

# STATE OF DELAWARE



## Journal of the House of Representatives

144th General Assembly

Convened  
Tuesday, January 9, 2007  
Dover, Delaware

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2007-2008

**MEMBERS OF THE HOUSE OF REPRESENTATIVES  
144th GENERAL ASSEMBLY**

**District**

**NEW CASTLE COUNTY**

- |    |                                                                                                                                                     |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | Dennis P. Williams, 3414 N. Madison Street, Wilmington                                                                                              |
| 2  | Hazel D. Plant, 523 Eastlawn Avenue, Wilmington                                                                                                     |
| 3  | Helene M. Keeley, 1501 West Fifth Street, Wilmington                                                                                                |
| 4  | Gerald L. Brady, 1804 Shallcross Avenue, Wilmington                                                                                                 |
| 5  | Melanie George Marshall, 12 Calvarese Drive, Bear                                                                                                   |
| 6  | Diana M. McWilliams, 810 Bezel Road, Wilmington                                                                                                     |
| 7  | Wayne A. Smith, 3 Richards Drive, Wilmington – Resigned - March 12, 2007<br>Bryon H. Short, 14 Chestnut Road, Wilmington – Elected - April 14, 2007 |
| 8  | Bethany A. Hall-Long, 127 St. Augustine Court, Middletown                                                                                           |
| 9  | Richard C. Cathcart, 226 Milford Drive, Middletown                                                                                                  |
| 10 | Robert J. Valihura, Jr., 105 Beauregard Court, Wilmington                                                                                           |
| 11 | Gregory F. Lavelle, 500 Whitby Drive, Wilmington                                                                                                    |
| 12 | Deborah D. Hudson, 1022 Oriente Avenue, Wilmington                                                                                                  |
| 13 | John L. Mitchell, 1234 Sycamore Avenue, Elsmere                                                                                                     |
| 15 | Valerie J. Longhurst, 11 Winchester Court, Bear                                                                                                     |
| 16 | James Johnson, 105 Skelton Drive, New Castle                                                                                                        |
| 17 | Michael P. Mulrooney, 32 Saratoga Drive, New Castle                                                                                                 |
| 18 | Terry R. Spence, 26 Freeport Road, New Castle                                                                                                       |
| 19 | Robert F. Gilligan, 2628 Sherwood Drive, Wilmington                                                                                                 |
| 20 | Nick T. Manolakos, 227 Charleston Drive, Wilmington                                                                                                 |
| 21 | Pamela S. Maier, 12 Chadd Road, Newark                                                                                                              |
| 22 | Joseph E. Miro, 5 Firechase Circle, Newark                                                                                                          |
| 23 | Teresa L. Schooley, 2 Chapel Hill Drive, Newark                                                                                                     |
| 24 | William A. Oberle, Jr., 2 Danver's Way, Newark                                                                                                      |
| 25 | John A. Kowalko, Jr., 134 N. Dillwyn Road, Newark                                                                                                   |
| 26 | John J. Viola, 9 Orangeburg Court, Newark                                                                                                           |
| 27 | Vincent A. Lofink, 103 Veronica Lane, Bear                                                                                                          |

**KENT COUNTY**

- |    |                                                                                                                                                                        |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 28 | Bruce C. Ennis, 522 Smyrna-Clayton Boulevard, Smyrna - Resigned – November 3, 2007<br>William J. Carson, Jr., 680 Lake Drive West, Smyrna - Elected – December 8, 2007 |
| 29 | Pamela J. Thornburg, P. O. Box 1917, Dover                                                                                                                             |
| 30 | William R. Outten, 206 Delaware Avenue, Harrington                                                                                                                     |
| 31 | Nancy H. Wagner, 283 Troon Road, Dover                                                                                                                                 |
| 32 | Donna D. Stone, 1155 Woodsedge Road, Dover                                                                                                                             |
| 33 | Robert E. Walls, 2645 Milford Harrington Highway, Milford                                                                                                              |
| 34 | Donald A. Blakey, 956 Bison Road, Dover                                                                                                                                |

**SUSSEX COUNTY**

- |    |                                                                                                                                                          |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | Peter C. Schwartzkopf, 24 Coventry Road, Rehoboth Beach                                                                                                  |
| 35 | J. Benjamin Ewing, 6935 Federalsburg Road, Bridgeville                                                                                                   |
| 36 | V. George Carey, 24625 Sugar Hill Road, Milford                                                                                                          |
| 37 | Joseph W. Booth, 200 Garden Street, Georgetown                                                                                                           |
| 38 | Gerald W. Hocker, P. O. Box 930, Ocean View                                                                                                              |
| 39 | Daniel B. Short, 133 North Cannon Street, Seaford                                                                                                        |
| 40 | Clifford G. Lee, 705 South Central Avenue, Laurel                                                                                                        |
| 41 | John C. Atkins, 29980 Millsboro Highway, Millsboro – Resigned - March 27, 2007<br>Gregory A. Hastings, 4 Mill Landing, Millsboro – Elected - May 5, 2007 |

**STAFF MEMBERS**

**144th GENERAL ASSEMBLY**

JoAnn M. Hedrick – Chief Clerk  
Helen Alford – Minority Secretary  
Kay Amalfitano – Minority Legal Secretary  
Jean Ardis – Secretary

Frieda Beebe - Page  
 Armenta (Minnie) Bowen – Legal Secretary  
 John Brady – Majority Attorney  
 Carol Breslin – Financial Officer  
 Rodney Brittingham – Task Force Administrator  
 William Bullock - Sergeant-at-Arms  
 Josephine Conaty – Majority Head Page  
 Kevin Coyle – Sergeant-at-Arms  
 Bette Crystal –Assistant to the Speaker  
 Andrew DalNogare – Majority Legislative Assistant  
 John Davis – Majority Legislative Assistant  
 Margaret Moore Dean – Majority Legislative Assistant  
 Jean Diener – Secretary to Majority Whip  
 Janice Durham – Minority Receptionist  
 Inga Emerson – Journal Clerk  
 Janice Fischbach – Minority Secretary  
 Valvert Fox - Sergeant-at-Arms  
 Joe Fulgham – Majority Communications Officer  
 Michael Fuller – Minority Page  
 Alex Funk – Majority Attorney  
 Luisa Georgov – Majority Receptionist/Secretary  
 Jerry Grant – Minority Legislative Assistant  
 John Hammerer – Minority Page  
 Rylene Harper – Minority Legislative Assistant  
 Nancy Hickman – Minority Legislative Assistant  
 Helen Hicks – Majority Receptionist  
 Karen Hill – Majority Secretary  
 Beverly Hogate – Majority Secretary  
 Barbara Holton – Minority Head Page  
 Elinor Hughes – Majority Legislative Assistant  
 Alexis Jamison – Majority Legal Secretary  
 Tammie Kanich – Bill Clerk  
 Joyce Keeler – Minority Legislative Assistant  
 Janet Kilpatrick – Majority Legislative Assistant  
 Brian Killheffer – Minority Legislative Assistant  
 Amanda Lamar – Minority Legislative Assistant  
 Marietta Laporte – Majority Legal Secretary  
 Florence Legates – Bill Clerk  
 Tony Maczynski – Majority Legislative Assistant  
 Stephanie Mantegna –Majority Communications Officer  
 John Matlusky – Majority Director of Policy & Communications  
 Betty McWilliams – Majority Secretary/Receptionist  
 Dolores Michels – Majority Legislative Assistant  
 Michael Migliore – Minority Attorney  
 Margaret Millman – Majority Page  
 Rosalie Millman – Bill Stamping Clerk  
 James Nutter – Minority Attorney  
 Maria Ottinger – Majority Secretary  
 Marilyn Porter – Secretary to the Speaker  
 Pamela Price – Majority Director of Research  
 Richard Puffer - Minority Deputy Chief of Staff  
 Betty Richard – Bill Prep Clerk  
 Carie Riley – Majority Legislative Assistant  
 Battle Robinson – Majority Attorney  
 Barbara Rossiter – Head Bill Prep Clerk  
 Nancy Ruberto –Secretary to Majority Leader  
 Ayesha Sammänder – Applications Support Specialist  
 Virginia Sawyer – Majority Page  
 Frances Schmidt – Majority Page  
 Erik Schramm – Minority Chief of Staff  
 Charles Short – Recorder  
 Ron Smith – Senior Majority Attorney  
 Dale Sullivan - Sergeant-at-Arms  
 Beverly Sweet – Secretary - Deceased April 2, 2008

Sandy Sylvester – Majority Page  
Steven Tanzer – Minority Legislative Assistant  
Allison Tatman – Majority Secretary  
Brandon Thornburg – Majority Page  
Patrick Vanderslice - Majority Attorney  
Douglas VanSant - Reading Clerk  
Helen Webb – Bill Prep Clerk  
Brenda Kay Wilson – Majority Secretary  
Mary Margaret Williams – Minority Chief of Staff  
Garrett Wozniak – Majority Legislative Assistant  
Joan Wutka – Transportation Liaison  
Janice Yerkes – Majority Secretary  
Ellen Youngmans – Bill Prep Clerk  
Lori Zimmerman – Majority Secretary

STANDING COMMITTEES  
OF THE  
HOUSE OF REPRESENTATIVES  
January 29, 2007

**AGRICULTURE:** Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative John C. Atkins; Representative Joseph W. Booth; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

**APPROPRIATIONS:** Representative Richard C. Cathcart - Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

**CAPITAL INFRASTRUCTURE:** Representative William A. Oberle, Jr. - Chair; Representative V. George Carey; Representative Gregory F. Lavelle; Representative Vincent A. Lofink; Representative Bruce C. Ennis; Representative Michael P. Mulrooney; Representative Nick T. Manolakos (Alternate); Representative Donna D. Stone (Alternate); Representative John J. Viola (Alternate).

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**ENERGY AND NATURAL RESOURCES:** Representative Gerald W. Hocker – Chair; Representative Joseph W. Booth – Vice-chair; Representative John C. Atkins; Representative V. George Carey; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

**ETHICS:** Representative Wayne A. Smith - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

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**HEALTH & HUMAN DEVELOPMENT:** Representative Pamela S. Maier – Chair; Representative Nick T. Manolakos – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

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**LABOR:** Representative William A. Oberle, Jr. - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Nick T. Manolakos; Representative Pamela S. Maier; Representative Terry R. Spence; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant.

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**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/ JOINT SUNSET:** Representative Robert J. Valihura, Jr. – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Pamela S. Maier; Representative Valerie J. Longhurst; Representative John J. Viola.

**PUBLIC SAFETY AND HOMELAND SECURITY:** Representative J. Benjamin Ewing – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Clifford G. Lee; Representative William R. Outten; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

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**RULES:** Representative Vincent A. Lofink – Chair; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Wayne A. Smith; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative Helene M. Keeley.

**TELECOMMUNICATIONS, INTERNET & TECHNOLOGY:** Representative Deborah D. Hudson – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

**TOURISM:** Representative Deborah D. Hudson – Chair; Representative Donald A. Blakey - Vice-chair; Representative Joseph W. Booth; Representative V. George Carey; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Gerald L. Brady; Representative Peter C. Schwartzkopf.

**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative John C. Atkins; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert E. Walls.

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March 20, 2007

**AGRICULTURE:** Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative Joseph W. Booth; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

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Representative Pamela J. Thornburg (Alternate); Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

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May 10, 2007

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**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert E. Walls.

**VETERANS AFFAIRS:** Representative Terry R. Spence – Chair; Representative Richard C. Cathcart – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Clifford G. Lee; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Daniel B. Short; Representative Donna D. Stone;



Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Peter C. Schwartzkopf; Representative Byron H. Short; Representative John J. Viola.

**PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE 144th GENERAL ASSEMBLY  
2007 – 2008  
HOUSE RESOLUTION NUMBER 4**

**I. RULES OF ORDER**

**RULE 1 - CONVENING OF HOUSE**

The House of Representatives shall meet every Tuesday, Wednesday and Thursday at 2:00 P.M., unless otherwise ordered. The Speaker or his or her designee shall take the chair at that time and shall call the House to order. At the beginning of each legislative day, the Speaker or his or her designee shall cause the names of the members to be called in alphabetical order. If a quorum is present, he or she shall proceed with the opening prayer, the pledge to the flag, and the business of the day.

**RULE 2 - ORDER OF BUSINESS**

(a) After the convening of the House, the order of business shall include the following:

- (1) The minutes of the previous day shall be made public and posted by the Chief Clerk prior to the next legislative day. With the consent of a majority of members, the reading of the minutes for the previous day may be omitted.
- (2) Presentation of petitions, memorials, tributes, memoriams, citations or communications.
- (3) Reports from standing and special committees.
- (4) Introduction and first reading of bills and resolutions.
- (5) Consideration of Agenda.
- (6) Consent Calendar, or Consent Agenda, when available.
- (7) Announcement of committee meetings.
- (8) Announcement of Agenda for next legislative day.

(b) The order of business may be changed when necessary by the Speaker unless a majority of the members present object.

**RULE 3 – MESSAGES**

Messages from the Senate or from the Governor may be received at any time except when the roll is being called.

**II. DUTIES OF THE SPEAKER**

**RULE 4 - ORDER AND DECORUM**

(a) The Speaker shall preside and have general direction over the House Chamber, and shall preserve order and decorum. In debate, the Speaker shall confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker, or when the Speaker grants open debate between members.

(b) Cameras, recording instruments, and similar equipment or electronic devices are permitted in the House Chamber only with the permission of the Speaker.

**RULE 5 - QUESTIONS OF ORDER; APPEAL**

The Speaker shall decide all questions of order. An appeal from his or her decision may be made by any member, if properly seconded. The appeal shall be upheld only upon the affirmative vote of a majority of the elected members. The Speaker shall not vote on any such appeal.

**RULE 6 - TEMPORARY PRESIDING OFFICER, SPEAKER PRO TEMPORE**

(a) The Speaker may appoint a member to serve as the Temporary Presiding Officer to perform the duties of Speaker; but such appointment shall not extend beyond an adjournment or recess except when the Speaker takes a leave of absence, in which case the Speaker Pro Tempore shall perform the duties of Speaker during such leave. The Temporary Presiding Officer or the Speaker Pro Tempore shall not have authority to reassign any measure to a committee unless specifically required to do so by Rule 20, or the Speaker has taken a leave of absence or pursuant to the direction of the Speaker.

(b) When neither the elected Speaker nor the appointed Presiding Officer is present, the House shall be called to order and presided over by the Senior Member of the majority party. The Speaker Pro Tempore shall be the Senior Member of the majority party. The Senior Member is the member who has served in the House the longest current consecutive period of time. In the event more than one member has served the same length of time, the member originally sworn first shall be the Senior Member. If two or more members were sworn in at the same time, then of those two or more members the member whose name would appear first in alphabetical order shall be the Senior Member.

**RULE 7 - SIGNING OF BILLS, RESOLUTIONS, AND OTHER DOCUMENTS**

The Speaker shall sign all bills and resolutions passed by the House. All warrants, writs and subpoenas issued by the House shall be signed by the Speaker and attested to by the Chief Clerk. In the absence of the Speaker, the Temporary Presiding Officer or Speaker Pro Tempore shall have authority to sign such documents.

## **RULE 8 - APPOINTMENT OF COMMITTEES**

(a) The Speaker shall appoint all committees and subcommittees.

(b) Where illness, stated conflict of interest, or other sufficient cause shall compel the absence or non-participation of any committee member, the Speaker, in his or her discretion, may fill such vacancy from the same political party as the absent or non-participating member during said absence or period of non-participation.

## **RULE 9 - ASSIGNMENT OF BILLS AND RESOLUTIONS TO COMMITTEE**

The Speaker shall determine the principal objective of a bill or resolution and, subject to the provisions of Rule 20, assign the same to the appropriate committee. All prefiled measures shall be pre-assigned to committees by the Speaker and each member notified in writing of assignments. When the measure is introduced from the floor, the Speaker shall at that time announce the committee to which the measure is assigned.

## **RULE 10 - SETTING THE AGENDA**

The Speaker sets the Agenda and may place an item on the Agenda only if the item is on the Ready List and has been requested to be placed on the Agenda by the Prime House Sponsor or Floor Manager of a Senate bill. The Ready List shall consist of all items that have been reported out of committee or have been laid on the table.

