

The Senate convened at 03:16 PM with Lt. Governor Carney 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: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, Peterson, Simpson, Sokola, Sorenson, Vaughn, Venables – 17

ABSENT: Senator(s) Copeland, McBride, McDowell, Still – 4

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

Senator Adams requested the privilege of the floor for Mark Tinsmen, representing the American Red Cross.

Senator(s) Adams and Connor questioned the witness, after the witness was excused.

Senator Adams requested the privilege of the floor for James Ford, Secretary of Public Safety and Daniel Cox, regarding Department of Safety.

Senator Henry questioned the witnesses, after which the witnesses were excused.

Senator Adams requested the privilege of the floor for Philip G. Cabaud, Jr., representing the Governor's office.

Senator(s) Henry, Marshall and Connor questioned the witness, after which the witness was excused.

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

The Senate reconvened at 04:55 PM with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 27**.

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

SB 111 – AN ACT TO AMEND CHAPTER 2, VOLUME 73, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE TOWN OF SELBYVILLE TO PROVIDE FOR ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF CIVIL ORDINANCES.

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

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

Senator Bunting moved to Lay **SB 111** on the Table. No objections.

SB 35 w/HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Simpson

SB 35 w/HA 1 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL WINDOW TINTING.

Roll call vote on **SB 35 w/HA 1** was taken and revealed:

YES: 17

ABSENT: Senator(s) Copeland, McBride, McDowell, Still – 4

SB 35 w/HA 1 was declared passed the Senate and sent to the House for Consideration.

Senator(s) Blevins, Bonini, Henry and Sokola marked present during the above roll call.

SENATE CONSENT CALENDAR #4 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

HCR 27 – REQUESTING THAT THE STATE EMPLOYEE BENEFITS COMMITTEE REVIEW GROUP SUPPLEMENTAL BENEFITS THAT ARE AVAILABLE TO STATE EMPLOYEES AND OFFICIALS AND TO PROVIDE RECOMMENDATIONS CONCERNING THOSE SUPPLEMENTAL BENEFITS.

Sponsor: Rep. Miro & Sen. Cook

HCR 28 – COMMENDING THE 2002 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA. Sponsor: Rep. Smith & Rep. B. Ennis; On behalf of all Representatives; Sen. Sorenson & Sen. DeLuca, On behalf of all Senators

A roll call vote was taken on **SENATE CONSENT CALENDAR #4** and revealed 17 Senators voting YES, 4 (Copeland, McBride, McDowell, Still) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House.

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

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

5/15/03

May 14, 2003

SB 112 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND QUALITY IN HIRING OF PERSONS WHO PROVIDE SERVICES IN HOSPITALS. Sponsor: Sen. Marshall; Oberle, Sen. Peterson; **Judiciary**.

May 15, 2003

SB 113 – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF FIDUCIARIES. Sponsor: Sen. DeLuca; Stone, Sens. Bunting, Sokola, Sorenson, Still; Reps. Carey, D. Ennis, Hocker, Houghton, Hudson, Keeley, Lavelle, Valihura; **Banking**.

SB 114 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE TO PROVIDE FOR GREATER DISCLOSURE IN DELAWARE ELECTION CAMPAIGNS. Sponsor: Sen. Adams; Oberle, Sens. Blevins, Bunting, Marshall & Sokola; Reps. Lee, Spence, B. Ennis, Gilligan, Hall-Long, & Van Sant; **Ethics**.

SB 115 – AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO SNOW REMOVAL IN CERTAIN NONMUNICIPAL RESIDENTIAL COMMUNITIES. Sponsor: Sen. Connor; Amick & Rep. Miro & Rep. Cathcart; Sens. Blevins, Cloutier, Henry, Sokola; Reps. Buckworth, Carey, Caulk, D. Ennis, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Lofink, Maier, Mulrooney, Oberle, Quillen, Reynolds, Ulbrich, Viola, Williams; **Highways & Transportation**.

SB 116 – AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO SPECIAL DAYS AND MONTHS. Sponsor: Sen. Connor; DiPinto, Rep. Hall-Long; Sens. Amick, Blevins, Cloutier, Copeland, Henry, Sokola, Sorenson; Reps. Caulk, Ewing, Fallon, George, Hocker, Houghton, Hudson, Maier, Miro, Quillen, Thornburg, Ulbrich, Van Sant, Viola; **Executive**.

SB 117 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. Sponsor: Sen. Simpson; Sens. Bunting, Henry; Reps. DiPinto, Schwartzkopf; **Executive**.

SB 118 – AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VEHICLE SALES ACTIVITIES CONDUCTED ON RIGHTS-OF-WAY. Sponsor: Sen. DeLuca; Miro, Sens. Bunting, Marshall, Peterson, Sokola, Vaughn, Amick, Still, Connor; Reps. Boulden, Ewing, George, Gilligan, Lavelle, Buckworth, Cathcart, B. Ennis, D. Ennis, Valihura; **Highways & Transportation**.

SB 119 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING AND SIMILAR FACILITIES. Sponsor: Sen. Marshall; Maier, Sen. Blevins; Health & Social Services.

HB 63 w/HA 1 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REFLECTIVE MATERIAL ON LARGE TRASH CONTAINERS LOCATED ON HIGHWAYS. Sponsor: Rep. Lavelle; Smith, Sen. Sokola & Sen. Sorenson; Reps. Gilligan, Hudson, Miro, Spence, Van Sant; Sens. Cloutier, Henry; **Highways & Transportation**.

HB 141 w/HA 1 – AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE CITY OF HARRINGTON, BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF THE CITY OF HARRINGTON, DELAWARE. Sponsor: Rep. Quillen; Bonini; **Community/County Affairs**.

HB 148 – AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: "AN ACT TO AMEND THE TOWN CHARTER OF BETHANY BEACH," TO AUTHORIZE THE TOWN

COUNCIL TO PROVIDE, BY ORDINANCE, FOR THE COUNTING OF ABSENTEE BALLOTS PRIOR TO THE CLOSING OF THE POLLS, PROVIDED THAT THE COUNT OF SUCH ABSENTEE BALLOTS BE KEPT SECRET UNTIL SUCH TIME THE POLLS ARE CLOSED. Sponsor: Rep. Hocker; Bunting; **Community/County Affairs**.

HS 1 TO HB 19 w/HA 1 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTION OFFICERS. Sponsor: Rep. Lavelle; **Insurance & Elections**.

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Additions to the agenda, committee and other legislative meetings were announced. The Secretary announced the agenda for June 3, 2003.

A communication from Senator Catherine Cloutier to the Secretary of the Senate, Bernard J. Brady was read into the record requesting her name be added as a co-sponsor of **SB 118**.

On motion of Senator DeLuca, the Senate recessed at 05:26 PM until June 3, 2003 at 02:00 PM.

The Senate reconvened at 02:29 PM on June 3, 2003 with Lt. Governor Carney presiding.

Senator(s) Still, Copeland, McBride and McDowell marked present.

LEGISLATIVE ADVISORY NO. #4, 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 NO. #4, dated May 28, 2003, the Governor signed the following legislation on the dates indicated:

SB #41 aab SA 2 (5/15/03) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsors: Sen. Sokola & Rep. Roy; Sens. Blevins, McBride & Bonini; Reps. Boulden, Houghton, Hudson, Miro, Quillen, Plant, Viola & Williams) (Volume 74, Chapter 29, Laws of Delaware.)

HB #98 aab HA 1 (5/15/03) – AN ACT TO AMEND CHAPTER 27, TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES. (Sponsors: Rep. Schwartzkopf & Sen. Bunting; Reps. Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, George, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lee, Mulrooney, Plant, Spence, Van Sant, Viola, Williams; Sen. Simpson) (Volume 74, Chapter 30, Laws of Delaware.)

HB #34 (5/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THREATS AGAINST PUBLIC OFFICIALS OR PUBLIC SERVANTS. (Sponsors: Rep. Thornburg & Sen. Cook) (Volume 74, Chapter 31, Laws of Delaware.)

HB #53 aab HA 1 (5/15/03) – AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN NEW CASTLE COUNTY TO THE AMERICAN LEGION POST 25 OF MIDDLETOWN. (Sponsors: Rep. Cathcart & Sen. Vaughn; Reps. Spence, Lofink, Oberle, Quillen, Reynolds, B. Ennis, Hall-Long; Sens. DeLuca, Bunting, McBride, Amick) (Volume 74, Chapter 32, Laws of Delaware.)

HB #100 (5/15/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EMERGENCY RELEASE NOTIFICATIONS. (Sponsors: Rep. B. Ennis & Rep. D. Ennis & Rep. DiPinto & Sen. Vaughn; Reps. Ewing, Houghton, Keeley, Mulrooney, Plant, Van Sant, Viola, Williams) (Volume 74, Chapter 33, Laws of Delaware.)

HB #112 aab SA 1 (5/15/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (Sponsors: Rep. Lee & Rep. George & Sen. Henry; Reps. Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Hudson, Lavelle, Lofink, Reynolds, Ulbrich, Van Sant, B. Ennis, Hall-Long, Keeley, Houghton, Viola; Sens. Still, Sorenson, Amick, Bunting, Cloutier, Connor, Simpson) (Volume 74, Chapter 34, Laws of Delaware.)

HJR #2 (5/15/03) – DIRECTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DEDICATE THE DELAWARE NATURAL RESOURCES VESSEL "FIRST STATE" IN HONOR OF CAPTAIN MAURICE "BUDDY" SIPPLE, JR. FOR HIS YEARS OF DEDICATED SERVICE TO THIS STATE AND HIS COMMUNITY. (Sponsors: Rep. B. Ennis & Sen. Vaughn, Reps. Buckworth, Caulk, Ewing, Hall-Long, Quillen, Spence, Stone, Thornburg, Wagner; Sens. Cook, Still)

HB #2 aab HA 1, HA 2 & HA 4 (5/27/03) – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS, MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS. (Sponsors: Rep. Stone & Rep. Valihura & Sen. Bunting & Sen. Venables; Reps. DiPinto, Reynolds, Schwartzkopf, Smith, Spence, Van Sant, Atkins, Hocker, Buckworth, Caulk; Sens. Amick, Connor, Simpson) (Volume 74, Chapter 35, Laws of Delaware.)

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The following committee reports were announced:

From Public Safety: **HB 75** – 3 Merits; **SB 98** – 3 Merits; **HB 138** – 3 Merits.

From Community/County Affairs: **HB 141** – 3 Merits; **HB 148** – 3 Merits.

From Finance: **SS 1 to SB 66** – 5 Merits.

From Health and Social Services: **SB 79** – 4 Merits; **SB 101** – 5 Merits; **SB 102** – 5 Merits.

Senator McDowell announced the death of former colleague, William M. Murphy, Jr. and asked for a moment of silence in his memory.

At 02:34 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 31st Legislative Day.

**31st LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 03, 2003**

The Senate convened at 02:34 PM with Lt. Governor Carney presiding.

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

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

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

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

Senator Simpson introduced Kirsten Winston, winner of National Essay Contest. Ms. Winston read her winning essay “What it means to be an American”.

Senator(s) Bonini and Connor commented, after which the witness was excused.

Senator Adams requested the privilege of the floor for Miss Delaware and the contestants.

Each contestant introduced herself, after which Miss Delaware 2002, Shoha Kirti Parekh presented her portrait to Senator Adams.

Senator(s) Connor and McDowell commented, after which the witnesses were excused.

SB 82 was brought before the Senate for consideration on the motion of Senator Still.

SB 82 – AN ACT TO AMEND AN ACT ENTITLED “AN ACT TO RE-INCORPORATE THE TOWN OF WYOMING” BEING 43 LAWS OF DELAWARE, CHAPTER 189, AS AMENDED.

SA 1 to SB 82 was brought before the Senate for consideration on the motion of Senator Still.

Roll call vote on **SA 1 to SB 82** was taken and revealed:

YES: 21

SA 1 to SB 82 was declared part of the bill.

Senator(s) Amick and Marshall marked present during the above roll call.

SB 82 w/SA 1 was now before the Senate.

Senator(s) McBride and Sokola commented.

Roll call vote on **SB 82 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) McBride – 1

SB 82 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 65 was brought before the Senate for consideration on the motion of Senator Adams.

SB 65 – AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING.

SA 1 to SB 65 was brought before the Senate for consideration on the motion of Senator Amick.

Senator Amick requested the privilege of the floor for LeeAnn Walling.

The witness was excused after addressing the Senate.

Senator Amick requested that **SA 1 to SB 65** be Stricken. No objection.

SA 2 to SB 65 was introduced and brought before the Senate for consideration on the motion of Senator Sorenson.

Roll call vote on **SA 2 to SB 65** was taken and revealed:

YES: 21

SA 2 to SB 65 was declared part of the bill.

SA 3 to SB 65 was introduced and brought before the Senate for consideration on the motion of Senator Adams.

Senator Sokola commented.

Senator Adams requested the privilege of the floor for Constance C. Holland.

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

Roll call vote on **SA 3 to SB 65** was taken and revealed:

YES: 20

NO: Senator(s) Sokola - 1

SA 3 to SB 65 was declared part of the bill.

SB 65 w/SA 2 & 3 was now before the Senate.

Senator Adams requested the privilege of the floor once again for Constance C. Holland.

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

Senator Venables commented.

Senator Still requested to be added as an additional co-sponsor.

Roll call vote on **SB 65 w/SA 2 & SA 3** was taken and revealed:

YES: 21

SB 65 w/SA 2 & SA 3 was declared passed the Senate as amended and sent to the House for Consideration.

Senator McDowell moved to recess for Party Caucus at 03:45 PM.

The Senate reconvened at 05:02 PM with Lt. Governor Carney presiding.

SB 63 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 63 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES.

Senator Simpson commented.

Senator Marshall requested the privilege of the floor for Ms. Carol Ellis.

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

Roll call vote on **SB 63** was taken and revealed:

YES: 11

NO: Senator(s) Bonini, Copeland, Simpson, Vaughn, Venables – 5

NOT VOTING: Senator(s) Amick, Bunting, Cloutier, Sorenson, Still – 5

SB 63 was declared passed the Senate and sent to the House for Consideration.

SB 64 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 64 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES.

Senator(s) Bonini and McDowell commented.

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

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

Senator Bunting commented.

Roll call vote on **SB 64** was taken and revealed:

YES: 16

NO: Senator(s) Bonini – 1

NOT VOTING: Senator(s) Bunting, Copeland, Simpson, Vaughn – 4

SB 64 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell announced that the Senate will reconvene at 03:30 PM on June 4, 2003.

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

Senator Still commented on the revisions of the Senate Rules.

Senator DeLuca commented.

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

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

6/3/03

May 15, 2003

SB 120 – AN ACT TO PROVIDE A HARDSHIP EXEMPTION TO THE AGRICULTURE LAND PRESERVATION ACT. Sponsor: Sen. Venables; Adams; **Agriculture**.

SB 121 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. Sponsor: Sen. Henry; Valihura, Sens. Blevins, Cook, DeLuca, McDowell, Peterson, Sokola, Amick, Cloutier, Sorenson & Still; Reps. Lee, Maier, Miro, Oberle, Smith, Wagner, George & Plant; **Administrative Services**.

June 03, 2003

SB 122 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION, COVERING AND LOADING OF VEHICLES TO PREVENT ESCAPE OF CONTENTS. Sponsor: Sen. Connor; Maier, Sens. Amick, Cloutier, Henry, Sokola, Sorenson; Reps. Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Hall-Long, Hocker, Houghton, Keeley, Reynolds, Valihura; **Executive**.

SB 123 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. DeLuca; Stone; **Banking**.

SB 124 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. DeLuca; Stone; **Banking**.

SB 125 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT COMMISSIONERS. Sponsor: Sen. Amick; George, Sens. Bonini, Cloutier, Connor, Cook, Henry, Peterson, Simpson, Sokola, Sorenson, Still; Reps. Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, Ewing, Hocker, Houghton, Hudson, Keeley, Valihura, Wagner; **Judiciary**.

SB 126 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. Sponsor: Sen. Vaughn; Wagner; **Judiciary**.

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

The Hon. Jack Bernard Jacobs
28 Beethoven Drive
Wilmington, DE 19807

To be appointed as Justice of the Supreme Court of the State of Delaware, to serve a term to expire 12 years from the date of swearing in.

The Hon. Chandlee Johnson Kuhn
104 Montchanin Road
Wilmington, DE 19807

To be appointed Chief Judge of the Family Court in the State of Delaware, to serve a term to expire 12 years from the date of swearing in.

Jennifer L. Mayo 911 North Manore Street Wilmington, DE 19801	To be appointed Commissioner of Family Court for New Castle County, to serve a term to expire 4 years from the date of swearing in.
The Hon. Harvey D. Leighty 48 Big Hat Lane Magnolia, DE 19962	To be reappointed Justice of the Peace in Kent County for a term to expire 6 years from the date of swearing in.
The Hon. John C. Martin 11 Wolf Pit Court Rehoboth Beach, DE 19971	To be reappointed Justice of the Peace for Sussex County to serve a term 6 years from the date swearing in.
James F. Jestice 14984 Laurel Road Laurel, DE 19956	To be reappointed a member of the Board of Parole for a term to expire 4 years from Senate confirmation.
George H. Williamson, III 38 Findail Drive Newark, DE 19711	To be reappointed a member of the Board of Parole for a term to expire 4 years from Senate confirmation.
Edmund S. Krzyzanowski 914 Marshall Street Wilmington, DE 19805	To be reappointed a member of the New Castle County Board of Elections to serve a term to expire 4 years from Senate confirmation.
David E. Burke 66 West Fairfield Drive Dover, DE 19901	To be reappointed a member of the Kent County Board of Elections to serve a term to expire 4 years from Senate confirmation.
Mary Jane E. Behrens 13 East Commerce Street Smyrna, DE 19977	To be reappointed a member of the Kent County Board of Elections to serve a term to expire 4 years from Senate confirmation.
Mable K. Glanden 6211 Mudmill Road Wyoming, DE 19934	To be reappointed a member of the Kent County Board of years from Senate confirmation. * * *

The Secretary announced the agenda for June 4, 2003.

On motion of Senator McDowell, the Senate recessed at 05:58 PM until June 4, 2003 at 03:30 PM.

The Senate reconvened at 03:37 PM on June 4, 2003, with Lt. Governor Carney presiding.

A communication from Senator David Sokola to Bernard J. Brady, Secretary of the Senate was into the record requesting Senator Copeland be added as an additional co-sponsor of **SB 103**.

A communication from Senator James Vaughn to Bernard J. Brady, Secretary of the Senate was into the record requesting Representatives Valihura, George and Plant be added as additional co-sponsors of **SB 126**.

A communication from Senator James Vaughn to Bernard J. Brady, Secretary of the Senate was into the record requesting Representatives Valihura, George and Plant be added as additional co-sponsors of **SB 127**.

A communication from Senator Harris B. McDowell to JoAnn Hedrick, Chief Clerk of the House was into the record requesting his name be added as additional co-sponsor of **HB 192**.

The Secretary announced a message from the House informing the Senate that it had passed **HB 160 w/HA 2; HB 164; HB 176; HB 123 w/HA 1 & 2; HB 170; HB 3 w/HA 1; SB 69**.

The following committee reports were announced:

From Finance: **HB 86** – 6 Merits; **HB 87** – 6 Merits.

From Insurance and Elections: **SB 94** – 4 Merits; **SB 95** – 4 Merits; **SJR 4** – 4 Merits.

From Education: **SB 103** – 4 Merits.

From Banking: **SB 113** – 3 Favorable, 2 Merits.

From Executive: **Honorable Jack B. Jacobs** – 5 Favorable; **Honorable Chandlee J. Kuhn** – 5 Favorable; **Jennifer L. Mayo** – 5 Merits.

At 03:45 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 32nd Legislative Day.

**32nd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 04, 2003**

The Senate convened at 03:45 PM with Lt. Governor Carney presiding.

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

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

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

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

Senator Peterson introduced her mother.

On motion of Senator Adams and without objection, the following nominations were Considered.

Jacobs, Jack: 19 Senator(s) voting YES, 2 (Bonini, Cloutier) ABSENT.

Appointment was declared CONFIRMED.

Senator(s) Amick, Blevins, Marshall, McBride, Simpson and Venables marked present during the above roll call.

Kuhn, Chandlee: 19 Senator(s) voting YES, 2 (Bonini, Cloutier) ABSENT.

Appointment was declared CONFIRMED.

Mayo, Jennifer: 19 Senator(s) voting YES, 2 (Bonini, Cloutier) ABSENT.

Appointment was declared CONFIRMED.

SB 100 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 100 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE.

Roll call vote on **SB 100** was taken and revealed:

YES: 18

ABSENT: Senator(s) Cloutier, Simpson, Venables – 3

SB 100 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini marked present during the above roll call.

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

SB 79 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AUTHORIZING THE DIVISION OF STATE SERVICE CENTERS TO ENGAGE IN FUNDRAISING ACTIVITIES.

SA 1 to SB 79 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 79** was taken and revealed:

YES: 19

ABSENT: Senator(s) Cloutier, Simpson – 2

SA 1 to SB 79 was declared part of the bill.

SB 79 w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Cynthia B. Lovell, representing Division of State Service Center.

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

Roll call vote on **SB 79 w/SA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

ABSENT: Senator(s) Cloutier – 1

SB 79 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 98 was brought before the Senate for consideration on the motion of Senator Henry.

SB 98 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO PARTICIPATION IN VIOLENT GANGS.

Senator(s) McBride and Bonini commented.

Senator Henry requested the privilege of the floor for Matthew Denn, representing the Governor's office.

The witness was excused after addressing the Senate.

Roll call vote on **SB 98** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

SB 98 was declared passed the Senate and sent to the House for Consideration.

HB 12 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 12 w/HA 1 – AN ACT TO AMEND CHAPTER 88, TITLE 11, DELAWARE CODE RELATING TO CREDITED SERVICE FOR THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN.

Roll call vote on **HB 12 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 12 w/HA 1 was declared passed the Senate and returned to the House.

HB 138 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 138 w/HA 1 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR FARMLAND PRESERVATION.

Roll call vote on **HB 138 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 138 w/HA 1 was declared passed the Senate and returned to the House.

HB 75 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 75 – AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

Senator Henry moved to Lay **HB 75** on the Table. No objection.

SB 94 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 94 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Roll call vote on **SB 94** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

SB 94 was declared passed the Senate and sent to the House for Consideration.

HB 86 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 86 – AN ACT TO AMEND TITLE 9, TITLE 10 AND TITLE 12 OF THE DELAWARE CODE RELATING TO KENT COUNTY GOVERNMENT; AND PROVIDING FOR THE COMPENSATION OF CERTAIN DEPUTIES.

Senator McDowell commented.

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

The witness was excused after addressing the Senate.

Roll call vote on **HB 86** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 86 was declared passed the Senate and returned to the House.

HB 87 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 87 – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE PAYMENT OF DISABILITY BENEFITS FOR POLICE OFFICERS COVERED IN THE STATE EMPLOYEES PENSION PLAN.

Senator Still commented.

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

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 87 was declared passed the Senate and returned to the House.

HB 65 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 65 w/HA 1 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIMS AND WITNESSES WITH COGNITIVE DISABILITIES.

Senator Vaughn requested the privilege of the floor for Pat Maichle, representing the Development Disabilities Council.

Senator(s) Simpson and Bonini questioned the witness, after which the witness was excused.

Senator Bonini requested the privilege of the floor for Francis Murphy, Senate Attorney.

The witness was excused after addressing the Senate.

Roll call vote on **HB 65 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 65 w/HA 1 was declared passed the Senate and returned to the House.

HB 66 w/HA 1 & HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 66 w/HA 1 & HA 2 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS.

SA 1 to HB 66 was brought before the Senate for consideration on the motion of Senator Blevins.

Senator Blevins requested the privilege of the floor for Nelson Lamb, representing himself.

The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Philip Young, representing himself.

The witness was excused after addressing the Senate.

Senator Blevins requested the privilege of the floor for Mary Wawter, representing herself.

The witness was excused after addressing the Senate.

Senator(s) Bonini and Venables commented.

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

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

Roll call vote on **SA 1 to HB 66** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

SA 1 to HB 66 was declared part of the bill.

HB 66 w/HA 1, HA 2 & SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor for Jean Lange, herself.

The witness was excused after addressing the Senate.

Roll call vote on **HB 66 w/HA 1, HA 2 & SA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

ABSENT: Senator(s) Cloutier – 1

HB 66 w/HA 1, HA 2 & SA 1 was declared passed the Senate and sent to the House for Reconsideration.

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

The Secretary announced the agenda for June 5, 2003.

On motion of Senator McDowell, the Senate recessed at 05:55 PM until June 5, 2003 at 02:15 PM.

The Senate reconvened at 02:56 PM on June 5, 2003, with Lt. Governor Carney presiding.

Senator Cloutier marked present.

Senator McDowell requested the privilege of the floor for Ann Bruener, representing the Special Olympics, accompanied by Special Olympics athletes, which are to compete in Dublin, Ireland.

Ms. Bruener along with the athletes were excused after addressing the Senate.

Senator Henry requested the privilege of the floor for Pastor Johnson and Pastor Morton.

The witnesses were excused after addressing the Senate.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 30; HCR 31**.

The following committee reports were announced:

From Executive: **Mary Jane E. Behrens** – 5 Merits; **Mable K. Glandon** – 5 Merits; **Edmund S. Krzyzanowski** – 5 Merits; **John C. Martin** – 4 Merits; **George H. Williamson** – 5 Merits; **David E. Burke** – 5 Merits; **James F. Justice** – 5 Merits; **Harvey D. Leighty** – 5 Merits.

At 03:10 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 33rd Legislative Day.

**33rd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 05, 2003**

The Senate convened at 03:10 PM with Lt. Governor Carney presiding.

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

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

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

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

SR 11 was introduced and brought before the Senate for consideration on motion of Senator Peterson.

SR 11 – HONORING SISTER M. GERALD FALKOWSKA, O.S.B., FOR HER MANY CONTRIBUTIONS TO LIFE IN THE FIRST STATE AS SHE PREPARES TO DEPART DELAWARE TO ASSUME THE OFFICE OF PRIORRESS OF ST. GERTRUDE'S MONASTERY. Sponsor: Sen. Peterson; Sens. McDowell, Henry & Marshall

Roll call vote on **SR 11** was taken and revealed:

YES: 21

SR 11 was declared Adopted.

Senator McBride marked present during the above roll call.

SB 55 was brought before the Senate for consideration on the motion of Senator Venables.

SB 55 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A CLONING PROHIBITION AND RESEARCH PROTECTION ACT.

SA 1 to SB 55 was brought before the Senate for consideration on the motion of Senator Venables.

Senator(s) Still and Amick commented.

Senator Venables requested the privilege of the floor for Tim Willard, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Venables requested that **SA 1 to SB 55** be Stricken. No objection.

Senator Venables requested the privilege of the floor for Dr. David Weir and Dr. Daniel Carson, representing the University of Delaware.

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

Senator Henry requested the privilege of the floor for Rev. John Grimm, representing the Catholic Diocese of Wilmington.

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

SA 2 to SB 55 was introduced and brought before the Senate for consideration on the motion of Senator Venables.

Roll call vote on **SA 2 to SB 55** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride – 1

SA 2 to SB 55 was declared part of the bill.

SB 55 w/SA 2 was now before the Senate.

Roll call vote on **SB 55 w/SA 2** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, McBride, Simpson – 3

NOT VOTING: Senator(s) Henry – 1

SB 55 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SS 1 to SB 66 was brought before the Senate for consideration on the motion of Senator Venables.

SS 1 to SB 66 – AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE ENABLING COUNTIES AND MUNICIPALITIES TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO THE IMPACTS OF DEVELOPMENT.

SA 1 to SS 1 to SB 66 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Marshall requested the privilege of the floor for Michael Parkowski.

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

Senator McBride commented.

Senator McDowell moved to Lay **SA 1 to SS 1 to SB 66** on the Table. No objection.

Senator Venables moved to Lay **SS 1 to SB 66** on the Table. No objection.

Senator Marshall requested **SA 1 to SB 112** be Stricken. No objection.

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:

SCR 14 – RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING 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; On behalf of all Senators & Rep. Maier, On behalf of all Representatives

HCR 30 – RECOMMENDING THAT THE MEDICAL SOCIETY OF DELAWARE AND THE BOARD OF MEDICAL PRACTICES URGE ALL DOCTORS IN THE STATE OF DELAWARE TO LEGIBLY PRINT OR TYPE ALL PRESCRIPTIONS. Sponsor: Rep. Ulbrich & Rep. Maier & Sen. Blevins & Sen. Henry & Sen. Sorenson

HCR 31 – SUPPORTING THE CONCEPT OF GREEN INFRASTRUCTURE AND RECOGNIZING THE NEED TO CONSIDER THE STRATEGIES AND RECOMMENDATIONS OF THE GREEN INFRASTRUCTURE SUBCOMMITTEE. Sponsor: Rep. Roy & Sen. Venables

A roll call vote was taken on **SENATE CONSENT CALENDAR #5** and revealed 19 Senators voting YES, 2 (McBride, Venables) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolution was sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

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

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

6/5/03

June 03, 2003

SA 1 to SB 115 – Sponsor: Sen. Connor; Placed with the Bill.

SA 1 to SB 43 – Sponsor: Sen. DeLuca; Placed with the Bill.

SA 1 to SB 79 – Sponsor: Sen. Blevins; Placed with the Bill.

SB 127 – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Sen. Vaughn; Wagner, Reps. George, Plant, Valihura; **Judiciary**.

June 04, 2003

SA 1 to SB 112 – Sponsor: Sen. Marshall; Placed with the Bill.

June 05, 2003

SA 1 to HB 113 – Sponsor: Sen. Blevins; Placed with the Bill.

SB 128 – AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. Sponsor: Sen. Vaughn; Wagner, Reps. Valihura, George, Plant; **Judiciary**.

SB 129 – AN ACT TO AMEND TITLES 11, 15, 16, 17 AND 29 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS AND DUTIES OF THE DELAWARE DEPARTMENT OF TECHNOLOGY AND INFORMATION. Sponsor: Sen. McBride; Roy; **Public Safety**.

SB 130 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES AND FEES. Sponsor: Sen. Henry; Ewing; **Public Safety**.

SB 131 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. Sponsor: Sen. Henry; Ewing; **Public Safety**.

SB 132 – 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; Maier, Sen. Blevins; **Health & Social Services**.

SB 133 – AN ACT AMENDING TITLE 16 OF THE DELAWARE CODE RELATING TO THE PROVISION OF QUALITY MEDICAL CARE IN DELAWARE HOSPITALS BY PLACING LIMITS ON WORKING HOURS FOR PHYSICIAN RESIDENTS AND POSTGRADUATE TRAINEES. Sponsor: Sen. Vaughn; Oberle, Sens. Blevins, Bonini, DeLuca, Henry & Cloutier; Reps. Cathcart, Keeley & Viola; **Judiciary**.

SB 134 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsor: Sen. Vaughn; Ewing; **Judiciary**.

SB 135 – AN ACT TO AMEND TITLE 26 RELATING TO THE PUBLIC SERVICE COMMISSION AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WATER UTILITIES FOR MUNICIPALITIES ANNEXING TERRITORY. Sponsor: Sen. Adams; Ewing; **Executive**.

SB 136 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SUBSTANCE ABUSE EVALUATION AND TREATMENT. Sponsor: Sen. Henry; George, Sens. Sokola, & Sorenson; Reps. Maier, Houghton & Viola; **Judiciary**.

SB 137 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEDICAL REVIEW BOARD RECORDS AND PUBLIC SCRUTINY OF MEDICAL NEGLIGENCE. Sponsor: Sen. Sokola; Cathcart, Sen. Blevins; Reps. Oberle, Keeley & Viola; **Health & Social Services**.

HB 3 w/HA 1 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Rep. Smith; Sokola, Reps. DiPinto, Maier; **Education**.

HB 123 w/HA 1, HA 2 – AN ACT TO AMEND CHAPTER 7, TITLE 14 OF THE DELAWARE CODE RELATING TO THE LAWFUL AUTHORITY OF TEACHERS AND ADMINISTRATORS OVER STUDENTS. Sponsor: Rep. Smith; Sokola, Sen. Henry; Rep. Ulbrich; **Education**.

HB 160 w/HA 2 – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PROHIBITION AGAINST SUNDAY HUNTING. Sponsor: Rep. Atkins & Sen. DeLuca & Sen. McDowell; Reps. Lee, Thornburg, Valihura; Sens. Simpson, Still, Bonini; **Executive**.

HB 164 – AN ACT TO AMEND CHAPTER 81 OF TITLE 10 OF THE DELAWARE CODE PERTAINING TO PERSONAL ACTIONS. Sponsor: Rep. Cathcart; Reps. Lee, Buckworth, Ewing, Fallon, Hocker, Hudson, Lavelle, Reynolds, Thornburg, Valihura, B. Ennis, Mulrooney, Plant; Sens. Cook, DeLuca, Marshall, Vaughn, Venables, Still, Amick, Bonini, Bunting, Cloutier, Copeland, Simpson; **Executive**.

HB 170 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES. Sponsor: Rep. George; Blevins, Reps. Buckworth, B. Ennis, Hall-Long, Lee, Mulrooney, Plant, Schwartzkopf, Spence, Valihura, Viola; Sen. Sokola; **Public Safety**.

HB 176 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. Sponsor: Rep. Fallon; Blevins & Sen. Sorenson; Reps. Spence, Smith, Carey, Caulk, Hocker, Maier, B. Ennis, Houghton, Plant, Williams; Sens. McBride, Peterson, Sokola, Amick; **Health & Social Services**.

SB 138 – AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. Sponsor: Sen. McBride; Ulbrich, Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Schwartzkopf, Valihura, Viola; **Executive**.

SB 139 – AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. Sponsor: Sen. McBride; Ulbrich, Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Schwartzkopf, Valihura, Viola; **Executive**.

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The Secretary announced the agenda for June 10, 2003.

On motion of Senator McDowell, the Senate recessed at 05:18 PM until June 10, 2003 at 02:00 PM.

The Senate reconvened at 02:48 PM on June 10, 2003, with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 178 w/HA 1 & HA 2; HB 172; HB 122 w/HA 1; HB 168 w/HA 1; HB 210; HB 190 w/HA 1; HB 118; HB 150 w/HA 1**.

LEGISLATIVE ADVISORY NO. #5, 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 NO. #5, dated June 5, 2003, the Governor signed the following legislation on the dates indicated:

SB #58 (5/27/03) – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF CHANCERY. (Sponsors: Sen. Adams & Rep. Smith; Sen. Vaughn & Rep. Wagner) (Volume 74, Chapter 36, Laws of Delaware.)

HB #109 (5/27/03) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE WITH RESPECT TO ENFORCEMENT OF ENVIRONMENTAL LAWS AND REGULATIONS. (Sponsors: Rep. Smith & Rep. Valihura & Sen. McBride; Reps. Mulrooney, Quillen, Reynolds, Viola; Sens. DeLuca, McDowell, Simpson & Sokola) (Volume 74, Chapter 37, Laws of Delaware.)

SB #93 aab SA 1 (6/2/03) – AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT, THE STATE ENERGY OFFICE, AND ELECTRIC UTILITY PUBLIC PURPOSE AND CONSUMER EDUCATION PROGRAMS. (Sponsors: Sen. McDowell & Sen. Henry & Rep. Williams; Sens. Adams, Amick, Blevins, DeLuca, Marshall; Reps. Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Fallon, George, Hocker, Hudson, Keeley, Lofink, Miro, Oberle, Plant, Reynolds, Roy, Spence, Stone, Ulbrich, Valihura, Wagner) (Volume 74, Chapter 38, Laws of Delaware.)

SB #35 aab HA 1 (6/4/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL WINDOW TINTING. (Sponsors: Sen. Simpson & Rep. Quillen; Sens. Amick, Cloutier, Henry, Still; Reps. Booth, Buckworth, Carey, DiPinto, B. Ennis, Ewing, Hall-Long, Hocker, Houghton, Lavelle, Lee, Lofink, Miro, Schwartzkopf) (Volume 74, Chapter 39, Laws of Delaware.)

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The following committee reports were announced:

From Insurance and Elections: **SB 107** – 4 Merits.

From Health and Social Services: **SB 119** – 4 Merits.

From Executive: **SB 135** – 4 Merits.

From Community/County Affairs: **HB 101** – 4 Merits; **HB 154** – 4 Merits.

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

SCR 17 – RECOGNIZING MEGHAN PASRICHA AS THE RECIPIENT OF THE INTERNATIONAL YOUTH ADVOCACY AWARD. Sponsor: Sen. Sorenson & Rep. Roy.

Senator Sorenson requested the privilege of the floor for Meghan Pasricha, representing International Youth Advocacy Award.

The witness was excused after addressing the Senate.

Senator(s) Connor and McBride commented.

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

YES: 20

ABSENT: Senator(s) Bonini – 1

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

At 02:58 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 34th Legislative Day.

**34th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 10, 2003**

The Senate convened at 02:58 PM with Lt. Governor Carney presiding.

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

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

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

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

SB 113 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 113 – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF FIDUCIARIES.

Several Senators questioned the sponsor.

Roll call vote on **SB 113** was taken and revealed:

YES: 21

SB 113 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini marked present during the above roll call.

SB 11 was brought before the Senate for consideration on the motion of Senator Connor.

SB 11 – AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CREDIT AND DEBIT CARD RECEIPTS.

Several Senators commented.

Senator DeLuca requested to be added as an additional co-sponsor.

Roll call vote on **SB 11** was taken and revealed:

YES: 21

SB 11 was declared passed the Senate and sent to the House for Consideration.

SB 102 was brought before the Senate for consideration on the motion of Senator McBride.

SB 102 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO CREATE A DELAWARE CANCER CONSORTIUM.

Senator McDowell commented.

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

SB 103 – AN ACT TO AMEND TITLE 14 OF DELAWARE CODE RELATING TO COMPULSORY SCHOOL ATTENDANCE AND HOMESCHOOLS, AND NON-PUBLIC SCHOOL ATTENDANCE AND ENROLLMENT REPORTING REQUIREMENTS.

Senator Sokola requested the privilege of the floor for William Manning, representing Delaware Home Education Association.

Senator(s) Adams and Bonini questioned the witness, after which the witness was excused.

Roll call vote on **SB 103** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

SB 103 was declared passed the Senate and sent to the House for Consideration.

HB 148 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 148 – AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: “AN ACT TO AMEND THE TOWN CHARTER OF BETHANY BEACH,” TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE, BY ORDINANCE, FOR THE COUNTING OF ABSENTEE BALLOTS PRIOR TO THE CLOSING OF THE POLLS, PROVIDED THAT THE COUNT OF SUCH ABSENTEE BALLOTS BE KEPT SECRET UNTIL SUCH TIME THE POLLS ARE CLOSED.

Senator(s) McBride and Bunting commented.

Roll call vote on **HB 148** was taken and revealed:

YES: 20

NO: Senator(s) McBride – 1

HB 148 was declared passed the Senate and returned to the House.

SB 95 was brought before the Senate for consideration on the motion of Senator Henry.

SB 95 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE.

Senator Still requested the privilege of the floor F. L. Peter Stone, representing the Insurance Department.

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

Senator Still requested the privilege of the floor for Mark Crutcher, representing Progressive Insurance.

Senator DeLuca questioned the witness.

Senator Copeland raised a point of order.

Senator(s) Henry and Simpson questioned the witness, after which the witness was excused.

Senator Venables commented.

Senator Bunting declares conflict of interest and would not be voting.

Senator Peterson commented.

Roll call vote on **SB 95** was taken and revealed:

YES: 10

NO: Senator(s) Amick, Cloutier, Connor, Copeland, Simpson, Sorenson, Still, Venables – 8

NOT VOTING: Senator(s) Adams, Bunting, Vaughn – 3

SB 95 was Defeated.

SJR 4 was brought before the Senate for consideration on the motion of Senator Henry.

