blevins, Connor) (Volume 72, Chapter 1, Laws of Delaware)

\* \* \*

**LEGISLATIVE ADVISORY #2**, dated January 26, 1999, the Governor signed the following legislation on the date indicated.

**SJR #1** (1/25/99) – IN REFERENCE TO ELECTION OF OFFICERS. (Sen. Sharp & Sens. Adams & McDowell)

**HJR #1** (1/25/99) – IN REFERENCE TO OFFICERS. (Rep. Smith & Rep. Welch)

\* \* \*

**LEGISLATIVE ADVISORY #3**, dated January 29, 1999, the Governor signed the following legislation on the date indicated:

**SB #13** (1/28/99) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO QUALITY IN HIRING OF EMPLOYEES AND OTHERS WHO PROVIDE SERVICES IN NURSING HOMES AND SIMILAR FACILITIES.

(Sponsors: Sen. Marshall & Rep. Maier) (Volume 72, Chapter 2, Laws of Delaware)

**HB #45** (1/28/99) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF NURSING FACILITIES AND OR SIMILAR FACILITIES AND ABUSE, NEGLECT, MISTREATMENT, OR FINANCIAL EXPLOITATION OF PATIENTS OR RESIDENTS. (Sponsor: Rep. Maier & Sen. Marshall) (Volume 72, Chapter 3, Laws of Delaware)

\* \* \*

**LEGISLATIVE ADVISORY #4**, dated February 11, 1999, the Governor signed the following legislation on the date indicated:

**SB #31** (2/8/99) – AN ACT TO AMEND SECTION 17, CHAPTER 354, VOLUME 71, LAWS OF DELAWARE RELATING TO THE STATE EMPLOYER PENSION RATE FOR FISCAL YEAR 1999. (Sponsor: Sen. Cook & Rep. DiPinto; Sen. Sharp & Rep. Smith) (Volume 72, Chapter 4, Laws of Delaware.)

**HB #16 AAB SA 1** (2/8/99) – AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. (Sponsor: Rep. Buckworth & Sen. Bonini) (Volume 72, Chapter 5, Laws of Delaware.)

**HB #43** (2/8/99) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISTRICT CALENDARS. (Sponsor: Rep. Reynolds & Sen. Sokola) (Volume 72, Chapter 6, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #5**, dated February 16, 1999, the Governor signed the following legislation on the date indicated:

**SB #32 AAB SA2** (2/12/99) – AN ACT TO AMEND CHAPTER 378, VOLUME 71, LAWS OF DELAWARE; AND PROVIDING FOR THE DEVELOPMENT AND OPERATION OF THE CIVIL AIR TERMINAL, KENT COUNTY AEROPARK AND THE DELAWARE AIR PARK. (Sponsor: Sen. Blevins & Rep. Roy; Sens. Cook, McBride, Venables, Bonini, Connor & Reps. Carey, Lofink, Oberle, Plant, Schroeder) (Volume 72, Chapter 7, Laws of Delaware.)

\* \* \*

At 03:04 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Ninth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
9th LEGISLATIVE DAY  
MARCH 16, 1999**

The Senate convened at 03:02 PM with Lt. Governor Minner presiding.

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

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow- 21.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 03/16/99**

The following legislation was introduced and assigned to committee on January 28, 1999.

**HB 10 w/HA 1, HA 2 aab HA 1** - AN ACT AMENDING THE PROVISIONS OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE RESTRUCTURING AND REGULATION OF PUBLIC UTILITIES SUPPLYING ELECTRICITY TO RETAIL CUSTOMERS IN THE STATE. Sponsor: Rep. Roy & Sen. McDowell, Reps. Capano, Carey, Stone, Sens. Adams, Vaughn, Venables, Still. **Energy & Transit.** (3/5)

The following legislation was introduced and assigned to committee on March 16, 1999.

**SB 36** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO OUTDOOR ADVERTISING. Sponsor: Sen. McBride. **Highways and Transportation.**

**SB 37** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE COURT APPROVAL OF TORT SETTLEMENTS FOR MINORS OR INCOMPETENTS. Sponsor: Sen. Sharp; Sens. Sokola & Winslow, Reps. Oberle & Wagner. **Judiciary.**

**SB 38** - AN ACT TO AMEND SECTION 2118 OF TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF MOTOR VEHICLE INSURANCE FOR OUT-OF-STATE VEHICLES. Sponsor: Sen. Vaughn & Rep. Wagner. **Insurance and Elections.**

**SB 39** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR OPERATING A MOTOR VEHICLE WITHOUT INSURANCE. Sponsor: Sen. Henry & Rep. Ewing. **Insurance and Elections.**

**SB 40** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE QUALIFICATIONS. Sponsor: Sen. Henry; Rep. Ewing. **Public Safety.**

**SB 41** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO CLARIFY COMMERCIAL DRIVER'S LICENSE (CDL) INFORMATION: Sponsor: Sen. Henry & Rep. Ewing. **Public Safety.**

**SB 43** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INCLUSION OF SERVICE IN THE MILITARY AS CREDITED SERVICE FOR PENSION PURPOSES. Sponsor: Sen. Bonini & Sen. Vaughn, Sens. Amick, Blevins, Bunting, Connor, McBride, Simpson, Sokola, Sorenson, Still, Venables; Reps. Buckworth, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Lee, Oberle, Spence, Stone, Van Sant, Wagner, Welch. **Finance.**

**SB 44** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A DR. GEORGE WASHINGTON CARVER DAY. Sponsor: Sen. Bonini & Sen. Henry & Reps. Welch & Scott. **Executive.**

**HB 6 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NONRESIDENT CHILDREN WHO ARE IMPROPERLY ENROLLED IN THE PUBLIC SCHOOLS OF THIS STATE AND CREATING PENALTIES. Sponsor: Rep. Smith. **Education.**

**HB 9** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF ASSAULT IN A DETENTION FACILITY. Sponsor: Rep. Lee & Sen. Vaughn. **Adult and Juvenile Corrections.**

**HB 12** - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES" TO DELETE THE MANDATORY TIME FOR SWEARING IN NEW COUNCIL MEMBERS AT THE ANNUAL ORGANIZATIONAL MEETING. Sponsor: Rep. Schroeder; Sen. Simpson. **Community Affairs.** (2/3)

**HB 18** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. Sponsor: Rep. Capano & Rep. Roy & Sens. McDowell & Cook, Reps. Smith, Welch, Buckworth, Carey, Cloutier, DiPinto, D. Ennis, Lofink, Miro, Stone, Wagner, Gilligan, Van Sant, DiLiberto, Houghton, Scott. **Administrative Services.** (3/5)

**HCR 2 w/HA 1** - 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. Sponsor: Rep. Lee; Reps. Buckworth, Ewing & Sens. Vaughn, Bunting & Amick. **Adult and Juvenile Corrections.**

**HCR 4** - PROCLAIMING THE MONTH OF MAY 1999 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME. Sponsor: Rep. B. Ennis & Sen. Blevins, Reps. Buckworth, Carey, D. Ennis, Ewing, Houghton, Oberle, Price, Quillen, Sens. Amick, Connor, McDowell, Sokola. **Executive.**

**SB 42** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SEXUALLY VIOLENT PREDATORS. Sponsor: Sen. Bonini & Rep. Buckworth. **Public Safety.**

**SB 45** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CERTAIN UNDERAGE MARRIAGES. Sponsor: Sen. Bonini. **Health & Social Services.**

\* \* \*

Senator Bunting requested a moment of silence for Representative Hebner, who passed away over the weekend.

Senator McBride marked present.

A messenger from the Governor was announced and admitted.

Senator Adams moved to recess for Party Caucus at 03:07 PM.

The Senate reconvened at 04:59 PM with Senator Sharp presiding.

**SB 46** was introduced and brought before the Senate for consideration, under the suspension of the necessary rules on motion of Senator Cook.

**SB 46** – AN ACT RELATING TO THE CAPITAL SCHOOL DISTRICT SCHOOL BOARD ELECTION FOR A VACANCY ON SAID BOARD WITH A TERM TO EXPIRE ON JUNE 30, 2001. Sponsor: Sen. Cook; Sens. Vaughn & Still; Rep. Wagner; Reps. Stone & Welch.

Lt. Governor Minner presiding at 05:00 PM.

Roll call vote on **SB 46** was taken and revealed:

YES: 21

**SB 46** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary announced the agenda for March 17, 1999.

On motion of Senator Adams, the Senate recessed at 05:08 PM until March 17, 1999 at 04:00 PM.

The Senate reconvened at 04:12 PM on March 17, 1999, with Lt. Governor Minner presiding.

The following committee report was announced:

From Education: **SB 35** – 4 Merits.

The Reading Clerk announced a message from the House informing the Senate that it had passed **HB 14; HB 15 w/HA 1; HB 19; SB 46**.

The following committee reports were announced:

From Community/County Affairs: **SB 49** – 4 Merits; **HB 12** – 4 Merits.

At 04:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Tenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
10th LEGISLATIVE DAY  
MARCH 17, 1999**

The Senate convened at 04:17 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

**SB 26** was brought before the Senate for consideration on motion of Senator Henry.

**SB 26** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

**SA 1 to SB 26** was brought before the Senate for consideration on motion of Senator Henry.

Roll call vote on **SA 1 to SB 26** was taken and revealed:

YES: 21

**SA 1 to SB 26** was declared part of the bill.

Senator(s) Connor, Cook and McBride marked present during the above roll call.

**SB 26 w/SA 1** was now before the Senate.

Senator Still commented.

Senator Henry requested the privilege of the floor for Jack Eanes, representing Division of Motor Vehicles.

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

Roll call vote on **SB 26 w/SA 1** was taken and revealed:

YES: 21

**SB 26 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 14** was brought before the Senate for consideration on motion of Senator Bonini.

**SB 14 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE  
RELATING TO BRAKE FLUIDS.**

Several Senators commented.

Senator Sharp requested the privilege of the floor for Brian Bushweller, Secretary of Public Safety.

The witness was excused after addressing the Senate.

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

YES: 20

NO: Senator(s) Sharp - 1

**SB 14** was declared passed the Senate and sent to the House for Consideration.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 03/17/99**

**March 16, 1999**

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

Mr. Thomas J. Cook  
317 Stonebrook Place  
Greens of Dover  
Dover, Delaware 19904

To be reappointed as Commissioner  
Commissioner of Elections  
for a four-year term.

Ms. Arlene Coppage  
4501 Channing Road  
Brandywine Hills  
Wilmington, Delaware 19802

To be reappointed as  
Commissioner of the Court  
of Common Pleas of the  
State of Delaware to serve  
a four-year term.

Mr. Gary Evans Grubb  
254 Pine Valley Road  
Retreat  
Dover, Delaware 19904

To be reappointed as a  
Commissioner of the Family  
Court of the State of Delaware  
to serve a four-year term.

Mr. J. Doug Hazelton  
1010 Berkeley Road  
Westover Hills  
Wilmington, Delaware 19807

To be appointed a member of the  
Cash Management Policy Board  
to serve a term to expire July 15,  
2000, to replace John Sargent,  
who resigned.

Ms. Pamela Deeds Holloway  
219 Hering Road  
Milford, Delaware 19963

To be reappointed as a  
Commissioner of the  
Family Court of the State  
of Delaware to serve a four-year term.

Ms. Alicia B. Howard  
48 CR 265  
Mallard Point  
Lewes, Delaware 19904

To be reappointed as a  
Commissioner of the Superior  
Court of the State of Delaware  
to serve a four-year term.

Mr. Frederic H. Kenney  
9 Belmont Drive  
Limestone Hills  
Wilmington, DE 19808

To be reappointed as a  
Commissioner of the  
Family Court of the State  
four-year term.

Ms. Andrea M. Maybee  
29 South Bradford Street  
Dover, Delaware 19904

To be reappointed as a  
Commissioner of the  
Superior Court of the State  
of Delaware to serve a  
four-year term.

Hon. Joseph W. Maybee  
10 South Bradford Street  
Dover, Delaware 19904

To be appointed Commissioner  
of the Court of Common Pleas  
for Kent and Sussex Counties to  
serve a four-year term to fill a  
newly-created position.

Mr. Michael P. Reynolds  
1408 North Grant Avenue  
Wilmington, Delaware 19806

To be reappointed as a  
Commissioner of the  
Superior Court of the State  
of Delaware to serve a  
four-year term.

Mr. Theodore W. Ryan, Jr.  
128 Lake Valley Road  
Lake Valley

To be appointed a  
member of the Industrial  
Accident Board to serve a  
six-year term to replace  
Gen. Arthur V. Episcopo, who  
resigned.

### March 17, 1999

**SB 50** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE  
RELATING TO BINGO AND CHARITABLE GAMBLING. Sponsor: Sen. Bair &  
Rep. Brady; Sens. Blevins, McBride, Marshall; Rep. Cloutier; **Finance**.

**SB 51** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE  
RELATING TO LIMITATIONS OF CIVIL LIABILITY FOR CERTAIN  
VOLUNTEERS. Sponsor: Sen. Bair & Rep. DiPinto; Sens. Sorenson, Bonini, Amick,  
Still; Reps. Spence, Capano, Carey, Cloutier, Ewing; **Judiciary**.

**SB 52** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE  
RELATING TO DISCLOSURE OF CERTAIN INFORMATION RELATING TO  
TOBACCO PRODUCTS SOLD IN DELAWARE. Sponsor: Sen. Bair & Rep. Maier;  
Sens. Sorenson, Blevins, Sokola; Reps. Roy, Gilligan, Capano, Ulbrich; **Health & Social  
Services**.

**SB 53** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE  
RELATING TO LIABILITY FOR CERTAIN HEALTH CARE TREATMENT  
DECISIONS. Sponsor: Sen. Sokola & Reps. Spence & DiLiberto; Sens. Blevins, Henry,  
Marshall, McDowell & Venables, Reps.; Buckworth, Maier, Wagner, Welch, B. Ennis,  
Gilligan, Keeley, Price, Schroeder & Williams; **Health & Social Services**.

**SB 54** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE  
RELATING TO JURISDICTION OF JUSTICE OF THE PEACE COURTS. Sponsor:  
Sen. Adams & Rep. Wagner; **Judiciary**. (2/3)

**SB 55** - AN ACT TO AMEND TITLE 3 RELATING TO PESTICIDES. Sponsor:  
Sen. Bunting & Rep. Carey; **Agriculture**.

**SB 56** - AN ACT TO AMEND SECTION 927 OF TITLE 10 OF THE DELAWARE  
CODE RELATING TO THE JURISDICTION OF FAMILY COURT BY GIVING  
CONCURRENT JURISDICTION TO THE JUSTICE OF THE PEACE COURT FOR  
CERTAIN CRIMES. Sponsor: Sen. Vaughn & Rep. Wagner; **Judiciary**. (2/3)

**SB 58** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE  
RELATING TO CONSTRUCTION OF VEHICLES TO PREVENT ESCAPE OF  
CONTENTS. Sponsor: Sen. Connor & Sen. Sorenson & Reps. Maier, Ulbrich; Sen.  
Sokola; Reps. Buckworth, Ewing, Fallon, DiLiberto, Keeley; **Executive**. (2/3)

**SB 59** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO  
SCHOOL TAX CREDITS. Sponsor: Sen. Bonini; Sens. Venables, Marshall; Rep. Welch;  
**Finance**.

**SB 60** - AN ACT TO AMEND CHAPTER 166, VOLUME 37, LAWS OF DELAWARE,  
ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE", AS  
AMENDED, TO INCREASE THE AMOUNT OF FINES THAT MAY BE IMPOSED.  
Sponsor: Sen. Bunting & Rep. Price; **Community Affairs**. (2/3)

**SB 61** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO  
THE USE OF FINGERPRINTS. Sponsor: Sen. McBride & Rep. Scott; Sens. Cook & Henry;  
**Banking**.

**SB 62** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, §3 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE MINIMUM AGE FOR A STATE SENATOR OR REPRESENTATIVE. Sponsor: Sen. Bunting; Sens. Sokola & Sorenson; Reps. Spence, Gilligan, Smith & Maier; **Executive**. (2/3)

**SB 63** - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS AND PROHIBITED TRADE PRACTICES. Sponsor: Sen. Sokola; Sen. Blevins, DeLuca & Sharp; Reps. Capano, Maier, Wagner & DiPinto; **Health & Social Services**. (2/3)

**HB 14** - AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. Sponsor: Rep. Buckworth & Sen. Bonini; **Community Affairs**. (2/3)

**HB 15 w/HA 1** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS. Sponsor: Rep. DiLiberto; Reps. Boulden, Gilligan, Keeley, Roy, Smith, Spence, Van Sant, Welch; Sens. Amick, Sharp, Sokola; **Executive**.

**HB 19** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES FOR MEMBERS OF NON-PROFIT ORGANIZATIONS. Sponsor: Rep. Ewing; **Judiciary**.

**SA 2 to SB 8** - Sponsor: Sen. McBride; Placed with the bill.

\* \* \*

Additions to the agenda, committee and other legislative meetings were announced. The Assistant Secretary announced the agenda for March 18, 1999.

On motion of Senator Adams, the Senate recessed at 05:05 PM until March 18, 1999.

The Senate reconvened at 02:55 PM on March 18, 1999, with Lt. Governor Minner presiding.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HCR 5**.

A communication from Senator Margaret Rose Henry was read requesting Senator Still be added as a co-sponsor to **SB 26**.

**LEGISLATIVE ADVISORY #6**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #6**, dated March 17, 1999, the Governor signed the following legislation on the date indicated.

**SB #46** (3/16/99) – AN ACT RELATING TO THE CAPITAL SCHOOL DISTRICT SCHOOL BOARD ELECTION FOR A VACANCY ON SAID BOARD WITH A TERM TO EXPIRE ON JUNE 30, 2001. (Sponsor: Sen. Cook; Sens. Vaughn & Still; Rep. Wagner; Reps. Stone & Welch) (Volume 72, Chapter 8, Laws of Delaware.)

\* \* \*

At 03:00 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Eleventh Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
11th LEGISLATIVE DAY  
MARCH 18, 1999**

The Senate convened at 03:00 PM with Lt. Governor Minner presiding.

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

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

**PRESENT**: Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 3/18/99**

**March 17, 1999**

**SA 1 to SB 8** - Sponsor: Sen. McBride; Placed with the bill.

**March 18, 1999**

**SB 57** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. Sponsor: Sen. Adams & Rep. Stone; Sens. Sharp, Sokola & Sorenson; Reps. D. Ennis, Capano, Fallon, Carey, Brady, Houghton, Keeley & Scott. **Banking**. (2/3)

**SB 64** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT THAT TELEPHONE CALLS TO PUBLICLY LISTED STATE AGENCY TELEPHONE NUMBERS BE ANSWERED BY A PERSON. Sponsor: Sen. Vaughn; Reps. DiPinto, Fallon, Houghton. **Administrative Services**.

\* \* \*

Senator Marshall marked present.

**SB 12** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 12** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF CARJACKING.

Senator Sharp commented.

Senator Marshall requested the privilege of the floor for Paul Wallace, representing the Attorney General's office.

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

Senator Marshall moved to lay **SB 12** on the Table. No objections.

Senator McBride marked present.

Senator Adams moved to recess for Party Caucus at 03:15 PM.

The Senate reconvened at 04:23 PM with Lt. Governor Minner presiding.

**SB 49** was brought before the Senate for consideration on motion of Senator Bunting.

**SB 49** - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW, IN SUSSEX COUNTY" AS IT RELATES TO THE CONDUCT OF ELECTIONS. (2/3 VOTE)

Roll call vote on **SB 49** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bair - 1

**SB 49** was declared passed the Senate and sent to the House for Consideration.

Senator(s) McDowell marked present during the above roll call.

Senator Marshall requested that **SB 12** be lifted from table and brought before the Senate for consideration.

**SA 1 to SB 49** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator(s) McDowell and Winslow commented.

Roll call vote on **SA 1 to SB 12** was taken and revealed:

YES: Senator(s) Adams; Blevins; Bonini; Bunting; Cook; DeLuca; Marshall; McBride; Sharp; Vaughn - 10

NO: 11

**SA 1 to SB 12** was Defeated.

**SB 12** was now before the Senate.

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

YES: 21



**SB 12** was declared passed the Senate and sent to the House for Consideration.  
**HCR 5** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HCR 5** – RE-ESTABLISHING THE TASK FORCE TO INVESTIGATE THE FINANCING NEED FOR THOSE LIBRARIES NOT FUNDED SUFFICIENTLY ESTABLISHED BY HOUSE CURRENT RESOLUTION NO. 37 OF THE 139<sup>TH</sup> GENERAL ASSEMBLY AND EXTENDING THE DATE TO REPORT ITS FINDINGS. Sponsor: Rep. Brady.

Roll call vote on **HCR 5** was taken and revealed:

YES: 21

**HCR 5** was declared Adopted by the Senate and returned to the House.

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

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 107**.

**HB 107** was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Sokola.

**HB 107** – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE WILMINGTON HOUSING AUTHORITY. Sponsor: Rep. Valihura & Sen. Sokola; Reps. Brady, Capano, DiPinto, D. Ennis, Fallon, Keeley, Price, Stone; Sens. Bair, Simpson, Sorenson, Still.

Senator Marshall commented.

Senator Sokola requested the privilege of the floor for Tom McGonigle, representing the Governor's office.

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

Roll call vote on **HB 107** was taken and revealed:

YES: 19

NO: Senator(s) Bonini; Venables - 2

**HB 107** was declared passed the Senate and returned to the House.

The Secretary of the Senate announced the agenda for March 23, 1999.

On motion of Senator Adams the Senate recessed at 05:14 PM until March 23, 1999.

The Senate reconvened at 02:53 PM on March 23, 1999 with Lt. Governor Minner presiding.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **SB 49; HB 44 w/HA 1; HB 54 w/HA 1; HB 57; HB 62.**

**LEGISLATIVE ADVISORY #7**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #7**, dated March 19, 1999, the Governor signed the following legislation on the date indicated:

**HB #107** (3/18/99) – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE WILMINGTON HOUSING AUTHORITY. (Sponsor: Rep. Valihura & Sen. Sokola; Reps. Brady, Capano, DiPinto, D. Ennis, Fallon, Keeley, Price, Stone; Sens. Bair, Simpson, Sorenson, Still) (Volume 72, Chapter 9, Laws of Delaware.)

\* \* \*

The following committee reports were announced:

From Executive: **Richard F. Stokes** – 5 Merits.

From Banking: **SB 57** – 4 Merits.

From Labor: **SB 16** – 3 Merits; **SB 17** – 3 Merits; **SB 28** – 3 Merits; **SB 29** – 3 Merits; **SB 47** – 3 Merits.

At 03:00 PM on motion of Senator Adams, the Senate adjourned and immediately convened for the Twelfth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
12th LEGISLATIVE DAY  
MARCH 23, 1999**

The Senate convened at 03:00 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 3/23/99**

The following nomination(s) assigned to the Executive Committee.

Hon. Herbert E. Schaefer  
154 Petherton Drive  
South Bethany  
Bethany, DE 19930

To be appointed a member  
of the Delaware Alcoholic  
Beverage Control Commission  
for a three year term to replace  
Robert G. Medd, Jr. whose term  
has expired.

Mr. Nicholas A. DiPasquale  
45 Shady Lane Avenue  
Shady Lane  
Dover, DE 19901

To be appointed as Secretary  
of the Department of Natural  
Resources and Environmental  
Control to serve a term during  
the pleasure of the Governor.

**SB 65** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE  
RELATING TO PERSONAL INCOME TAX. Sponsor: Sen. Sharp; Sens. Adams,  
Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sokola, Vaughn  
& Venables; **Revenue & Taxation**.

**SB 66** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE  
RELATING TO THE MINIMUM LIMITS OF AUTOMOBILE LIABILITY  
INSURANCE AND THE MINIMUM AMOUNTS REQUIRED BY DELAWARE'S  
FINANCIAL RESPONSIBILITY LAW. Sponsor: Sen. Vaughn; Sens. Still, Bair,  
Simpson, Sorenson, Winslow, Reps. Ewing, Stone, Van Sant, Buckworth, Carey,  
Cloutier, Maier, Wagner; **Insurance and Elections**.

**HB 44 w/HA 1** - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE  
DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF  
ALCOHOL AND/OR DRUGS. Sponsor: Rep. Spence; Sens. Henry, Winslow;  
**Executive**.

**HB 54 w/HA 1** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE  
RELATED TO ESCHEAT OF UNREDEEMED GIFT CERTIFICATES. Sponsor: Rep.  
Capano & Sen. Marshall; **Executive**.

**HB 57** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE  
RELATING TO PAYMENT OF FINES AND COSTS. Sponsor: Rep. Wagner & Sen.  
Henry; **Judiciary**.

**HB 62** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE  
RELATING TO THE UNIFORM COMMERCIAL CODE. Sponsor: Rep. DiLiberto;  
**Judiciary**.

\* \* \*

**HB 12** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 12** - AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF  
DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF  
LEWES" TO DELETE THE MANDATORY TIME FOR SWEARING IN NEW COUNCIL  
MEMBERS AT THE ANNUAL ORGANIZATIONAL MEETING. 2/3 VOTE

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

YES: 20

ABSENT: Senator(s) Bonini - 1

**HB 12** was declared passed the Senate and returned to the House.

Senator(s) McBride and Bair marked present during the above roll call.  
**SB 57** was brought before the Senate for consideration on motion of Senator Adams.  
**SB 57** – AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE  
RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. 2/3 VOTE  
Senator Adams requested the privilege of the floor for Robert Glen, State Bank  
Commissioner.

After addressing the Senate the witness was excused.

Roll call vote on **SB 57** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SB 57** was declared passed the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 03:10 PM.

The Senate reconvened at 04:17 PM with Lt. Governor Minner presiding.

On motion of Senator Adams and without objection, the following nomination by  
the Governor was considered.

**Stokes, Richard F.**: 21 Senator(s) voting YES. Appointment was declared  
CONFIRMED.

Senator Bonini marked present during the above roll call.

A messenger from the Governor was announced and admitted.

The nomination(s) was read in its entirety and assigned to the **Executive** Committee.

Rosemary Betts Beauregard  
20 Heronwood Lane  
Heronwood  
Milton, Delaware 19968

To be appointed Judge  
of the Court of Common  
Pleas for Sussex County  
to serve a twelve-year term.

\* \* \*

**SB 35** was brought before the Senate for consideration on motion of Senator  
Sorenson.

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

Roll call vote on **SB 35** was taken and revealed:

YES: 21

**SB 35** was declared passed the Senate and sent to the House for Consideration.

**SR 8** was introduced and brought before the Senate for consideration on motion of  
Senator Sharp.

**SR 8** – A RESOLUTION TO AMEND SENATE RESOLUTION NO. 2  
REGARDING THE RULES OF THE SENATE. Sponsor: Sen. Sharp; Sens. Adams,  
Vaughn, Amick & Bonini.

Senator Bonini commented.

Roll call vote on **SR 8** was taken and revealed:

YES: 21

**SR 8** was declared Adopted.

Senator Amick commented regarding the changes to the Senate Rules.

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

The Secretary of the Senate announced the agenda for March 24, 1999.

On motion of Senator Adams, the Senate recessed at 04:36 PM until March 24,  
1999.

The Senate reconvened at 04:16 PM on March 24, 1999 with Lt. Governor Minner  
presiding.

The Secretary announced a message from the House informing the Senate that it had  
passed **HB 59 w/HA 1**; **HB 63**; **HB 20**; **HB 53 w/HA 2**; **HB 79**; **HJR 2**.

The following committee reports were announced:

From Executive: **Rosemary B. Beauregard** – 5 Favorable, 1 Merit; **J. Doug  
Hazelton** – 6 Merits; **Hon. Herbert E. Schaefer** – 6 Merits.

From Insurance & Elections: **SB 38** – 3 Merits; **SB 39** – 3 Merits.

From Education: **HB 6 w/HA 1 aab HA 1** – 3 Merits.

At 04:22 PM on motion of Senator Adams, the Senate adjourned and immediately  
convened the Thirteenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
13th LEGISLATIVE DAY  
MARCH 24, 1999**

The Senate convened at 04:22 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 03/24/99**

**SB 67** - AN ACT TO AMEND SUBCHAPTER VI OF CHAPTER 35, TITLE 12 OF THE DELAWARE CODE RELATING TO QUALIFIED DISPOSITIONS IN TRUST. Sponsor: Sen. Blevins; Sen. Adams; Reps. Capano, Stone; **Judiciary**.