## **RULE 11 - SUBPOENA ISSUANCE**

The Speaker may sign a subpoena if requested by a majority vote of a standing committee, a special committee, a joint committee, a task force, or any similar entity if the committee, task force or entity was created by the House of Representatives or an action of the General Assembly. No subpoena shall be issued unless it is first signed by the Speaker. Upon the majority vote of all members elected to the House, a subpoena shall be signed and issued by the Speaker, Presiding Officer or Speaker Pro Tempore.

## **III. RIGHTS AND DUTIES OF MEMBERS.**

## **RULE 12- ATTENDANCE OF MEMBERS**

(a) No member shall knowingly absent himself or herself from any session of the House without notifying the Speaker that he or she is unable to attend. A member who is absent without notifying the Speaker may be considered in contempt, and may be subject to the censure of the House.

(b) Each member shall answer each roll call from his or her assigned seat in the Chamber.

## **RULE 13- QUORUM**

Twenty-one (21) members of the House shall constitute a quorum. The House shall not convene without a quorum. In the absence of a quorum, the Sergeant-at-Arms shall notify those members who are absent from the Chamber, but not from Legislative Hall, that their presence is required. Upon receiving the notification, the absentee members shall report to the House Chamber. After a proper interval for such notifications, the Speaker shall order a roll call of the House to ascertain if a quorum is present.

## **RULE 14 - ADDRESSING THE HOUSE**

(a) When a member wishes to speak, such member shall rise but shall not proceed to speak until recognized by the Speaker. Upon acknowledgment by the Speaker, the member may be seated until called upon. If two or more members seek recognition at the same time, the Speaker shall determine who shall speak first.

(b) Remarks shall be confined to the subject before the House, or to the purpose for which recognition was obtained.

## **RULE 15 - DECORUM OF MEMBERS ON FLOOR OF HOUSE**

(a) Each member shall conduct himself or herself in a dignified manner at all times.

(b) No member or other person may walk across the House Chamber, or converse privately, in such a manner as to interrupt the House proceedings.

(c) A member shall not be interrupted when speaking except for the following reasons:

(1) a call to order by the Speaker,

(2) a point of order by a member, or

(3) a motion by a member to move the previous question, to adjourn, or to recess.

(d) A member shall not make derogatory personal comments about or to other members.

(e) No member shall use a cellular phone in the House Chamber while the House is in session.

(f) No member shall use a pager in the House Chamber while the House is in session unless the pager is set to a non- non-audible setting.

## **RULE 16 - RULES OF LEGISLATIVE CONDUCT**

(a) A member of the House shall be subject to discipline by the House for the violation of any of the following Rules of Legislative Conduct, which shall be deemed to constitute "disorderly behavior" within the meaning of Article II, Section 9 of the Delaware Constitution. The Rules of Legislative Conduct are as follows:

(1) Restrictions relating to "personal or private interests" within the meaning of Article II, Section 20 of the Delaware Constitution and Chapter 10, Title 29 of the Delaware Code are as follows:

A. A member who has a personal or private interest in any measure or bill pending before the House shall disclose the fact and shall not participate in the debate nor vote thereon;

provided, however, that (i) upon the request of any other member of the House, a member who has such a personal or private interest may nevertheless respond to questions concerning any such measure or bill, or (ii) a member who has a personal or private interest may add factual matter to the debate which he or she believes will correct wrong or false information. A personal or private interest in a measure or bill is an interest which tends to impair a member's independence of judgment in the performance of his or her legislative duties with respect to that measure or bill.

B. A member has an interest which tends to impair his or her independence of judgment in the performance of his or her legislative duties with regard to any bill or measure when, (i) the enactment or defeat of the measure or bill would result in a financial benefit or detriment to accrue to the member or a close relative to a greater extent than such benefit or detriment would accrue to others who are members of the same class or group of persons, (ii) the member or a close relative has a financial interest in a private enterprise which enterprise or interest would be affected by a measure or bill to a greater extent than like enterprises or other interests in the same enterprise, or (iii) a person required to register as a legislative agent pursuant to Chapter 16, Title 29 of the Delaware Code is a close relative of the legislator and that person acts to promote, advocate, influence or oppose the measure or bill.

C. If the member is present, the disclosure required under paragraph (A) shall be made in open session, (i) prior to the vote on the measure or the bill by any committee of which the member is a member, and (ii) prior to the vote on the measure or bill in the House. Disclosure may be made by written statement submitted to the Chairperson of a committee or the Speaker of the House, and read in open session in the committee or the House as the case may be. If the member is absent when a measure or bill is voted on which would have required disclosure required under paragraph (A), then the member shall make the required disclosure as soon as possible upon returning to the committee or House.

D. For the purposes of this Rule:

- (I) A "close relative" means a person's parents, spouse, children (natural or adopted) and siblings of the whole and half-blood.
- (II) A "private enterprise" means any activity, whether conducted for profit or not for profit, and includes the ownership of real or personal property; provided that "private enterprise" does not include any activity of the State of Delaware, any political subdivision or any agency, authority or instrumentality thereof.
- (III) A person has a "financial interest" in a private enterprise if he or she (i) has a legal or equitable ownership interest in the enterprise with a fair market value in excess of \$5,000, or owns more than 10% of the enterprise if not traded on an established securities market, or owns more than 1% in the case of an enterprise whose securities are regularly traded on an established securities market, (ii) is associated with the enterprise and received from the enterprise during the last calendar year or might reasonably be expected to receive from the enterprise during the current or the next calendar year income in excess of \$5,000 for services as an employee, officer, director, trustee, or independent contractor, or (iii) is a creditor of an insolvent private enterprise in an amount in excess of \$5,000.
- (IV) A "person" means an individual, partnership, corporation, trust, joint venture and any other association of individuals or entities.

(2) A member shall not receive unlawful gratuities in violation of §1206, Title 11 of the Delaware Code.

(3) A member shall not receive a bribe in violation of §1203, Title 11 of the Delaware Code.

(4) A member shall not profiteer in violation of §1212, Title 11 of the Delaware Code.

(5) A member shall not engage in conduct constituting official misconduct in violation of §1211, Title 11 of the Delaware Code.

(6) A member shall not fail to comply with the campaign finance disclosure requirements set forth in Chapter 80, Title 15 of the Delaware Code.

(7) A member shall not fail to comply with the financial disclosure requirements of Chapter 58, Title 29 of the Delaware Code.

(8) A member shall not appear for, represent, or assist another in respect to a matter before the General Assembly or one of its committees for compensation other than that provided by law.

(9) A member shall not release, without authorization of the Ethics Committee, any confidential matter pertaining to proceedings of the Ethics Committee.

(10) A member shall not knowingly file a false statement with the Ethics Committee or the House in connection with any proceeding involving a Rule of Legislative Conduct.

(11) A member shall not engage in conduct which the House determines (i) brings the House into disrepute or (ii) reflects adversely on the member's fitness to hold legislative office.

(b) A member shall be subject to sanction for any disorderly behavior occurring subsequent to being elected to the House.

(c) A complaint alleging a violation of a Rule of Legislative Conduct shall be filed in writing by a member with the Ethics Committee for investigation and recommendation to the House as to disposition. A complaint must be accompanied by a written statement signed by any person, sworn under oath, setting forth the facts supporting the complaints. No such complaint shall be considered by the House prior to its consideration and recommendation by the Ethics Committee.

(d) If the Ethics Committee recommends some disciplinary action with respect to a complaint, it shall present a resolution to the House requesting that the House conduct a proceeding to consider the matter. If the Ethics Committee votes to dismiss a complaint, and there are no votes against dismissal in the Committee, the House shall take no action with respect thereto. If the Ethics Committee votes to dismiss a complaint, but there are dissenting votes in the Committee, the House may consider the matter upon the motion of any member of the House, approved by a majority vote of the House. In any proceeding before the House involving an alleged violation of a Rule of Legislative Conduct, the accused member shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses, and offer evidence and to cross-examine any witnesses. A transcript of any such proceeding shall be made and retained, and rules of procedure for ethics violations as may be adopted by the House shall apply.

(e) If the House finds by a majority vote that a member has violated a Rule of Legislative Conduct, it may impose such disciplinary action as it deems appropriate, provided that no member may be suspended or expelled without the vote of two-thirds of the members of the House concurring therein.

#### **IV. BILLS, RESOLUTIONS AND OTHER MEASURES**

##### **RULE 17 - RESOLUTIONS AND OTHER MEASURES; DEFINITIONS**

(a) The following types of resolutions may be considered by this body:

(1) Simple Resolutions: A Simple Resolution is an expression of a majority of members on a specific subject, and deals with the internal affairs of the House only. The effect of its passage does not go beyond the bounds and the authority of the House.

(2) Concurrent Resolutions: A Concurrent Resolution is used to accomplish the same purpose in relation to the entire General Assembly that the Simple Resolution achieves for either the House or Senate singly. It must be passed by both the House and Senate to become effective. A Concurrent Resolution adopted by the General Assembly does not become a statute, nor does it have the force and effect of law, nor can it be used for any purpose which requires the exercise of legislative power.

(3) Joint Resolutions: A Joint Resolution is the most formal type of resolution, and is addressed to matters which are not internal affairs of either the House individually, nor the internal affairs of the General Assembly as a whole. It is of no legal effect unless passed by both Houses and approved by the Governor. Although a Joint Resolution is not a law, it is employed to provide for temporary measures, and has the force of law while in effect for a wide variety of limited purposes. A Joint Resolution is effective only for the General Assembly in which it was passed and approved. The requirement of the Governor's signature for Joint Resolutions stems from its original use in instances where it was expedient or necessary to express the joint will and action of the General Assembly and Governor combined.

(b) Each member of the House may issue tributes and memoriams at any time during his or her term of office. Tributes and memoriams shall be sequentially numbered by the Chief Clerk and made a part of the House Journal. Each tribute or memoriam shall be signed by the Prime Sponsor, the Speaker and the Chief Clerk. The Speaker, or his or her designee, shall cause to be read into the permanent record of the House such tributes and memoriams as have been filed with the Chief Clerk. Tributes and memoriams shall not require a vote; however, at the time such items are officially read into the record, any member may comment on the tributes or memoriams. Tributes and memoriams issued when the House stands in recess or adjournment shall be administratively managed by the Chief Clerk, who shall cause such items to be made a part of the official proceedings of the House.

(c) A measure, as used in these Rules, means a bill, resolution, amendment, motion, or other questions before the House.

##### **RULE 18 - PREPARATION AND CUSTODY**

(a) Each bill and resolution shall be introduced with as many backed copies as are deemed necessary by the Speaker. The original of the bill or resolution shall at all times remain in the custody of the Chief Clerk of the House or the Chairperson of the committee to which it has been assigned. A "duplicate" backed copy may go (on request) to the following: the Speaker, the Sponsor, and the Division of Research. Upon introduction of a bill or resolution a copy shall be delivered to every member. Copies shall also be delivered to the Division of Research.

(b) No bill or joint resolution shall be introduced into the House unless it be "prefaced" by a brief statement of its purpose which shall be known as the title, and the bill or resolution shall also contain the text of such bill or resolution in full. Each bill or resolution shall have an appropriate enacting or resolving clause. If a bill by its terms requires an extraordinary majority for enactment, such vote requirement shall be announced by the Speaker prior to roll call, and such vote requirement should be plainly indicated on the bill. At the end of each bill or joint resolution introduced, the author shall include a brief synopsis of the intent of the bill or joint resolution. In the lower left hand corner of page one shall be the initials of the unit preparing the bill or resolution, the initials of the drafter, and the initials of the typist; and, if prepared by automatic equipment, the identification number.

(c) If a bill or resolution provides for the appointment or selection of members to a committee, task force or similar entity, there shall be a brief synopsis of the need for the creation of the task force or similar entity. A copy of such bill or resolution shall be delivered to each person who is to make an appointment or selection, and delivered to any person designated in the bill or resolution to be a member of the committee, task force or similar entity. Such bill or resolution shall contain the criteria for the selection of the Chairperson and members of the task force or similar entity.

#### **RULE 19 - INTRODUCTION OF BILLS AND RESOLUTIONS; FILING WITH CHIEF CLERK**

(a) Each bill or resolution shall be numbered in order as introduced, beginning with HB 1 for House Bills, HR 1 for House Resolutions, HCR 1 for House Concurrent Resolutions and HJR 1 for House Joint Resolutions, and the original backer shall contain the signatures of all the Sponsors of the original bill.

(b) Every bill or resolution shall be introduced by:

(1) filing it with the Chief Clerk of the House not less than one (1) hour prior to the opening of the session by one of the two following procedures:

A. the Sponsor's written direction to the Chief Clerk; or

B. verbal approval from the Sponsor to the Chief Clerk (original bill must be signed by the Sponsor before start of session).

(2) introduction from the floor while the House is in session if permitted by the Speaker.

(c) At the beginning of the day's session following the filing of a bill or resolution with the Chief Clerk, the Chief Clerk shall read the bill or resolution into the record. A bill or resolution that is filed with the Chief Clerk of the House while the House stands in recess, in adjournment, or is not otherwise meeting, shall be given a number and entered upon a docket kept for that purpose.

(d) Introduction of a bill or resolution shall be considered the first reading of that bill or resolution, unless otherwise ordered by the House. The bill or resolution shall be read by title only, or by reference to the prefile list, and then be assigned by the Speaker to its appropriate committee.

(e) Resolutions of condolence, congratulations or other non-controversial subject matters may be considered as part of the Consent Calendar without being assigned to a committee, unless any member objects. A suspension of the Rules is required in order to consider any other type of resolution without referring it to a committee.

(f) The Prime Sponsor of a bill or resolution shall be the member who has responsibility of the drafting and introduction of a bill or resolution. The Prime Sponsor of a bill or resolution is that House member listed first to the right of the word "SPONSOR:" on the upper right side of the first page of a bill or resolution. Other House members may be Co-prime Sponsors if listed after the Prime Sponsor and if joined by the word "and" or the symbol "&". The Floor Manager of a House bill or House resolution shall be the Prime Sponsor. A Joint Sponsor is any member of the House or Senate whose name is printed on the measure after the name of all Prime and Co-prime Sponsors. A Co-Sponsor is a member of the House or Senate whose name is not otherwise shown on the measure, but who signs the backer of the measure.

(g) The Chairperson of the House standing committee to which a Senate bill or resolution has been assigned shall also be the Floor Manager of that measure, unless he or she declines to serve, or defers to a House Sponsor. If the committee Chairperson declines to serve as Floor Manager, the Speaker shall designate a House member to be the Floor Manager of that measure.

(h) In order to withdraw his or her sponsorship of a bill or resolution, a Sponsor shall submit to the Chief Clerk a written notice for this purpose. The written notice shall then be attached to the original of the bill or resolution.

#### **RULE 20 - ASSIGNMENT TO APPROPRIATIONS COMMITTEE**

Each bill or joint resolution, whether emanating from the House or the Senate, containing an appropriation or which may involve any net financial loss or obligation on the part of the State, including Transportation Trust Funds, if any, of \$50,000 or more in any one (1) of the next three (3) fiscal years (which has been previously referred by the Speaker under the Rules to any committee of the House other than the Committee on Appropriations) shall, after the same has been reported back to the House, be referred to the Committee on Appropriations.

#### **RULE 21 - FISCAL NOTES**

(a) No bill or resolution either authorizing expenditures, or increasing or affecting the Transportation Trust Fund, or reducing revenues as described in Chapter 19, Title 29 of the Delaware Code shall be placed before the House for consideration unless accompanied by a fiscal note.

(b) (1) All legislation proposing new fees or increases in existing fees charged by any state agency shall include therewith an explanation of:

- A. the expected total amount of funds to be generated by the proposed fee or fee increase;
- B. the purpose of the proposed new fee or fee increase;
- C. a general identification of the persons, business entities or organizations affected by the legislation;
- D. the impact of the proposed new fees or fee increases on these affected persons, business entities or organizations; and
- E. the intended use by the agency of the revenues generated by the new fees or fee increases.