SJR 4 – CREATING A TASK FORCE TO INVESTIGATE AND REPORT ON THE STATE OF HEALTH INSURANCE BENEFITS FOR THOSE WORKING IN THE CHILDCARE INDUSTRY IN DELAWARE AND THE STEPS OTHER STATES HAVE TAKEN TO ADDRESS THE PROVISION OF THOSE BENEFITS.

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

YES: 20

ABSENT: Senator(s) Cloutier – 1

SJR 4 was declared Adopted in the Senate and was sent to the House for Consideration.

HB 141 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 141 w/HA 1 – AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE CITY OF HARRINGTON, BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF THE CITY OF HARRINGTON, DELAWARE.

Roll call vote on **HB 141 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HB 141 w/HA 1 was declared passed the Senate and returned to the House.

SB 92 was brought before the Senate for consideration on the motion of Senator Copeland.

SB 92 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CRITICAL NEED SCHOLARSHIPS.

Roll call vote on **SB 92** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

SB 92 was declared passed the Senate and sent to the House for Consideration.

SB 68 was brought before the Senate for consideration on the motion of Senator Bonini.

SB 68 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL INCENTIVE PROGRAMS.

Several Senators commented.

Roll call vote on **SB 68** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

SB 68 was declared passed the Senate and sent to the House for Consideration.

Senator Venables moved to reconsider **SB 95**.

Senator Still objects.

Senator Bonini raised a point of order.

SB 95 was read in, after which Senator Henry moved to rescind the roll call.

Senator Henry then moved to Lay **SB 95** on the Table. No objection.

SCR 16 was introduced and brought before the Senate for consideration on the motion of Senator Henry.

SCR 16 – ACKNOWLEDGING THE NEED TO STRENGTHEN WOMEN OWNED BUSINESSES IN DELAWARE AND COMMENDING THE ORGANIZATIONS WHO ADVANCE THE INTERESTS OF WOMEN BUSINESS OWNERS. Sponsor: Sen. Henry & Rep. Keeley; Rep. Plant

Senator Vaughn commented.

Roll call vote on **SCR 16** was taken and revealed:

YES: 19

NO: Senator(s) Vaughn - 1

ABSENT: Senator(s) Cloutier – 1

SCR 16 was declared Adopted by the Senate and sent to the House for Consideration.

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

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
FIRST SESSION
READ TO THE SENATE RECORD
6/10/03**

June 5, 2003

SA 1 to SB 27 – Sponsor: Sen. Bunting; Placed with the Bill.

SB 140 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REPORTING REQUIREMENTS BY VENDORS. Sponsor: Sen. Peterson; Oberle, Sen. McDowell, & Rep. Roy; **Administrative Services**.

June 10, 2003

SA 1 to SB 105 – Sponsor: Sen. Blevins; Placed with the Bill.

SA 1 to SB 5 – Sponsor: Sen. Amick; Placed with the Bill.

SB 141 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF OTHER INDICATORS PRIOR TO MANDATORY SUMMER SCHOOL. Sponsor: Sen. Sokola; Reynolds; **Education**.

HB 118 – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE WATER SUPPLY SELF-SUFFICIENCY ACT OF 2003. Sponsor: Rep. Smith; Valihura, Sen. Henry, & Sen. Cloutier; Reps. DiPinto, B. Ennis, Gilligan, Hudson, Keeley, Lavelle, Mulrooney, Van Sant, Viola; Sens. Amick, Blevins, Copeland, DeLuca, Sorenson; **Natural Resources & Environmental Control**.

HB 122 w/HA 1 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ANNUAL LICENSE FEE FOR TRAVEL AGENCIES. Sponsor: Rep. Smith; Cloutier; **Finance**.

HB 150 w/HA 1 – AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. Sponsor: Rep. D. Ennis; Reps. Caulk, DiPinto, Hocker, Keeley, Quillen, B. Ennis, Hall-Long & Sens. Bunting, Sorenson, Connor, Simpson; **Natural Resources & Environmental Control**.

HB 168 w/HA 1 – AN ACT TO AMEND CHAPTER 25 OF TITLE 6 OF THE DELAWARE CODE TO PROVIDE A PRIVATE CAUSE OF ACTION AND ALLOW FOR ADDITIONAL FRAUD PROTECTIONS FOR SENIOR CITIZENS AND DISABLED PERSONS. Sponsor: Rep. Gilligan; Sokola, Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, Williams; Sens. Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sorenson, Still, Vaughn, Venables; **Judiciary**.

HB 172 – AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO SIGNAGE ON PARKING SPACES OR ZONES DESIGNATED FOR USE BY PERSONS WITH DISABILITIES. Sponsor: Rep. Hudson; Henry; **Community/County Affairs**.

HB 178 w/HA 1, HA 2 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Wagner; Cook; Reps. Lee, Atkins, Buckworth, Caulk, D. Ennis, Ewing, Quillen, Van Sant, B. Ennis, Houghton, Williams, Booth, Hocker, Thornburg, Valihura; Sens. Bonini, Bunting, Simpson, Still, Vaughn, Venables; **Judiciary**.

HB 190 w/HA 1 – AN ACT TO AMEND TITLES 10 AND 21 OF THE DELAWARE CODE RELATING TO VEHICULAR CRIMES. Sponsor: Rep. Smith; Thornburg, Sen. Cook; **Judiciary**.

HB 210 – AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Rep. Smith; Van Sant, Rep. Wagner & Rep. DiPinto, & Rep. B. Ennis & Sen. Vaughn & Sen. Sorenson; Reps. Spence, Lee, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Reynolds, Ulbrich, Valihura, George, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Williams; Sens. McDowell, Blevins, Henry, Marshall, Peterson, Sokola, Venables, Still, Simpson, Cloutier; **Judiciary**.

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

The Honorable Richard S. Cordrey P.O. Box 486 Millsboro, DE 19966	To be reappointed a member of the Board of Trustees of the University of Delaware for a term to expire May 28, 2009
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Dennis E. Klima 1210 Westview Terrace Dover, DE 19904	To be reappointed a member of the Board of Trustees of the University of Delaware for a term to expire May 28, 2009
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Lauren B. Brohawn 39 Country Hills Drive Newark, DE 19711	To be reappointed a member of the Board of Trustees of the University of Delaware for a term to expire May 28, 2004
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Sally Jo Verma 555 North State Street Dover, DE 19901	To be appointed a member of the Kent County Board of Elections to serve a term to expire 4 years from Senate confirmation.
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Sharon L. Brittingham 84 East Mill Pond Drive Selbyville, DE 19975	To be appointed a member of the Professional Standards Board for a term to expire 3 years from Senate confirmation.
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Heath B. Chasanov 110 Fieldbrook Drive Magnolia, DE 19962	To be appointed a member of the Professional Standards Board for a term to expire 3 years from Senate confirmation.
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Dr. Bruce Harter, Ph.D. 201 Glenwood Avenue Wilmington, DE 19803	To be appointed a member of the Professional Standards Board for a term to expire 3 years from Senate confirmation.
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The Secretary announced the agenda for June 11, 2003.

On motion of Senator McDowell, the Senate recessed at 05:15 PM until June 11, 2003 at 03:30 PM.

The reconvened at 03:57 PM on June 11, 2003, with Lt. Governor Carney presiding.

A communication from Senator Sokola to Bernard J. Brady, Secretary of the Senate was read in the record adding Senators Blevins, Peterson, Copeland, Still, Simpson; Representatives Ulbrich, Booth, Boulden, Buckworth, Oberle, George Mulrooney and Viola as co-sponsors of **SB 141**.

The following committee reports were announced:

From Administrative Services: **SS 1 to SB 51** – 1 Favorable, 2 Merits; **SB 121** – 3 Merits; **SB 140** – 3 Merits.

From Ethics: **SB 114** – 5 Merits.

From Agriculture: **SB 120** – 4 Merits.

From Banking: **SB 123** – 1 Favorable, 2 Merits; **SB 124** – 3 Merits.

From Judiciary: **SB 125** – 6 Merits; **SB 126** – 6 Merits; **SB 127** – 6 Merits; **SB 128** – 6 Merits; **SB 134** – 1 Favorable, 5 Merits; **HB 115** – 5 Merits; **HB 168** – 4 Merits; **HB 178** – 4 Merits; **HB 190** – 6 Merits; **HB 210** – 5 Merits.

From Community/County Affairs: **HB 61** – 6 Merits.

From Education: **HB 123** – 4 Merits; **HB 3** – 4 Merits; **SB 141** – 4 Merits.

From Public Safety: **SB 129** – 3 Merits; **SB 144** – 3 Merits; **SB 88** – 3 Merits; **HB 43** – 3 Merits; **HB 170** – 3 Merits; **SB 131** – 3 Merits; **SB 130** – 3 Merits.

From Children, Youth and their Families: **SB 96** – 5 Merits.

From Energy and Transit: **SB 145** – 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 189**; **HB 1 w/HA 1 & HA 2**; **HB 171**; **HB 173**; **SB 75**; **SB 57**.

At 04:03M on motion of Senator McDowell, the Senate adjourned to immediately convene the 34th Legislative Day.

**35th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 11, 2003**

The Senate convened at 04:03 PM with Lt. Governor Carney presiding.

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

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

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

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

Senator McDowell rose to comment on the deaths of Mr. Healy and Mayor Baker's son, after which he requested a moment of silence.

Senator McDowell moved to recess for Party Caucus at 04:08 PM.

The Senate reconvened at 04:55 PM with the Lt. Governor presiding.

SB 141 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Sokola.

SB 141 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF OTHER INDICATORS PRIOR TO MANDATORY SUMMER SCHOOL.

Senator(s) Still and Venables requested to be added as co-sponsors to the bill.

Senator(s) Bonini marked present.

Several Senators commented.

Roll call vote on **SB 141** was taken and revealed:

YES: 21

SB 141 was declared passed the Senate and sent to the House for Consideration.

SB 5 was brought before the Senate for consideration on the motion of Senator Amick.

SB 5 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

SA 1 to SB 5 was brought before the Senate for consideration on the motion of Senator Amick.

Senator McBride commented.

Roll call vote on **SA 1 to SB 5** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SA 1 to SB 5 was declared part of the bill.

SB 5 w/SA 1 was now before the Senate.

Senator McBride commented.

Roll call vote on **SB 5 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SB 5 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 107 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 107 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ELECTIONS.

SA 1 to SB 107 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 107** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SA 1 to SB 107 was declared part of the bill.

SB 107 w/SA 1 was now before the Senate.

Roll call vote on **SB 107 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SB 107 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 the motion of Senator Blevins.

SB 74 – AN ACT TO AMEND TITLES 14 AND 16 OF THE DELAWARE CODE RELATING TO CHILDHOOD LEAD POISONING.

Roll call vote on **SB 74** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SB 74 was declared passed the Senate and sent to the House for Consideration.

SB 105 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 105 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENTS WITH TRAUMATIC BRAIN INJURY.

SA 1 to SB 105 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 105** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SA 1 to SB 105 was declared part of the bill.

SB 105 w/ SA 1 was now before the Senate.

Roll call vote on **SB 105 w/SA 1** was taken and revealed:

YES: 21

SB 105 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

HB 61 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF WITNESSES.

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

YES: 21

HB 61 was declared passed the Senate and returned to the House.

SCR 20 was introduced and brought before the Senate for consideration on the motion of Senator Still.

SCR 20 – STABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO STUDY THE FUTURE OF DOVER AIR FORCE BASE INCLUDING THE IMPACT ON KENT COUNTY, STATE OF DELAWARE, THE IMPACT OF THE BRAC COMMISSION AND THE LONG TERM VIABILITY OF ITS MISSION AT DOVER AIR FORCE BASE. Sponsor: Sen. Still & Rep. Stone; Sen. Adams & Sen. Bunting & Sen. Cook & Sen. Vaughn & Rep. Buckworth & Rep. Caulk & Rep. B. Ennis & Rep. Quillen & Rep. Thornburg & Rep. Wagner & Sen. Bonini & Rep. Spence.

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

YES: 20

ABSENT: Senator(s) Marshall – 1

SCR 20 was declared Adopted by the Senate and sent to the House for Consideration.

SCR 19 was introduced and brought before the Senate for consideration on the motion of Senator Connor.

SCR 19 – URGING OUR CONGRESSIONAL DELEGATION TO INTERVENE ON BEHALF OF THE STATE OF DELAWARE TO OPPOSE THE PROPOSED CLOSING OF THE POST OFFICE AT HARES CORNER. Sponsor: Sen. Connor; On behalf of all Senators & Rep. George; Reps. Booth, Boulden, Buckworth, Carey, DiPinto, D. Ennis, Fallon, Gilligan, Hall-Long, Hudson, Lee, Maier, Mulrooney, Roy, Schwartzkopf, Smith, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner
Several Senators commented.

Roll call vote on **SCR 19** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall – 1

SCR 19 was declared Adopted by the Senate and sent to the House for Consideration.

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

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

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

6/11/03

June 10, 2003

SB 142 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND THE SIGNING OF DEATH CERTIFICATES. Sponsor: Sen. Marshall; Maier; **Health & Social Services**.

SB 143 – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE AND THE PAYMENT OF BENEFITS FROM THE DELAWARE PUBLIC EMPLOYEES' RETIREMENT SYSTEM. Sponsor: Sen. Cook; Maier, Sen. Vaughn; Reps. Oberle & DiPinto; **Finance**.

June 11, 2003

SA 2 to HB 67 – Sponsor: Sen. Peterson; Placed with the Bill.

SA 1 to SB 107 – Sponsor: Sen. Blevins; Placed with the Bill.

SB 144 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF UNREGISTERED VEHICLES. Sponsor: Sen. Henry; Keeley; **Public Safety**.

SB 145 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE STATE ENERGY OFFICE. Sponsor: Sen. McDowell; Roy; **Energy & Transit**.

SB 146 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. Sponsor: Sen. Sorenson; Maier, Sens. Connor, Copeland; Reps. Atkins, Boulden, D. Ennis, Fallon, George, Hall-Long, Hudson, Keeley, Mulrooney, Thornburg, Ulbrich; **Public Safety**.

SB 147 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MEDICAL COVERAGE AND PUBLIC WORKS CONTRACTS. Sponsor: Sen. DeLuca; Oberle, Sen. Marshall; Reps. Keeley, Viola; **Small Business**.

SB 148 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND CHARTER SCHOOLS. Sponsor: Sen. Vaughn; Wagner; **Education**.

SS 1 to SB 51 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DRAM SHOP LIABILITY. Sponsor: Sen. Peterson; Keeley, Sens. Henry & Sokola; Adopted in Lieu of Original; **Administrative Services**.

HB 1 w/HA 1, HA 2 – AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT. Sponsor: Rep. Oberle; Reynolds, Sen. Sokola & Sen. Marshall; Reps. Buckworth, DiPinto, D. Ennis, Fallon, Miro, Roy, Stone, George, Houghton, Hall-Long, Mulrooney, Viola, Spence; Sens. Amick, Blevins, Connor, Cook, Peterson, Cloutier, Simpson; **Education**.

HB 171 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT LOANS. Sponsor: Rep. Reynolds; Sokola, Reps. B. Ennis, Maier; Sens. Amick, Blevins, Connor, Henry, Simpson; **Education**.

HB 173 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS. Sponsor: Rep. Reynolds; Sokola, Rep. Maier; **Education**.

HB 189 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE
RELATING TO THE REGISTRATION OF DEATH. Sponsor: Rep. Maier; Blevins;
Health & Social Services.

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The Secretary announced the agenda for June 12, 2003.

On motion of Senator McDowell, the Senate recessed at 05:50 PM until June 12, 2003 at 02:00 PM.

The reconvened at 02:38 PM on June 12, 2003 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 34; SCR 14; SCR 17.**

The following committee reports were announced:

From Executive: **Honorable Richard Cordrey** – 5 Favorable; **Dennis Klima** – 5 Merits; **Lauren Brohawn** – 5 Merits; **SB 97** – 5 Merits.

From Sunset: **SB 86** – 3 Merits.

From Health and Social Services: **HB 113** – 4 Merits; **HB 176** – 4 Merits.

From Education: **HB 1** – 5 Merits.

At 02:43 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 36th Legislative Day.

36th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 12, 2003

The Senate convened at 02:43 PM with Lt. Governor Carney presiding.

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

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

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

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

On motion of Senator Adams and without objection, the following nominations were Considered.

Cordrey, Richard, Klima, Dennis, Brohawn, Lauren: 21 Senator(s) voting YES.

Appointment was declared CONFIRMED.

Senator(s) Amick and Marshall marked present during the above roll call.

SB 53 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 53 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT.

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

YES: 13

NO: Senator(s) Amick, Blevins, Connor, Cook, DeLuca, Sorenson – 6

NOT VOTING: Senator(s) Simpson, Still – 2

SB 53 was declared passed the Senate and sent to the House for Consideration.

SB 126 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 126 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Senator Vaughn requested the privilege of the floor for Mr. David McBride, representing DE Bar Association.

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

Roll call vote on **SB 126** was taken and revealed:

YES: 21

SB 126 was declared passed the Senate and sent to the House for Consideration.

SB 127 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 127 – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW.

Senator Vaughn requested the privilege of the floor for Mr. David McBride, representing DE Bar Association.

The witness was excused after addressing the Senate.

Roll call vote on **SB 127** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

SB 127 was declared passed the Senate and sent to the House for Consideration.

SB 128 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 128 – AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES.

Senator Vaughn requested the privilege of the floor for Mr. David McBride, representing DE Bar Association.

The witness was excused after addressing the Senate.

Roll call vote on **SB 128** was taken and revealed:

YES: 21

SB 128 was declared passed the Senate and sent to the House for Consideration.

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

SB 123 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

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

YES: 21

SB 123 was declared passed the Senate and sent to the House for Consideration.

SB 124 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 124 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

Senator Bonini commented.

Senator DeLuca requested the privilege of the floor for John Ciccarone, representing Delaware Bar Association.

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

Roll call vote on **SB 124** was taken and revealed:

YES: 18

NO: Senator(s) Simpson, Sokola, Venables – 3

SB 124 was declared passed the Senate and sent to the House for Consideration.

SB 134 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 134 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.

Senator Still commented.

Roll call vote on **SB 134** was taken and revealed:

YES: 21

SB 134 was declared passed the Senate and sent to the House for Consideration.

SB 88 was brought before the Senate for consideration on the motion of Senator Amick.

SB 88 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO COMPLY WITH TRAFFIC LIGHTS.

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

Roll call vote on **SB 88** was taken and revealed:

YES: 21

SB 88 was declared passed the Senate and sent to the House for Consideration.

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

SB 125 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT COMMISSIONERS.

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

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

YES: 21

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

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

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

YES: 21

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

SS 1 to SB 72 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Cook.

SS 1 to SB 72 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Senator Still commented.

Senator Cook requested the privilege of the floor for Howard G. Sholl, Jr., representing Department of Elections for New Castle County.

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

Roll call vote on **SS 1 to SB 72** was taken and revealed:

YES: 21

SS 1 to SB 72 was declared passed the Senate and sent to the House for Consideration.

HB 113 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 113 w/HA 1 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES.

SA 1 to HB 113 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to HB 113** was taken and revealed:

YES: 21

SA 1 to HB 113 was declared part of the bill.

HB 113 w/SA 1 was now before the Senate.

Senator Marshall commented.

Roll call vote on **HB 113 w/HA 1 & SA 1** was taken and revealed:

YES: 21

HB 113 w/HA 1 & SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 176 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 176 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.

Senator Sorenson commented.

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

YES: 19

NO: Senator(s) Marshall, McBride – 2

HB 176 was declared passed the Senate and returned to the House.

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

HB 1 w/HA 1 & HA 2 – AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT.

Senator Sokola requested the privilege of the floor for Mr. Howard Weinberg, representing Delaware State Education Association.

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

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

YES: 21

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

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

SB 131 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT.

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

YES: 21

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

SB 144 was brought before the Senate for consideration on the motion of Senator Henry.

SB 144 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF UNREGISTERED VEHICLES.

Roll call vote on **SB 144** was taken and revealed:

YES: 21

SB 144 was declared passed the Senate and sent to the House for Consideration.

HB 170 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 170 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES.

Senator Copeland commented.

Senator Henry requested the privilege of the floor for Representative George.

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

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

YES: 14

NO: Senator(s) Amick, Bonini, Simpson, Still, Venables – 5

NOT VOTING: Senator(s) Copeland – 1

ABSENT: Senator(s) McBride – 1

HB 170 was declared passed the Senate and returned to the House.

HB 238 was brought before the Senate for consideration under the suspension of the suspension of the necessary rules, on motion of the floor manager, Senator Cook.

HB 238 – AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE FEDERAL FISCAL RELIEF FUND. Sponsor: Rep. DiPinto & Sen. Cook; Reps. Spence, Smith, Lee, Hudson, Roy, Gilligan, Van Sant; Sens. Adams, McDowell, DeLuca, Vaughn, Venables, Still, Sorenson, Amick.

Roll call vote on **HB 238** was taken and revealed:

YES: 21

HB 238 was declared passed the Senate and returned to the House.

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

A communication to Bernard J. Brady, Secretary of the Senate from Senator Anthony DeLuca was read in the record requesting his name be added to **HB 1**, as a co-sponsor, while it was being reviewed in the Senate.

A communication to JoAnn M. Hedrick, Chief Clerk of the House from Bernard J. Brady, Secretary of the Senate was read in the record informing the House that Senator Anthony J. DeLuca requested to be added to **HB 1**, as a co-sponsor, while it was being reviewed in the Senate.

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

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

6/12/03

June 11, 2003

SA 1 to SB 111 – Sponsor: Sen. Bunting; Placed with the Bill.

SA 1 to SB 71 – Sponsor: Sen. Blevins; Placed with the Bill.

SA 1 to SB 135 – Sponsor: Sen. Adams; Placed with the Bill.

SB 149 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. Sponsor: Sen. McBride & Rep. Ulbrich; Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Schwartzkopf, Valihura, Viola; **Executive**.

SB 150 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION. Sponsor: Sen. Vaughn; Lee; **Judiciary**.

June 12, 2003

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

Marilyn P. Whittington 2605 North Franklin Street Wilmington, DE 19802	To be reappointed a member of the New Castle County Board of Elections for a term to expire 4 years from Senate confirmation.
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Dennis J. Savage 516 East 6 th Street Wilmington, DE 19801	To be reappointed a member of the State Board of Education for a term to expire 6 years from Senate confirmation.
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Marla L. Tocker, Esquire 1806 Gilpin Avenue Wilmington, DE 19806	To be appointed a member of the Public Integrity Commission to serve a term to expire 7 years from Senate confirmation.
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The Secretary announced the agenda for June 17, 2003.

On motion of Senator McDowell, the Senate recessed at 05:55 PM until June 17, 2003 at 02:00 PM.

The Senate reconvened at 02:23 PM on June 17, 2003, with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 66 w/HA 1, 2, 3 & SA 1; HB 175; HB 153 w/HA 1; HB 192 w/HA 1; HB 214; SB 40 w/SA 3 & HA 1; HB 159; HB 84; HJR 9; SB 26.**

LEGISLATIVE ADVISORY NO. #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 NO. #6, dated June 16, 2003, the Governor signed the following legislation on the dates indicated:

SB #57 (6/12/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF, AND ACCESS TO, EDUCATION RECORDS. (Sponsors: Sen. Sokola & Rep. Reynolds) (Volume 74, Chapter 40, Laws of Delaware.)

SB #69 (6/12/03) – AN ACT TO AMEND TITLE 21 DELAWARE CODE RELATING TO LICENSE PLATES. (Sponsors: Sen. Adams & Rep. Ewing; Sen. Simpson; Reps. Hudson & Ulbrich) (Volume 74, Chapter 41, Laws of Delaware.)

SB #75 (6/12/03) – AN ACT TO AMEND TITLE 15, CHAPTER 33 RELATING TO NOMINATIONS OF CANDIDATES. (Sponsors: Sen. Marshall & Rep. Smith; Sens. Adams, Cook, Still; Rep. Spence) (Volume 74, Chapter 42, Laws of Delaware.)

HB #12 aab HA 1 (6/12/03) – AN ACT TO AMEND CHAPTER 88, TITLE 11, DELAWARE CODE RELATING TO CREDITED SERVICE FOR THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Sponsors: Rep. Quillen & Rep. B. Ennis & Sen. Bonini) (Volume 74, Chapter 43, Laws of Delaware.)

HB #65 aab HA 1 (6/12/03)– AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VICTIMS AND WITNESSES WITH COGNITIVE DISABILITIES. (Sponsors: Rep. Maier & Sen. Blevins; Reps. Cathcart, Miro, Ulbrich; Sens. Sorenson, Vaughn) (Volume 74, Chapter 44, Laws of Delaware.)

HB #86 (6/12/03) – AN ACT TO AMEND TITLE 9, TITLE 10 AND TITLE 12 OF THE DELAWARE CODE RELATING TO KENT COUNTY GOVERNMENT; AND PROVIDING FOR THE COMPENSATION OF CERTAIN DEPUTIES. (Sponsors: Rep. Wagner & Sen. Vaughn; Reps. Buckworth, D. Ennis, Quillen, Stone, Thornburg) (Volume 74, Chapter 45, Laws of Delaware.)

HB #87 (6/12/03) – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO THE PAYMENT OF DISABILITY BENEFITS FOR POLICE OFFICERS COVERED IN THE STATE EMPLOYEES PENSION PLAN. (Sponsors:

Rep. Buckworth & Sen. DeLuca; Reps. Lee, Quillen, B. Ennis; Sen. Bonini) (Volume 74, Chapter 46, Laws of Delaware.)

HB #138 aab HA 1 (6/12/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR FARMLAND PRESERVATION. (Sponsors: Rep. Hall-Long & Sen. Vaughn; Reps. Atkins, Buckworth, Carey, Caulk, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hocker, Houghton, Hudson, Keeley, Lee, Lofink, Miro, Mulrooney, Schwartzkopf, Spence, Stone, Valihura, Viola, Williams; Sens. Blevins, Bonini) (Volume 74, Chapter 47, Laws of Delaware.)

HB #141 aab HA 1 (6/12/03) – AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE CITY OF HARRINGTON, BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF THE CITY OF HARRINGTON, DELAWARE. (Sponsors: Rep. Quillen & Sen. Bonini) (Volume 74, Chapter 48, Laws of Delaware.)

HB #238 (6/12/03) – AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE FEDERAL FISCAL RELIEF FUND. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Spence, Smith, Lee, Hudson, Roy, Gilligan, Van Sant; Sens. Adams, McDowell, DeLuca, Vaughn, Venables, Still, Sorenson, Amick) (Volume 74, Chapter 49, Laws of Delaware.)

* * *

The following committee reports were announced:

From Health and Social Services: **SB 132** – 5 Merits; **SB 142** – 5 Merits.

From Finance: **HB 110** – 6 Merits.

At 02:26 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 37th Legislative Day.

37th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 17, 2003

The Senate convened at 02:26 PM with Lt. Governor Carney presiding.

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

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

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

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

SB 84 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 84 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS AND NOTIFICATION OF RETURN REQUIREMENTS OF S CORPORATIONS.

Roll call vote on **SB 84** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, McBride – 2

SB 84 was declared passed the Senate and sent to the House for Consideration.

Senator Cloutier marked present during the above roll call.

HB 66 w/HA 1, HA 2 & SA 1 & HA 3, which was returned from the House with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Blevins.

HB 66 w/HA 1, HA 2 & SA 1 & HA 3 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS.

Senator(s) Still and McDowell commented.

Roll call vote on **HB 66 w/HA 1, HA 2 & SA 1 & HA 3** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

HB 66 w/HA 1, HA 2 & SA 1 & HA 3 was declared passed the Senate and returned to the House.

Senator McBride marked present during the above roll call.

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

SB 87 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COLLECTION OF TAXES AND ENFORCEMENT.

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

YES: 20

ABSENT: Senator(s) Bonini – 1

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

SB 108 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 108 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND LICENSE FEE REDUCTION.

Roll call vote on **SB 108** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 108 was declared passed the Senate and sent to the House for Consideration.

SB 85 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 85 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC DRINKING WATER SUPPLIERS.

Senator Blevins requested the privilege of the floor for Kevin Charles, representing the Department of Health and Social Services, Division of Public Health.

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

Roll call vote on **SB 85** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 85 was declared passed the Senate and sent to the House for Consideration.

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

SB 71 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE AND BENEFITS.

Senator(s) Still and Henry requested to be added as co-sponsors of the bill.

SA 1 to SB 71 was Stricken on motion of Senator Blevins.

SA 2 to SB 71 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 2 to SB 71** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SA 2 to SB 71 was declared part of the bill.

SB 71 w/SA 2 was now before the Senate.

Senator Blevins requested the privilege of the floor for Michael Rich, representing the Department of Insurance.

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

Roll call vote on **SB 71 w/SA 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 71 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

HB 168 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 168 w/HA 1 – AN ACT TO AMEND CHAPTER 25 OF TITLE 6 OF THE DELAWARE CODE TO PROVIDE A PRIVATE CAUSE OF ACTION AND ALLOW FOR ADDITIONAL FRAUD PROTECTIONS FOR SENIOR CITIZENS AND DISABLED PERSONS.

Roll call vote on **HB 168 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

HB 168 w/HA 1 was declared passed the Senate and returned to the House.

SB 130 was brought before the Senate for consideration on the motion of Senator Henry.

SB 130 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES AND FEES.

Senator Still requested his name be added as a co-sponsor to the bill.

Senator McDowell questioned the sponsor.

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

The witness was excused after addressing the Senate.

Senator Bunting commented.

Roll call vote on **SB 130** was taken and revealed:

YES: 18

NO: Senator(s) McDowell – 1

NOT VOTING: Senator(s) Blevins – 1

ABSENT: Senator(s) Bonini – 1

SB 130 was declared passed the Senate and sent to the House for Consideration.

SB 101 was brought before the Senate for consideration on the motion of Senator Peterson.

SB 101 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA.

Roll call vote on **SB 101** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 101 was declared passed the Senate and sent to the House for Consideration.

SB 114 was brought before the Senate for consideration on the motion of Senator Adams.

SB 114 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE TO PROVIDE FOR GREATER DISCLOSURE IN DELAWARE ELECTION CAMPAIGNS.

SA 1 to SB 114 was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to SB 114** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SA 1 to SB 114 was declared part of the bill.

SB 114 w/SA 1 was now before the Senate.

Senator Adams requested the privilege of the floor for Matt Denn, representing Governor's office.

The witness was excused after addressing the Senate.

Senator Amick commented, after which he read a communication into the record regarding **SB 114**. A copy of this communication is on file for this legislative day.

Several Senators commented.

Senator Adams requested the privilege of the floor once again for Matt Denn, representing Governor's office.

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

Several Senators commented.

Roll call vote on **SB 114 w/SA 1** was taken and revealed:

YES: 12

NO: Senator(s) Venables – 1

NOT VOTING: Senator(s) Amick, Cloutier, Connor, Copeland, Simpson, Sorenson, Still – 7

ABSENT: Senator(s) Bonini – 1

SB 114 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

SB 129 – AN ACT TO AMEND TITLES 11, 15, 16, 17 AND 29 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS AND DUTIES OF THE DELAWARE DEPARTMENT OF TECHNOLOGY AND INFORMATION.

Roll call vote on **SB 129** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 129 was declared passed the Senate and sent to the House for Consideration.

SB 97 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 97 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PRIVACY PROTECTION FOR STATE INTERNET USERS.

Roll call vote on **SB 97** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 97 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell moved to recess for Party Caucus at 04:27 PM.

The Senate reconvened at 05:12 PM with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 35**.

A withdraw of sponsorship from Senator Connor was read into the record requesting her name be removed as co-sponsor of **HB 224**.

A withdraw of sponsorship from Amick was read into the record requesting his name be removed as co-sponsor of **HB 224**.

A withdraw of sponsorship from Representative Thornburg was read into the record requesting her name be removed as co-sponsor of **SB 157**.

Senator Bunting requested that **SB 111** be Lifted from the Table and brought before the Senate for Consideration.

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

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

YES: 18

ABSENT: Senator(s) Bonini, Cook, Henry – 3

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

SB 111 w/SA 1 was now before the Senate.

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

YES: 18

ABSENT: Senator(s) Bonini, Cook, Henry – 3

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

SB 27 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 27 – AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN'S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY'S FEES, EXPANDING THE JURISDICTION OF THE TOWN POLICE AND ALDERMAN, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATION, IMPOSE IMPACT FEES AND TO COLLECT A "VOLUNTARY ASSESSMENT" FROM VIOLATORS IN LIEU OF REQUIRING A COURT APPEARANCE.

SA 1 to SB 27 was brought before the Senate for consideration on the motion of Senator Bunting.

Senator McBride commented.

Roll call vote on **SA 1 to SB 27** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SA 1 to SB 27 was declared part of the bill.

SB 27 w/SA 1 was now before the Senate.

Roll call vote on **SB 27 w/SA 1** was taken and revealed:

YES: 15

NO: Senator(s) McBride – 1

NOT VOTING: Senator(s) Blevins, DeLuca, McDowell, Peterson – 4

ABSENT: Senator(s) Bonini – 1

SB 27 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 121 was brought before the Senate for consideration on the motion of Senator Henry.

SB 121 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

Roll call vote on **SB 121** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SB 121 was declared passed the Senate and sent to the House for Consideration.

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

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

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

6/17/03

June 12, 2003

SA 1 to SB 116 – Sponsor: Sen. Connor; Placed with the Bill.

SA 1 to SB 91 – Sponsor: Sen. McBride; Placed with the Bill.

SA 2 to SB 71 – Sponsor: Sen. Blevins; Placed with the Bill.

SB 152 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. Sponsor: Sen. Cook; Ewing; **Judiciary.**

SB 153 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Sen. Blevins; Lee; **Insurance & Elections.**

SB 154 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT. Sponsor: Sen. Marshall; Lofink; **Small Business.**

SB 155 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO STOCK OF SUBSIDIARIES. Sponsor: Sen. Blevins; Stone; **Judiciary.**

SB 156 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS. Sponsor: Sen. Henry; D. Ennis; **Public Safety.**

June 17, 2003

SA 2 to SB 112 – Sponsor: Sen. Marshall; Placed with the Bill.

SB 157 – AN ACT TO AMEND CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION AND TO DEFINE PROSPECTIVE PURCHASER, TO CREATE LIABILITY PROTECTIONS FOR PROSPECTIVE PURCHASERS, INNOCENT LANDOWNERS, AND CONTIGUOUS PROPERTIES, AND CREATE A BROWNFIELDS REDEVELOPMENT DATABASE. Sponsor: Sen. McBride; Carey, Sen. Marshall & Rep. Quillen; Sens. Bunting, Venables, Connor & Simpson, Reps. Atkins, Booth, Caulk, Hocker, Thornburg, Hall-Long, Mulrooney & Plant; **Agriculture.**

SJR 5 – DIRECTING THE DELAWARE RIVER AND BAY AUTHORITY TO PREPARE A STUDY ON THE CONSTRUCTION OF A COMBINED BRIDGE/TUNNEL CROSSING TO TRAVERSE THE DELAWARE BAY. Sponsor: Sen. Bunting; Sens. Peterson, Sokola, Sorenson, Venables; Reps. Smith, Cathcart, Hudson, Keeley; **Executive.**

HB 84 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON JUVENILES. Sponsor: Rep.

Wagner; Schwartzkopf & Sen. Vaughn, Reps. Spence, Booth, Buckworth, DiPinto, Ewing, Maier, Miro, Ulbrich, Houghton, Mulrooney, Plant; **Judiciary**.

HB 153 w/HA 1 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. Sponsor: Rep. Buckworth; Spence, Reps. Hudson, Miro; Sens. Blevins, Sokola, Sorenson; **Finance**.

HB 159 – AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER. Sponsor: Rep. Keeley; DiPinto, Sen. Henry; **Community/County Affairs**.

HB 175 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DNA ANALYSIS AND DATA BANK. Sponsor: Rep. Maier; Blevins; **Health & Social Services**.

HB 192 w/HA 1 – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A COMMUNITY ENVIRONMENTAL FUND. Sponsor: Rep. Lavelle; Smith & Rep. D. Ennis & Rep. Valihura & Sen. McDowell & Sen. Henry & Sen. Cloutier; Reps. Booth, Buckworth, George, Hudson, Sens. Amick, Connor, Peterson, Simpson; **Natural Resources & Environmental Control**.

HB 214 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Rep. Quillen; Sokola; **Judiciary**.

HJR 9 – CREATING A TASK FORCE TO EXAMINE EARLY CHILDHOOD EDUCATION PROGRAMS IN DELAWARE AND TO DEVELOP A PLAN FOR IMPLEMENTATION OF UNIVERSAL PREKINDERGARTEN AND FULL-DAY KINDERGARTEN. Sponsor: Rep. George; Spence, Sen. Sorenson & Sen. Sokola; Reps. Booth, Buckworth, B. Ennis, Fallon, Gilligan, Hall-Long, Hocker, Houghton, Keeley, Mulrooney, Plant, Reynolds, Schwartzkopf, Van Sant, Viola; Sens. Copeland, McDowell, Simpson; **Education**.

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

Barbara Grogg
819 Birch Lane
Wilmington, DE 19809

To be reappointed a member
of the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Carol Vukelich
33 The Strand
New Castle, DE 19720

To be reappointed a member
of the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Karen Schilling Ross
28 North Booth Drive
New Castle, DE 19720

To be reappointed a member
of the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Geraldine Ann Magee Williams
18249 Shingle Point Road
Georgetown, DE 19947

To be appointed a member of
the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Carla Zlock Lawson
441 Great Geneva Drive
Dover, DE 19901

To be appointed a member of
the Professional Standards
Board for a term to expire
June 29, 2004.

Edward J. Czerwinski
125 Log Yard Lane
Townsend, DE 19734

To be appointed a member of
the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Karen Gordon
2520 Raven Road
Wilmington, DE 19810

To be appointed a member of
the Professional Standards
Board for term to expire 3
years from Senate
confirmation.

Leslie E. Holden
306 White House Beach
Long Neck, DE 19966

To be appointed a member of
the Professional Standards
Board for a term to expire 3
years from Senate
confirmation.

Richard M. Farmer, Jr.
402 Reading Lane
Middletown, DE 19709

To be appointed a member of
the State Board of Education
for a term to expire 6 years
from Senate confirmation.

William Daniel Seamans
405 Douglas D. Alley Drive
Newark, DE 19713

To be appointed Chairperson
of the Advisory Council on
Tidal Finfisheries for a term
to expire 5 years from Senate
confirmation.

George Donald Dryden
59 Sherwood Court
Dover, DE 19904

To be appointed a member of
the Unemployment Insurance
Appeals Board for a term to
expire May 1, 2009.

The Reverend H. Milton Cole
2306 Bayard Boulevard
Wilmington, DE 19802

To be appointed a member of
the Unemployment Insurance
Appeals Board for a term to
expire May 1, 2009.

* * *

The Secretary announced the agenda for June 18, 2003.

On motion of Senator McDowell the Senate recessed at 05:35 PM until June 18, 2003 at 02:30 PM.

The Senate reconvened at 03:39 PM on June 18, 2003, with Lt. Governor Carney presiding.

Senator Bonini marked present.

The Secretary announced a message from the House informing the Senate that it had passed **HB 126 w/HA 1 & 2; HB 38 w/HA 1; HB 167; HB 235; SB 7; HB 241; HB 268; HB 267; HB 197; HB 269; HB 270 w/HA 1 aab HA 1; SB 49; HB 238; SB 82 w/SA 1; HB 193; HB 194; HB 185; HB 200; HB 201; HB 202; HJR 10; SB 113; SB 67; HCR 33; HCR 32; SCR 19; SCR 16.**

The following committee reports were announced:

From Judiciary: **SB 150** – 4 Merits; **SB 160** – 4 Merits.

From Insurance and Elections: **SB 153** – 4 Merits.

From Education: **SB 158** – 4 Merits; **HB 171** – 4 Merits; **HB 173** – 4 Merits; **HJR 9** – 4 Merits.

At 03:40 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 38th Legislative Day.