**SB 68** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO SOLEMNIZATION OF MARRIAGES. Sponsor: Sen. Amick; **Judiciary**.

**SB 69** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENDER NEUTRAL. Sponsor: Sen. Blevins & Rep. Capano; Sens. Bair, Bunting, Cook, DeLuca, Henry, McDowell, Marshall, Simpson, Sokola, Amick, Bonini, Connor, Sorenson, Still, Winslow; Reps. Carey, Fallon, Maier, Miro, Mulrooney, Stone, Ulbrich, Wagner, Gilligan, Keeley, Price, Schroeder, West; **Executive**. (2/3)

**SB 70** - AN ACT TO AMEND TITLES 6 AND 18 OF THE DELAWARE CODE RELATING TO NON-MECHANICAL AUTOMOTIVE REPAIR WORK. Sponsor: Sen. Sokola & Rep. Roy; Sens. Blevins, DeLuca, McBride; Reps. Brady, Buckworth, Maier, Miro, Quillen, Spence, Valihura, West; **Administrative Services**.

**SB 71** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PREVAILING WAGE REQUIREMENTS. Sponsor: Sen. Venables & Sens. Bunting, Bonini, & Still, Reps. Boulden, Ewing, Fallon, Price, & West; **Labor**.

**HB 20** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COMMISSIONERS OF THE COURTS. Sponsor: Rep. Wagner; Reps. Spence, Carey; Sens. Henry, Amick; **Judiciary**.

**HB 53 w/HA 2** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF RECORDS. Sponsor: Rep. Maier & Rep. Spence & Sen. Sharp; **Health & Social Services**.

**HB 59 w/HA 1** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Rep. Lee & Rep. B. Ennis, Reps. DiPinto, Wagner, Sens. Bunting, Simpson; **Labor**.

**HB 63** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRUELTY TO ANIMALS. Sponsor: Rep. DiLiberto; **Agriculture**. (2/3)

**HB 79** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION. Sponsor: Rep. Carey & Sen. Simpson; Reps. Caulk, Schroeder, West; Sens. Adams, Bunting; **Natural Resources & Environmental Control**.

**HJR 2** - ENCOURAGING DELAWARE'S UNITED STATES CONGRESSIONAL DELEGATION TO PUT FORTH A MOTION TO THE UNITED STATES CONGRESS TO GRANT, AS IT DEEMS APPROPRIATE, THE STATE OF DELAWARE FULL POSSESSION AND DIRECT OVERSIGHT OF ANY MONIES PAID TO THE STATE OF DELAWARE BY THE TOBACCO INDUSTRY. Sponsor: Rep. Maier; Sen. Blevins, Reps. Spence, Smith, Welch, Buckworth, Capano, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Miro, Quillen, Reynolds, Stone, Ulbrich, Valihura, Wagner, Gilligan, Van Sant, Houghton, Plant, Price, Schroeder, Sens. Bunting, Cook, DeLuca, Henry, McBride, McDowell, Marshall, Venables, Sokola, Bair, Still; **Health & Social Services**.

**SA 1 to HB 10** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 2 to HB 10** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 3 to HB 10** - Sponsor: Sen. Bunting; Placed with the bill.

**SA 3 to SB 8** - Sponsor: Sen. Amick; Placed with the bill.

\* \* \*

The following committee reports were announced:

From Corrections: **HCR 2 w/HA 1** – 1 Favorable, 2 Merits; **SB 11** – 3 Merits; **HB 9** – 1 Favorable, 2 Merits.

From Public Safety: **SB 41** – 4 Merits; **SB 40** – 4 Merits.

From Education: **HB 6 w/HA 1 aab HA 1** – 3 Merits.

From Insurance and Elections: **SB 39** – 3 Merits; **SB 38** – 3 Merits.

From Energy & Transit: **HB 10 w/HA 2, HA 1 aab HA 1** – 1 Favorable, 2 Merits.

On motion of Senator Adams and without objection, the following nominations by the Governor were considered:

**Schaefer, Herbert E.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator(s) Henry, McBride and Marshall marked present during the above roll call.

**Hazleton, J. Doug**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Beauregard, Rosemary Betts**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator Adams requested the privilege of the floor for Judge Rosemary B. Beauregard.

The witness was excused after addressing the Senate.

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

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

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

YES: 21

**SB 16** was declared passed the Senate and sent to the House for Consideration.

**SB 17** was brought before the Senate for consideration on motion of Senator Marshall.

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

Roll call vote on **SB 17** was taken and revealed:

YES: 21

**SB 17** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for March 25, 1999.

On motion of Senator Adams, the Senate recessed at 04:46 PM until March 25, 1999.

The Senate reconvened 02:05 PM on March 25, 1999 with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed

**HCR 7**.

The following committee reports were announced:

From Health and Social Services: **SB 20** – 4 Merits; **SB 21** – 4 Merits; **SB 22** – 4 Merits; **SB 23** – 4 Merits.

At 02:11 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Fourteenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
14th LEGISLATIVE DAY  
MARCH 25, 1999**

The Senate convened at 02:11 PM with Senator Sharp presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 03/25/99**

**SB 72** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. Sponsor: Sen. Bunting & Rep. Carey; **Agriculture**. (3/5)

**SB 73** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY. Sponsor: Sen. Simpson; Sens. Amick, Bair, Bonini, Connor, Sorenson, Still, Winslow, Adams, Blevins; Reps. Carey, Caulk; **Health & Social Services**.

**SB 74** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. Sponsor: Sen. Blevins & Rep. DiPinto; Sens. Adams, Bonini, Connor, Cook, Henry, Marshall, Simpson, Sokola, Sorenson, Venables; Reps. Buckworth, Capano, Carey, Fallon, Gilligan, Houghton, Maier, Price, Quillen, Roy, Schroeder, Wagner; **Health & Social Services**.

**SB 75** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO REFUNDS OF TAX PAID BY IMPORTERS OR WHOLESALERS. Sponsor: Sen. McBride; Rep. Roy; **Finance**.

**SA 1 to SB 54** - Sponsor: Sen. Adams; Placed with the Bill.

**SA 4 to HB 10** - Sponsor: Sen. Blevins; Placed with the Bill.

**SA 5 to HB 10** - Sponsor: Sen. Sharp; Placed with the Bill.

\* \* \*

Senator(s) Sokola, Cook, Marshall and Sorenson marked present.

Senator Bair requested the privilege of the floor to introduce Yolande Thibeault, representing the Canadian Government.

**HB 10 w/HA 2, HA 1 aab HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Marshall.

**HB 10 w/HA 2, HA 1 aab HA 1** – AN ACT AMENDING THE PROVISIONS OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE RESTRUCTURING AND REGULATION OF PUBLIC UTILITIES SUPPLYING ELECTRICITY TO RETAIL CUSTOMERS IN THE STATE. 3/5 VOTE

Senator(s) McBride, Blevins and Bonini marked present.

**SA 1 to HB 10** was brought before the Senate for consideration on motion of Senator McDowell.

Senator McDowell moved to lay **SA 1 to HB 10** on the Table. No objection.

Senator McBride commented.

**SA 1 to HB 10** was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

Senator McDowell deferred to Senator McBride.

**SA 1 to SA 1 to HB 10** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McDowell commented.

Roll call vote on **SA 1 to SA 1 to HB 10** was taken and revealed:

YES: 21

**SA 1 to SA 1 to HB 10** was declared part of the bill.

Senator Amick commented.

**SA 1 to HB 10 w/SA 1** was now before the Senate.

Senator Amick commented.

Roll call vote on **SA 1 to HB 10 w/SA 1** was taken and revealed:

YES: 21

**SA 1 to HB 10 w/SA 1** was declared part of the bill.

**SA 2 to HB 10** was brought before the Senate for consideration on motion of Senator McDowell.

Senator McBride commented.

At 02:46 PM, Lt. Governor Minner presiding.

Roll call vote on **SA 2 to HB 10** was taken and revealed:

YES: 21

**SA 2 to HB 10** was declared part of the bill.

Senator McDowell requested communication from Conectiv be partially read for the permanent record. A copy of this communication is on file for this legislative day.

**SA 3 to HB 10** was brought before the Senate for consideration on motion of Senator Bunting.

Roll call vote on **SA 3 to HB 10** was taken and revealed:

YES: 21

**SA 3 to HB 10** was declared part of the bill.

**SA 4 to HB 10** was introduced and brought before the Senate for consideration on motion of Senator Blevins.

Senator McBride commented.

Senator Bair requested the privilege of the floor for David Swayze, representing DEMEC.

Several Senators questioned the witness.

Senator McDowell raised a point of order.

Senator McBride continued questioning the witness, after which the witness was excused.

Senator(s) Venables and Bonini commented.

Senator Marshall requested the privilege of the floor for Donald Puglisi, representing Public Service Commission.

The witness was excused after addressing the Senate.

Several Senators commented.

Roll call vote on **SA 4 to HB 10** was taken and revealed:

YES: Senator(s) Blevins; Bonini; DeLuca; McBride; Sharp; Sokola - 6

NO: 15

**SA 4 to HB 10** was Defeated.

**SA 5 to HB 10** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

Senator McDowell requested a communication from the Public Service Commission be read for the permanent record. A copy of this communication is on file for this legislative day.

Senator Simpson commented.

Senator Bair requested the privilege of the floor for David Swayze, representing DEMEC.

Senator(s) DeLuca and Marshall questioned the witness, after which the witness was excused.

Senator Sharp requested the privilege of the floor for Francis Murphy, Senate Attorney.

Senator(s) Simpson, Amick and Sokola questioned the witness, after which the witness was excused.

Senator(s) Winslow and McBride commented.

Senator Bair requested the privilege of the floor for Donald Puglisi, representing Public Service Commission.

The witness was excused after addressing the Senate.

Senator Sharp requested the privilege of the floor for Howard Cosgrove, representing Conectiv.

Senator(s) Simpson, Winslow and Still questioned the witness, after which the witness was excused.

Roll call vote on **SA 5 to HB 10** was taken and revealed:

YES: 11

NO: Senator(s) Bair; Bonini; Connor; Henry; McDowell; Simpson; Sorenson; Still; Venables; Winslow - 10

**SA 5 to HB 10** was declared part of the bill.

**SA 6 to HB 10** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator McDowell commented.

Roll call vote on **SA 6 to HB 10** was taken and revealed:

YES: 21

**SA 6 to HB 10** was declared part of the bill.

**SA 7 to HB 10** was introduced and brought before the Senate for consideration on motion of Senator McBride.

Senator Sokola commented.

Roll call vote on **SA 7 to HB 10** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1

**SA 7 to HB 10** was declared part of the bill.

**SA 8 to HB 10** was introduced and stricken on motion of Senator McBride. No objection.

**SA 9 to HB 10** was introduced and stricken on motion of Senator McBride. No objection.

**SA 10 to HB 10** was introduced and stricken on motion of Senator McBride. No objection.

**HB 10 w/HA 2 & HA 1 aab HA 1, w/SA 1 aab SA 1, 2, 3, 5, 6 & 7** was now before the Senate.

Senator McDowell requested the privilege of the floor for Allen Muller, representing Green Delaware.

The witness was excused after addressing the Senate.

Senator Cook requested the privilege of the floor for Donald Puglisi, representing Public Service Commission.

Senator(s) McBride questioned the witness, after which the witness was excused.

Senator Bunting commented.

Roll call vote on **HB 10 w/HA 2 & HA 1 aab HA 1, SA 1 aab SA 1, 2, 3, 5, 6 & 7** was taken and revealed:

YES: 20

NO: Senator(s) Bunting - 1

**HB 10 w/HA 2 & HA 1 aab HA 1, SA 1 aab SA 1, 2, 3, 5, 6 & 7** was declared passed the Senate and returned to the House for Reconsideration.

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

The Secretary announced the agenda for March 30, 1999

On motion of Senator Adams, the Senate recessed at 05:23 PM until March 30, 1999 at 02:00 PM.

The Senate reconvened at 02:27 PM on March 30, 1999, with Lt. Governor Minner presiding.

A communication from Senator McBride was read requesting his name be removed as a co-sponsor of **SB 50**. No objections.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 55; HJR 4; SB 10**.

The following committee reports were announced:

From Community Affairs: **SB 34** – 3 Merits; **HB 14** – 3 Merits.

At 02:35 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Fifteenth Legislative Day.

#### **140th GENERAL ASSEMBLY FIRST SESSION 15th LEGISLATIVE DAY MARCH 30, 1999**

The Senate convened at 02:30 PM with Lt. Governor Minner presiding.

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

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still Vaughn, Venables Winslow - 20.

**ABSENT:** Senator(s) Simpson -1.

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

#### **DELAWARE STATE SENATE PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION READ TO THE SENATE RECORD 03/30/99**

**SB 76** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX CREDITS. Sponsor: Sen. McDowell & Rep. Stone; Sen. Cook & Reps. Capano & DiPinto; **Finance**.

**SB 77** - AN ACT TO AMEND TITLE 6, DELAWARE CODE CREATING A DELAWARE PET WARRANT LAW. Sponsor: Sen. Blevins & Sens. Bonini, Sorenson, Henry, Bair, & Sokola; Reps. Quillen, Carey, Gilligan, Capano, Roy, Keeley & Price; **Agriculture**.

**SB 78** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD. Sponsor: Sen. Bunting & Rep. Welch; **Executive**. (2/3)



**SB 79** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION AND REAPPORTIONMENT OF THE GENERAL ASSEMBLY. Sponsor: Sen. Still; Sen. Bonini, Reps. DiLiberto, Maier, Stone; **Executive**.

**SB 80** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FUNDING FOR PLACEMENT OF THE HANDICAPPED. Sponsor: Sen. Sokola & Rep. Reynolds; Sens. DeLuca & Cook; **Finance**.

**SB 81** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNITS FOR ACADEMIC EXCELLENCE. Sponsor: Sen. Sokola & Rep. Reynolds; Sens. DeLuca & Cook; **Finance**.

**SB 82** - AN ACT TO AMEND CHAPTERS 11 AND 101, TITLE 29, DELAWARE CODE, RELATING TO THE REGISTER OF REGULATIONS AND PROPOSED AND PROMULGATED REGULATIONS. Sponsor: Sen. Sharp & Rep. Spence; Sens. Adams, Amick, Bair, Vaughn; Reps. Gilligan, Smith, Van Sant, Welch; **Executive**.

**HB 55** - AN ACT TO AMEND CHAPTER 21 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE GOVERNOR'S AUTHORITY TO PROCLAIM SPECIAL DAYS. Sponsor: Rep. Price & Rep. Gilligan & Rep. Van Sant & Rep. Spence & Sen. Bunting & Sen. Adams & Sen. Sharp; **Executive**.

**HJR 4** - RELATING TO THE STATE OF DELAWARE'S PARTICIPATION IN THE "I VOTE PROJECT" AND THE NEED TO ENCOURAGE CITIZENS TO VOTE. Sponsor: Rep. Smith & Sens. Vaughn & Winslow; **Insurance and Elections**.

**SA 1 to SB 41** - Sponsor: Sen. Henry; Placed with the bill.

**SA 1 to SB 55** - Sponsor: Sen. Bunting; Placed with the bill.

\* \* \*

**SB 39** was brought before the Senate for consideration on motion of Senator Henry.

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

Senator Henry requested the privilege of the floor for Art Erickson, representing Division of Motor Vehicles.

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

Roll call vote on **SB 39** was taken and revealed:

YES: 17

NO: Senator(s) Bonini; McDowell - 2

ABSENT: Senator(s) Marshall; Simpson - 2

**SB 39** was declared passed the Senate and sent to the House for Consideration.

Senator Blevins marked present during the above roll call.

**SB 40** was brought before the Senate for consideration on motion of Senator Henry.

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

Roll call vote on **SB 40** was taken and revealed:

YES: 19

ABSENT: Senator(s) Marshall; Simpson - 2

**SB 40** was declared passed the Senate and sent to the House for Consideration.

**SB 41** was brought before the Senate for consideration on motion of Senator Henry.

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

**SA 1 to SB 41** was brought before the Senate for consideration on motion of Senator Henry.

Roll call vote on **SA 1 to SB 41** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1

**SA 1 to SB 41** was declared part of the bill.

Senator Marshall marked present during the above roll call.

**SB 41 w/SA 1** was now before the Senate.

Senator Still questioned the sponsor, after which Senator Henry requested the privilege of the floor for Jerry Emerson, representing Division of Motor Vehicles.

Senator(s) Amick, Sokola and Still questioned the witness, after which the witness was excused.

Roll call vote on **SB 41 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1

**SB 41 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

On motion of Senator Adams, the Senate recessed for Party Caucus at 02:51 PM.

The Senate reconvened at 03:52 PM with Senator Sharp presiding.

**SB 47** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 47** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MILEAGE REIMBURSEMENT FOR EMPLOYEES.

**SA 1 to SB 47** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 1 to SB 47** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1

**SA 1 to SB 47** was declared part of the bill.

At 03:54 PM, Lt. Governor Minner presiding.

**SB 47 w/SA 1** was now before the Senate.

Roll call vote on **SB 47 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1

**SB 47 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

A veto message from the Governor for **SB 49** was read into the record. Senator Adams moved that so much be considered the reading of the message. The message was as follows:

STATE OF DELAWARE  
OFFICE OF THE GOVERNOR

March 30, 1999

TO THE MEMBERS OF THE SENATE OF THE 140<sup>TH</sup> GENERAL ASSEMBLY:

On March 18, 1999, I received **Senate Bill No. 49** entitled:

AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE,  
ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW,  
IS SUSSEX COUNTY" AS IT RELATES TO THE CONDUCT OF ELECTIONS.

At the request of the two prime sponsors, as well as the Town Manager of the Town of Ocean View, I am returning Senate Bill 49 to the General Assembly without my signature.

**Senate Bill 49** proposes to change the closing time for elections for the Ocean View Town Council from 7:00 p.m. to 5:00 p.m. While I do not oppose this effort, the enactment of this legislation would jeopardize the legality of Ocean View's next election, which is scheduled for April 10, 1999.

The Ocean View Town Charter requires public notice of an election thirty (30) days prior to the election. Ocean View has already notified the public that its April 10, 1999 election will be conducted from 12:00 noon to 7:00 p.m. Accordingly, the enactment of this legislation would put the Town of Ocean View in an untenable position: they would either be forced to close the election at 5:00 p.m., contrary to their public notice, or comply with the times provided in the public notice, thereby violating the Town Charter. After consulting with both prime sponsors and the Town Manager of Ocean View, it was determined that I would return **Senate Bill 49** without my signature. The sponsors will seek passage of identical legislation after the April 10, 1999 elections.

(Signed)

Sincerely,  
Thomas R. Carper  
Governor

\* \* \*

Additions to the agenda, committee and other legislative meeting were announced. The Secretary of the Senate announced the agenda for March 31, 1999. A messenger from the Governor was announced and admitted. At 04:01 PM on motion of Senator Adams, the Senate recessed until March 31, 1999 at 04:00 PM.

The Senate reconvened at 04:07 PM on March 31, 1999 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Craig T. Eliassen** – 5 Merits; **Taube R. Carpenter** – 5 Merits.

From Agriculture: **HB 63** – 4 Merits; **SB 55** – 4 Merits; **SB 72** – 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 86; HB 26; HB 51; SB 26 w/SA 1; SB 57; HB 80; HB 122.**

At 04:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Sixteenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
16th LEGISLATIVE DAY  
MARCH 31, 1999**

The Senate convened at 04:11 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 19

**ABSENT:** Senator(s) Henry, Simpson - 2.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 03/31/99**

**March 20, 1999**

The following nomination(s) assigned to the Executive Committee.

Mr. Craig T. Eliassen  
733 Bicentennial Boulevard  
Bicentennial Village  
Dover, Delaware 19904

To be appointed as a member of the Delaware Technical and Community College Board of Trustees for a term to expire July 15, 2000, to replace the Hon. William Witham, who resigned.

Ms. Taube R. Carpenter  
11 South Horseshoe Drive  
Milford, Delaware 19963

To be appointed as a member of the Unemployment Insurance Appeals Board for a term to expire May 1, 2000 to replace W. Allen Jones, who resigned.

Mr. Charles E. Short  
R.D. 4, Box 735  
Seaford, Delaware 19973

To be appointed as a member of the Sussex County Board of Elections to serve a term to expire July 5, 2000 to replace Mr. Lewis Trivits.

March 31, 1999

**SB 83** - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO INVESTMENTS OF FIDUCIARIES. Sponsor: Sen. Adams & Rep. Stone; **Banking**.

**SJR 2** - CREATING THE DELAWARE GENERAL ASSEMBLY TRICENTENNIAL COMMITTEE TO PLAN AND IMPLEMENT AN APPROPRIATE COMMEMORATION FOR THE 300TH ANNIVERSARY OF THE STATE LEGISLATURE WHICH WILL BE OBSERVED IN THE YEAR 2004. Sponsor: Sen. Sharp & Rep. Spence; Sens. Adams, Amick, Bair, Vaughn; Reps. Gilligan, Smith, Van Sant, Welch; **Executive**.

**HB 26** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY COMPENSATION AND REIMBURSEMENT. Sponsor: Rep. Welch & DiLiberto, & Sen. Amick; **Judiciary**.

**HB 51** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Rep. Welch & Rep. Oberle & Sen. Marshall; **Labor**.

**HB 80** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION. Sponsor: Rep. Carey & Sen. Venables, Reps. Price, Schroeder, Sen. Bunting; **Natural Resources & Environmental Control**.

**HB 86** - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES. Sponsor: Rep. Capano & Sen. Sorenson; **Executive**.

**HB 122** - AN ACT WAIVING THE STATUTORY PROVISIONS OF § 107(A), TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF DAVID C. SULLIVAN AND PATRICIA M. LACOMBE, NONRESIDENTS OF THE STATE OF DELAWARE. Sponsor: Rep. Brady & Sen. Bair; **LOT**.

**SA 1 to HB 14** - Sponsor: Sen. Bonini; Placed with the bill.

\* \* \*

On motion of Senator Adams and without objection, the following nominations by the Governor were consideration:

**Carpenter, Taube R.**: 19 Senator(s) voting YES, 2 (Henry, Simpson) ABSENT. Appointment was declared CONFIRMED.

Senator(s) Blevins, Marshall and Amick marked present during the above roll call.

**Eliassen, Craig T.**: 19 Senator(s) voting YES, 2 (Henry, Simpson) ABSENT. Appointment was declared CONFIRMED.

**HB 14** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 14** - AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. 2/3 VOTE

**SA 1 to HB 14** was brought before the Senate for consideration on motion of Senator Bonini.

Roll call vote on **SA 1 to HB 14** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry; Simpson - 2

**SA 1 to HB 14** was declared part of the bill.

**HB 14 w/SA 1** was now before the Senate.

Senator McDowell commented.

Roll call vote on **HB 14 w/SA 1** was taken and revealed:

YES: 18

ABSENT: Senator(s) Amick; Henry; Simpson - 3

**HB 14 w/SA 1** was declared passed the Senate and returned to the House for Reconsideration.

**HB 9** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 9** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF ASSAULT IN A DETENTION FACILITY.

Roll call vote on **HB 9** was taken and revealed:

YES: 17

ABSENT: Senator(s) Amick; Henry; McBride; Simpson - 4

**HB 9** was declared passed the Senate and returned to the House.

**HCR 2 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HCR 2 w/HA 1** – 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.

Roll call vote on **HCR 2 w/ HA 1** was taken and revealed:

YES: 18

ABSENT: Senator(s) Amick; Henry; Simpson - 3

**HCR 2 w/HA 1** was declared Adopted by the Senate and returned to the House.

**SB 38** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 38** – AN ACT TO AMEND SECTION 2118 OF TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF MOTOR VEHICLE INSURANCE FOR OUT-OF-STATE VEHICLES.

Roll call vote on **SB 38** was taken and revealed:

YES: 18

ABSENT: Senator(s) Amick; Henry; Simpson - 3

**SB 38** was declared passed the Senate and sent to the House for Consideration.

**HB 122** was brought before the Senate for consideration under the suspension of the necessary on motion of the floor manager, Senator Bair.

**HB 122** – AN ACT WAIVING THE STATUTORY PROVISIONS OF § 107(A), TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF DAVID C. SULLIVAN AND PATRICIA M. LACOMBE, NONRESIDENTS OF THE STATE OF DELAWARE.

Several Senators commented.

Roll call vote on **HB 122** was taken and revealed:

YES: 18

ABSENT: Senator(s) Amick; Henry; Simpson - 3

**HB 122** was declared passed the Senate and returned to the House.

On motion of Senator Adams, the Senate recessed at 04:43 PM until April 1, 1999 at 02:00 PM.

The Senate reconvened at 02:11 PM with Lt. Governor Minner presiding.

The following committee reports were announced:

From Health and Social Services: **HJR 2** – 3 Merits; **SB 48** – 3 Merits; **SB 63** – 3 Merits;

**SB 74** – 3 Merits.

From Executive: **Thomas J. Cook** – 5 Merits; **Arlene Coppage** – 6 Merits; **Nicholas DiPasquale** – 1 Favorable, 5 Merits; **Gary Evans Grubb** – 5 Merits; **Alicia Howard** – 5 Merits; **Frederic Kenney** – 5 Merits; **Hon. Joseph W. Maybee** – 6 Merits; **Andrea Maybee** – 5 Merits; **Michael P. Reynolds** – 5 Merits; **Charles E. Short** – 5 Merits.

A communication from Representative Cathcart to Senator Vaughn was read requesting his name be removed as co-sponsor of **SB 34**.

At 02:20 PM on motion of the Senator Adams, the Senate adjourned and immediately convened the Seventeenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
17th LEGISLATIVE DAY  
APRIL 01, 1999**

The Senate convened at 02:20 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Simpson - 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 04/01/99**

**SB 84** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE ALCOHOL BEVERAGE CONTROL COMMISSION. Sponsor: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Capano, Valihura, Keeley & Price; **Sunset.**

**SB 85** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF TIGER SWALLOWTAIL AS THE OFFICIAL STATE BUTTERFLY. Sponsor: Sen. McBride; Rep. Maier, Sens. Blevins, DeLuca, Henry, Sokola, Amick, Bair, Bonini, Connor, Simpson, Sorenson, Still & Winslow; Reps. DiPinto, Lofink, Spence, Gilligan, Houghton, Plant & Williams; **Executive.**

\* \* \*

**SCR 2** was brought before the Senate for consideration on motion of Senator Connor.

**SCR 2** - RECOGNIZING THE WEEK OF APRIL 19 THROUGH APRIL 23, 1999, AS PROFESSIONAL SECRETARIES' WEEK IN DELAWARE, AND PAYING TRIBUTE TO THESE INVALUABLE HEROES OF THE WORKPLACE. Sponsor: Sen. Connor; On behalf of all Senators & Rep. Spence, On behalf of all Representatives.

Roll call vote on **SCR 2** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry; Simpson - 2

**SCR 2** was declared Adopted by the Senate and sent to the House for Consideration. Senator(s) Blevins, Bonini, McBride, McDowell and Sokola marked present during the above roll call.

Senator Bunting requested the personal privilege of the floor to comment on the crisis in Kosovo and expressed his personal experience in Vietnam.

**SB 20** was brought before the Senate and immediately Laid on the Table on motion of Senator Marshall.

**SB 20** - AN ACT TO AMEND TITLE 16 RELATING TO CERTIFIED NURSING ASSISTANTS.

**SB 21** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 21** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ADULT PROTECTIVE SERVICES.

Senator Marshall requested the privilege of the floor for Tim Barron, representing the Attorney General's office.

Senator(s) Still and Winslow questioned the witness, after which the witness was excused.

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

YES: 20

ABSENT: Senator(s) Simpson - 1

Senator Henry marked present during the above roll call.

**SB 22** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 22** - AN ACT TO AMEND TITLE 16, OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES.

Senator Bair commented.

Senator Marshall requested the privilege of the floor for Tim Barron, representing the Attorney General's office.

Senator(s) Henry, Amick, Winslow questioned the witness.

At 03:11 PM, Senator Sharp presiding.

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

Senator(s) Bonini, Bair Amick and McDowell commented.

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

YES: 12

NO: Senator(s) Adams, Amick; Bair; Bunting; Sorenson; Vaughn; Winslow - 7

NOT VOTING: Senator(s) Henry - 1

ABSENT: Senator(s) Simpson - 1

**SB 22** was Defeated.

**SB 23** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 23** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION.