(2) The Office of the Controller General shall conduct such review or audit of the information offered by the state agency pursuant to paragraph (b)(1) of this Rule as is deemed necessary to evaluate the information required therein, and shall issue a written report of its findings. The written report of the Office of the Controller General's findings shall be attached to the legislation, by the Sponsor of the legislation, prior to the legislation's initial committee consideration in the House of origin.

(3) The House may waive the requirements of this Section as to any specific legislation pending before the House by a vote of the majority of all members elected to the House.

## **RULE 22 - FINAL READINGS AND CONSIDERATION BY HOUSE**

(a) When brought before the House for consideration, each bill and joint resolution shall be given its final reading by title, unless the Speaker directs a reading in full.

(b) Each bill or joint resolution, in order to pass the House, shall be read on two (2) different days of the session unless a majority of the members elected to the House determine otherwise, or unless the bill or joint resolution is on a Consent Agenda or Calendar, and voted on by a single vote. No bill or joint resolution shall be brought before the House for passage on the same Calendar day it is reported out of committee, nor in the absence of the Prime Sponsor without his or her written consent.

## **RULE 23 - AMENDMENTS**

(a) An amendment to a measure shall be introduced by prefiling the amendment if the amendment changes the nature and intent of the bill or resolution, or may be introduced when the measure is being discussed on the floor, if the amendment makes only technical corrections and does not change the nature and intent of the bill or resolution.

(b) When an amendment to a bill would significantly change the nature and intent of the bill, such amendment shall contain a brief synopsis outlining the basic changes incurred.

(c) When an amendment to a bill would change its fiscal impact by increasing expenditures or reducing revenues by \$50,000 or more, a new fiscal note shall accompany the amendment.

(d) If a bill becomes significantly changed by amendment, the Speaker may reassign the amended bill to committee. The title of a bill or resolution shall not be amended.

(e) Before final action on the main bill or resolution all prefiled amendments shall be acted upon in numerical order except as is provided in Rule 35(d) hereof. All amendments shall be floor managed by the prime sponsor thereof. In the absence of the Prime Sponsor the amendment shall be floor managed by a co-prime sponsor or member designated in writing by the Prime Sponsor. In the absence of the Prime Sponsor or any co-prime sponsor and there being no member designated to floor manage the amendment by the Prime Sponsor then the Speaker may designate a Floor Manager for the amendment.

(f) An amendment previously attached to a bill in either House may be stricken from the bill by:

- (1) an amendment which directs that a specific House or Senate amendment be stricken; or
- (2) an amendment which reverses the directions given by the amendment being stricken.

(g) An amendment to an amendment shall only be considered prior to the adoption of the amendment it is amending. However, an amendment once passed may be removed by a subsequent amendment.

## **RULE 24 - SUBSTITUTE BILLS**

(a) A substitute bill may be introduced by the Prime Sponsor of the bill for which it is a substitute and shall be assigned to committee and follow the same procedure as other bills.

(b) Once introduced, the substitute bill shall render null and void the bill for which it is a substitute.

(c) The title of a substitute bill must be identical to the title of the bill for which it is substituted.

## **RULE 25- PETITION OF BILL OR RESOLUTION OUT OF COMMITTEE**

Every bill or resolution which has been in committee for a period of more than twelve (12) legislative days, except those assigned to the Appropriations Committee pursuant to Rule 20, shall, upon written request of the majority of the members elected to the House, be reported to the House for a decision as to its further disposal.

## **RULE 26 - VOTING**

(a) Except as provided for in Rule 46 or Rule 47, each bill or joint resolution which comes before the House for final action shall be acted upon by a separate roll call vote.

(b) The names of the members of the House shall be called alphabetically, except for the Speaker, Temporary Presiding Officer when acting as Speaker, or Speaker Pro Tempore when acting as Speaker, who shall vote last, and each member shall, without debate or comments, answer "Yes", or "No", or "not voting", from his or her respective seat.

(c) No member shall be permitted to change his or her vote after the roll call has been announced by the Chief Clerk.

(d) A roll call may not be laid on the table.

#### **RULE 27 - STRIKING A BILL OR RESOLUTION**

Only the Prime Sponsor of a bill or resolution or a member authorized by the Prime Sponsor in writing can strike said bill or resolution. A bill or resolution may not be stricken once it has been voted upon. Upon the expulsion, death or resignation of any member from the House, any bill not yet acted upon by the House which has that member as the only Sponsor shall automatically, without motion, be stricken.

#### **V. COMMITTEES**

#### **RULE 28 - STANDING COMMITTEES**

(a) The standing committees and subcommittees of the House shall include members of both political parties and shall be appointed by the Speaker. The Speaker shall designate a Chairperson, and may designate a Vice-chairperson who shall act as the Chairperson of the committee in the Chairperson's absence, for each committee and subcommittee he or she appoints. The Chief Clerk shall keep a list of current standing committees and members appointed thereto.

(b) The following standing committees and subcommittees shall be appointed by the Speaker at the beginning of each General Assembly.

##### **Standing Committees:**

- (1) Agriculture
- (2) Appropriations
- (3) Business/Corporations/Commerce
- (4) Capital Infrastructure (formerly Bond Bill)
- (5) Corrections
- (6) Economic Development, Banking & Insurance
- (7) Education
- (8) Ethics
- (9) Gaming & Pari-Mutuels
- (10) Health & Human Development
- (11) Homeland Security
- (12) Housing & Community Affairs
- (13) Judiciary
- (14) Labor
- (15) Land Use & Infrastructure
- (16) Natural Resources & Environmental Management
- (17) Policy Analysis & Government Accountability
- (18) Public Safety
- (19) Revenue & Finance
- (20) Rules
- (21) Telecommunication, Internet & Technology
- (22) Tourism
- (23) Transportation
- (24) Veterans Affairs

(c) There shall also be a House Administration Committee which membership shall be the Speaker, Majority Leader, Majority Whip, Minority Leader and Minority Whip. The Majority Leader shall be the Chairperson of the House Administration Committee.

#### **RULE 29 - APPOINTMENT OF SPECIAL COMMITTEES**

The Speaker, on his or her own initiative or upon order of the House, may appoint Special Committees.

#### **RULE 30 - ETHICS COMMITTEE**

(a) The Ethics Committee shall be a standing committee consisting of five (5) members, three (3) appointed by the Speaker and two (2) appointed by the Minority Leader, at the beginning of each General Assembly.

(b) The powers and duties of the Ethics Committee shall be as follows:

- (1) to recommend to the House, from time to time, such rules of conduct for members of the House as it shall deem appropriate;
- (2) to issue written advisory opinions upon the request of any member as to the applicability of any Rule of Legislative Conduct to any particular fact situation;
- (3) to investigate any alleged violation by a member of any Rule of Legislative Conduct and, after notice and hearing, to recommend to the House by resolution such disciplinary action as the committee may deem appropriate;
- (4) to report to the appropriate federal or State authorities any substantial evidence of a violation by any member of any law involving a Rule of Legislative Conduct which may come to its attention in connection with any proceeding whether advisory or investigative;

- (5) to maintain a file of its proceedings and advisory opinions with a view toward achieving consistency of opinions and recommendations. Upon the request of a legislator involved in an advisory opinion, to publish that advisory opinion;
- (6) to follow such rules of procedure for ethics violations as may be adopted by the House, and to establish such other procedural rules as shall not be inconsistent with the rules prescribed by the House;
- (7) to act only upon a majority vote of its members; and
- (8) such other duties and responsibilities as may be assigned by the House from time to time.

(c) All proceedings before the Ethics Committee in connection with an advisory opinion shall be confidential subject to the following: (i) the member involved may waive the privilege of confidentiality, (ii) the proceedings shall no longer be confidential and may be made public in any subsequent disciplinary proceeding if the member acts in disregard of an advisory opinion, and (iii) the Ethics Committee shall maintain records of its proceedings and advisory opinions which shall be available for reference by the Committee, subsequent Committees and their staff.

(d) The Committee may undertake an investigation of an alleged violation by a member of any Rule of Legislative Conduct only upon a written complaint submitted by a member of the House. The complaint must be accompanied by a written statement signed by any person, sworn under oath, setting forth the facts supporting the complaint. In any such investigation or proceeding, the accused member shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses and offer evidence, and to cross-examine witnesses. A transcript of any such proceeding shall be made and retained. In any such proceeding, the rules of procedure for ethics violations, as may be adopted by the House, shall apply.

(e) A member of the Committee shall be ineligible to participate as a member of the Committee in any Committee proceeding relating to his or her legislative conduct. In any such case, the person appointing that member (either the Speaker or the Minority Leader) shall designate a member of the House to act as a member of the Committee in any Committee proceeding relating to the legislative conduct of such ineligible member. A member of the Committee who has been found by the House to have violated a Rule of Legislative Conduct shall be ineligible to serve again as a member of the Committee.

(f) A member of the Committee may disqualify himself or herself from participating in any investigation of the conduct of a member of the House upon submission in writing and under oath of an affidavit of disqualification stating that he or she cannot render an impartial and unbiased decision in the case in which he or she seeks to disqualify himself or herself. If the Committee approves and accepts such affidavit of disqualification, the Chairperson shall so notify the person appointing that member (either the Speaker or the Minority Leader) and request that person to designate a member of the House to act as a member of the Committee in any Committee proceeding relating to such investigation.

(g) Any member who acts in good faith reliance upon any written advisory opinion of the Ethics Committee rendered to that member shall not be subject to any discipline by the House with respect to the matters covered by the advisory opinion, provided there was a full disclosure to the Ethics Committee of all facts necessary for the opinion.

(h) The Committee may function without regard to recess periods or adjournment.

#### **RULE 31 - JOINT COMMITTEES**

The House of Representatives and the Senate by mutual agreement may establish a joint committee or committees. The House members of any Joint Committee shall be appointed by the Speaker, unless otherwise provided by statute or resolution.

#### **RULE 32 - QUORUM ON COMMITTEES**

Four (4) members or a majority, whichever is less, of the members of any committee, subcommittee or special committee shall constitute a quorum.

#### **RULE 33 - COMMITTEE MEETINGS**

(a) During the legislative sessions, each standing committee of the House shall be assigned a regular meeting time by the Speaker. This assignment shall not preclude the option of a committee Chairperson to cancel a regular or special meeting or call additional meetings when necessary, provided that such special or additional meetings are not scheduled during regular meeting times of standing committees. No committee meetings shall be held while the House is in session without the consent of the Speaker.

(b) All committee meetings shall be chaired by the Chairperson, or in his or her absence by the Vice-chairperson, if any; if the committee does not have an appointed Vice-chairperson, then the Chairperson shall designate a member of the committee to chair the committee in his or her absence.

(c) So far as may be applicable, the rules of the House shall be observed in the conduct of committee meetings.

(d) All committee meetings will be open to the public except that the committee Chairperson may call an executive session at which no final action may be taken. An executive session may be called for those purposes which are listed at 29 Del. C. §10004 or for the purpose of requesting the issuance of a subpoena pursuant to Rule 35(e). This subsection may be waived by a majority vote of the committee.

#### **RULE 34 - DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES**



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

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

(c) Minutes shall be recorded for each formal standing committee meeting, and the results of any committee votes shall be included. If a measure is tabled, reasons for such action shall also be included. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.

#### **RULE 35 - PASSAGE OF MEASURES OUT OF COMMITTEE**

(a) Bills and resolutions shall be reported out of committee by a majority of the committee or subcommittee by signing the backer. A bill or resolution may be tabled in any committee or subcommittee by a majority vote of the full committee or subcommittee.

(b) All bills and resolutions shall be acted upon by the appropriate committee within twelve (12) legislative days after being assigned to that committee. All bills and resolutions not acted upon by the appropriate committee within twelve (12) legislative days after being assigned to that committee can be petitioned out of committee pursuant to Rule 25.

(c) The Chairperson shall return the bill or resolution to the Chief Clerk within two (2) legislative days after a bill or resolution has been voted out of committee.

(d) If a bill is unacceptable to the committee, a substitute bill may be introduced or the committee Chairperson, on behalf of the committee, may offer one (1) or more amendments which shall take precedence in floor action over any other amendment(s). If the committee amendment(s) fails, the bill may be reassigned to the committee by the Speaker.

(e) Upon a majority vote of the full committee, a subpoena may be requested by the committee and presented to the Speaker for consideration pursuant to Rule 11.

#### **RULE 36 - COMMITTEE REPORTS**

Each bill and resolution reported out of committee may at the discretion of a majority of the full committee or the committee Chairperson have a printed or typewritten report which includes a summary of the committee's discussion of the legislation. A copy of this report shall be placed in each member's Agenda book when the legislation appears on the Agenda.

#### **RULE 37 - COMMITTEE RECOMMENDATIONS TO APPROPRIATIONS COMMITTEE**

The committee Chairperson on behalf of the committee shall make budgetary recommendations to the Appropriations Committee.

#### **RULE 38 - COMMITTEE OF THE WHOLE**

The committee of the whole shall mean and include a committee of the entire membership of the House, with the Speaker as Chairperson, called into session by the Speaker. So far as may be applicable, the Rules of the House shall be observed in the committee of the whole.

### **VI. MOTIONS**

#### **RULE 39 - DEBATE AND VOTE ON MOTIONS**

(a) After debate or discussion, the motion shall be repeated by the Speaker before putting the question to the House.

(b) Every motion shall be decided in a fair and impartial manner by the Speaker. The vote of a majority of the members present shall prevail in the case of a motion to recess, incidental motions, subsidiary motions, or other motions presenting questions of a general procedural nature. The vote of a majority of the members elected to the House shall prevail in the case of privileged motions (except a motion to recess), main motions, or other motions presenting questions of a substantive nature. Such voting shall prevail unless contrary to these Rules, or unless it is in conflict with the statutes, or provisions of the Constitution of the State of Delaware.

(c) The Speaker may cause or any member may call for a roll call or division in which case the members voting in the affirmative shall be required to rise for the purpose of being counted by the Chief Clerk of the House.

(d) At the request of any member, the vote on any measure shall be by roll call vote.

#### **RULE 40 - PRECEDENCE OF MOTIONS**

(a) If a question is before the House, no motion may be received except one (1) of the following, and they have precedence in the order listed:

- (1) to adjourn sine die. This motion is not debatable.
- (2) to adjourn. This motion is not debatable and cannot be amended nor reconsidered.
- (3) to recess. This motion is not debatable. This motion is passed by a majority of

those members present.

- (4) question of privilege.
- (5) all incidental motions.
- (6) to table.
- (7) motion to call the previous question. A motion to call the previous question shall not be entertained except at the request of five (5) members arising for that purpose and so indicating, and shall be determined by roll call vote without debate. When the previous question has been called and sustained, it shall not cut off action on amendments to the main measure, and the vote shall be taken without debate first on the amendments in order and then on the main measure.
- (8) to limit debate.
- (9) postpone to a day certain.
- (10) to commit to committee.
- (11) to amend. An amendment may be offered to an amendment, but no motion may be accepted which would amend an amendment to an amendment.
- (12) to reconsider.
- (13) to take from the table.

(b) No motion may be received after a vote upon the question then before the House has been called for by the Speaker.

#### **RULE 41 - MOTION FOR RECONSIDERATION**

(a) No motion for reconsideration shall be in order unless made on the same legislative day or on one (1) of the three (3) next succeeding legislative days. If the original vote was taken by a recorded vote of yes and no, this motion can be made only by a member who voted with the prevailing side; i.e., a reconsideration can be moved only by one who voted "yes" if the motion involved was adopted or "no" if the motion was lost. If the original vote was not taken by a recorded vote of yes or no, it is in order for any member to move for the reconsideration thereof.

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

#### **RULE 42 - MOTION TO TAKE FROM THE TABLE**

(a) After a measure has been laid on the table, only the following persons may move to lift such measure from the table:

- (1) in the case of a House measure, only one (1) of the Prime Sponsors of the measure or a member authorized in writing by all the Prime Sponsors.
- (2) in the case of a measure without a House Prime Sponsor, only the Floor Manager of a measure or a member authorized in writing by the Floor Manager.

(b) A motion to take a measure from the table may only be made on the same legislative day the measure is tabled (or if this motion is listed on the Agenda). The motion is not debatable.