**38th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 18, 2003**

The Senate convened at 03:40 PM with Lt. Governor Carney presiding.

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

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

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

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

HB 267 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 267 – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW.

Senator Sorenson requested her name be added as a co-sponsor to the bill.

Roll call vote on **HB 267** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Cloutier, Copeland, Simpson – 4

HB 267 was declared passed the Senate and returned to the House.

Senator Marshall marked present during the above roll call.

HB 268 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 268 – AN ACT TO AMEND TITLE 6, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS AND FEES CHARGED BY THE SECRETARY OF STATE, UNIFORM PARTNERSHIP ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED PARTNERSHIPS AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, TREATMENT OF DELAWARE STATUTORY TRUSTS AND FEES CHARGED BY THE SECRETARY OF STATE, AND THE SECRETARY OF STATE AND FEES CHARGED BY THE SECRETARY OF STATE.

Senator Sorenson requested her name be added as a co-sponsor to the bill.

Senator Bonini commented.

Roll call vote on **HB 268** was taken and revealed:

YES: 17

NO: Senator(s) Bonini, Cloutier, Copeland, Simpson – 4

HB 268 was declared passed the Senate and returned to the House.

HB 269 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 269 – AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.

Senator Simpson declares conflict of interest and would not be voting.

Several Senators commented.

Senator Sorenson requested her name be added as a co-sponsor to the bill.

Roll call vote on **HB 269** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

NOT VOTING: Senator(s) Simpson – 1

HB 269 was declared passed the Senate and returned to the House.

HB 270 w/HA 1 aab HA 1 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 270 w/HA 1 aab HA 1 – AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY AND COLLECTION OF TAX ON TOBACCO PRODUCTS.

Senator(s) Still and Bonini commented.

Senator Sorenson requested her name be added as a co-sponsor to the bill.

Senator(s) Bunting and Venables commented.

Roll call vote on **HB 270 w/HA 1 aab HA 1** was taken and revealed:

YES: 14

NO: Senator(s) Amick, Bonini, Cloutier, Copeland, Marshall, Peterson, Simpson – 7

HB 270 w/HA 1 aab HA 1 was declared passed the Senate and returned to the House.

SB 96 was brought before the Senate for consideration on the motion of Senator Henry.

SB 96 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE ADJUDICATION; DISPOSITION FOLLOWING ADJUDICATION; COMMITMENT TO CUSTODY OF DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES; EFFECT.

Senator Vaughn questioned the sponsor.

Senator Henry requested the privilege of the floor for Patricia (Trish) Hearn, representing Department of Services of Children, Youth and their Families.

The witness was excused after addressing the Senate.

Senator McBride commented.

Roll call vote on **SB 96** was taken and revealed:

YES: 18

NO: Senator(s) Bonini, McBride, Vaughn – 3

SB 96 was declared passed the Senate and sent to the House for Consideration.

HB 110 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 110 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE’S PENSION PLAN; AND PROVIDING A CREDITED SERVICE OPTION FOR TEACHERS FORMERLY EMPLOYED IN THE “JOBS FOR DELAWARE GRADUATES” PROGRAM.

Senator(s) McDowell and Still commented.

Roll call vote on **HB 110** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) McDowell – 1

HB 110 was declared passed the Senate and returned to the House.

The Lt. Governor introduced the participants of Girl’s State that were seated on the rostrum. State Treasurer, Secretary of State, Lt. Governor, Governor and State Auditor.

SB 119 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 119 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING AND SIMILAR FACILITIES.

Senator Marshall requested the privilege of the floor for Thomas Murray, representing DHSS/Div. of Long Term Care Resident Protection.

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

Several Senators commented.

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

Senator(s) Bonini and Still questioned the witness, after which the witness was excused.

Senator Marshall moved to Lay **SB 119** on the Table. No objection.

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

SB 153 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Roll call vote on **SB 153** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

SB 153 was declared passed the Senate and sent to the House for Consideration.

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

A communication from Bernard J. Brady, Secretary of the Senate to JoAnn M. Hedrick, Chief Clerk of the House was read in the record requesting Senator Connor be added as co-sponsor of **HJR 9**.

A communication to Bernard J. Brady, Secretary of the Senate from Senator Sorenson was read in the record requesting her name be added as co-sponsor of **HB 267, HB 268, HB 269 & HB 270**.

A communication from Bernard J. Brady, Secretary of the Senate to JoAnn M. Hedrick, Chief Clerk of the House was read in the record informing the House, while **HB 267, HB 268, HB 269 & HB 270** were considered in the Senate, Senator Sorenson requested her name be added to each.

The Secretary announced the agenda for June 19, 2003.

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

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

6/18/03

June 17, 2003

SB 151 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO POST-SECONDARY EDUCATIONAL COSTS SUPPORT. Sponsor: Sen. Sorenson; Hudson, Sens. Adams, Amick, Connor, Henry; Reps. Buckworth, Fallon, George, Gilligan, Hall-Long, Maier, Valihura; **Education**.

SB 158 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A FIREARM OR DEADLY WEAPON IN A SAFE SCHOOL AND RECREATION ZONE. Sponsor: Sen. Sokola; Reynolds; **Education**.

SB 159 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS COMPENSATION. Sponsor: Sen. Adams; Stone, Sens. Venables, Amick, Bonini, Copeland & Still; Reps. Boulden, Hocker & Hudson; **Executive**.

June 18, 2003

SB 160 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION. Sponsor: Sen. Vaughn; Still, Sens. Henry & Simpson; Reps. Carey, DiPinto, Maier, & Wagner; **Judiciary**.

HB 267 – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Rep. Gilligan; Van Sant & Rep. Spence & Rep. Smith, & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick; **LOT**.

HB 268 – AN ACT TO AMEND TITLE 6, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS AND FEES CHARGED BY THE SECRETARY OF STATE, UNIFORM PARTNERSHIP ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED PARTNERSHIPS AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, TREATMENT OF DELAWARE STATUTORY TRUSTS AND FEES CHARGED BY THE SECRETARY OF STATE, AND THE SECRETARY OF STATE AND FEES CHARGED BY THE SECRETARY OF STATE. Sponsor: Rep. Gilligan; Van Sant, Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick; **LOT**.

HB 269 – AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. Sponsor: Rep. Gilligan; Van Sant, Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick; **LOT**.

HB 270 w/HA 1, HA 1 to HA 1 – AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY AND COLLECTION OF TAX ON TOBACCO PRODUCTS. Sponsor: Rep. Gilligan; Van Sant, Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams, Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still; **LOT**.

SA 1 to SB 148 – Sponsor: Sen. Vaughn; Placed with the Bill.

SA 1 to SB 132 – Sponsor: Sen. Marshall; Placed with the Bill.

HB 38 w/HA 1 – AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO SCHOOL ELECTIONS. Sponsor: Rep. Miro; Maier, Rep. Ulbrich & Sen. Sokola; Reps. Atkins, Booth, Buckworth, Carey, DiPinto, D. Ennis, Ewing, Hocker, Hudson, Lavelle, Oberle, Valihura, Wagner; Sens. Sorenson, Amick, Connor; **Education.**

HB 126 w/HA 1, HA 2 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT GRADES AND TEACHER EVALUATIONS. Sponsor: Rep. Smith; Reps. Ewing, Gilligan, Hudson; **Education.**

HB 167 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EQUINE ACTIVITIES. Sponsor: Rep. Miro; DeLuca; **Judiciary.**

HB 185 – AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES. Sponsor: Rep. Ewing; **Public Safety.**

HB 193 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. Sponsor: Rep. Stone; DeLuca; **Judiciary.**

HB 194 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES AND POWERS OF APPOINTMENT. Sponsor: Rep. Stone; DeLuca; **Banking.**

HB 197 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC SERVICES. Sponsor: Rep. B. Ennis; Blevins; **Health & Social Services.**

HB 200 – AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. Sponsor: Rep. Wagner; Vaughn, Reps. George, Plant, Valihura; **Judiciary.**

HB 201 – AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. Sponsor: Rep. Wagner; Vaughn, Reps. George, Plant, Valihura; **Judiciary.**

HB 202 – AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO EXCULPATORY CLAUSES IN CERTAIN CONTRACTS. Sponsor: Rep. Wagner; Vaughn, Reps. George, Plant, Valihura; **Judiciary.**

HB 235 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL. Sponsor: Rep. Wagner; Williams, Rep. Plant & Sen. Henry; **Judiciary.**

HB 241 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. Sponsor: Rep. Roy; Cook; **Finance.**

HJR 10 – CREATING A TASK FORCE ON CHRONIC ILLNESS AND DISEASE MANAGEMENT AND PREVENTION IN THE PRIVATE AND PUBLIC SECTOR IN THE STATE OF DELAWARE. Sponsor: Rep. Hall-Long; Blevins, Reps. Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, George, Gilligan, Hocker, Houghton, Hudson, Keeley, Lofink, Maier, Mulrooney, Oberle, Plant, Reynolds, Schwartzkopf, Ulbrich, Van Sant, Viola, Williams; Sens. Amick, DeLuca, Henry, Peterson, Sokola, Sorenson, Vaughn; **Health & Social Services.**

SB 162 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NON-PUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS. Sponsor: Sen. Sokola; Reynolds, Sen. McBride & Rep. Spence; **Education.**

SB 163 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE PENSION ADVISORY COUNCIL PLAN. Sponsor: Sen. Marshall; Keeley, Rep. Oberle; **Finance.**

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On motion of Senator McDowell, the Senate recessed at 05:20 PM until June 19, 2003 at 02:00 PM.

The Senate reconvened at 02:54 PM on June 19, 2003 with Lt. Governor Carney presiding.

A communication from Senator Bunting to Bernard J. Brady, Secretary of the Senate was read into the record adding Representative Schwartzkopf as a co-sponsor of **SJR 5.**

The following committee reports were announced:

From Executive: **Rev. H. Millard Cole** – 6 Merits; **George D. Dryden** – 2 Favorable, 4 Merits; **Marla Tocker** – 5 Merits; **William D. Seamans** – 5 Merits; **Carla Lawson** – 5 Merits; **Karen Gordon** – 5 Merits; **Edward J. Czerwinski** – 5 Merits; **Heath Chasanov** – 5 Merits; **Leslie Holden** – 5 Merits; **Geraldine Williams** – 5 Merits; **Karen Ross** – 6 Merits; **Carol Vukelich** – 6 Merits; **Marilyn Whittington** – 6 Merits; **Dennis Savage** – 6 Merits; **Barbara Grogg** – 5 Merits; **Sally Jo Verma** – 6 Merits.

From Education: **SB 162** – 4 Merits.

From Natural Resources: **HB 118** – 3 Merits; **HB 150** – 3 Merits.

From Community County Affairs: **HB 159** – 3 Merits; **HB 172** – 3 Merits; **HB 183** – 3 Merits.

Health and Social Services: **HB 197** – 4 Merits; **HJR 10** – 4 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 258; HB 146 w/HA 1; HB 183; SB 100; SB 60 w/SA 1; HJR 11; HB 166 w/HA 1; SB 124; SB 128; SB 88; SB 127; SB 123; SB 126; SB 45; SB 48 w/SA 2.**

A withdraw of sponsorship from Representative Ulbrich was read into the record requesting her name be removed as co-sponsor of **SB 55**.

A communication to The Honorable John C. Carney, Jr., President, The Honorable Thurman Adams, Jr., President Pro Tempore and all members of the Delaware State Senate from Deborah A. Porter was read in the record regarding group picture of Senate members.

At 03:06 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 39th Legislative Day.

**39th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 19, 2003**

The Senate convened at 03:06 PM with Lt. Governor Carney 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: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables – 21.

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

SB 145 was brought before the Senate for consideration on the motion of Senator McDowell.

SB 145 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE STATE ENERGY OFFICE.

SA 1 to SB 145 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator Still commented.

Roll call vote on **SA 1 to SB 145** was taken and revealed:

YES: 21

SA 1 to SB 145 was declared part of the bill.

SB 145 w/SA 1 was now before the Senate.

Senator Sokola commented.

Roll call vote on **SB 145 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

SB 145 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

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

SB 140 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REPORTING REQUIREMENTS BY VENDORS.

SA 1 to SB 140 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 1 to SB 140** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables – 1

SA 1 to SB 140 was declared part of the bill.

SA 2 to SB 140 was brought before the Senate for consideration on the motion of Senator Peterson.

Roll call vote on **SA 2 to SB 140** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables – 1

SA 2 to SB 140 was declared part of the bill.

SB 140 w/SA 1 & 2 was now before the Senate.

Senator Peterson requested the privilege of the floor for Secretary Gloria Homer.

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

Roll call vote on **SB 140 w/SA 1 & 2** was taken and revealed:

YES: 11

NO: Senator(s) Adams, Bonini, Copeland, DeLuca, McBride, Simpson, Still, Vaughn, Venables – 9

ABSENT: Senator(s) Henry – 1

SB 140 w/SA 1 & 2 was declared passed the Senate as amended and sent to the House for Consideration.

SB 135 was brought before the Senate for consideration on the motion of Senator Adams.

SB 135 – AN ACT TO AMEND TITLE 26 RELATING TO THE PUBLIC SERVICE COMMISSION AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WATER UTILITIES FOR MUNICIPALITIES ANNEXING TERRITORY.

SA 1 to SB 135 was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to SB 135** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry – 1

SA 1 to SB 135 was declared part of the bill.

SB 135 w/SA 1 was now before the Senate.

Senator Adams requested the privilege of the floor for Joseph T. Conaway, representing the Town of Bridgeville.

The witness was excused after addressing the Senate.

Roll call vote on **SB 135 w/SA 1** was taken and revealed:

YES: 21

SB 135 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 104 was brought before the Senate for consideration on the motion of Senator Blevins.

SB 104 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO STALKING.

SA 1 to SB 104 was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 104** was taken and revealed:

YES: 21

SA 1 to SB 104 was declared part of the bill.

SB 104 w/SA 1 was now before the Senate.

Senator Blevins requested the privilege of the floor for Matt Denn, representing the Governor's office.

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

Senator Blevins moved to Lay **SB 104 w/SA 1** on the Table. No objection.

Senator Venables moved that **SB 120** be Stricken. No objection.

SB 119 was Lifted from the Table and brought before the Senate for consideration on the motion of Senator Marshall.

SA 1 to SB 119 was introduced and brought before the Senate for consideration on the motion of Senator Marshall.

Senator DeLuca commented.

Roll call vote on **SA 1 to SB 119** was taken and revealed:

YES: 21

SA 1 to SB 119 was declared part of the bill.

SB 119 w/SA 1 was now before the Senate.

Roll call vote on **SB 119 w/SA 1** was taken and revealed:

YES: 21

SB 119 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SS 1 to SB 51 was brought before the Senate for consideration on the motion of Senator Peterson.

SS 1 to SB 51 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DRAM SHOP LIABILITY.

Senator Connor commented.

Senator Peterson requested the privilege of the floor for John Cordrey, representing Alcoholic Beverage Control Commissioner.

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

Senator(s) Amick and Bonini commented.

Roll call vote on **SS 1 to SB 51** was taken and revealed:

YES: 11

NO: Senator(s) Adams, Bonini, Bunting, Cook, DeLuca, Simpson, Still, Vaughn, Venables – 9

NOT VOTING: Senator(s) McDowell – 1

SS 1 to SB 51 was declared passed the Senate and sent to the House for Consideration.

SCR 21 was introduced and brought before the Senate for consideration on the motion of Senator Simpson.

SCR 21 – HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2003 SESSION OF DELAWARE'S GIRLS' STATE. Sponsor: Sen. Simpson; On behalf of all Senators, Rep. Stone, On behalf of all Representatives.

Senator Bonini commented.

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

YES: 21

SCR 21 was declared Adopted by the Senate and sent to the House for Consideration.

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

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

SCR 15 – CELEBRATING THE LIFE AND ACCOMPLISHMENTS AND HONORING THE MEMORY OF THE REVEREND SHIRLEY BULAH STAMPS OF WILMINGTON, WHO PASSED AWAY ON WEDNESDAY, THE TWENTY-EIGHTH DAY OF MAY, 2003, AT THE AGE OF FIFTY-NINE YEARS. Sponsor: Sen. McDowell & Rep. Williams; Sen. Henry & Rep. Plant

HCR 32 – RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN CONSULTATION WITH THE SOURCE WATER PROTECTION CITIZEN AND TECHNICAL ADVISORY COMMITTEE DEVELOP A GUIDANCE MANUAL FOR DESIRABLE LAND USES WITHIN SOURCE WATER ASSESSMENT AREAS BY MARCH 30, 2004. Sponsor: Rep. Booth & Sen. Bunting; Rep. Schwartzkopf; Sen. Simpson

HCR 33 – CREATING A COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS FOR MOTORIZED TRAFFIC CONGESTION MITIGATION ALONG THE ROUTE ONE CORRIDOR IN SUSSEX COUNTY. Sponsor: Rep. Booth & Sen. Bunting; Rep. Smith, Atkins, Carey, Caulk, D. Ennis, Fallon, Hocker, Lavelle, Spence, Schwartzkopf; Sen. Bonini, Simpson

HCR 34 – CONGRATULATING THE CAESAR RODNEY RIDERS FOR WINNING THE 2003 STATE HIGH SCHOOL SOFTBALL CHAMPIONSHIP. Sponsor: Rep. Stone & Rep. Buckworth & Rep. Quillen & Thornburg; On behalf of all Representatives, Sen. Still & Sen. Bonini & Sen. Cook; On behalf of all Senators

HCR 35 – CELEBRATING THE TERCENTENARY OF THE CHRIST CHURCH OF DOVER. Sponsor: Rep. Stone & Sen. Still

Senator McDowell removed **HCR 32** and moved to Lay the Resolution on the Table.

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

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

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

6/19/03

June 18, 2003

SA 1 to SB 104 – Sponsor: Sen. Blevins; Placed with the Bill.

SA 1 to SB 140 – Sponsor: Sen. Peterson; Placed with the Bill.

SA 1 to SB 145 – Sponsor: Sen. McDowell; Placed with the Bill.

June 19, 2003

SB 164 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY REMOVING THE RESIDENCY REQUIREMENTS FOR ASSISTANTS TO THE ATTORNEY GENERAL OF THE STATE OF DELAWARE. Sponsor: Sen. Peterson; Amick, Sen. Henry; **Judiciary**.

SB 165 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNLAWFUL USE OF SOUND DEVICES. Sponsor: Sen. Still; **Judiciary**.

HB 146 w/HA 1 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. Sponsor: Rep. Hudson; Marshall; **Revenue & Taxation**.

HB 166 w/HA 1 – AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF CAMDEN”. Sponsor: Rep. Buckworth; Still; **Community/County Affairs**.

HB 212 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT. Sponsor: Rep. Maier; Blevins; **Children; Youth & Families**.

HB 258 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT. Sponsor: Rep. Quillen; **Judiciary**.

HJR 11 – DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE. Sponsor: Rep. Oberle; Cook, Reps. Spence, Lofink; **Finance**.

SA 2 to SB 132 – Sponsor: Sen. Still; Simpson; Placed with the Bill.

* * *

The Secretary announced the agenda for June 24, 2003.

On motion of Senator McDowell, the Senate recessed at 05:32 PM until June 24, 2003 at 02:00 PM.

The Senate reconvened at 02:55 PM on June 26, 2003, with Lt. Governor Carney.

A communication from Deborah Porter, Acting Directress to the Honorable John C. Carney, Jr., President, the Honorable Thurman Adams, Jr., President Pro Tempore and members of the Delaware State Senate was read in as a reminder for the Senate group picture scheduled for Wednesday, June 25, 2003 at 2:00 PM.

The Secretary announced a message from the House informing the Senate that it had passed **HB 136; HB 213; HB 218; HB 191; HB 277; HB 276; HB 263 w/HA 1 & 2; HB 49 w/HA 2; HB 187; HB 142 w/HA 1, 2 & 3; SCR 21**.

The following committee reports were announced:

From Executive: **SB 44** – 6 Merits.

From Highways and Transportation: **SB 118** – 4 Merits, 1 Unfavorable.

From Judiciary: **SB 152** – 4 Merits; **SB 155** – 4 Merits; **HB 84** – 4 Merits; **HB 193** – 4 Merits; **HB 200** – 4 Merits; **HB 201** – 4 Merits; **HB 202** – 4 Merits; **HB 214** – 4 Merits; **HB 258** – 4 Merits.

From Children, Youth & their Families: **SB 167** – 5 Merits; **HB 136** – 4 Merits; **HB 212** – 4 Merits.

From Finance: **HB 129** – 6 Merits; **HB 130**- 4 Merits; **HB 153** – 4 Merits; **HJR 11** – 5 Merits.

From Community/County Affairs: **HB 166** – 3 Merits.

From Energy and Transit: **SB 109** – 6 Merits; **SB 161** – 6 Merits.

From Public Safety: **SB 156** – 4 Merits.

At 03:03 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 40th Legislative Day.

40th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 24, 2003

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

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

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

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

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

Senator Bonini requests information on a funeral and the arrangements.

Senator DeLuca commented and requested a moment of silence in memory of the mother of our General Assembly colleague, Representative Michael Mulrooney who died tragically in a traffic accident.

On motion of Senator Adams and without objection, the following nominations were considered.

Dryden, George: 20 Senator(s) voting YES, 1 (Venables) ABSENT. Appointment was declared CONFIRMED.

Senator McBride marked present during the above roll call.

Cole, H.: 20 Senator(s) voting YES, 1 (Venables) ABSENT. Appointment was declared CONFIRMED.

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

SB 150 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION.

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

YES: 21

SB 150 was declared passed the Senate and sent to the House for Consideration.

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

SB 160 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION.

SA 1 to SB 160 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to SB 160** was taken and revealed:

YES: 21

SA 1 to SB 160 was declared part of the bill.

SB 60 w/SA 1 was now before the Senate.

Senator Marshall commented.

Roll call vote on **SB 160 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cook – 1

SB 160 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 197 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 197 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC SERVICES.

Senator Blevins requested the privilege of the floor for Dr. David Bailey, representing Office of EMS.

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

Roll call vote on **HB 197** was taken and revealed:

YES: 21

HB 197 was declared passed the Senate and returned to the House.

HJR 10 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HJR 10 – CREATING A TASK FORCE ON CHRONIC ILLNESS AND DISEASE MANAGEMENT AND PREVENTION IN THE PRIVATE AND PUBLIC SECTOR IN THE STATE OF DELAWARE.

Senator Connor requested her name be added as a co-sponsor of the Resolution.

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

YES: 21

HJR 10 was declared passed by the Senate and was returned to the House.

HJR 9 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HJR 9 – CREATING A TASK FORCE TO EXAMINE EARLY CHILDHOOD EDUCATION PROGRAMS IN DELAWARE AND TO DEVELOP A PLAN FOR IMPLEMENTATION OF UNIVERSAL PREKINDERGARTEN AND FULL-DAY KINDERGARTEN.

SA 1 to HJR 9 was brought before the Senate for consideration on the motion of Senator Sokola.

Senator(s) Bonini and McDowell commented.

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

YES: 21

SA 1 to HJR 9 was declared part of the bill.

HJR 9 w/SA 1 was now before the Senate.

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

YES: 21

HJR 9 w/SA 1 was declared passed by the Senate and was sent to the House for Reconsideration.

SB 158 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 158 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A FIREARM OR DEADLY WEAPON IN A SAFE SCHOOL AND RECREATION ZONE.

SA 1 to SB 158 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to SB 158** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SA 1 to SB 158 was declared part of the bill.

SB 158 w/SA 1 was now before the Senate.

Senator Still commented.

Senator Sokola moved to Lay **SB 158 w/SA 1** on the Table. No objection.

Senator McDowell moved to recess for Party Caucus at 03:48 PM.

The Senate reconvened at 04:49 PM, with Lt. Governor Carney presiding.

Senator Sokola requested that **SB 158 w/SA 1** be Lifted from the Table and brought before the Senate for Consideration.

Senator Sokola requested the privilege of the floor for Francis Murphy, Senate Attorney.

Senator(s) Still and Copeland questioned the witness, after which the witness was excused.

Roll call vote on **SB 158 w/SA 1** was taken and revealed:

YES: 21

SB 158 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 159 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 159 – AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER.

Senator McDowell commented.

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

YES: 21

HB 159 was declared passed the Senate and returned to the House.

HB 43 was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 43 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT.

SA 1 to HB 43 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to HB 43** was taken and revealed:

YES: 20

NO: Senator(s) Vaughn – 1

SA 1 to HB 43 was declared part of the bill.

HB 43 w/SA 1 was now before the Senate.

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

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

Senator Henry requested the privilege of the floor for Major Baylor, Delaware State Police.

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

Senator Henry requested the privilege of the floor for Virginia Corrigan, R.N., representing Christiana Care Trauma Program.

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

Several Senators commented.

Roll call vote on **HB 43 w/SA 1** was taken and revealed:

YES: 12

NO: Senator(s) Adams, Bonini, Bunting, Cook, Still, Vaughn, Venables – 7

NOT VOTING: Senator(s) Copeland, DeLuca – 2

HB 43 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

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

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

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

6/24/03

June 19, 2003

SB 109 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE COST OF OCCUPATIONAL LICENSES AND FEES. Sponsor: Sen. McDowell; Sen. Bunting; Reps. Buckworth, D. Ennis, George, Hall-Long, Hudson, Keeley, Lavelle, Mulrooney, Plant, Roy, Valihura; **Energy & Transit**.

SB 161 – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS. Sponsor: Sen. McDowell; Reps. Buckworth, D. Ennis, Keeley, Mulrooney, Plant, Roy, Valihura, Williams; **Energy & Transit**.

SB 166 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PERSONAL INJURY PROTECTION DEDUCTIBLES. Sponsor: Sen. Vaughn; Oberle, Sens. Henry, & Peterson; Reps. Van Sant & Viola; **Judiciary**.

SB 167 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY RELATING TO DELAWARE STATE UNIVERSITY. Sponsor: Sen. McDowell; Wagner, Sens. Henry & Still; Reps. Ewing, Fallon, Lee, Lofink, Stone, Hall-Long, Mulrooney, Schwartzkopf, Van Sant, Viola & Williams; **Children; Youth & Families**.

SA 1 to HB 241 – Sponsor: Sen. Cook; Placed with the Bill.

SA 1 to HJR 9 – Sponsor: Sen. Sokola; Placed with the Bill.

SA 1 to SB 133 – Sponsor: Sen. Vaughn; Placed with the Bill.
SA 1 to SB 158 – Sponsor: Sen. Sokola; Placed with the Bill.
SA 1 to SB 160 – Sponsor: Sen. Vaughn; Placed with the Bill.
SA 2 to SS 1 to SB 66 – Sponsor: Sen. DeLuca; Placed with the Bill.

June 24, 2003

HB 49 w/HA 2 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SIZE AND WEIGHT OF VEHICLES AND LOADS. Sponsor: Rep. B. Ennis; Vaughn, Reps. Carey, Caulk, D. Ennis, Hall-Long, Houghton, Keeley, Mulrooney, Van Sant; **Judiciary**.

HB 142 w/HA 1, HA 2, HA 3 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES. Sponsor: Rep. Cathcart; Reps. Spence, Buckworth, Carey, Caulk, Ewing, Fallon, Hocker, Hudson, Valihura, D. Ennis, Houghton; Sen. Still, Amick; **Highways & Transportation**.

HB 187 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD SCHOOLS ACT OF 2000. Sponsor: Rep. Gilligan; Smith, Rep. Roy & Rep. Van Sant; Reps. DiPinto, Hudson; Sens. Amick, Sorenson; **Education**.

HB 191 – AN ACT TO REINCORPORATE THE TOWN OF SMYRNA. Sponsor: Rep. B. Ennis; Vaughn, Sen. Cook; Reps. Hall-Long, Thornburg; **Community/County Affairs**.

HB 213 – AN ACT TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF THE CITY OF WILMINGTON, PURSUANT TO 22 DEL. C., SECTION 811, RELATING TO THE ADMINISTRATIVE ASSISTANT TO THE MAYOR. Sponsor: Rep. DiPinto; Henry, Reps. Smith, D. Ennis, Williams, George, Keeley, Plant; Sens. McDowell, Blevins, Marshall, Peterson, Sorenson, Cloutier, Connor, Copeland; **Community/County Affairs**.

HB 218 – AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES. Sponsor: Rep. Atkins; Bunting, Reps. Lee, Buckworth, Carey, Cathcart, Caulk, DiPinto, Fallon, Hudson, Lofink, Miro, Oberle, Quillen, Reynolds, Stone, Wagner; **Executive**.

HB 263 w/HA 1, HA 2 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR PUBLIC ASSISTANCE. Sponsor: Rep. Plant; Reps. George, Gilligan, Hall-Long, Keeley, Williams; **Judiciary**.

HB 276 – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ACCOUNTING AND DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS AND TO TRUSTS. Sponsor: Rep. Wagner; Vaughn; **Judiciary**.

HB 277 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT AND ADOPTION IN THE STATE OF DELAWARE. Sponsor: Rep. Wagner; Henry; **Judiciary**.

SA 3 to SS 1 to SB 66 – Sponsor: Sen. Simpson; Placed with the Bill.

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

James A. Sterling, III
210 South Avon Drive
Claymont, DE 19703-1409

To be appointed a member of
the New Castle County Board
of the Elections to serve a term to
expire 4 years from Senate
confirmation.

Ross E. Austin
205 Wilshire Lane
Newark, DE 19711

To be reappointed a member
of the New Castle County
Board of Elections to serve a
term to expire 4 years from
Senate confirmation.

Kathryn J. Way
4 Caroline Court
Caravel Farms
Bear, DE 19701

To be appointed a member of
the Environmental Appeals
Board to serve a term to
expire 3 years from Senate
confirmation.

J. Edwin James
103 Elliott Drive
Bridgeville, DE 19933

To be appointed a member of
the Delaware Alcoholic
Beverage Control Appeals
Commission to serve at the
pleasure of the Governor.

George P. Staats
1570 VanDyke Greenspring Road
Smyrna, DE 19977

To be appointed a member of
the Delaware Harness Racing
Commission for a term to
expire April 22, 2007

* * *

The Secretary announced the agenda for June 25, 2003.

On motion of Senator McDowell, the Senate recessed at 05:50 PM until June 25, 2003, at 02:30 PM.

The Senate reconvened at 02:50 on June 25, 2003, with Lt. Governor Carney presiding.

A communication from the Chief Clerk, JoAnn M. Hedrick to Bernard J. Brady, Secretary of the Senate was read in advising the Senate the Representative George signed **SB 38** as an additional co-sponsor.

A communication from Senator Peterson to Bernard J. Brady, Secretary of the Senate was read in for the purpose of the legislative record, please add the following Representatives to **SB 164**: Reps. D. Ennis, Fallon, George, Hall-Long, Plant and Van Sant.

The Secretary announced a message from the House informing the Senate that it had passed **HB 262 w/HA 1; HB 163 w/HA 1; HB 252; HB 257; HB 251; SB 38; SB 85; SB 103; SB 102; SB 74; SB 68; HB 225 w/HA 1; HB 208 w/HA 1; HB 143 w/HA 1.**

The following committee reports were announced:

From Executive: **SB 116** – 5 Merits.

From Finance: **SB 143** – 4 Merits; **HB 241** – 6 Merits.

From Agriculture: **SB 157** – 5 Merits; **HB 225** – 4 Favorable.

From Energy & Transit: **SB 168** – 6 Merits.

From Children, Youth & Families: **SB 172** – 5 Merits.

From Insurance & Elections: **HS 1 to HB 19** – 4 Merits.

From Education: **HB 38** – 3 Merits; **HB 126** – 3 Unfavorable

At 02:57 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 41st Legislative Day.

**41st LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 25, 2003**

The Senate convened at 02:57 PM with Lt. Governor Carney presiding.

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

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

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

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

HB 101 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 101 w/HA 1 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY.

Roll call vote on **HB 101 w/HA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

HB 101 w/HA 1 was declared passed the Senate and returned to the House.

SB 43 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 43 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE, RELATING TO APPLICATIONS FOR RE-ZONING, VARIANCES, AND SUBDIVISION APPROVAL.

SA 1 to SB 43 was brought before the Senate for consideration on the motion of Senator DeLuca.

Senator DeLuca moved to Lay **SA 1 to SB 43** on the Table. No objection.

Senator DeLuca moved to Lay **SB 43** on the Table. No objection.

SB 118 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 118 – AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VEHICLE SALES ACTIVITIES CONDUCTED ON RIGHTS-OF-WAY.

Several Senators commented.

Roll call vote on **SB 118** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

ABSENT: Senator(s) Venables – 1

SB 118 was declared passed the Senate and sent to the House for Consideration.

SB 162 was brought before the Senate for consideration on the motion of Senator Sokola.

SB 162 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NON-PUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS.

Senator Bonini commented.

Roll call vote on **SB 162** was taken and revealed:

YES: 21

SB 162 was declared passed the Senate and sent to the House for Consideration.

HB 190 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 190 w/HA 1 – AN ACT TO AMEND TITLES 10 AND 21 OF THE DELAWARE CODE RELATING TO VEHICULAR CRIMES.

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

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

Senator Cook requested the privilege of the floor for Abigail Reichardt, representing herself on behalf of Warren Pritchett.

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

Roll call vote on **HB 190 w/HA 1** was taken and revealed:

YES: 14

NO: Senator(s) Amick, Bonini, Venables – 3

NOT VOTING: Senator(s) Copeland, McDowell, Simpson, Still – 4

HB 190 w/HA 1 was declared passed the Senate and returned to the House.

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

HJR 6 – RECOMMENDING THE MULTI-PURPOSE CRIMINAL JUSTICE FACILITY HENCEFORTH BE KNOWN AS THE HOWARD R. YOUNG CORRECTIONAL INSTITUTION.

Senator Henry commented.

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

YES: 21

HJR 6 was declared passed the Senate and was returned to the House.

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

SB 142 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND THE SIGNING OF DEATH CERTIFICATES.

Senator Simpson commented.

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

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

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

YES: 19

ABSENT: Senator(s) Bunting, Venables – 2

SB 142 was declared passed the Senate and sent to the House for Consideration.

SB 132 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 132 – 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.

SA 1 to SB 132 was brought before the Senate for consideration on the motion of Senator Marshall.

Senator Still commented.

Senator Still requested the privilege of the floor for Irene Waldron, representing Delaware Health Care Facilities Association.

The witness was excused after address the Senate.

Roll call vote on **SA 1 to SB 132** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick – 1

SA 1 to SB 132 was declared part of the bill.

SA 2 to SB 132 was brought before the Senate for consideration on the motion of Senator Still.

Senator Still requested the privilege of the floor for Irene Waldron, representing Delaware Health Care Facilities Association.

Senator(s) Peterson and Marshall questioned the witness, after which the witness was excused.

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

Senator Bonini raised a point of order.

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

Roll call vote on **SA 2 to SB 132** was taken and revealed:

YES: 15

NO: Senator(s) Marshall, McBride, McDowell – 3

ABSENT: Senator(s) Blevins, Bunting, DeLuca – 3

SA 2 to SB 132 was declared part of the bill.

SB 132 w/SA 1 & 2 was now before the Senate.

Roll call vote on **SB 132 w/SA 1 & 2** was taken and revealed:

YES: 21

SB 132 w/SA 1 & 2 was declared passed the Senate as amended and sent to the House for Consideration.

HB 194 was brought before the Senate for consideration on the motion of the floor manager, Senator DeLuca.

HB 194 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES AND POWERS OF APPOINTMENT.

Roll call vote on **HB 194** was taken and revealed:

YES: 21

HB 194 was declared passed the Senate and returned to the House.

HB 193 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 193 – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS.

Roll call vote on **HB 193** was taken and revealed:

YES: 21

HB 193 was declared passed the Senate and returned to the House.

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

SB 156 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS.

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

Senator Sorenson commented.

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

YES: 21

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

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

Senator(s) McBride and Vaughn commented.

Senator Henry requested the privilege of the floor for Arthur Ericson, representing Division of Motor Vehicle.

The witness was excused after addressing the Senate.

Senator(s) Bonini and Copeland commented.

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

YES: 20

NO: Senator(s) Bonini – 1

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

SB 143 was brought before the Senate for consideration on the motion of Senator Cook.

SB 143 – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE AND THE PAYMENT OF BENEFITS FROM THE DELAWARE PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Senator McBride commented.

Roll call vote on **SB 143** was taken and revealed:

YES: 21

SB 143 was declared passed the Senate and sent to the House for Consideration.

HB 136 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 136 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION.

SA 1 to HB 136 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 1 to HB 136** was taken and revealed:

YES: 21

SA 1 to HB 136 was declared part of the bill.

HB 136 w/SA 1 was now before the Senate.

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

Roll call vote on **HB 136 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting – 1

HB 136 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 212 was brought before the Senate for consideration on the motion of the floor manager, Senator McDowell.

HB 212 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT.

Roll call vote on **HB 212** was taken and revealed:

YES: 21

HB 212 was declared passed the Senate and returned to the House.

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

SB 167 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY RELATING TO DELAWARE STATE UNIVERSITY.

SA 1 to SB 167 was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 1 to SB 167** was taken and revealed:

YES: 21

SA 1 to SB 167 was declared part of the bill.

SB 167 w/SA 1 was now before the Senate.

Senator Still commented.

Roll call vote on **SB 167 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting – 1

SB 167 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HJR 11 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HJR 11 – DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE.

Senator Cook requested that **SA 1 to HJR 1** be Stricken. No objection.

SA 2 to HJR 11 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on **SA 2 to HJR 11** was taken and revealed:

YES: 21

SA 2 to HJR 11 was declared part of the bill.

HJR 11 w/SA 2 was now before the Senate.

Roll call vote on **HJR 11 w/SA 2** was taken and revealed:

YES: 21

HJR 11 w/SA 2 was declared passed by the Senate and sent to the House for Reconsideration.

HB 200 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 200 – AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS.

Roll call vote on **HB 200** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall – 1

HB 200 was declared passed the Senate and returned to the House.

HB 241 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 241 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES.

SA 1 to HB 241 was brought before the Senate for consideration on the motion of Senator Cook.

Roll call vote on **SA 1 to HB 241** was taken and revealed:

YES: 21

SA 1 to HB 241 was declared part of the bill.

HB 241 w/SA 1 was now before the Senate.

Senator Bonini commented.

Roll call vote on **HB 241 w/SA 1** was taken and revealed:

YES: 21

HB 241 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 201 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 201 – AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS.

Roll call vote on **HB 201** was taken and revealed:

YES: 21

HB 201 was declared passed the Senate and returned to the House.

HB 202 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 202 – AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO EXCULPATORY CLAUSES IN CERTAIN CONTRACTS.

Senator Bonini commented.

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

The witness was excused after addressing the Senate.

Roll call vote on **HB 202** was taken and revealed:

YES: 21

HB 202 was declared passed the Senate and returned to the House.

HB 129 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 129 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TOBACCO SETTLEMENT ACT.

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

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

YES: 21

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

Senator Cook requested the privilege of the floor for Drue Chichi, representing the Department of Justice.

Senator Bonini questioned the witness.

Senator McDowell presiding at 06:35 PM.

The witness was excused.

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

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

YES: 21

HB 129 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HJR 14 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HJR 14 – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2003. Sponsor: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams, Sens. Bunting, Henry, Vaughn, Amick, Cloutier.

Lt. Governor Carney presiding at 06:40 PM.

The Secretary announced a message from the House informing the Senate that it had passed **HB 203 w/HA 2; HB 227 w/HA 1; HB 255; HB 286; HB 300; HB 301; HJR 14; HJR 13.**

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

YES: 21

HJR 14 was declared passed the Senate and was returned to the House.

HJR 13 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HJR 13 – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2004. Sponsor: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier.

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

YES: 21

HJR 13 was declared passed by the Senate and was returned to the House.

HB 300 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 300 – AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier.

Senator Bonini commented.

Roll call vote on **HB 300** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

HB 300 was declared passed the Senate and returned to the House.

Senator Cook commented.