Lt. Governor Minner presiding at 03:39 PM.

**SA 1 to SB 23** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 1 to SB 23** was taken and revealed:

YES: 20

ABSENT: Senator(s) Simpson - 1

**SA 1 to SB 23** was declared part of the bill.

Roll call vote on **SB 23 w/ SA 1** was taken and revealed:

YES: 18

NO: Senator(s) Adams; Vaughn - 2

ABSENT: Senator(s) Simpson - 1

**SB 23 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator Adams yields to Senator McDowell.

Senator McDowell requested the personal privilege of the floor to comment on Electrical Dereg.

Senator Adams moved to recess for Party Caucus at 03:44 PM.

The Senate reconvened at 04:29 PM with Lt. Governor Minner presiding.

On motion of Senator Adams, the following nominations by the Governor were considered:

**Cook, Thomas J.:** Senator Cook informed the Senate that she would not be voting for there was a conflict of interest. Several Senator(s) commented, after which a roll call vote was taken: 19 Senator(s) voting YES, 1 (Cook) NOT VOTING, 1 (Simpson) ABSENT. Appointment was declared CONFIRMED.

**Dipasquale, Nicholas A.:** 20 Senator(s) voting YES, 1 (Simpson) ABSENT. Appointment was declared CONFIRMED.

**Coppage, Arlene:** 20 Senator(s) voting YES, 1 (Simpson) ABSENT. Appointment was declared CONFIRMED.

**Grubb, Gary Evans:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Holloway, Pamela Deeds:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Howard, Alicia B.:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Kenney, Frederic H.:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Maybee, Joseph W.:** 18 Senator(s) voting YES, 1 (Sharp) NO, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Maybee, Andrea M.:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

**Reynolds, Michael P.:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT; therefore, the appointment was declared CONFIRMED.

**Short, Charles E.:** 19 Senator(s) voting YES, 2 (Simpson, Venables) ABSENT. Appointment was declared CONFIRMED.

Senator McDowell requested the personal privilege of the floor for a communication from Conectiv be read into the record. Copy of this communication is on file for this legislative day.

Senator Marshall requested that **SB 20** be lifted from table and brought before the Senate for Consideration.

**SA 1 to SB 20** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 1 to SB 20** was taken and revealed:

YES: 19

ABSENT: Senator(s) Simpson; Venables - 2

**SA 1 to SB 20** was declared part of the bill.

**SA 2 to SB 20** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 2 to SB 20** was taken and revealed:

YES: 19

ABSENT: Senator(s) Simpson; Venables - 2

**SA 2 to SB 20** was declared part of the bill.

**SB 20 w/SA 1 & SA 2** was now before the Senate.

Roll call vote on **SB 20 w/SA 1 & SA 2** was taken and revealed:

YES: 19

ABSENT: Senator(s) Simpson; Venables - 2

**SB 20 w/SA 1 & SA 2** was declared passed the Senate as amended and sent to the House for Consideration.

**HJR 2** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HJR 2** – ENCOURAGING DELAWARE’S UNITED STATES CONGRESSIONAL DELEGATION TO PUT FORTH A MOTION TO THE UNITED STATES CONGRESS TO GRANT, AS IT DEEMS APPROPRIATE, THE STATE OF DELAWARE FULL POSSESSION AND DIRECT OVERSIGHT OF ANY MONIES PAID TO THE STATE OF DELAWARE BY THE TOBACCO INDUSTRY.

Roll call vote on **HJR 2** was taken and revealed:

YES: 18

NO: Senator(s) Bonini - 1

ABSENT: Senator(s) Simpson; Venables - 2

**HJR 2** was declared passed the Senate and returned to the House.

On motion of Senator Adams, the Senate recessed at 05:16 PM until the Call of the President Pro Tempore or April 20, 1999 at 02:00 PM.

The Senate reconvened at 02:23 PM on April 20, 1999 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Insurance and Elections: **HJR 4** – 3 Merits; **SB 66** – 3 Merits.

From Health and Social Services: **HB 73** – 3 Merits.

From Banking: **SB 83** – 3 Merits.

Senator Simpson marked present.

**LEGISLATIVE ADVISORIES #8 through #10**, from the Office of Counsel to the Governor were announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #8**, dated April 1, 1999, the Governor signed the following legislation on the date indicated:

**HB #10 A/A HA 1, HA 1 to HA 2, HA 2/W SA 1 A/A SA 1 and SA 2, 3, 5, 6 and 7** (3/31/99) – AN ACT AMENDING THE PROVISIONS OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE RESTRUCTURING AND REGULATION OF PUBLIC UTILITIES SUPPLYING ELECTRICITY TO RETAIL CUSTOMERS IN THE STATE. (Sponsor: Rep. Roy & Sen. McDowell; Reps. Capano, Carey, Stone, Sens. Adams, Vaughn, Venables, Still) (Volume 72, Chapter 10, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #9**, dated April 5, 1999, the Governor signed the following legislation on the date indicated:

**HB #122** (4/1/99) – AN ACT WAIVING THE STATUTORY PROVISIONS OF § 107(a), TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF DAVID C. SULLIVAN AND PATRICIA M. LACOMBE, NONRESIDENTS OF THE STATE OF DELAWARE. (Sponsor: Rep. Brady & Sen. Bair) (Volume 72, Chapter 11, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #10**, dated April 15, 1999, the Governor signed the following legislative on the date indicated:

**HJR #2** (4/12/99) – ENCOURAGING DELAWARE’S UNITED STATES CONGRESSIONAL DELEGATION TO PUT FORTH A MOTION TO THE UNITED STATES CONGRESS TO GRANT, AS IT DEEMS APPROPRIATE, THE STATE OF DELAWARE FULL POSSESSION AND DIRECT OVERSIGHT OF ANY MONIES



PAID TO THE STATE OF DELAWARE BY THE TOBACCO INDUSTRY. (Sponsor: Rep. Maier, Sen. Blevins, Reps. Spence, Smith, Welch, Buckworth, Capano, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Miro, Quillen, Reynolds, Roy, Stone, Ulbrich, Valihura, Wagner, Gilligan, Van Sant, Houghton, Plant, Price, Schroeder, Sens. Bunting, Cook, DeLuca, Henry, McBride, McDowell, Marshall, Venables, Sokola, Bair, Still)

**HB #9** (4/12/99) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF ASSAULT IN A DETENTION FACILITY.

(Sponsor: Rep. Lee & Sen. Vaughn) (Volume 72, Chapter 12, Laws of Delaware.)

**HB #12** (4/12/99) – AN ACT TO AMEND AN ACT BEING CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE CITY OF LEWES” TO DELETE THE MANDATORY TIME FOR SWEARING IN NEW COUNCIL MEMBERS AT THE ANNUAL ORGANIZATIONAL MEETING. (Sponsor: Rep. Schroeder; Sen. Simpson) (Volume 72, Chapter 13, Laws of Delaware.)

**HB #14 A/A SA 1** (4/12/99) – AN ACT TO AMEND CHAPTER 189, VOLUME 43 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF WYOMING. (Sponsor: Rep. Buckworth & Sen. Bonini) (Volume 72, Chapter 14, Laws of Delaware.)

**SB #57** (4/9/99) – AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sponsor: Sen. Adams & Rep. Stone; Sens. Sharp, Sokola & Sorenson; Reps. D. Ennis, Capano, Fallon, Carey, Brady, Houghton, Keeley & Scott) (Volume 72, Chapter 15, Laws of Delaware.)

**SB #2 w/SA 1** (4/13/99) – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO MINIMUM WAGE. (Sponsor: Sen. Marshall & Rep. Welch; Sens. Blevins, DeLuca, Henry, McDowell, Connor; Reps. Mulrooney, Scott, Williams, Sen. Sokola) (Volume 72, Chapter 16, Laws of Delaware.)

**SB #10** (4/9/99) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF RECORDS. (Sponsor: Sen. Vaughn & Rep. Lee; Sen. Winslow) (Volume 72, Chapter 17, Laws of Delaware.)

**SB #26 w/SA 1** (4/12/99) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Sponsor: Sen. Henry & Reps. Ewing & Oberle) (Volume 72, Chapter, Laws of Delaware.)

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 114; HB 24; HB 68; HB 73 w/HA 1 & HA 4; HB 49; HS 1 to HB 103; HS 1 to HB 94 w/HA 1; SCR 2**.

At 02:30 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Eighteenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
18th LEGISLATIVE DAY  
APRIL 20, 1999**

The Senate convened at 02:30 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

**SB 34** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 34** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND THE VALUATION, ASSESSMENT AND TAXATION OF PROPERTY.

**SA 1 to SB 34** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

Roll call vote on **SA 1 to SB 34** was taken and revealed:

YES: 21

**SA 1 to SB 34** was declared part of the bill.

Senator(s) Blevins, Connor and Marshall marked present during the above roll call.

**SB 34 w/SA 1** was now before the Senate.

Senator Connor questioned the sponsor, after which Senator Vaughn requested the privilege of the floor for Francis Murphy, Senate Attorney.

Senator(s) Still, Amick and Simpson questioned the witness, after which the witness was excused.

Senator(s) McDowell and Simpson questioned the sponsor, after which Senator Sokola requested the privilege of the floor for Francis Murphy, Senate Attorney.

Senator(s) Bair, McBride and Marshall questioned the witness, after which the witness was excused.

Senator McBride requested the privilege of the floor for Wayne Merritt, representing New Castle County.

Senator Still questioned the witness.

Senator Sharp presiding at 03:40 PM.

Senator Sokola questioned the witness.

Lt. Governor Minner presiding at 03:45 PM.

Senator(s) Winslow, Bair and Connor questioned the witness, after which the witness was excused.

Senator Sokola requested the privilege of the floor for Robert Maxwell, representing SCAT DAC.

The witness was excused after addressing the Senate.

Roll call vote on **SB 34 w/SA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Sharp - 1

**SB 34 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator Sharp introduced Senator Margo Ewing Bane, which was seated in the chamber.

**SB 83** was brought before the Senate for consideration on motion of Senator Adams.

**SB 83** – AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO INVESTMENTS OF FIDUCIARIES.

Senator Adams requested the privilege of the floor for Daniel Lindley, representing PNC Bank.

The witness was excused after addressing the Senate.

Roll call vote on **SB 83** was taken and revealed:

YES: 21

**SB 83** was declared passed the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 04:09 PM.

The Senate reconvened at 04:42 PM with Lt. Governor Minner presiding.

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

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

#### **DELAWARE STATE SENATE PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION READ TO THE RECORD 04/20/99**

**SB 86** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES. Sponsor: Sen. Blevins & Rep. Capano; **Health & Social Services**.

**SB 87** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE BENEFITS & EQUITY PRESCRIPTION COVERAGE. Sponsor: Sen. Henry; Rep. Stone; Sens. Blevins, DeLuca, Marshall, McDowell, Sharp, Sokola, Venables, Bair, Sorenson, & Winslow; Reps. Capano, Cloutier, Oberle, Wagner, Keeley, Plant, Price & Viola; **Health & Social Services**.

**SB 88** - AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE ENTITLED "AN ACT AMENDING, REVISITING AND

CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE," BY AMENDING ITS CHARTER TO PROVIDE AUTHORITY TO PROVIDE ADDITIONAL SERVICES (AS DEFINED) AND SPECIFYING ITS POWERS CONSISTENT WITH THOSE AUTHORIZED BY TITLE 22, SECTION 802 OF THE DELAWARE CODE. Sponsor: Sen. Connor & Rep. Mulrooney; Community Affairs. (2/3)

**SB 89** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS. Sponsor: Sen. Cook & Rep. DiPinto; Sens. Henry, McBride, Vaughn, Sorenson, Winslow & Reps. Buckworth, D. Ennis, Fallon, DiLiberto, Houghton; Finance.

**SB 90** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. Sponsor: Sen. Adams; Sen. Cook & Sens. McDowell & Blevins; Finance.

**SB 92** - AN ACT TO AMEND CHAPTER 121, VOLUME 32, LAWS OF DELAWARE, AS AMENDED, ENTITLED, "AN ACT TO ESTABLISH A BOARD OF WATER AND LIGHT COMMISSIONERS FOR THE CITY OF NEW CASTLE" RELATING TO THE DESIGNATION OF THE BOARD OF WATER AND LIGHT COMMISSIONERS AS THE MUNICIPAL SERVICES COMMISSIONS, AND THE AUTHORITY OF THE MUNICIPAL SERVICE COMMISSION. Sponsor : Sen. Connor & Rep. Mulrooney; Community Affairs; (2/3)

**SB 93** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONTRACTS WITH PUBLIC LIBRARY SYSTEMS. Sponsor: Sen. Cook; Rep. DiPinto; Sens. Henry, McBride, Vaughn, Sorenson & Winslow; Reps. Buckworth, D. Ennis, Fallon, DiLiberto & Houghton; Administrative Services.

**SB 94** - AN ACT TO AMEND TITLE 6, DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS. Sponsor: Sen. McDowell; Rep. B. Ennis; Sens. Bunting, Venables & Simpson; Reps. Spence, Quillen, Ewing, Buckworth, Oberle, Lee & Houghton; Small Business.

**HB 24** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SALARIES OF JUSTICE OF THE PEACE, PROHIBITED ACTIVITIES AND EMPLOYMENTS. Sponsor: Rep. Wagner & Sen. Venables; Finance. (F/N)

**HB 49** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIRED INFORMATION FOR DRIVER'S LICENSES. Sponsor: Rep. Scott; Reps. Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Plant, Price, Quillen, Reynolds, Spence, Van Sant, Wagner, West, Williams, Valihura; Public Safety.

**HB 68** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. Sponsor: Rep. Welch & Oberle & Sen. Blevins; Labor.

**HB 73 w/ HA 1 & HA 4** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Rep. Capano & Sen. Sokola; Reps. Welch, Boulden, Cloutier, DiPinto, Lee, Lofink, Maier, Roy, Stone, Ulbrich, Valihura, Wagner, Keeley; Sen. Sharp; Small Business.

**HB 114** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LEVY OF TAXES BY SCHOOL DISTRICTS. Sponsor: Rep. Oberle & Reps. Spence, Boulden, Reynolds, Cloutier, Lofink, Miro & Sen. Sharp; Community Affairs.

**HS 1 to HB 103 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RESEARCH AND DEVELOPMENT TAX CREDIT. Sponsor: Rep. Capano & Spence, Reps. Smith, Cathcart, Cloutier, DiLiberto, D. Ennis, Lofink, Miro, Oberle, Reynolds, Roy, Stone, Valihura, Wagner, Gilligan, Van Sant, Brady, B. Ennis, Houghton, Keeley, Williams, Ulbrich; Sens. Sharp, Bair, Sorenson; Administrative Services. (F/N)

**HS 1 to HB 94 w/HA 1** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE NORTHEAST INTERSTATE DAIRY COMPACT. Sponsor: Rep. Caulk & Sen. Bunting, Reps. Carey, Cathcart, Quillen, Price, Schroeder, West, Sens. Adams, Cook, Simpson, Still, Venables; Agriculture.

**HCR 7** - ESTABLISHING A LOCAL GOVERNMENT ELECTED OFFICIALS' DAY WITH THE GENERAL ASSEMBLY. Sponsor: Rep. Spence & Sen. Sharp; Administrative Services.

**SA 1 to HB 6** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 2 to SB 55** - Sponsor: Sen. Bunting; Placed with the bill.

**SB 5** - AN ACT TO AMEND §1114 OF TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Cook & Sharp; Sens. Adams, Blevins, Bunting, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables; Reps. Gilligan & Van Sant; **Finance**.

\* \* \*

The Secretary of the Senate announced the agenda for April 21, 1999.

On motion of Senator Sharp, the Senate recessed at 04:45 PM until April 21, 1999 at 04:00 PM.

The Senate reconvened at 04:10 PM on April 21, 1999 with Senator Sharp presiding.

**LEGISLATIVE ADVISORY #11**, from the Office of the Counsel to the Governor was announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #11**, dated April 6, 1999, the Governor vetoed the following legislation on the date indicated.

**SB #49** (3/30/99) – AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW, IN SUSSEX COUNTY” AS IT RELATES TO THE CONDUCT OF ELECTIONS. (Sponsor: Sen. Bunting)

\* \* \*

A communication from the Governor was read to inform the Senate that the nomination, of Theodore W. Ryan, Jr., submitted to the Senate on March 16, 1999, is hereby formally withdrawn at the request of the nominee.

A communication from Senator Dorinda Connor was read for the Senate record, requesting her name be added as a co-sponsor to **HB 114**.

A communication from Senator Patricia Blevins was read for the Senate record, requesting her name be added as a co-sponsor to **HB 53**.

The Secretary announced a message from the House informing the Senate that it had passed **HS 1 to HB 100 w/HA 1; HB 40; HB 105; HB 69; HB 65; HB 104 w/HA 1; HB 36; HB 37; HB 38; HCR 10; HB 161 w/HA 1 & 2.**

At 04:19 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Nineteenth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
19th LEGISLATIVE DAY  
APRIL 21, 1999**

The Senate convened at 04:14 PM with Senator Sharp presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

Senator Bunting moved to reconsider **SB 22**. No objections.

Senator Marshall moved that the roll call on **SB 22** be rescinded and Laid on the Table. No objections.

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

**HB 6 w/HA 1 aab HA 1** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NONRESIDENT CHILDREN WHO ARE IMPROPERLY ENROLLED IN THE PUBLIC SCHOOLS OF THIS STATE AND CREATING PENALTIES.

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

Senator(s) McBride and Amick questioned the floor manager, after which Senator Sokola requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator McDowell questioned the witness, after which the witness was excused.  
 Senator Sokola then moved that **HB 6** be Laid on the Table. No objections.  
 Senator(s) Blevins, Connor and Henry marked present.  
**HJR 4** was brought before the Senate for consideration on motion of the floor manager,  
 Senator Vaughn.  
**HJR 4** – RELATING TO THE STATE OF DELAWARE’S PARTICIPATION IN THE “I  
 VOTE PROJECT” AND THE NEED TO ENCOURAGE CITIZENS TO VOTE.  
 Senator Marshall requested his name be added as a co-sponsor of **HJR 4**.  
 Roll call vote on **HJR 4** was taken and revealed:  
 YES: 21  
**HJR 4** was declared passed the Senate and returned to the House.  
 Additions to the agenda, committee and other legislative meetings were announced.  
 On motion of Senator Adams, the President Pro Tempore’s List of Pre-Filed Legislation was  
 introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
 PRESIDENT PRO TEMPORE’S LIST OF PRE-FILED LEGISLATION  
 READ TO THE SENATE RECORD 4/21/99**

**April 20, 1999**

**SA 1 to SJR 2** - Sponsor: Sen. Sharp; Placed with the bill.

The following nomination(s) assigned to the **Executive** committee.

|                                                                              |                                                                                                                              |
|------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Ms. Mary Jane Behrens<br>13 East Commerce Street<br>Smyrna, Delaware 19977   | To be reappointed a member of the Kent County<br>Board of Elections to serve a four-year term.                               |
| Mr. H. Hickman Rowland, Jr.<br>120 The Strand<br>New Castle, Delaware 19720  | To be reappointed a member of the Diamond<br>State Port Board of Directors to serve a three-year term.                       |
| Mr. James F. Jestice<br>R.D. #1, Box 238A<br>Laurel, Delaware 19956          | To be reappointed a member of the Board of<br>Parole to serve a four-year term.                                              |
| Mr. Harvey D. Leighty<br>17 Barkers Landing Road<br>Magnolia, Delaware 19962 | To be appointed a Justice of the Peace for<br>Kent County to replace Honorable Joseph<br>W. Maybee whose term has expired.   |
| Ms. Romyne B. Seward<br>591 Carriage Lane<br>Carriage Lane                   | To be appointed a member of the Industrial<br>Accident Board a term to expire July 15, 2003<br>to replace Mr. Howard Seward. |
| Mr. John C. Martin<br>11 Wolf Pit Court<br>Rehoboth, Delaware 19971          | To be appointed a Justice of the Peace<br>of Sussex County to serve a four-year term.                                        |
| Ms. Shirley Corrin<br>210 Weiner Avenue<br>Harrington, Delaware 19952        | To be reappointed a member of the Kent<br>County Board of Elections to serve a four-year<br>term.                            |
| Mr. David Burke<br>66 West Fairfield Drive<br>Dover, Delaware 19901          | To be reappointed a member of the Kent<br>County Board of Elections to serve a four-year<br>term.                            |
| Ms. Gertrude Morgan<br>2221 Greenwood Road<br>Greenwood, Delaware 19950      | To be reappointed a member of the Kent<br>County Board of Elections to serve a four-year<br>term.                            |

April 21, 1999

The following nomination(s) assigned to the Executive committee.

|                            |                                       |
|----------------------------|---------------------------------------|
| Mr. J. Brian Murphy        | To be reappointed a member of the     |
| 1014 North Rodney Street   | Diamond State Port Board of Directors |
| Wilmington, Delaware 19806 | to serve a three-year term.           |

**SB 95** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLE "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", TO CORRECT AN ERROR AND TO CLARIFY BY ADDING AUTHORIZATION TO COLLECT PENALTIES AND INTEREST ON DELINQUENT TAXES. Sponsor: Sen. Bunting; Rep. West; Community Affairs. (2/3)

**SB 96** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE POWER OF RECALL. Sponsor: Sen. Still; Sens. Bair, Bunting, Connor; Judiciary. (2/3)

**SB 97** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO RECALL. Sponsor: Sen. Still; Judiciary.

**HB 36** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY. Sponsor: Rep. Capano & Sens. Blevins, & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson; Judiciary.

**HB 37** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES. Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson; Judiciary.

**HB 38** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY. Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson; Judiciary.

**HB 40** - AN ACT TO AMEND TITLES 9 AND 10 OF THE DELAWARE CODE RELATING TO COUNTIES AND COURTS AND JUDICIAL PROCEDURE. Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson; Judiciary.

**HB 65** - AN ACT TO AMEND CHAPTER 29 OF TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. Sponsor: Rep. Stone & Rep. Ulbrich; Sen. Blevins; Judiciary.

**HB 69** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE REGULATION OF REAL ESTATE APPRAISERS. Sponsor: Rep. Stone & Rep. Ulbrich & Sen. Blevins; Judiciary.

**HB 104 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES. Sponsor: Rep. Lee & Rep. Welch & Sens. McDowell & Vaughn; Adult and Juvenile Corrections.

**HB 105** - AN ACT TO AMEND CHAPTER 71 OF TITLE 10 OF THE DELAWARE CODE RELATING TO INJUNCTIONS AND ABATEMENT OF NUISANCES INVOLVING SOCIAL VICES. Sponsor: Rep. Keeley & Rep. Scott, Reps. DiPinto, Plant, Williams; Sens. Henry, Marshall, McDowell; Judiciary.

**HB 161 w/HA 1 & HA 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS. Sponsor: Rep. Capano & Sen. Blevins; Judiciary. (F/N)

**HS 1 to HB 100 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INVASION OF PRIVACY. Sponsor: Rep. Keeley & Rep. Price; Judiciary.

**HCR 10** - RECOGNIZING THE IMPORTANCE OF ORGAN AND TISSUE DONATION TO THE PRESERVATION AND IMPROVEMENT OF HUMAN LIFE AND MARKING THE OBSERVATION OF NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK. Sponsor: Rep. Buckworth & Reps. Spence, Smith & Sens. Sharp, Adams, On behalf of all Representatives & On behalf of all Senators; Health & Social Services.

\* \* \*

The Secretary the Senate announced the agenda for April 22, 1999.

On motion of Senator Sharp the Senate recessed at 04:49 PM until April 22, 1999 at 02:00 PM.

The Senate reconvened at 02:09 PM on April 22, 1999 with Lt. Governor Minner presiding.

The following committee report was announced:

From Administrative Services: **HS 1 to HB 103 w/HA 1** – 2 Favorable, 2 Merits.

A communication from the Office of the President Pro Tempore, Thomas B. Sharp was read requested that Senator Simpson be added as a co-sponsor of **SB 65**.

At 02:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twentieth Legislative Day.

**20th LEGISLATIVE DAY  
140th GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 22, 1999**

The Senate convened at 02:15 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator Still - 1.

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

**SB 63** was brought before the Senate for consideration on motion of Senator Sokola.  
**SB 63** - AN ACT TO AMEND TITLE 6 AND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS AND PROHIBITED TRADE PRACTICES.

Senator Sokola requested the privilege of the floor for Raina Fishbane, representing the Governor's office and Ulder J. Tillman, MD, MPH, representing the Dept. of Health and Social Services.

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

**SA 1 to SB 63** was brought before the Senate for consideration on motion of Senator Sokola.

Senator Venables commented.

Senator Sokola requested the privilege of the floor for Raina Fishbane, representing the Governor's office.

The witness was excused after addressing the Senate.

Roll call vote on **SA 1 to SB 63** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1

**SA 1 to SB 63** was declared part of the bill.

Senator(s) Blevins, Marshall, McBride and McDowell marked present during the above roll call.

**SB 63 w/SA 1** was now before the Senate.

Senator Amick commented.

Senator Sokola requested the privilege of the floor for Raina Fishbane, representing the Governor's office.

The witness was excused after addressing the Senate.

Senator(s) DeLuca and Blevins commented.

Senator Bonini requested his name be added as a co-sponsor of the bill.

Roll call vote on **SB 63 w/SA 1** was taken and revealed:

YES: 17

NO: Senator(s) Adams; Sharp; Vaughn - 3

ABSENT: Senator(s) Still - 1

**SB 63 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator Marshall requested that **SB 22** be lifted from table and brought before the Senate for consideration under the suspension of the necessary rules.

**SA 1 to SB 22** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 1 to SB 22** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1

**SA 1 to SB 22** was declared part of the bill.

**SB 22 w/SA 1** was now before the Senate.

Several Senators commented.

Senator Marshall requested the privilege of the floor for Tim Barron, representing the Attorney General's office.

Senator(s) Venables and Winslow questioned the witness, after which the witness was excused.

Roll call vote on **SB 22 w/SA 1** was taken and revealed:

YES: 11

NO: Senator(s) Adams; Amick; Bair; Bunting; Simpson; Sorenson; Vaughn;

Venables - 8

NOT VOTING: Senator(s) Henry - 1

ABSENT: Senator(s) Still - 1

**SB 22 w/SA 1** was declared Defeated.

**SB 73** was brought before the Senate for consideration on motion of Senator Simpson.

**SB 73** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY.

Senator Sharp raised a point of order.

Several Senators commented.

Roll call vote on **SB 73** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1

**SB 73** was declared passed the Senate and sent to the House for Consideration.

Senator Sharp announced that Bernard J. Brady, Secretary of the Senate was celebrating his birthday today, after which the staff presented him with a birthday cake.

Senator Adams moved to recess for Party Caucus at 04:03 PM.

The Senate reconvened at 04:56 PM with Senator Sharp presiding.

**HS 1 to HB 103 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HS 1 to HB 103 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RESEARCH AND DEVELOPMENT TAX CREDIT.

At 04:57 PM, Lt. Governor Minner presiding.

Senator Bair requested the privilege of the floor for William Remington, representing the Division of Revenue.

The witness was excused after addressing the Senate.

Senator Winslow requested his name be added as a co-sponsor of the bill.

Roll call vote on **HS 1 to HB 103 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1

**HS 1 to HB 103 w/HA 1** was declared passed the Senate and returned to the House.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 4/22/99**

**April 21, 1999**

**SA 1 to SB 22** - Sponsor: Sen. Marshall; Placed with the bill.

**April 22, 1999**

**SB 98** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SOCIAL SECURITY NUMBERS. Sponsor: Sen. Connor; Sens. Bair, Blevins, DeLuca, Sokola, Still, Winslow; **Executive**.

**HCR 11** - RECOGNIZING APRIL 18 THROUGH APRIL 24 AS PROFESSIONAL SECRETARIES WEEK AND ENCOURAGING ALL THOSE WHO ARE FORTUNATE ENOUGH TO HAVE SECRETARIES TO HONOR THESE



UNSUNG HEROES DURING THIS WEEK. Sponsor: Rep. Spence; On behalf of all Representatives; Executive.

**SS 1 to SB 36** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO OUTDOOR ADVERTISING. Sponsor: Sen. McBride; Sens. Henry, Marshall, Sokola, Venables, Connor, Simpson & Winslow; Reps. Quillen, B. Ennis, Gilligan, Keeley, Mulrooney, Plant, Scott, Van Sant, West & Williams; Adopted in Lieu of the Original; Highways and Transportation.