#### **RULE 43 - SUSPENSION OF RULES**

The suspension of any Rule requires the concurrence of at least a majority of the members elected to the House. This motion is debatable but does not permit discussion of the main question. It cannot be reconsidered, laid on the table, nor postponed indefinitely, and while it is pending no motion may be made except to adjourn. A separate suspension of the Rules is necessary for each measure.

### **VII. CALENDAR AND AGENDA**

#### **RULE 44 - HOUSE CALENDAR**

The Chief Clerk of the House shall keep a House Calendar on which shall be placed the number and title of all bills and resolutions, the name of the Prime Sponsor, and the current status of each bill or resolution. Said bills and resolutions shall be kept on the Calendar and final action recorded.

#### **RULE 45 - AGENDA**

- (a) The Speaker shall place items on the Agenda pursuant to Rule 10 of these Rules.
- (b) In lifting bills from the table, the motion to lift is the Agenda item.
- (c) Any House Bill amended by the Senate shall either be placed on the Agenda or assigned to committee, at the discretion of the Speaker.
- (d) Measures brought to the top of the Agenda for the day shall be permitted only to be:
  - (1) deferred to day certain two (2) times only; or
  - (2) deferred to the end of Agenda one (1) time only; or
  - (3) laid on the table. A measure which has been on the table for six (6) legislative days shall be returned to the Ready List; or
  - (4) brought to a vote.

#### **RULE 46 - CONSENT AGENDA**

(a) Any member of the House may propose any bill or joint resolution for inclusion on a Consent Agenda for final reading. If any bill or joint resolution on a particular Consent Agenda has a super majority vote requirement then such Consent Agenda will require the highest such vote requirement.

(b) A bill or joint resolution shall be removed from a Consent Agenda if any member objects to it being included thereon. In addition, a bill or joint resolution may not be included on a Consent Agenda if at the time of reading a Consent Agenda an unattached amendment to it has been proposed.

(c) All bills and joint resolutions on a Consent Agenda shall be read and voted upon as a single group.

#### **RULE 47 - CONSENT CALENDAR**

(a) Any member of the House may propose any resolution for inclusion on a Consent Calendar for final reading. The proposal shall be made in writing in the Office of the Chief Clerk on any day.

(b) A resolution shall be removed from a Consent Calendar if any member objects to its being included thereon. In addition, resolutions may not be included on a Consent Calendar if at the time of reading a Consent Calendar an unattached amendment to it is proposed.

(c) All resolutions on a Consent Calendar shall be read and voted upon as a single group.

#### **RULE 48 - ANNOUNCEMENT OF AGENDA; DELIVERY OF BILLS AND RESOLUTIONS**

(a) The Chief Clerk shall place upon the desk of the Speaker at the beginning of each day's session all bills, resolutions and motions pending before the House that day, properly arranged and classified.

(b) Prior to the beginning of each legislative day, the Chief Clerk shall provide to each member a printed copy by number, Sponsor and/or title, of the bills, resolutions or other measures that are being placed on the Agenda for that legislative day.

(c) All bills, concurrent resolutions, or joint resolutions originating in the House, or Senate bills or resolutions to which the House has added amendments or its concurrence, shall be delivered to the Senate by the Chief Clerk of the House or by the Bill Clerk of the House within the three (3) next succeeding legislative days of such House action.

### **VIII. MISCELLANEOUS**

#### **RULE 49 - OFFICES, PARKING SPACES AND SEATS**

Desks on the floor of the House, offices, and parking spaces shall be allocated to the members by the Speaker.

#### **RULE 50 - AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE**

In all cases to which they are applicable and in which they are not inconsistent with these Rules, the latest edition of Mason's Manual of Legislative Procedure shall govern the House.

#### **RULE 51 - CHIEF CLERK AND ASSISTANT CHIEF CLERK**

The House shall elect a Chief Clerk and an Assistant Chief Clerk who, in the absence of the Chief Clerk, shall perform the Chief Clerk's duties.

The Assistant Chief Clerk shall be compensated at a per diem rate to be determined by the Speaker while serving as Chief Clerk.

#### **RULE 52 - SUPERVISION OF LEGISLATIVE STAFF**

The legislative staff shall report to such supervisory staff as may be determined by the Speaker. The financial officer of the House shall maintain on file job descriptions for all positions within the legislative staff.

#### **RULE 53 - REGISTRATION OF NEWS MEDIA**

(a) Accredited representatives of the daily and weekly press, press associations, and of radio and television stations shall be accorded equal press privileges by the Speaker. Any person wishing to report proceedings of the House may apply to the Speaker for assignment of suitable available space in the House Chamber.

(a) On approval of the Speaker, radio and television stations shall be permitted to air and record sessions of the House.

(c) Any use or reproduction of House tapes will require permission of the Speaker and the request shall be communicated to the Chief Clerk in writing. A fee may be charged for this service.

#### **RULE 54 - REGISTRATION OF LOBBYISTS**

Lobbyists shall be registered by the State Public Integrity Commission pursuant to Chapter 58, Title 29 of the Delaware Code. No lobbyist shall be granted privilege of the floor unless so registered.

#### **RULE 55 - PRIVILEGE OF FLOOR**

The privilege of the floor may be granted by the Speaker upon request of any member, unless an objection is sustained by a majority of members present and voting.

#### **RULE 56 - EXPEDITED PROCEDURES**

The Speaker may designate the procedure by which certain items are to be expedited. Such rules as would interfere with the introduction of and/or action on such items shall automatically be deemed suspended unless one (1) or more members object to an item being determined by expedited procedures.

#### **RULE 57 - PERSONS ON THE FLOOR OF THE HOUSE**

(a) No person may be admitted to the floor of the House while the House is in session unless specifically invited by a member and with the consent of the Speaker except the following: former Governors, former members of the House, former members of the Senate (but none of the foregoing has this privileged admission without consent if he or she is paid to act as a registered lobbyist as defined in Chapter 58, Title 29 of the Delaware Code), duly designated representatives of the Governor of Delaware, members of the House and the Senate and their staffs, staff members from the Division of Research, representatives

of each Cabinet Department, reporters for each of the daily newspapers published in the State, a reasonable number of other accredited correspondents as determined by the Speaker and a reasonable number of representatives of radio and television broadcasting stations (together with necessary equipment) as determined by the Speaker.

(b) No one other than a member shall sit in a member's seat while the House is in session.

(c) No one shall be allowed to smoke in the House Chamber.

(d) While the House is in session no one shall use a cellular phone in the House Chamber, including the balcony area and all pagers shall be set to a non-audible setting.

#### **RULE 58 - NON-MEMBER INVITED SPEAKERS OR GUESTS**

(a) A non-member speaker or guest shall be allowed to address the House of Representatives provided they are noted on the Agenda together with the name of the Representative sponsoring said speaker or guest and the time allotted for their remarks.

(b) A speaker noted per subsection (a) of this rule shall be granted a time limit of one (1) minute, three (3) minutes or five (5) minutes by the Speaker of the House.

(c) On the day of the scheduled address, the sponsoring member shall be recognized and shall move that the invited speaker or guest be granted privilege to address the House and shall state the allotted time granted by the Speaker of the House.

(d) The Speaker of the House may grant an unlimited amount of time for the Governor to address the House as deemed necessary by the Speaker or the members of the House.

(e) This rule is only applicable to appearances by non-members giving remarks unrelated to Agenda items and shall not be construed so as to limit the speaking time of witnesses to legislation.

#### **RULE 59 - REPEAL OR AMENDMENT OF RULES**

No motion, order or resolution to repeal or amend a Rule of the House may be considered or acted upon unless it has been submitted in writing to the House at least one (1) day prior thereto, together with the written text of any proposed amendment. The repeal or amendment of any Rule of the House requires the concurrence of at least a majority of the members elected to the House.

#### **RULE 60 - RULES TO BE PRINTED**

These Rules shall be printed by the Division of Research, upon adoption, in a pocket-sized edition which shall also contain the following materials:

(a) a list of the Officers of the House;

(b) the membership of the Standing Committees of the House;

(c) the Constitutional vote requirements for passage of legislation; and

(d) requirements set forth elsewhere directly relating to House action such as the fiscal note requirement.

#### **RULE 61 - STATE MAIL, POSTAGE AND MAILING PRODUCTION OR DISTRIBUTION LIMITATIONS.**

(a) No House member or staff member shall use state mail services and/or state-paid for postage for his or her own personal use.

(b) No member or employee of the House of Representatives may use state funds, state materials or state equipment for the production or distribution of fifty (50) or more pieces of substantially identical material distributed during the period sixty (60) days prior to the general election day or within thirty (30) days prior to the date of a special election or a primary involving that member.

(c) Subsection (b) of this Rule shall not apply to the following, when not done for a political election campaign purpose:

(1) answers to communications; or

(2) actions taken pursuant to a specific law, resolution, ordinance or regulation which authorizes or directs the action to be taken.

#### **RULE 62 - DISTRIBUTION OF LITERATURE TO MEMBERS' DESKS OR MAILBOXES**

No person except a member or employee of the House of Representatives shall distribute or cause to be distributed any pamphlets, material, or other printed literature to the members' desks or mailboxes in the House. An employee of the House shall only distribute such literature if directed to do so by a member or the Chief Clerk of the House.

All copies of pamphlets, materials, or printed literature distributed by a member or employee of the House of Representatives shall bear the name of the source of origin. Members should distribute such literature through the Office of the Chief Clerk.

### **HOUSE RESOLUTION NUMBER 3 RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 143rd GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS**

#### **RULES OF PROCEDURE, ETHICS VIOLATIONS.**

##### **Rule 1 - Scope and Authority.**

These rules govern the procedures to be followed by the Ethics Committee and by the House in proceedings involving allegations of violations of the Rules of Legislative Conduct. So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Ethics Committee which may prescribe additional rules not inconsistent therewith.

#### **PROCEEDINGS BEFORE THE ETHICS COMMITTEE.**

##### **Rule 2 - Meetings and Quorum.**

(a) The Committee shall meet at the call of the Chair. Notice of a Committee meeting shall be given pursuant to the Rules of the House of Representatives.

(b) A quorum of the Committee consists of a majority of the members of the Committee.

##### **Rule 3 - Committee Records.**

(a) The Chair of the Committee shall, with the approval of the Committee, establish such procedures as in the Chair's judgment may be necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

(b)(1) Unless otherwise authorized by the Committee, no information received by the Committee respecting any alleged violation by a member of the House of Representatives of any Rule of Legislative Conduct shall be disclosed to the public before the transmittal, under Rule 8 of these rules, to such member of a statement of alleged violation in connection with such violation. After the service of such a statement on the member:

(2) the statement and any other paper filed pursuant to Rule 8 respecting such violation shall be made available for public inspection at reasonable hours; and

(3) any other paper filed with the Committee respecting such violation shall be made available as authorized by the Committee, except that no paper shall be made available if its disclosure would violate any law or regulation.

##### **Rule 4 - Special Procedures.**

The Committee may adopt, by Resolution, any special procedures deemed necessary to a particular matter before the Committee. Copies of such special procedures shall be furnished to all parties and witnesses in the matter.

##### **Rule 5 - Changes in Committee Rules.**

The rules of the Committee other than these rules may be modified, amended or repealed by a vote of a majority of the Committee.

#### **COMMITTEE INVESTIGATIVE AUTHORITY.**

##### **Rule 6 - Complaints.**

(a) A complaint may be submitted to the Committee pursuant to Subsection (c) of this rule and shall be in writing and under oath, setting forth in simple, concise and direct statements the following:

(1) the name and address of the party filing the complaint (hereinafter referred to as the 'complainant');

(2) the name of the member of the House of Representatives alleged to be in violation of a Rule of Legislative Conduct (hereinafter referred to as the 'respondent');

(3) a statement of each violation, identifying the Rule of Legislative Conduct alleged to have been violated, divided into counts with each violation representing a separate count; and

(4) the facts alleged to give rise to the violation. The facts supporting the complaint may be sworn to by any person. When facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

(b) All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

(c) A complaint may be filed only by a member of the House of Representatives (including a member of the Committee) and shall be transmitted directly to the Committee.

##### **Rule 7 - Processing Complaints.**

(a)(1) The Staff of the Committee shall examine each complaint submitted to the Committee for compliance with the Rules of the House of Representatives and any other applicable Committee rules.

(2) If the staff determines that a complaint does not comply with House and Committee rules, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with such rules and a copy of such rules. A complainant may resubmit a complaint.

(3) If the staff determines that a complaint is in compliance with House and Committee rules, the complaint shall be filed with the Committee and a copy shall be transmitted to each member of the Committee.

(4) The Chair shall place the complaint on the Committee agenda for consideration, and shall schedule a Committee meeting as soon as practical thereafter.

A. The Committee shall consider the complaint and determine if the complaint should be dismissed because it fails to allege facts which constitute a violation of a Rule of Legislative Conduct or if the complaint merits further inquiry.

B. The decision under subparagraph A of this paragraph shall be transmitted in writing to the complainant and respondent.

(b)(1) If the Committee determines that the complaint fails to allege facts which constitute a violation of a Rule of Legislative Conduct, the Committee shall deliver to the House a report of the action taken and a brief statement of the reasons therefor.

(2) If there are no dissenting votes to the determination in paragraph (b)(1) of this rule the complaint shall be considered dismissed, and neither the Committee nor the House shall take any further action with respect thereto.

(3) If there are any dissenting votes to the determination in paragraph (b)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto provided that the Committee's determination shall be considered reversed and the investigation shall be pursued by the Committee upon the written petition of any member of the House filed with the Speaker and approved by the majority vote of the elected members of the House.

**Rule 8 - Preliminary Inquiry and Statement of Alleged Violation.**

(a)(1) If the Committee determines under Rule 7 that the allegation of a violation in a complaint filed with the Committee merits further inquiry, or if the Committee's determination in that regard is reversed by the House, the Committee shall conduct a preliminary inquiry to determine whether such violation occurred.

(2) In the preliminary inquiry:

A. the respondent shall have an opportunity to present to the Committee, orally or in writing, a statement respecting the allegations with respect to which the inquiry is being held;

B. the staff may interview witnesses and examine documents and other evidentiary matter;

C. the Committee may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by a member of the Committee or by any person authorized by a member of the Committee or any person authorized by law to administer oaths;

D. the Committee may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents and other things as it deems necessary to the conduct of the inquiry; and

E. any probative evidence may be used.

(3) Upon the completion of the preliminary inquiry, the staff of the Committee shall prepare and transmit to the Committee a report containing a comprehensive summary of the information received in the inquiry; and may include in the report a recommendation for action by the Committee respecting the alleged violations which was the subject of the inquiry.

(b) If the Committee determines on the basis of the report of the Committee staff on the preliminary inquiry respecting an alleged violation that there is reason to believe that the violation occurred, the Committee shall direct the staff to transmit to the respondent a statement of alleged violation. A statement shall be divided into counts and each count shall relate to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, and include a reference to the provision of the Rule of Legislative Conduct alleged to have been violated.

(c)(1) If the Committee determines on the basis of the report of the Committee staff on the preliminary inquiry that there is no reason to believe that the violation occurred, the Committee shall deliver to the House a report of the action taken together with a statement of the reasons therefore.

(2) If there are no dissenting votes to the determination in paragraph (c)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

(3) If there are any dissenting votes to the determination in paragraph (c)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect to the matter provided that the House shall consider the matter upon the written petition of any member of the House filed with the Speaker and approved by the majority vote of the members of the House.

(d) If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss the complaint. In such case, the dissenting members shall direct the Committee staff to transmit to the House and to the respondent, a statement of alleged violation as described in Subsection (b) which shall be the basis of the House's consideration of the matter.

**Rule 9 - Answers and Motions and Committee Action.**

(a) If a statement of alleged violation is transmitted under Rule 8(b), the respondent shall have twenty (20) calendar days in which to respond. The response shall be by way of answer or motion, shall be in writing and signed by the respondent or his counsel, and shall be limited to the following:

(1) An admission or denial of, under oath, each count set forth in the statement plus any supportive evidence and any other relevant information which the respondent may desire to submit.