HB 301 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 301 – AN ACT AMENDING THE DELAWARE CODE RELATING TO THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY BY TRANSFERRING THE DIVISION OF MOTOR VEHICLES FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF TRANSPORTATION; TRANSFERRING THE DIVISION OF BOILER SAFETY FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; ALIGNING THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY, THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REFLECT THE TRANSFERS OF THE DIVISIONS; RENAMING THE DEPARTMENT OF PUBLIC SAFETY THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY; AND AMENDING TITLES 6, 10, 11, 16, 21, 29, AND 30 OF THE DELAWARE CODE.

Sponsor: Rep. DiPinto & Sen. Cook; Reps. Buckworth, B. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier

Senator(s) McDowell, Bonini and Simpson commented.

Roll call vote on **HB 301** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

HB 301 was declared passed the Senate and returned to the House.

Senator Venables requested that **SB 170** be Lifted from the Table and brought before the Senate for consideration, under the suspension of the necessary rules.

SB 170 – A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2004; APPROPRIATING GENERAL FUNDS OF THE STATE; 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; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. Sponsor: Sen. Venables & Rep. Roy; Sens. Blevins, Cook, DeLuca, Connor, Simpson; Reps. Carey, Lofink, Oberle, B. Ennis, Keeley, Cathcart, Miro, Stone, Wagner, Mulrooney.

The Debt statement was approved as read on motion of Senator Venables.

Senator(s) Vaughn, Cook and Sokola commented.

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

YES: 21

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

Senator Adams rose and commented on the passage of the money bills five day before the deadline.

Senator(s) Still and McDowell commented.

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 ready and copies were made available.

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

6/25/03

June 24, 2003

SB 168 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY LAND PROTECTION INITIATIVES. Sponsor: Sen.

McDowell; Valihura, Sens. Amick, Bunting, Cloutier, Cook, Copeland, McBride, Sokola, Sorenson, Venables; Reps. Booth, Caulk, D. Ennis, Roy; **Energy & Transit.**

SB 169 – AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. Sponsor: Sen. Cook; DiPinto, Rep. Wagner; Sens. Bunting, Henry, Vaughn, Amick, Cloutier, Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; **Finance.**

SA 1 to HB 150 – Sponsor: Sen. McBride; Placed with the Bill.

SA 1 to HJR 11 – Sponsor: Sen. Cook; Placed with the Bill.

SA 2 to SB 104 – Sponsor: Sen. Blevins; Placed with the Bill.

SB 171 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND HAZARDOUS MATERIALS ENDORSEMENTS ON COMMERCIAL DRIVER LICENSES. Sponsor: Sen. Henry; Ewing; **Judiciary.**

June 25, 2003

SA 1 to HB 210 – Sponsor: Sen. Still; Placed with the Bill.

HB 143 w/HA 1 – AN ACT TO AMEND TITLES 16 AND 30 OF THE DELAWARE CODE RELATING TO THE EMERGENCY REPORTING SYSTEM FUND AND PROCEDURES RELATING THERETO. Sponsor: Rep. DiPinto; Adams; **Executive.**

HB 163 w/HA 1 – AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE RELATING TO LIMITATIONS FROM CIVIL LIABILITY FOR CERTAIN VOLUNTEERS. Sponsor: Rep. Hocker; Bunting, Reps. Booth, Buckworth, Carey, Cathcart, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Houghton, Hudson, Lavelle, Lee, Maier, Mulrooney, Plant, Quillen, Reynolds, Schwartzkopf, Smith, Spence, Ulbrich, Valihura, Van Sant, Viola; Sens. Amick, Copeland, Simpson; **Judiciary.**

HB 203 w/HA 2 – AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES; GAS, WATER AND OIL CORPORATIONS. Sponsor: Rep. Schwartzkopf; Booth & Sen. Bunting; Reps. Hall-Long, Smith; Sens. Amick, Blevins, Cloutier, Cook, McBride, Sokola, Still, Vaughn; **Executive.**

HB 208 w/HA 1 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK. Sponsor: Rep. Ulbrich; McBride, Reps. Hudson, Valihura, Schwartzkopf, Viola; Sens. Peterson, Sokola, Copeland; **Health & Social Services.**

HB 225 w/HA 1 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL USE LAND. Sponsor: Rep. Caulk; Bunting, Reps. Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Williams; Sens. Adams, Bonini, Cloutier, Connor, Cook, Simpson, Still, Vaughn, Venables; **Agriculture.**

HB 227 w/HA 1 – AN ACT TO AMEND TITLE 2, DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC CARRIERS. Sponsor: Rep. Boulden; Reps. DiPinto, D. Ennis, Lofink, Valihura, B. Ennis, Plant, Williams; **Highways & Transportation.**

HB 251 – AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES. Sponsor: Rep. Ulbrich; McBride, Reps. Hudson, Schwartzkopf, Valihura, Viola; Sens. Bonini, Copeland, Peterson, Sokola; **Executive.**

HB 252 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. Sponsor: Rep. Ulbrich; McBride, Reps. Hudson, Valihura, Schwartzkopf, Viola; Sens. Peterson, Sokola, Bonini, Copeland; **Executive.**

HB 255 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Rep. Schwartzkopf; Bunting, Rep. Gilligan, Reps. Quillen, Roy, Spence; **Judiciary.**

HB 257 – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. Sponsor: Rep. Ulbrich; McBride, Reps. Hudson, Valihura, Schwartzkopf, Viola; Sens. Peterson, Sokola, Bonini, Copeland; **Executive**.

HB 262 w/HA 1 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO THE ESTABLISHMENT OF A HEARING AID LOAN BANK. Sponsor: Rep. Keeley; **Health & Social Services**.

SA 1 to SB 146 – Sponsor: Sen. Sorenson; Placed with the Bill.

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

Deborah B. Burris
417 Kings Highway
Milford, DE 19963

To be reappointed a member
of the Sussex County Board
of Elections for a term to
expire 4 years from Senate
confirmation.

Joe F. Garcia
P.O. Box 1024
Wilmington, DE 19899-1024

To be appointed a member of
the Board of Parole for a term
to expire June 16, 2005.

* * *

The Secretary announced the agenda for June 26, 2003.

On motion of Senator McDowell, the Senate recessed at 07:17 PM until June 26, 2003 at 01:00 PM.

The Senate reconvened at 02:34 PM on June 26, 2003 with Lt. Governor Carney presiding.

SCR 22 was introduced and brought before the Senate for consideration on the motion of Senator Still.

SCR 22 – ESTABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO STUDY THE FUTURE OF DOVER AIR FORCE BASE AND THE DELAWARE NATIONAL GUARD FACILITIES ON THE NEW CASTLE COUNTY AIRPORT INCLUDING THE IMPACT ON KENT COUNTY AND NEW CASTLE COUNTIES, STATE OF DELAWARE, THE IMPACT OF THE BRAC COMMISSION AND THE LONG TERM VIABILITY OF ITS MISSION AT DOVER AIR FORCE BASE AND DELAWARE NATIONAL GUARD FACILITIES ON THE NEW CASTLE COUNTY AIRPORT. Sponsor: Sen. Still & Rep. Stone; Sen. Adams & Sen. Bunting & Sen. Connor & Sen. Cook & Sen. Vaughn & Rep. Buckworth & Rep. Caulk & Rep. B. Ennis & Rep. Gilligan & Rep. Oberle & Rep. Quillen & Rep. Reynolds & Rep. Spence & Rep. Thornburg & Rep. Wagner & Sen. Bonini.

Senator Blevins commented.

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

YES: 20

ABSENT: Senator(s) Bonini – 1

SCR 22 was declared Adopted by the Senate and sent to the House for Consideration.

The following committee reports were announced:

From Executive: **Ross E. Austin** – 6 Merits; **Deborah B. Burris** – 6 Merits; **Sharon L. Brittingham** – 6 Merits; **Richard M. Farmer** – 6 Merits; **Joe F. Garcia** – 6 Merits; **Bruce Harter** – 6 Merits; **J. Edwin James** – 6 Merits; **J. Brian Murphy** – 6 Merits; **George P. Staats** – 6 Merits; **James A. Sterling** – 6 Merits; **Stanley Tocker** – 4 Merits; **Kathryn J. Way** – 2 Favorable, 4 Merits; **HB 203 w/HA 2** – 4 Merits; **HB 143 w/HA 1** – 4 Merits.

From Revenue and Taxation: **HB 146 w/HA 1** – 3 Merits.

From Health & Social Services: **HB 262 w/HA 1** – 4 Merits.

From Finance: **SB 169** – 6 Merits.

From Natural Resources: **HB 192 w/HA 1** – 3 Merits.

From Community/County Affairs: **HB 213** – 3 Merits; **HB 191** – 3 Merits; **HB 158 w/HA 1** – 4 Merits.

From Small Business: **HB 284** – 1 Favorable, 2 Merits.

LEGISLATIVE ADVISORY NO. #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 NO. #7, dated June 25, 2003, the Governor signed the following legislation on the dates indicated:

HB #148 (6/19/03) – AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: “AN ACT TO AMEND THE TOWN CHARTER OF BETHANY BEACH” TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE, BY ORDINANCE, FOR THE COUNTING OF ABSENTEE BALLOTS PRIOR TO THE CLOSING OF THE POLLS, PROVIDED THAT THE COUNT OF SUCH ABSENTEE BALLOTS BE KEPT SECRET UNTIL SUCH TIME THE POLLS ARE CLOSED. (Sponsors: Rep. Hocker & Sen. Bunting) (Volume 74, Chapter 50, Laws of Delaware.)

HB #267 (6/19/03) – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Sponsors: Rep. Gilligan & Rep. Van Sant & Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson; Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick & Sen. Sorenson) (Volume 74, Chapter 51, Laws of Delaware.)

HB #268 (6/19/03) – AN ACT TO AMEND TITLE 6, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS AND FEES CHARGED BY THE SECRETARY OF STATE, UNIFORM PARTNERSHIP ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED PARTNERSHIPS AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, TREATMENT OF DELAWARE STATUTORY TRUSTS AND FEES CHARGED BY THE SECRETARY OF STATE, AND THE SECRETARY OF STATE AND FEES CHARGED BY THE SECRETARY OF STATE. (Sponsors: Rep. Gilligan & Rep. Van Sant & Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick & Sen. Sorenson) (Volume 74, Chapter 52, Laws of Delaware.)

HB #269 (6/19/03) – AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (Sponsors: Rep. Gilligan & Rep. Van Sant & Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still & Sen. Amick & Sen. Sorenson) (Volume 74, Chapter 53, Laws of Delaware.)

HB #270 aab HA 1 aab HA 1 to HA 1 (6/19/03) – AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY COLLECTION OF TAX ON TOBACCO PRODUCTS. (Sponsors: Rep. Gilligan & Rep. Van Sant & Rep. Spence & Rep. Smith & Rep. Lee & Rep. Hudson & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Cook & Sen. Vaughn & Sen. Still) (Volume 74, Chapter 54, Laws of Delaware.)

HB #1 aab HA 1 & HA 2 (6/24/03) – AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT. (Sponsors: Rep. Oberle & Rep. Reynolds & Sen. Sokola & Sen. Marshall; Reps. Buckworth, D. Ennis, Fallon, Miro, Roy, Stone, George, Houghton, Hall-Long, Mulrooney, Viola, Spence; Sens. Amick, Blevins, Connor, Cook, Peterson, Cloutier, Simpson) (Volume 74, Chapter 55, Laws of Delaware.)

HB #66 aab HA 1 & HA 2 & SA 1 & HA 3 (6/24/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS. (Sponsors: Rep. Maier & Sen. Blevins; Reps. Cathcart, Miro, Ulbrich; Sens. Sorenson, Vaughn) (Volume 74, Chapter 56, Laws of Delaware.)

HB #61 (6/24/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF WITNESSES. (Sponsors: Rep. Williams & Sen. Henry & Sen. Marshall; Reps. Keeley, B. Ennis, Spence) (Volume 74, Chapter 57, Laws of Delaware.)

HB #110 (6/24/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE’S PENSION PLAN; AND PROVIDING A CREDITED SERVICE OPTION FOR TEACHERS FORMERLY EMPLOYED IN THE “JOBS FOR DELAWARE GRADUATES” PROGRAM. (Sponsors: Rep. Miro & Sen. Still; Reps. Spence, Buckworth, Carey, Cathcart, Caulk, D.

Ennis, Ewing, Lofink, Oberle, Reynolds, Thornburg, Ulbrich, Valihura, Keeley, Plant, Williams; Sen. Sokola) (Volume 74, Chapter 58, Laws of Delaware.)

HB #113 aab HA 1 & SA 1 (6/24/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES. (Sponsors: Rep. Spence & Rep. Oberle & Sen. Adams & Sen. McBride) (Volume 74, Chapter 59, Laws of Delaware.)

HB #170 (6/24/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES. (Sponsors: Rep. George & Sen. Blevins; Reps. Buckworth, B. Ennis, Hall-Long, Lee, Mulrooney, Plant, Schwartzkopf, Spence, Valihura, Viola; Sen. Sokola) (Volume 74, Chapter 60, Laws of Delaware.)

HB #176 (6/24/03) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (Sponsors: Rep. Fallon & Sen. Blevins & Sen. Sorenson; Reps. Spence, Smith, Carey, Caulk, Hocker, Maier, B. Ennis, Houghton, Plant, Williams; Sens. McBride, Peterson, Sokola, Amick) (Volume 74, Chapter 61, Laws of Delaware.)

SB #26 (6/24/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING FOR CRIMINAL OFFENSES. (Sponsors: Sen. Vaughn & Rep. Ewing) (Volume 74, Chapter 62, Laws of Delaware.)

SB #45 (6/24/03) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Sponsors: Sen. Blevins & Rep. Hudson) (Volume 74, Chapter 63, Laws of Delaware.)

SB #49 (6/24/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION PLATES FOR CERTAIN OFFICERS OF THE STATE OF DELAWARE. (Sponsors: Sen. Adams & Rep. Booth; Rep. Ewing) (Volume 74, Chapter 64, Laws of Delaware.)

SB #82 aab SA 1 (6/24/03) – AN ACT TO AMEND AN ACT ENTITLED “AN ACT TO RE-INCORPORATE THE TOWN OF WYOMING” BEING 43 LAWS OF DELAWARE, CHAPTER 189, AS AMENDED. (Sponsors: Sen. Still & Rep. Buckworth) (Volume 74, Chapter 65, Laws of Delaware.)

SB #88 (6/24/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO COMPLY WITH TRAFFIC LIGHTS. (Sponsors: Sen. Amick & Sen. Bonini) (Volume 74, Chapter 66, Laws of Delaware.)

SB #100 (6/24/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE. (Sponsors: Sen. Vaughn & Rep. Ewing) (Volume 74, Chapter 67, Laws of Delaware.)

* * *

A communication from Senator Dorinda A. Connor to Bernard J. Brady, Secretary of the Senate was read in the Senate record adding her name to **SB 169** as a co-sponsor.

The Secretary announced a message from the House informing the Senate that it had passed **HB 284; HB 209; HCR 29; SB 135 w/SA 1; SB 79 w/SA 1; SB 107 w/SA 1; SCR 15; HB 291; HB 186; HB 158 w/HA 1; HB 233; HB 283; SB 31 w/SA 2; SB 145 w/SA 1; SB 170; HB 139 w/HA 2; HB 287; SB 54; SB 27 w/SA 1.**

The following committee reports were announced:

From Finance: **SB 169** – 6 Merits.

From Executive: **HB 143** – 4 Merits; **HB 203** – 4 Merits.

From Revenue & Taxation: **HB 146** – 3 Merits.

From Community/County Affairs: **HB 158** – 4 Merits; **HB 191** – 3 Merits; **HB 213** – 3 Merits.

From Natural Resources: **HB 192** – 3 Merits.

From Health & Social Services: **HB 262** – 4 Merits.

From Small Business: **HB 284** – 1 Favorable, 2 Merits.

At 02:49 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 42nd Legislative Day.

**42nd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 26, 2003**

The Senate convened at 02:49 PM with Lt. Governor Carney presiding.

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

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

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

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

HB 130 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 130 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TOBACCO SETTLEMENT ACT.

Senator Cook requested the privilege of the floor for Drue Chichi, representing the Department of Justice.

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

Senator Cook requested the privilege of the floor for Anthony F. Troy, representing the Council of Independent Tobacco Manufacturers of America.

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

Senator McBride requested the privilege of the floor for Mark Greenwold, representing Attorney General's office.

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

Senator Cook requested the privilege of the floor Evan Gee, representing S & M Brands, Inc.

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

Roll call vote on **HB 130** was taken and revealed:

YES: 9

NO: Senator(s) Amick, Bonini, Bunting, Cloutier, Connor, Copeland, Marshall, McDowell, Peterson, Simpson, Sorenson, Venables – 12

HB 130 was Defeated in the Senate and was returned to the House.

Senator(s) Blevins, Bonini and Simpson marked present during the above roll call.

HB 153 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 153 w/HA 1 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.

Senator McDowell commented.

Roll call vote on **HB 153 w/HA 1** was taken and revealed:

YES: 18

NO: Senator(s) Bonini – 1

NOT VOTING: Senator(s) Copeland – 1

ABSENT: Senator(s) Simpson – 1

HB 153 w/HA 1 was declared passed the Senate and returned to the House.

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

SB 155 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO STOCK OF SUBSIDIARIES.

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

YES: 21

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

HS 1 to HB 19 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HS 1 to HB 19 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTION OFFICERS.

Senator McBride commented.

Senator Marshall requested the privilege of the floor for Frank Calio, representing the Commissioner of Elections.

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

Roll call vote on **HS 1 to HB 19 w/HA 1** was taken and revealed:

YES: 21

HS 1 to HB 19 w/HA 1 was declared passed the Senate and was returned to the House.

HB 210 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 210 – AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.

Senator Still requested that **SA 1 to HB 210** be Stricken. No objection.

SA 2 to HB 210 was brought before the Senate for consideration on the motion of Senator Still.

Senator Still moved to Lay **SA 2 to HB 210** on the Table. No objection.

SA 3 to HB 210 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 3 to HB 210** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting – 1

SA 3 to HB 210 was declared part of the bill.

Senator Vaughn 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.

SA 4 to HB 210 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator McDowell requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

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

Roll call vote on **SA 4 to HB 210** was taken and revealed:

YES: 2

NO: Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Marshall, Peterson, Simpson, Sokola, Sorenson, Vaughn – 16

NOT VOTING: Senator(s) Henry, Still – 2

ABSENT: Senator(s) McBride – 1

SA 4 to HB 210 was Defeated.

HB 210 w/SA 3 was now before the Senate.

Senator Marshall requested the privilege of the floor for Tom Eichler.

The witness was excused after addressing the Senate.

Roll call vote on **HB 210 w/SA 3** was taken and revealed:

YES: 20

NO: Senator(s) McDowell – 1

HB 210 w/SA 3 was declared passed the Senate and sent to the House for Reconsideration.

HB 115 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 115 – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING THREAT OF WEAPONS.

Roll call vote on **HB 115** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) McDowell – 1

HB 115 was declared passed the Senate and returned to the House.

HB 76 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 76 w/HA 1 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING AND THE UNIFORM LAW FOR OUT-OF-STATE PAROLEE'S SUPERVISION.

Roll call vote on **HB 76 w/HA 1** was taken and revealed:

YES: 21

HB 76 w/HA 1 was declared passed the Senate and returned to the House.

HB 84 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 84 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON JUVENILES.

Roll call vote on **HB 84** was taken and revealed:

YES: 21

HB 84 was declared passed the Senate and returned to the House.

SB 152 was brought before the Senate for consideration on the motion of Senator Cook.

SB 152 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE.

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

Senator(s) Bonini and Peterson questioned the witness, after which the witness was excused.

Senator Copeland declares a conflict of interest and will not be voting.

Roll call vote on **SB 152** was taken and revealed:

YES: 12

NO: Senator(s) Bonini, Peterson, Sokola, Still – 4

NOT VOTING: Senator(s) Bunting, Copeland, Sorenson – 3

ABSENT: Senator(s) Henry, McBride – 2

SB 152 was declared passed the Senate and sent to the House for Consideration.

HB 171 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 171 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT LOANS.

Roll call vote on **HB 171** was taken and revealed:

YES: 20

NO: Senator(s) Still – 1

HB 171 was declared passed the Senate and returned to the House.

HB 173 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 173 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.

Roll call vote on **HB 173** was taken and revealed:

YES: 21

HB 173 was declared passed the Senate and returned to the House.

Senator DeLuca requested that **SB 43** be Lifted from the Table and brought before the Senate for Consideration.

SA 2 to SB 43 was brought before the Senate for consideration on motion of Senator DeLuca.

Senator McBride commented.

Roll call vote on **SA 2 to SB 43** was taken and revealed:

YES: 21

SA 2 to SB 43 was declared part of the bill.

SB 43 w/SA 2 was now before the Senate.

Senator(s) Marshall and Amick commented.

Roll call vote on **SB 43 w/SA 2** was taken and revealed:

YES: 18

NO: Senator(s) Amick, Bonini, Still – 3

SB 43 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

SA 1 to SB 43 was Stricken on motion of Senator DeLuca.

SB 180 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SB 180 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS.

Several Senators commented.

Roll call vote on **SB 180** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Simpson – 2

SB 180 was declared passed the Senate and sent to the House for Consideration.

SB 181 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SB 181 – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO EVENT TAXES.

Senator Marshall commented.

Senator McDowell requested the privilege of the floor for William Montgomery, representing the City of Wilmington.

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

Roll call vote on **SB 181** was taken and revealed:

YES: 15

NO: Senator(s) Amick, Bonini, Connor, McBride, Simpson, Vaughn – 6

SB 181 was declared passed the Senate and sent to the House for Consideration.

HB 178 w/HA 1 & HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 178 w/HA 1 & HA 2 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Senator Peterson requested that **SA 1 to HB 178 w/HA 1 & HA 2** be Stricken. No objection.

SA 2 to HB 178 was brought before the Senate for consideration on the motion of Senator Amick.

Roll call vote on **SA 2 to HB 178** was taken and revealed:

YES: 21

SA 2 to HB 178 was declared part of the bill.

SA 3 to HB 178 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 3 to HB 178** was taken and revealed:

YES: 17

NO: Senator(s) Simpson, Still, Venables – 3

ABSENT: Senator(s) Marshall – 1

SA 3 to HB 178 was declared part of the bill.

SA 4 to HB 178 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 4 to HB 178** was taken and revealed:

YES: 18

NO: Senator(s) Simpson, Sorenson, Venables – 3

SA 4 to HB 178 was declared part of the bill.

HB 178 w/HA 1, HA 2, SA 2, SA 3 & SA 4 was now before the Senate.

Roll call vote on **HB 178 w/HA 1, HA 2, SA 2, SA 3 & SA 4** was taken and revealed:

YES: 21

HB 178 w/HA 1, HA 2, SA 2, SA 3 & SA 4 was declared passed the Senate and sent to the House for Reconsideration.

SB 169 was brought before the Senate for consideration on the motion of Senator Cook.

SB 169 – AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE.

Roll call vote on **SB 169** was taken and revealed:

YES: 21

SB 169 was declared passed the Senate and sent to the House for Consideration.

HB 118 was brought before the Senate for consideration on the motion of the floor manager, Senator McBride.

HB 118 – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE WATER SUPPLY SELF-SUFFICIENCY ACT OF 2003.

Roll call vote on **HB 118** was taken and revealed:

YES: 21

HB 118 was declared passed the Senate and returned to the House.

HB 150 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator McBride.

HB 150 w/HA 1 – AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

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

Senator Copeland commented.

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

YES: 20

ABSENT: Senator(s) Venables – 1

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

HB 150 w/HA 1 & SA 1 was now before the Senate.

Roll call vote on **HB 150 w/HA 1 & SA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

ABSENT: Senator(s) Venables – 1

HB 150 w/HA 1 & SA 1 was declared passed the Senate and sent to the House for Reconsideration.

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

SB 116 – AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO SPECIAL DAYS AND MONTHS.

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

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

YES: 20

ABSENT: Senator(s) Venables – 1

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

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

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

YES: 20

ABSENT: Senator(s) Venables – 1

SB 116 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

HB 143 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HB 143 w/HA 1 – AN ACT TO AMEND TITLES 16 AND 30 OF THE DELAWARE CODE RELATING TO THE EMERGENCY REPORTING SYSTEM FUND AND PROCEDURES RELATING THERETO.

SA 1 to HB 143 was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to HB 143** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables – 1

SA 1 to HB 143 was declared part of the bill.

Senator Adams requested the privilege of the floor for Thomas Cook, representing the Department of Finance.

The witness was excused after addressing the Senate.

Roll call vote on **HB 143 w/HA 1 & SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables – 1

HB 143 w/HA 1 & SA 1 was declared passed the Senate and sent to the House Reconsideration.

HB 154 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 154 – AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO PERSONS WITH DISABILITIES.

Roll call vote on **HB 154** was taken and revealed:

YES: 21

HB 154 was declared passed the Senate and returned to the House.

Senator McDowell presiding at 07:13 PM.

HB 262 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 262 w/HA 1 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO THE ESTABLISHMENT OF A HEARING AID LOAN BANK.

Roll call vote on **HB 262 w/HA 1** was taken and revealed:

YES: 21

HB 262 w/HA 1 was declared passed the Senate and returned to the House.

SB 101 w/HA 1, which was returned from the House with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Peterson.

SB 101 w/HA 1 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA.

Roll call vote on **SB 101 w/HA 1** was taken and revealed:

YES: 20

NO: Senator(s) Simpson – 1

SB 101 w/HA 1 was declared passed the Senate and sent to the House for Consideration.

Lt. Governor Carney presiding at 07:16 PM.

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

SCR 23 – CREATING A LEGISLATIVE TASK FORCE TO STUDY HOSPICE BUSINESS ETHICS AND PATIENT SERVICES. Sponsor: Sen. Amick

SCR 24 – RECOGNIZING THE LIFE AND WORK OF DAVID HUDSON AND COMMENDING THE EFFORTS OF THOSE SEEKING TO RECONSTRUCT THE SUGAR BOWL PAVILION IN HIS MEMORY. Sponsor: Sen. McDowell & Rep. DiPinto

SCR 25 – URGING THE ESTABLISHMENT OF A CHAIR OF POLISH STUDIES AT THE UNIVERSITY OF DELAWARE. Sponsor: Sen. Marshall & Rep. Keeley; Rep. DiPinto

SCR 26 – REQUESTING THAT THE DELAWARE SOLID WASTE AUTHORITY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL UNDERTAKE PUBLIC EDUCATIONAL ACTIVITIES ASSOCIATED WITH THE PROPOSED EXPANSION OF THE CHERRY ISLAND LANDFILL. Sponsor: Sen. Henry & Rep. Williams; Sen. Marshall & McDowell; Reps. D. Ennis, Keeley & Plant

HCR 29 – A RESOLUTION ENCOURAGING DELAWARE LOCAL, COUNTY AND STATE GOVERNMENTS, LOCAL DISTRICT SCHOOL BOARDS, AND RELATED ENTITIES TO USE DELAWARE BUSINESSES AND PROFESSIONALS IN PROCURING PROFESSIONAL SERVICES FOR THEIR USE. Sponsor: Rep. Spence & Sen. Adams; Reps. Smith, Stone, Gilligan; Sens. DeLuca, Vaughn

HCR 36 – RECOGNIZING WILMINGTON TRUST FOR 100 YEARS OF SERVICE TO THE CITIZENS OF DELAWARE. Sponsor: Rep. DiPinto & Sen. McDowell

Senator Amick requested **SCR 25** be removed from the Consent Calendar. No objection.

A roll call vote was taken on **SENATE CONSENT CALENDAR #7** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

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

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

6/26/03

June 25, 2003

SB 173 – AN ACT TO AMEND TITLE 19 AND TITLE 29 OF THE DELAWARE CODE RELATING TO WHISTLEBLOWERS' PROTECTION. Sponsor: Sen. Cloutier; Sens. Connor, Copeland, Peterson, Sorenson, Still; Reps. Buckworth, Cathcart, B. Ennis, Ewing, Mulrooney, Spence, Valihura, Williams; **Administrative Services.**

SB 174 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CELL PHONE USE BY SCHOOL BUS DRIVERS. Sponsor: Sen. Cloutier; Miro, Sens. Amick, Connor, Copeland, Henry, Peterson, Sokola, Sorenson, Reps. Hudson, Lavelle, Smith, Spence, Valihura; **Public Safety.**

SB 175 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO HIGHER EDUCATION. Sponsor: Sen. Sokola; Miro; **Education.**

SA 1 to HB 178 – Sponsor: Sen. Peterson; Placed with the Bill.

SA 2 to HB 178 – Sponsor: Sen. Amick; Placed with the Bill.

SA 2 to HB 210 – Sponsor: Sen. Still; Placed with the Bill.

SA 2 to SB 43 – Sponsor: Sen. DeLuca; Placed with the Bill.

SA 3 to HB 178 – Sponsor: Sen. Sokola; Placed with the Bill.

SA 4 to HB 178 – Sponsor: Sen. Vaughn; Placed with the Bill.

June 26, 2003

HB 139 w/HA 2 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE TO PROVIDE FOR A NEW UNIFORM PARENTAGE ACT TO REPLACE THE EXISTING PARENTAGE ACT AND TO REPEAL CERTAIN CODE PROVISIONS WHICH ARE INCONSISTENT WITH THE ACT. Sponsor: Rep. Buckworth; Blevins, Reps. Maier, Hall-Long, Schwartzkopf; Sens. Still, Sorenson, Henry; **Health & Social Services**.

HB 158 w/HA 1 – AN ACT TO AMEND CERTAIN PROVISIONS OF SECTIONS 3-401, 6-200, 6-201 AND 6-300 OF THE CITY OF WILMINGTON HOME RULE CHARTER. Sponsor: Rep. Keeley; DiPinto, Sen. Henry; **Community/County Affairs**.

HB 186 – AN ACT TO AMEND TITLE 10, 11, 14 AND 31 OF THE DELAWARE CODE RELATING TO TRUANCY. Sponsor: Rep. Maier; Sokola, Rep. Ulbrich; Sens. Blevins, Amick, Simpson; **Education**.

HB 209 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS. Sponsor: Rep. Maier; Sokola; **Education**.

HB 219 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC PROCUREMENT OF GOODS, MATERIALS AND SERVICES. Sponsor: Rep. Cathcart; Stone & Rep. Wagner & Sen. Henry; Reps. Lee, Atkins, Buckworth, Carey, Caulk, DiPinto, Fallon, Hudson, Lofink, Miro, Quillen, Reynolds, Roy; Sen. Still; **Education**.

HB 233 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Spence; Lee, Sen. Vaughn; Reps. Smith, Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, Van Sant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams; Sens. Adams, McDowell, Blevins, Cook, DeLuca, Henry, Venables, Bonini, Cloutier, Connor, Copeland, Simpson; **Judiciary**.

HB 283 – AN ACT TO AMEND CHAPTERS 271 AND 272, VOLUME 72, LAWS OF DELAWARE BY REMOVING SUNSET PROVISIONS RELATING TO BINDING INTEREST ARBITRATION IN THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT AND THE PUBLIC EMPLOYMENT RELATIONS ACT. Sponsor: Rep. Oberle; Lofink, Sen. DeLuca & Sen. Marshall; Reps. Keeley, B. Ennis; Sens. Connor, Blevins; **Banking**.

HB 284 – AN ACT TO AMEND 74 LAWS OF DELAWARE 35 (2003) RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS, MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS. Sponsor: Rep. Stone; Valihura, Rep. Keeley & Rep. Lavelle, & Sen. Bunting; **Small Business**.

HB 286 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY EXECUTIVE, COUNTY COUNCIL, AND COUNTY DEPARTMENTS. Sponsor: Rep. Smith; Sokola, Rep. Spence & Sen. Blevins & Sen. Copeland; **Executive**.

HB 287 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES, SENTENCES. Sponsor: Rep. Spence; Vaughn; **Judiciary**.

SB 178 – AN ACT TO WAIVE THE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. Sponsor: Sen. Vaughn; Cathcart; **LOT**.

SB 176 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISCLOSURE OF PUBLIC HAZARDS. Sponsor: Sen. Cloutier; Miro, Sens. Connor, Henry, Sorenson; Reps. B. Ennis, Ewing, Keeley, Maier, Reynolds; **Judiciary**.

SB 179 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE BREAST CANCER EDUCATION AND EARLY DETECTION FUND. Sponsor: Sen. Sorenson; Sens. Cloutier, Connor, Cook, Henry, Peterson, Still; Reps. Buckworth, Caulk, DiPinto, Ewing, Fallon, George, Hall-Long, Maier, Plant, Ulbrich, Wagner; **Health & Social Services**.

SS 1 to SB 174 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CELL PHONE USE BY SCHOOL BUS DRIVERS. Sponsor: Sen. Cloutier; Miro, Sens. Amick, Connor, Copeland, Henry, Peterson, Sokola, Sorenson; Reps. Hudson, Lavelle, Smith, Spence, Valihura; Adopted in Lieu of the Original.

Public Safety.

Dr. Stanley Tocker, Ph.D., 4656 Norwood Dr., Wilmington, DE 19803, reappointed to the Environmental Appeals Board.

* * *

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

On motion of Senator McDowell, the Senate recessed at 07:25 PM until June 30, 2003 at 06:00 PM.

The Senate reconvened at 06:36 PM on June 30, 2003 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 240; HB 134; HB 237; HB 306; HB 307; SB 47 w/SA 1; SB 28; HB 293; HS 1 for HB 253 w/HA 1; HB 289; SB 42 w/SA 1; HB 132 w/HA 3; HB 211 w/HA 1; HCR 36; HB 223; HB 273; HB 274; HB 261; HB 228; HB 248; SB 65 w/SA 2, SA 3 & HA 2; SB 144; SB 121; HB 279 w/HA 1; HB 280; SB 71 w/SA 2; SB 108; SB 160 w/SA 1; SB 84; HB 242; HB 188 w/HA 1; HB 272; SB 97; HB 129; HB 111 w/SA 1; SB 11; HB 297; HB 99 w/HA 2, 9, 12 & 13; SB 150; SB 101 w/HA 1; HCR 37; SCR 26; SCR 24; SCR 23; SCR 22.**

LEGISLATIVE ADVISORY NO. #8, 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 NO. #8, dated June 27, 2003, the Governor signed the following legislation on the dates indicated:

HJR #13 (6/25/03) – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2004. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier)

HJR #14 (6/25/03) – THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2003. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier)

HB #300 (6/25/03) – AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier) (Volume 74, Chapter 68, Laws of Delaware.)

SB #170 (6/26/03) – A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2004; APPROPRIATING GENERAL FUNDS OF THE STATE; 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; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Sponsors: Sen. Venables & Rep. Roy; Sens. Blevins, Cook, DeLuca, Connor, Simpson; Reps. Carey, Lofink, Oberle, B. Ennis, Keeley, Cathcart, Miro, Stone, Wagner, Mulrooney) (Volume 74, Chapter 69, Laws of Delaware.)

SB #67 (6/26/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REFLEX SYMPATHETIC DYSTROPHY SYNDROME (RSDS), ALSO KNOWN AS COMPLEX REGIONAL PAIN SYNDROME. (Sponsors: Sen. Amick & Rep. Lofink) (Volume 74, Chapter 70, Laws of Delaware.)

The following committee reports were announced:

From Public Safety: **SS 1 to SB 174** – 4 Merits.

From Health and Social Services: **HB 139** – 4 Merits.

From Education: **HB 186** – 4 Merits; **HB 209** – 4 Merits.

From Highways and Transportation: **HB 227** – 4 Merits.

From Banking: **HB 283** – 5 Merits.

At 06:42 PM on motion of Senator McDowell, the Senate adjourned to immediately convene the 43rd Legislative Day.

**43rd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
FIRST SESSION
JUNE 30, 2003**

The Senate convened at 06:42 PM with Lt. Governor Carney presiding.

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

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

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

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

On motion of Senator Adams and without objection, the following nominations were considered under the suspension of the necessary rules.

Brittingham, Sharon; Chasanov, Heath; Gordon, Karen; Harter, Bruce; Holden, Leslie; Lawson, Carla; Williams, Geraldine; Czerwinski, Edward; Grogg, Barbara; Ross, Karen; Vukelich, Carol: 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointments were declared CONFIRMED.

Farmer, Richard; Savage, Dennis: 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointments were declared CONFIRMED.

Sterling, James; Whittington, Marilyn; Krzyzanowski, Edmund; Austin, Ross: 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointments were declared CONFIRMED.

Burris, Deborah; Elliott, Elizabeth; Callaway, Vaughn; Pepper, Gerald: 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

Verma, Sally; Burke, David; Behrens, Mary Jane; Glanden, Mable: 19 Senator(s) voting YES, 2 (Bonini, Peterson) ABSENT. Appointments were declared CONFIRMED.

Senator Bonini marked present.

Leighty, Harvey; Martin, John: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Garcia, Joe; Jestice, James; Williamson, George: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Seamans, William: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Tocker, Marla: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Murphy, J. Brian: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Way, Kathryn: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Tocker, Dr. Stanley: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

James, J. Edwin: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Staats, George: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

SB 65 w/SA 2, SA 3 & HA 2, which was returned from the House with an amendment, was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Adams.

SB 65 w/SA 2, SA 3 & HA 2 – AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING.

Senator Adams requested the privilege of the floor for Constance Holland, representing the State Planning office.

The witness was excused after addressing the Senate.

Several Senators commented.

Senator Adams requested the privilege of the floor once again for Constance Holland, representing the State Planning office.

The witness was excused after addressing the Senate.

Senator Adams moved to Lay **SB 65 w/SA 2, SA 3 & HA 2** on the Table. No objection.

Senator Still requested the privilege of the floor for Dr. and Mrs. William DeLauder, representing Delaware State University.

Comments were made by Dr. DeLauder, after which the witnesses were excused.

Senator McBride commented.

Senator Bunting rose to inform the Senate that today was the 80th Anniversary of his mother's birth.

SB 104 w/SA 1 was Lifted from the Table and brought before the Senate for consideration on the motion of Senator Blevins.

SB 104 w/ SA 1 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO STALKING.

SA 2 to SB 104 was brought before the Senate for consideration on the motion of Senator Blevins.

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

YES: 17

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

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

SB 104 w/SA 1 & SA 2 was now before the Senate.

Roll call vote on **SB 104 w/SA 1 & SA 2** was taken and revealed:

YES: 17

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

SB 104 w/SA 1 & SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

HS 1 to HB 253 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HS 1 to HB 253 – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS.

Senator Bonini commented.

Senator McDowell moved to Lay **HS 1 to HB 253 w/HA 1** on the Table. No objection.

Senator McDowell requested that **SB 168** be Stricken. No objection.

SS 1 to SB 172 was Adopted in Lieu of the Original and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SS 1 to SB 172 – AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO EDUCATOR EVALUATIONS. Sponsor: Sen. McDowell & Rep. Valihura.

Senator Bonini commented.

Senator McDowell requested the privilege of the floor for George Bauder, representing DSEA.

The witness was excused after addressing the Senate.

Senator McDowell moved to Lay **SS 1 to SB 172** on the Table. No objection.

HB 166 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 166 w/HA 1 – AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF CAMDEN”.

Roll call vote on **HB 166 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Marshall – 1

HB 166 w/HA 1 was declared passed the Senate and returned to the House.

HB 172 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 172 – AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO SIGNAGE ON PARKING SPACES OR ZONES DESIGNATED FOR USE BY PERSONS WITH DISABILITIES.

Senator Sokola requested the privilege of the floor for Kyle Hodges, representing the State Counsel for Persons with Disabilities.

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

Roll call vote on **HB 172** was taken and revealed:

YES: 21

HB 172 was declared passed the Senate and returned to the House.

HB 183 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 183 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES.

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

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

Senator Sokola moved to Lay **HB 183** on the Table. No objection.