**SA 1 to SB 63** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 1 to SB 93** - Sponsor: Sen. Cook; Placed with the bill.

**SS 1 to SB 48** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO MANAGED CARE ORGANIZATIONS. Sponsor: Sen. Blevins; Rep. Maier; Sens. Henry, Marshall, McDowell, Sokola & Bair; Reps. Buckworth, Carey, Cloutier & Ewing; Adopted in Lieu of the Original; Health & Social Services.

**SA 1 to SB 28** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 1 to SB 29** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 2 to HB 6** - Sponsor: Sen. McBride; Placed with the bill.

**SB 99** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS. Sponsor: Sen. Sorenson & Blevins; Sens. Bair, Henry, Simpson, Sokola, Winslow Reps. Buckworth, Keeley, Maier, Quillen, Valihura; Public Safety. (2/3)

\* \* \*

The Secretary of the Senate announced the agenda for April 27, 1999.

On motion of Senator Adams, the Senate recessed at 05:07 PM until April 27, 1999 at 02:00 PM.

The Senate reconvened at 2:25 PM with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **SB 82** - 1 Favorable, 4 Merits; **SJR 2** - 2 Favorable, 3 Merits.

From Community/County Affairs: **HB 114** - 3 Merits, 1 Unfavorable; **SB 88** - 4 Merits; **SB 95** - 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 60; HB 67; HB 87; HB 96; HB 82; HCR 13; SB 9 w/SA 1**.

At 02:30 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-first Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
21st LEGISLATIVE DAY  
APRIL 27, 1999**

The Senate convened at 02:30 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McBride, Sharp, Simpson, Sokola, Sorenson, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator Still -1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 4/28/99**

**HB 60** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES. Sponsor: Rep. Ewing & Sen. Adams; **Community Affairs**.

**HB 67** - AN ACT TO AMEND CHAPTER 11, TITLE 9, DELAWARE CODE RELATING TO RESIDENCY QUALIFICATIONS OF ELECTED OFFICIALS OF NEW CASTLE COUNTY'S GOVERNING BODY. Sponsor: Rep. Miro; Reps. Spence, Smith, Maier, Roy, Capano, Carey, Cathcart, Cloutier, Oberle, Reynolds, Ulbrich, Valihura, Gilligan, Houghton, Mulrooney, Sens. Sokola, Sorenson; **Executive**.

**HB 82** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO AUTHORIZED EMPLOYEES IN RETAIL LIQUOR ESTABLISHMENTS. Sponsor: Rep. Van Sant & Rep. Welch; **Administrative Services**.

**HB 87** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HIV TESTING IN ASSAULT OR RELATED OFFENSES AGAINST LAW ENFORCEMENT OFFICERS. Sponsor: Rep. Ewing & Sen. Vaughn; **Public Safety**.

**HB 96** - AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF SMYRNA. Sponsor: Rep. B. Ennis & Sen. Vaughn; **Community Affairs**. (2/3)

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

Ms. Marilyn Parks  
2504 Carter Street  
Wilmington, Delaware 19802

To be appointed a member of the New Castle County Board of Elections to serve a term to expire July 5, 2000 to replace Dorothy Pritchett.

Ms. Pamela A. Darling  
495 Darling Farm Road  
Wyoming, Delaware 19934

To be appointed a member of the Kent County Board of Elections to serve a four-year term to replace Mr. H. Dawson Shulties.

Mr. Joseph R. Slights, Jr.  
30 Hazel Road  
Dover, Delaware 19901

To be reappointed a member of the Kent County Board of Elections to serve a four-year term.

\* \* \*

Senator(s) McBride marked present.

A communication from the Office of the President Pro Tempore's, Thomas B. Sharp was read informing the Senate that on Thursday, May 6, 1999, at 02:00 PM Chief Justice Veasey will present his State of the Judiciary Message in the House Chamber.

Senator(s) Bair, McDowell, Bunting and Bonini marked present.

**HB 6 w/HA 1 aab HA 1** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 6 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NONRESIDENT CHILDREN WHO ARE IMPROPERLY ENROLLED IN THE PUBLIC SCHOOLS OF THIS STATE AND CREATING PENALTIES.

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

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

YES: 19

ABSENT: Senator(s) Bunting; Still - 2

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

Senator Marshall marked present during the above roll call.

**SA 2 to HB 6** was stricken on motion of Senator McBride. No objection.

**SA 3 to HB 6** was brought before the Senate for consideration on motion of Senator McBride.

Senator McDowell questioned the sponsor, after which Senator McBride requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator(s) Marshall and McBride questioned the witness, after which the witness was excused.

Roll call vote on **SA 3 to HB 6** was taken and revealed:

YES: 19

NO: Senator(s) McDowell - 1

ABSENT: Senator(s) Still - 1

**SA 3 to HB 6** was declared part of the bill.

**HB 6 w/HA 1 aab HA 1, w/SA 1 & 3** was now before the Senate.

Senator(s) Marshall and McBride questioned the sponsor, after which Senator Simpson requested the privilege of the floor for Representative Wayne Smith.

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

Roll call vote on **HB 6 w/HA 1 aab HA 1, w/SA 2 & 3** was taken and revealed:

YES: Senator(s) Amick; Bair; Bonini; Bunting; Connor; Sokola; Sorenson;

Winslow - 8

NO: 11

ABSENT: Senator(s) McBride; Still - 2

**HB 6 w/HA 1 aab HA 1, w/SA 2 & 3** was Defeated.

**SB 11** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 11** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING DUTIES AND RESPONSIBILITIES OF THE COMMISSIONER RELATING TO THE TRANSPORTATION OF INMATES.

Senator Vaughn requested the privilege of the floor for Carl C. Danberg, representing the Department of Corrections.

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

Senator Vaughn moved to lay **SB 11** on the Table. No objection.

**SB 64** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 64** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REQUIREMENT THAT TELEPHONE CALLS TO PUBLICLY LISTED STATE AGENCY TELEPHONE NUMBERS BE ANSWERED BY A PERSON.

**SA 1 to SB 64** was brought before the Senate for consideration on motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for John Carney, Department of Finance.

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

Roll call vote on **SA 1 to SB 64** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1

**SA 1 to SB 64** was declared part of the bill.

**SA 2 to SB 64** was brought before the Senate for consideration on motion of Senator Marshall.

Several Senators questioned the sponsor.

Senator Marshall moved to lay **SA 2 to SB 64** on the Table. No objection.

Senator Vaughn moved to lay **SB 64 w/SA 1** on the table.

Senator Adams moved to recess for Party Caucus at 04:47 PM.

The Senate reconvened at 05:39 PM with Lt. Governor Minner presiding.

**SB 64 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator Vaughn.

Roll call vote on **SB 64 w/SA 1** was taken and revealed:

YES: 19

ABSENT: Senator(s) Marshall; Still - 2

**SB 64 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 74** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 74** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT.

Senator(s) Bair and Amick questioned the sponsor, after which Senator Blevins requested the privilege of the floor for Robert I. Welch, representing Bureau of Health Planning.

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

Roll call vote on **SB 74** was taken and revealed:

YES: 18

NO: Senator(s) Amick - 1

ABSENT: Senator(s) Marshall; Still - 2

**SB 74** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for April 28, 1999.

On motion of Senator Adams, the Senate recessed at 06:12 PM until April 28, 1999 at 04:00 PM.

The Senate reconvened at 04:02 PM on April 28, 1999 with Senator Sharp presiding.

The following committee reports were announced:

From Health and Social Services: **SS 1 to SB 48** – 3 Merits.

From Administrative Services: **SB 93** – 3 Favorable.

At 04:05 on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-second Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
22nd LEGISLATIVE DAY  
APRIL 28, 1999**

The Senate convened at 04:05 PM with Senator Sharp presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow – 21.

At 04:06 PM, Lt. Governor Minner presiding.

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

The following committee reports were announced:

From Executive: **SB 86** – 3 Merits.

From Health and Social Services: **SB 87** – 3 Merits; **HCR 10** – 3 Merits.

From Judiciary: **SB 37** – 3 Merits; **SB 54** – 3 Merits; **SB 67** – 3 Merits; **SB 56** – 3 Merits; **HB 20** – 3 Merits; **HB 105** – 3 Merits; **HS 1 to HB 100** – 3 Merits; **HB 62** – 3 Merits; **HB 57** – 3 Merits; **HB 38** – 3 Merits; **HB 37** – 3 Merits; **HB 40** – 3 Merits; **HB 36** – 3 Merits; **HB 26** – 3 Merits.

From Sunset: **SB 84** - 3 Merits.

From Public Safety: **SB 99** – 3 Merits; **HB 49** – 3 Merits; **HB 87** – 3 Merits.

From Agriculture: **HS 1 to HB 94** – 4 Favorable, 3 Merits.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 52; HB 89; HB 74; HB 48 w/HA 1; HB 5; HB 106 w/HA 2; HB 124 w/HA 1 & 2; HS 1 for HB 91 w/HA 1; SB 38.**

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 04/28/99**

**April 27, 1999**

**SA 1 to SB 77** - Sponsor: Senator Blevins; Placed with the bill.

**SA 1 to SB 87** - Sponsor: Senator Henry; Placed with the bill.

**SA 1 to SB 88** - Sponsor: Senator Connor; Placed with the bill.

**April 28, 1999**

**SB 100** - AN ACT TO AMEND TITLE 14 RELATING TO CHARTER SCHOOLS REGARDING SPECIAL EDUCATION REQUIREMENTS, STUDENT ADMISSIONS, NUMBER OF DAYS ALLOWABLE TO REVIEW AND APPROVE A NEW CHARTER SCHOOL, FINANCIAL AND ADMINISTRATIVE REQUIREMENTS FOR FUTURE CHARTER SCHOOLS AND MEMBERSHIP OF A CHARTER SCHOOL BOARD. Sponsor: Sen. Sokola; Rep. Reynolds; Sen. DeLuca & Rep. Ulbrich; **Education**.

**SB 102** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE COORDINATING COUNCIL MEMBERSHIP AND REPORTING REQUIREMENTS. Sponsor: Sen. Connor; Sens. Blevins, Sorenson & Rep. Capano; **Health & Social Services**.

**SB 103** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL JURISDICTION OF JUSTICE OF THE PEACE COURTS. Sponsor: Sen. Winslow & Rep. Cloutier; **Agriculture**.

**SB 104** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEATH PENALTY. Sponsor: Sen. Bonini & Sen. Winslow; Sens. Sokola, Amick, Sorenson, Henry, McDowell, McBride, Marshall; Reps. D. Ennis, Oberle; **Judiciary**.

**HB 5** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON FAMILY LAW. Sponsor: Rep. Buckworth; **Health & Social Services**.

**HB 48** - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO VOTER REGISTRATION INFORMATION. Sponsor: Rep. West; Reps. Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Scott, Spence, Stone, Van Sant, Viola, Wagner, Williams; **Insurance and Elections**.

**HB 52** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO PENSION BENEFITS FOR PARAPLEGIC VETERANS. Sponsor: Rep. Ewing & Buckworth; Reps. Spence, Scott, Brady, Cloutier; **Finance**.

**HB 74** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF STATE. Sponsor: Rep. DiLiberto; Reps. Boulden, Brady, Buckworth, Capano, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Plant, Price, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams; Sens. Bonini, Bunting, McDowell, Sokola, Venables; **Executive**. (2/3)

**HB 89** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO SPECIFY LICENSING REQUIREMENTS FOR MOTORCYCLES AND THREE-WHEELED VEHICLES. Sponsor: Rep. Ewing & Sen. Henry; **Public Safety**.

**HB 106 w/HA 2** - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO DEATH OR INJURY OF CHILDREN WHICH OCCURS THROUGH ABUSE OR NEGLECT. Sponsor: Rep. Oberle & Rep. Spence & Sen. Blevins; Reps. Maier, Keeley, Buckworth, Scott; **Children; Youth & Families**. (F/N)

**HB 124 w/HA 1 & HA 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Rep. Oberle; Rep. Spence & Sens. Blevins, Winslow; Reps. Welch, Capano, Ewing, Maier, Miro, Wagner, Gilligan, Van Sant, B. Ennis, Caulk, DiPinto, Ulbrich, Cloutier, Valihura, Buckworth, Scott; **Health & Social Services**. (F/N)

**HCN 13** - RECOGNIZING THE WEEK OF MAY 2-8, 1999 AS BRAIN TUMOR AWARENESS WEEK IN DELAWARE. Sponsor: Rep. Roy & Sen. Sokola; **Health & Social Services**.

The following nomination(s) assigned to the **Executive** committee.

Mr. William A. Baker, Sr.  
2013 Walmsley Drive  
Wilmington, Delaware 19808

To be appointed a  
member of the New Castle  
County Board of Elections  
to serve a term to expire  
July 5, 2000 to replace Mr.  
Robert L. Moore.

**HS 1 to HB 91 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE REGARDING REORGANIZATION OF SCHOOL DISTRICTS. Sponsor: Rep. Wagner & Rep. Spence & Sen. Sokola, Reps. Welch, Capano, Cloutier, D. Ennis, Stone, Ulbrich, Valihura, Williams; **Education**.

\* \* \*

**SB 82** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 82** – AN ACT TO AMEND CHAPTERS 11 AND 101, TITLE 29, DELAWARE CODE, RELATING TO THE REGISTER OF REGULATIONS AND PROPOSED AND PROMULGATED REGULATIONS.

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

Senator(s) Venables marked present.

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

Roll call vote on **SB 82** was taken and revealed:

YES: 19

NO: Senator(s) Marshall - 1

ABSENT: Senator(s) Bonini - 1

**SB 82** was declared passed the Senate and sent to the House for Consideration.

Senator(s) Bunting, Connor, McBride, Simpson, Sorenson and Still marked present during the above roll call.

**SJR 2** was brought before the Senate for consideration on motion of Senator Sharp.

**SJR 2** – CREATING THE DELAWARE GENERAL ASSEMBLY TRICENTENNIAL COMMITTEE TO PLAN AND IMPLEMENT AN APPROPRIATE COMMEMORATION FOR THE 300<sup>TH</sup> ANNIVERSARY OF THE STATE LEGISLATURE WHICH WILL BE OBSERVED IN THE YEAR 2004.

**SA 1 to SJR 2** was brought before the Senate for consideration on motion of Senator Sharp.

Roll call vote on **SA 1 to SJR 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SA 1 to SJR 2** was declared part of the bill.

**SJR 2 w/SA 1** was now before the Senate.

Roll call vote on **SJR 2 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SJR 2 w/SA 1** was declared passed the Senate and sent to the House for Consideration.

**SB 95** was brought before the Senate for consideration on motion of Senator Bunting.

**SB 95** – AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLE “AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO”, TO CORRECT AN ERROR AND TO CLARIFY BY ADDING AUTHORIZATION TO COLLECT PENALTIES AND INTEREST ON DELINQUENT TAXES. 2/3 VOTE

Roll call vote on **SB 95** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SB 95** was declared passed the Senate and sent to the House for Consideration.

Senator(s) Bonini marked present.

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

The Secretary of the Senate announced the agenda for April 29, 1999.

On motion of Senator Adams, the Senate recessed at 04:33 PM until April 29, 1999 at 02:00 PM.

The Senate reconvened at 02:11 PM on April 29, 1999 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Romayne B. Seward** – 4 Merits; **William A. Baker, Sr.** – 6 Merits; **Harvey D. Leighty** – 2 Favorable, 4 Merits; **John C. Martin** – 4 Favorable, 2 Merits; **Mary Jane Behrens** – 1 Favorable, 5 Merits; **David Burke** – 6 Merits; **Shirley Corrin** – 6 Merits; **James F. Jestice** – 1 Favorable, 5 Merits; **Gertrude Morgan** – 6

Merits; **J. Brian Murphy** – 6 Merits; **H. Hickman Rowland, Jr.** – 6 Merits; **Marilynn Parks** – 6 Merits; **Joseph R. Slights, Jr.** – 6 Merits; **Pamela A. Darling** – 6 Merits.

From Health and Social Services: **HCR 13** – 3 Merits.

A communication from the Chief Clerk of the House, JoAnn M. Hedrick to the Secretary of the Senate, Bernard J. Brady was read for the record requesting the recall of **HCR 9** from the Senate at the request of the prime sponsor, Representative Price.

A communication from the Secretary of the Senate, Bernard J. Brady to the Chief Clerk of the House, JoAnn M. Hedrick was read for the record pursuant to her memo on April 28, 1999, herewith I am returning **HCR 9** to the Chief Clerk's office.

Senator Adams moved to reconsider **HB 6**. No objection.

Senator Adams moved to rescind the roll call and lay **HB 6** on the Table. No objection.

At 02:20 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-third Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
23rd LEGISLATIVE DAY  
APRIL 29, 1999**

The Senate convened at 02:20 PM with Lt. Governor Minner presiding.

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

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow- 21.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 4/29/99**

**SB 105** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPUTER RELATED OFFENSES. Sponsor: Sen. McBride; **Judiciary.**

**SB 106** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TELECOMMUNICATIONS; AND PROVIDING FOR THE REGULATION OF CERTAIN PRACTICES. Sponsor: Sen. McBride; **Administrative Services.**

**SB 107** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TAXES ON PERSONAL INCOME. Sponsor: Sen. Cook; Sens. Blevins, Bunting, Henry, Sokola, Vaughn & Venables; **Revenue & Taxation.**

**SB 108** - AN ACT TO AMEND TITLE 9, TITLE 12, TITLE 15 AND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE PUBLIC ARCHIVES AND PUBLIC RECORDS. Sponsor: Sen. Cook; Rep. Smith; Sens. Bunting, Sokola, Vaughn & Sorenson; Reps. Welch, Quillen, Gilligan & Van Sant; **Executive.**

**SA 1 to HB 114** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 4 to SB 8** - Sponsor: Sen. Blevins; Placed with the bill.

\* \* \*

**SB 93** was brought before the Senate for consideration on motion of Senator Cook. **SB 93** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONTRACTS WITH PUBLIC LIBRARY SYSTEMS.

**SA 1 to SB 93** was brought before the Senate for consideration on motion of Senator Cook.

Roll call vote on **SA 1 to SB 93** was taken and revealed:

YES: 19

ABSENT: Senator(s) Marshall; McBride - 2

**SA 1 to SB 93** was declared part of the bill.

Senator McDowell marked present during the above roll call.

**SB 93 w/SA 1** was now before the Senate.

Senator Cook requested the privilege of the floor for Tom Sloan, representing Delaware Division of Libraries.

The witness was excused after addressing the Senate.

Senator Sokola requested his name be added as a co-sponsor of **SB 93 w/SA 1**.

Roll call vote on **SB 93 w/SA 1** was taken and revealed:

YES: 21

**SB 93 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator(s) Marshall and McBride marked present during the above roll call.

**SCR 6** was introduced and brought before the Senate for consideration on motion of Senator Bair.

**SCR 6** – EXTENDING A WARM WELCOME TO THE STUDENTS FROM JOE POLOWSKI HIGH SCHOOL OF TORGAU, GERMANY. Sponsor: Sen. Bair & Rep. Smith; Sens. Winslow, Sorenson, Connor, Venables; Reps. Valihura, Cloutier, Brady, D. Ennis, Roy, Scott.

Senator Bair requested the privilege of the floor for Heschke Wolf-Ruediger, representing Joe Polowski High School.

The witness was excused after addressing the Senate.

Roll call vote on **SCR 6** was taken and revealed:

YES: 21

**SCR 6** was declared adopted by the Senate and sent to the House for Consideration.

Senator Henry requested the personal privilege of the floor to introduce the Public Allies members and presented each of them a tribute.

The witnesses were excused.

**HB 114** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 114** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LEVY OF TAXES BY SCHOOL DISTRICTS.

**SA 1 to HB 114** was brought before the Senate for consideration on motion of Senator Sokola.

Roll call vote on **SA 1 to HB 114** was taken and revealed:

YES: 20

ABSENT: Senator(s) Connor - 1

**SA 1 to HB 114** was declared part of the bill.

**HB 114 w/SA 1** was now before the Senate.

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

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

Senator Bunting commented.

Roll call vote on **HB 114 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) McBride - 1

**HB 114 w/SA 1** was declared passed the Senate and returned to the House for Reconsideration.

Senator Sokola requested his name be added as a co-sponsor of **HB 114 w/SA 1**.

**SB 56** was brought before the Senate for consideration on motion of Senator Vaughn.

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

Roll call vote on **SB 56** was taken and revealed:

YES: 21

**SB 56** was declared passed the Senate and sent to the House for Consideration.

**HB 87** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.



**HB 87** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HIV TESTING IN ASSAULT OR RELATED OFFENSES AGAINST LAW ENFORCEMENT OFFICERS.

**SA 1 to HB 87** was brought before the Senate for consideration on motion of Senator Vaughn.

Roll call vote on **SA 1 to HB 87** was taken and revealed:

YES: 21

**SA 1 to HB 87** was declared part of the bill.

**HB 87 w/SA 1** was now before the Senate.

Roll call vote on **HB 87 w/SA 1** was taken and revealed:

YES: 21

**HB 87 w/SA 1** was declared passed the Senate and returned to the House for Reconsideration.

Senator Adams moved to recess for Party Caucus at 03:10 PM.

The Senate reconvened at 04:24 PM with Senator Sharp presiding.

On motion of Senator Adams, the following nominations by the Governor were considered:

**Baker, William A., Sr.:** 19 Senator(s) voting YES, 2 (Cook, McDowell) ABSENT. Appointment was declared CONFIRMED.

Lt. Governor Minner presiding at 04:27 PM.

**Darling, Pamela A.:** 19 Senator(s) voting YES, 2 (Cook, McDowell) ABSENT. Appointment was declared CONFIRMED.

**Leighty, Harvey D.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Martin, John C.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Parks, Marilynn:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator Adams moved to reconsider the nomination of **Pamela A. Darling**.

The roll call on the nomination of **Pamela A. Darling** was rescinded on motion of Senator Adams.

A roll call vote was then taken on **Pamela A. Darling** and revealed 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**HCR 13** was introduced and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HCR 13** – RECOGNIZING THE WEEK OF MAY 2-8, 1999 AS BRAIN TUMOR AWARENESS WEEK IN DELAWARE. Sponsor: Rep. Roy & Sen. Sokola.

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

YES: 21

**HCR 13** was declared Adopted by the Senate and returned to the House.

**SENATE CONSENT CALENDAR #3** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 3** - REQUESTING THAT THE GOVERNOR, THE ATTORNEY GENERAL AND THE JOINT FINANCE COMMITTEE ADDRESS THE MATTER OF LOW COMPENSATION FOR DELAWARE'S DEPUTIES ATTORNEY GENERAL AND PROBLEMS RESULTING THEREFROM. Sponsor: Sen. Venables; Sens. Adams, Bunting, Marshall, Sokola, Still & Winslow; Reps. Cloutier, Brady, DiLiberto & West.

**SCR 4** – EXTENDING THE LIFE OF THE DELAWARE RIVER AND BAY OVERSIGHT COMMITTEE FOR THE PURPOSE OF STUDYING AND CONSIDERING ADDITIONAL MATTERS, INCLUDING THE EFFECT OF THE FEDERAL OIL POLLUTION ACT AMENDMENTS OF 1990 AND THE ESTABLISHMENT OF A PERMANENT DELAWARE RIVER AND BAY OVERSIGHT COMMISSION. Sponsor: Sen. McBride & Rep. Quillen

**SCR 7** – COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION'S SCHOLARS OF 1999. Sponsor: Sen. Sokola; On behalf of all Senators, Rep. Reynolds, On behalf of all Senators, Rep. Reynolds, On behalf of all Representatives.

**SCR 8** – MEMORIALIZING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION TO STRENGTHEN CERTAIN OVERSIGHT POWERS AND AUTHORITY OF THE POSTAL RATE COMMISSION, AND REQUESTING THE DELAWARE DIVISION OF REVENUE TO ANALYZE THE IMPACT OF LOST TAXES AND FEES AS A RESULT OF UNITED STATES

POSTAL SERVICE SPECIAL STATUS. Sponsor: Sen. Marshall; Rep. Miro; Reps, Brady, Buckworth, Carey, Cloutier, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Keeley, Lee, Maier, Plant, Price, Reynolds, Scott, Spence, Stone, Ulbrich, Valihura, Welch, West.

**HCR 12** - RECOGNIZING MAY 1, 1999 AS "CORRECTIONAL OFFICERS MEMORIAL DAY". Sponsor: Rep. Price & Sen. Vaughn.

Roll call vote was taken on the **SENATE CONSENT CALENDAR #3** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted. The Senate Concurrent Resolutions were sent to the House for Consideration and the House Concurrent Resolution was returned to the House.

**SCR 5** was introduced and brought before the Senate for consideration on motion of Senator Henry.

**SCR 5** - COMMENDING THE UNITED STATES CONGRESS FOR WORKING TO REFORM THE UNITED NATIONS, AND REQUESTING THAT CONGRESS PAY THE AMOUNTS OWED TO THE UNITED NATIONS. Sponsor: Sen. Henry; Reps. Keeley & Viola.

Senator Sharp commented.

Roll call vote on **SCR 5** was taken and revealed:

YES: 12

NO: Senator(s) Adams; Bonini; Cook; McBride; Simpson; Vaughn; Venables - 7

NOT VOTING: Senator(s) Sharp; Still - 2

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

**Seward, Romaine B.**: 20 Senator(s) voting YES, 1 (Bair) NO. Appointment was declared CONFIRMED.

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

The Secretary of the Senate announced the agenda for May 4, 1999.

On motion of Senator Adams, the Senate recessed at 05:01 PM until May 4, 1999 at 02:00 PM.

The Senate reconvened at 02:12 PM on May 4, 1999 with Senator Sharp presiding.

The following committee reports were announced:

From Judiciary: **SB 68** - 3 Merits.

From Executive: **HB 74** - 4 Merits; **HB 44 w/HA 1** - 4 Merits.

From Community Affairs: **SB 60** - 3 Merits.

From Agriculture: Correction - **HS 1 to HB 94** - 4 Favorable, 2 Merits.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 167; HB 92 w/HA 1 & 2; HB 102; HB 109 w/HA 1 & 3; HB 142 w/HA 1; HB 155 w/HA 1; HB 75 w/HA 1; HJR 5; SCR 6; SCR 7.**

At 02:15 PM, Lt. Governor Minner presiding.

At 02:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-fourth Legislative Day.

#### **140th GENERAL ASSEMBLY FIRST SESSION 24th LEGISLATIVE DAY MAY 04, 1999**

The Senate convened at 02:16 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow- 21.

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

**HB 49** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HB 49** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIRED INFORMATION FOR DRIVER'S LICENSES.

Senator(s) Adams and McDowell commented.

Senator Henry requested the privilege of the floor for Francis Murphy, Senate Attorney.

The witness was excused after addressing the Senate.  
Senators Bunting and McDowell questioned the floor manager, after which Senator Henry requested the privilege of the floor for David Thomas, representing Department of Public Safety.

Senator(s) McBride marked present.

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

Senator Henry moved to lay **HB 49** on the Table. No objection.

Senator(s) Blevins, Cook and Venables marked present.

**SB 99** was brought before the Senate for consideration on motion of Senator Sorenson.

**SB 99** – AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS. 2/3 VOTE

Senator Sharp questioned the sponsor, after which Senator Sorenson requested the privilege of the floor for Guy Sapp, representing DVCC.

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

Senator Sorenson moved to lay **SB 99** on the table. No objection.

**HS 1 to HB 94 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Bunting.

**HS 1 to HB 94 w/HA 1** – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE NORTHEAST INTERSTATE DAIRY COMPACT.

Senator(s) Still marked present.

Senator Still requested his name be removed as a co-sponsor of **HS 1 to HB 94 w/HA 1**. No objection.

Several Senators commented.

Senator Bunting requested the privilege of the floor for R. Wayne Collison, representing Dairy Farmers of Delaware.

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

Roll call vote on **HS 1 to HB 94 w/HA 1** was taken and revealed:

YES: 18

NO: Senator(s) Amick; Still - 2

ABSENT: Senator(s) Connor - 1

**HS 1 to HB 94 w/HA 1** was declared passed the Senate and returned to the House.

**HB 49** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Henry.

Senator Henry requested the privilege of the floor for Arthur Ericson, representing Division of Motor Vehicles.

Senator(s) Sharp and McDowell questioned the witness, after which the witness was excused.