(2) An objection to any count in the statement on the grounds that it fails to state a fact which constitutes a violation of a Rule of Legislative Conduct.

(3) An objection to the jurisdiction of the Committee to consider the allegations contained in the statement.

(4) A motion for a bill of particulars.

(5) An objection to the participation of any member of the Committee in the consideration of the allegations contained in the statement on the grounds that such member cannot render an impartial or unbiased decision. The Committee member against whom the objection is made shall be the sole judge of his qualifications. A motion under this paragraph is not in lieu of an answer. Any motion submitted pursuant to this rule shall be accompanied by a memorandum of points and authorities. Except for good cause shown, no pleading or motion not described in paragraphs (1) through (5) of this subsection will be considered by the Committee and the Committee will not consider any answer or motion in such paragraphs which is submitted under this rule after the expiration of such twenty (20) calendar days.

(b) Within ten (10) calendar days after the receipt of any motion under Subsection (a) of this rule, the Committee shall consider such motion. Notice of the decision of the Committee respecting such motion shall be furnished the respondent. When the Committee has acted on all motions submitted under paragraphs (2), (3) and (4) of Subsection (a) of this rule, the respondent shall, in accordance with paragraph (a)(1) of this rule, submit, within ten (10) calendar days of the date of the last Committee action, an answer to each count in the statement not dismissed by the Committee.

(c) Failure to submit, within the applicable time period, an answer to a count of a statement which has not been dismissed by the Committee, shall constitute an admission to the violation alleged in the count.

(d) The Chair, in his discretion, may extend or shorten any time limitations imposed by this rule if he or she determines that the extension would facilitate a fair and complete inquiry or the shorter time is required because of special circumstances.

(e)(1) As soon as practical after the expiration of all applicable time limitations for action under Subsections (a) and (b) of this rule, the Committee shall act, by the vote of a majority of the members of the Committee, to:

- A. hold a disciplinary hearing on the violation charged in the statement;
- B. defer action on the statement, but only if there is a grand jury or judicial proceeding pending; or
- C. dismiss the statement.

(2) The respondent shall be notified in writing of action taken under paragraph (1) of this Subsection.

(f)(1) If the Committee votes to dismiss the statement, the Committee shall deliver to the House a report of the action taken together with a statement of the reasons therefor.

(2) If there are no dissenting votes to the decision in paragraph (f)(1) of this rule, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

(3) If there are any dissenting votes to the decision in paragraph (f)(1) of this rule, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect to the matter provided that the House shall consider the matter upon the written petition of any member of the House filed with the Speaker and approved by a majority vote of the members of the House. If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss the statement. The statement shall be the basis of the House's consideration of the matter and the dissenting members shall cause a copy of the statement to be delivered to the House and served upon the respondent.

#### **Rule 10 - Disciplinary Hearings before the Committee.**

(a) A disciplinary hearing respecting a violation charged in a Statement of Alleged Violation shall be held by the Committee to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation. A disciplinary hearing shall consist of two phases. The first phase shall be for the purpose of determining whether or not the count in the statement has been proved. The second phase shall be for the purpose of determining what action to recommend to the House with respect to any count found to have been proved.

(b) At a disciplinary hearing the Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence,

memoranda, papers, documents and any other things as it deems necessary. Depositions, interrogatories and sworn statements taken under Committee direction may be accepted into the Committee record.

(c) Prior to setting a date for a disciplinary hearing and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearing. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearing the Committee may expand or contract the scope in light of evidence received.

(d)(1) The order of phase one of a disciplinary hearing shall be as follows:

A. The Chair shall open the hearing by stating the Committee's authority to conduct the hearing, the purpose of the hearing and its scope.

B. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible, (i) witnesses and other evidence offered by the Committee staff, (ii) witnesses and other evidence offered by the respondent, and (iii) rebuttal witnesses.

C. Witnesses at a hearing shall be examined first by the Committee counsel or authorized staff member. The Committee members may then question the witnesses. The respondent or his counsel may then cross-examine the witnesses. Redirect and recross may be permitted in the Chair's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, and then may be cross examined by Committee counsel or authorized staff member. Committee members may then question the witness. Redirect and recross may be permitted in the Chair's discretion.

(2) Testimony of all witnesses shall be taken under oath. The oath shall be administered by the Chair or Committee member designated by him to administer oaths.

(e) At a disciplinary hearing the burden of proof rests on the staff with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that it introduces.

(f) The second phase of a disciplinary hearing shall consist of oral and/or written submission by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House with respect to any count of the Statement of Alleged Violation which has been proved. Testimony by witnesses will not be heard at phase two except by a vote of a majority of the Committee.

#### **Rule 11 - Committee Recommendations.**

(a)(1) As soon as practicable after the completion of the first phase of a disciplinary hearing respecting a Statement of Alleged Violation, the Committee shall consider each count contained in the statement and with respect to each count as originally drawn or as amended shall vote either to find that the count has been proved or to dismiss the count. A count shall not be proved unless at least a majority of the Committee vote for a motion that the count has been proved.

(2) If the Committee votes that a count has been proved, the Committee may, upon completion of the second phase of the disciplinary hearing, by a majority vote of the Committee, consider and vote on a motion that a recommendation be made to the House for appropriate action respecting the violation charged in such count.

(b) With respect to any violation with which a member of the House was charged in a count which the Committee has voted as proved, the Committee may include in its recommendations to the House one or more of the following sanctions:

(1) Suspension or expulsion from the House.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Any other sanction determined by the Committee to be appropriate.

(c) The Committee report accompanying a recommendation to the House adopted by the Committee under paragraph (a)(2) respecting a violation charged in a count shall contain a statement of the evidence which supported the finding as to that count and a statement of the Committee's reasons for the recommendation as well as a statement of the Committee's reasons for finding that any count was not proved. The Committee shall cause a copy of the Committee's report and the Statement of Alleged Violation to be served upon the respondent. The statement shall be the basis of the House's consideration of the matter.

(d)(1) If the Committee votes to dismiss all counts of a statement and there are no dissenting votes, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

(2) If there are any dissenting votes to the determination in paragraph (d)(1) of this subsection, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto provided that the House shall consider the matter upon the written petition of any member of the House filed with the Speaker and approved by a majority vote of all members of the House. If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss. The statement shall be the basis of the House's consideration of the matter and the



dissenting members of the Committee shall cause a copy of the statement to be delivered to the House and served upon the respondent.

**Rule 12 - Disclosure of Evidence.**

Upon the request of a respondent, the Committee may permit the respondent to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which the Committee intends to use as evidence against the respondent in a disciplinary hearing and which are material to the preparation of the defense of the respondent.

**Rule 13 - Exculpatory Information.**

If the Committee at any time receives any exculpatory information respecting a Statement of Alleged Violation against a member of the House of any law, rule, regulation or other standard of conduct, it shall forthwith make such information available to such member.

**Rule 14 - Admissibility of Evidence.**

(a) Any evidence that is relevant and probative shall be admissible in any hearing of the Committee, unless the evidence is privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

(b) The Chair or other member presiding at a hearing shall rule upon any question of admissibility at the hearing of testimony or evidence presented to the Committee. The Chair or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

**Rule 15 - Witnesses.**

(a) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

(b) Except as otherwise specifically authorized by the Chair, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before the date of his scheduled appearance.

(c) Witnesses at hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted at the Committee's discretion.

(d) The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon a concise showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(e) Each witness appearing before the Committee shall be furnished a printed copy of the rules of the Committee.

**PROCEEDINGS BEFORE THE HOUSE**

**Rule 16 - Records of House Proceedings.**

All papers filed in the House with respect to a proceeding involving an allegation of a violation of a Rule of Legislative Conduct shall be made available for public inspection at reasonable hours except that no paper shall be made available if its disclosure would violate any law or regulation.

**Rule 17 - Special Procedures.**

The House may adopt by Resolution any special procedures deemed necessary to a particular matter before the House. Copies of such special procedures shall be furnished to all parties and witnesses in the matter.

**Rule 18 - Consideration of Complaints by the House.**

(a) If a Statement of Alleged Violation is served upon a respondent pursuant to rules 8(c)(3), 9(f)(3), 11(c) or 11(d)(2), the respondent shall have twenty (20) calendar days in which to respond. The response shall be by way of answer or motion, shall be in writing and signed by the respondent or his counsel, and shall be limited to the following:

(1) An admission or denial of, under oath, each count set forth in the Statement plus any supportive evidence and any other relevant information which the respondent may desire to submit.

(2) An objection to any count in the Statement on the grounds that it fails to state a fact which constitutes a violation of a Rule of Legislative Conduct.

(3) An objection to the jurisdiction of the House to consider the allegations contained in the Statement.

(4) A motion for a bill of particulars.

(5) An objection to the participation of any member of the House in the consideration of the allegations contained in the Statement on the grounds that the member cannot render an impartial or unbiased decision. The member of the House against whom the objection is

made shall be the sole judge of his qualifications. A motion under this paragraph is not in lieu of an answer.

Any motion submitted pursuant to this rule shall be accompanied by a memorandum of points and authorities. Except for good cause shown, no pleading of motion not described in paragraphs (1) through (5) will be considered by the House and the House will not consider any answer or motion in such paragraphs which is submitted under this rule after the expiration of such 20 calendar days.

(b) As soon as practical after the receipt of any motion under Subsection (a) of this rule, the House shall consider such motion. Notice of the decision of the House respecting such motion shall be furnished the respondent. When the House has acted on all motions submitted under paragraphs (2), (3) and (4) of Subsection (a) of this rule, the respondent shall in accordance with paragraph (a)(1) of this rule, submit, within ten (10) calendar days of the date of the last House action, an answer to each count in the statement not dismissed by the House.

(c) Failure to submit, within the applicable time period, an answer to a count of a statement which has not been dismissed by the House shall constitute an admission to the violation alleged in the count.

(d) The Speaker, in his discretion, may extend or shorten any time limitations imposed by this rule if he determines that the extension would facilitate a fair and complete inquiry or the shorter time is required because of special circumstances.

(e)(1) As soon as practical after the expiration of all applicable time limitations for action under Subsections (a) and (b) of this rule, the House shall act, by the vote of the majority of the members, to:

- A. hold a disciplinary hearing on the violation charged in the statement;
- B. defer action on the statement but only if there is a grand jury or judicial proceeding pending; or
- C. dismiss the statement or any counts thereof.

(2) The respondent shall be notified in writing of action taken under paragraph (1) of this Subsection.

#### **Rule 19. Disciplinary Hearings.**

(a) A disciplinary hearing respecting a violation charged in a Statement of Alleged Violation shall be held by the House to receive evidence respecting such violation. A disciplinary hearing shall consist of two (2) phases. The first phase shall be for the purpose of determining whether or not the counts in the statement have been proved. The second phase shall be for the purpose of determining what disciplinary action to take with respect to any count found to have been proved.

(b) At a disciplinary hearing the House may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents and any other things as it deems necessary. Depositions, interrogatories and sworn statements taken under House direction may be accepted into the House record

(c) Prior to setting a date for a disciplinary hearing and issuing subpoenas for witnesses, the House shall resolve the scope and purpose of the hearing. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearing the House may expand or contract the scope in light of evidence received.

(d)(1) The order of phase one of a disciplinary hearing shall be as follows:

A. The Speaker shall open the hearing by stating the House's authority to conduct the hearing, the purpose of the hearing and its scope.

B. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible, (i) witnesses and other evidence offered by the committee staff, (ii) witnesses and other evidence offered by the respondent, and (iii) rebuttal witnesses.

C. Witnesses at a hearing shall be examined first by the committee counsel or authorized staff member. Members of the committee may then question the witnesses. The respondent or his counsel may then cross-examine the witnesses. Redirect and recross may be permitted in the Speaker's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel and then may be cross-examined by committee counsel or authorized staff member. Committee members may then question the witness. Redirect and recross may be permitted in the Speaker's discretion.

(2) Testimony of all witnesses shall be taken under oath. The oath shall be administered by the committee member designated by the Speaker to administer oaths.

(e) At a disciplinary hearing the burden of proof rests on the committee with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that it introduces.

(f) Phase two of a disciplinary hearing shall consist of oral and/or written submission by counsel for the committee and counsel for the respondent as to the sanction the House should impose

with respect to any count of the Statement which has been proved. Testimony by witnesses will not be heard at phase two except by a vote of a majority of the House.

(g) The House by Resolution may establish rules by which members of the House other than members of the Ethics Committee may participate in a disciplinary proceeding before the House.

**Rule 20. Findings; Sanctions.**

(a)(1) As soon as practicable after the completion of the first phase of a disciplinary hearing respecting a Statement, the House shall consider each count contained in the Statement and with respect to each count as originally drawn or as amended shall vote on a motion that the count has been proved. A count shall not be proved unless at least a majority of the House vote for a motion that the count has been proved. A count which is not proved shall be considered as dismissed by the House.

(2) If the House votes that a count has been proved, the House may upon completion of the second phase of the disciplinary hearing, by a majority vote consider and vote on a motion that any of the following sanctions be imposed respecting the violation charged in such count;

- A. Suspension or expulsion from the House.
- B. Censure.
- C. Reprimand.
- D. Fine.
- E. Any other sanction determined by the committee to be appropriate.

A member of the House may not be suspended or expelled from the House unless by a vote concurred in by two-thirds of the members.

**Rule 21. Disclosure of Evidence.**

Upon the request of a respondent, the committee may permit the respondent to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which the committee intends to use as evidence against the respondent in a disciplinary hearing before the House and which are material to the preparation of the defense of the respondent.

**Rule 22. Exculpatory Information.**

If the Committee at any time receives any exculpatory information respecting a Statement of Alleged Violation against a member of the House of any law, rule, regulation, or other standard of conduct, it shall forthwith make such information available to such member.

**Rule 23. Admissibility of Evidence.**

(a) Any evidence that is relevant and probative shall be admissible in any hearing before the House, unless the evidence is privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

(b) The Speaker or other member presiding at a hearing shall rule upon any question of admissibility at the hearing of testimony or evidence presented to the House. The Speaker or other member presiding may limit the presentation of repetitious evidence.

**Rule 24. Witnesses.**

(a) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Speaker, to prepare for the hearing and to employ counsel should he or she so desire.

(b) Except as otherwise specifically authorized by the Speaker, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before the date of his scheduled appearance.

(c) Witnesses at hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument before the House. After a witness has testified, his counsel may submit to the Speaker in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted at the Speaker's discretion.

(d) The respondent may apply to the Speaker for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon a concise showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(e) Each witness appearing before the House shall be furnished a printed copy of the rules of the House.

**1st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY - First Session  
January 9, 2007**

Representative-Elect Oberle called the House to order at 1:31 p.m. on January 9, 2007.

Representative-Elect Smith moved that Representative-Elect Oberle be made Temporary Speaker until a permanent Speaker of the House is elected. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

Representative-Elect Smith moved that Mrs. JoAnn Hedrick be made Temporary Chief Clerk until a permanent Chief Clerk is elected. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

Miss Lori Christiansen, analyst in the Controller General's office, sang "God Bless America".