HB 214 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 214 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Senator Vaughn requested the privilege of the floor for John Cordrey, the Alcoholic Beverage Control Commissioner.

Senator(s) Still and Connor questioned the witness, after which the witness was excused.

Senator McBride commented.

Roll call vote on **HB 214** was taken and revealed:

YES: 18

NO: Senator(s) Connor, Venables – 2

ABSENT: Senator(s) Marshall – 1

HB 214 was declared passed the Senate and returned to the House.

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

HB 258 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT.

Several Senators commented.

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

YES: 6

NO: Senator(s) Amick, Blevins, Bunting, Cloutier, Connor, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson – 13

NOT VOTING: Senator(s) Copeland – 1

ABSENT: Senator(s) Simpson – 1

HB 258 was Defeated.

HB 225 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

HB 225 w/HA 1 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL USE LAND.

Roll call vote on **HB 225 w/HA 1** was taken and revealed:

YES: 21

HB 225 w/HA 1 was declared passed the Senate and returned to the House.

The Secretary announced a message from the House informing the Senate that it had passed **HB 310**.

HB 310 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 310 – AN ACT TO AMEND TITLES 10 AND 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION, AND COURT PROCEDURE.

Senator(s) McBride and Venables commented.

Senator McDowell requested the privilege of the floor for Representative Valihura.

Senator(s) Still and Adams questioned the witness, after which the witness was excused.

Senator Venables requested his name be added as an additional co-sponsor to the bill. Roll call vote on **HB 310** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson – 1

HB 310 was declared passed the Senate and returned to the House.

SB 185 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Cook.

SB 185 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS.

Roll call vote on **SB 185** was taken and revealed:

YES: 21

SB 185 was declared passed the Senate and sent to the House for Consideration.

HB 306 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 306 – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW AND FEES CHARGED AND COLLECTED BY THE SECRETARY OF STATE.

Senator(s) Simpson, Still, McBride and Amick commented.

Senator McDowell requested the privilege of the floor for David Singleton, Secretary of Finance.

The witness was excused after addressing the Senate.

Senator Bonini commented.

Roll call vote on **HB 306** was taken and revealed:

YES: 20

NO: Senator(s) Bonini – 1

HB 306 was declared passed the Senate and returned to the House.

HB 307 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator McDowell.

HB 307 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE LIMITED LIABILITY COMPANY ACT AND FEES CHARGED

Roll call vote on **HB 307** was taken and revealed:

YES: 19

NO: Senator(s) Bonini – 1

ABSENT: Senator(s) Simpson – 1

HB 307 was declared passed the Senate and returned to the House.

SB 157 w/SA 1 was brought before the Senate for consideration on the motion of Senator McBride.

SB 157 w/SA 1 – AN ACT TO AMEND CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION AND TO DEFINE PROSPECTIVE PURCHASER, TO CREATE LIABILITY PROTECTIONS FOR PROSPECTIVE PURCHASERS, INNOCENT LANDOWNERS, AND CONTIGUOUS PROPERTIES, AND CREATE A BROWNFIELDS REDEVELOPMENT DATABASE.

SA 1 to SB 157 was brought before the Senate for consideration on motion of Senator McBride.

Roll call vote on **SA 1 to SB 157** was taken and revealed:

YES: 21

SA 1 to SB 157 was declared part of the bill.

SB 157 w/SA 1 was now before the Senate.

Roll call vote on **SB 157 w/SA 1** was taken and revealed:

YES: 21

SB 157 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 65 w/SA 2, SA 3 & HA 2, which was returned from the House with an amendment, was Lifted from the Table and brought before the Senate for consideration on the motion of Senator Adams.

SB 65 w/SA 2, SA 3 & HA 2 – AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING.

SA 4 to SB 65 was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 4 to SB 65** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables – 1

SA 4 to SB 65 was declared part of the bill.

SB 65 w/SA 2, SA 3, HA 2 & SA 4 was now before the Senate.

Roll call vote on **SB 65 w/SA 2, SA 3, HA 2 & SA 4** was taken and revealed:

YES: 21

SB 65 w/SA 2, SA 3, HA 2 & SA 4 was declared passed the Senate as amended and sent to the House for Consideration.

HB 183 was Lifted from the Table and brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

SA 1 to HB 183 was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to HB 183** was taken and revealed:

YES: 21

SA 1 to HB 183 was declared part of the bill.

SA 2 to HB 183 was Stricken on motion of Senator Amick.

HB 183 w/SA 1 was now before the Senate.

Roll call vote on **HB 183 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

HB 183 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HS 1 to HB 253 w/HA 1 was Lifted from the Table and brought before the Senate for Consideration on the motion of the floor manager, Senator McDowell.

SA 1 to HS 1 to HB 253 was brought before the Senate for consideration on the motion of Senator Marshall.

Senator(s) Simpson and Bonini commented.

Roll call vote on **SA 1 to HS 1 to HB 253** was taken and revealed:

YES: 20

NO: Senator(s) Still – 1

SA 1 to HS 1 to HB 253 was declared part of the bill.

Senator Marshall requested the privilege of the floor for David Wilk, representing Greystone Realty Advisors and the University of Delaware.

Senator(s) Simpson, Copeland and Bunting questioned the witness, after which the witness was excused.

Senator Marshall requested the privilege of the floor for Michael Hare, representing the Riverfront Development Cooperation of Delaware and Wilmington City Council.

The witness was excused after addressing the Senate.

SA 2 to HS 1 to HB 253 was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 2 to HS 1 to HB 253** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini – 1

SA 2 to HS 1 to HB 253 was declared part of the bill.

HS 1 to HB 253 w/HA 1, SA 1 & SA 2 was now before the Senate.

Roll call vote on **HS 1 to HB 253 w/HA 1, SA 1 & SA 2** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Simpson – 1

HS 1 to HB 253 w/HA 1, SA 1 & SA 2 was declared passed the Senate and returned to the House for Reconsideration.

HB 96 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 96 w/HA 1 – AN ACT TO AMEND VOLUME 73 OF THE LAWS OF DELAWARE, CHAPTER 408, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE AND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES.

SA 1 to HB 96 was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 1 to HB 96** was taken and revealed:

YES: 21

SA 1 to HB 96 was declared part of the bill.

HB 96 w/HA 1 & SA 1 was now before the Senate.

Senator Vaughn requested the privilege of the floor for Guy Sapp, representing Family Court.

The witness was excused after addressing the Senate.

Roll call vote on **HB 96 w/HA 1 & SA 1** was taken and revealed:

YES: 21

HB 96 w/HA 1 & SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 284 was brought before the Senate for consideration on the motion of the floor manager, Senator Venables.

HB 284 – AN ACT TO AMEND 74 LAWS OF DELAWARE 35 (2003) RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS, MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS.

Senator(s) Bunting and Connor commented.

Roll call vote on **HB 284** was taken and revealed:

YES: 21

HB 284 was declared passed the Senate and returned to the House.

HB 227 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 227 w/HA 1 – AN ACT TO AMEND TITLE 2, DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC CARRIERS.

Senator Bunting commented.

Senator Cook requested the privilege of the floor for Joseph F. Longo, representing Yellow Cab Delaware, Inc.

Senator(s) Still and McBride questioned the witness, after which the witness was excused.

Senator Cook requested the privilege of the floor for Representative Boulden.

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

Senator Bonini commented.

Roll call vote on **HB 227 w/HA 1** was taken and revealed:

YES: 17

NO: Senator(s) Blevins, McBride, Still – 3

ABSENT: Senator(s) Peterson – 1

HB 227 w/HA 1 was declared passed the Senate and returned to the House.

HB 75 was Lifted from the Table and brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

HB 75 – AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

SA 1 to HB 75 was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 1 to HB 75** was taken and revealed:

YES: 20

ABSENT: Senator(s) Peterson – 1

SA 1 to HB 75 was declared part of the bill.

HB 75 w/SA 1 was now before the Senate.

Roll call vote on **HB 75 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting – 1

HB 75 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 283 was brought before the Senate for consideration on the motion of the floor manager, Senator DeLuca.

HB 283 – AN ACT TO AMEND CHAPTERS 271 AND 272, VOLUME 72, LAWS OF DELAWARE BY REMOVING SUNSET PROVISIONS RELATING TO BINDING INTEREST ARBITRATION IN THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT AND THE PUBLIC EMPLOYMENT RELATIONS ACT.

Roll call vote on **HB 283** was taken and revealed:

YES: 21

HB 283 was declared passed the Senate and returned to the House.

Senator McDowell rose to congratulate Senator Sorenson on her 30th Wedding Anniversary.

HB 302 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Cook.

HB 302 – AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2004 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Roll call vote on **HB 302** was taken and revealed:

YES: 21

HB 302 was declared passed the Senate and returned to the House.

HB 146 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Marshall.

HB 146 w/HA 1 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES.

Senator Marshall requested the privilege of the floor for Thomas Cook, representing the Department of Finance.

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

Roll call vote on **HB 146 w/HA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Copeland – 1

HB 146 w/HA 1 was declared passed the Senate and returned to the House.

SB 163 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Marshall.

SB 163 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE PENSION ADVISORY COUNCIL PLAN.

Roll call vote on **SB 163** was taken and revealed:

YES: 21

SB 163 was declared passed the Senate and sent to the House for Consideration.

HB 223 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Marshall.

HB 223 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Roll call vote on **HB 223** was taken and revealed:

YES: 21

HB 223 was declared passed the Senate and returned to the House.

HB 255 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 255 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Senator Vaughn requested the privilege of the floor for John Cordrey, Alcoholic Beverage Control Commissioner.

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

Roll call vote on **HB 255** was taken and revealed:

YES: 15

NO: Senator(s) Connor, Cook, Still, Venables – 4

NOT VOTING: Senator(s) Cloutier, Copeland – 2

HB 255 was declared passed the Senate and returned to the House.

HB 287 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 287 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES, SENTENCES.

Senator Vaughn requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

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

Roll call vote on **HB 287** was taken and revealed:

YES: 19

NO: Senator(s) Simpson – 1

ABSENT: Senator(s) McBride – 1

HB 287 was declared passed the Senate and returned to the House.

HB 49 w/HA 2 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 49 w/HA 2 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SIZE AND WEIGHT OF VEHICLES AND LOADS.

Roll call vote on **HB 49 w/HA 2** was taken and revealed:

YES: 21

HB 49 w/HA 2 was declared passed the Senate and returned to the House.

HB 305 w/HA 1 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Marshall.

HB 305 w/HA 1 – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO TAXES.

Senator(s) Bonini, McDowell and Simpson commented.

Roll call vote on **HB 305 w/HA 1** was taken and revealed:

YES: 19

NO: Senator(s) Bonini, Simpson – 2

HB 305 w/HA 1 was declared passed the Senate and returned to the House.

HB 186 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 186 – AN ACT TO AMEND TITLE 10, 11, 14 AND 31 OF THE DELAWARE CODE RELATING TO TRUANCY.

Senator McBride commented.

Senator Sokola requested the privilege of the floor for Jeffrey Clark, Senate Attorney. The witness was excused after addressing the Senate.

HB 186 Majority vote requirement (2/3) ruling of the Chair.

Roll call vote on **HB 186** was taken and revealed:

YES: 21

HB 186 was declared passed the Senate and returned to the House.

SB 171 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Henry.

SB 171 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND HAZARDOUS MATERIALS ENDORSEMENTS ON COMMERCIAL DRIVER LICENSES.

Roll call vote on **SB 171** was taken and revealed:

YES: 21

SB 171 was declared passed the Senate and sent to the House for Consideration.

HB 191 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola,

HB 191 – AN ACT TO REINCORPORATE THE TOWN OF SMYRNA.

Senator(s) Vaughn and McBride commented.

Roll call vote on **HB 191** was taken and revealed:

YES: 21

HB 191 was declared passed the Senate and returned to the House.

SB 178 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Vaughn.

Senator Bonini commented.

Roll call vote on **SB 178** was taken and revealed:

YES: 21

SB 178 was declared passed the Senate and sent to the House for Consideration.

HB 235 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 235 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL.

Senator(s) Simpson and Bonini commented.

Roll call vote on **HB 235** was taken and revealed:

YES: 21

HB 235 was declared passed the Senate and returned to the House.

HB 263 w/HA 1 & HA 2 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 263 w/HA 1 & HA 2 – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR PUBLIC ASSISTANCE.

Roll call vote on **HB 263 w/HA 1, HA 2** was taken and revealed:

YES: 21

HB 263 w/HA 1 & HA 2 was declared passed the Senate and returned to the House.

HB 233 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Vaughn.

HB 233 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE
RELATING TO SPECIFIC OFFENSES.

Senator Vaughn moved to Lay **HB 233** on the Table. No objection.

At 11:58 PM on June 30, 2003, the First Session of the 142nd General Assembly adjourned on motion of Senator McDowell.

**142nd GENERAL ASSEMBLY
FIRST SPECIAL SESSION
JULY 01, 2003**

**STATE OF DELAWARE
OFFICE OF THE LIEUTENANT GOVERNOR**

TO: The Members of the 142nd General Assembly

FROM: John C. Carney, Jr., Lieutenant Governor of the State of Delaware
Terry R. Spence, Speaker of the House of Representatives

SUBJECT: Special Session

DATE: July 01, 2003

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 142nd General Assembly of the State of Delaware in Special Session.

Signed
John C. Carney, Jr., Lieutenant Governor
and President of the Senate

Signed
Terry R. Spence
Speaker of the House of Representatives
* * *

Pursuant to the above, the Senate convened at 12:00 AM on July 1, 2003 with Lt. Governor Carney presiding.

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

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

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

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

HB 139 w/HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 139 w/HA 2 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE TO PROVIDE FOR A NEW UNIFORM PARENTAGE ACT TO REPLACE THE EXISTING PARENTAGE ACT AND TO REPEAL CERTAIN CODE PROVISIONS WHICH ARE INCONSISTENT WITH THE ACT.

Roll call vote on **HB 139 w/HA 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

HB 139 w/HA 2 was declared passed the Senate and returned to the House.

HB 203 w/HA 2 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HB 203 w/HA 2 - AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES; GAS, WATER AND OIL CORPORATIONS.

Roll call vote on **HB 203 w/HA 2** was taken and revealed:

YES: 21

HB 203 w/HA 2 was declared passed the Senate and returned to the House.

HB 233 was Lifted from the Table and brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

Senator Vaughn requested the privilege of the floor for Mr. Kevin Roth, Delaware Correction Center officer.

The witness was excused after addressing the Senate.

SA 1 to HB 233 was brought before the Senate for consideration on motion of Senator Vaughn.

Roll call vote on **SA 1 to HB 233** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

SA 1 to HB 233 was declared part of the bill.

HB 233 w/SA 1 was now before the Senate.

Roll call vote on **SA 1 to HB 233** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Simpson - 2

HB 233 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

SENATE CONSENT CALENDAR #8 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

SR 12 - MARKING THE ONE HUNDREDTH ANNIVERSARY OF THE ESTABLISHMENT OF THE BALTIMORE TRUST COMPANY IN SELBYVILLE, BALTIMORE HUNDRED, SUSSEX COUNTY. Sponsor: Sen. Bunting & Sen. Adams

SR 13 - RECOGNIZING SHIRLEY CUPERY FOR HER ENDLESS WORK AS AN ADVOCATE FOR THE CHILDREN OF DELAWARE FOR MORE THAN 30 YEARS. Sponsor: Sen. McDowell & Sen. Blevins & Sen. Cook, On behalf of all Senators

SR 15 - URGING THE GOVERNOR OF DELAWARE TO DIRECT THE SECRETARY OF TRANSPORTATION TO APPROPRIATELY IDENTIFY DELAWARE'S COASTAL POINTS AS "DELAWARE BEACHES" ON STATE SIGNAGE, AND NOT AS "SHOR POINTS". Sponsor: Sen. DeLuca; On behalf of all Senators

SCR 27 - CREATING A TASK FORCE THAT WOULD EXPLORE THE CREATION OF A PILOT MANDATORY CURBSIDE RECYCLING PROGRAM TO CONDUCT IN A GIVEN JURISDICTION. Sponsor: Sen. McDowell & Rep. D. Ennis

HCR 37 - REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF IMPLEMENTING A CHARACTER DEVELOPMENT STRATEGY, I.E. "WORDS TO LIVE BY" AS PROMOTED BY THE DELAWARE POLICE CHIEF'S COUNCIL, INC. Sponsor: Rep. Wagner & Sen. Sokola; Reps. Buckworth, Carey, Caulk, D. Ennis, Fallon, Hudson, Lavelle, Lofink, Maier, Miro, Reynolds, Stone, Ulbrich, Houghton, Plant, Price

HCR 38 - WISHING THE UNITED STATES OF AMERICA A MOST HAPPY BIRTHDAY ON JULY 4TH, 2003 AND URGING ALL DELAWAREANS TO CELEBRATE THE ANNIVERSARY OF THE INDEPENDENCE OF THE GREATEST NATION ON THE FACE OF THE EARTH. Sponsor: Rep. Spence; On behalf of all Representatives & Sen. Sharp; On behalf of all Senators

A roll call vote was taken on **SENATE CONSENT CALENDAR #8** and revealed 20 Senators voting YES, 1 (Bonini) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolution was sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

SS 1 to SB 174 was brought before the Senate for consideration on the motion of Senator Cloutier.

SS 1 to SB 174 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CELL PHONE USE BY SCHOOL BUS DRIVERS.

Roll call vote on **SS 1 to SB 174** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1

SS 1 to SB 174 was declared passed the Senate and sent to the House for Consideration.

HB 280 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of the floor manager, Senator Still.

HB 280 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF PUBLIC ADJUSTERS.

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

YES: 15

NO: Senator(s) McBride, McDowell, Peterson, Sokola - 4

ABSENT: Senator(s) Blevins, Bonini - 2

HB 280 was declared passed the Senate and returned to the House.

On motion of Senator McDowell, the Senate recessed at 12:29 AM to the Call of the President Pro Tempore.

**142nd GENERAL ASSEMBLY
1st EXECUTIVE SESSION
SEPTEMBER 24, 2003**

The Senate convened at 03:55 PM with Lt. Governor Carney presiding.
Pursuant to the following Proclamation which was read to the members.

STATE OF DELAWARE
Executive Department
Dover

PROCLAMATION

By virtue of the authority vested in me as Governor by Article III, Section 16, of the Constitution of the State of Delaware, I, Ruth Ann Minner, hereby proclaim an extraordinary session of the Senate, to commence on Thursday, September 18, 2003, at 2:00 p.m., for the transaction of executive business, including the consideration of: the nomination and appointment of a Vice Chancellor of the Delaware Court of Chancery, the nomination and appointment of an Associate Judge of the Delaware Family Court, and such other business as may properly come before the Senate.

IN WITNESS WHEREOF, I, Ruth Ann Minner,
Governor of the State of Delaware, have set my
Hand and caused the Great Seal of said State to
be affixed this 31st day of July in the year of Our
Lord Two Thousand Three and of the Independence
of the United States of America Two Hundred
Twenty-Seven.

(Signed) Ruth Ann Minner
Governor

Attested:

(Signed) Harriet Smith Windsor
Secretary of State

* * *

The following correspondence by the Governor was read in.

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

August 19, 2003

Re: Rescheduling of Special Session of the Delaware State Senate
to Wednesday, September 24, 2003

Dear Senator Adams,

As you know, on July 31, 2003, I issued a Proclamation of a Special Session of the Delaware State Senate to occur on September 18, 2003.

As we have discussed, it is appropriate to delay the Special Session due to the untimely passing of Judge Haile L. Alford, and in order to better accommodate the schedules of some of the members of the Senate. Accordingly, the purpose of this letter is to formally notify the members of the Delaware State Senate that the Special Session will take place on Wednesday, September 24, 2003 at 2:00 p.m. I understand that this date is acceptable to you and other members of the Senate, and I appreciate your cooperation in scheduling the special session for a more appropriate date.

Very truly yours,

(Signed) Ruth Ann Minner
Governor

cc: Lieutenant Governor John C. Carney, Jr.
All Member of the Senate

* * *

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

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

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

Communications from the Governor to the Lieutenant Governor, (President of the Senate) were read in.

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

September 12, 2003

The Honorable John C. Carney, Jr.
Lieutenant Governor
State of Delaware
Tatnall Building
600 William Penn Street
Dover, Delaware 19901

Re: Judicial Appointment

Dear Lieutenant Governor Carney:

Pursuant to Article IV, Section 3 of the Delaware Constitution, I write to inform you that I intend to submit the name of Mary M. Johnston to the State for confirmation and appointment as an Associate Judge of the Delaware Superior Court. I will submit Ms. Johnston's name to the Senate on or prior to September 24, 2003.

Very truly yours,

(Signed) Ruth Ann Minner
Governor

cc: Lieutenant Governor John C. Carney, Jr.
President Pro Tempore of the Senate

* * *

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

September 12, 2003

The Honorable John C. Carney, Jr.
Lieutenant Governor
State of Delaware
Tatnall Building
600 William Penn Street
Dover, Delaware 19901

Re: Judicial Appointment

Dear Lieutenant Governor Carney:

I write to inform you that I intend to submit the name of Arlene Minus Coppadge to the Senate for confirmation as an Associate Judge of the Family Court of the State of Delaware. I will submit Commissioner Coppadge's name to the Senate on or before September 24, 2003.

Very truly yours,

(Signed) Ruth Ann Minner
Governor

cc: Lieutenant Governor John C. Carney, Jr.
President Pro Tempore of the Senate

* * *

STATE OF DELAWARE
OFFICE OF THE GOVERNOR

September 12, 2003

The Honorable John C. Carney, Jr.
Lieutenant Governor
State of Delaware
Tatnall Building
600 William Penn Street
Dover, Delaware 19901

Re: Judicial Appointment

Dear Lieutenant Governor Carney:

Pursuant to Article IV, Section 3 of the Delaware Constitution, I write to inform you that I intend to submit the name of Donald F. Parsons, Jr., to the State for confirmation and appointment as Vice Chancellor of the Delaware Court of Chancery. I will submit Mr. Parson's name to the Senate on or prior to September 24, 2003.

Very truly yours,

(Signed) Ruth Ann Minner
Governor

cc: Lieutenant Governor John C. Carney, Jr.
President Pro Tempore of the Senate

* * *

On motion of Senator Adams, and without objection, the following nominations were considered under the suspension of the necessary rules.

Johnston, Mary Miller: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Coppadge, The Honorable Arlene Minus: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Parsons, Donald F., Jr.: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

SR 18 was brought before the Senate for consideration on the motion of Senator Peterson.

SR 18 - RECOGNIZING AND THANKING THE MANY ORGANIZATIONS AND INDIVIDUALS WHO RESPONDED TO THE DEVASTATION AND EMERGENCY NEEDS GENERATED BY THE FLOODING OF SEPTEMBER 15, 2003. Sponsor: Senator Peterson & Sen. Sokola

Senator Peterson commented.

Senator Peterson requested the privilege of the floor for Bill Marino and Marlene Beecher, Glenville/Stanton Crest Civic Association.

The witnesses were excused after addressing the Senate.

Several Senators commented.

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

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

YES: 21

SR 18 was declared Adopted.

On motion of Senator Adams, and without objection, the following nominations were considered under the suspension of the necessary rules.

Calio, Frank B.: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Davis, The Honorable Edward G; Blakely, The Honorable Sheila G.: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Pennella, The Honorable Agnes E.; Stump, The Honorable Charles M.: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Patterson, Gary B.: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Slatcher, Harold L.: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Dudek, Mary M.; Eliassen, Craig; Griffiths, Norman: 21 Senator(s) voting YES. Appointments were declared CONFIRMED.

Senator McDowell yields to Senator Blevins.

Senator Blevins moved that **SB 190** be introduced and placed in the **Insurance and Election** Committee.

SB 190 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONVERSION TRANSACTIONS OF NOT-FOR-PROFIT ENTITIES. Sponsor: Sen. Blevins & Rep. Maier

Senator McDowell requested a moment of silent prayer for William Lindewirth and his family for the loss of his son, Jonathan Scott Lindewirth.

Senator McDowell yields to Senator Cook.

SR 17 was brought before the Senate for consideration on the motion of Senator Cook.

SR 17 - HONORING THE MEMORY AND CELEBRATING THE LIFE OF THE LATE BETTY JEAN PLEASANTON CANIFORD, FORMER SECRETARY OF THE DELAWARE STATE SENATE, WHO PASSED AWAY ON SATURDAY, THE TWENTIETH DAY OF SEPTEMBER, 2003. Sponsor: Sen. Cook; Sens. Adams, Connor, Marshall, McBride, McDowell, Still & Vaughn

Sensors Cook and McBride commented.

Roll call vote on **SR 17** was taken and revealed:

YES: 21

SR 17 was declared Adopted.

Senator Marshall commented and requested a moment of silence in memory of B.J. Caniford.

Senator McDowell yields to Senator Amick.

SR 16 was brought before the Senate for consideration on the motion of Senator Amick.

SR 16 - RECOGNIZING THE CONTRIBUTIONS OF JEANNE GEDDES-KEY, DIRECTOR OF THE COLLEGE SCHOOL, UNIVERSITY OF DELAWARE. Sponsor: Sen. Amick & Sen. Sorenson

Senator Amick commented.

Roll call vote on **SR 16** was taken and revealed:

YES: 21

SR 16 was declared Adopted.

Senator Bonini motioned to reconsider **HB 130**.

Senator Bonini then motioned the return of **HB 130** from the House.

A communication from Bernard J. Brady, Secretary of the Senate to JoAnn M. Hedrick, Chief Clerk of the House was read into the record, the Senate plans to consider a motion for the return and reconsideration of **HB 130**. Through this medium, I hereby request the return of said bill in preparation of the anticipated motion.

A communication from JoAnn M. Hedrick, Chief Clerk of the House to Bernard J. Brady, Secretary of the Senate was read, please find attached **HB 130** per your request.

Senator Cook request and without objection, moved that the roll call on **HB 130** be rescinded and Laid on the Table.

At 05:00 PM Senator McDowell adjourned the First Executive Session and the First Special Session was still in recess to the Call of the President Pro Tempore.

At 02:03 PM on January 13, 2004, the First Special Session of the 142nd General Assembly was adjourned by motion of Senator McDowell. The Second Session of the 142nd General Assembly was thereupon convened.

**1st LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 13, 2004**

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

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag. Call of the roll for the Legislative Day revealed the following attendance:

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

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

Senator McDowell moved to recess until 03:20 PM.

The Senate reconvened at 03:39 PM with Lt. Governor Carney presiding.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD - PART ONE
1/13/03**

June 26, 2003

SA 1 to HB 187 - Sponsor: Sen. Sokola; Placed with the Bill.

SA 1 to SB 168 - Sponsor: Sen. DeLuca; Placed with the Bill.

June 30, 2003

SS 1 for SB 172 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO EDUCATOR EVALUATIONS. Sponsor: Sen. McDowell & Rep. Valihura; **Children; Youth & Families.**

July 1, 2003

SA 1 to HB 233 - Sponsor: Sen. Vaughn; Placed with the Bill.

SA 1 to SB 161 - Sponsor: Sen. McDowell; Placed with the Bill.

SA 1 to SB 86 - Sponsor: Sen. Sorenson; Placed with the Bill.

SA 1 to HB 99 - Sponsor: Sen. Still; Placed with the Bill.

SA 2 to HB 99 - Sponsor: Sen. Venables; Placed with the Bill.

January 13, 2004

SB 192 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. Sponsor: Sen. Adams & Rep. Ewing; **LOT.**

SB 193 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE. Sponsor: Sen. Adams & Rep. Ewing; **LOT.**

SB 182 - AN ACT TO AMEND TITLES 29, 31, AND 6 OF THE DELAWARE CODE RENAMING THE OFFICE OF HUMAN RELATIONS, AND RELATING TO THE STATE HUMAN RELATIONS COMMISSION, EQUAL ACCOMMODATIONS, AND FAIR HOUSING. Sponsor: Sen. McBride & Rep. Ulbrich; Sens. Bonini, Copeland, Peterson, Sokola; Reps. Hudson, Schwartzkopf, Valihura, Viola; **Sunset.**

SB 183 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. Sponsor: Sen. Blevins & Rep. Roy; **Insurance & Elections.**

SB 184 - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO THE DISSOLUTION OF THE UNEMPLOYMENT INSURANCE APPEALS BOARD AND THE ESTABLISHMENT OF A NEW APPEAL MECHANISM. Sponsor: Sen. McBride & Rep. Ulbrich; Sens. Copeland, Peterson, Sokola; Reps. Hudson, Schwartzkopf, Valihura, Viola; **Executive.**

SB 186 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS. Sponsor: Sens. McBride & Bunting, Reps. Spence, Cathcart; **Veterans Affairs.**

SB 187 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN'S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY'S FEES, EXPANDING THE JURISDICTION OF THE TOWN POLICE AND ALDERMAN, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATION, IMPOSE IMPACT FEES AND TO COLLECT A "VOLUNTARY ASSESSMENT" FROM VIOLATORS IN LIEU OF REQUIRING A COURT APPEARANCE. Sponsor: Sen. Bunting & Rep. Hocker; **Community/County Affairs.**

SB 188 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES. Sponsor: Sen. McDowell & Sen. Bunting; Reps. Buckworth, D. Ennis, George, Hall-Long, Hudson, Keeley, Lavelle, Mulrooney, Plant, Roy, Valihura; **Revenue & Taxation.**

SB 189 - 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 & Rep. Maier; Sens. Blevins & Peterson; **Health & Social Services.**

SB 191 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND COMMERCIAL MOTOR VEHICLES INCLUDING SCHOOL BUSES. Sponsor: Sen. Henry & Reps. Plant, Ewing & Williams; **Public Safety.**

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

Philip S. Reese 5601 Kennett Pike Wilmington, DE 19807	To be appointed Chairperson of the Board of Pension Trustees to serve at the Pleasure of the Governor from the date of Senate confirmation.
Timothy P. Sheldon 7 ½ Rose Circle Newark, DE 19711	To be appointed a member of the Delaware Solid Waste Authority for a term to expire March 14, 2005.
William J. DiMondi 41 Laurel Drive Dover, DE 19901	To be reappointed a member of the Delaware Solid Waste Authority for a term to expire 3 years from Senate confirmation.
Regina C. Dudziec 332 East Roosevelt Avenue New Castle, DE 19720	To be reappointed a member of the Tax Appeals Board to serve a term to expire 3 years from the date of Senate confirmation.
Romayne B. Seward 591 Carriage Lane Dover, DE 19901	To be reappointed a member of the Industrial Accident Board to serve a term to expire 6 years from Senate confirmation.
Brian R. Hoffecker 223 Woodland Beach Road Smyrna, DE 19977	To be appointed a member of the Advisory Council on Tidal Finfisheries to serve a term to expire 5 years from Senate confirmation.

Douglas P. Kennedy Cox
831 Skeeter Neck Road
Frederica, DE 19946

To be appointed Justice of the Peace
for Kent County to serve a term to expire
4 years from the date of swearing in.

David F. Marvin
8 Carriage Road
Wilmington, DE 19807

To be reappointed a member of the Cash
Management Policy Board for a term to
expire 3 years from Senate confirmation.

* * *

Senator McDowell yields to Senator Adams.

Senator Adams requested Judge Roth and Marlene Elliott sit in front of the Delaware State Senate.

Senator Adams commented on behalf of the late William V. Roth, Jr.

SJR 6 was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Adams. The Reading Clerk read the tribute in its entirety.

SJR 6 - CELEBRATING THE LIFE AND COMMEMORATING THE SERVICE OF THE HONORABLE WILLIAM V. ROTH, JR. Sponsor: Sen. Adams & Rep. Spence; Sens. Still, McDowell, DeLuca, Sorenson, Reps. Smith, Lee, Gilligan, Van Sant, Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, Henry, Marshall, McBride, Sens. Peterson, Simpson, Sokola, Vaughn, Venables, Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Reps. Houghton, Hudson, Keeley, Lavelle, Lofink, Maier, Miro, Mulroney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Stone, Thornburg, Ulbrich, Valihura, Viola, Wagner, Williams.

Senator Adams yields to Senator Still.

Senator Still commented and presented Judge Roth thirty two white and 4 yellow roses representing the years of service in the United States Senate and United States House of Representatives.

Several Senators commented.

Senator Adams presented a Delaware flag in memory of Senator William V. Roth, Jr.

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

YES: 21

SJR 6 was declared Passed the Senate and sent to the House for Consideration.

Senator Adams requested the privilege of the floor for Judge Roth.

She was excused after addressing the Senate.

McDowell yields to Senator Still.

Senator Still commented.

Announcements and Additions were announced.

The Secretary announced the agenda for January 14, 2004.

On motion of Senator McDowell, the Senate recessed at 04:09 PM until January 14, 2004 at 04:00 PM.

The Senate reconvened at 04:29 PM on January 14, 2004 with Lt. Governor Carney presiding.

A communication from the Office of Representative Houghton was read into the record requesting his name be removed from **SB 53** as co-sponsor.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD - PART TWO
1/13/03**

HB 99 w/HA 2, HA 9, HA 12, HA 13-(SA 1,SA 2) - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. Sponsor: Reps. Oberle & DiPinto, Rep. Williams & Sen. Henry; Reps. Keeley, Schwartzkopf, George; Sens. McDowell, Bunting, Sokola; **Judiciary**.

HB 132 w/HA 3 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. Sponsor: Rep. DiPinto; Roy, Rep. Houghton & Rep. Keeley; Reprs. Plant, Williams; Sens. McDowell, Henry, Marshall; **Community/County Affairs.**

HB 134 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF INSTRUMENTS OF CERTAIN CRIMES. Sponsor: Rep. Wagner & Sen. McDowell; **Judiciary.**

HB 188 w/HA 1 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO THE PROVISIONS OF CAPITAL PROJECT COORDINATOR SERVICES TO SCHOOL DISTRICTS. Sponsor: Rep. Wagner & Sen. Cook; **Finance.**

HB 211 w/HA 1 - AN ACT TO AMEND CHAPTER 2, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LANDSCAPE ARCHITECTURE. Sponsor: Rep. Ulbrich & Sen. McBride; Reprs. Hudson, Valihura, Schwartzkopf, Viola; Sens. Peterson, Sokola, Copeland; **Sunset.**

HB 228 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WAGE PAYMENT AND COLLECTION NOTIFICATION. Sponsor: Rep. Lofink; Rep. Oberle; Sen. Marshall; **Labor & Industrial Relations.**

HB 237 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 RELATING TO GRIEVANCES. Sponsor: Rep. Wagner; D. Ennis, Reprs. Booth, Caulk, Ewing, Hocker, Quillen, Stone, B. Ennis, Houghton, Keeley, Plant; Sen. Peterson; **Judiciary.**

HB 240 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOME HEALTH AGENCY PROGRAMS. Sponsor: Rep. Oberle & Sen. Blevins; Rep. Maier; **Health & Social Services.**

HB 242 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS. Sponsor: Rep. Wagner & Sen. Blevins; Reprs. Quillen, Keeley; **Judiciary.**

HB 248 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE SUSPENSION OR REVOCATION. Sponsor: Rep. D. Ennis & Sen. McDowell; Reprs. B. Ennis, Hall-Long, Houghton, Hudson, Keeley, Lavelle, Maier, Miro, Mulrooney, Plant, Reynolds, Smith, Spence, Stone, Ulbrich, Viola, Wagner; Sens. Amick, Blevins, Henry, Peterson, Still; **Public Safety.**

HB 261 - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO RADIATION CONTROL. Sponsor: Rep. D. Ennis; & Sen. Blevins, Reprs. DiPinto, Valihura, B. Ennis; Sen. Cook; **Health & Social Services.**

HB 265 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING AND FISHING LICENSES. Sponsor: Rep. B. Ennis & Sen. Vaughn; Reprs. Cathcart, Caulk, D. Ennis, Gilligan, Hall-Long, Hocker, Houghton, Keeley, Mulrooney, Oberle, Plant, Spence, Thornburg, Van Sant, Viola, Williams; Sens. Bonini, Venables; **Natural Resources & Environmental Control.**

HB 272 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPLEMENT CODIFICATION OF INSURANCE REGULATION ACCOUNTING STANDARDS AS ADOPTED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. Sponsor: Rep. Stone & Sen. Blevins; **Insurance & Elections.**

HB 273 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO RISK-BASED CAPITAL FOR HEALTH ORGANIZATIONS. Sponsor: Rep. Stone & Sen. Blevins; **Health & Social Services.**

HB 274 - AN ACT TO AMEND SECTION 714, TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS. Sponsor: Rep. Stone; & Sen. Blevins; **Insurance & Elections.**

HB 275 - AN ACT TO AMEND TITLE 4, TITLE 11, TITLE 18 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL AND TOBACCO ENFORCEMENT. Sponsor: Rep. Ewing & Sen. Vaughn; **Judiciary.**

HB 279 w/HA 1 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF ADJUSTERS. Sponsor: Rep. Stone; Valihura; Sen. Blevins; **Insurance & Elections.**

HB 289 - AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE'S INTEREST IN CERTAIN LANDS LOCATED IN SUSSEX COUNTY, DELAWARE. Sponsor: Rep. Schwartzkopf & Sen. Simpson; **Community/County Affairs.**

HB 293 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH. Sponsor: Rep. Atkins & Sen. Bunting; **Natural Resources & Environmental Control.**

HB 297 - AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN. Sponsor: Rep. Hall-Long & Sen. Vaughn; Community/County Affairs.

* * *

The following committee reports were announced:

From Executive: **Romayne Seward** – 6 Merits, **Philip Reese** – 4 Favorable, 2 Merits, **David Marvin** – 2 Favorable, 4 Merits, **Douglas P. Kennedy Cox** – 1 Favorable, 5 Merits, **Brian Hoffecker**, 1 Favorable, 5 Merits, **Regina Dudziec** – 6 Merits, **William DiMondi** – 6 Merits, **Timothy Sheldon** – 2 Favorable, 4 Merits.

At 04:31 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Second Legislative Day.

**2nd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 14, 2004**

The Senate convened at 04:31 PM with Lt. Governor Carney presiding.

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

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

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

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

SB 192 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Adams.

SB 192 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES.

SA 1 to SB 192 was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to SB 192** was taken and revealed:

YES: 21

SA 1 to SB 192 was declared part of the bill.

SB 192 w/SA 1 was now before the Senate.

Senator Adams requested the privilege of the floor for Joseph Conaway, representing the Town of Bridgeville.

Senators Adams and Connor questioned the witness, after which the witness was excused.

Roll call vote on **SB 192 w/SA 1** was taken and revealed:

YES: 21

SB 192 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SB 193 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Adams.

SB 193 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE.

Roll call vote on **SB 193** was taken and revealed:

YES: 21

SB 193 was declared passed the Senate and sent to the House for Consideration.

HB 158 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 158 w/HA 1 - AN ACT TO AMEND CERTAIN PROVISIONS OF SECTIONS 3-401, 6-200, 6-201 AND 6-300 OF THE CITY OF WILMINGTON HOME RULE CHARTER.

Senator Sokola yields to Senator McDowell.

Senators Sorenson and Bunting questioned Senator McDowell.

Senator McDowell requested the privilege of the floor for William S. Montgomery, representing the City of Wilmington.

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

Roll call vote on **HB 158 w/HA 1** was taken and revealed:

YES: 21

HB 158 w/HA 1 was declared passed the Senate and returned to the House.

HB 213 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 213 – AN ACT TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF THE CITY OF WILMINGTON, PURSUANT TO ADMINISTRATIVE ASSISTANT TO THE MAYOR. 2/3 vote

Roll call vote on **HB 213** was taken and revealed:

YES: 21

HB 213 was declared passed the Senate and returned to the House.

Announcements and Additions were announced.

The Secretary announced the agenda for January 15, 2004.

On motion of Senator McDowell, the Senate recessed at 04:58 PM until January 15, 2004 at 02:00 PM.

The Senate reconvened at 02:52 PM on January 15, 2004 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Community/County Affairs: **SB 187** – 3 Merits; **SB 194** – 3 Merits.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/15/03**

January 14, 2004

SA 1 to SB 194 - Sponsor: Sen. Simpson; Senate Placed with the Bill.