Senator Henry requested the privilege of the floor for Representative Scott.

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

Senator Sharp commented.

Roll call vote on **HB 49** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) McDowell - 1

**HB 49** was declared passed the Senate and returned to the House.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HCR 14**.

**HCR 14** was introduced brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HCR 14** – COMMENDING THE RECIPIENTS AND NOMINEES OF THE 1999 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsor: Rep. Spence; On behalf of all Representatives, Sen. Sharp, On behalf of all Senators.

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

YES: 21

**HCR 14** was declared Adopted by the Senate and returned to the House.

Senator Adams moved to recess for Party Caucus at 04:16 PM.

The Senate reconvened at 05:13 PM with Lt. Governor Minner presiding.

**HJR 5** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Vaughn.

**HJR 5 – RECOGNIZING WEDNESDAY, MAY 5, 1999, AS VOLUNTEER  
FIREFIGHTERS APPRECIATION AND SUPPORT DAY.**

Roll call vote on **HJR 5** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1

**SB 8** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 8 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE  
REGARDING THE CREATION OF THE DELAWARE HEALTH FUND.**

**SA 1 to SB 8** was brought before the Senate for consideration on motion of Senator  
McBride.

Roll call vote on **SA 1 to SB 8** was taken and revealed:

YES: 21

**SA 1 to SB 8** was declared part of the bill.

**SA 2 to SB 8** was brought before the Senate for consideration on motion of Senator  
McBride.

Senator McBride requested that **SA 2 to SB 8** be stricken. No objection.

**SA 3 to SB 8** was brought before the Senate for consideration on motion of Senator  
Amick.

Senator Amick moved to lay **SA 3 to SB 8** on the Table. No objection.

**SA 4 to SB 8** was brought before the Senate for consideration on motion of Senator  
Blevins.

Roll call vote on **SA 4 to SB 8** was taken and revealed:

YES: 21

**SA 4 to SB 8** was declared part of the bill.

**SA 5 to SB 8** was brought before the Senate for consideration on motion of Senator  
Cook.

Roll call vote on **SA 5 to SB 8** was taken and revealed:

YES: 21

**SA 5 to SB 8** was declared part of the bill.

Senator(s) Sharp, Amick and Marshall commented.

**SA 6 to SB 8** was brought before the Senate for consideration on motion of Senator  
McBride.

Senator Sokola commented.

Roll call vote on **SA 6 to SB 8** was taken and revealed:

YES: 21

**SA 6 to SB 8** was declared part of the bill.

Several Senators commented.

**SB 8 w/SA 1, 4, 5 & 6** was now before the Senate.

Roll call vote on **SB 8 w/SA 1, 4, & 6** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1

**SB 8 w/SA 1, 4, 5 & 6** was declared passed the Senate as amended and sent to the  
House for Consideration.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 05/04/99**

**SB 91** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE  
RELATING TO LABOR AND FAIR PAY. Sponsor: Sen. Marshall; Rep. Oberle; Sens.  
Henry, McBride, McDowell; Reps. Keeley, Mulrooney, Plant & Williams; **Labor**.

**SB 101** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE  
CREATING THE DELAWARE WELFARE REFORM EDUCATION AND  
TRAINING ASSISTANCE ACT. Sponsor: Sen. Blevins; Sen. Henry & Rep. Maier;  
Sens. Bunting, Marshall, McDowell, Sokola, Venables, Bair, Simpson & Sorenson; Reps.  
Capano, DiLiberto, B. Ennis, Gilligan, Keeley, Price, Spence; **Health & Social Services**.

**SB 109** - AN ACT TO AMEND TITLE 9 AND TITLE 14 OF THE DELAWARE CODE  
RELATING TO THE ASSESSMENT OF REAL PROPERTY FOR THE PURPOSE OF AD

VALOREM TAXATION BY COUNTY GOVERNMENTS AND SCHOOL DISTRICTS.

Sponsor: Sen. Vaughn; Reps. Stone, B. Ennis; **Revenue & Taxation.**

**SB 110** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDICS. Sponsor: Sen. Bunting; Rep. Lee; Sens. Venables, Bonini & Simpson; Reps. Carey, Fallon, Oberle, Smith, Spence, B. Ennis, Price, Schroeder & West; **Public Safety.**

**SB 111** - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF A DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' RETIREE PENSION PLAN. Sponsor: Sen. McDowell & Rep. Spence; Sens. Amick, Bair, Blevins, Bonini, Bunting, Connor, DeLuca, Henry, Marshall, McBride, Sokola, Sorenson, Still, Vaughn, Venables, Winslow; Reps. Brady, Buckworth, Capano, Cathcart, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Schroeder, Scott, Smith, Stone, Ulbrich, Valihura, Van Sant, Viola, Wagner, Welch, West, Williams; **Finance.**

**SB 112** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. Sponsor: Sen. Marshall; Sens. Blevins, McDowell & Connor; Reps. Lofink, Maier, Spence & Scott; **Health & Social Services.** (2/3)

**SB 113** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DISCLOSURE OF CERTAIN RECORDS. Sponsor: Sen. Still; Sens. Bair, Bonini, Connor, Sokola, Sorenson, Winslow; Reps. Brady, Gilligan, Keeley, Miro, Price, Quillen, Scott, Smith, Spence, Stone, Ulbrich, Valihura, Van Sant, Wagner, Welch, West; **Executive.**

**HB 75 w/HA 1** - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ZONING, USE AND SALE OF STATE PARKS, OPEN SPACE AND PUBLIC LANDS. Sponsor: Rep. Price & Rep. Schroeder; Reps. DiLiberto, Gilligan, Houghton, Keeley, Mulrooney, Plant, Van Sant, Viola, Williams; **Natural Resources & Environmental Control.**

**HB 92 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ADMINISTRATIVE PROVISIONS. Sponsor: Rep. Wagner & Rep. Spence & Sens. Blevins, McDowell, Reps. Buckworth, Capano, Carey, DiPinto, D. Ennis, Ewing, Lee, Lofink, Miro, Quillen, Roy, Stone, DiLiberto, B. Ennis, Plant, Price, West, Sens. Amick, Cook; **Children; Youth & Families.** (F/N)

**HB 102** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO RESIDENCY REQUIREMENTS FOR CABINET SECRETARIES. Sponsor: Rep. Stone; Reps. Welch, Buckworth, Capano, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Quillen, Ulbrich, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Plant, Price, Scott, West, Williams; Sens. Adams, Bunting, Henry, Vaughn, Bair, Amick, Connor; **Executive.**

**HB 109 w/HA 1 & HA 3** - AN ACT TO AMEND CHAPTER 34, TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE CHARLES L. "CHUCK" HEBNER MEMORIAL SCHOLARSHIP FUND AND ADMINISTRATION THEREFOR. Sponsor: Rep. Oberle & Rep. Spence & Sen. Sharp & Reps. Smith, Welch, Gilligan, Van Sant & Sens. Adams, McDowell, Amick, Bair; On behalf of all Representatives & On behalf of all Senators; **Executive.** (F/N)

**HB 142 w/HA 1** - AN ACT TO AMEND CHAPTER 21 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE GOVERNOR'S AUTHORITY TO PROCLAIM SPECIAL DAYS. Sponsor: Rep. Price & Sen. Vaughn; Reps. Buckworth, Capano, B. Ennis, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Mulrooney, Schroeder, Smith, Spence, Ulbrich, Van Sant, Viola, Wagner, Welch, Williams; Sens. Sokola, Venables; **Adult and Juvenile Corrections.**

**HB 155 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PLATES. Sponsor: Rep. Lee & Sen. Henry; **Judiciary.**

**HB 167** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. Sponsor: Rep. Spence & Rep. Oberle & Sen. Vaughn; Reps. Smith, Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Miro, Quillen, Reynolds, Roy, Valihura, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Schroeder, Scott; Sens. McBride, Bonini, Simpson, Still, Winslow; **Finance.** (F/N)

**HJR 5** - RECOGNIZING WEDNESDAY, MAY 5, 1999, AS VOLUNTEER FIREFIGHTERS APPRECIATION AND SUPPORT DAY. Sponsor: Rep. Wagner; Reps. Lee, B. Ennis; Sens. Bunting, Vaughn; **LOT**.

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Additions to the agenda, committee and other legislative meetings were announced. The Secretary announced the agenda for May 4, 1999.

On motion of Senator Adams, the Senate recessed at 05:47 PM until May 5, 1999 at 04:00 PM.

The Senate reconvened at 04:06 PM on May 5, 1999 with Lt. Governor Minner presiding.

A communication from the Office of the President Pro Tempore, Thomas B. Sharp was read as a reminder that tomorrow at 02:00 PM Chief Justice Veasey will present his State of the Judiciary Message in the House Chamber.

The following committee reports were announced:

From Executive: **Donald F. McArdle** – 5 Favorable, 1 Merit; **James H. Gilliam, Sr.** – 5 Favorable, 1 Merit.

From Education: **SB 100** – 3 Merits.

From Corrections: **HB 104** – 2 Favorable, 2 Merits.

From Community Affairs: **HB 96** – 3 Merits.

From Insurance & Elections: **HB 48** – 3 Merits.

From Administrative Services: **SB 70** – 3 Merits; **HB 82** – 3 Merits; **HB 18** – 3 Favorable.

**LEGISLATIVE ADVISORY #12**, from the Office of Counsel to the Governor was announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #12**, dated May 4, 1999, the Governor signed the following legislation on the date indicated:

**HJR #4** (5/3/99) - RELATING TO THE STATE OF DELAWARE'S PARTICIPATION IN THE "I VOTE PROJECT" AND THE NEED TO ENCOURAGE CITIZENS TO VOTE. (Sponsor: Rep. Smith & Sens. Vaughn & Winslow)

**SB #9 w/SA 1** (5/3/99) - AN ACT TO AMEND AN ACT, BEING CHAPTER 166, VOLUME 37, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE" TO PROVIDE FOR INDEMNIFICATION OF OFFICERS, AGENTS AND EMPLOYEES. (Sponsor: Sen. Bunting & Rep. Price) (Volume 72, Chapter 19, Laws of Delaware.)

**SB #38** (5/3/99) - AN ACT TO AMEND SECTION 2118 OF TITLE 21 OF THE DELAWARE CODE RELATING TO PROOF OF MOTOR VEHICLE INSURANCE FOR OUT-OF-STATE VEHICLES. (Sponsor: Sen. Vaughn & Rep. Wagner) (Volume 72, Chapter 20, Laws of Delaware.)

**HB #114 A/A SA 1** (5/3/99) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LEVY OF TAXES BY SCHOOL DISTRICTS. (Sponsor: Rep. Oberle & Reps. Spence, Boulden, Reynolds & Sen. Sharp) (Volume 72, Chapter 21, Laws of Delaware.)

**HB #87 A/A SA 1** (5/3/99) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HIV TESTING IN ASSAULT OR RELATED OFFENSES AGAINST LAW ENFORCEMENT OFFICERS. (Sponsor: Rep. Ewing & Sen. Vaughn) (Volume 72, Chapter 22, Laws of Delaware.)

**HS 1 to HB #103 A/A HA 1** (5/3/99)- AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RESEARCH AND DEVELOPMENT TAX CREDIT. (Sponsor: Rep. Capano & Spence, Reps. Smith, Cathcart, Cloutier, DiLiberto, D. Ennis, Lofink, Miro, Oberle, Reynolds, Roy, Stone, Valihura, Wagner, Gilligan, Van Sant, Brady, B. Ennis, Houghton, Keeley, Williams, Ulbrich, Sens. Sharp, Bair, Sorenson.) (Volume 72, Chapter 23, Laws of Delaware.)

\* \* \*

The Secretary of the Senate announced a message from the House informed the Senate that it had passed **HB 130 w/HA 1, 2 & 3; HB 138; HB 156; HB 144; HB 136; HCR 15; SB 83; SB 12; HB 147; HB 118; HB 23; HB 70; HB 143 w/HA 1 & 2; HB 117 w/HA 1; HB 120 w/HA 1**.

At 04:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-fifth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
25th LEGISLATIVE DAY  
MAY 05, 1999**

The Senate convened at 04:12 PM with Lt. Governor Minner presiding.  
A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 05/05/99**

**May 04, 1999**

**SA 1 to SB 11** - Sponsor: Sen. Henry; Placed with the bill.

**REASSIGNED - HS 1 to HB 91w/HA 1 - To Insurance and Elections.**

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

Mr. James H. Gilliam, Sr.  
900 North Broom Street  
Apartment 35  
Wilmington, Delaware 19806

To be reappointed a  
member of the Board  
of Parole to serve a  
four-year term.

Mr. Donald F. McArdle  
147 Candlewicke Drive  
Dover, Delaware 19901

To be appointed a member of  
the Board of Pension Trustees  
for a term to expire May 4, 2002  
to replace John R. Malloy, who  
resigned.

**May 05, 1999**

**SB 114** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE  
RELATING TO NOTARIES PUBLIC. Sponsor: Sen. Sharp; Rep. Wagner; **Judiciary**.

**SB 117** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE  
RELATING TO THE DELAWARE BOARD OF NURSING. Sponsor: Sen. Blevins &  
Rep. Maier; **Health & Social Services**.

**HB 23** - AN ACT TO AMEND CHAPTER 158, VOLUME 36, LAWS OF DELAWARE  
AS AMENDED, BEING THE CHARTER OF THE CITY OF DOVER, RELATING TO THE  
DURATION OF TAX LIENS. Sponsor: Rep. Stone & Sen. Still; **Judiciary**; (2/3)

**HB 70** - AN ACT TO AMEND CHAPTER 41, TITLE 9 OF THE DELAWARE  
CODE RELATING TO THE GOVERNMENT OF KENT COUNTY. Sponsor: Rep.  
Stone & Reps. Buckworth, Quillen, Wagner, B. Ennis; Sen. Still; **Finance**.

**HB 117 w/HA 1** - AN ACT TO AMEND CHAPTER 5 TITLE 11 OF THE  
DELAWARE CODE RELATING TO OFFICIAL MISCONDUCT OR RELATED  
CRIMINAL OFFENSES. Sponsor: Rep. Wagner & Sens. Vaughn, Winslow, Reps.  
Buckworth, Cathart, Cloutier, D. Ennis, Fallon, Ewing, Lee, Reynolds, Ulbrich, Quillen;  
**Judiciary**; (2/3)

**HB 118** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE  
RELATING TO MILEAGE RATES FOR PRIVATE VEHICLES. Sponsor: Rep.

Schroeder; Reps. B. Ennis, Gilligan, Keeley, Price, Quillen, Spence, West; Sens. Bunting, Henry, Still; **Executive**. (F/N)

**HB 120 w/HA 1** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ADOPTION LEAVE FOR TEACHERS AND STATE EMPLOYEES. Sponsor: Rep. Wagner; Sen. Marshall; **Education**. (F/N)

**HB 130 w/HA 1, HA 2 & HA 3** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE DETERMINATION OF APPLICATIONS FOR LICENSES. Sponsor: Rep. Price; Reps. B. Ennis, Keeley, Quillen, Ulbrich, Valihura, Viola; Sens. Connor, DeLuca, Henry, Sokola, Winslow; **Administrative Services**.

**HB 136** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL STATUTES IN WHICH AGE OF VICTIM IS AN ELEMENT OF AN OFFENSE OR A SENTENCING ENHANCER. Sponsor: Rep. Cathcart & Sen. Marshall; **Public Safety**.

**HB 138** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRIVER EDUCATION. Sponsor: Rep. Ulbrich & Sen. Sokola; **Education**.

**HB 143 w/HA 1 & HA 2** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE. Sponsor: Rep. Lee & Sen. Vaughn; **Adult and Juvenile Corrections**.

**HB 144** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COMMISSIONERS OF THE SUPERIOR COURT AND THE COURT OF COMMON PLEAS. Sponsor: Rep. Lee & Sen. Venables; **Judiciary**.

**HB 147** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR CIVIL AIR PATROL MEMBERS. Sponsor: Rep. Capano & Sen. Amick; Reps. Spence, Smith, Buckworth, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Stone, Ulbrich, Valihura, Gilligan, Houghton, Keeley; **Judiciary**.

**HB 156** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. Sponsor: Rep. Stone & Rep. Smith & Sen. Adams; Reps. Brady, Capano, Carey, D. Ennis, Fallon, Houghton, Keeley, Scott; Sens. Sharp, Sokola, Sorenson; **Banking**. (3/5)

**SB 115** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND MINIMUM STAFFING LEVELS FOR RESIDENTIAL HEALTH FACILITIES. Sponsor: Sen. Marshall; Sens. Blevins, McDowell & Connor, Reps. Maier, Lofink, Scott & Spence. **Health & Social Services**.

\* \* \*

On motion of Senator Adams, the following nomination by the Governor was considered:  
**McArdle, Donald F.**: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator(s) Blevins, Bunting, McBride and McDowell marked present during the above roll call.

**HB 44 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 44 w/HA 1** – AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

Senator Adams requested the privilege of the floor for Paul Wallace, representing the Attorney General's office.

Senator(s) Bonini and McDowell questioned the witness, after which the witness was excused.

Senator Bonini requested the privilege of the floor for Gary Traynor, representing himself.

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

Senator Adams moved to lay **HB 44 w/HA 1** on the Table. No objection.

**HB 74** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 74** – AN ACT TO PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED,



RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF  
STATE. 2/3 VOTE

Several Senators commented.

Roll call vote on **HB 74** was taken and revealed:

YES: 21

**HB 74** was declared passed the Senate and returned to the House.

**HB 26** was brought before the Senate for consideration on motion of the floor manager,  
Senator Sharp.

**HB 26** – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO  
JURY COMPENSATION AND REIMBURSEMENT.

Roll call vote on **HB 26** was taken and revealed:

YES: 21

**HB 26** was declared passed the Senate and returned to the House.

Senator Sokola requested the personal privilege of the floor to congratulate Senator  
Blevins for being named Legislator of the Year.

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

The Secretary of the Senate announced the agenda for May 6, 1999.

On motion of Senator Adams, the Senate recessed at 05:10 PM until May 6, 1999 at 03:00  
PM.

The Senate reconvened at 03:00 PM on May 6, 1999 with Lt. Governor Minner presiding.  
**LEGISLATIVE ADVISORY #13**, from the Office of Counsel to the Governor was  
announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #13**, dated May 5, 1999, the Governor signed the following  
legislation on the date indicated:

**HJR #5** (5/5/99) – Recognizing Wednesday, May 5, 1999, as Volunteer Firefighters  
Appreciation and Support Day. (Sponsor: Rep. Wagner, Reps. Lee, B. Ennis; Sens.  
Bunting, Vaughn)

\* \* \*

The Secretary of the Senate announced a message from the House informing the  
Senate that it had passed **SCR 4; SCR 5**.

At 03:07 PM on motion of Senator Adams, the Senate adjourned and immediately  
convened the Twenty-sixth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
26th LEGISLATIVE DAY  
MAY 06, 1999**

The Senate convened at 03:07 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Bair, Blevins, Bonini, Bunting, Connor, Cook,  
DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson,  
Still, Vaughn, Venables, Winslow - 20

**ABSENT:** Senator Amick - 1.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 05/06/99**

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

Mr. Stephen L. Manista  
300 Taylor Road  
Rosemont  
Wilmington, Delaware 19804

To be reappointed to the  
Violent Crimes Compensation  
Board to serve a three-year  
term.

**SB 116** - AN ACT TO AMEND TITLE 12 SECTION 3302 OF THE DELAWARE CODE, RELATING TO INVESTMENT OF FIDUCIARIES. Sponsor: Sen. Adams; Rep. Stone; **Banking**.

**SA 2 to SB 87** – Sponsor: Sen. Henry; Placed with the bill.

**SB 118** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM. Sponsor: Sen. Sokola; Rep. Oberle; **Education**.

**SB 119** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PREVAILING WAGE REQUIREMENTS. Sponsor: Sen. Venables; Sen. Bunting, Reps. Ewing & West; **Labor**.

**SB 120** - AN ACT AMENDING TITLE 17 RELATING TO INSPECTION REQUIREMENTS FOR BRIDGE OWNERS. Sponsor: Sen. DeLuca; Rep. Boulden; **Highways and Transportation**.

**SB 121** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING PROBATION AND PAROLE OFFICERS. Sponsor: Sen. Vaughn; Sen. Winslow; Rep. Lee; **Adult and Juvenile Corrections**.

\* \* \*

**SCR 10** was introduced and brought before the Senate for consideration on motion of Senator Venables.

**SCR 10** – HONORING THE GRADUATES AND ALUMNI OF THE NATIONAL GUARD OF THE STATE OF DELAWARE UPON THE OCCASION OF A VISIT TO LEGISLATIVE HALL OF A DISTINGUISHED DELEGATION FROM THIS GROUP, FOR THEIR SERVICE TO THE FIRST STATE AND TO THE NATION. Sponsor: Sen. Venables; On behalf of all Senators & All Representatives.

Senator Venables requested the personal privilege of the floor to introduce Delaware National Guard retirees, which were visiting Legislative Hall. Senator Venables presented a tribute to each of them. Their names are on file for this Legislative Day.

Roll call vote on **SCR 10** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1

Senator(s) Bair, Blevins, Bonini, Connor, Cook, McBride, Sokola and Sorenson marked present during the above roll call.

**SCR 11** was introduced and brought before the Senate for consideration on motion of Senator Sokola.

**SCR 11** – JOINING IN RECOGNITION OF NATIONAL TEACHER DAY, MAY 4, 1999, AND COMMENDING DELAWARE TEACHERS FOR THEIR DEDICATION AND PROFESSIONALISM IN PERFORMING THE CRITICAL FUNCTION OF EDUCATING FUTURE GENERATIONS OF DELAWAREANS. Sponsor: Sen. Sokola; On behalf of all Senators, Rep. Reynolds, On behalf of all Representatives.

Roll call vote on **SCR 11** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1

**SCR 11** was declared Adopted by the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 03:17 PM.

The Senate reconvened at 03:55 PM with Senator Sharp presiding.

**SB 18** was introduced and placed in the **Children, Youth and their Families** committee.

**SB 18** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. Sponsor: Sen. McDowell; Sen. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Sharp, Sokola, Vaughn, Venables; Reps. Cathcart, D. Ennis, Fallon, Maier, Miro, Spence, Stone, Wagner, DiLiberto, Gilligan, Houghton, Keeley, Price, Schroeder & West.

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

**SB 87** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE BENEFITS & EQUITY PRESCRIPTION COVERAGE.

**SA 1 to SB 87** was brought before the Senate for consideration on motion of Senator Henry.

Roll call vote on **SA 1 to SB 87** was taken and revealed:

YES: 19

ABSENT: Senator(s) Amick; Sharp - 2

**SA 1 to SB 87** was declared part of the bill.

**SA 2 to SB 87** was brought before the Senate for consideration on motion of Senator Henry.

Senator Still questioned the sponsor, after which Senator Henry requested the privilege of the floor for Cindy McDaniel, representing Planned Parenthood.

Senator(s) Winslow and Bonini questioned the witness, after which the witness was excused.

Senator McBride commented.

Senator Henry moved to lay **SA 2 to SB 87** on the Table. No objection.

**SB 87 w/SA 1** was now before the Senate.

Senator Henry requested a communication from DE Commission for Women be read and be made part of the record. This communication is on file for this legislative day.

Senator Henry requested the privilege of the floor for Richard W. Henderson, M.D., representing Delaware Section of ACOG.

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

Senator Venables requested the privilege of the floor for Judith Aungst, representing herself and Delaware Pro-life Coalition, Inc.

Senator Sharp raised a point of order.

The witness was excused after addressing the Senate.

Senator Henry and Bonini commented.

Senator Marshall requested the privilege of the floor for Vicki Santoro, representing Delaware Nurses for Life.

Senator Sharp again raised a point of order.

Senator Bair raised a point of order.

Senator Marshall objected.

The witness was excused after addressing the Senate.

Senator(s) Sorenson, McDowell and Vaughn commented.

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

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

Roll call vote on **SB 87 w/SA 1** was taken and revealed:

YES: 12

NO: Senator(s) Adams; Bonini; McBride; Vaughn; Venables - 5

NOT VOTING: Senator(s) Bunting; Simpson - 2

ABSENT: Senator(s) Amick; Still - 2

**SB 87 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**HB 36** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 36** – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY.

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

YES: 19

ABSENT: Senator(s) Amick; Still - 2

**HB 36** was declared passed the Senate and returned to the House.

**HB 37** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 37** – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES.

Roll call vote on **HB 37** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) McDowell - 1

ABSENT: Senator(s) Amick; Still - 2

**HB 37** was declared passed the Senate and returned to the House.

**HB 38** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 38** – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY.

Roll call vote on **HB 38** was taken and revealed:

YES: 19

ABSENT: Senator(s) Amick; Still - 2

**HB 38** was declared passed the Senate and returned to the House.

**HB 40** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 40** – AN ACT TO AMEND TITLES 9 AND 10 OF THE DELAWARE CODE RELATING TO COUNTIES AND COURTS AND JUDICIAL PROCEDURE.

Senator Bair commented.

Senator Sharp moved to lay **HB 40** on the Table. No objection.

**HB 62** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 62** – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE.

Senator McDowell commented.

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

YES: 19

ABSENT: Senator(s) Amick; Still - 2

**HB 62** was declared passed the Senate and returned to the House.

**HB 40** was lifted from the table and brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

Roll call vote on **HB 40** was taken and revealed:

YES: 17

NO: Senator(s) McDowell - 1

ABSENT: Senator(s) Amick; Connor; Still - 3

**HB 40** was declared passed the Senate and returned to the House.

**HS 1 to HB 100** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HS 1 to HB 100** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INVASION OF PRIVACY.

**SA 1 to HS 1 to HB 100** was brought before the Senate for consideration on motion of Senator Bonini.

Senator(s) Sharp, Bair and McDowell commented.

Senator Sharp moved to lay **HS 1 to HB 100** on the Table. No objection

**HB 105** was brought before the Senate for consideration on motion of the floor manager, Senator Sharp.

**HB 105** – AN ACT TO AMEND CHAPTER 71 OF TITLE 10 OF THE DELAWARE CODE RELATING TO INJUNCTIONS AND ABATEMENT OF NUISANCES INVOLVING SOCIAL VICES.

Roll call vote on **HB 105** was taken and revealed:

YES: 19

ABSENT: Senator(s) Amick; Still - 2

**HB 105** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #4** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**HCR 15** - URGING DELAWARE'S CONGRESSIONAL DELEGATION TO NOMINATE DAVE SANDERS FOR THE CONGRESSIONAL GOLD MEDAL.

Sponsor: Rep. Ewing & Rep. Buckworth & Sen. Adams, Reps. Spence, Smith, Welch, Boulden, Capano, Carey, Cathcart, Caulk, Cloutier, D. Ennis, Fallon, Lee, Lofink, Maier, Miro, Oberle, Reynolds, Stone, Wagner, Ulbrich, Valihura, Van Sant, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Viola, West, Williams.

**SCR 9** - CELEBRATING THE LIFE AND MOURNING THE DEATH OF LUTHER J. PORTER, THE "UNOFFICIAL" MAYOR OF BELVEDERE. Sponsor: Sen. Blevins & Rep. Capano; Sen. Sharp & Rep. Gilligan.

**SCR 12** - REQUESTING THAT THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF PUBLIC SAFETY JOINTLY ESTABLISH A UNIFORM

THREAT MANAGEMENT PLAN FOR ALL DELAWARE PUBLIC SCHOOLS.

Sponsor: Sen. McBride & Sen. Sokola & Rep. Reynolds.

Roll call vote was taken on the **SENATE CONSENT CALENDAR #4** and revealed 19 Senators voting YES, 2 (Amick, Still) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted. The House Concurrent Resolution was returned to the House and the Senate Concurrent Resolutions were sent to the House for Consideration.

Senator Marshall requested that **SA 1 to SB 115** be stricken. No objection.

Senator Marshall requested that **SA 2 to SB 115** be placed with the bill. No objection.

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

The Secretary of the Senate announced the agenda for May 11, 1999.

On motion of Senator Adams, the Senate recessed at 05:42 PM until May 11, 1999 at 02:00 PM.

The Senate reconvened at 02:18 PM on May 11, 1999 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **Stephen L. Manista** – 1 Favorable, 4 Merits; **SB 85** – 5 Merits; **SB 108** – 5 Merits; **HB 55** – 1 Favorable, 4 Merits; **HB 86** – 2 Favorable, 3 Merits.