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

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

The Temporary Chief Clerk read the names of the members-elect of the House of Representatives of the 144th General Assembly as follows:

Representative District No. 1 - Representative-Elect Dennis P. Williams  
Representative District No. 2 - Representative-Elect Hazel D. Plant  
Representative District No. 3 - Representative-Elect Helene M. Keeley  
Representative District No. 4 - Representative-Elect Gerald L. Brady  
Representative District No. 5 - Representative-Elect Melanie G. Marshall  
Representative District No. 6 - Representative-Elect Diana M. McWilliams  
Representative District No. 7 - Representative-Elect Wayne A. Smith  
Representative District No. 8 - Representative-Elect Bethany A. Hall-Long  
Representative District No. 9 - Representative-Elect Richard C. Cathcart  
Representative District No. 10 - Representative-Elect Robert J. Valihura, Jr.  
Representative District No. 11 - Representative-Elect Gregory F. Lavelle  
Representative District No. 12 - Representative-Elect Deborah D. Hudson  
Representative District No. 13 - Representative-Elect John L. Mitchell, Jr.  
Representative District No. 14 - Representative-Elect Peter C. Schwartzkopf  
Representative District No. 15 - Representative-Elect Valerie J. Longhurst  
Representative District No. 16 - Representative-Elect James Johnson  
Representative District No. 17 - Representative-Elect Michael P. Mulrooney  
Representative District No. 18 - Representative-Elect Terry R. Spence  
Representative District No. 19 - Representative-Elect Robert F. Gilligan  
Representative District No. 20 - Representative-Elect Nick T. Manolakos  
Representative District No. 21 - Representative-Elect Pamela S. Maier  
Representative District No. 22 - Representative-Elect Joseph E. Miro  
Representative District No. 23 - Representative-Elect Teresa L. Schooley  
Representative District No. 24 - Representative-Elect William A. Oberle, Jr.  
Representative District No. 25 - Representative-Elect John A. Kowalko, Jr.  
Representative District No. 26 - Representative-Elect John J. Viola  
Representative District No. 27 - Representative-Elect Vincent A. Lofink  
Representative District No. 28 - Representative-Elect Bruce C. Ennis  
Representative District No. 29 - Representative-Elect Pamela J. Thornburg  
Representative District No. 30 - Representative-Elect William R. Outten  
Representative District No. 31 - Representative-Elect Nancy H. Wagner  
Representative District No. 32 - Representative-Elect Donna D. Stone  
Representative District No. 33 - Representative-Elect Robert E. Walls  
Representative District No. 34 - Representative-Elect Donald A. Blakey  
Representative District No. 35 - Representative-Elect J. Benjamin Ewing, Jr.  
Representative District No. 36 - Representative-Elect V. George Carey  
Representative District No. 37 - Representative-Elect Joseph W. Booth  
Representative District No. 38 - Representative-Elect Gerald W. Hocker  
Representative District No. 39 - Representative-Elect Daniel B. Short  
Representative District No. 40 - Representative-Elect Clifford G. Lee  
Representative District No. 41 - Representative-Elect John C. Atkins

Mr. Temporary Speaker welcomed the members-elect to the House.

Representative-Elect Smith moved that the Certificates of Election be received and that a committee be appointed to examine the Certificates. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

Mr. Temporary Speaker appointed Representative-Elect Pamela J. Thornburg, Representative-Elect Robert J. Valihura, Jr., Representative-Elect Bruce C. Ennis and Representative-Elect Teresa L. Schooley to examine the Certificates of Election of the Members-Elect.

Ian Geller, choir director, and Heather Gosnell, a senior student at Delaware State University, sang patriotic songs. Mr. Temporary Speaker & Representative-Elect Spence made comments.

Representative-Elect Pamela J. Thornburg reported that the Certificates of Election had been examined and were found to be in order.

Mr. Temporary Speaker requested that the Temporary Chief Clerk read one of the Certificates of Election as follows:

The State of Delaware

New Castle County, ss.

Be It Remembered, That at the General Election held on the Tuesday, next after the first Monday in November, in the year of our Lord Two Thousand and Six for New Castle County, according to the Constitution and Laws of the State of Delaware,

William A. Oberle, Jr.

was duly elected

Representative – 24th District

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, James T. Vaughn, Jr. and Richard R. Cooch constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9th day of November, A.D. 2006.

James T. Vaughn, Jr. President Judge

Richard R. Cooch, Resident Judge

Representative-Elect Smith moved that the reading of one Certificate of Election constitute the reading of all. The motion was seconded by Representative-Elect Lee. There was no objection.

Representative-Elect Smith moved that the Honorable Wayne Hanby administer the oath of office to Representative-Elect William A. Oberle, Jr. and the senior Member-Elect. The motion was seconded by Representative-Elect Lee. There was no objection. Representative-Elect Oberle invited Representative-Elect Robert F. Gilligan to join him on the podium. Judge Hanby administered the oath of Representative to Representatives-Elect Oberle & Gilligan as follows:

I, William A. Oberle, Jr., do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

William A. Oberle, Jr.

State Representative

Sworn and subscribed before me on this 9th day of January A.D. 2007

Wayne R. Hanby

Justice of the Peace

Mr. Temporary Speaker made an announcement.

Representative Smith moved that the Honorable Judge Wayne Hanby administer the oath of office to the remaining Representatives-Elect. The motion was seconded by Representative-Elect Lee. There was no objection.

The oath was administered as above. Mr. Temporary Speaker made announcements.

Representative Smith moved that the Temporary Chief Clerk call the roll of the Members of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The roll call was taken and revealed:

Members Present: 41.

Representative Smith moved to adopt the roll as just called by the Temporary Chief Clerk as the interim roll of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The following pre-session prefiled legislation was introduced:

January 4, 2007

**HB 1 - SMITH & SENATOR BLEVINS; REPRESENTATIVES GILLIGAN, LAVELLE, SPENCE, THORNBURG - HOUSE ADMINISTRATION - An Act to Amend Title 7 of the Delaware Code Relating to the Disposal of Yard Waste in the Cherry Island Landfill and in Other Landfills, and Raising the Elevation of the Cherry Island Landfill.**

**HB 3 - BOOTH & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Title 16 of the Delaware Code Relating to Restroom Access.**

Representative Smith introduced and brought **HR 1**, jointly sponsored by Representatives Lee, Gilligan & Keeley, before the House for consideration.

**HR 1 - RELATING TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.**

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that Terry R. Spence is hereby elected to the Office of the Speaker of the House of Representatives for the duration of the 144th General Assembly of the State of Delaware.

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

Mr. Temporary Speaker invited Representative Spence to the podium.

Representative Smith moved that Justice Randy J. Holland administer the oath of Speaker of the House to Representative Spence. The motion was seconded by Representative Lee and adopted by voice vote.

Justice Holland administered the oath of Speaker of the House to Representative Spence as follows:

I, Terry R. Spence, do proudly swear to carry out the responsibilities of the office of Speaker of the House of Representatives to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

Terry R. Spence  
Speaker of the House

Sworn and subscribed before me this 9th day of January. A.D. 2007

Randy J. Holland  
Supreme Court Justice

Mr. Speaker Spence thanked Justice Holland.

Representative V. George Carey announced that the Majority Caucus has met and has elected Representative Wayne A. Smith of the Seventh Representative District as Majority Leader and Representative Clifford G. Lee of the Fortieth Representative District as Majority Whip.

Representative Dennis P. Williams announced that the Minority Caucus has met and has elected Representative Robert F. Gilligan of the Nineteenth Representative District as Minority Leader and Representative Helene M. Keeley of the Third Representative District as Minority Whip.

Representative Smith introduced and brought **HR 2**, jointly sponsored by Representatives Spence, Lee, Gilligan & Keeley, before the House for consideration.

**HR 2 - RELATING TO THE ELECTION OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.**

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that JoAnn M. Hedrick is elected to serve as Chief Clerk of the House of Representatives at the pleasure of the House of Representatives and Dolores Michels to serve as Assistant Chief Clerk of the House of Representatives.

**HR 2** was adopted by voice vote.

Representative Smith made a comment.

Mr. Speaker Spence made comments and announcements.

Representative Smith introduced and brought **HR 3**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley, before the House for consideration.

**HR 3 - RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 144TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

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

Mr. Speaker Spence introduced guests.

Representative Smith introduced and brought **HR 4**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley, before the House for consideration.

**HR 4 - RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 144TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS.**

Representatives Valihura & Smith made comments.

**HR 4** was adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HJR 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HJR 1**, jointly sponsored by Representatives Spence, Lee, Gilligan & Keeley, before the House for consideration.

**HJR 1 - RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES.**

The roll call on **HJR 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 1** was sent to the Senate for concurrence.

Representative Smith moved that a committee of two members be appointed to notify the Governor that the House is organized and ready for business. The motion was seconded by Representative Lee and was adopted by voice vote.

Mr. Speaker Spence appointed Representative Donna D. Stone and Representative Hazel D. Plant to notify the Governor that the House is organized and ready for business.

Representative Smith moved that a committee of two members be appointed to notify the Senate that the House is organized and ready for business. The motion was seconded by Representative Lee and was adopted by voice vote.

Mr. Speaker Spence appointed Representative Joseph W. Booth and Representative Michael P. Mulrooney to notify the Senate that the House is organized and ready for business.

Representative Williams requested and was granted personal privilege of the floor to introduce a guest. Representative Johnson & Mr. Speaker Spence introduced guests.

The House observed a moment of silence in memory of Elizabeth Loncki, a Delaware servicewoman who was killed in Iraq, at the request of Mr. Speaker Spence.

Representative Brady introduced guests.

The House observed a moment of silence in memory of Ned Davis at the request of Representative Oberle. Mr. Speaker Spence introduced a guest.

Representative Stone announced that she and Representative Plant have notified the Governor that the House is organized and ready for business.

Mr. Speaker Spence introduced guests. Representative Ewing made an announcement. Representatives Hudson, Mr. Speaker Spence, Representatives Maier & Lofink made announcements. Representative Williams requested and was granted personal privilege of the floor to make comments. Representatives Brady & Blakey introduced guests. Representatives Booth, Mulrooney & Oberle made comments and introduced guests.

The House Members introduced their family members and friends who were present for the record.

Mr. Speaker Spence made announcements and introduced guests.

A prayer was offered by Reverend Thomas J. Protack, Pastor, St. Luke, St. Andrew and St. John's in Fenwick Island, Delaware and Ocean City, Maryland.

Representatives Smith & Gilligan made announcements.

The Majority Leader moved to recess to the call of the Chair at 3:25 p.m.

Mr. Speaker Spence called the House to order at 2:18 p.m. on January 10, 2007.

Mr. Speaker Spence granted privilege of the floor to Senators Margaret Rose Henry & Gary F. Simpson. Senators Henry and announced that the Senate is organized and ready for business.

Representative Joseph W. Booth announced that he and Representative Michael P. Mulrooney have notified the Senate that the House is organized and ready for business.

Representative Smith made an announcement.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

**2nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
January 10, 2007**

The Chief Clerk called the roll:  
Members Present: 38.  
Members Absent: Representatives Oberle, Plant & Viola – 3.  
A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.  
Mr. Speaker Spence led those present in a pledge of allegiance to the American Flag.  
The minutes of the previous legislative day were approved as posted.  
The following prefiled legislation was introduced:  
**HB 2 - SMITH & SENATOR PETERSON; REPRESENTATIVES GILLIGAN, LAVELLE, MIRO, THORNBURG, WAGNER; SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Compensation Commission.**  
**HJR 2 - SMITH & SENATOR DELUCA - HOUSE ADMINISTRATION - Urging the Delaware Congressional Delegation to Support Legislation Calling for Federal Approval of Extension of the Lewis and Clark National Historic Trail.**  
Representative Manolakos requested that he be marked present.  
The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #1**

DATE: January 10, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                   |
|---------------|----------------|-------------|-------------|------------------------------------------------------|
| H144-1        | Schwartzkopf   | 11/8/2006   | T           | John & Ellen Brown - 60th Wedding Anniversary        |
| H144-2        | Smith          | 11/10/2006  | T           | David W. Zipf - Eagle Scout                          |
| H144-3        | Spence         | 11/8/2006   | T           | Honorable Joseph DiPinto - 20 Years of State Service |

|         |                                   |            |   |                                                           |
|---------|-----------------------------------|------------|---|-----------------------------------------------------------|
|         | cosponsors: All Representatives   |            |   |                                                           |
| H144-4  | Williams                          | 11/26/2006 | T | Sara Jane Shockley - 80th Birthday                        |
| H144-5  | Spence                            | 11/10/2006 | M | Captain David Hiott, IV                                   |
|         | cosponsors: All Representatives   |            |   |                                                           |
| H144-6  | Wagner                            | 11/13/2006 | T | NC Vasuki - Retirement - Solid Waste Authority            |
| H144-7  | Carey                             | 11/18/2006 | T | Mae Joseph - 103rd Birthday                               |
| H144-8  | Gilligan                          | 10/27/2006 | T | William & Kathleen Whisler - 60th Wedding Anniversary     |
| H144-9  | Johnson                           | 11/17/2006 | T | Robert Watson - 85th Birthday                             |
| H144-10 | Hocker                            | 11/19/2006 | T | Cody Lockwood - Eagle Scout                               |
| H144-11 | Booth                             | 11/19/2006 | T | Devin Thomas George - Eagle Scout                         |
|         | cosponsors: Reps. Atkins & Hocker |            |   |                                                           |
| H144-12 | Hall-Long                         | 10/28/2006 | M | Arid Martin                                               |
|         | cosponsor: Rep. Ennis             |            |   |                                                           |
| H144-13 | Hall-Long                         | 11/4/2006  | M | Manetta H. Carrow                                         |
|         | cosponsor: Rep. Ennis             |            |   |                                                           |
| H144-14 | Schwartzkopf                      | 11/4/2006  | T | Rehoboth Beach Volunteer Fire Company – 100th Anniversary |
| H144-15 | Booth; Miro                       | 11/11/2006 | T | LaEsperanza - 10th Anniversary                            |
| H144-16 | Stone                             | 11/11/2006 | M | Dorothy Elaine Foltz                                      |
|         | cosponsors: All Representatives   |            |   |                                                           |
| H144-17 | Spence                            | 11/12/2006 | M | Charlotte May Buchan Rossi                                |
|         | cosponsors: All Representatives   |            |   |                                                           |
| H144-18 | Viola                             | 11/18/2006 | T | Casey James Mucha - Eagle Scout                           |
| H144-19 | Booth                             | 12/4/2006  | T | North Georgetown Elementary - Blue Ribbon School          |
| H144-20 | Ewing; Booth                      | 11/25/2006 | T | Cody Pepper - Eagle Scout                                 |
| H144-21 | Spence; Maier                     | 11/17/2006 | T | Stephanie Ulbrich - Outstanding Service - 25th District   |
|         | cosponsors: All Representatives   |            |   |                                                           |
| H144-22 | Schwartzkopf                      | 11/13/2006 | M | Robert B. McCurry                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #2

DATE: January 10, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                               |
|---------------|-----------------|-------------|-------------|------------------------------------------------------------------|
| H144-23       | Wagner          | 10/25/2006  | T           | Delaware Teacher Center - 25th Anniversary                       |
| H144-24       | Mulrooney       | 11/20/2006  | T           | William Penn High - All-American Sportsmanship Award             |
| H144-25       | Ennis           | 11/3/2006   | M           | Martin Golden                                                    |
| H144-26       | Ennis           | 11/28/2006  | T           | Donald H. Morris - 70th Birthday                                 |
| H144-27       | Williams        | 11/30/2006  | T           | Joyce Peaco - Retirement - Brandywine Schools                    |
| H144-28       | Valihura        | 11/30/2006  | T           | Doris Wiggins - Retirement - Brandywine Schools                  |
| H144-29       | D. Short        | 12/1/2006   | T           | Freeman Carter - Retirement - DelDOT                             |
| H144-30       | Carey           | 12/14/2006  | T           | John Burton - Retirement - DelDOT                                |
| H144-31       | Hocker; Atkins  | 12/21/2006  | T           | Girland Smith - Retirement – DelDOT                              |
| H144-32       | Outten          | 6/8/2006    | T           | David & Colleen Whitt - 50th Wedding Anniversary                 |
| H144-33       | Thornburg       | 11/29/2006  | T           | Bryan Melvin - Young Farmers & Ranchers Achievement Award        |
| H144-34       | Hall-Long       | 11/29/2006  | T           | William Powers, Jr. - Distinguished Service to Agriculture Award |
| H144-35       | Hocker          | 11/16/2006  | T           | Clifford & Glenda Murray - 50th Wedding Anniversary              |
| H144-36       | Outten          | 11/20/2006  | M           | Myrtle Jeanette Wirick                                           |
| H144-37       | Ennis           | 12/7/2006   | T           | Virginia Short - 75th Birthday                                   |
| H144-38       | Ennis           | 11/14/2006  | M           | Marvin J. Crain                                                  |
| H144-39       | Keeley          | 11/5/2006   | T           | Edward & Mildred West - 50th Wedding Anniversary                 |
| H144-40       | Mulrooney       | 11/22/2006  | T           | John & Mary Bassett - 50th Wedding Anniversary                   |
| H144-41       | Schooley        | 10/10/2006  | T           | John & Rhetta Brighton - 50th Wedding Anniversary                |
| H144-42       | Schwartzkopf    | 10/4/2006   | T           | Linus & Molly Adams - 60th Wedding Anniversary                   |
| H144-43       | Gilligan        | 6/9/2006    | T           | Robert & Sara Miller - 50th Wedding Anniversary                  |
| H144-44       | Gilligan        | 10/4/2006   | T           | Ernest & Helen Fuller - 65th Wedding Anniversary                 |
| H144-45       | Gilligan        | 11/3/2006   | T           | Thomas & Bernice Bonkowski - 50th Wedding Anniversary            |
| H144-46       | Blakey; Stone   | 11/27/2006  | T           | Marge & Ted Ressler - Superior Volunteer Award                   |
| H144-47       | Mitchell        | 11/16/2006  | T           | Garland & Carolyn Clark - 60th Wedding Anniversary               |
| H144-48       | Oberle; Kowalko | 12/6/2006   | T           | William Wheatley - Founder - Brookside Blockwatch Program        |