SB 194-(SA 1) - 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 AMEND SECTION 20, ENTITLED "POWER TO BORROW MONEY AND ISSUE BONDS", BY PERMITTING THE AMOUNT DESIRED TO BE BORROWED TO BE STATED IN A "NOT TO EXCEED" AMOUNT; CLARIFYING VOTER QUALIFICATIONS; PROVIDING FOR APPOINTMENT OF A BOARD OF ELECTION AND PROCEDURES; AUTHORIZING THE CITY TO CANCEL THE BORROWING; PROVIDING FOR BOND ANTICIPATION NOTES; PROVIDING FOR A STATUTE OF LIMITATIONS FOR CHALLENGES TO PROCEDURES OF THE CITY IN THESE MATTERS; AND PERMITTING THE ISSUANCE OF REFUNDING BONDS FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF ANY OF THE CITY'S OUTSTANDING BONDS OR OTHER INDEBTEDNESS. Sponsor: Sen. Simpson & Rep. Booth; Sen. Sokola; **Community/County Affairs**.

SB 195 - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN", TO CLARIFY CERTAIN PROVISIONS REGARDING REFINANCING OF INDEBTEDNESS BY THE TOWN. Sponsor: Sen. Vaughn & Rep. Cathcart; Rep. Hall-Long; **Community/County Affairs**.

SB 196 - AN ACT TO AMEND CHAPTER 258, VOLUME 73, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MINIMUM STAFFING FOR NURSING HOME FACILITIES AND TRAINING FOR CERTIFIED NURSING ASSISTANTS". Sponsor: Sen. Marshall & Rep. Maier; **Community/County Affairs**.

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

Dr. Glenn J. Gormley 800 North Drive Brick, NJ 08724	To be appointed a Trustee of the Board of Trustees of the University of Delaware for a term to expire December 11, 2009.
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Gilchrist Sparks, III 2303 Foster Place Wilmington, DE 19806	To be appointed a Trustee of the Board of Trustees of the University of Delaware for a term to expire December 11, 2009.
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P. Coleman Townsend, Jr.
801 Center Mill Road
P.O. Box 4605

To be appointed a Trustees of the Board
of Trustees of the University of Delaware
for a term to expire December 11, 2009.

Irwin G. Burton, III
30820 Edgewater Drive
Lewes, DE 19958

To be appointed a Trustee of the Board
of Trustees of the University of Delaware
for a term to expire December 11, 2009.

January 15, 2004

SB 197 - AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUOR LICENSES. Sponsor: Sen. Vaughn; B. Ennis; **Judiciary**.

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At 02:53 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Third Legislative Day.

**3rd LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 15, 2004**

The Senate convened at 02:53 PM with Lt. Governor Carney presiding.

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

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

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

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

HCR 41 was introduced and brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HCR 41 - COMMENDING RITA HOVERMALE FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2004 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. Sponsor: Rep. Reynolds & Sen. Sokola; On Behalf of all Representatives; On behalf of all Senators.

Senator Adams requested the privilege of the floor for Kevin Carson, Superintendent of Woodbridge School District.

Dr. Carson delivered his remarks, after which he introduced, Delaware's Teacher of the Year 2004, Rita Hovermale. Mrs. Hovermale delivered her remarks and then the Honorees from various school districts introduced themselves.

The witnesses were then excused.

Senators Sokola and Connor commented.

Roll call vote on **HCR 41** was taken and revealed:

YES: 21

HCR 41 was declared passed the Senate and returned to the House.

Senator Marshall marked present during the above roll call.

Senator McDowell commented.

Senator McDowell yields to Senator Henry for an introduction.

Senator Henry introduced Dr. Saleem Khan whom was seated in the Senate Chamber.

On motion of Senator Adams and without objection, the following nomination(s) were considered.

Marvin, David: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Seward, Romaine: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Dudziec, Regina: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

DiMondi, William: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Reese, Philip: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Hoffecker, Brian: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Cox, Douglas Kennedy: 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

SB 194 was brought before the Senate for consideration on the motion of Senator Simpson.

SB 194 - 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 AMEND SECTION 20, ENTITLED "POWER TO BORROW MONEY AND ISSUE BONDS", BY PERMITTING THE AMOUNT DESIRED TO BE BORROWED TO BE STATED IN A "NOT TO EXCEED" AMOUNT; CLARIFYING VOTER QUALIFICATIONS; PROVIDING FOR APPOINTMENT OF A BOARD OF ELECTION AND PROCEDURES; AUTHORIZING THE CITY TO CANCEL THE BORROWING; PROVIDING FOR BOND ANTICIPATION NOTES; PROVIDING FOR A STATUTE OF LIMITATIONS FOR CHALLENGES TO PROCEDURES OF THE CITY IN THESE MATTERS; AND PERMITTING THE ISSUANCE OF REFUNDING BONDS FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF ANY OF THE CITY'S OUTSTANDING BONDS OR OTHER INDEBTEDNESS.

SA 1 to SB 194 was brought before the Senate for consideration on the motion of Senator Simpson.

Roll call vote on **SA 1 to SB 194** was taken and revealed:

YES: 21

SA 1 to SB 194 was declared part of the bill.

SB 194 w/SA 1 was now before the Senate.

Senator Simpson requested the privilege of the floor for James L. Ford, representing the City of Lewes.

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

Roll call vote on **SB 194 w/SA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1

SB 194 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Announcements and Additions were announced.

The Secretary read the agenda for January 20, 2004.

On motion of Senator McDowell, the Senate recessed at 03:43 PM until January 20, 2004 at 02:00 PM.

The Senate reconvened at 02:34 PM on January 20, 2004, with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Gilchrist Sparks, III** – 1 Favorable, 5 Merits; **Dr. Glenn J. Gormley** – 1 Favorable, 4 Merits; **Irwin G. Burton, III** – 2 Favorable, 4 Merits; **P. Coleman Townsend, Jr.** – 1 Favorable, 5 Merits.

A communication from Rep. Cathcart was read into the record requesting his name be removed as co-sponsor of **SB 195**.

A withdrawal of sponsorship request was read into the record requesting Rep. Atkins be removed as co-sponsor of **SB 55**.

SENATE CITATION NO. #4, S142-202 – 449 inclusive was introduced and a copy made available to each Senator.

LEGISLATIVE ADVISORIES NOS. #9 - #16, 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 NO. #9, dated July 7, 2003, the Governor signed the following legislation on the dates indicated:

SB #31 aab SA 2 (6/30/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL LIABILITY AND SENTENCING IN CERTAIN CASES. (Sponsors: Sen. Marshall & Rep. Cathcart) (Volume 74, Chapter 71, Laws of Delaware.)

SB #38 (6/30/03) – AN ACT TO AMEND CHAPTER 320 OF VOLUME 72 OF THE LAWS OF DELAWARE RELATING TO POST CONVICTION REMEDIES. (Sponsors: Sen. Henry & Rep. Keeley & Rep. Stone & Rep. George) (Volume 74, Chapter 72, Laws of Delaware.)

SB #48 aab SA 2 (6/30/03) – AN ACT TO AMEND CHAPTER 10 OF TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRIC UTILITY RESTRUCTURING AND ADDING PROVISIONS CONFIRMING THE DUTY OF STANDARD OFFER SUPPLIERS, ELECTRIC SUPPLIERS AND ELECTRIC DISTRIBUTION COMPANIES TO MAINTAIN SAFE, EFFICIENT, ADEQUATE, AND RELIABLE SERVICES, AND ALSO ADDING A NEW SECTION AUTHORIZING THE PUBLIC SERVICE COMMISSION TO ASSESS CIVIL PENALTIES, TO SUSPEND AND REVOKE AUTHORIZATIONS, AND TO ENTER PRELIMINARY AND FINAL REMEDIAL ORDERS. (Sponsors: Sen. DeLuca & Rep. Smith; Sens. Blevins, Bunting, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Venables,

Amick, Cloutier, Connor, Simpson, Sorenson, Still; Reps. Buckworth, Carey, Cathcart, Caulk, D. Ennis, Ewing, Fallon, Lee, Oberle, Quillen, Wagner, B. Ennis, Hall-Long, Plant, Van Sant, Williams) (Volume 74, Chapter 73, Laws of Delaware.)

SB #54 (6/30/03) – AN ACT TO AMEND TITLE 15 RELATING TO PRESIDENTIAL PRIMARY ELECTIONS. (Sponsors: Sen. Marshall & Rep. Smith; Sens. Blevins, Cook, DeLuca, Henry, McBride, McDowell, Peterson, Sokola, Cloutier, Still; Reps. Buckworth, Hall-Long, Keeley, Mulrooney, Viola) (Volume 74, Chapter 74, Laws of Delaware.)

SB #68 (6/30/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL INCENTIVE PROGRAMS. (Sponsors: Sen. Bonini & Rep. Miro; Sens. Amick, Cloutier, Connor, Copeland, Simpson, Sokola, Sorenson; Reps. Carey, Caulk, D. Ennis, Fallon, Hocker, Reynolds, Stone, Valihura) (Volume 74, Chapter 75, Laws of Delaware.)

SB #74 (6/30/03) – AN ACT TO AMEND TITLES 14 AND 16 OF THE DELAWARE CODE RELATING TO CHILDHOOD LEAD POISONING. (Sponsors: Sen. Blevins & Rep. Maier; Rep. Ulbrich) (Volume 74, Chapter 76, Laws of Delaware.)

SB #79 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AUTHORIZING THE DIVISION OF STATE SERVICE CENTERS TO ENGAGE IN FUNDRAISING ACTIVITIES. (Sponsors: Sen. Blevins & Rep. Maier; Sens. Connor, Henry, Peterson) (Volume 74, Chapter 77, Laws of Delaware.)

SB #85 (6/30/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC DRINKING WATER SUPPLIERS. (Sponsors: Sen. Blevins & Rep. Maier; Sens. Connor, Henry, Peterson; Rep. George) (Volume 74, Chapter 78, Laws of Delaware.)

SB #103 (6/30/03) – AN ACT TO AMEND TITLE 14 OF DELAWARE CODE RELATING TO COMPULSORY SCHOOL ATTENDANCE AND HOMESCHOOLS, AND NON-PUBLIC SCHOOL ATTENDANCE AND ENROLLMENT REPORTING REQUIREMENTS. (Sponsors: Sen. Sokola & Rep. Maier; Sen. Copeland) (Volume 74, Chapter 79, Laws of Delaware.)

SB #113 (6/30/03) – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO INVESTMENTS OF FIDUCIARIES. (Sponsors: Sen. DeLuca & Rep. Stone; Sens. Bunting, Sokola, Sorenson, Still; Reps. Carey, D. Ennis, Hocker, Houghton, Hudson, Keeley, Lavelle, Valihura) (Volume 74, Chapter 80, Laws of Delaware.)

SB #123 (6/30/03) – AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Sponsors: Sen. DeLuca & Rep. Stone) (Volume 74, Chapter 81, Laws of Delaware.)

SB #124 (6/30/03) – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Sponsors: Sen. DeLuca & Rep. Stone) (Volume 74, Chapter 82, Laws of Delaware.)

SB #126 (6/30/03) – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (Sponsors: Sen. Vaughn & Rep. Wagner; Reps. Valihura, George, Plant) (Volume 74, Chapter 83, Laws of Delaware.)

SB #127 (6/30/03) – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Sponsors: Sen. Vaughn & Rep. Wagner; Reps. Valihura, George, Plant) (Volume 74, Chapter 84, Laws of Delaware.)

SB #128 (6/30/03) – AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Sponsors: Sen. Vaughn & Rep. Wagner; Reps. Valihura, George, Plant) (Volume 74, Chapter 85, Laws of Delaware.)

SB #135 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 26 RELATING TO THE PUBLIC SERVICE COMMISSION AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WATER UTILITIES FOR MUNICIPALITIES ANNEXING TERRITORY. (Sponsors: Sen. Adams & Rep. Ewing) (Volume 74, Chapter 86, Laws of Delaware.)

SB #145 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE STATE ENERGY OFFICE. (Sponsors: Sen. McDowell & Rep. Roy) (Volume 74, Chapter 87, Laws of Delaware.)

SB #150 (6/30/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION. (Sponsors: Sen. Vaughn & Rep. Lee) (Volume 74, Chapter 88, Laws of Delaware.)

HS 1 to HB #19 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTION OFFICERS. (Sponsor: Rep. Lavelle) (Volume 74, Chapter 89, Laws of Delaware.)

HB #43 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. (Sponsors: Rep. Oberle; Reps. D. Ennis, Fallon, Lofink, Reynolds, Roy; Sens. Henry, Sokola) (Volume 74, Chapter 90, Laws of Delaware.)

HB #76 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING AND THE UNIFORM LAW FOR OUT-OF-STATE PAROLEE'S SUPERVISION. (Sponsors: Rep. Wagner & Rep. Lee & Sen. Vaughn) (Volume 74, Chapter 91, Laws of Delaware.)

HB #101 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY. (Sponsors: Rep. B. Ennis & Sen. Vaughn; Reps. Atkins, Buckworth, Caulk, Ewing, Hall-Long, Houghton, Lee, Quillen, Spence, Stone, Thornburg, Wagner) (Volume 74, Chapter 92, Laws of Delaware.)

HB #115 (6/30/03) – AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES INVOLVING THREAT OF WEAPONS. (Sponsors: Rep. Atkins & Sen. Cook; Sen. Bunting) (Volume 74, Chapter 93, Laws of Delaware.)

HB #136 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION. (Sponsors: Rep. Buckworth & Sen. McDowell & Sen. Sorenson; Reps. Carey, Cathcart, Caulk, DiPinto, D. Ennis, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Reynolds, Stone, Ulbrich, Wagner, Van Sant, B. Ennis, Hall-Long, Houghton, Keeley, Mulrooney, Viola, Williams) (Volume 74, Chapter 94, Laws of Delaware.)

HB #153 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (Sponsors: Rep. Buckworth & Rep. Spence; Reps. Hudson, Miro; Sens. Blevins, Sokola, Sorenson) (Volume 74, Chapter 95, Laws of Delaware.)

HB #159 (6/30/03) – AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER. (Sponsors: Rep. Keeley & Rep. DiPinto & Sen. Henry) (Volume 74, Chapter 96, Laws of Delaware.)

HB #171 (6/30/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT LOANS. (Sponsors: Rep. Reynolds & Sen. Sokola; Reps. B. Ennis, Maier; Sens. Amick, Blevins, Connor, Henry, Simpson) (Volume 74, Chapter 97, Laws of Delaware.)

HB #173 (6/30/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS. (Sponsors: Rep. Reynolds & Sen. Sokola; Rep. Maier) (Volume 74, Chapter 98, Laws of Delaware.)

HB #190 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLES 10 AND 21 OF THE DELAWARE CODE RELATING TO VEHICULAR CRIMES. (Sponsors: Rep. Smith & Rep. Thornburg & Sen. Cook) (Volume 74, Chapter 99, Laws of Delaware.)

HB #193 (6/30/03) – AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. (Sponsors: Rep. Stone & Sen. DeLuca) (Volume 74, Chapter 100, Laws of Delaware.)

HB #197 (6/30/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC SERVICES. (Sponsors: Rep. B. Ennis & Sen. Blevins) (Volume 74, Chapter 101, Laws of Delaware.)

HB #194 (6/30/03) – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES AND POWERS OF APPOINTMENT. (Sponsors: Rep. Stone & Sen. DeLuca) (Volume 74, Chapter 102, Laws of Delaware.)

HB #200 (6/30/03) – AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (Sponsors: Rep. Wagner & Sen. Vaughn; Reps. George, Plant, Valihura) (Volume 74, Chapter 103, Laws of Delaware.)

HB #201 (6/30/03) – AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Sponsors: Rep. Wagner & Sen. Vaughn; Reps. George, Plant, Valihura) (Volume 74, Chapter 104, Laws of Delaware.)

HB #202 (6/30/03) – AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO EXCULPATORY CLAUSES IN CERTAIN CONTRACTS. (Sponsors: Rep. Wagner & Sen. Vaughn; Reps. George, Plant, Valihura) (Volume 74, Chapter 105, Laws of Delaware.)

HB #210 aab SA 3 (6/30/03) – AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. (Sponsors: Rep. Smith & Rep. Van Sant & Rep. Wagner & Rep. DiPinto & Rep. B. Ennis & Sen. Vaughn & Sen. Sorenson; Reps. Spence, Lee, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Reynolds, Ulbrich, Valihura, George, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Williams; Sens. McDowell, Blevins, Henry, Marshall, Peterson, Sokola, Venables, Still, Simpson, Cloutier) (Volume 74, Chapter 106, Laws of Delaware.)

HB #212 (6/30/03) – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT. (Sponsors: Rep. Maier & Sen. Blevins) (Volume 74, Chapter 107, Laws of Delaware.)

HB #241 aab SA 1 (6/30/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (Sponsors: Rep. Roy & Sen. Cook) (Volume 74, Chapter 108, Laws of Delaware.)

HB #262 aab HA 1 (6/30/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO THE ESTABLISHMENT OF A HEARING AID LOAN BANK. (Sponsor: Rep. Keeley) (Volume 74, Chapter 109, Laws of Delaware.)

HB #301 (6/30/03) – AN ACT AMENDING THE DELAWARE CODE RELATING TO THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY BY TRANSFERRING THE DIVISION OF MOTOR VEHICLES FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF TRANSPORTATION; TRANSFERRING THE DIVISION OF BOILER SAFETY FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; ALIGNING THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY, THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REFLECT THE TRANSFERS OF THE DIVISIONS; RENAMING THE DEPARTMENT OF PUBLIC SAFETY THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY; AND AMENDING TITLES 6, 10, 11, 16, 21, 29 AND 30 OF THE DELAWARE CODE. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, B. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier) (Volume 74, Chapter 110, Laws of Delaware.)

HB #302 (6/30/03) – AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2004 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Sponsors: Rep. DiPinto & Sen. Cook; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams; Sens. Bunting, Henry, Vaughn, Amick, Cloutier) (Volume 74, Chapter 111, Laws of Delaware.)

HJR #6 (6/30/03) – RECOMMENDING THE MULTI-PURPOSE CRIMINAL JUSTICE FACILITY HENCEFORTH BE KNOWN AS THE HOWARD R. YOUNG CORRECTIONAL INSTITUTION. (Sponsors: Rep. Plant & Sen. Henry)

HJR #9 aab SA 1 (6/30/03) – CREATING A TASK FORCE TO EXAMINE EARLY CHILDHOOD EDUCATION PROGRAMS IN DELAWARE AND TO DEVELOP A PLAN FOR IMPLEMENTATION OF UNIVERSAL PREKINDERGARTEN AND FULL-DAY KINDERGARTEN. (Sponsors: Rep. George & Rep. Spence & Sen. Sorenson & Sen. Sokola; Reps. Booth, Buckworth, B. Ennis, Fallon, Gilligan, Hall-Long, Hocker, Houghton, Keeley, Mulrooney, Plant, Reynolds, Schwartzkopf, Van Sant, Viola; Sens. Copeland, McDowell, Simpson)

HJR #10 (6/30/03) – CREATING A TASK FORCE ON CHRONIC ILLNESS AND DISEASE MANAGEMENT AND PREVENTION IN THE PRIVATE AND PUBLIC SECTOR IN THE STATE OF DELAWARE. (Sponsors: Rep. Hall-Long & Sen. Blevins; Reps. Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, George, Gilligan, Hocker, Houghton,

Hudson, Keeley, Lofink, Maier, Mulrooney, Oberle, Plant, Reynolds, Schwartzkopf, Ulbrich, Van Sant, Viola, Williams; Sens. Amick, DeLuca, Henry, Peterson, Sokola, Sorenson, Vaughn)

HJR #11 aab SA 2 (6/30/03) – DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE. (Sponsors: Rep. Oberle & Sen. Cook; Reps. Spence, Lofink)

The following amendment to the Delaware Constitution does not require the signature of Governor Minner:

SB #7 – AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE I, SECTION 5 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO FREEDOM OF SPEECH. (Sponsors: Sen. Blevins & Rep. Oberle; Sens. Peterson, Sokola, Sorenson; Reps. Miro, Buckworth, B. Ennis, Wagner, Reynolds, Hudson, Quillen, Maier, Keeley, Lavelle, Hall-Long) (Volume 74, Chapter 112, Laws of Delaware.)

LEGISLATIVE ADVISORY NO. #10, dated July 10, 2003, the Governor signed the following legislation on the dates indicated:

HB #168 aab HA 1 (6/30/03) – AN ACT TO AMEND CHAPTER 25 OF TITLE 6 OF THE DELAWARE CODE TO PROVIDE A PRIVATE CAUSE OF ACTION AND ALLOW FOR ADDITIONAL FRAUD PROTECTIONS FOR SENIOR CITIZENS AND DISABLED PERSONS. (Sponsors: Rep. Gilligan & Sen. Sokola; Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, Williams; Sens. Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sorenson, Still, Vaughn, Venables) (Volume 74, Chapter 113, Laws of Delaware.)

HB #172 (7/3/03) – AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO SIGNAGE ON PARKING SPACES OR ZONES DESIGNATED FOR USE BY PERSONS WITH DISABILITIES. (Sponsors: Rep. Hudson & Sen. Henry) (Volume 74, Chapter 114, Laws of Delaware.)

SB #98 (7/7/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO PARTICIPATION IN VIOLENT GANGS. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 74, Chapter 115, Laws of Delaware.)

SB #104 aab SA 1 & SA 2 (7/7/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO STALKING. (Sponsors: Sen. Blevins & Rep. Oberle) (Volume 74, Chapter 116, Laws of Delaware.)

HB #305 aab HA 1 (7/8/03) – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO TAXES. (Sponsors: Rep. Smith & Sen. McDowell; Reps. DiPinto, Gilligan, Houghton, Keeley, Plant, Williams; Sens. Henry, Marshall, Sorenson) (Volume 74, Chapter 117, Laws of Delaware.)

HB #306 (7/8/03) – AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW AND FEES CHARGED AND COLLECTED BY THE SECRETARY OF STATE. (Sponsors: Rep. Smith & Sen. McDowell; Reps. Spence, Booth, DiPinto, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant, Williams; Sens. Henry, Marshall, Sorenson, Still) (Volume 74, Chapter 118, Laws of Delaware.)

HB #307 (7/8/03) – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND COLLECTED BY THE SECRETARY OF STATE. (Sponsors: Rep. Smith & Sen. McDowell; Reps. Spence, Booth, DiPinto, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant, Williams; Sens. Henry, Marshall, Sorenson, Still) (Volume 74, Chapter 119, Laws of Delaware.)

SB #180 (7/8/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS. (Sponsors: Sen. McDowell & Rep. Smith; Sens. Henry, Marshall, Sorenson; Reps. Gilligan, DiPinto, Houghton, Keeley, Plant, Williams) (Volume 74, Chapter 120, Laws of Delaware.)

SB #181 (7/8/03) – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO EVENT TAXES. (Sponsors: Sen. McDowell & Rep. Smith; Sens. Henry, Marshall, Sorenson; Reps. Gilligan, DiPinto, Houghton, Keeley, Plant, Williams) (Volume 74, Chapter 121, Laws of Delaware.)

LEGISLATIVE ADVISORY NO. #11, dated July 15, 2003, the Governor signed the following legislation on the dates indicated:

SB #107 aab SA 1 (7/8/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ELECTIONS. (Sponsors: Sen. Blevins & Rep. Smith) (Volume 74, Chapter 122, Laws of Delaware.)

HB #84 (7/8/03) – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON JUVENILES. (Sponsors: Rep. Wagner & Rep. Schwartzkopf & Sen. Vaughn; Reps. Spence, Booth, Buckworth, DiPinto, Ewing, Maier, Miro, Ulbrich, Houghton, Mulrooney, Plant) (Volume 74, Chapter 123, Laws of Delaware.)

HB #129 aab SA 1 (7/8/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TOBACCO SETTLEMENT ACT. (Sponsors: Rep. Hudson & Rep. Wagner & Sen. Blevins & Sen. Vaughn) (Volume 74, Chapter 124, Laws of Delaware.)

HB #166 aab HA 1 (7/8/03) – AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF CAMDEN”. (Sponsors: Rep. Buckworth & Sen. Still) (Volume 74, Chapter 125, Laws of Delaware.)

The following legislation was returned unsigned and vetoed by Governor Minner on the date indicated:

SB #27 aab SA 1 (7/8/03) – AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN’S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY’S FEES, EXPANDING THE JURISDICTION OF THE TOWN POLICE AND ALDERMAN, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATION, IMPOSE IMPACT FEES AND TO COLLECT A “VOLUNTARY ASSESSMENT” FROM VIOLATORS IN LIEU OF REQUIRING A COURT APPEARANCE. (Sponsors: Sen. Bunting & Rep. Hocker)

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LEGISLATIVE ADVISORY NO. #12, dated July 16, 2003, the Governor signed the following legislation on the dates indicated:

SB #94 (7/11/03) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Sponsors: Sen. Blevins & Rep. Smith) (Volume 74, Chapter 126, Laws of Delaware.)

SB #97 (7/11/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PRIVACY PROTECTION FOR STATE INTERNET USERS. (Sponsors: Sen. DeLuca & Rep. Roy) (Volume 74, Chapter 127, Laws of Delaware.)

SB #129 (7/11/03) – AN ACT TO AMEND TITLES 11, 15, 16, 17 AND 29 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS AND DUTIES OF THE DELAWARE DEPARTMENT OF TECHNOLOGY AND INFORMATION. (Sponsors: Sen. McBride & Rep. Roy) (Volume 74, Chapter 128, Laws of Delaware.)

SB #131 (7/11/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. (Sponsors: Sen. Henry & Rep. Ewing) (Volume 74, Chapter 129, Laws of Delaware.)

SB #144 (7/11/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OPERATION OF UNREGISTERED VEHICLES. (Sponsors: Sen. Henry & Rep. Keeley) (Volume 74, Chapter 130, Laws of Delaware.)

SB #158 aab SA 1 (7/11/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A FIREARM OR DEADLY WEAPON IN A SAFE SCHOOL AND RECREATION ZONE. (Sponsors: Sen. Sokola & Rep. Reynolds) (Volume 74, Chapter 131, Laws of Delaware.)

SB #160 aab SA 1 (7/11/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION. (Sponsors: Sen. Vaughn & Sen. Still; Sens. Henry, Simpson; Reps. Carey, DiPinto, Maier, Wagner) (Volume 74, Chapter 132, Laws of Delaware.)

HB #49 aab HA 2 (7/11/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SIZE AND WEIGHT OF VEHICLES AND LOADS. (Sponsors:

Rep. B. Ennis & Sen. Vaughn; Reps. Carey, Caulk, D. Ennis, Hall-Long, Houghton, Keeley, Mulrooney, Van Sant) (Volume 74, Chapter 133, Laws of Delaware.)

HB #75 aab SA 1 (7/11/03) – AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS. (Sponsors: Rep. Ewing; Rep. Quillen; Sen. Simpson) (Volume 74, Chapter 134, Laws of Delaware.)

HB #96 aab HA 1 & SA 1 (7/11/03) – AN ACT TO AMEND VOLUME 73 OF THE LAWS OF DELAWARE, CHAPTER 408, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE AND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES. (Sponsors: Rep. DiPinto & Rep. Keeley; Sen. Vaughn) (Volume 74, Chapter 135, Laws of Delaware.)

HB #139 aab HA 2 (7/11/03) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE TO PROVIDE FOR A NEW UNIFORM PARENTAGE ACT TO REPLACE THE EXISTING PARENTAGE ACT AND TO REPEAL CERTAIN CODE PROVISIONS WHICH ARE INCONSISTENT WITH THE ACT. (Sponsors: Rep. Buckworth & Sen. Blevins; Reps. Maier, Hall-Long, Schwartzkopf; Sens. Still, Sorenson, Henry) (Volume 74, Chapter 136, Laws of Delaware.)

HB #143 aab HA 1 & SA 1 (7/11/03) – AN ACT TO AMEND TITLES 16 AND 30 OF THE DELAWARE CODE RELATING TO THE EMERGENCY REPORTING SYSTEM FUND AND PROCEDURES RELATING THERETO. (Sponsors: Rep. DiPinto & Sen. Adams) (Volume 74, Chapter 137, Laws of Delaware.)

HB #146 aab HA 1 (7/11/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (Sponsors: Rep. Hudson & Sen. Marshall) (Volume 74, Chapter 138, Laws of Delaware.)

HB #150 aab HA 1 & SA 1 (7/11/03) – AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Sponsors: Rep. D. Ennis; Reps. Caulk, DiPinto, Hocker, Keeley, Quillen, B. Ennis, Hall-Long; Sens. Bunting, Sorenson, Connor, Simpson) (Volume 74, Chapter 139, Laws of Delaware.)

HB #178 aab HA 1, HA 2, SA 2, SA 3 & SA 4 (7/11/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Sponsors: Rep. Wagner & Sen. Cook; Reps. Lee, Atkins, Buckworth, Caulk, D. Ennis, Ewing, Quillen, Van Sant, B. Ennis, Houghton, Williams, Booth, Hocker, Thornburg, Valihura; Sens. Bonini, Bunting, Simpson, Still, Vaughn, Venables) (Volume 74, Chapter 140, Laws of Delaware.)

HB #214 (7/11/03) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsors: Rep. Quillen & Sen. Sokola) (Volume 74, Chapter 141, Laws of Delaware.)

HB #183 aab SA 1 (7/11/03) – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES. (Sponsors: Rep. Hocker; Reps. Spence, Carey, Caulk, DiPinto, D. Ennis, Ewing, Miro, Reynolds, Valihura; Sens. Bunting, Sorenson, Simpson) (Volume 74, Chapter 142, Laws of Delaware.)

HB #223 (7/11/03) – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT. (Sponsors: Rep. Oberle & Rep. Miro & Rep. Lofink, On behalf of all Representatives; Sen. Marshall & Sen. Venables, On behalf of all Senators) (Volume 74, Chapter 143, Laws of Delaware.)

HB #225 aab HA 1 (7/11/03) – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL USE LAND. (Sponsors: Rep. Caulk & Sen. Bunting; Reps. Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Williams; Sens. Adams, Bonini, Cloutier, Connor, Cook, Simpson, Still, Vaughn, Venables) (Volume 74, Chapter 144, Laws of Delaware.)

HS 1 to HB #253 aab HA 1, SA 1 & SA 2 (7/11/03) – AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Sponsors: Rep. DiPinto & Sen. McDowell; Reps. Hudson, Roy, Valihura, Wagner, Houghton, Keeley; Sens. Marshall, Blevins, Henry, Peterson, Sorenson, Amick) (Volume 74, Chapter 145, Laws of Delaware.)

HB #255 (7/11/03) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsors: Rep. Schwartzkopf & Sen. Bunting; Reps. Gilligan, Quillen, Roy, Spence) (Volume 74, Chapter 146, Laws of Delaware.)

HB #284 (7/11/03) – AN ACT TO AMEND 74 LAWS OF DELAWARE 35 (2003) RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS,

MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS. (Sponsors: Rep. Stone & Rep. Valihura & Rep. Keeley & Rep. Lavelle & Sen. Bunting) (Volume 74, Chapter 147, Laws of Delaware.)

HB #310 (7/11/03) – AN ACT TO AMEND TITLES 10 AND 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION, AND COURT PROCEDURE. (Sponsors: Rep. Valihura & Rep. Smith & Rep. D. Ennis & Rep. Spence & Rep. Lee & Rep. Van Sant & Sen. Adams & Sen. McDowell & Sen. DeLuca & Sen. Sorenson; Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Wagner, George, Hall-Long, Schwartzkopf; Sens. Blevins, Cook, Vaughn, Cloutier, Copeland) (Volume 74, Chapter 148, Laws of Delaware.)

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LEGISLATIVE ADVISORY NO. #13, dated July 29, 2003, the Governor signed the following legislation on the dates indicated:

HB #154 (6/30/03) – AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO PERSONS WITH DISABILITIES. (Sponsors: Rep. Valihura & Sen. Henry; Reps. Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Hall-Long, Hudson, Lavelle, Maier, Mulrooney, Quillen, Viola; Sens. Blevins, Simpson, Sorenson) (Volume 74, Chapter 149, Laws of Delaware.)

SB #5 aab SA 1 (7/15/03) – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Sponsors: Sen. Amick & Rep. Ulbrich & Rep. Miro; Rep. Hall-Long; Sen. Sokola) (Volume 74, Chapter 150, Laws of Delaware.)

SB #11 (7/15/03) – AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CREDIT AND DEBIT CARD RECEIPTS. (Sponsors: Sen. Connor & Rep. Valihura; Sens. Cloutier, Copeland, Simpson, Sokola, Sorenson, Still; Reps. B. Ennis, Houghton, Keeley, Miro, DeLuca) (Volume 74, Chapter 151, Laws of Delaware.)

SB #28 (7/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL CONDITIONS. (Sponsors: Sen. Blevins & Rep. Wagner) (Volume 74, Chapter 152, Laws of Delaware.)

SB #34 aab SA 1 & SA 2 (7/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JUSTICE OF THE PEACE AND THE SENTENCES FOR MISDEMEANORS. (Sponsors: Sen. McDowell & Rep. Keeley & Rep. Valihura; Sen. Henry; Reps. DiPinto, Houghton, Plant, Williams) (Volume 74, Chapter 153, Laws of Delaware.)

SB #42 aab SA 1 (7/15/03) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND CERTAIN PENALTIES IMPOSED AGAINST LICENSEES. (Sponsors: Sen. Sokola) (Volume 74, Chapter 154, Laws of Delaware.)

SB #47 aab SA 1 (7/15/03) – AN ACT TO AMEND SECTION 2702 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE JUSTICE OF THE PEACE COURT. (Sponsors: Sen. Adams & Rep. Ewing) (Volume 74, Chapter 155, Laws of Delaware.)

SB #62 aab SA 1 (7/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PARDONS. (Sponsors: Sen. Simpson & Sen. Venables; Sens. Amick, Copeland; Reps. Buckworth, Carey, B. Ennis, Keeley, Lee, Lofink, Quillen, Schwartzkopf, Valihura, Van Sant, Wagner) (Volume 74, Chapter 156, Laws of Delaware.)

SB #71 aab SA 2 (7/15/03) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE AND BENEFITS. (Sponsors: Sen. Blevins & Rep. Maier; Sens. Still, Henry) (Volume 74, Chapter 157, Laws of Delaware.)

SB #84 (7/15/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS AND NOTIFICATION OF RETURN REQUIREMENTS OF S CORPORATIONS. (Sponsors: Sen. Marshall & Rep. Hudson) (Volume 74, Chapter 158, Laws of Delaware.)

SB #87 (7/15/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COLLECTION OF TAXES AND ENFORCEMENT. (Sponsors: Sen. Marshall & Rep. Hudson) (Volume 74, Chapter 159, Laws of Delaware.)

SB #92 (7/15/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CRITICAL NEED SCHOLARSHIPS. (Sponsors: Sen. Copeland & Sen. Sokola & Rep. Lavelle) (Volume 74, Chapter 160, Laws of Delaware.)

SB #101 aab HA 1 (7/15/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA. (Sponsors: Sen. Peterson & Rep. DiPinto; Rep. Maier) (Volume 74, Chapter 161, Laws of Delaware.)

SB #108 (7/15/03) – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND LICENSE FEE REDUCTION. (Sponsors: Sen. Marshall & Rep. Lofink) (Volume 74, Chapter 162, Laws of Delaware.)

SB #111 aab SA 1 (7/15/03) – AN ACT TO AMEND CHAPTER 2, VOLUME 73, LAWS OF DELAWARE, AS AMENDED, BEING THE CHARTER OF THE TOWN OF SELBYVILLE TO PROVIDE FOR ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF CIVIL ORDINANCES. (Sponsors: Sen. Bunting & Rep. Hocker) (Volume 74, Chapter 163, Laws of Delaware.)

SB #121 (7/15/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Sponsors: Sen. Henry & Rep. Valihura; Sens. Blevins, Cook, DeLuca, McDowell, Peterson, Sokola, Amick, Cloutier, Sorenson, Still; Reps. Lee, Maier, Miro, Oberle, Smith, Wagner, George, Plant) (Volume 74, Chapter 164, Laws of Delaware.)

SB #125 aab SA 1 (7/15/03) – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT COMMISSIONERS. (Sponsors: Sen. Amick & Rep. George; Sens. Bonini, Cloutier, Connor, Cook, Henry, Peterson, Simpson, Sokola, Sorenson, Still; Reps. Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, Ewing, Hocker, Houghton, Hudson, Keeley, Valihura, Wagner) (Volume 74, Chapter 165, Laws of Delaware.)

SB #130 (7/15/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES AND FEES. (Sponsors: Sen. Henry & Rep. Ewing; Sen. Still) (Volume 74, Chapter 166, Laws of Delaware.)

SB #141 (7/15/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF OTHER INDICATORS PRIOR TO MANDATORY SUMMER SCHOOL. (Sponsors: Sen. Sokola & Rep. Reynolds; Sens. Blevins, Peterson, Venables, Still, Simpson; Reps. Booth, Boulden, Buckworth, Oberle, Ulbrich, Miro, George, Mulrooney, Viola) (Volume 74, Chapter 167, Laws of Delaware.)

SB #153 (7/15/03) – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Sponsors: Sen. Blevins & Rep. Lee) (Volume 74, Chapter 168, Laws of Delaware.)

SB #162 (7/15/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NON-PUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS. (Sponsors: Sen. Sokola & Rep. Reynolds; Sen. McBride; Rep. Spence) (Volume 74, Chapter 169, Laws of Delaware.)

SB #60 aab SA 1 (7/16/03) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE WITH RESPECT TO ENFORCEMENT OF ENVIRONMENTAL LAWS AND REGULATIONS. (Sponsors: Sen. McBride & Rep. Smith; Sens. DeLuca, McDowell, Sokola; Simpson; Reps. Valihura, Mulrooney, Quillen, Reynolds, Viola) (Volume 74, Chapter 170, Laws of Delaware.)

HB #227 aab HA 1 (7/15/03) – AN ACT TO AMEND TITLE 2, DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC CARRIERS. (Sponsors: Rep. Boulden; Reps. DiPinto, D. Ennis, Lofink, Valihura, B. Ennis, Plant, Williams) (Volume 74, Chapter 171, Laws of Delaware.)

HB #235 (7/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL. (Sponsors: Rep. Wagner & Rep. Williams & Rep. Plant & Sen. Henry) (Volume 74, Chapter 172, Laws of Delaware.)

HB #283 (7/15/03) – AN ACT TO AMEND CHAPTERS 271, VOLUME 72, LAWS OF DELAWARE BY REMOVING SUNSET PROVISIONS RELATING TO BINDING INTEREST ARBITRATION IN THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT AND THE PUBLIC EMPLOYMENT RELATIONS ACT. (Sponsors: Rep. Oberle & Rep. Lofink & Sen. DeLuca & Sen. Marshall; Reps. Keeley, B. Ennis; Sens. Connor, Blevins) (Volume 74, Chapter 173, Laws of Delaware.)

HB #287 (7/15/03) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES, SENTENCES. (Sponsors: Rep. Spence & Sen. Vaughn) (Volume 74, Chapter 174, Laws of Delaware.)

HB #186 (7/17/03) – AN ACT TO AMEND TITLE 10, 11, 14 AND 31 OF THE DELAWARE CODE RELATING TO TRUANCY. (Sponsors: Rep. Maier & Sen. Sokola & Rep. Ulbrich; Sens. Blevins, Amick, Simpson) (Volume 74, Chapter 175, Laws of Delaware.)

HB #191 (7/17/03) – AN ACT TO REINCORPORATE THE TOWN OF SMYRNA. (Sponsors: Rep. B. Ennis & Sen. Vaughn; Sen. Cook; Reps. Hall-Long, Thornburg) (Volume 74, Chapter 176, Laws of Delaware.)