From Banking: **SB 116** – 3 Merits; **HB 156** – 3 Merits.

From Natural Resources: **HB 79** – 3 Favorable.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 93 w/HA 1; HB 123 w/HA 1, HA 1 aab HA 2 & HA 2; HJR 6; SCR 8**.

At 02:25 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-seventh Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
27th LEGISLATIVE DAY  
MAY 11, 1999**

The Senate convened at 02:25 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

**HB 156** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 156** – AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. 3/5 VOTE

Senator Adams requested the privilege of the floor for Robert Glen, State Bank Commissioner.

The witness was excused after addressing the Senate.

Roll call vote on **HB 156** was taken and revealed:

YES: 16

ABSENT: Senator(s) Bonini; Bunting; Cook; McBride; Sorenson - 5

**HB 156** was declared passed the Senate and returned to the House.

Senator Blevins marked present during the above roll call.

**HB 86** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 86** – AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES.

Roll call vote on **HB 86** was taken and revealed:

YES: 17

ABSENT: Senator(s) Bonini; Cook; McBride; Sorenson - 4

**HB 86** was declared passed the Senate and returned to the House.

Senator Bunting marked present during the above roll call.

**HB 55** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 55** – AN ACT TO AMEND CHAPTER 21 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE GOVERNOR’S AUTHORITY TO PROCLAIM SPECIAL DAYS.

Roll call vote on **HB 55** was taken and revealed:

YES: 16

ABSENT: Senator(s) Bair; Bonini; Cook; McBride; Sorenson - 5

**HB 55** was declared passed the Senate and returned to the House.

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

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

Senator Adams requested the privilege of the floor for Richard Wier, Jr., representing Federated Investors, Inc. also, Wilmington Trust.

Senator(s) McDowell and Simpson questioned the witness, after which the witness was excused.

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

YES: 17

NOT VOTING: Senator(s) Still - 1

ABSENT: Senator(s) Bonini; Cook; Sorenson - 3

**SB 116** was declared passed the Senate and sent to the House for Consideration.

Senator McBride marked present during the above roll call.

**SB 100** was brought before the Senate for consideration on motion of Senator Sokola.

**SB 100** – AN ACT TO AMEND TITLE 14 RELATING TO CHARTER SCHOOLS REGARDING SPECIAL EDUCATION REQUIREMENTS, STUDENT ADMISSIONS, NUMBER OF DAYS ALLOWABLE TO REVIEW AND APPROVE A NEW CHARTER SCHOOL, FINANCIAL AND ADMINISTRATIVE REQUIREMENTS FOR FUTURE CHARTER SCHOOLS AND MEMBERSHIP OF A CHARTER SCHOOL BOARD.

Senator(s) Still and Amick questioned the sponsor, after which Senator Sokola requested the privilege of the floor for Jennifer Wagner-Davis, representing the Department of Education.

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

Roll call vote on **SB 100** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini; Sorenson - 2

**SB 100** was declared passed the Senate and sent to the House for Consideration.

Senator Cook marked present during the above roll call.

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

**HB 18** – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. 3/5 VOTE

Senator McDowell commented.

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

YES: 19

ABSENT: Senator(s) Bonini; Sorenson - 2

**HB 18** was declared passed the Senate and returned to the House.

**HB 82** was brought before the Senate for consideration on motion of the floor manager, Senator Cook.

**HB 82** – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO AUTHORIZED EMPLOYEES IN RETAIL LIQUOR ESTABLISHMENTS.

Senator(s) Connor and Marshall questioned the floor manager, after which Senator Cook requested the privilege of the floor for Francis Murphy, Senate Attorney.

The witness was excused after addressing the Senate.

Senator(s) DeLuca and McBride commented.

Senator Cook moved to lay **HB 82** on the Table. No objection.

Senator Bunting commented on deregulation and Conectiv.

Senator Adams moved to recess for Party Caucus at 03:12 PM.

The Senate reconvened at 04:19 PM with Lt. Governor Minner presiding.  
On motion of Senator Adams and without objection, the following nominations by the Governor were considered:

**Behrens, Mary Jane:** 18 Senator(s) voting YES, 3 (Amick, Bair, Bonini) ABSENT. Appointment was declared CONFIRMED.

Senator Sorenson marked present during the above roll call.

**Burke, David:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Corrin, Shirley:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Gilliam, James H.:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

Senator McDowell commented.

**Jestice, James F.:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Manista, Stephen L.:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Morgan, Gertrude:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Murphy, J. Brian:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Rowland, H. Hickman:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Slights, Joseph R.:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**SB 99** was lifted from the table and brought before the Senate for consideration on motion of Senator Sorenson.

**SB 99** – AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE PROTECTIVE ORDERS. 2/3 VOTE

**SA 1 to SB 99** was brought before the Senate for consideration on motion of Senator Sorenson.

Roll call vote on **SA 1 to SB 99** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SA 1 to SB 99** was declared part of the bill.

**SB 99 w/SA 1** was now before the Senate.

Senator DeLuca commented.

Roll call vote on **SB 99 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

**SB 99 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

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

#### **DELAWARE STATE SENATE PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION READ TO THE SENATE RECORD 05/11/99**

**May 6, 1999**

**SB 18** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. Sponsor: Sen. McDowell; Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Sharp, Sokola, Vaughn, Venables; Reps. Cathcart, D. Ennis, Fallon, Maier, Miro, Spence, Stone, Wagner, DiLiberto, Gilligan, Houghton, Keeley, Price, Schroeder & West; **Children; Youth & Families;** (F/N)

May 11, 1999

**SB 122** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Sen. Marshall; Sens. McBride, Sharp & Connor; **Labor**.

**SB 123** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SOCIAL SECURITY NUMBERS. Sponsor: Sen. McBride & Sen. Sharp; **Public Safety**.

**SB 124** - AN ACT TO AMEND TITLE 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING PROVISIONS REGARDING TRANSFER OF DEVELOPMENT RIGHTS. Sponsor: Sen. Sokola & Rep. Stone; Sens. Bunting, Sorenson; Reps. Boulden, Brady, Cathcart, B. Ennis, Lofink, Miro, Price, Valihura, Viola; **Community Affairs**.

**SB 125** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX DEDUCTIONS FOR EDUCATION EXPENSES. Sponsor: Sen. Marshall; Rep. Oberle; **Revenue & Taxation**.

**SS 1 to SB 77** - AN ACT TO AMEND TITLE 6, DELAWARE CODE CREATING A DELAWARE PET WARRANT LAW. Sponsor: Sen. Blevins & Rep. Roy; Sens. Bonini, Sorenson, Henry, Bair, Sokola; Reps. Quillen, Carey, Gilligan, Capano, Keeley, Price; **In Lieu of the Original; LOT**

**SJR 3** - RECOGNIZING THE MONTH OF MAY, 1999, AS "OLDER AMERICANS MONTH" IN DELAWARE AND RECOGNIZING 1999 AS "THE INTERNATIONAL YEAR OF THE OLDER PERSON." Sponsor: Sen. McDowell; On behalf of all Senators & All Representatives; **Executive**.

**HB 93 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING SPECIFIC OFFENSES. Sponsor: Rep. Wagner; Sen. McBride; **Judiciary**.

**HB 123 w/HA 1, HA 2 aab HA 1** - AN ACT TO AMEND CHAPTER 7, TITLE 19, DELAWARE CODE, RELATING TO THE DOCTRINE OF EMPLOYMENT AT WILL. Sponsor: Rep. Plant; Reps. Houghton, Keeley, Oberle, Viola, Williams; **Executive**.

**HJR 6** - ESTABLISHING THE PUBLIC SCHOOL BUILDING SAFETY AND STUDENT SAFETY TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING PHYSICAL SAFETY OF PUBLIC SCHOOL STUDENTS IN DELAWARE SCHOOLS. Sponsor: Rep. Spence & Rep. Ulbrich & Sen. Henry; Reps. Smith, Welch, Buckworth, Capano, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Lee, Lofink, Miro, Oberle, Roy, Stone, Valihura, Wagner, Gilligan, Van Sant, Brady, DiLiberto, B. Ennis, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Viola, West, Williams; Sens. Blevins, DeLuca, Amick, Bair, Bonini, Connor, Simpson, Sorenson, Still, Winslow; **Education**.

May 6, 1999

**SA 1 to HB 44** - Sponsor: Sen. Bonini & Sen. Winslow Placed with the bill.

**SA 1 to HS 1 to HB 100** - Sponsor: Sen. Bonini; Placed with the bill.

**SA 1 to SB 99** - Sponsor: Sen. Sorenson; Placed with the bill.

**SA 2 to SB 115** - Sponsor: Sen. Marshall; Placed with the bill.

\* \* \*

Additions to the agenda, committee and other legislative meetings were announced. The Secretary of the Senate announced the agenda for May 12, 1999.

On motion of Senator Adams, the Senate recessed at 04:54 PM until May 12, 1999 at 03:00 PM.

The Senate reconvened at 03:00 PM on May 12, 1999 with Lt. Governor Minner presiding.

Senator Bonini marked present.

The following committee reports were announced:

From Health and Social Services: **SB 101** – 2 Favorable, 2 Merits; **SB 102** – 4 Merits; **SB 112** – 4 Merits; **SB 117** – 4 Merits; **SB 115** – 3 Merits; **HB 124 w/HA 1 & 2** – 4 Merits.

From Agriculture: **SB 103** – 1 Favorable, 5 Merits.

From Small Business: **HB 73 w/HA 1 & 4** – 4 Merits.



The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 177; HB 174 w/HA 1; HB 165; HB 131; HB 141; HB 88 w/HA 1, 2 & 5; HB 126.**

At 03:05 on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-eighth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
28th LEGISLATIVE DAY  
MAY 12, 1999**

The Senate convened at 03:04 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 05/12/99**

**May 11, 1999**

**SA 3 to SB 115** - Sponsor: Sen. Marshall; Placed with the bill.

**May 12, 1999**

**SB 126** - AN ACT TO AMEND TITLE 7 AND TITLE 3 OF THE DELAWARE CODE RELATING TO FORESTRY. Sponsor: Sen. Bunting; Rep. Caulk; **Agriculture**. (3/4)

**SB 127** - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 1999, TO THE DEPARTMENT OF EDUCATION FOR THE PURPOSES OF TECHNOLOGY ACQUISITION FOR EDUCATIONAL STAFF AND STUDENTS; AND AMENDING CHAPTER 378, VOLUME 71, LAWS OF DELAWARE. Sponsor: Sen. Still; **Finance**.

**SB 128** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS. Sponsor: Sen. Marshall; Rep. Capano; **Revenue & Taxation**.

**SB 129** - AN ACT TO AMEND CHAPTER 378, VOLUME 71, LAWS OF DELAWARE RELATING TO EDUCATION TECHNOLOGY. Sponsor: Sen. Still; **Finance**.

**SB 130** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MECHANICS' LIENS. Sponsor: Sen. McBride & Reps. Smith, & Gilligan; Sens. Adams, Amick, Venables, Winslow; Reps. Buckworth, Capano, Cathcart, DiPinto, D. Ennis, Lofink, Oberle, Spence, Van Sant; **Small Business**.

**SB 131** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRUG AND EXPLOSIVES SEARCHES ON SCHOOL GROUNDS. Sponsor: Sen. Connor; Sens. Bair, Henry; Reps. Ewing, Maier, Van Sant, Welch; **Combat Drug Abuse**.

**SB 132** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS. Sponsor: Sen. Still; Sens. Bonini, Winslow; Reps. Quillen, Spence; **Insurance and Elections**.

**SB 133** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS. Sponsor: Sen. McBride; Reps. Buckworth, Spence & Van Sant; **Administrative Services**.

**SB 134** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Marshall; Sens.

Blevins, Bunting, DeLuca, Henry, McBride, McDowell, Sokola & Venables; Reps. Oberle, Spence, Welch, Keeley & Scott; **Revenue & Taxation**.

**SB 135** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF TATTOO PARLORS AND BODY PIERCING ESTABLISHMENTS. Sponsor: Sen. Bair & Rep. Ulbrich; Sens. Amick, Connor, Simpson; Reps. Brady, Spence; **Health & Social Services**. (3/5)

**SB 136** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsor: Sen. Sharp; **Judiciary**. (3/5)

**SB 137** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Sen. Sharp; Sens. Vaughn, Amick & Winslow; Reps. Spence, Valihura, Wagner & DiLiberto; **Judiciary**. (2/3)

**HB 88 w/ HA 1, HA 2 & HA 5** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. Sponsor: Rep. Oberle; Reps. Cathcart, D. Ennis, Fallon, Lofink, Reynolds, Roy; Sens. Henry, Sokola; **Judiciary**.

**HB 126** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO QUALIFICATIONS FOR VOTING AND FORFEITURE OF RIGHT. Sponsor: Rep. Maier & Sen. Henry; Reps. Smith, Buckworth, Carey, Cloutier, DiPinto, D. Ennis, Fallon, Lofink, Miro, Oberle, Reynolds, Valihura, Brady, Houghton, Keeley, Plant, Price, Scott, Viola, West, Williams; Sens. Connor, Simpson, Sorenson, McDowell, Blevins, Bunting, Sokola, Venables; **Adult and Juvenile Corrections**. (2/3)

**HB 131** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. Sponsor: Rep. Oberle; Rep. Miro & Sens. Marshall, & Venables; **Labor**.

**HB 141** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. Sponsor: Rep. Oberle & Sen. McDowell; Reps. Spence, Welch, Buckworth, Cathcart, Cloutier, Lofink, D. Ennis, Lee, Ulbrich, Wagner, Van Sant, B. Ennis, Houghton, DiLiberto, Keeley, Mulrooney, Price, Schroeder, Viola, Williams; Sens. DeLuca, Henry, Bonini, Connor; **Judiciary**.

**HB 165** - 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 ELIMINATE THE REQUIREMENT FOR A PRACTICING PHYSICIAN FROM THE BOARD OF HEALTH. Sponsor: Rep. West & Sen. Bunting; **Combat Drug Abuse**. (2/3);

**HB 174 w/HA 1** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS. Sponsor: Rep. Brady; Reps. Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Keeley, Plant, Price, Quillen, Schroeder, Scott, Spence, Van Sant, Wagner, West, Williams; Sens. Bunting, Vaughn; **Executive**.

**HB 177** - AN ACT TO AMEND TITLES 10 AND 13 OF THE DELAWARE CODE RELATING TO ATTACHMENT OF WAGES AND OTHER TERMS. Sponsor: Rep. Fallon & Sen. Adams, Reps. Spence, Ewing, Quillen; **Labor**.

**SA 1 to SB 120** - Sponsor: Sen. DeLuca; Placed with the bill.

\* \* \*

Senator(s) Venables and Sokola marked present.

Senator Sharp requested the privilege of the floor to introduce various people from Conectiv present in the chamber for a presentation on the Y2K. After the presentation, Mr. Mark Godfrey and Mr. Ray Civatte answered the questioned from the floor. Several Senators questioned the witnesses, after which the witnesses were excused.

On motion of Senator Sharp the Senate recessed at 03:58 PM.

The Senate reconvened at 04:03 PM with Lt. Governor Minner presiding.

Senator Bunting requested the privilege of the floor for Paul Gerritsen, representing Conectiv.

Senator(s) McBride, McDowell, Henry, Cook, Blevins and Bonini marked present.

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

**HB 44 w/HA 1** was lifted from the table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

**HB 44 w/HA 1** – AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS.

**SA 1 to HB 44** was brought before the Senate for consideration on motion of Senator Bonini.

Senator(s) McDowell and McBride questioned the sponsor, after which Senator Bonini requested the privilege of the floor for Paul Wallace, representing the Attorney General's office.

Roll call vote on **SA 1 to HB 44** was taken and revealed:

YES: 21

**SA 1 to HB 44** was declared part of the bill.

Senator(s) Connor and Marshall marked present during the above roll call.

**HB 44 w/SA 1** was now before the Senate.

Roll call vote on **HB 44 w/HA 1 & SA 1** was taken and revealed:

YES: 21

**HB 44 w/HA 1 & SA 1** was declared passed the Senate and returned to the House for Reconsideration.

**SB 67** was brought before the Senate for consideration on motion of Senator Blevins.

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

Roll call vote on **SB 67** was taken and revealed:

YES: 21

**SB 67** was declared passed the Senate and sent to the House for Consideration.

**SB 103** was brought before the Senate for consideration on motion of Senator Winslow.

**SB 103** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO QUALIFIED DISPOSITIONS IN TRUST.

Roll call vote on **SB 103** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Sharp - 1

**SB 103** was declared passed the Senate and sent to the House for Consideration.

Senator Vaughn moved to lay **HB 48 w/HA 1** on the Table. No objection.

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

The Secretary of the Senate announced the agenda for May 13, 1999.

On motion of Senator Adams the Senate recessed at 05:15 PM until May 13, 1999 at 02:00 PM.

The Senate reconvened at 02:12 PM on May 13, 1999 with Senator Sharp presiding.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HCR 8; HCR 9; HCR 10; HCR 11; HCR 12**.

Lt. Governor Minner presiding at 02:13 PM.

The following committee reports were announced:

From Education: **HB 138** – 3 Merits; **SB 118** – 3 Merits.

From Highways and Transportation: **SB 120** – 4 Favorable.

From Corrections: **SB 121** – 3 Merits; **HB 143** – 3 Merits.

From Agriculture: **SS 1 to SB 77** – 1 Favorable, 4 Merits.

At 02:15 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Twenty-ninth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
29th LEGISLATIVE DAY  
MAY 13, 1999**

The Senate convened at 02:15 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

Senator(s) McDowell marked present.

Senator Sharp requested the privilege of the floor for Clara Alexandrova Cogindolski, House Majority Caucus Legislative Fellow, representing the Legislative Fellows Committee for Help of the Kosovo Refugees.

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

Senator(s) Bonini, Bunting, Connor, DeLuca, Simpson and Sorenson marked present.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 05/13/99**

**May 12, 1999**

**SA 2 to HS 1 to HB 100** - Sponsor: Sen. Bonini; Placed with the bill.

**SA 4 to SB 115** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 1 to HB 73** - Sponsor: Sen. Sokola; Placed with the bill.

**SS 1 to SB 77** - AN ACT TO AMEND TITLE 6, DELAWARE CODE CREATING A DELAWARE PET WARRANT LAW. Sponsor: Sen. Blevins & Rep. Roy; Sens. Bonini, Sorenson, Henry, Bair, Sokola; Reps. Quillen, Carey, Gilligan, Capano, Keeley, Price. Lifted from the Table and placed in **Agriculture**.

**May 13, 1999**

**SA 5 to SB 115** - Sponsor : Sen. Marshall; Placed with the bill.

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**SB 68** was brought before the Senate for consideration on motion of Senator Amick.

**SB 68** – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO SOLEMNIZATION OF MARRIAGES.

Roll call vote on **SB 68** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1

**SB 68** was declared passed the Senate and sent to the House for Consideration.

Senator(s) McBride and Sokola marked present during the above roll call.

**SB 115** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 115** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND MINIMUM STAFFING LEVELS FOR RESIDENTIAL HEALTH FACILITIES

**SA 2 to SB 115** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 2 to SB 115** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry; McBride - 2

**SA 2 to SB 115** was declared part of the bill.

**SA 3 to SB 115** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 3 to SB 115** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry; Simpson - 2

**SA 3 to SB 115** was declared part of the bill.

**SA 4 to SB 115** was brought before the Senate for consideration on motion of Senator Marshall.

Senator Still questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Dr. Greg Sylvester, M.D., representing Delaware Health and Social Services.

The witness was excused after addressing the Senate.

Roll call vote was taken on **SA 4 to SB 115** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1

**SA 4 to SB 115** was declared part of the bill.

**SA 5 to SB 115** was brought before the Senate for consideration on motion of Senator Marshall.

Roll call vote on **SA 5 to SB 115** was taken and revealed:

YES: 21

**SA 5 to SB 115** was declared part of the bill.

Senator Henry marked present during the above roll call.

Senator Marshall requested the privilege of the floor for Patricia C. Engelhardt, representing AARP, DNA.

Senator Amick questioned the witness.

Senator Marshall raised a point of order.

Senator(s) Simpson and Bair questioned the witness, after which the witness was excused.

Senator Marshall moved to lay **SB 115 w/SA 2, SA 3, SA 4 & SA 5** on the Table. No objection.

Senator Sharp requested the privilege of the floor for Jamarr Rayne, representing Business Professionals of American, Matthew C. Webber, representing Delaware FFA Association, Kayla Ulrich, representing Delaware Technology Student Association, Kristin Smith, representing FHA/HERO, Denize Leal, representing VICA Vice-President from Polytech High School and other student organizations for the presentation of flowers to Senate members.

Senators Sharp and Connor commented.

**SCR 13** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 13** – EXTENDING SINCERE THANKS TO THE VOCATIONAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. Sponsor: Sen. Sharp; Sens. Adams, McDowell, Amick, Bair, On behalf of all Senators; Reps. Spence, Smith, Welch, Gilligan, Van Sant, On behalf of all Representatives.

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

YES: 21

**SCR 13** was declared Adopted and was sent to the House for Consideration.

**SJR 3** was introduced and brought before the Senate for consideration under the necessary suspension of rules on motion of Senator McDowell.

**SJR 3** – RECOGNIZING THE MONTH OF MAY, 1999, AS “OLDER AMERICANS MONTH” IN DELAWARE AND RECOGNIZING 1999 AS “THE INTERNATIONAL YEAR OF THE OLDER PERSON.” Sponsor: Sen. McDowell; On behalf of all Senators & All Representatives.

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

YES: 21

**SJR 3** was declared passed the Senate and sent to the House for Consideration.

**SB 115 w/SA 2, SA 3, SA 4 & SA 5** was lifted from the table and brought before the Senate for consideration on motion of Senator Marshall.

Senator Marshall read excerpts from a communication from Carol A. Berster, President/CEO from Ingleside Homes, Inc., and requested the communication be part of the record. A copy of this communication is on file for this legislative day.

Senator(s) Simpson and Bunting questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Philip Soule, Sr., representing DHSS Medicaid.

Senator(s) Amick and Bair questioned the witness, after which the witness was excused.

Senator Blevins requested the privilege of the floor for Dr. Greg Sylvester, M.D., representing Delaware Health and Social Services.

The witness was excused after addressing the Senate.

Senator Venables commented.

Senator Bair requested the privilege of the floor for Joseph Letnaunchyn, representing the Delaware Healthcare Association.

The witness was excused after addressing the Senate.

Roll call vote on **SB 115 w/SA 2, SA 3, SA 4 & SA 5** was taken and revealed:

YES: 11

NO: Senator(s) Adams; Amick; Bair; Bonini; Simpson; Sorenson; Vaughn;

Venables - 8

NOT VOTING: Senator(s) Still - 1

ABSENT: Senator(s) Sokola - 1

**SB 115 w/SA 2, SA 3, SA 4 & SA 5** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 108** was brought before the Senate for consideration on motion of Senator Cook.

**SB 108** – AN ACT TO AMEND TITLE 9, TITLE 12, TITLE 15 AND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE PUBLIC ARCHIVES AND PUBLIC RECORDS.

Roll call vote on **SB 108** was taken and revealed:

YES: 20

ABSENT: Senator(s) Sokola - 1

**SB 108** was declared passed the Senate and sent to the House for Consideration.

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

**SENATE CONSENT CALENDAR #5** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SR 9** - REQUESTING THE APPROPRIATE STATE AND NEW CASTLE COUNTY AGENCIES TO DETERMINE WHETHER MARKED GRAVES ARE PRESENT AT THE PROPOSED SITE FOR FIRST USA BANK'S PROPOSED EXPANSION AND TO INFORM THE GENERAL ASSEMBLY AS TO WHAT PROCEDURES THEY WOULD FOLLOW TO DETERMINE WHETHER SAID SITES MUST BE MOVED. Sponsor: Sen. McBride; Sens. Connor, DeLuca.

**HCR 10** - RECOGNIZING THE IMPORTANCE OF ORGAN AND TISSUE DONATION TO THE PRESERVATION AND IMPROVEMENT OF HUMAN LIFE AND MARKING THE OBSERVATION OF NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK. . Sponsor: Rep. Buckworth & Reps. Spence, Smith & Sens. Sharp, Adams, On behalf of all Representatives & On behalf of all Senators.

**HCR 17** - CONGRATULATING REVEREND ROBERT D. KENNEY, O.S.F.S., ON HIS INDUCTION INTO THE DELAWARE SPORTS HALL OF FAME. Sponsor: Rep. Lofink; Reps. DiPinto, Gilligan, Williams, Sens. Marshall, McBride, Henry.

**HCR 18** - CONGRATULATING UNIVERSITY OF DELAWARE'S BASEBALL COACH ROBERT HANNAH ON HIS ACCOMPLISHMENTS. Sponsor: Rep. Boulden & Rep. Lofink & Sens. Amick, Vaughn.

Senator(s) DeLuca and Connor requested their names be removed as co-sponsors of **SR 9**. No objection.

Roll call vote was taken on the **SENATE CONSENT CALENDAR #5** and revealed 19 Senators voting YES, 2 (Bair, Sokola) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted. The House Concurrent Resolutions were returned to the House.

On motion of Senator Adams, the Senate recessed at 05:03 PM until 02:00 PM on June 1, 1999 or the Call of the President Pro Tempore.

The Senate reconvened at 02:42 PM on June 1, 1999 with Senator Sharp presiding.

The following committee reports were announced:

From Children, Youth and their Families: **SB 18** – 3 Favorable, 1 Merit.

From Executive: **SB 78** – 4 Merits; **SB 69** – 1 Favorable, 3 Merits; **HB 15 w/ HA 1** – 4 Merits.

From Community/County Affairs: **SB 92** – 3 Merits.

The Secretary of the Senate announced a message from the House informed the Senate that it had passed **HCR 17; HCR 18; HCR 20; HB 184; HS 1 to HB 72; HB 230 w/HA 1; HB 153; SB 73; SCR 13; SJR 2 w/SA 1; SJR 3; HB 183 w/HA 1; HB 185 w/HA 1, 2, 3 & HA 7 aab HA 7.**

A communication from Senator David B. McBride was read informing the Senate that Senator Margaret Rose Henry was added as a co-sponsor of **SB 144**.

**LEGISLATIVE ADVISORIES #14 - #17**, from the Office of the Counsel to the Governor were announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #14**, dated May 12, 1999, the following amendment to the Delaware Constitution does not require the signature of Governor Carper:

**HB #74** – AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF STATE. (Sponsor: Rep. DiLiberto; Reps. Boulden, Brady, Buckworth, Capano, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Plant, Price, Schroeder, Scott, Smith, Spence, Stone, Ulbrich, Van Sant, Wagner, Welch, West, Williams, semi-colon, Sens. Bonini, Bunting, McDowell, Sokola, Venables) (Volume 72, Chapter 24, Laws of Delaware.)

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**LEGISLATIVE ADVISORY #15**, dated May 12, 1999, Governor Thomas R. Carper signed the following legislation on the date indicated:

**HS 1 to HB #94 A/A HA 1** (5/12/99) – AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE NORTHEAST INTERSTATE DAIRY COMPACT. (Sponsor: Rep. Caulk & Sen. Bunting, Reps. Carey, Cathcart, Quillen, Price, Schroeder, West, Sens. Adams, Cook, Simpson, Venables) (Volume 72, Chapter 25, Laws of Delaware.)

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**LEGISLATIVE ADVISORY #16**, dated May 13, 1999, Governor Thomas R. Carper signed the following legislation on the date indicated:

**HB #40** (5/12/99) - AN ACT TO AMEND TITLES 9 AND 10 OF THE DELAWARE CODE RELATING TO COUNTIES AND COURTS AND JUDICIAL PROCEDURE. (Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson) (Volume 72, Chapter 26, Laws of Delaware.)

**HB #38** (5/12/99) - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE CODE RELATING TO PROPERTY. (Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson) (Volume 72, Chapter 27, Laws of Delaware.)

**HB #37** (5/12/99) - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES. (Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson) (Volume 72, Chapter 28, Laws of Delaware.)

**HB #36** (5/12/99) - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY. (Sponsor: Rep. Capano & Sens. Blevins & Winslow; Reps. Welch, Buckworth, Ulbrich, Wagner; Sens. Connor, Sorenson) (Volume 72, Chapter 29, Laws of Delaware.)

**HB #62** (5/12/99) - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM COMMERCIAL CODE. (Sponsor: Rep. DiLiberto) (Volume 72, Chapter 30, Laws of Delaware.)