#### HOUSE TRIBUTE ANNOUNCEMENT #3

DATE: January 10, 2007



The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                          | Sponsor             | Date       | Type | Description                                                                                 |
|---------------------------------|---------------------|------------|------|---------------------------------------------------------------------------------------------|
| H144-49                         | Outten              | 12/23/2006 | M    | Thelma Raughley                                                                             |
| H144-50                         | Hall-Long           | 11/29/2006 | T    | Robbie Emerson - State Youth Ambassador                                                     |
| H144-51                         | Wagner              | 12/2/2006  | T    | Christina Angel & Bryan Murphy - Marriage                                                   |
| H144-52                         | Brady; Maier        | 11/30/2006 | T    | Mary Ball Morton - Retirement - Department of Services for Children, Youth & Their Families |
| H144-53                         | Stone               | 11/29/2006 | T    | R. Dale Abbott - Retirement - 34 Years – State Service                                      |
| H144-54                         | Walls               | 12/2/2006  | T    | Magnolia United Methodist Church - 150th Anniversary                                        |
| H144-55                         | Thornburg           | 12/2/2006  | T    | Rebekah Quick & Christopher Legar – Marriage                                                |
| H144-56                         | Manolakos; Schooley | 12/5/2006  | T    | Alvin Snyder - Retirement - Children & Families First                                       |
| H144-57                         | Ennis               | 12/7/2006  | T    | Kathy Fearon - 50th Birthday                                                                |
| H144-58                         | Stone; Wagner       | 12/6/2006  | T    | Halpern Eye Associates - 60th Anniversary                                                   |
| H144-59                         | Stone               | 12/6/2006  | T    | Alpha Phi Alpha Fraternity - 100th Anniversary                                              |
| H144-60                         | Hall-Long           | 11/29/2006 | M    | Jean Barcus                                                                                 |
| H144-61                         | Schwartzkopf        | 10/5/2006  | T    | John & Rosalie Atkinson - 60th Wedding Anniversary                                          |
| H144-62                         | Gilligan            | 10/13/2006 | T    | Jack & Virginia Sanderson - 50th Wedding Anniversary                                        |
| H144-63                         | Gilligan            | 10/20/2006 | T    | Joseph & Geraldine Rybaltowski - 50th Wedding Anniversary                                   |
| H144-64                         | Wagner              | 12/5/2006  | M    | Gary F. Dalton                                                                              |
| cosponsors: All Representatives |                     |            |      |                                                                                             |
| H144-65                         | Wagner              | 8/23/2006  | T    | Tina Buckingham & Peter Schaeffer, Jr. – Marriage                                           |
| H144-66                         | Wagner              | 12/1/2006  | M    | Reverend Mildred Elizabeth M. White                                                         |
| H144-67                         | Booth               | 12/4/2006  | T    | Helen Kruger - Georgetown Volunteer of the Year                                             |
| H144-68                         | Lofink              | 12/19/2006 | T    | Dave & Becky Moore - 25th Wedding Anniversary                                               |
| cosponsor: Rep. Longhurst       |                     |            |      |                                                                                             |
| H144-69                         | Carey               | 12/22/2006 | T    | Earl Sennett - Retirement - DelDOT                                                          |
| H144-70                         | Schooley            | 12/22/2006 | T    | St. John African Methodist Church – Historical Plaque                                       |
| H144-71                         | D. Short            | 12/7/2006  | T    | Barbara Gullett - 100th Birthday                                                            |
| H144-72                         | Wagner              | 9/24/2006  | T    | Denise Gregory & Christopher Wyatt – Marriage                                               |

T- Tribute

M - Memoriam

Representatives Schwartzkopf, Mulrooney & Blakey requested that they be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: William A. Oberle, Jr.  
Representative – Twenty-Fourth Representative District

RE: Absence from Session

DATE: January 10, 2007

Please be advised that I will be unable to attend session today, Wednesday, January 10, 2007. I will be out of town on state business.

Thank you for your consideration in this matter.

Representative Gilligan requested and was granted personal privilege of the floor to make a comment. Representative Smith & Mr. Speaker Spence made announcements.

The Majority Leader moved to recess to the call of the Chair at 2:25 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 2:25 P.M.: Representative Williams.

Mr. Speaker Spence called the House to order at 2:00 p.m. on January 16, 2007.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

**3rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
January 16, 2007**

The Chief Clerk called the roll:

Members Present: 40

Member Absent: Representative Plant – 1.

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

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

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

The following prefiled legislation was introduced:

**HB 4** - LAVELLE & REPRESENTATIVE MAIER & SENATOR BONINI & SENATOR COPELAND - APPROPRIATIONS - An Act to Amend Title 29, Delaware Code Relating to Budget Appropriation and Capital Budget Legislation.

**HB 5** - WAGNER; REPRESENTATIVES MAIER, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 6** - WAGNER & REPRESENTATIVE ENNIS; REPRESENTATIVES MAIER, THORNBURG - LABOR - An Act to Amend Chapter 11, Title 29 of the Delaware Code Providing for the Office of State Ombudsman.

**HB 7** - SPENCE & REPRESENTATIVE MANOLAKOS & SENATOR DELUCA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, SCHOOLEY; SENATORS CLOUTIER, BUNTING, PETERSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code to Establish the School Bullying Prevention Act.

**HB 8** - OBERLE & REPRESENTATIVE SMITH & SENATOR BLEVINS; REPRESENTATIVES SPENCE, HUDSON, LOFINK; SENATOR SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 1** and requests the concurrence of the House; **HJR 1** and is returning same to the House.

Mr. Speaker Spence reassigned **HB 1** to the Energy and Natural Resources Committee & **HB 3** to the Health & Human Development Committee.

Representatives Stone, Longhurst & Hall-Long requested that they be marked present.

Representative Smith introduced and brought **SCR 1**, jointly sponsored by Senator Adams & Senator DeLuca & Senators Blevins, Copeland & Sorenson & Representatives Spence, Lee, Gilligan & Keeley, before the House for consideration.

**SCR 1** - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES 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.

Representative Smith made comments.

**SCR 1** was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Maier. Representative Maier requested and was granted personal privilege of the floor to introduce a guest. Representative Smith deferred to Representative Lofink. Representative Lofink made comments.

Representative Lofink introduced and brought **HCR 1**, jointly sponsored by Senator Sokola on behalf of All Representatives & All Senators, before the House for consideration.

**HCR 1** - COMMENDING CARIDAD ALONSO FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2007 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

Representative Lofink made comments and requested and was granted privilege of the floor for the 2007 Teachers of the Year who announced their names, school districts, grades and subjects taught for the record. Caridad Alonso, State Teacher of the Year, representing William C. Lewis Dual Language Elementary School, Red Cay Consolidated School District, addressed the House.

Representative Lofink & Mr. Speaker Spence made comments. Representatives Booth, Valihura, D. Short, Hudson, Brady, Marshall, Walls & Kowalko requested that they be marked present.

**HCR 1** was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Williams & Manolakos requested that they be marked present.

The following House Committee appointments were announced by Mr. Speaker Spence:

AGRICULTURE: Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative Joseph W. Booth; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative William J. Carson, Jr.; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Diana M. McWilliams; Representative Robert E. Walls.

APPROPRIATIONS: Representative William A. Oberle, Jr. - Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier(Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

CAPITAL INFRASTRUCTURE: Representative Vincent A. Lofink - Chair; Representative V. George Carey; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Michael P. Mulrooney; Representative John J. Viola; Representative Gerald W. Hocker (Alternate); Representative Nick T. Manolakos (Alternate).

**CORRECTIONS:** Representative Clifford G. Lee - Chair; Representative William R. Outten – Vice-chair; Representative J. Benjamin Ewing; Representative Pamela J. Thornburg; Representative James J. Johnson; Representative John L. Mitchell, Jr.

**ECONOMIC DEVELOPMENT, BANKING & INSURANCE:** Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Daniel B. Short; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

**EDUCATION:** Representative Vincent A. Lofink – Chair; Representative Nancy H. Wagner – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Gregory A. Hastings; Representative Pamela S. Maier; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Teresa L. Schooley; Representative Robert E. Walls.

**ENERGY AND NATURAL RESOURCES:** Representative Gerald W. Hocker - Chair; Representative Joseph W. Booth – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

**ETHICS:** Representative Richard C. Cathcart - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

**GAMING AND PARI-MUTUELS:** Representative Vincent A. Lofink – Chair; Representative William A. Oberle, Jr.- Vice-chair; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative William R. Outten; Representative Nancy H. Wagner; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative Peter C. Schwartzkopf; Representative John J. Viola.

**HEALTH & HUMAN DEVELOPMENT:** Representative Pamela S. Maier - Chair; Representative Nick T. Manolakos – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Bethany A. Hall-Long; Representative Nick T. Kowalko; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

**HOUSE ADMINISTRATION:** Representative Richard C. Cathcart – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

**HOUSING & COMMUNITY AFFAIRS:** Representative Daniel B. Short – Chair; Representative Donna D. Stone – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

**JOINT FINANCE:** Representative William A. Oberle, Jr. – Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel D. Short (Alternate); Representative Robert J. Valihura (Alternate).

**JUDICIARY:** Representative Robert J. Valihura, Jr. - Chair; Representative Donna D. Stone – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Nancy H. Wagner; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

**LABOR:** Representative Terry R. Spence - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Nick T. Manolakos; Representative Pamela S. Maier; Representative William A. Oberle, Jr.; Representative William J. Carson, Jr.; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant.

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:** Representative Robert J. Valihura, Jr. – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Pamela S. Maier; Representative Valerie J. Longhurst; Representative Teresa L. Schooley.

**PUBLIC SAFETY AND HOMELAND SECURITY:** Representative J. Benjamin Ewing, Jr. – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Clifford G. Lee; Representative William R. Outten; Representative Terry R. Spence; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.; Representative Dennis P. Williams.

**REVENUE & FINANCE:** Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Daniel B. Short;

Representative Donna D. Stone; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

RULES: Representative Vincent A. Lofink – Chair; Representative Richard C. Cathcart; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative Helene M. Keeley.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: Representative Deborah D. Hudson – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

TOURISM: Representative Deborah D. Hudson – Chair; Representative Donald A. Blakey - Vice-chair; Representative Joseph W. Booth; Representative V. George Carey; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Gerald L. Brady; Representative Peter C. Schwartzkopf.

TRANSPORTATION, LAND USE AND INFRASTRUCTURE: Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative Gerald W. Hocker; Representative Gregory A. Hastings; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative William J. Carson, Jr.; Representative Robert E. Walls.

VETERANS' AFFAIRS: Representative Terry R. Spence – Chair; Representative Richard C. Cathcart – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Clifford G. Lee; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Peter C. Schwartzkopf; Representative Bryon H. Short; Representative John J. Viola.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representatives Atkins, Carey, Cathcart, Miro & Wagner.

Mr. Speaker Spence called the House to order at 2:10 p.m. on January 17, 2007.

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

EDUCATION: **HB 7** - 11F, 1M.

ENERGY AND NATURAL RESOURCES: **HB 1** - 6F, 1M, 3U.

HOUSE ADMINISTRATION: **HB 2** - 5F.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 5** - 3F, 1M.

REVENUE & FINANCE: **HB 8** - 8F, 1M.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

#### **4th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session January 17, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Lee & Plant -2.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

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

The following prefiled legislation was introduced:

**SB 1** - DELUCA & REPRESENTATIVE OBERLE; SENATORS VENABLES, ADAMS, BLEVINS, COPELAND, SORENSON, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VAUGHN, AMICK, CLOUTIER, CONNOR, SIMPSON, STILL; ALL REPRESENTATIVES - LABOR - An Act to Amend Titles 18 and 19 of the Delaware Code Relating to Workers' Compensation.

Mr. Speaker Spence assigned **HB 8** to the Appropriations Committee.

Representative Booth requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HCR 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 1** and requests the concurrence of the House.  
January 17, 2007

The Honorable Terry R. Spence, Speaker  
House of Representatives  
Legislative Hall  
Dover, Delaware 19901  
Dear Speaker Spence:

I will be unable to attend legislative session today, due to illness.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

Representatives Mitchell, Lofink & Viola requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:17 p.m.

The House reconvened at 5:37 p.m.

Representatives Schwartzkopf, Marshall, Miro, Gilligan, Carey, Longhurst & Valihura requested that they be marked present.

Representative Smith introduced and brought **HR 5**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley, before the House for consideration.

**HR 5 - AMENDING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES (HOUSE RESOLUTION NO. 3) OF THE 144TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

Representatives Smith & Schwartzkopf made comments.

**HR 5** was adopted by voice vote.

Representative Smith made comments regarding **SB 1**.

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

LABOR: **SB 1** - 2F, 5M.

The House observed a moment of silence in memory of Chief William Nefosky, Newark Police Department, at the request of Representative Kowalko.

Representative Oberle made comments.

Representative Oberle moved to suspend the rules which interfere with action on **SB 1**. The motion was properly seconded and adopted by voice vote.

Representative Oberle brought **SB 1**, jointly sponsored by Senator DeLuca & Senators Venables, Adams, Blevins, Copeland, Sorenson, Cook, Henry, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Amick, Cloutier, Connor, Simpson & Still & All Representatives, before the House for consideration.

**SB 1 - AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.**

Representatives Cathcart & Williams requested that they be marked present.

Representative Oberle made comments & introduced guests. Representative Oberle requested and was granted privilege of the floor for Joseph Schoell, Counsel to the Governor. Representatives Stone, Ennis, Oberle, Valihura, Mr. Speaker Spence & Representative Oberle made comments.

The roll call on **SB 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Plant - 2.

Therefore, having received a constitutional majority, **SB 1** was returned to the Senate.

Representative Lavelle requested that he be marked present during the roll call.

Representative Smith made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 5**, jointly sponsored by Representatives Maier & Thornburg, before the House for consideration.

**HB 5 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.**

Representative Wagner made comments.

The roll call on **HB 5** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Plant - 2.

Therefore, having received a constitutional majority, **HB 5** was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Hudson.

Mr. Speaker Spence introduced a guest.

Representative Hudson introduced **HB 12**, jointly sponsored by Senator Sorenson & Senator Amick & Representatives Spence, Smith, Cathcart, Ewing, Lavelle, Lofink, Manolakos, Miro, Oberle, Stone, Valihura & Wagner.

**HB 12 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO AUTOMOBILE MANUFACTURERS AND STATE TAXES.**

Mr. Speaker Spence assigned **HB 12** to the Revenue & Finance Committee.

Representative Hudson, Mr. Speaker Spence & Representative Smith made comments regarding **HB 12**.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 2 & SCR 3** and requests the concurrence of the House.

**MEMORANDUM**

TO: The Honorable Terry R. Spence  
FROM: Representative Clifford G. Lee  
DATE: January 17, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to illness. Thank you for your understanding.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Spence called the House to order at 1:55 p.m. on January 18, 2007.

The Majority Leader moved to adjourn at 1:56 p.m., thereby ending the current legislative day. The House reconvened at 1:57 p.m.