HB #263 aab HA 1 & HA 2 (7/17/03) – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR PUBLIC ASSISTANCE. (Sponsors: Rep. Plant; Reps. George, Gilligan, Hall-Long, Keeley, Williams) (Volume 74, Chapter 177, Laws of Delaware.)

HB #280 (7/17/03) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF PUBLIC ADJUSTERS. (Sponsors: Rep. Stone & Rep. Valihura; Sen. Blevins) (Volume 74, Chapter 178, Laws of Delaware.)

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LEGISLATIVE ADVISORY NO. #14, dated August 6, 2003, the Governor signed the following legislation on the dates indicated:

HB #118 (7/8/03) – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE WATER SUPPLY SELF-SUFFICIENCY ACT OF 2003. (Sponsors: Rep. Smith & Rep. Valihura & Sen. Henry & Sen. Cloutier; Reps. DiPinto, B. Ennis, Gilligan, Hudson, Keeley, Lavelle, Mulrooney, Van Sant, Viola; Sens. Amick, Blevins, Copeland, DeLuca, Sorenson) (Volume 74, Chapter 179, Laws of Delaware.)

SB #116 aab SA 1 (7/30/03) – AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO SPECIAL DAYS AND MONTHS. (Sponsors: Sen. Connor & Rep. DiPinto & Rep. Hall-Long; Sens. Amick, Blevins, Cloutier, Copeland, Henry, Sokola, Sorenson; Reps. Caulk, Ewing, Fallon, George, Hocker, Houghton, Hudson, Maier, Miro, Quillen, Thornburg, Ulbrich, Van Sant, Viola) (Volume 74, Chapter 180, Laws of Delaware.)

SB #118 (7/30/03) – AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VEHICLE SALES ACTIVITIES CONDUCTED ON RIGHTS-OF-WAY. (Sponsors: Sen. DeLuca & Rep. Miro; Sens. Bunting, Marshall, Peterson, Sokola, Vaughn, Amick, Still, Connor; Reps. Boulden, Ewing, George, Gilligan, Lavelle, Buckworth, Cathcart, B. Ennis, D. Ennis, Valihura; Sen. Cloutier) (Volume 74, Chapter 181, Laws of Delaware.)

SB #152 (7/30/03) – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. (Sponsors: Sen. Cook & Rep. Ewing & Rep. Plant) (Volume 74, Chapter 182, Laws of Delaware.)

SB #185 (7/30/03) – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Oberle; Sens. Bunting, Henry, Vaughn, Amick, Cloutier, Adams, McDowell, DeLuca, Still, Sorenson, Blevins, Marshall, McBride, Peterson, Sokola, Venables, Bonini, Connor, Copeland, Simpson; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams, Spence, Smith, Lee, Gilligan, Van Sant, Atkins, Booth, Boulden, Carey, Cathcart, Caulk, Ewing, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, B. Ennis, George, Hall-Long, Keeley, Mulrooney, Plant, Schwartzkopf, Viola) (Volume 74, Chapter 183, Laws of Delaware.)

HB #203 aab HA 2 (8/4/03) – AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES: GAS, WATER AND OIL CORPORATIONS. (Sponsors: Rep. Schwartzkopf & Rep. Booth & Sen. Bunting; Reps. Hall-Long, Smith; Sens. Amick, Blevins, Cloutier, Cook, McBride, Sokola, Still, Vaughn) (Volume 74, Chapter 184, Laws of Delaware.)

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LEGISLATIVE ADVISORY NO. #15, dated September 12, 2003, the Governor signed the following legislation on the dates indicated:

SB #157 aab SA 1 (8/11/03) – AN ACT TO AMEND CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION AND TO DEFINE PROSPECTIVE PURCHASER, TO CREATE LIABILITY PROTECTIONS FOR PROSPECTIVE PURCHASERS, INNOCENT LANDOWNERS, AND CONTIGUOUS PROPERTIES, AND CREATE A BROWNFIELDS REDEVELOPMENT DATABASE. (Sponsors: Sen. McBride & Rep. Carey & Sen. Marshall & Rep. Quillen; Sens. Bunting, Venables, Connor, Simpson; Reps. Atkins, Booth, Caulk, Hocker, Hall-Long, Mulrooney, Plant) (Volume 74, Chapter 185, Laws of Delaware.)

SB #65 aab SA 2, SA 3, HA 2 & SA 4 (8/14/03) – AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING. (Sponsors: Sen. Adams & Rep. Cathcart; Sens. Bunting, DeLuca, Henry, Sokola, Venables, Cloutier, Copeland,

Simpson, Still, Sorenson; Reps. Carey, Lofink, Roy, Smith, Stone, B. Ennis, Hall-Long, Schwartzkopf) (Volume 74, Chapter 186, Laws of Delaware.)

SB #105 aab SA 1 (8/14/03) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENTS WITH TRAUMATIC BRAIN INJURY. (Sponsors: Sen. Blevins & Rep. Valihura) (Volume 74, Chapter 187, Laws of Delaware.)

SB #155 (8/28/03) – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO STOCK OF SUBSIDIARIES. (Sponsors: Sen. Blevins & Rep. Stone) (Volume 74, Chapter 188, Laws of Delaware.)

SB #143 (9/8/03) – AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE AND THE PAYMENT OF BENEFITS FROM THE DELAWARE PUBLIC EMPLOYEES' RETIREMENT SYSTEM. (Sponsors: Sen. Cook & Rep. Maier; Sen. Vaughn; Reps. Oberle & DiPinto) (Volume 74, Chapter 189, Laws of Delaware.)

SB #169 (9/8/03) – AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. (Sponsors: Sen. Cook & Rep. DiPinto & Rep. Wagner; Sens. Bunting, Henry, Vaughn, Amick, Cloutier, Connor; Reps. Buckworth, D. Ennis, Fallon, Houghton, Williams) (Volume 74, Chapter 190, Laws of Delaware.)

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LEGISLATIVE ADVISORY NO. #16, dated October 3, 2003, the Governor signed the following legislation on the dates indicated:

SB #102 (9/22/03) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO CREATE A DELAWARE CANCER CONSORTIUM. (Sponsors: Sen. McBride & Rep. Hall-Long & Sen. Sorenson & Rep. Ulbrich & Sen. Simpson; Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McDowell, Peterson, Sokola, Vaughn, Venables, Amick, Bonini, Cloutier, Connor, Copeland, Still; Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone Thornburg, Valihura, Wagner, B. Ennis, George, Gilligan, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Van Sant, Viola Williams) (Volume 74, Chapter 191, Laws of Delaware.)

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The Secretary of the Senate announced a message from the House informing the Senate that it had passed **SCR 41; SB 65 w/SA 1, 3, HA 2, SA 4; SB 185; SB 125 w/SA 1; SB 105 w/SA 1; SB 62 w/SA 1; HB 275; SB 92; SB 162; SB 94; SB 131; SB 130; HB 305 w/HA 1; HCR 38; SB 141; SB 87; SB 98; HB 265; SB 158 w/SA 1; SB 153; SB 34 w/SA 1 & 2; SB 5 w/SA 1; HB 302; SB 180; SB 181; SB 152; SB 169; SB 118; SB 143; SB 104 w/SA 1 & 2; SB 157 w/SA 1; SB 116 w/SA 1; SB 155; SJR 6; DEFEATED – SB 167 w/SA 1.**

At 02:37 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Fourth Legislative Day.

**4th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 20, 2004**

The Senate convened at 02:37 PM with Lt Governor Carney presiding.

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

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

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

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

Senator McDowell requested personal privilege of the floor where upon he introduced the Fulbright American Studies Institute 2004 Program Participants. Professor Mark James Miller of the University of Delaware commented on the program and introduced fifteen of the participants. Names and Nations represented listed in the file for this legislative day.

Several Senators commented, after which the witness was excused.

Senator McDowell moved to recess for Party Caucus at 02:56 PM.

The Senate reconvened at 04:02 PM with Lt. Governor Carney presiding.

Senator(s) Venables marked present.

Senator McDowell yields to Senator Cook.

SJR 7 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Cook.

SJR 7 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2004.

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

YES: 20

ABSENT: Senator(s) Henry - 1

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

SS 1 for SB 199 was Adopted in Lieu of the Original and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator McDowell.

SS 1 for SB 199 - AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS TO PROVIDE FOR A ONE-TIME SALARY SUPPLEMENT FOR STATE EMPLOYEES FOR THE FISCAL YEAR ENDING JUNE 30, 2004. Sponsor: Sen. McDowell & Reps. Gilligan & Spence; Sens. Adams, DeLuca, Cook, Blevins, Henry, Marshall, McBride, Peterson, Sokola, Venables; Reps. Van Sant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams; Reps. Oberle, DiPinto, Lofink, Reynolds.

Senators McDowell, Bonini, Cook, Still commented.

Senators McDowell, Still, Amick commented.

Senator McDowell commented.

Senator Amick commented.

Senators McDowell, DeLuca, Sorenson, Cook commented.

Roll call vote on **SS 1 for SB 199** was taken and revealed:

YES: 12

NO: Senator(s) Amick, Bonini, Bunting, Cloutier, Copeland, Simpson, Sorenson, Still - 8

ABSENT: Senator(s) Henry - 1

SS 1 for SB 199 was declared passed the Senate and sent to the House for Consideration.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
01/20/2004**

January 15, 2004

SB 198 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO AN AUTOMATED SERVICE BRANCH. Sponsor: Sen. DeLuca & Rep. Stone; Sens. Bunting, Sokola, Sorenson & Still Reps. Carey, D. Ennis, Fallon, Hocker, Houghton, Hudson, Keeley, Lavelle, Miro & Valihura; **Banking.**

SB 199 - AN ACT MAKING SUPPLEMENTAL APPROPRIATIONS TO PROVIDE FOR A ONE-TIME SALARY SUPPLEMENT FOR STATE EMPLOYEES FOR THE FISCAL YEAR ENDING JUNE 30, 2004 Sponsor: Sen. McDowell & Rep. Gilligan; Sens. Adams, DeLuca, Cook, Blevins, Henry, Marshall, McBride, Peterson, Sokola, Venables; Reps. Van Sant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams, Reps. Oberle, DiPinto, Lofink, Reynolds; **Finance.**

SB 200 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO PUBLIC-PRIVATE INITIATIVES PROGRAM IN TRANSPORTATION. Sponsor: Sen. Vaughn; **Judiciary.**

SB 201 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. Sponsor: Sen. Cook & Rep. Oberle; Sens. Adams, Vaughn & Rep. Quillen; **LOT.**

SJR 7 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2004. Sponsor: Sen. Cook & Rep. DiPinto; Sen. Simpson; Reps. Hudson & Gilligan; **LOT.**

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Announcements and Additions were announced.

The Secretary announced the agenda for January 21, 2004.

On motion of Senator McDowell, the Senate recessed at 04:34 PM until January 21, 2004 at 04:00 PM.

The Senate reconvened at 04:15 PM on January 21, 2004, with Lt. Governor Carney presiding.

Senator Henry marked present.

The following committee reports were announced:

From Banking: **SB 198** – 3 Favorable, 2 Merits.

From Judiciary: **SB 166** – 4 Merits.

At 04:16 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Fifth Legislative Day.

**5th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 21, 2004**

The Senate convened at 04:16 PM with Lt. Governor Carney presiding.

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

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

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

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

HCR 39 was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

HCR 39 - PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE. Sponsor: Rep. Smith; Reps. Spence, Lee, Gilligan, Van Sant; Sens. Adams, McDowell, DeLuca, Still, Sorenson.

Roll call vote on **HCR 39** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier – 1

HCR 39 was declared passed the Senate and returned to the House.

Senators Amick, Blevins, Bonini, Connor, Sorenson marked present during the above roll call.

Senator McDowell requested the privilege of the floor for Mr. and Mrs. Alan B. Carey, representing Sussex County Ramona Grange #3.

Mr. Carey presented a plaque to Senator Adams for his public service.

Senator Adams remarked.

The witnesses were excused.

Senator Vaughn requested **SB 134 w/HA 1** be brought before the Senate for consideration.

SB 134 w/HA 1 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.

Roll call vote on **SB 134 w/HA 1** was taken and revealed:

YES: 21

SB 134 w/HA 1 was declared passed the Senate and was sent to the Governor.

Senator Cloutier marked present during the above roll call.

Announcements and Additions were announced.

Senator McDowell moved to recess for a short standing recess at 04:31 PM.

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

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HJR 17**.

HJR 17 brought before the Senate for consideration under the suspension of the necessary rules, on motion of the floor manager, Senator Adams.

HJR 17 – COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2003 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsor: Rep. Spence; on behalf of all Representatives; Sen. Adams; On behalf of all Senators

Roll call vote on **HJR 17** was taken and revealed:

YES: 19

ABSENT: Senator(s) Blevins, McBride - 2

HJR 17 was declared passed the Senate and was returned to the House.

Senator Adams requested the privilege of the floor for Coach K.C. Keeler, University of Delaware.

Coach Keeler addressed the Senate.

The Reading Clerk read a certificate of appreciation in its entirety which each University Blue Hen football player received.

Several Senators commented.

The witness was excused.

Senator McDowell requested that each player announced their name, number and state in which they were from.

Senator Connor and McDowell commented.

Senator DeLuca rose and requested a moment of silence for George Sharp.

On motion of Senator McDowell, the Senate recessed at 05:53 until January 22, 2004 at 02:00 PM.

The Senate reconvened at 01:55 PM on January 22, 2004, with Lt. Governor Carney presiding.

The following committee report was announced:

From Public Safety: **SB 191** – 5 Merits.

At 01:56 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Sixth Legislative Day.

**6th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 22, 2004**

The Senate convened at 01:56 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still, after which a moment of silence was dedicated to the memory of Jack Burris, followed by the Pledge of Allegiance to the Flag.

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

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

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

Senator McDowell moved to recess at 02:00 PM for the Governor's State of the State address.

**JOINT SESSION
HOUSE CHAMBER
JANUARY 22, 2004**

Sergeant-at-Arms announced the arrival of the Senate members at 2:03pm.

Acting Speaker Oberle moved that the Senate members be admitted in the House Chamber in preparation of the Joint Session.

The members of the Senate were welcomed to the House Chamber.

Acting Speaker Oberle welcomed to the podium Lt. Governor John Carney and President Pro Tempore.

Sergeant-at-Arms announced the arrival of the members of the Judiciary.

The members of the Judiciary was admitted and welcomed.

Sergeant-at Arms announced the arrival of the statewide elected officials, along with the Presidents of University of Delaware, Delaware State University and Delaware Technical Community College.

The statewide elected officials, Presidents of University of Delaware, Delaware State University and Delaware Technical Community College were admitted and welcomed to the House Chamber.

Sergeant-at-Arms announced the arrival of the Governor's Cabinet.

The Governor's Cabinet were admitted and welcomed to the House Chamber.

At 2:10 p.m. Representative Smith moved that the House and Senate meet in Joint Session for the purpose of hearing an address from Ruth Ann Minner, the Honorable Governor of the State of Delaware.

No objection.

Representative Smith moved that Acting Speaker Oberle preside over the Joint Session. No objection.

Representative Smith moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries to the Joint Session. No objection.

Representative Smith moved that the Acting Speaker appoint a committee of four to escort the Governor of the State of Delaware to the Joint Session. No objection.

Acting Speaker Oberle appointed Representative Tina Fallon, Representative Bruce Ennis, Senator Nancy W. Cook and Senator Dorinda Connor to escort the Governor to the House Chamber.

At 2:11 the Joint Session stood in temporary recess awaiting the arrival of the Governor.

The Joint Session reconvened.

Sergeant-at-Arms announced the escort committee with the Governor is ready to enter the House Chamber.

The Governor and the escort committee were admitted and Representative Fallon introduced the Governor to the Joint Session.

Acting Speaker Oberle welcomed the Governor to the Joint Session and the Governor addressed the Joint Session as Follows:

**GOVERNOR RUTH ANN MINNER
STATE OF THE STATE ADDRESS
LEGISLATIVE HALL
DOVER, DELAWARE
JANUARY 22, 2004**

Thank you.

Lieutenant Governor Carney, President Pro Tem Adams, Acting Speaker Oberle, members of the 142nd General Assembly, members of the Delaware judiciary, distinguished members of my Cabinet, state employees, our distinguished guests, to my family and to our fellow Delawareans...

Perhaps for the first time in four years, I can stand before you today...smiling. Members we know we have faced the worst crisis in the states history since World War II, our state was hailed as one of the best run in the country. The votes were cast over and over. Governing magazine. Standard and Poor's. USA Today. Moody's. CNN. Fitch Ratings and The Beacon Hill Institute.

Over and over, Delaware's name appeared on the lists of the best-managed states. If state government were on TV Survivor show, Delaware would definitely have won that million bucks and over the last couple of years we could've sure used it.

As with any success in government, the credit is shared. I want to thank the members of the Delaware General Assembly for working with me in the Delaware tradition – "the Delaware way" – to recognize and overcome our challenges. The bipartisan support for solving the \$300 million budget problem we faced a year ago was not only appreciated by me, but by all of the citizens of Delaware.

Perhaps the cooperation is best expressed in a comment made by House Majority Leader Wayne Smith. Representative Smith went with our finance team to one of the Wall Street bond rating meetings last year. He was asked about the ability of the Delaware General Assembly and the executive branch to work together. He told them, "In Delaware, when it comes to managing the budget, we're all patriots." Thank you Wayne for that spirit and thank each one of you for embracing that spirit as well.

You know, now that I think about it, in this building we work together almost as well as the national champion Blue Hen football team.

There are others to thank as well though, including the Lieutenant Governor John Carney for his wise counsel, my cabinet members for their considerable innovation and leadership. But I must especially thank our state employees.

Again and again, through the recession, through two hiring freezes, as the economy sank and budget cuts kept growing, they maintained the same level of service to the public. I want to

recognize them yet again for their efforts to serve the citizens of Delaware. Please join me in saluting our Delaware state employees.

As we look at Delaware's history over the past three decades, we know that in a time of economic growth will mean good things can happen in Delaware. Like the 1980s and the 1990s, the next years the early 21st century promise to be a period of possibility.

If we stay true to the principles that proved wise in the recent years, if we apply vision to the most pressing issues of today, I firmly believe that Delaware will enter a new era of opportunity; an era of opportunity where we have the chance not just to survive, but to thrive; an era of opportunity where we continue to set Delaware apart, improving the prospects for our people and writing a new chapter in the distinguished history of our state.

So let me talk a little bit today about how we will achieve the new era of opportunity, in education, in the economy, fighting cancer, and in the environment.

Education

For more than a decade, Delaware's been on the path of educational improvement and the results are showing.

Recently, Delaware students were among the best performers in the country on the National Assessment of Educational Progress, one of the few tests that allow state-to-state comparison per student performance.

In math, our fourth- and eighth-graders showed impressive gains and in reading they remain maintained some of the highest scores in our country. Student scores on our own Delaware Student Testing Program are showing continuous progress as well.

If we set high goals for our students, and if we consistently provide them and our schools with the tools they need, we will see improvement year after year. And Delaware students will become better and better equipped to succeed in college, in work in life.

As our state enters this new era of opportunity, I have a number of ideas to bolster our children's basic skills and to lead to even-higher levels of achievement.

First, I ask the General Assembly to complete the funding for reading resource teachers for every public elementary school. I've said it often and I'll say it again: I believe you learn to read at a very young age, and you read to learn for the rest of your life. It's critical for each one of our Delaware children that they have that most basic skill.

Currently, 50 of our elementary schools have reading resource teachers and the difference they are making is real in the lives of children.

Two years ago in my address, I introduced you to a teacher, Sylvia Stevens, a reading teacher at Fairview Elementary School right here in Dover. Two of Sylvia's students are Deven and Shawn Barr, brothers who are now in the fourth grade. Sylvia's worked with Deven and Shawn for more than a year, since their regular teachers recognized their need for extra help in reading.

Just since September, Sylvia says Deven and Shawn have improved their reading skills by an entire grade level. Sylvia worked with Deven and Shawn and yes they've improved. Now, on Sylvia's tests, they score 99 percent in word recognition – with no mistakes. Their progress in their reading abilities is clear, thanks to their work and to Sylvia's.

Ladies and gentlemen, please welcome and congratulate a very outstanding teacher Mrs. Sylvia Stevens along with students Deven and Shawn Barr.

In order to provide more students with successes like Deven and Shawn's, I ask that you support my proposal for 68 new reading resource teachers, assuring one in every public elementary school in Delaware.

My support for reading teachers is my belief that children must receive a firm foundation for their early years for the learning that will go on the rest of their lives. Research has shown that the time between birth and 5 years old is critical in brain development.

In addition to reading teachers, we must expand our efforts in helping our students at that critical age. We, as leaders of our state, should make a promise to the people of Delaware to offer full-time kindergarten in every elementary school in our state by the year 2008.

It's a challenge, it's a promise that will be full of challenges, but worthy goals always are. My agenda for the next year will be to craft an implementation plan that will address the many issues concerning the transformation from half-day to full-day kindergarten. My budget proposal will also include \$1 million to begin the funding of this program for our youngest school students. I ask the General Assembly to support this initiative.

Children cannot learn without proper tools and providing those materials is our responsibility as well. Since the start of my administration I have worked to ensure that much of the new funding goes directly to the classroom.

So my budget proposal will include \$9 million to be sent straight to the classroom and used for textbooks, technology and other supplies.

Every day, we place the future of our children in the gifted hands of educators. Besides parents, teachers have the most impact on our students and we've recognized and supported them. Over the last several years, we have put more than \$3 million into upgrading their skills and knowledge and created the Professional Standards Board, giving teachers considerable responsibility in the effort to improve our schools.

We must do more to ensure that the best and brightest minds in our state continue to join the teachers profession. We need them to produce the best and brightest minds of the next generation.

I propose to you the creation of the Delaware Teacher Corps. modeled after successful programs elsewhere in the country, the Teacher Corps would bring new teachers to Delaware schools by offering to pay the cost of their education at our state institutions.

For each year of schooling that the Corps pays for, the teacher would then commit to spend one year teaching in Delaware public schools. Furthermore, in the first years of this program, I propose that we utilize the Teacher Corps to fill one of the most critical needs of our school system: The need for math and science teachers in our middle and high schools.

The budget I will present to the General Assembly next week will include funding for the Teacher Corps and will propose that most of that funding be used to recruit math and science teachers.

We cannot create an era of opportunity without devoting considerable amount of our efforts and our resources to our children. I ask that you support my proposals for reading teachers, for full-day kindergarten, for textbooks and technology and the Delaware Teacher Corps.

Creating Jobs

Our efforts in education are about preparing for the future. And Delaware's economic development strategies have been long forward-looking as well.

As Delaware has evolved over the years, it's diversified – from agriculture to manufacturing to chemicals to finance. Our state has a strong history of business and government working together to identify the prospects for strengthening our economy. Again and again, we have improved the quality of life of Delawareans by providing quality jobs.

Even during the recent tough years, Delaware has done well. It has taken a concerted effort by all of us – myself, members of the General Assembly, my economic development team, and especially the business leaders around the state, they talk to each other. They make a difference.

Together, we have succeeded in creating or retaining more than 11,000 jobs over the last three years. Just last week, we announced a major win – AAA bringing its headquarters, operations center and 750 new jobs to Wilmington and Newark. Successes like these have kept Delaware's unemployment rate substantially below the rest of the country during the recession. The era of opportunity we are entering presents us with another chance to diversify and fortify the Delaware's economy. In February, I will unveil the details of an economic development package.

The "New Economy Initiative" will be a comprehensive plan to put more than \$46 million in state and matching private and federal funds to work bolstering our economy.

The Newly Initiative of will include Competitiveness Fund to spur and invest in existing manufacturing facilities; seed funding for technology-based small business start-ups; venture capital funding for Delaware firms on the edge of significant expansion; programs to boost Delaware's standing in the areas of emerging technologies, clean energy and fuel cell research; and an investment aimed at improving Delaware's research and development efforts, particularly in the area of biotechnology.

Several of these ideas in the New Economy Initiative fulfill recommendations of the Governor's Strategic Economic Council.

Taken together, these programs will focus on diversification of Delaware's economy, foster a vibrant entrepreneurial culture in our state and create a new opportunities for working Delawareans.

Fighting Cancer

Let me turn now to the opportunity we have to combat one of the most serious health issues facing Delawareans: cancer.

Reducing both the number of cases and the number of deaths has been a priority of the Minner-Carney Administration. The Delaware Advisory Council on Cancer Incidence and Mortality crafted a brilliant road map that cancer experts, doctors and patients told us would decrease the above-average rates of cancer in our state. Last year, you joined me in funding the first-year of the council recommendations.

The results in our state's fight against cancer are real. The latest data on cancer rates show that both the rate of getting cancer and the rate of dying from cancer have decreased again. Delaware's cancer death rates have declined almost twice as fast as the national average. Rates of breast and prostate cancer are now below the national average. We are on the right track, but we have more to do.

We now know, thanks to research completed this year, that cancer victims without health insurance receive less than 60 percent of the health care patients with health insurance get. This means that health insurance for cancer can be the difference between life and death.

No more Delawareans should die from cancer simply because they make too much money to qualify for Medicaid, and don't make enough to pay for their own health insurance. I promised when I took office that I would take bold steps in the fight against cancer. Today, I am announcing another step.

I am asking the Delaware General Assembly to make Delaware the first state in the country to guarantee health insurance for every person in the state diagnosed with cancer. Some will say, to us "no other state has done that." I say, it's about time someone did, and Delaware will lead the way.

In order to fund new cancer treatment for uninsured and to continue our present efforts against cancer, I propose to double the funding of cancer prevention, education, screening and treatment to \$10 million in the next budget year.

Please join with me to provide a new era of opportunity to Delawareans who face this deadly disease.

Environment

As we continue to protect the health of Delawareans, it's critical that we do more to address the issue of industrial pollution. Over the last three years, we've made great strides to protect our environment for the people.

We have enacted laws strengthening public knowledge of environmental incidents, harshly punishing repeat offenders of environmental laws, regulating aboveground storage tanks and putting a law on the books that will hold industrial company executives personally responsible and liable for environmental incidents when someone is harmed.

Last month, the Motiva oil refinery in Delaware City was put on a mandatory plan for improvements in the operations of its entire plant, with financial penalties spelled out in advance if it doesn't comply. The plan is unprecedented, it does not just address one isolated accident, it addresses and requires plant-wide changes in order to prevent future accidents.

As I said, we have accomplished much to protect our environment, and because of that work, Delaware will be cleaner and our children will be healthier. But there is still more to do.

As a result of an agreement between Delaware the EPA, and the Delaware City refinery they will soon ask for permits for pollution control equipment that will reduce sulfa dioxide emissions by more than 28,000 tons each year.

Last week, I told the CEO and the new owner of the refinery, Premcor, that I expect the pollution reduction to continue. He committed that it would, in fact said he would exceed our expectations. We must and we will follow through on what will be the largest air pollution reduction project in the history of our state.

Another major source of industrial pollution in Delaware is coal-fired commercial power plants in Edgemoor and on the Indian River. Among the pollutants emitted by those facilities is mercury, which accumulates in water and can be passed to humans through eating fish and shellfish.

Mercury is especially dangerous to young children and pregnant women because of its ability to cause permanent brain damage to young children. It is critical to reduce the amount of mercury emitted in Delaware and to protect our children from mercury's harmful effects.

That's why I have asked the Department of Natural Resources and Environmental Control to begin a process to reduce the emissions of sulfa dioxide, nitrogen oxide and mercury from Delaware's commercial power plants. Our goal is to define reductions in these pollutants this year, so that our children will be safer in years to come.

Of course, ensuring a Livable Delaware continue to be among the priorities of the Minner-Carney administration. One of the primary ways that we've guaranteed it is by that the green space and open lands we enjoy those today and we need to make sure they still exist for some far reaching tomorrow.

Since 2001, we have preserved more than 4,300 acres of open space and protected more than 34,000 acres of farmland from development. This is substantial progress, but we are not finished. For the next few years to be truly an era of opportunity, we must seize the chance to save one of our most precious resources – undeveloped land.

I will propose \$22 million for the new Green Infrastructure program. This program will seek opportunities to join with environmental groups and work towards preserving some of our most important natural habitats in the state. The Green Infrastructure program underscores our commitment to Livable Delaware by developing public-private partnerships to preserve our environmental heritage.

I ask you support me as we work to reduce pollution and to protect even more of our valuable land from development.

Legislative and Budget Preview

Before I conclude, let me mention a few items in my legislative agenda, which I will present to you in March, and my budget and bond bill, which I will present next week.

In 2003, 33 people were killed on Delaware roads by drunk drivers. Please join me to save the lives of our families, our friends our fellow Delawareans on our roads – along with restoring \$1.5 million for federal highway construction – by lowering Delaware’s legal blood alcohol to .08.

Just yards from where I stand right now, Delaware’s original copy of the Bill of Rights is on display, testifying to our state’s leadership in securing equal protection and equal rights for all of our citizens. The General Assembly currently has a bill before it that represents the next step in our country and our state’s evolution in extending tolerance and understanding.

This legislation does not provide special rights for those it covers, it simply provides equal rights. I ask that you approve House Bill 99, prohibiting discrimination based on sexual orientation in employment, housing and accommodations, and send it for my signature.

You are all familiar with our 800-megahertz radio system, which provides our state’s emergency responders the ability to communicate both in their daily work and, importantly, in the event of a large-scale catastrophe.

For the last few months, representatives of the emergency community have been discussing the steps necessary to take 800-megahertz to the next level, to broaden its coverage and it’s effectiveness for our police, our fire fighters, in medical, public health, environmental and other responders.

The FY05 budget I will propose will include \$12 million for the “next generation” of the 800-megahertz system and I ask that you support that proposal.

Let me pause for just a moment take just a moment to introduce some honored guest. First, Col. John Pray, commander of the 436th Airlift Wing at Dover Air Force Base. And now two very special guests, both recently returned from service in Saudi Arabia and Iraq. Please recognize them and, in doing so, recognize the service of our state’s military men and women: Army Guard Master Sergeant First Class Timothy Sinko of the 153rd Military Police Company and with him today Air Guard Master Sergeant Paul Shavack of the 142nd Airlift Squadron. Thank you gentlemen for being with us.

The sacrifice exhibited by the men and women of our Delaware National Guard, and the military reserves and Dover Air Force Base around the globe remind us of the service of veterans in past years. My bond bill proposal will include substantial funding for Delaware to soon eliminate its status as one of only three states without a home for our treasured veterans.

Let’s extend a new era of opportunity to those on our roadways in the path of some future drunken driver; to those whose lifestyles may be different than our own; to veterans who have served our state and our country so well; and to those in the fire, police and emergency response community who risk their lives for ours every day.

We should not use the recent economic upturn as an excuse to unleash budget growth. Over the last 30 years, the operating budgets enacted after an economic downturn have shown growth of 8 to 11 percent.

That level of growth is not responsible and that will not be acceptable. The budget I will present will show modest growth and will require more of the money-saving initiatives like those that we’ve done in the last several years.

As we consider measures that may affect our bottom line, we must be sure to recognize those coming challenges, including the possibility of slot machines in neighboring states; expenses imposed and shifted from the federal government; the escalating costs of health care; and there are others.

As we consider our fiscal future, I ask you to stay true to the principles that have put Delaware in such positive shape, stay the course. Failure to do so might risk our ability to take full advantage of the era of opportunity.

Conclusion

In conclusion, my message today is simple. Delaware's endured some tough times and, because of our responsibility and our willingness to work together, we've emerged stronger than almost every other state. We face the future with an advantage: a sound solid foundation, while others are struggling just to regain their footing.

Our challenge is to build wisely on that foundation, to be the architects of a new stirring phase of Delaware design. Let's join together, as Delawareans have at each of the critical moments in our state's history, let's grasp a bright future. Ladies and gentlemen, the state of our state we face a new era of opportunity.

Thank you.

Acting Speaker Oberle thanked the Governor for an extremely enlighten address and look forward to working with her in the coming session.

Acting Speaker Oberle moved for the escort committee to escort the Governor back to the Executive office.

Representative Smith moved that the Chief Clerk and the Secretary of the Senate compare their respective Journals to see if they agree.

The Chief Clerk of the House announced the Secretary of the Senate, Bernard Brady and I, compared their respective Journals and found them to agree.

Representative Smith moved that the Joint Session be adjourned and that the two Houses separate to reconvene in their respected chambers. No objection.

The Senate reconvened at 03:54 PM with Lt. Governor Carney presiding.
Following veto message in file for this legislative day.

STATE OF DELAWARE OFFICE OF THE GOVERNOR

RUTH ANN MINNER
GOVERNOR

July 8, 2003

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing Senate Bill No. 27 by returning it to the Delaware State Senate without my signature for reconsideration.

Senate Bill No. 27 is a municipal charter amendment for the Town of South Bethany, Delaware. By and large, its provisions are typical of those found in routine charter amendments considered by the General Assembly. Sections 22 and 23 of the Bill, however, are troublesome, in that they purport to vest South Bethany police authorities with the authority and powers of the Delaware State Police in an area 500 feet beyond the limits of the Town. These provisions concern me for two reasons. First, they appear inconsistent with other law relating to the exercise of police functions. Second, they risk creating unnecessary and potentially dangerous confusion concerning the jurisdictional boundaries of the Town.

Sections 22 and 23 of Senate Bill No. 27 would amend the South Bethany Charter by permitting the South Bethany Police Department to "enforce all criminal laws and motor vehicle laws enacted by the State of Delaware within five hundred feet (500') of the corporate limits of the town of South Bethany." Because of existing language in the South Bethany Charter, the same sections would vest each member of the South Bethany Police Department with all of the power and authority of a Delaware State Police officer when he or she is within 500 feet of South Bethany's corporate limits. The proposed increase of the scope of authority for the South Bethany Police Department would add to existing provisions of the South Bethany Charter that

already permit South Bethany police officers to extend the pursuit of an offender beyond the limits of the Town.

By giving a municipal police department authority beyond town limits, and by vesting South Bethany police officers with the authority to act as Delaware State Police officers in the additional area, Senate Bill No. 27 appears to conflict with other Delaware law concerning the jurisdiction of Delaware police officials. Section 8302(b) of Title 11,

Members of the Senate of the 142nd General Assembly
July 8, 2003
Page Two

Delaware Code, states that local police officials shall act outside their local jurisdiction and have authority of State Police officers only when acting "in response to a request for assistance from the State Police." The provisions of Senate Bill No. 27 would obviate the need for such a request, and therefore create a conflict with the Delaware Code. Importantly as well, because the existing Town Charter for South Bethany indicates that its officers are to have and exercise "all of the police powers and authority of a Delaware State Police Officer," extending such powers and authority outside the Town expressly contradicts a related provision of Delaware law that gives the State Police *exclusive* jurisdiction with respect to the investigation and prosecution of certain identified crimes, including homicides and kidnapping. 11 *Del. C.* § 8302.(a).

The provisions of 11 *Del. C.* § 8302, and its predecessors, have been construed to complement the recognized common law rule concerning powers of local police jurisdictions. That rule, as stated in *Holman v. Walls*, 648 F. Supp. 947 (D.Del. 1986), is that:

A Public officer appointed as a conservator of the peace for a particular county or municipality generally has no official power to apprehend offenders beyond the boundaries of the county or district for which he is appointed. 5 Am. Jur. 2d *Arrest* § 50 (1962). Delaware has modified this common law rule by statute in the case of a "fresh pursuit" of a suspected offender. 11 *Del. C.* § 1935, *see State v. Cochran*, 372 A. 2d 193 (*Del.* 1977). The Court believes that section 8302(b) is nothing more than a further modification of the common law rule in cases where local police respond to a state police request for assistance.

I believe that if the General Assembly genuinely intended to further alter the common law rules concerning authority of local police agencies, it would have considered this issue in greater detail on a comprehensive basis, rather than making an obscure change in a local charter amendment.

In reviewing Senate Bill No. 27, I have become aware that certain other municipal charters that have been enacted into law in our State include provision for local police to operate in a buffer area around municipal limits. These provisions tend to appear in the characters of some of our State's larger cities, such as Newark and Dover, but are not the norm among the beach municipalities of Sussex County. More importantly, however, those other charters allowing for a buffer area lack one significant characteristic of South Bethany's proposed charter – they do not purport to provide officers with the authority of State Police officers in areas outside of the municipality. More commonly, a charter authorizing municipal police to act outside a town provides local police with the authority of "constables" which, under State law, may keep the peace, but are required to notify full service police agencies of their actions. *See* 10 *Del. C.* § 2705.

Aside from Senate Bill No. 27's apparent conflict with statute and common law and the practical uncertainty it may create, I have concluded that vetoing this legislation is the only appropriate action. I would, however, welcome the opportunity to enact a revision of the Town of South Bethany's charter with Sections 22 and 23

Sincerely,
Ruth Ann Minner
Governor

* * *

Senator McDowell rose to extend birthday greetings to Senators Venables, Adams, Cloutier, Sokola, Sorenson and Connor.

Senator McDowell yields to Senator Adams.

On motion of Senator Adams and without objection, the following nomination was considered.

Sheldon, Timothy: 16 Senator(s) voting YES, 1 Senator(s) Bonini voting NO, 4 Senator(s) Copeland, Simpson, Sorenson, Still voting NOT VOTING. Appointment was declared CONFIRMED.

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

Senator McDowell rose to extend birthday greetings to Senators Simpson, Marshall, Still and Bunting.

SB 201 was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Cook.

SB 201 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.

Roll call vote on **SB 201** was taken and revealed:

YES: 21

SB 201 was declared passed the Senate and sent to the House for Consideration.

SB 198 was brought before the Senate for consideration on the motion of Senator DeLuca.

SB 198 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO AN AUTOMATED SERVICE BRANCH.

Senator McDowell commented.

Roll call vote on **SB 198** was taken and revealed:

YES: 21

SB 198 was declared passed the Senate and sent to the House for Consideration.

SB 191 was brought before the Senate for consideration on the motion of Senator Henry.

SB 191 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND COMMERCIAL MOTOR VEHICLES INCLUDING SCHOOL BUSES.

Senator Venables questioned the sponsor.

Senator Henry requested the privilege of the floor for Arthur Ericson, representing the Division of Motor Vehicles.

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

Roll call vote on **SB 191** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Vaughn - 1

SB 191 was declared passed the Senate and sent to the House for Consideration.

SENATE CONSENT CALENDAR #9 was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions: **HCR 32** was Lifted from the Table.

SCR 25 - URGING THE ESTABLISHMENT OF A CHAIR OF POLISH STUDIES AT THE UNIVERSITY OF DELAWARE. Sponsor: Sen. Marshall & Rep. Keeley; Rep. DiPinto.

SCR 28 - COMMENDING THE DEPARTMENT OF ELECTIONS FOR ITS VOTING SECURITY REVIEW AND REQUESTING A COPY OF THE REVIEW BE PROVIDED TO THE GENERAL ASSEMBLY. Sponsor: Sen. Sokola & Rep. Lavelle.

HCR 32 - RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN CONSULTATION WITH THE SOURCE WATER PROTECTION CITIZEN AND TECHNICAL ADVISORY COMMITTEE DEVELOP A GUIDANCE MANUAL FOR DESIRABLE LAND USES WITHIN SOURCE WATER ASSESSMENT AREAS BY MARCH 30, 2004. Sponsor: Rep. Booth & Sen. Bunting; Rep. Schwartzkopf; Sen. Simpson.

HCR 42 - COMMENDING SHARON BRITTINGHAM FOR BEING SELECTED AS DELAWARE'S DISTINGUISHED ELEMENTARY SCHOOL PRINCIPAL OF THE YEAR. Sponsor: Rep. Hocker; Rep. Atkins & Sen. Bunting

A roll call vote was taken on **SENATE CONSENT CALENDAR #9** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The House Concurrent Resolutions were returned to the House and the Senate Concurrent Resolutions were sent to the House for Consideration.

Announcements and Additions were announced.

Senator Peterson rose to commend an unknown state employee whom she observed trying to rescue a dog running loose atop the Route 1 Bridge spanning the canal.