**HB #105** (5/12/99) - AN ACT TO AMEND CHAPTER 71 OF TITLE 10 OF THE DELAWARE CODE RELATING TO INJUNCTIONS AND ABATEMENT OF NUISANCES INVOLVING SOCIAL VICES. (Sponsor: Rep. Keeley & Rep. Scott, Reps. DiPinto, Plant, Williams; Sens. Henry, Marshall, McDowell) (Volume 72, Chapter 31, Laws of Delaware.)

**HB #49** (5/12/99) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REQUIRED INFORMATION FOR DRIVER'S LICENSES. (Sponsor: Rep. Scott, Reps. Boulden, Brady, Buckworth, Capano, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Keeley, Lofink, Plant, Price, Quillen, Reynolds, Spence, Van Sant, Wagner, West, Williams) (Volume 72, Chapter 32, Laws of Delaware.)

**SB #83** (5/12/99) - AN ACT TO AMEND TITLE 12, DELAWARE CODE, RELATING TO INVESTMENTS OF FIDUCIARIES. (Sponsor: Sen. Adams & Rep. Stone) (Volume 72, Chapter 33, Laws of Delaware.)

**SB #12** (5/12/99) - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF CARJACKING. (Sponsor: Sen. Marshall & Rep. Wagner) (Volume 72, Chapter 34, Laws of Delaware.)

**LEGISLATIVE ADVISORY #17**, dated May 21, 1999, Governor Thomas R. Carper signed the following legislation on the date indicated:

**HB #156** (5/18/99) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sponsor: Rep. Stone & Rep. Smith & Sen. Adams; Reps. Brady, Capano, Carey, D. Ennis, Fallon, Houghton, Keeley, Scott; Sens. Sharp, Sokola, Sorenson) (Volume 72, Chapter 35, Laws of Delaware.)

**HB #44 A/A HA1 and SA1** (5/18/99) - AN ACT TO AMEND CHAPTER 41, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL AND/OR DRUGS. (Sponsor: Rep. Spence, Sens. Henry, Winslow) (Volume 72, Chapter 36, Laws of Delaware.)

**HB #86** (5/18/99) - AN ACT RELATING TO THE WAIVER OF STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE CONCERNING THE SOLEMNIZATION OF MARRIAGES. (Sponsor: Rep. Capano & Sen. Sorenson) (Volume 72, Chapter 37, Laws of Delaware.)

**HB #26** (5/18/99) - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURY COMPENSATION AND REIMBURSEMENT. (Sponsor: Reps. Welch & DiLiberto & Sen. Amick) (Volume 72, Chapter 38, Laws of Delaware.)

**HB #18** (5/18/99) - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION ON THE DISTRIBUTION AND USE OF PUBLIC UTILITIES. (Sponsor: Rep. Capano & Rep. Roy & Sens. McDowell & Cook, Reps. Smith, Welch, Buckworth, Carey, Cloutier, DiPinto, D. Ennis, Lofink, Miro, Stone, Wagner, Gilligan, Van Sant, DiLiberto, Houghton, Scott) (Volume 72, Chapter 39, Laws of Delaware.)

\* \* \*

At 02:45 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Thirtieth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
30th LEGISLATIVE DAY  
JUNE 01, 1999**

The Senate convened at 02:45 PM with Senator Sharp presiding.

A prayer was offered by Senator Adams followed by the Pledge of Allegiance to the Flag. Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Cook, Connor, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow- 21.

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

Senator(s) Sorenson marked present.

**HB 73 w/HA 1 & HA 4** was brought before the Senate for consideration on motion of the floor manager, Senator Venables.

**HB 73 w/HA 1 & HA 4** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. 2/3 VOTE

**SA 1 to HB 73** was brought before the Senate for consideration on motion of Senator Sokola.

Roll call vote on **SA 1 to HB 73** was taken and revealed:

YES: 21

**SA 1 to HB 73** was declared part of the bill.

**HB 73 w/HA 1, 4 & SA 1** was now before the Senate.

Roll call vote on **HB 73 w/HA 1, 4 & SA 1** was taken and revealed:

YES: 21

**HB 73 w/HA 1, 4 & SA 1** was declared passed the Senate and returned to the House for Reconsideration.

**HB 15 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 15 w/HA 1** – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH ACTIONS.



Senator Adams requested the privilege of the floor for Representative DiLiberto. Senator(s) Bonini, Bair and Amick questioned the witness, after which the witness was excused.

Lt. Governor Minner presiding at 03:01 PM.

Roll call vote on **HB 15 w/HA 1** was taken and revealed:

YES: 21

**HB 15 w/HA 1** was declared passed the Senate and returned to the House.

**SB 88** was brought before the Senate for consideration on motion of Senator Connor.

**SB 88** – AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE ENTITLED “AN ACT AMENDING, REVISITING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE,” BY AMENDING ITS CHARTER TO PROVIDE ADDITIONAL SERVICES (AS DEFINED) AND SPECIFYING ITS POWERS CONSISTENT WITH THOSE AUTHORIZED BY TITLE 22, SECTION 802 OF THE DELAWARE CODE. 2/3 VOTE

Senator Connor requested that **SA 1 to SB 88** be stricken. No objection.

**SA 2 to SB 88** was brought before the Senate for consideration on motion of Senator Connor.

Roll call vote on **SA 2 to SB 88** was taken and revealed:

YES: 21

**SA 2 to SB 88** was declared part of the bill.

**SB 88 w/SA 2** was now before the Senate.

Senator McDowell questioned the sponsor, after which Senator Connor requested the privilege of the floor for Chip Patterson, representing the Board of Water & Light Commissioners.

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

Senator Connor requested the privilege of the floor for Francis Murphy, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Connor moved to lay **SB 88 w/SA 2** on the Table. No objection.

**SB 92** was brought before the Senate for consideration on motion of Senator Connor.

**SB 92** – AN ACT TO AMEND CHAPTER 121, VOLUME 32, LAWS OF DELAWARE, AS AMENDED, ENTITLED, “AN ACT TO ESTABLISH A BOARD OF WATER AND LIGHT COMMISSIONERS FOR THE CITY OF NEW CASTLE” RELATING TO THE DESIGNATION OF THE BOARD OF WATER AND LIGHT COMMISSIONERS AS THE MUNICIPAL SERVICES COMMISSIONS, AND THE AUTHORITY OF THE MUNICIPAL SERVICE COMMISSION. 2/3 VOTE

**SA 1 to SB 92** was brought before the Senate for consideration on motion of Senator Connor.

Roll call vote on **SA 1 to SB 92** was taken and revealed:

YES: 21

**SA 1 to SB 92** was declared part of the bill.

Senator Connor moved to lay **SB 92 w/SA 1** on the Table. No objection.

**HB 124 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.

**HB 124 w/HA 1 & 2** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

Senator Bonini requested his name be added as a co-sponsor of **HB 124 w/HA 1 & 2**.

Senator(s) Sorenson and Venables questioned the floor manager, after which Senator Blevins requested the privilege of the floor for Steven Wood, representing the Attorney General’s office.

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

Several Senators commented.

Roll call vote on **HB 124 w/HA 1 & HA 2** was taken and revealed:

YES: 17

NOT VOTING: Senator(s) McDowell; Venables; Winslow - 3

ABSENT: Senator(s) Bunting - 1

**HB 124 w/HA 1 & 2** was declared passed the Senate and returned to the House.

Senator Adams moved to recess for Party Caucus at 04:19 PM.

The Senate reconvened at 06:23 PM with Lt. Governor Minner presiding.  
**SB 86** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 86** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES.

Roll call vote on **SB 86** was taken and revealed:

YES: 19

ABSENT: Senator(s) Henry; McDowell - 2

**SB 86** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for June 2, 1999.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 06/01/99**

**May 13, 1999**

**SA 1 to SB 123** - Sen. McBride - Placed with bill.

**June 1, 1999**

**SB 138** - AN ACT TO AMEND TITLE 11 RELATING TO COMPUTER RELATED OFFENSES. Sponsor: Sen. McBride & Rep. Roy; **Judiciary**.

**SB 139** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL ACCESSIBILITY. Sponsor: Sen. McDowell; Sens. Bunting, Venables & Connor; Reps. Maier, Oberle & Spence; **Executive**.

**SB 140** - AN ACT TO AMEND CHAPTER 3, TITLE 21 OF THE DELAWARE CODE RELATING TO THE RELEASE OF CERTAIN MOTOR VEHICLE RECORDS. Sponsor: Sen. McDowell; **Public Safety**.

**SB 141** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE RESPONSIBILITIES AND DUTIES FOR ALL ASPECTS OF CUSTODY, INCLUDING TREATMENT AND EVALUATION, OF YOUTH OFFENDERS WHO ARE LAWFULLY SENTENCED AS ADULTS OR WHO ARE LAWFULLY TRANSFERRED TO DEPARTMENT OF CORRECTION. Sponsor: Sen. McDowell; Rep. Maier; **Adult and Juvenile Corrections**.

**SB 143** - AN ACT TO AMEND TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS. Sponsor: Sen. Cook; Rep. DiPinto; **Finance**.

**SB 144** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND ENVIRONMENTALLY SOUND MANAGEMENT OF SCRAP TIRE PILES. Sponsor: Sen. McBride; Sen. Connor; Rep. Quillen; **Natural Resources & Environmental Control**; (2/3)

**SB 145** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND THE USE OF RETURNABLE BEVERAGE CONTAINERS. Sponsor: Sen. McBride; Sens. McDowell, & Connor; Reps. Carey & Quillen; **Executive**; (2/3)

**SB 146** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RELEASE OF MOTOR VEHICLE RECORDS. Sponsor: Sen. Henry; Rep. Ewing; **Public Safety**.

**SB 147** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES. Sponsor: Sen. Cook; Rep. Capano; **Revenue & Taxation**.

**SB 148** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. Sponsor: Sen. Cook; Rep. Capano; **Revenue & Taxation**; (3/5)

**SB 149** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MAILING OF PERSONAL INCOME TAX RETURNS. Sponsor: Sen. Cook; Rep. Capano; **Revenue & Taxation**.

**SB 150** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKER'S COMPENSATION. Sponsor: Sen. DeLuca & Sen. Blevins, Sens. Bunting, Sokola, Still, Reps. Ulbrich, Keeley, Price; **Labor**.

**SB 151** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO HIGHWAY ACCESS. Sponsor: Sen. Vaughn; Sen. Bunting, & Venables; Rep. B. Ennis; **Highways and Transportation**.

**SB 152** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUNSET ACT. Sponsor: Sen. Venables; Sen. Bunting, & Vaughn; Rep. B. Ennis; **Sunset**.

**HB 153** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. Sponsor: Rep. Quillen; **Administrative Services**.

**HB 183 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE USE OF IGNITION INTERLOCK DEVICES. Sponsor: Rep. Price & Rep. Spence & Sen. Bunting; Reps. Brady, Carey, DiPinto, B. Ennis, Gilligan, Keeley, Maier, Quillen, Ulbrich, Welch, Sens. Simpson, Sokola, Still; **Public Safety**.

**HB 184** - AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a), CHAPTER 1, TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF SCOTT PAUL LASCELLES AND DANA MARIE DI SABATINO, NONRESIDENTS OF THE STATE OF DELAWARE. Sponsor: Rep. Spence; **Executive**.

**HB 185 w/HA 1, 2, 3 & 7aab HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TERRORISTIC THREATENING. Sponsor: Rep. Oberle & Boulden & Ulbrich & Sens. Amick, Connor; Reps. Lofink, Reynolds; **Executive**.

**HB 230 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT OF PUPILS. Sponsor: Rep. Wagner & Sen. Sokola; Reps. Caulk, Maier, Reynolds, Stone, B. Ennis; **Finance**.

**HS 1 to HB 72** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Rep. Capano & Sen. Henry, , Reps. Boulden, Cathcart, Cloutier, DiPinto, Lofink, Roy, Stone, Ulbrich, Valihura, Wagner, Houghton, Keeley, Price; Children; Youth & Families; (F/N)

**SA 1 to HB 167** - Sponsor: Sen. Vaughn - Placed with the bill.

**SA 1 to SB 92** - Sponsor: Sen. Connor - Placed with the bill.

**SA 2 to SB 88** - Sponsor: Sen. Connor - Placed with the bill.

**SA 3 to SB 88** - Sponsor: Sen. Connor - Placed with the bill.

\* \* \*

On motion of Senator Adams, the Senate recessed at 06:29 PM until June 2, 1999 at 04:00 PM.

The Senate reconvened at 04:12 PM on June 2, 1999 with Lt. Governor Minner presiding.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 191; HB 199 w/HA 2; HB 198; HB 197 w/HA 2; HB 279; SB 116; SB 39; SB 40; SB 41 w/SA 1; SB 56**.

The following committee reports were announced:

From Small Business: **SB 94** – 4 Merits; **SB 130** – 4 Merits.

From Judiciary: **SB 105** – 3 Merits; **SB 114** – 3 Merits; **SB 136** – 3 Merits; **SB 137** – 3 Merits; **SB 138** – 3 Merits; **HB 161** – 3 Merits.

From Community/County Affairs: **SB 124** – 4 Merits; **HB 165** – 4 Merits.

From Labor: **SB 119** – 4 Merits; **SB 122** – 4 Merits; **SB 91** – 4 Merits; **HB 68** – 4 Merits; **HB 51** – 4 Merits.

From Agriculture: **SB 126** – 5 Merits.

From Education: **HB 120** – 3 Merits.

From Finance: **SB 143** – 1 Favorable, 4 Merits; **SB 76** – 5 Merits; **SB 75** – 5 Merits.

From Administrative Services: **SB 133** – 3 Merits.

At 04:15 on motion of Senator Adams, the Senate adjourned and immediately convened the Thirty-first Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
31st LEGISLATIVE DAY  
JUNE 02, 1999**

The Senate convened at 04:15 PM with Lt. Governor Minner presiding.  
A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**HB 96** – AN ACT TO AMEND CHAPTER 339, VOLUME 62, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE TOWN OF SMYRNA. 2/3 VOTE

Roll call vote on **HB 96** was taken and revealed:

YES: 21

**HB 96** was declared passed the Senate and returned to the House.

Senator(s) Amick, Henry, Marshall and McBride marked present during the above roll call.

**SB 121** was brought before the Senate for consideration on motion of Senator Vaughn.

**SB 121** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING PROBATION AND PAROLE OFFICERS.

Senator Amick questioned the sponsor, after which Senator Vaughn requested the privilege of the floor for Carl Danberg, representing the Department of Corrections.

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

Roll call vote on **SB 121** was taken and revealed:

YES: 20

NO: Senator(s) McDowell - 1

**SB 121** was declared passed the Senate and sent to the House for Consideration.

**SB 88 w/SA 2** was lifted from the table and brought before the Senate for consideration on motion of Senator Connor.

**SB 88 w/SA 2** – AN ACT TO AMEND CHAPTER 216, VOLUME 27 LAWS OF DELAWARE ENTITLED “AN ACT AMENDING, REVISITING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE,” BY AMENDING ITS CHARTER TO PROVIDE AUTHORITY TO PROVIDE ADDITIONAL SERVICES (AS DEFINED) AND SPECIFYING ITS POWERS CONSISTENT WITH THOSE AUTHORIZED BY TITLE 22, SECTION 802 OF THE DELAWARE CODE. 2/3 VOTE

**SA 3 to SB 88** was brought before the Senate for consideration on motion of Senator Connor.

Senator(s) Blevins, Sharp and McDowell questioned the sponsor, after which Senator Connor requested the privilege of the floor for John Cordrey, Senate Attorney.

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

Roll call vote on **SA 3 to SB 88** was taken and revealed:

YES: 20

NO: Senator(s) McDowell - 1

**SA 3 to SB 88** was declared part of the bill.

**SB 88 w/SA 2 & 3** was now before the Senate.

Senator McDowell commented.

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

YES: 19

NOT VOTING: Senator(s) Blevins; DeLuca - 2

**SB 88 w/SA 2 & 3** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 92 w/SA 1** was lifted from the table and brought before the Senate for consideration on motion of Senator Connor.

Senator Sharp questioned the sponsor, after which Senator Connor requested the privilege of the floor for Chip Patterson, representing the Board of Water & Light Commissioners.

Senator(s) McDowell and Sokola questioned the witness, after which the witness was excused.

Roll call vote on **SB 92 w/SA 1** was taken and revealed:

YES: 21

**SB 92 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD 06/02/99**

**SB 142** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY; AND PROVIDING FOR A DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT. Sponsor: Sen. Amick; Sen. Sokola; Rep. Valihura; **Judiciary**.

**SB 153** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF TATTOO PARLORS AND BODY PIERCING ESTABLISHMENTS. Sponsor: Sen. Bair & Sen. Blevins & Rep. Ulbrich; Sens. Amick, Connor, Simpson; Reps. Brady, Spence; **Health & Social Services**. (3/5)

**SB 154** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATIVE PROCEDURES ACT. Sponsor: Sen. Bunting; Rep. Spence; Sen. McDowell & Rep. Boulden; **Highways and Transportation**.

**SB 155** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON TRANSPORTATION. Sponsor: Sen. Venables; Sens. Bunting & Vaughn; Rep. B. Ennis; **Highways and Transportation**.

**SB 156** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PRENATAL HEALTH CARE. Sponsor: Sen. Sokola; **Health & Social Services**.

**SB 157** - AN ACT TO AMEND CHAPTER 33, TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARIANS. Sponsor: Sen. DeLuca & Rep. Ulbrich, Sens. Bunting, Sokola, Simpson & Still; Reps. Capano, Valihura, Keeley & Price; **Sunset**.

**SB 158** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FORMAL COMMUNICATIONS WITH TEACHERS. Sponsor: Sen. Sharp; **Education**.

**SB 159** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE REGARDING THE EXPUNGEMENT OF ARREST RECORDS. Sponsor: Sen. DeLuca & Rep. Wagner; Sens. Bonini, Sokola, Blevins, McDowell, Henry, Sorenson, Adams, Bair, Cook, Bunting, Marshall, Sharp, Vaughn, Venables, Winslow; Reps. Capano, Spence, Welch, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Scott, Viola; **Highways and Transportation**.

**SB 160** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VIDEO LOTTERIES. Sponsor: Sen. Sokola; Reps. Miro, & Maier; **Finance**.

**SB 161** - AN ACT TO AMEND CHAPTER 7, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. Sponsor: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Capano, Valihura, Keeley & Price; **Sunset**.

**SB 162** - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE DEPARTMENT OF TRANSPORTATION AND TRANSPORTATION PRIORITY PLANNING. Sponsor: Sen. DeLuca & Rep. Boulden; Sens. Sokola, Cook, Winslow, Henry; Reps. Brady, Valihura; **Highways and Transportation**.

**SB 163** - AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE PURPOSE OF PROVIDING SCHOOL NURSING SERVICES TO NON-PUBLIC SCHOOLS. Sponsor: Sen. McDowell; Sens. Bunting, Henry, Marshall, Connor & Still; Reps. Spence, DiPinto, Lofink, Houghton & Keeley; **Finance**.

**HB 191** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO D.N.A. SAMPLES AND DATA BANK. Sponsor: Rep. Smith & Sen. Cook; Reps. Welch, Van Sant; Sen. Amick; **Health & Social Services**.

**HB 197 w/HA 2** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. Sponsor: Rep. Wagner & Sen. McDowell; Reps. Welch, Boulden, Buckworth, Capano, Carey, Cathcart, Cloutier, Ewing, Lee, Lofink, Maier, Miro, Oberle, B. Ennis, Keeley, Plant, Price, Schroeder, Viola, Williams; **Health & Social Services**.

**HB 198** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO HEARINGS IN UNCONTESTED DIVORCES. Sponsor: Rep. Wagner & Capano & Keeley & Sens. Henry, Bonini; Reps. Quillen, Van Sant, Sen. Vaughn; **Judiciary**.

**HB 199 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY. Sponsor: Rep. Smith & Rep. Plant & Sen. Vaughn, Reps. Buckworth, Capano, Carey, Cloutier, Lee, Maier, Reynolds, Ulbrich; **Children; Youth & Families**.

**HB 279** - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE NAME OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL. Sponsor: Rep. Capano; Sen. Henry; Reps. Boulden, Caulk, Cloutier, Ewing, Fallon, Lee, Lofink, Quillen, Roy, Stone, Valihura, Gilligan, Keeley, Mulrooney, Plant, Price, Viola, West; Sen. Sorenson; **Sunset**.

**SS 1 to SB 3** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PRESCRIPTION DRUG PAYMENT ASSISTANCE FOR LOW-INCOME SENIOR CITIZENS. Sponsor: Sen. McBride & Rep. Spence & Sen. Still; Sens. Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McDowell, Sharp, Sokola, Vaughn, Venables, Amick, Bair, Bonini, Connor, Simpson, Sorenson, Winslow, Reps. Boulden, Buckworth, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Miro, Oberle, Reynolds, Roy, Stone, Valihura, Wagner, Welch, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Van Sant, Viola, West, Williams; **Adopted in Lieu of Original; Finance**.

Senator Adams moved to recess for Party Caucus at 05:03 PM.

The Senate reconvened at 05:44 PM with Lt. Governor Minner presiding.

**SB 69** was brought before the Senate for consideration on motion of Senator Blevins.

**SB 69** – AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO MAKING THE CONSTITUTION GENERAL NEUTRAL. 2/3 VOTE

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

YES: 21

**SB 69** was declared passed the Senate and sent to the House for Consideration.

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

**SCR 14** – RECOGNIZING THE VITAL ROLE THAT CERTIFIED ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE. Sponsor: Sen. Marshall & Rep. Maier; Sens. Blevins, McDowell & Connor; Reps. Lofink, Spence & Scott.

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

YES: 21

**SCR 14** was declared Adopted by the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for June 3, 1999.

On motion of Senator Adams, the Senate recessed at 05:54 PM until June 3, 1999 at 02:00 PM.

The Senate reconvened at 02:40 PM on June 3, 1999 with Lt. Governor Minner presiding.

The following committee reports were announced:

From Executive: **HB 184** – 4 Merits.

From Labor: **SB 150** – 3 Merits.

From Public Safety: **HB 136** – 4 Merits; **HB 183** – 4 Merits; **SB 110** – 4 Merits; **HB 89** – 4 Merits.

From Revenue & Taxation: **SB 134** – 1 Favorable, 2 Merits; **SB 65** – 1 Favorable, 2 Merits; **SB 109** – 3 Merits; **SB 128** – 3 Merits; **SB 125** – 3 Merits; **SB 149** – 3 Merits; **SB 148** – 3 Merits; **SB 147** – 3 Merits.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HCR 21**.

At 02:40 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Thirty-second Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
32nd LEGISLATIVE DAY  
JUNE 03, 1999**

The Senate convened at 02:44 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 06/03/99**

**SS 1 to SB 101** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE CREATING THE DELAWARE WELFARE REFORM EDUCATION AND TRAINING ASSISTANCE ACT. Sponsor: Sen. Blevins; Sen. Henry & Rep. Maier; Sens. Bunting, Marshall, McDowell, Sokola, Venables, Bair, Simpson & Sorenson; Reps. Capano, DiLiberto, B. Ennis, Gilligan, Keeley, Price, Spence. **In Lieu of the Original.**

**SB 165** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. Sponsor: Sen. Henry; **Public Safety.**

**SB 166** - AN ACT TO AMEND SECTION 9203 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE NUMBER OF JUSTICES OF THE PEACE. Sponsor: Sen. Henry; **Judiciary.**

**SB 167** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT. Sponsor: Sen. Adams & Rep. Wagner; Sens. Venables & Amick; Rep. Spence; **Judiciary.** (2/3)

**SB 168** - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO CORRECT CERTAIN TYPOGRAPHICAL AND NUMBERING ERRORS. Sponsor: Sen. Bunting; **Community Affairs.** (2/3)

**SB 169** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE MOTOR VEHICLE SALES FINANCE ACT. Sponsor: Sen. Adams; **Banking.**

**SB 170** - AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE RELATING TO PILOTS LICENSES. Sponsor: Sen. Adams; Sens. Amick, Bair, Connor, Cook, Henry, McBride, McDowell, Sharp, Simpson, Sokola, Still, Vaughn, Venables; Reps. Boulden, Buckworth, Capano, Carey, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Lee, Lofink, Maier, Oberle, Quillen, Roy, Schroeder, Scott, Smith, Spence, Stone, Valihura, Van Sant, Wagner, West; **Executive.**

**SB 164** - AN ACT TO AMEND TITLE 14 RELATING TO FREE SCHOOLS; AGES; ATTENDANCE WITHIN SCHOOL DISTRICT; AND NONRESIDENTS OF DELAWARE AS IT PERTAINS TO RELATIVE CAREGIVERS. Sponsor: Sen. Blevins; Rep. Maier; Sens. Adams, Henry, Sokola, Connor, Sorenson & Winslow; Reps. Ewing,

Fallon, Valihura, Wagner, B. Ennis, Keeley, Plant, Scott, Van Sant, West & Williams;  
**Education**.

**SA 1 to SB 139** - Sponsor: Sen. McDowell; Placed with the bill.

\* \* \*

Senator Bair requested that **SB 135** be stricken. No objection.

**HB 184** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.

**HB 184** – AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(a), CHAPTER 1, TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF SCOTT PAUL LASCELLES AND DANA MARIE DI SABATINO, NONRESIDENTS OF THE STATE OF DELAWARE.

Roll call vote on **HB 184** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1

**HB 184** was declared passed the Senate and returned to the House.

Senator(s) Bunting, Marshall and Still marked present during the above roll call.

Senator Sharp requested the privilege of the floor for Ann Grunert, representing Special Olympics Director. Ms. Grunert introduced the athletes and their coaches, after which they were excused.

Senator(s) Sharp and Connor commented.

**SB 112** was brought before the Senate for consideration on motion of Senator Marshall.

**SB 112** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES. 2/3 VOTE

Senator Bair requested the privilege of the floor for John Cordrey, Senate Attorney.

The witness was excused after addressing the Senate.

Roll call vote on **SB 112** was taken and revealed:

YES: 21

**SB 112** was declared passed the Senate and sent to the House for Consideration.

Senator Henry marked present during the above roll call.

**SB 102** was brought before the Senate for consideration on motion of Senator Connor.

**SB 102** – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE COORDINATING COUNCIL MEMBERSHIP AND REPORTING REQUIREMENTS.

Roll call vote on **SB 102** was taken and revealed:

YES: 21

**SB 102** was declared passed the Senate and sent to the House for Consideration.

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

**SB 76** – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX CREDITS.

Several Senator questioned the sponsor.

Senator McDowell moved to lay **SB 76** on the Table. No objection.

**SB 105** was brought before the Senate for consideration on motion of Senator McBride.

**SB 105** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPUTER RELATED OFFENSES.

Senator McBride moved to lay **SB 105** on the Table. No objection.

**SB 137** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 137** – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. 2/3 VOTE

Roll call vote on **SB 137** was taken and revealed:

YES: 21

**SB 137** was declared passed the Senate and sent to the House for Consideration.

**SB 114** was brought before the Senate for consideration on motion of Senator Sharp.

**SB 114** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC.

Roll call vote on **SB 114** was taken and revealed:



YES: 21

**SB 114** was declared passed the Senate and sent to the House for Consideration.

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

**SB 138** – AN ACT TO AMEND TITLE 11 RELATING TO COMPUTER RELATED OFFENSES.

Senator McBride moved to lay **SB 138** on the Table. No objection.

**HB 165** was brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 165** – 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 ELIMINATE THE REQUIREMENT FOR A PRACTICING PHYSICIAN FROM THE BOARD OF HEALTH. 2/3 VOTE

Roll call vote on **HB 165** was taken and revealed:

YES: 21

**HB 165** was declared passed the Senate and returned to the House.

**SB 78** was brought before the Senate for consideration on motion of Senator Bunting.

**SB 78** – AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD. 2/3 VOTE

Roll call vote on **SB 78** was taken and revealed:

YES: 21

**SB 78** was declared passed the Senate and sent to the House for Consideration.

**SB 54** was brought before the Senate for consideration on motion of Senator Adams.

**SB 54** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JURISDICTION OF JUSTICE OF THE PEACE COURTS. 2/3 VOTE  
**SA 1 to SB 54** was brought before the Senate for consideration on motion of Senator Adams.