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

SCR 29 - ESTABLISHING THE MONTH OF FEBRUARY 2004 AS NATIONAL PARENT LEADERSHIP MONTH IN DELAWARE. Sponsor: Sen. Blevins; On behalf of all Senators & Rep. Maier, On behalf of all Representatives.

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

YES: 21

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

On motion of Senator McDowell, the Senate recessed at 04:43 PM until January 22, 2004 at 02:00 PM.

The Senate did not reconvene on January 22, 2004 due to inclement weather.

The Senate reconvened at 04:12 PM on January 28, 2004 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Judiciary: **HB 319** – 5 Merits; **HB 133 w/HA 1** – 5 Merits; **SB 197** - 3 Favorable, - 2 Merits.

From Health & Social Services: **SB 196** - 4 Merits.

From Community/County Affairs: **HB 322** - 3 Merits; **HB 289** - 3 Merits; **HB 132 w/HA 3** - 3 Merits; **HB 323** – 3 Merits.

The Reading Clerk announced a message announced a message from the House informing the Senate it had passed **HB 391; HS 1 to HB 324; HB 323; HB 322; HB 318 w/HA 1; SB 194**.

The Reading Clerk announced a message announced a message from the House informing the Senate it had defeated **SB 156 w/SA 1**.

At 04:14 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Seventh Legislative Day.

**7th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 28, 2004**

The Senate convened at 04:14 PM with Lt Governor Carney presiding.

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

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

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

Senator Marshall marked present.

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

Senator McDowell yields to Senator McBride.

HB 192 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator McBride.

HB 192 w/HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A COMMUNITY ENVIRONMENTAL FUND.

Several Senators commented.

Senator McBride moved to Lay **HB 192 w/HA 1** on the Table. No Objections.

HB 209 was brought before the Senate for consideration on the motion of the floor manager Senator Sokola.

HB 209 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS.

Roll call vote on **HB 209** was taken and revealed:

Senator Still commented.

YES: 19

ABSENT: Senator(s) Bonini, Venables - 2

HB 209 was declared passed the Senate and returned to the House.

Senator Bunting marked present during the above roll call.

SB 196 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 196 - AN ACT TO AMEND CHAPTER 258, VOLUME 73, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MINIMUM STAFFING FOR NURSING HOME FACILITIES AND TRAINING FOR CERTIFIED NURSING ASSISTANTS".

Senator Cook commented.

Roll call vote on **SB 196** was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1

SB 196 was declared passed the Senate and sent to the House for Consideration.

Senator Bonini marked present during the above roll call.

Senator McDowell moved to recess for Party Caucus at 04:31 PM.

The Senate reconvened at 04:51 PM with Lt. Governor Carney presiding.

HB 319 was brought before the Senate for consideration on the motion of the floor manager, Senator Vaughn.

HB 319 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE BUREAU OF IDENTIFICATION AND THE PUBLIC RELEASE OF POLICE, PROBATION, AND PAROLE OFFICER NAMES AND IDENTIFICATION NUMBERS.

SA 1 to HB 319 was brought before the Senate for consideration on motion of Senator Vaughn.

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

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

Roll call vote on **SA 1 to HB 319** was taken and revealed:

YES: 21

SA 1 to HB 319 was declared part of the bill.

HB 319 w/SA 1 was now before the Senate.

Senator Venables marked present during the above roll call.

Senator Vaughn requested the privilege of the floor again for Steven Wood, representing the Attorney General's office.

Senator McDowell raised a point of order.

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

SA 2 to HB 319 was brought before the Senate for consideration on the motion of Senator McDowell.

Senator McDowell requested the privilege of the floor for Richard Elliott, representing the News Journal.

Senator Still raised a point of order.

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

Senators Venables Still and McDowell commented.

Senator McDowell requested privilege of the floor for Chief Michael Capreglione, President of Police Chiefs.

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

Senator McBride requested the privilege of the floor for Calvin Stovall, representing the News Journal.

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

Senator McDowell requested privilege of the floor once again for Steve Wood, representing the Attorney General's office.

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

Roll call vote on **SA 2 to HB 319** was taken and revealed:

YES: 14

NO: Senator(s) Adams, Bunting, Cook, DeLuca, Marshall, Still, Vaughn - 7.

SA 2 to HB 319 was declared part of the bill.

Senator Vaughn moved to Lay **HB 319 w/SA 1 & SA 2** on the Table. No objection.

Senator McBride requested that **SB 77** be Stricken. No objection.

Senator Vaughn requested that **SB 195** be Stricken. No objection.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/28/2004**

January 22, 2004

HB 319 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE BUREAU OF IDENTIFICATION AND THE PUBLIC RELEASE OF POLICE, PROBATION, AND PAROLE OFFICER NAMES AND IDENTIFICATION NUMBERS.

Sponsor: Rep. Spence & Sen. Vaughn; Reps. Smith, Lee, Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner,

Gilligan, Van Sant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams; Sens. Amick, Cloutier, Connor; Judiciary.

January 28, 2004

SB 202 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS Sponsor: Sen. Blevins & Rep. Smith; Sen. Cook & Rep. Oberle; **Insurance & Elections**.

HB 318 w/HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS. Sponsor: Rep. Miro & Sen. Blevins; Reps. Hocker, Hudson, Keeley, Spence, Ulbrich; Sens. Simpson, Sokola; **Natural Resources & Environmental Control**.

HB 322 - 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 AMEND SECTION 7, "MANNER OF HOLDING ANNUAL MUNICIPAL ELECTION", BY CORRECTING THE REFERENCE TO ELECTION DISTRICT FOLLOWING REDISTRICTING. Sponsor: Rep. Booth & Sen. Simpson; **Community/County Affairs**.

HB 323 - 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 AMEND SECTION 9, "REGULAR AND SPECIAL MEETINGS", BY BROADENING THE OPTIONS FOR MEETING DATES FOR THE REGULAR MEETINGS OF THE CITY COUNCIL. Sponsor: Rep. Booth & Sen. Simpson; **Community/County Affairs**.

HS 1 for HB 324 - AN ACT TO AMEND THE FISCAL YEAR 2004 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF BONDS AND NOTES OF THE STATE OF DELAWARE. Sponsor: Rep. Roy & Sen. Venables Reps. Carey, Lofink, Oberle, B. Ennis, Keeley, Cathcart, Miro, Stone, Wagner, Mulrooney; Sens. Blevins, Cook, DeLuca, Connor, Simpson; **Bond Bill**.

SB 203 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN'S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY'S FEES, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATIONS, AND IMPOSE IMPACT FEES. Sponsor: Sen. Bunting & Rep. Hocker; **Community/County Affairs**.

* * *

Announcements and Additions were announced.

The Secretary announced the agenda for January 29, 2004.

On motion of Senator McDowell, the Senate recessed at 07:35 PM until January 29, 2004 at 02:00 PM.

The Senate reconvened at 04:02 PM on January 29, 2004, with Lt. Gov. Carney presiding.

The following committee reports were announced.

From Insurance & Elections: **SB 202** - 4 Merits

From Highways & Transportation: **HB 50** - 5 Merits

From Executive: **Michael Begatto** - 6 Favorable; **Leonard Quill** - 6 Favorable

Withdrawal of sponsorship was read informing the Senate that Representative Maier withdrew her name as a co-sponsor of **SB 189**.

A correspondence from Senator Bonini was read into the record requesting his name be added as a co-sponsor of **SR 8**.

A correspondence from the Office of Senator Sorenson was read into the record requesting her name be added as a co-sponsor of **SR 8**.

A correspondence from the Office of JoAnn Hedrick, Chief Clerk of the House was read informing the Senate that Representative Valihura signed **SB 53** as an additional co-sponsor, whilst in the House.

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

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
1/29/2004**

SB 204 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOLS Sponsor: Sen. Peterson & Rep. Maier; **Education.**

SB 205 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2005; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. Sponsor: Sen. Adams & Rep. Gilligan; Sens. McDowell, DeLuca, Cook, Van Sant; **Finance.**

SB 206 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION TO THE STATE TREASURER FOR THE FISCAL YEAR ENDING JUNE 30, 2005 TO DEFEASE AND/OR DEAUTHORIZE GENERAL OBLIGATION BONDS AT THE DIRECTION OF THE SECRETARY OF FINANCE. Sponsor: Sen. Adams & Rep. Gilligan; Sens. McDowell, DeLuca & Cook; Rep. Van Sant; **Finance.**

SB 207 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GENERAL FUND. Sponsor: Sen. Adams & Rep. Gilligan; Sens. McDowell, DeLuca & Cook; Rep. Van Sant; **Finance.**

SB 208 - AN ACT TO AMEND CHAPTER 59, VOLUME 63 LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DEWEY BEACH" TO APPROVE CERTAIN AMENDMENTS OF SECTION 10 (b) OF THE CHARTER OF THE TOWN OF DEWEY BEACH, DELAWARE ENTITLED "MANNER OF HOLDING ELECTIONS". Sponsor: Sen. Bunting & Rep. Hocker; **Community/County Affairs.**

SB 209 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH A STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM TO PREVENT AIDS AND OTHER DISEASES. Sponsor: Sen. Henry & Rep. Keeley; Sen. Marshall & Reps. George, Hall-Long, Plant; **Health & Social Services.**

SB 210 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO STATE REVENUE LIMITATIONS. Sponsor: Sen. Bonini; **Finance.**

SB 211 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSING AGENTS FOR HUNTING, FISHING, AND TRAPPING LICENSES. Sponsor: Sen. Venables & Rep. Lee, **Natural Resources & Environmental Control.**

* * *

The Reading Clerk announced a message from the House informing the Senate that it had passed **SB 53; SB 134 w/HA 1; SB 193; SB 192; SB 63; SB 64; SB 132 w/SA 1 & SA 2; HCR 39; HCR 42; SCR 25; SCR 28; SCR 29.**

Senator McDowell announced upcoming birthdays for Senators Blevins, Copeland & DeLuca and extending the best wishes of the Senate.

At 04:06 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Eighth Legislative Day.

**8th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
JANUARY 29, 2004**

The Senate convened at 04:06 PM with Lt. Governor Carney presiding.

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

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

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

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

SB 202 was brought before the Senate for consideration on the motion of Senator Blevins.
SB 202 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Several Senators commented.

Senator Blevins requested personal privilege of the floor for Elaine Manlove, representing New Castle County Elections.

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

Senator Blevins moved to Lay **SB 202** on the Table. No objection.

SJR 8 was brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Adams.

SJR 8 - CELEBRATING THE LIFE AND HONORING THE MEMORY OF THE LATE JOHN E. BURRIS OF MILFORD, WHO DEPARTED THIS LIFE ON THURSDAY, THE TWENTY-SECOND DAY OF JANUARY, 2004, AT THE AGE OF EIGHTY-THREE YEARS. Sponsor: Sen. Adams & Sen. Simpson; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Vaughn & Venables; Reps. Spence & Carey; Reps. Atkins, Booth, Boulden, Buckworth, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Smith, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner & Williams.

Roll call vote on **SJR 8** was taken and revealed:

YES: 21

SJR 8 was declared passed the Senate and sent to the House for Consideration.

Senator Amick marked present during the above roll call.

SR 20 was introduced and brought before the Senate for consideration on the motion of Senator Amick.

SR 20 - EXTENDING THE PERSONAL BEST WISHES OF ALL MEMBERS OF THE SENATE TO GLORIA FILI FOR FULL RECOVERY AND A QUICK RETURN TO THE SENATE AFTER SURGERY SCHEDULED DURING FEBRUARY 2004. Sponsor: Sen. Amick & Sen. Adams, Sen. Blevins, Sen. Bonini, Sen. Bunting, Sen. Cloutier, Sen. Connor, Sen. Cook, Sen. Copeland, Sen. DeLuca, Sen. Henry, Sen. Marshall, Sen. McBride, Sen. McDowell, Sen. Peterson, Sen. Simpson, Sen. Sokola, Sen. Sorenson, Sen. Still, Sen. Vaughn, & Sen. Venables.

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

YES: 21.

SR 20 was declared Adopted by the Senate.

HB 192 w/HA 1 was Lifted from the Table and brought before the Senate for consideration on the motion of the floor manager, Senator McBride.

HB 192 w/HA 1 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A COMMUNITY ENVIRONMENTAL FUND.

Senator Still commented.

Roll call vote on **HB 192 w/HA 1** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1

HB 192 w/HA 1 was declared passed the Senate and returned to the House.

HB 132 w/HA 3 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 132 w/HA 3 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Senators Still and Bonini commented.

Senator Sokola requested personal privilege of the floor for Jack Cordrey, Alcohol Beverage Control Commissioner.

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

Roll call vote on **HB 132 w/HA 3** was taken and revealed:

YES: 20

NO: Senator(s) Bonini - 1

HB 132 w/HA 3 was declared passed the Senate and returned to the House.

HB 289 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 289 - AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE'S INTEREST IN CERTAIN LANDS LOCATED IN SUSSEX COUNTY, DELAWARE.

SA 1 to HB 289 was introduced and brought before the Senate for consideration on the motion of Senator Simpson.

Roll call vote on **SA 1 to HB 289** was taken and revealed:

YES: 21

SA 1 to HB 289 was declared part of the bill.

HB 289 w/SA 1 was now before the Senate.

Senators Sokola and Simpson commented.

Roll call vote on **HB 289 w/SA 1** was taken and revealed:

YES: 21

HB 289 w/SA 1 was declared passed the Senate and sent to the House for Reconsideration.

HB 322 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 322 - 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 AMEND SECTION 7, "MANNER OF HOLDING ANNUAL MUNICIPAL ELECTION", BY CORRECTING THE REFERENCE TO ELECTION DISTRICT FOLLOWING REDISTRICTING.

Roll call vote on **HB 322** was taken and revealed:

YES: 21

HB 322 was declared passed the Senate and returned to the House.

HB 323 was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

HB 323 - 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 AMEND SECTION 9, "REGULAR AND SPECIAL MEETINGS", BY BROADENING THE OPTIONS FOR MEETING DATES FOR THE REGULAR MEETINGS OF THE CITY COUNCIL.

Roll call vote on **HB 323** was taken and revealed:

YES: 21

HB 323 was declared passed the Senate and returned to the House.

HB 50 was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

HB 50 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE CREATION OF A DELAWARE AVIATION ADVISORY COUNCIL.

Senator Still questioned the floor manager.

Roll call vote on **HB 50** was taken and revealed:

YES: 21

HB 50 was declared passed the Senate and returned to the House.

Senator Adams rose to recognize Senator Cook for having reached her thirty year milestone in the Senate.

Senator McDowell moved to recess for Party Caucus at 04:57 PM.

The Senate reconvened at 05:50 PM with Senator McDowell presiding.

SR 19 was brought before the Senate for consideration on the motion of Senator Peterson.

SR 19 - RECOGNIZING AND THANKING THE EMPLOYEES OF THE DELAWARE DEPARTMENT OF TRANSPORTATION FOR THEIR WORK ON BEHALF OF THE PEOPLE OF GLENVILLE, STANTON CREST, AND MARSHALLTON. Sponsor:

Senator Peterson.

Senator Sokola commented.

Roll call vote on **SR 19** was taken and revealed:

YES: 21.

SR 19 was declared Adopted.

On motion of Senator Adams and without objection, the following nomination(s) were considered.

Irwin Burton: 21 Senators voting YES. Appointment was declared CONFIRMED.

Glenn Gormley: 21 Senators voting YES. Appointment was declared CONFIRMED.

Gilchrist Sparks: 21 Senators voting YES. Appointment was declared CONFIRMED.

P. Coleman Townsend: 21 Senators voting YES. Appointment was declared CONFIRMED.

On motion of Senator DeLuca, the Senate recessed temporarily at 06.07 PM.

The Senate reconvened at 06:33 PM with Senator McDowell presiding.

Announcements and Additions were announced.

The Secretary announced the agenda for March 16, 2004.

On motion of Senator Adams, the Senate recessed at 06:36 PM until March 16, 2004 at 02:00 PM. or to the call of the President Pro Tempore.

The Senate reconvened at 03:01 PM on March 16, 2004, with Lt. Governor Carney presiding.

At 03:02 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Ninth Legislative Day.

**9th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
MARCH 16, 2004**

The Senate convened at 03:02 PM with Lt. Governor Carney 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 McDowell. No objections.

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

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

Senator McDowell announced birthdays that occurred while the Senate was in recess. Congratulations were extending to Senators DeLuca, Blevins, Copeland, and to Sen. McDowell as well.

Senator McDowell yields to Senator Copeland.

Senator Copeland requested privilege of the floor for Saleem A. Khan, MD, representing Rockford Center & Delaware Guidance Service. The witness was excused after addressing the Senate.

SB 197 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 197 - AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUOR LICENSES.

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

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

Senator Vaughn requested privilege of the floor for Frank Infante, representing Bull Dozers Saloon.

The witness was excused after addressing the Senate.

Senator Vaughn commented.

Senator Peterson requested privilege of the floor for Mr. John Cordrey, Alcohol Beverage Control Commissioner.

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

Senator McBride commented.

Roll call vote on **SB 197** was taken and revealed:

YES: 10

NO: Senator(s) Amick, Blevins, Cloutier, Connor, Henry, Marshall, McBride, Sokola, Sorenson - 9.

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Bonini - 1.

SB 197 was declared Defeated.

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

Additions and Announcements were announced.

The Secretary announced the agenda for Wednesday, March 17, 2004.

The President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially ready and copies were made available.

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

3/16/2004

January 29, 2004

SB 212 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELECTRICAL EXAMINERS. Sponsor: Sen. DeLuca & Rep. Oberle; Sens.

Adams, Blevins, Bonini, Bunting, Connor, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Still, Vaughn, Venables; Reps. Lofink, Mulrooney, Viola; **Labor & Industrial Relations.**

SB 213 - AN ACT TO AMEND TITLES 14 AND 19 OF THE DELAWARE CODE RELATING TO THE RIGHT TO WORK. Sponsor: Sens. Venables & Bonini; Rep. Boulden; Sens. Copeland, Simpson & Sorenson; Reps. Hocker, Hudson & Lavelle; **Labor & Industrial Relations.**

March 16, 2004

SB 215 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES. Sponsor : Sen. Adams & Rep. Ewing, Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables; Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Fallon, George, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, Williams; **Executive.**

SB 216 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", TO AMEND SECTION 30, ENUMERATION OF POWERS, BY ADDING AUTHORITY FOR COLLECTION OF COSTS IN ENFORCEMENT ACTIONS AS A NEW SUBSECTION DESIGNATED (48). Sponsor: Sen. Bunting & Rep. Atkins; **Community/County Affairs.**

SB 217 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", TO AMEND SECTION 3, ANNEXATION OF TERRITORY, BY MODIFYING THE PROVISIONS TO CLARIFY PROCEDURES, ELIGIBILITY TO VOTE, AND TO PROVIDE FOR ANNEXATION AGREEMENTS AND CONTIGUITY OF NATURAL FEATURES. Sponsor: Sen. Bunting & Rep. Atkins; **Community/County Affairs.**

HB 198 w/HA 1 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO APPROVAL BY THE STATE BOARD OF EDUCATION OF CERTIFICATES OF INCORPORATION OR ANY AMENDMENT THEREOF PRIOR TO FILING. Sponsor: Rep. Hall-Long & Sen. Sokola, Reps. B. Ennis, George, Keeley, Mulrooney, Plant; **Education.**

HB 321 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. Sponsor: Reps. B. Ennis; Lee & Sen. Vaughn & Sen. Simpson, & Rep. Ewing & Rep. Oberle; Reps. Atkins, Booth, Boulden, Buckworth, Carey, D. Ennis, Fallon, George, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Keeley, Maier, Mulrooney, Plant, Quillen, Reynolds, Schwartzkopf, Smith, Spence, Stone, Thornburg, Valihura, Van Sant, Viola, Williams; Sens. Blevins, Bonini, Bunting, Connor. **Health & Social Services.**

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

Joanne M. Winters
133 Walker Road
Dover, DE 19904

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

Gerard L. Esposito
18 Victoria Drive
Milford, DE 19963

To be appointed a member of
the Board of Directors of the
Diamond State Port
Corporation to serve a term to
expire 3 years from Senate
confirmation.

* * *

On motion of Senator McDowell, the Senate recessed at 04:00 pm until March 17, 2004 at 03:30 PM.

The Senate reconvened at 03:42 PM on March 17, 2004, with Lt. Governor Carney presiding. Senator Bonini marked present.

A note from Mrs. Lillian Burris thanking the Senate for honouring the life of her husband, Jack, was read to the Senate record.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HB 230; HJR 18; HB 198 w/HA 1; HB 321; HCR 43; SB 196; SB 198; SJR 8.**

The following committee reports were announced:

From Community & County Affairs: **SB 215** – 4 Merits.

From Executive: **SB 203** – 6 Favorable; **Gerard Esposito** – 5 Merits; **Joanne Winters** – 6 Merits.

At 03:47 PM on motion from Senator McDowell, the Senate adjourned and immediately convened to the Tenth Legislative Day.

**10th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
MARCH 17, 2004**

The Senate convened at 03:47 PM with Lt. Governor Carney presiding.

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

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

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

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

No objection.

The Governors' Veto message for **SB 53** was read to the Senate record.

To The Members of the Senate of the 142nd General Assembly:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing **Senate Bill No. 53** by returning it to the Delaware State Senate without my signature for reconsideration.

Senate Bill No. 53 seeks to repeal action taken by the General Assembly nearly eight years ago to expand the New Castle County Council, from its current seven members to thirteen members (comprised of twelve members representing council manic districts, and a president of Council elected at large). In 1996, the General Assembly determined that a seven-member Council for our State's most populous County had become unworkable, and directed that the Council be expanded from seven to thirteen members during the next election cycle, that is, incident to the 1998 election. Subsequently, the deadline for the expansion of Council has twice been extended, and under current law the Council is to be expanded as part of the upcoming 2004 election. In reliance on the law as it is currently written, New Castle County Council has specially appointed a bi-partisan commission of citizens to consider new councilperson election districts. That commission painstakingly prepared new district maps for the twelve newly drawn council districts. The commission's proposed maps were subject to review and comment by the public, and on September 22, 2003 – just over 4 months ago- these maps were finally adopted.

Two critical factors compel a veto of **Senate Bill No. 53**. The first factor is procedural: it is simply too late in the day to again deprive the citizens of New Castle County the Council structure that they have been promised for eight years. An immeasurable amount of time, money and effort has been expended to clear the way for this expansion of Council in the coming year. While reasonable people can debate whether the expansion should be to nine, ten, eleven or twelve seats, the time for that debate has passed. County government, and the citizens of New Castle County, have all expended too much effort and energy in preparing for a new structure of government to cavalierly dismiss such efforts.

Second, and more importantly, the grounds supporting an expansion of New Castle County Council are more pressing today than they were when the General Assembly initially approved the expansion due to population growth. Currently, the average ratio of citizens to council members in New Castle County is over 84,000. Allowing the expansion of Council as previously planned reduces that number to about 42,000 residents per Councilperson. Even with that change, it is significant that New Castle County's councilpersons will still represent on average a substantially greater number of citizens than other elected officials in our State. By comparison, each member of the State House of Representatives represents 19,418 citizens; each member of the Delaware State Senate represents 37,912 citizens; each Commissioner of the Kent County Levy Court represents 21,511 citizens, and each member of Sussex County Council represents 32,254 citizens. When reviewed in context, it is clear that the expansion of New Castle County Council merely makes the ration of representation of Council members comparable to the ration

of other elected legislative officials. Conversely, an expanded Council structure helps to assure that each citizen of New Castle County has a better chance of being well-represented, with the opportunity to meet with his or her Councilperson and share views and suggestions, and that important legislative matters will be addressed in a timely and efficient manner. The citizens of New Castle County have waited too long for representation on par with that of other counties and legislative bodies to turn back now.

In light the timing with which **Senate Bill No. 53** has been adopted and presented, as well as the sound policy reasons that continue to support a substantial expansion of the New Castle County Council, I have concluded that veto of this legislation is appropriate and in the best interests of New Castle County and its citizens.

* * *

SB 215 was brought before the Senate for consideration on the motion of Senator Adams.

SB 215 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES.

Roll call vote on **SB 215** was taken and revealed:

YES: 21

SB 215 was declared passed the Senate and sent to the House for Consideration.

Senator(s) Amick, Blevins, Connor and Marshall were marked present during the above roll call.

Senator McDowell moved to recess for Party Caucus at 03:54 PM.

The Senate reconvened at 05:09 PM with Lt. Governor Carney presiding.

Senator McDowell yields to Senator Vaughn.

On the motion of Senator Vaughn, **HB 133 w/HA 1** was removed from the agenda and returned to the **Judiciary** committee.

SB 203 was brought before the Senate for consideration on the motion of Senator Bunting.

SB 203 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN'S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY'S FEES, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATIONS, AND IMPOSE IMPACT FEES.

SA 1 to SB 203 was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 1 to SB 203** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SA 1 to SB 203 was declared part of the bill.

SB 203 w/SA 1 was now before the Senate.

Roll call vote on **SB 203 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

SB 203 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

Senator Adams rose to congratulate Senator Blevins for being inducted into the Delaware Women's Hall of Fame.

Announcements and additions were announced.

The Secretary read the agenda for March 18, 2004.

The President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially ready and copies made available.

**DELAWARE STATE SENATE
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION
SECOND SESSION
READ TO THE SENATE RECORD
3/17/2004**

HJR 18 - HONORING THE MEN AND WOMEN OF THE DELAWARE NATIONAL GUARD AND RESERVE FOR THEIR SERVICE IN THE WAR ON TERRORISM AND THE MEMBERS OF THE DELAWARE NATIONAL GUARD AND RESERVES EMERGENCY ASSISTANCE FUND BOARD OF TRUSTEES FOR THEIR FUNDRAISING AND FINANCIAL ASSISTANCE PROVIDED TO MEMBERS OF THE DELAWARE NATIONAL GUARD AND RESERVES AND THEIR FAMILIES. Sponsor: Rep. George; Spence, On behalf of all Representatives, Sens. Henry, Still, On behalf of all Senators; **LOT List**.

SB 218 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SELLING OF LICENSE PLATES COVERS AND FRAMES. Sponsor: Sen. Connor; Ewing, Sens. Amick, Cloutier, Reps. Buckworth, Carey, B. Ennis, Keeley, Roy, Schwartzkopf, Wagner; **Public Safety**.

SB 219 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SCHOOL INSTRUCTIONAL STAFF AND JURY SERVICE. Sponsor: Sen. Simpson, Rep. Reynolds, Sens. Amick, Copeland, Sokola, Reps. Booth, Oberle; **Judiciary**.

SB 220 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES. Sponsor: Sen. Connor; Amick, Reps. Reynolds, & Lee, Sens. Blevins, Bunting, Cloutier, Copeland, Henry, Marshall, McBride, Peterson, Sorenson, Still, Reps. Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Hall-Long, Hudson, Keeley, Mulrooney, Roy, Schwartzkopf, Wagner; **Public Safety**.

SB 221 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INTERNATIONAL TRANSFER OF PRISONERS. Sponsor: Sen. Sorenson; Sen. Vaughn, & Rep. Lee; **Adult & Juvenile Corrections**.

SB 222 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES. Sponsor: Sen. Bunting; **Community/County Affairs**.

SS 1 for SB 204 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOLS Sponsor: Sen. Peterson; Maier; **Adopted in Lieu of Education**.

HB 230 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. Sponsor: Rep. Valihura; Reps. Boulden, DiPinto, D. Ennis, Hudson, Lavelle, Mulrooney, Spence, Sens. Cloutier, Copeland, Henry, Peterson, Sokola; **Public Safety**.

* * *

On motion of Senator McDowell, the Senate recessed at 05:20 PM until Thursday, March 18, 2004 at 02:30 PM.

The Senate reconvened on March 18, 2004 at 03:09PM, with Lt. Governor Carney presiding.

The following committee reports were announced:

From Administrative Services: **SB 173** – 3 Merits

From Health & Social Services: **SB 179** – 4 Merits

From Insurance & Elections: **SB 183** – 4 Merits

From Veterans Affairs: **SB 186** – 3 Favorable, 1 Merit

A communication from Senator Bunting referencing **SB 222** was read, adding Senator Venables as a co-sponsor.

A communication from Senator Henry referencing **SCR 30** was read, adding Rep. Mulrooney and Senator Venables as co-sponsors.

LEGISLATIVE ADVISORY #17, dated February 10, 2004. The Governor signed the following legislation on the dates indicated:

SJR #6 (1/13/04) – CELEBRATING THE LIFE AND COMMEMORATING THE SERVICE OF THE HONORABLE WILLIAM V. ROTH, JR. (Sponsors: Sen. Adams & Rep. Spence; Sens. Still, McDowell, Deluca, Sorenson; Reps. Smith, Lee, Gilligan, Van Sant; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, Henry, Marshall, McBride; Sens. Peterson, Simpson, Sokola, Vaughn, Venables; Reps. Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Stone, Thornburg, Ulbrich, Valihura, Viola, Wagner, Williams)

HJR #17 (1/21/04) – CONGRATULATING THE UNIVERSITY OF DELAWARE FIGHTIN' BLUE HENS FOOTBALL TEAM ON WINNING ITS FIRST DIVISION I- AA NATIONAL CHAMPIONSHIP AND THANKING THEM FOR A SPECTACULAR AND MEMORABLE 2003 FOOTBALL SEASON. (Sponsor: Rep. Ulbrich & Sen. Sorenson & Sen. Amick; Reps. Spence, Smith, Lee, Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Stone, Thornburg, Valihura, Wagner, Gilligan, Van Sant, B. Ennis,

George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams, Sens. Adams, McDowell, Deluca, Blevins, Bunting, Cook, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables, Still, Bonini, Cloutier, Connor, Copeland, Simpson)

HB #158 aab HA 1 (1/21/04) – AN ACT TO AMEND CERTAIN PROVISIONS OF SECTIONS 3-401, 6-200, 6-201 AND 6-300 OF THE CITY OF WILMINGTON HOME RULE CHARTER. (Sponsors: Rep. Keeley & Rep. DiPinto & Sen. Henry) (Volume 74, Chapter 192, Laws of Delaware.)

HB #213 (1/21/04) – AN ACT TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF THE CITY OF WILMINGTON, PURSUANT TO 22 DEL. C., SECTION 811, RELATING TO THE ADMINISTRATIVE ASSISTANT TO THE MAYOR. (Sponsors: Rep. DiPinto & Sen. Henry; Reps. Smith, D. Ennis, Williams, George, Keeley, Plant; Sens. McDowell, Blevins, Marshall, Peterson, Sorenson, Cloutier Connor, Copeland) (Volume 74, Chapter 193, Laws of Delaware.)

SB #63 (1/21/04) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES. (Sponsors: Sen. Marshall & Sen. Blevins; Rep. Maier) (Volume 74, Chapter 194, Laws of Delaware.)

SB #64 (1/21/04) – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES. (Sponsors: Sen. Marshall & Sen. Blevins; Rep. Maier) (Volume 74, Chapter 195, Laws of Delaware.)

SB #132 aab SA 1 & SA2 (1/21/04) – 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. (Sponsors: Sen. Marshall & Rep. Maier; Sen. Blevins) (Volume 74, Chapter 196, Laws of Delaware.)

SB #192 aab SA 1 (1/21/04) – AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE” BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. (Sponsors: Sen. Adams & Rep. Ewing) (Volume 74, Chapter 197, Laws of Delaware.)

SB #193 (1/21/04) – AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED “AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE” RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE. (Sponsors: Sen. Adams & Rep. Ewing) (Volume 74, Chapter 198, Laws of Delaware.)

HB #233 aab SA 1 (1/28/04) – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Sponsors: Rep. Spence & Rep. Lee & Sen. Vaughn; Reps. Smith, Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, Van Sant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola, Williams, Sens. Adams, McDowell, Blevins, Cook, Deluca, Henry, Venables, Bonini, Cloutier, Connor, Copeland, Simpson) (Volume 74, Chapter 199, Laws of Delaware.)

SB #134 aab HA 1 (1/28/04) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. (Sponsors: Sen. Vaughn & Rep. Ewing) (Volume 74, Chapter 200, Laws of Delaware.)

SJR #8 (1/29/04) – CELEBRATING THE LIFE AND HONORING THE MEMORY OF THE LATE JOHN E. BURRIS OF MILFORD, WHO DEPARTED THIS LIFE ON THURSDAY, THE TWENTY-SECOND DAY OF JANUARY, 2004, AT THE AGE OF EIGHTY-THREE YEARS. (Sponsors: Sen. Adams & Sen. Simpson; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, Deluca, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson, Still, Vaughn, & Venables; Reps. Spence & Carey; Reps. Atkins, Booth, Boulden, Buckworth, Cathcart, Caulk, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Quillen, Reynolds, Roy, Schwartzkopf, Smith, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner & Williams)

HB #50 (2/3/04) – AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO THE CREATION OF A DELAWARE AVIATION ADVISORY COUNCIL. (Sponsors: Rep. Oberle & Sen. Adams) (Volume 74, Chapter 201, Laws of Delaware.)

HB #132 aab HA 3 (2/3/04) – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Sponsors: Rep. DiPinto & Rep. Roy & Rep. Houghton & Rep. Keeley; Reps. Plant, Williams; Sens. McDowell, Henry, Marshall) (Volume 74, Chapter 202, Laws of Delaware.)

HB #192 aab HA 1 (2/3/04) –AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A COMMUNITY ENVIRONMENTAL FUND. (Sponsors: Rep. Lavelle & Rep. Smith & Rep. D. Ennis & Rep. Valihura & Sen. McDowell & Sen. Henry & Sen. Cloutier; Reps. Booth, Buckworth, George, Hudson; Sens. Amick, Connor, Peterson, Simpson) (Volume 74, Chapter 203, Laws of Delaware.)

HB #209 (2/3/04) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS. (Sponsors: Rep. Maier & Sen. Sokola) (Volume 74, Chapter 204, Laws of Delaware.)

HB #289 aab SA 1 (2/3/04) – AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE’S INTEREST IN CERTAIN LANDS LOCATED IN SUSSEX COUNTY, DELAWARE. (Sponsors: Rep. Schwartzkopf & Sen. Simpson) (Volume 74, Chapter 205, Laws of Delaware.)

HB #322 (2/3/04) – 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 AMEND SECTION 7, “ MANNER OF HOLDING ANNUAL MUNICIPAL ELECTION”, BY CORRECTING THE REFERENCE TO ELECTION DISTRICT FOLLOWING REDISTRICTING. (Sponsors: Rep. Booth & Sen. Simpson) (Volume 74, Chapter 206, Laws of Delaware.)

HB #323 (2/3/04) – 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 AMEND SECTION 9, “ REGULAR AND SPECIAL MEETINGS”, BY BROADENING THE OPTIONS FOR MEETING DATES FOR THE REGULAR MEETINGS OF THE CITY COUNCIL. (Sponsors: Rep Booth & Sen. Simpson) (Volume 74, Chapter 207, Laws of Delaware.)

SB #194 aab SA 1 (2/3/04) – 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 AMEND SECTION 20, ENTITLED “POWER TO BORROW MONEY AND ISSUE BONDS”, BY PERMITTING THE AMOUNT DESIRED TO BE BORROWED TO BE STATED IN A “NOT TO EXCEED” AMOUNT; CLARIFYING VOTER QUALIFICATIONS; PROVIDING FOR APPOINTMENT OF A BOARD OF ELECTION AND PROCEDURES; AUTHORIZING THE CITY TO CANCEL THE BORROWING; PROVIDING FOR BOND ANTICIPATION NOTES; PROVIDING FOR A STATUTE OF LIMITATIONS FOR CHALLENGES TO PROCEDURES OF THE CITY IN THESE MATTERS; AND PERMITTING THE ISSUANCE OF REFUNDING BONDS FOR THE PURPOSE OF REFINANCING ALL OR A PORTION OF ANY OF THE CITY’S OUTSTANDING BONDS OR OTHER INDEBTEDNESS. (Sponsors: Sen. Simpson & Rep Booth, Sen. Sokola) (Volume 74, Chapter 208, Laws of Delaware.)

SB #196 (2/6/04) – AN ACT TO AMEND CHAPTER 258, VOLUME 73, LAWS OF DELAWARE, ENTITLED “AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MINIMUM STAFFING FOR NURSING HOME FACILITIES AND TRAINING FOR CERTIFIED NURSING ASSISTANTS”. (Sponsors: Sen. Marshall & Rep. Maier) (Volume 74, Chapter 209, Laws of Delaware.)

SB #198 (2/6/04) – AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO AN AUTOMATED SERVICE BRANCH. (Sponsors: Sen. DeLuca & Rep. Stone; Sens. Bunting, Sokola, Sorenson, Still; Reps. Carey, D. Ennis, Fallon, Hocker, Houghton, Hudson, Keeley, Lavelle, Miro, Valihura) (Volume 74, Chapter 210, Laws of Delaware.)

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At 03:12 PM on motion of Senator McDowell, the Senate adjourned and immediately convened the Eleventh Legislative Day.

**11th LEGISLATIVE DAY
142nd GENERAL ASSEMBLY
SECOND SESSION
MARCH 18, 2004**

The Senate convened at 03:12 PM with Lt. Governor Carney presiding.
A prayer was offered by Senator Copeland followed by the Pledge of Allegiance to the Flag.
Call of the roll for the Legislative Day revealed the following attendance:

PRESENT: Senator(s) Adams, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn, Venables - 20.

ABSENT: Senator Amick - 1.

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

Senator McDowell yields to Senator Adams.

On motion of Senator Adams and without objection, the following nomination(s) by the Governor were considered.

Gerard Esposito: 20 Senator(s) voting YES, 1 (Amick) ABSENT. Appointment CONFIRMED.

Senator Marshall marked present during the above roll call.

Joanne Winters: 20 Senator(s) voting YES, 1 (Amick) ABSENT. Appointment CONFIRMED.

Leonard Quill: 20 Senator(s) voting YES, 1 (Amick) ABSENT. Appointment CONFIRMED.

Michael Begatto: 20 Senator(s) voting YES, 1 (Amick) ABSENT. Appointment CONFIRMED.

Senator McDowell yields to Senator Adams.

HJR 18 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.

HJR 18 - HONORING THE MEN AND WOMEN OF THE DELAWARE NATIONAL GUARD AND RESERVE FOR THEIR SERVICE IN THE WAR ON TERRORISM AND THE MEMBERS OF THE DELAWARE NATIONAL GUARD AND RESERVES EMERGENCY ASSISTANCE FUND BOARD OF TRUSTEES FOR THEIR FUNDRAISING AND FINANCIAL ASSISTANCE PROVIDED TO MEMBERS OF THE DELAWARE NATIONAL GUARD AND RESERVES AND THEIR FAMILIES.

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

YES: 20

ABSENT: Senator Amick - 1.

HJR 18 was declared passed the Senate and returned to the House.

Senator McDowell yields to Senator McBride.

SB 186 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO LEGAL HOLIDAYS.

Senators McBride and Simpson commented.

Roll call vote on **SB 186** was taken and revealed:

YES: 20

ABSENT: Senator Amick - 1.

SB 186 was declared passed the Senate and sent to the House for Consideration.

SB 183 was brought before the Senate for consideration on motion of Senator McBride.

SB 183 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Roll call vote on **SB 183** was taken and revealed:

YES: 20

ABSENT: Senator Amick - 1.

SB 183 was declared passed the Senate and sent to the House for Consideration.

SB 179 was brought before the Senate for consideration on motion of Senator Sorenson.

SB 179 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE BREAST CANCER EDUCATION AND EARLY DETECTION FUND.

Roll call vote on **SB 179** was taken and revealed:

YES: 20

ABSENT: Senator Amick - 1.

SB 179 was declared passed the Senate and sent to the House for Consideration.

Senator McDowell yields to Senator Bunting.

SB 222 was brought before the Senate for consideration under the suspension of the necessary rules, on motion of Senator Bunting.

SB 222 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES.

SA 1 to SB 222 was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 1 to SB 222** was taken and revealed:

YES: 20