Roll call vote on **SA 1 to SB 54** was taken and revealed:

YES: 21

**SA 1 to SB 54** was declared part of the bill.

**SB 54 w/SA 1** was now before the Senate.

Senator Adams requested the privilege of the floor for Patricia Griffin, representing the Justice of the Peace Courts.

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

Roll call vote on **SB 54 w/SA 1** was taken and revealed:

YES: 21

**SB 54 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**HB 104 w/HA 1** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 104 w/HA 1** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES.

Roll call vote on **HB 104 w/HA 1** was taken and revealed:

YES: 21

**HB 104 w/HA 1** was declared passed the Senate and returned to the House.

**HB 143 w/HA 1 & 2** was brought before the Senate for consideration on motion of the floor manager, Senator Vaughn.

**HB 143 w/HA 1 & 2** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WIRETAPPING AND ELECTRONIC SURVEILLANCE.

Senator Bonini questioned the floor manager, after which Senate Vaughn requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Vaughn requested the privilege of the floor for Carl Danburg, representing the Department of Corrections.

The witness was excused after addressing the Senate.

Senator Amick commented.

Roll call vote on **HB 143 w/HA 1 & 2** was taken and revealed:

YES: 20

NO: Senator(s) Simpson - 1

**HB 143 w/HA 1 & 2** was declared passed the Senate and returned to the House.

**SB 6** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator McBride.

**SB 6 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PRESCRIPTION DRUG PAYMENT ASSISTANCE FOR LOW-INCOME RESIDENTS.** Sponsor: Sen. McBride & Rep. Spence & Sen. Still; Sens. Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McDowell, Sharp, Sokola, Vaughn, Venables, Amick, Bair, Bonini, Connor, Simpson, Sorenson, Winslow; Reps. Boulden, Buckworth, Carey, Cathcart, Cloutier, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Miro, Oberle, Reynolds, Roy, Stone, Valihura, Wagner, Welch, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Schroeder, Scott, Van Sant, Viola, West, Williams, Capano, Caulk, Quillen.

Several Senators commented.

Roll call vote on **SB 6** was taken and revealed:

YES: 21

**SB 6** was declared passed the Senate and sent to the House for Consideration.

**SB 76** was lifted from the table and brought before the Senate for consideration on motion of Senator McDowell.

**SB 76 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX CREDITS.**

Roll call vote on **SB 76** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting - 1

**SB 76** was declared passed the Senate and sent to the House for Consideration.

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

The Secretary of the Senate announced the agenda for June 8, 1999.

On motion of Senator Adams, the Senate recessed at 04:41 PM until June 8, 1999 at 02:00 PM.

The Senate reconvened at 02:25 PM on June 8, 1999 with Senator Sharp presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 97; HB 179; HB 181 w/HA 1; HB 245; HB 170; HB 220; HB 164; SB 67.**

**LEGISLATIVE ADVISORIES #18 & #19**, from the Office of the Counsel to the Governor were announced for the record, partially read, and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #18**, dated June 3, 1999, Governor Thomas R.

Carper signed the following legislation on the date indicated:

**HB #55 (6/2/99) – AN ACT TO AMEND CHAPTER 21 OF THE DELAWARE CODE RELATING TO THE GOVERNOR’S AUTHORITY TO PROCLAIM SPECIAL DAYS.** (Sponsor: Rep. Price & Rep. Gilligan & Rep. Van Sant & Rep. Spence & Sen. Bunting & Sen. Adams & Sen. Sharp) (Volume 72, Chapter 40, Laws of Delaware.)

**SB #73 (6/2/99) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY.** (Sponsor: Sen. Simpson, Sens. Amick, Bair, Bonini, Connor, Sorenson, Still, Winslow, Adams, Blevins; Reps. Carey, Caulk) (Volume 72, Chapter 41, Laws of Delaware.)

**SJR #2 A/A SA 1 (6/2/99) – CREATING THE DELAWARE GENERAL ASSEMBLY TRICENTENNIAL COMMITTEE TO PLAN AND IMPLEMENT AN APPROPRIATE COMMEMORATION FOR THE 300<sup>TH</sup> ANNIVERSARY OF THE STATE LEGISLATURE WHICH WILL BE OBSERVED IN THE YEAR 2004.** (Sponsor: Sen. Sharp & Rep. Spence; Sens. Adams, Amick, Vaughn, Reps. Gilligan, Smith, Van Sant, Welch)

**SJR #3 (6/2/99) – RECOGNIZING THE MONTH OF MAY, 1999, AS “OLDER AMERICANS MONTH” IN DELAWARE AND RECOGNIZING 1999 AS “THE INTERNATIONAL YEAR OF THE OLDER PERSON.** (Sponsor: Sen. McDowell On Behalf of all Senators & All Representatives)

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**LEGISLATIVE ADVISORY #19**, dated June 3, 1999, Governor Thomas R.

Carper signed the following legislation on the date indicated:

**HB #184 (6/3/99) – AN ACT WAIVING THE STATUTORY PROVISIONS OF §107(A), CHAPTER 1, TITLE 13 OF THE DELAWARE CODE, AS IT RELATES TO THE MARRIAGE OF SCOTT PAUL LASCELLES AND DANA MARIE DISABATINO, NONRESIDENTS OF THE STATE OF DELAWARE.** (Sponsor: Rep. Spence) (Volume 72, Chapter 42, Laws of Delaware.)

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The following committee reports were announced:  
From Health and Social Services: **HB 53 w/HA 2** – 3 Merits; **SB 153** – 2 Favorable,  
1 Merit.

From Natural Resources: **HB 80** – 3 Merits.

From Executive: **HB 118** – 4 Merits; **HB 54 w/HA 1** – 4 Merits; **SB 170** – 3  
Favorable, 1 Merit.

At 02:25 PM on motion of Senator Adams, the Senate adjourned and immediately  
convened the Thirty-third Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
33rd LEGISLATIVE DAY  
JUNE 08, 1999**

The Senate convened at 02:25 PM with Lt. Governor Minner presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor,  
Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola,  
Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

At 02:31 PM, Lt. Governor Minner presiding.

**SB 124** was brought before the Senate for consideration on motion of Senator  
Sokola.

**SB 124** – AN ACT TO AMEND TITLE 9 AND 22 OF THE DELAWARE CODE  
RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING  
PROVISIONS REGARDING TRANSFER OF DEVELOPMENT RIGHTS.

Senator(s) Still marked present.

Senator Still questioned the sponsor, after which Senator Sokola requested the  
privilege of the floor for David Hugg, III, representing Office of State Planning  
Coordination.

The witness was excused after addressing the Senate.

Roll call vote on **SB 124** was taken and revealed:

YES: 21

**SB 124** was declared passed the Senate and sent to the House for Consideration.

Senator(s) Amick, Bair, Blevins, Connor, Cook, Marshall and McBride marked  
present during the above roll call.

**SB 118** was brought before the Senate for consideration on motion of Senator  
Sokola.

**SB 118** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE  
RELATING TO THE DELAWARE QUALIFIED TUITION SAVINGS PROGRAM.

Roll call vote on **SB 118** was taken and revealed:

YES: 21

**SB 118** was declared passed the Senate and sent to the House for Consideration.

**HB 54 w/HA 1** was brought before the Senate for consideration on motion of the  
floor manager, Senator Adams.

**HB 54 w/HA 1** – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE  
RELATED TO ESCHEAT OF UNREDEEMED GIFT CERTIFICATES.

Senator McBride commented.

Roll call vote on **HB 54 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall - 1

**HB 54 w/HA 1** was declared passed the Senate and returned to the House.

**HB 89** was brought before the Senate for consideration on motion of the floor  
manager, Senator Henry.

**HB 89** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE TO  
SPECIFY LICENSING REQUIREMENTS FOR MOTORCYCLES AND THREE-  
WHEELED VEHICLES.

Senator Bonini questioned the floor manager, after which Senator Henry requested  
the privilege of the floor for Jerome Emerson, representing Department of Motor Vehicle.

The witness was excused after addressing the Senate.  
 Senator McBride commented.  
 Roll call vote on **HB 89** was taken and revealed:  
 YES: 20  
 ABSENT: Senator(s) Bair - 1  
**HB 89** was declared passed the Senate and returned to the House.  
**SB 170** was brought before the Senate for consideration on motion of Senator Adams.  
**SB 170** – AN ACT TO AMEND CHAPTER 1, TITLE 23, DELAWARE CODE RELATING TO PILOTS LICENSES.  
 Roll call vote on **SB 170** was taken and revealed:  
 YES: 20  
 ABSENT: Senator(s) Bair - 1  
**SB 170** was declared passed the Senate and sent to the House for Consideration.  
**HB 118** was brought before the Senate for consideration on motion of the floor manager, Senator Adams.  
**HB 118** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS.  
 Roll call vote on **HB 118** was taken and revealed:  
 YES: 20  
 NOT VOTING: Senator(s) Winslow - 1  
**HB 118** was declared passed the Senate and returned to the House.  
 Senator Sharp moved to recess for Party Caucus at 03:04 PM.  
 The Senate reconvened at 04:30 PM with Lt. Governor Minner presiding.  
 On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
 PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
 READ TO THE RECORD 06/08/99**

The following nomination(s) assigned in the **Executive** committee.

|                                                                              |                                                                                                                                                          |
|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. William C. Eliason<br>4351 Canterbury Road<br>Harrington, Delaware 19952 | To be reappointed a member of the Unemployment Insurance Appeals Board to serve a six-year term.                                                         |
| The Honorable Patricia W. Griffin<br>RD 5, Box 222M<br>Lewes, Delaware 19958 | To be reappointed as Chief Magistrate of the Justice of the Peace Court to serve a six-year term.                                                        |
| Mr. Clifton H. Hubbard<br>24 Bellrive Court<br>Dover, Delaware 19901         | To be appointed a member of the Public Integrity Commission to serve a term to expire August 29, 2002 to replace Rev. Christopher Bullock, who resigned. |
| Mr. John M. Maiorano<br>32 South Cliffe Drive<br>Wilmington, Delaware 19809  | To be reappointed a member of the Delaware Technical & Community College Board of Trustees to serve a three-year term.                                   |
| Ms. Suzanne C. Moore<br>121 Augustine Cut-Off<br>Wilmington, Delaware 19803  | To be reappointed a member of the Delaware Technical & Community College Board of Trustees to serve a three-year term.                                   |

**SB 171** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. Sponsor: Sen. Bunting; Sens. Henry, McBride, Venables, Simpson, Amick, Bair, Sorenson, Still & Winslow; Reps. Price, Schroeder & Spence; **Agriculture**.

**HB 97** - AN ACT TO AMEND CHAPTER 174, VOLUME 71, LAWS OF DELAWARE RELATING TO THE BOOT CAMP INMATE TRAINING PROGRAM. Sponsor: Rep. Lee & Sen. Vaughn; Rep. Spence; Sen. Sharp; **Adult and Juvenile Corrections**.

**HB 164** - AN ACT TO AMEND TITLE 10 AND TITLE 31 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE INTEREST OF A CHILD AND CHILD WELFARE. Sponsor: Rep. Maier & Sens. McDowell, Henry; Rep. Keeley; Sen. Blevins; **Health & Social Services**.

**HB 170** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE PLANE COORDINATE SYSTEM. Sponsor: Rep. Boulden & Sen. DeLuca; **Highways and Transportation**.

**HB 179** - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DELAWARE TRANSPORTATION AUTHORITY. Sponsor: Rep. DiPinto; Sen. DeLuca, Rep. Roy, Reps. Spence, Smith, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Maier, Quillen, Reynolds, Stone, Ulbrich, Valihura, Wagner; **Highways and Transportation**.

**HB 181 w/HA 1** - AN ACT TO AMEND CHAPTER 97, TITLE 16 OF THE DELAWARE CODE RELATING TO RECOGNITION AND IMPLEMENTATION OF ADVANCED HEALTH-CARE DIRECTIVES BY EMERGENCY MEDICAL SERVICES PROVIDERS. Sponsor: Rep. B. Ennis & Rep. Maier; Reps. Brady, Carey, D. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Plant, Price, Quillen, Schroeder, Scott, Viola, Wagner, West, Williams; Sens. Adams, Bonini, Marshall, Winslow; **Health & Social Services**.

**HB 220** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE EXTREMELY HAZARDOUS SUBSTANCES RISK MANAGEMENT ACT. Sponsor: Rep. D. Ennis & Sen. McBride; Reps. DiPinto, B. Ennis; **Natural Resources & Environmental Control**.

**HB 245** - AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A MARINE FISHERIES ADVISORY COUNCIL. Sponsor: Rep. Quillen & Sen. Vaughn & Reps. Cathcart, Price, Schroeder; Sens. Bunting, Venables, Connor; **Natural Resources & Environmental Control**.

**SA 1 to SB 140** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 1 to SB 163** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 1 to SB 18** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 2 to SB 18** - Sponsor: Sen. Amick; Placed with the bill.

**SA 3 to SB 18** - Sponsor: Sen. Sorenson; Placed with the bill.

\* \* \*

**HB 79** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.

**HB 79** – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION.

Senator(s) Vaughn and Adams commented.

Roll call vote on **HB 79** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bair - 1

**HB 79** was declared passed the Senate and returned to the House.

**SB 143** was brought before the Senate for consideration on motion of Senator Cook.

**SB 143** – AN ACT TO AMEND TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE BENEFITS.

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

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

YES: 21

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

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

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

YES: 21

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

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

The Secretary of the Senate announced the agenda for June 9, 1999.

On motion of Senator Adams, the Senate recessed at 04:45 PM until June 10, 1999 at 04:00 PM.

The Senate reconvened at 04:00 PM on June 10, 1999 with Senator Sharp presiding.

The following committee reports were announced:

From Administrative Services: **SB 106** – 4 Merits; **HB 130** – 4 Merits.

From Highways and Transportation: **SB 151** – 1 Favorable, 4 Merits; **SB 159** – 1 Favorable, 4 Merits; **SB 162** – 1 Favorable, 3 Merits; **HB 170** – 4 Merits; **HB 179** – 4 Merits.

From Sunset: **SB 157** – 1 Favorable, 3 Merits; **SB 161** – 1 Favorable, 3 Merits; **SB 181** – 1 Favorable, 3 Merits.

From Corrections: **HB 142** – 3 Merits; **SB 141** – 3 Merits; **HB 97** – 3 Merits.

From Executive: **William C. Eliason** – 4 Merits; **John M. Maiorano** – 4 Merits;

**The Honorable Patricia W. Griffin** – 1 Favorable, 3 Merits.

From County/Community Affairs: **SB 168** – 4 Merits.

From Education: **SB 164** – 4 Merits; **SB 158** – 4 Merits.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 166 w/HA 1**; **HB 208 w/HA 1**; **HB 163 w/HA 1 aab HA 1**; **HS 1 to HB 250 w/HA 1**; **HB 188**; **HB 113 w/HA 1 & 3**; **HS 1 to HB 213 w/HA 1 & 2**; **HS 1 to HB 39 w/HA 1, 2, 4 & 6**.

A communication from Senator Dallas Winslow to Senator George H. Bunting, Jr. was read requesting his name be added as a co-sponsor of **SB 78**. No objections.

A communication from Senator Margaret Rose Henry to the Secretary of the Senate, Bernard J. Brady requesting her name be added as a co-sponsor of **HB 131**.

At 04:06 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Thirty-fourth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
34th LEGISLATIVE DAY  
JUNE 09, 1999**

The Senate convened at 04:06 PM with Senator Sharp presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

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

Senator Adams requested the privilege of the floor for Senator William Doyle of Vermont.

The witness was excused after addressing the Senate.

Senator Adams requested the privilege of the floor for Alan Sokolow, representing Council of State Government.

The witness was excused after addressing the Senate.

Senator Adams moved to recess for Party Caucus at 04:12 PM.

The Senate reconvened at 04:46 PM with Senator Sharp presiding.

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

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE RECORD 06/09/99**

June 8, 1999

**SB 172** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF HANDGUNS BY UNLICENSED PERSONS. Sponsor: Sen. McDowell; Sen. Henry & Rep. Williams; **Public Safety**.

**SB 173** - AN ACT TO AMEND CHAPTER 31, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF FUNERAL SERVICES. Sponsor: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Capano, Valihura, Keeley & Price; **Administrative Services**.

**SB 174** - AN ACT TO AMEND CHAPTER 69, TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCEDURE. Sponsor: Sen. Sharp; Sens. Blevins, DeLuca; Reps. Mulrooney, Viola; **Administrative Services**.

**SB 175** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SHIPMENT OF ALCOHOLIC LIQUORS. Sponsor: Sen. Sorenson; Sens. Bair, Blevins, McDowell, Still; Reps. Keeley, Miro, Quillen, Smith, Welch; **Administrative Services**.

**SS 1 for SB 117** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE BOARD OF NURSING. Sponsor: Sen. Blevins & Rep. Maier. **Adopted in Lieu of the Original. Health and Social Services.**

**SJR 4** - RELATING TO THE ESTABLISHMENT OF AIRBORNE DAY IN THE STATE OF DELAWARE. Sponsor: Sen. Bunting; **LOT**.

June 9, 1999

**SB 176** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE AND THE ADOPTION OF THE DELAWARE REVISED UNIFORM PARTNERSHIP ACT. Sponsor: Sen. Sharp; Sens. Vaughn, Amick & Winslow; Reps. Spence, Valihura, Wagner & DiLiberto; **Judiciary**. (3/5)

**SB 177** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsor: Sen. Sharp; Sens. Vaughn & Winslow; Reps. Oberle, Wagner, Plant & Scott; **Judiciary**. (3/5)

**SB 178** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. Sponsor: Sen. Sharp; Sens. Vaughn & Winslow; Reps. Oberle, Wagner, Plant & Scott; **Judiciary**. (3/5)

**SB 179** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING INDEMNIFICATION OF PARTIES PURSUANT TO A POLICE MUTUAL AID AGREEMENT. Sponsor: Sen. Adams; Sens. Sharp, Vaughn & Bair; Reps. Buckworth, Ewing, & Spence; **Public Safety**.

**SB 180** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING STATE POLICE REQUEST FOR ASSISTANCE FROM OTHER DELAWARE POLICE AGENCIES. Sponsor: Sen. Adams; Sens. Sharp, Vaughn, & Bair; Reps. Buckworth, Ewing & Spence; **Public Safety**.

**SB 181** - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELECTRICAL EXAMINERS. Sponsor: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Capano, Valihura, Keeley & Price. **Sunset**.

**SB 182** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS. Sponsor: Sen. Adams; Sens. Sharp & Vaughn; Reps. Buckworth, Ewing & Spence; **Public Safety**.

**SB 183** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO VIATICAL SETTLEMENTS. Sponsor: Sen. Vaughn; Sens. Bunting & Still; **Insurance and Elections**. (3/5)

**SR 10** - URGING THE DELAWARE MERIT EMPLOYEE RELATIONS BOARD AND THE DELAWARE DEPARTMENT OF TRANSPORTATION TO ENSURE THAT THE EMPLOYEE GRIEVANCE PROCEDURE OPERATES IN A MORE

USER FRIENDLY, EFFICIENT AND TIMELY MANNER. Sponsor: Sen. Still;

**Highways and Transportation.**

**HB 113 w/HA 1 & 3** - AN ACT TO AMEND TITLE 9, DELAWARE CODE, RELATING TO SUBDIVISIONS, PLATS AND DEEDS. Sponsor: Rep. Roy;

**Highways and Transportation.**

**HB 163 w/HA 1 aab HA 1** - AN ACT TO AMEND TITLE 5 AND TITLE 30 OF THE DELAWARE CODE RELATING TO THE RETAIL INSTALLMENT SALE OF MOTOR VEHICLES AND SURETY FOR MOTOR VEHICLE DEALERS. Sponsor: Rep. B. Ennis & Rep. Schroeder & Sen. Vaughn; Reps. Brady, Carey, Caulk, D. Ennis, Gilligan, Houghton, Keeley, Oberle, Plant, Price, Spence, Van Sant, Viola, Welch, West, Williams; **Small Business.**

**HB 166 w/HA 1** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Rep. D. Ennis & Sen. Vaughn;

**Insurance and Elections.**

**HB 188** - AN ACT TO AMEND CHAPTER 108, VOLUME 62 OF THE LAWS OF DELAWARE REGARDING THE BOUNDARIES OF THE WARNER-GRANT TRUST LANDS. Sponsor: Rep. Schroeder & Sen. Simpson; **Community Affairs.**

**HB 208 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST LAW ENFORCEMENT ANIMALS. Sponsor: Rep. Keeley; Reps. Brady, B. Ennis, Houghton, Oberle, Plant, Van Sant, Viola; Sens. Amick, Blevins, Bonini, Connor, Cook, DeLuca, Marshall, McBride, Sharp, Simpson, Sokola, Vaughn, Winslow; **Public Safety.**

**HS 1 to HB 213 w/HA 1 & 2** - AN ACT TO AMEND TITLES 10, 11 AND 14 OF THE DELAWARE CODE RELATING TO TRUANCY. Sponsor: Rep. Maier & Sen. Sokola; Reps. Boulden, Buckworth, Capano, DiPinto, D. Ennis, Fallon, Lofink, Miro, Oberle, Reynolds, Stone, Ulbrich, Valihura, Wagner, Brady, Keeley, Plant, Price, Scott, Viola; Sens. Amick, Bair, Connor, Simpson, Sorenson, Still, Winslow; **Education.**

**HS 1 for HB 250 w/HA 1** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NUTRIENT MANAGEMENT. Sponsor: Rep. Caulk & Sen. Bunting & Rep. Carey & Sen. Adams & Rep. Quillen & Sen. Vaughn & Sen. Venables & Rep. Spence & Sen. Simpson & Sen. Cook & Sen. Bonini; Reps. Boulden, Brady, Buckworth, Capano, Cathcart, Cloutier, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Reynolds, Roy, Scott, Smith, Stone, Ulbrich, Valihura, Van Sant, Wagner, Welch, Williams; Sens. Amick, Bair, Connor, McDowell, Sorenson, Still, Winslow; **LOT:** F/N

**HS 1 for HB 39 w/HA 1, 2, 4 & 6** - AN ACT TO AMEND TITLES 11, 16, AND 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE OFFICE OF CHILD ADVOCATE. Sponsor: Rep. Maier & Rep. Spence & Sen. Bair & Sen. Sorenson & Sen. McDowell; Reps. Capano, DiPinto, B. Ennis, Ewing, Houghton, Keeley, Lee, Lofink, Oberle, Plant, Price, Reynolds, Roy, Stone, Ulbrich, Wagner, Williams, Cloutier; Sens. Connor, Henry, Sokola, Winslow; **Judiciary.**

**SA 1 to SS 1 for SB 101** - Sponsor: Sen. Blevins; Placed with the bill.

**SA 4 to SB 18** - Sponsor: Sen. Bair; Placed with the bill.

**SA 5 to SB 18** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 6 to SB 18** - Sponsor: Sen. Bair; Placed with the bill.

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**HS 1 to HB 250 w/HA 1** was lifted from the table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of the floor manager, Senator Bunting.

**HS 1 to HB 250 w/HA 1** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NUTRIENT MANAGEMENT.

A communication from Representative Charles West was read into the record regarding the above legislation. A copy of this communication is on file for this legislative day.

Senator Bunting requested the privilege of the floor for John Hughes, representing DNREC.

The witness was excused after addressing the Senate.

Senator Simpson commented.

Senator(s) McBride marked present.

Senator(s) McBride and Connor commented.



Senator(s) Bonini marked present.  
Roll call vote on **HS 1 to HB 250 w/HA 1** was taken and revealed:  
YES: 21  
**HS 1 to HB 250 w/HA 1** was declared passed the Senate and returned to the House.  
**SS 1 to SB 101** was brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Blevins.  
**SS 1 to SB 101** – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE CREATING THE DELAWARE WELFARE REFORM EDUCATION AND TRAINING ASSISTANCE ACT.  
**SA 1 to SS 1 to SB 101** was brought before the Senate for consideration on motion of Senator Blevins.  
Senator Simpson commented.  
Roll call vote on **SA 1 to SS 1 to SB 101** was taken and revealed:  
YES: 21  
**SA 1 to SS 1 to SB 101** was declared part of the bill.  
**SS 1 to SB 101 w/SA 1** was now before the Senate.  
Senator Winslow commented.  
Roll call vote on **SS 1 to SB 101 w/SA 1** was taken and revealed:  
YES: 20  
ABSENT: Senator(s) Bunting – 1  
**SS 1 to SB 101 w/SA 1** was declared passed the Senate and sent to the House for Consideration.  
**HB 53 w/HA 2** was brought before the Senate for consideration on motion of the floor manager, Senator Blevins.  
**HB 53 w/HA 2** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF RECORDS.  
Roll call vote on **HB 53 w/HA 2** was taken and revealed:  
YES: 21  
**HB 53 w/HA 2** was declared passed the Senate and returned to the House.  
**SB 153** was brought before the Senate for consideration on motion of Senator Bair.  
**SB 153** – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF TATTOO PARLORS AND BODY PIERCING ESTABLISHMENTS. 3/5 VOTE  
Senator(s) McBride, Bunting and Connor commented.  
Roll call vote on **SB 153** was taken and revealed:  
YES: 21  
**SB 153** was declared passed the Senate and sent to the House for Consideration.  
**SB 130** was brought before the Senate for consideration on motion of Senator McBride.  
**SB 130** – AN ACT TO AMEND TITLE 25 OF THE DELAWARE RELATING TO MECHANICS' LIENS.  
Roll call vote on **SB 130** was taken and revealed:  
YES: 21  
**SB 130** was declared passed the Senate and sent to the House for Consideration.  
**SB 133** was brought before the Senate for consideration on motion of Senator McBride.  
**SB 133** – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS.  
Senator(s) McDowell and Amick commented.  
Roll call vote on **SB 133** was taken and revealed:  
YES: 21  
**SB 133** was declared passed the Senate and sent to the House for Consideration.  
**HB 80** was brought before the Senate for consideration on motion of the floor manager, Senator McBride.  
**HB 80** – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION.  
Roll call vote on **HB 80** was taken and revealed:  
YES: 21  
**HB 80** was declared passed the Senate and returned to the House.  
Additions to the agenda, committee and other legislative meetings were announced.  
The Secretary of the Senate announced the agenda for June 10, 1999.

At 05:37 PM on motion of Senator Adams, the Senate recessed until June 10, 1999 at 02:00 PM.

The Senate reconvened at 02:05 PM on June 10, 1999 with Senator Sharp presiding.

The following committee report was announced:

From Health and Social Services: **SS 1 to SB 117** – 3 Merits.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **SCR 14**.

At 02:10 PM on motion of Senator Adams, the Senate adjourned and immediately convened the Thirty-fifth Legislative Day.

**140th GENERAL ASSEMBLY  
FIRST SESSION  
35th LEGISLATIVE DAY  
JUNE 10, 1999**

The Senate convened at 02:10 PM with Senator Sharp presiding.

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

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

**PRESENT:** Senators Adams, Amick, Bair, Blevins, Bonini, Bunting, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow- 21.

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

Lt. Governor Minner presiding at 02:12 PM.

**SB 85** was brought before the Senate for consideration on motion of Senator McBride.

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

Senator McBride requested the privilege of the floor for Cynthia Pacholis and her class from Richardson Park Learning Center.

The witnesses were excused after addressing the Senate.

Roll call vote on **SB 85** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bunting; McDowell; Sokola - 3

**SB 85** was declared passed the Senate and sent to the House for Consideration.

Senator(s) Bair, Bonini and Connor marked present during the above roll call.

On motion of Senator Adams, the following nominations by the Governor were considered:

**Eliason, William C.:** 17 Senator(s) voting YES, 4 (Bunting, Connor, McDowell, Sokola) ABSENT. Appointment was declared CONFIRMED.

**Griffin, Patricia W.:** 19 Senator(s) voting YES, 2 (McBride, McDowell) ABSENT. Appointment was declared CONFIRMED.

Senator(s) Bunting, Sokola marked present during the above roll call.

**Hubbard, Clifton H.:** 20 Senator(s) voting YES, 1 (McDowell) ABSENT.

Appointment was declared CONFIRMED.

**Maiorano, John M.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator(s) McDowell marked present during the above roll call.

**Moore, Suzanne C.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**SB 18** was brought before the Senate for consideration on motion of Senator McDowell.

**SB 18** – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION.

**SA 1 to SB 18** was brought before the Senate for consideration on motion of Senator McDowell.

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

YES: 20

ABSENT: Senator(s) Sharp - 1

**SA 1 to SB 18** was declared part of the bill.