**5th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
January 18, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Hudson, Plant & Stone – 3.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 10 - CATHCART & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, LEE, OBERLE, ATKINS, GILLIGAN, KEELEY; SENATORS ADAMS, DELUCA, BLEVINS, VENABLES, BUNTING, COPELAND, SORENSON - VETERANS AFFAIRS - An Act Relating to Hiring and Payment of Shift Differential Pay at the Delaware Veterans Home.**

**HB 11 - SPENCE & SENATOR MCDOWELL & SENATOR SORENSON & SENATOR HENRY & SENATOR PETERSON; REPRESENTATIVES HUDSON, MAIER, MIRO, OBERLE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, ENNIS, KOWALKO, SCHOOLEY; SENATORS BUNTING, SOKOLA, SIMPSON, VENABLES - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.**

**HB 13 - WAGNER & SENATOR SOKOLA; REPRESENTATIVES BLAKEY, ENNIS, EWING, HOCKER - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.**

**HB 14 - WAGNER & SENATOR PETERSON & SENATOR SOKOLA; REPRESENTATIVE MAIER - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Technology and Information.**

**HB 15 - LOFINK & SENATOR BUNTING; REPRESENTATIVES ATKINS, BLAKEY, CATHCART, KOWALKO, LEE, MULROONEY, OBERLE, SCHWARTZKOPF, SMITH, SPENCE, STONE, THORNBURG, VIOLA, WAGNER - VETERANS AFFAIRS - An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits.**

Representative Smith made announcements.

The Reading Clerk read the following communication into the record:

January 18, 2007

The Honorable Terry R. Spence, Speaker

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend legislative session today, due to illness.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

Representative Keeley requested that she be marked present.

The Majority Leader moved to recess for the Joint Session at 2:00 p.m.

**JOINT SESSION-SENATE CHAMBER**

The Sergeant-at-Arms announced the arrival of the Members of the House of Representatives for the Joint Session.

The Members of the House of Representatives were admitted and seated. At the invitation of the Lieutenant Governor, Representative Spence and Senator Adams joined him on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials and the presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College. They were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Governor's cabinet officials who were admitted and seated.

At 2:12 p.m., Senator DeLuca moved that the Senate and the House meet in Joint Session for the purpose of hearing an address from the Honorable Ruth Ann Minner, Governor of the State of Delaware. There was no objection.

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

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

Senator DeLuca moved that the Lieutenant Governor appoint a committee of four to escort the Governor to the Joint Session. There was no objection. The President appointed Senator Patricia M. Blevins (Spokesperson), Senator John C. Still, III; Representative Bethany A. Hall-Long and Representative V. George Carey to escort the Governor to the Senate Chamber.

The Lieutenant Governor declared a temporary recess to await the arrival of the Governor. The Joint Session reconvened at 2:15 p.m.

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

Senator Blevins introduced Governor Ruth Ann Minner to the Joint Session. The Lieutenant Governor welcomed the Governor.

The Governor addressed the members of the General Assembly as follows:

Thank you very much, Lieutenant Governor.

To the Lieutenant Governor Carney, President Pro Tem Adams, Speaker Spence, the members of the 144th General Assembly, members of the Delaware judiciary, other elected officials, to my distinguished guests, my Cabinet, and to other distinguished guests here, to my family and fellow Delawareans...

Before I get started on my remarks today, I ask that you join me in a moment of silent reflection in recognition of the men and women who have lost their lives in the military around the globe. Last week, we had a very sad reminder of what they do, what they give and the sacrifices for their fellow citizens. The loss of Elizabeth Loncki, senior airman from New Castle. Elizabeth was our 15th casualty in this conflict and I ask that we just take a moment to reflect upon all that they've given, Elizabeth and her fallen comrades...

Thank you.

During my first six years as your Governor, my Administration has laid a strong foundation for our state in important areas such as education, health, environment and our economy. We've made tremendous accomplishments that I am extremely proud of, many of which will have a positive impact well into the future. But we still have work to do, and I can assure you we will work as hard during the last two years of my term as we have in the previous six.

Our work together has focused primarily on keeping our state on sound financial footing, yes we've made tremendous strides in our economy, health and education and also the environment. We still have work to do and I can assure you that it will take all of us working together. Making difficult decisions in the short term but continuing to look to the future as we do so.

We are experiencing a more uncertain economy, which will require more prudent spending and targeting our priorities. As I've said in the past, we have done in state government what our citizens have done with their budgets-cut where we could, keep budget growth at a minimum and focus our spending on the core needs.

Because of that approach, I am extremely proud of the fact that despite these more difficult times, our state has maintained our AAA bond rating (one of just six states to do so) and our unemployment remains one of the lowest in the nation, 3.6 percent. We have remained a top state in which to live, in which to do business, in which to raise our families all while facing increasing school enrollment, skyrocketing Medicaid costs, severe federal budget cuts and other strains on our tight resources.

Ladies and gentlemen, once again I am proud to stand in front of you and say the state of our great state is strong and getting stronger, but we still have some work to do.

Together, we have made tremendous progress in our public education system. We will continue those efforts, working with all of our students, from pre-kindergarten through high school, as well as those in college.

Our state test scores continue to rise. The percentage of Delaware students receiving among the highest scores on Advanced Placement exams is well above the national average. Also, our fourth- and eighth-grade reading scores on the 2005 National Assessment of Educational Progress were among the highest in our nation.

In 2004 we were able to complete my goal of placing a reading specialist in every elementary school in the state, and last year we began the placement of math specialists in every middle school, helping those

students who need extra assistance to work on their math skills and keep them from falling behind in this critical area. This year, I am proposing that we add 10 more math specialists to the 32 we have already put in school and yes that will complete this program. Despite all of these successes, we still have work to do.

We will continue funding for full-day kindergarten, as we continue toward the goal I outlined of offering every school this program by next year. The budget I will release next week will include money to provide complete funding for all full-day kindergarten in 11 school districts and eight charter schools. The money also will continue funding for pilot full day-Kindergarten in two districts and that will be a major step.

In an effort to continue to help our youngest children gain a firm foundation for future learning, we are also focusing more attention on early childhood education, which touches the children from birth to 5. Over the coming year, we plan to provide financial incentives for early child care centers that do an exceptional job for their children preparing them for lifetime of success.

You've all heard of the Vision 2015, the plan which outlines a bold, creative blueprint to support our goal of making our schools the best in the world. Vision 2015 group—comprised of business leaders, educators and public officials—worked diligently for over a year to bring their best creative thinking to enhance, support and continue the reforms that we have implemented in Delaware. What is most encouraging about this report is that many of the proposals are consistent with our priorities and it is clear that our common goal—excellent schools—has resulted in similar efforts.

While I will talk in more detail about education spending when I present my budget next week, I wanted to take this opportunity to thank the Vision 2015 committee for their hard work and their commitment to public education. I especially want to thank the chair, Skip Schoenhals, for his leadership on this project. As a state, we are all working together toward a common goal. Skip, would you please stand and be recognized.

In the continuing effort to prepare and provide all of our children every opportunity to succeed, I have directed our Adjutant General Vavala of our Delaware National Guard to develop a Youth Challenge Program here in our state. This program, which is currently operating in 25 other states, provides re-entry education for students between the ages of 16 and 18 who have dropped out or been expelled. In other states, this program has successfully provided a high school diploma or GED to nearly 70 percent of its participants, 40 percent of whom go on to higher education.

As I've said on many occasions, we cannot afford to have any child drop out of our education system, and this new initiative will provide us with yet another tool to ensure that all of our children have a better future.

During this past year, you've probably had many comments and many questions about the scholarship program - Student Excellence Equals Degree (SEED). Well, one fact is abundantly clear—this program is an overwhelming success.

Today, SEED is helping over 800 high school graduates attend college for free as they pursue the associate's degree to prepare them for future careers. Hundreds more students applied for the program and had other financial needs and met those needs through the scholarship programs and other grants.

I don't have to tell you how important that is to our economy, to our education system, but most importantly, to the thousands of students who are motivated to do better in school because they know they can get a college degree.

At this time, I would like to recognize Olivia Spencer and Joe Bratten, two of our students in criminal justice currently taking advantage of SEED. Olivia graduated from Polytech and yes Joe graduated from the Calvary Christian Academy. Thank you very much for joining us today and good luck with your future.

But we need to take the next step. This year, I propose that we create a STAR scholarship program that will provide free college tuition for SEED scholarship recipients who excel and graduate with the associate in arts program and want to pursue a bachelor's degree at one of our state's four-year state colleges. This academic incentive scholarship is logical next step that we can take to ensure that all Delaware's children may pursue the dream of a college education. Yes, Senator McDowell and Representative Wagner, I hope you'll join me as we move forward work on this important next step.

You've heard me speak quite a bit over the last years about our efforts to fight cancer in this state. The cancer incidence and rate has decreased four times as much as the nation's rate and Delaware's death rate from cancer has declined twice as much as the nation's.

We now know that we will continue the funding the recommendations of the Delaware Advisory Council on Cancer Incidence and Mortality. We are the first and only state in this nation to offer cancer treatment for uninsured and more than 220 Delawareans have been served by that program. I am now recommending that we increase funding for that program from one year of care to two years of care.

Our efforts to reach those highest risks for cancer are working. Between 1999 and 2005 there have been 38 percent increase in the number of African-Americans who reported having colorectal cancer screening. In our latest survey, 42 percent of those African-Americans who had had a colonoscopy had done so in the last year. Since colorectal cancer has been added as a benefit to our Screening program, more than 1,200 individuals have been screened and nearly 360 individuals had potentially cancerous colon polyps removed. We have clearly made tremendous progress in making our state healthier, but there is still more to do.



We now know that research and science has provided a vaccine to prevent a virus that causes cervical cancer in women. Since early intervention and education is key, Lieutenant Governor Carney is working to educate Delawareans on this important vaccine, particularly the target population—girls between the ages of nine and 17.

Based on a recent recommendation from the Centers for Disease Control, I propose that we provide this vaccine for all uninsured girls in that age range.

In 2005, I created the Delaware Healthy Mothers and Infants Consortium to coordinate with the Division of Public Health as it carries out the recommendations of the Infant Mortality Task Force. The Consortium recently released its first annual report, highlighting many of the activities underway to reduce Infant Mortality, including initiatives such as the establishment of the Fetal Infant Mortality Review Team and the Pregnancy Risk Assessment Monitoring System. This year, I will continue to provide funding to implement the recommendations of the Task Force so that, under the guidance of the Consortium, we will continue our effort to reduce infant mortality rates.

During the past several years, we have implemented programs to improve the health of our state employees, such as our nationally recognized Health Rewards program and the “Know Your Numbers” program. Both of these programs, combined with our other wellness and prevention initiatives, are not only making our employees healthier, but they also saved \$40 million in the past two years. I want to thank our State Employee Benefits Committee for their efforts, and while we have had success in this area, we still have work to do.

Next month I will be launching a major state employee healthcare initiative that will build on our successes. Called DelaWell, this program will provide our employees with a comprehensive educational and lifestyle plan, which includes everything that they need to know. I am confident that this new effort will continue our record of success and I look forward to announcing the details of DelaWell next month.

We also will continue our efforts toward a healthier state by addressing an issue that we must all agree is an impending crisis—the increase in childhood obesity rates. Statistics have been showing childhood obesity is climbing at an alarming rate. Those rates result in Type II diabetes, heart disease, circulatory problems among our youth.

According to the Surgeon General, for the first time in a century, children born today have an expected life span less than that of their parents. These rates are due in part to the combination of TV and computer use, which result in less physical activity and unhealthy nutritional choices. While there are very clear action steps that can be taken to address this trend, we will help parents identify the best strategy to help their children make those healthy choices.

To enhance the efforts already underway in our schools, I will propose funding to implement a program that will provide a comprehensive “fitness-gram” to parents of every fourth-grade student in our schools.

This confidential assessment will inform parents of their child’s vital health statistics, such as height, weight, body mass index and other key information that will serve as a basis for their personal fitness prescription. This report will empower parents with information to help their children make healthy choices now to prevent debilitating health problems in the future.

I am also recommending that we raise the cigarette tax by 45 cents a pack to create a Delaware Healthy Life Fund. Statistics show clearly that this is the single most effective way to prevent smoking among our youth, but this fund will also be used to support a number of critical health initiatives, including coverage of the uninsured and underinsured, expansion of the Delaware Healthy Children Program (or CHIP) to an additional 975 families and additional funding to reduce infant mortality.

We must also address the problem of health disparities among the diverse populations of our state. Through the leadership of Lieutenant Governor Carney, the Health Disparities Task Force is finalizing recommendations which will serve as a path forward to develop a comprehensive plan to eliminate those disparities in health and health outcomes among the different ethnic groups. I have set aside \$1 million dollars from this fund to begin implementing recommendations of the Task Force in the year ahead.

I would like to talk for just a moment about Medicaid, which is one of our state’s most successful stories. More than one of every six Delawareans is covered by Medicaid, and our continued focus on program management and cost containment have allowed us to meet the growing demand caused by enrollment growth, the cost inflation without restricting eligibility or reducing services—an accomplishment very few states can claim. We’ve focused on managing prescription benefits to improve health outcomes and contain the growth of prescription drug costs, and the result has been more Delawareans are being served.

Protecting our environment has been one of my top priorities since taking office, and I am proud to report that since 2001, we have permanently preserved 11,000 acres of open space. That includes such critical lands as premier property next to the White Clay Creek State Park, the Revolutionary War site Cooch’s Bridge, the Blendt Farm in Smyrna and Glatfelter holdings in Sussex.

We created a permanent funding source for farmland preservation. Delaware, as you know, has one of the most successful programs in the country and to date has permanently protected 462 farms, totaling more than 82,000 acres. I am proposing the first year of funding for a similar forestland preservation initiative that you approved in 2005.

We will continue to work on curbing sprawl in our state. In 2001, only a handful of towns had professional plans detailing how and where they wanted to grow. Now, almost every one of our 57 municipalities has a professional comprehensive plan that all levels of government – local, county and state – have agreed to, which means that annexations now undergo much more scrutiny.

As you can see, Livable Delaware is not just a “feel-good” program. By growing in an orderly, planned manner, we ensure that taxpayer’s dollars are spent effectively.

Last year, we introduced a Transfer of Development Rights bill that not only will preserve open lands at no cost to taxpayers, but also includes a means of funding infrastructure so existing taxpayers are not saddled with the costs of growth. This bill had broad and diverse sponsorship, and I intend to bring it back this year.

While we have had our share of success, we still have work to do. I still believe that Delaware needs to do a much better job of recycling. Our rate continues to be among the lowest in the country, with only 12 percent of residential household being recycled.

This isn’t just about extending the life of the landfills or spending a little out of our pockets now to save tens of millions in the future. It’s about being responsible stewards of our state. Sometime think about it and something that our citizens think, expect and deserve from their local officials.

Recycling must also be more convenient, inexpensive – and it doesn’t need to be mandatory. I intend to introduce revised legislation that encourages local governments and the private sector to step up and provide better options for their constituents and their customers.

Delaware’s economic development effect has remained strong throughout my term, despite some difficult economic times that forced our state to take drastic economic measures. Other States made even more drastic layoffs, cuts in services, severe impacts on other states. As you know, we have worked together when it comes to helping existing businesses and recruiting new businesses to our state and since 2001, we have retained or created more than 35,000 jobs.

This time last year, we worked in partnership to enact a landmark revision of our banking laws, and within weeks we celebrated the results of that hard work; Bank of America credit card operation announced Delaware as its new home. And just this past year we had Air Liquide and Scientific Products decide to expand their operations in Delaware.

This month, we were named one of just two states in the nation to receive straight A’s on the 2007 Development Report Card of the States released by the Council for Economic Development. Clearly, we are not the only ones who recognize what Delaware has to offer. But while we have had successes, we still have work to do.

Over the coming year, our Economic Development Office will market a new initiative to promote technology. The Technology-Based Seed Fund, the Emerging Technology Center, and the New Intellectual Property Program—all part of my New Economy Initiative. These programs fit together as one-stop service for those wishing to start a business.

We can provide entrepreneurs with ideas for business by offering a patent for new products, we can help fund new start-ups through the Technology-Based Seed Funds; and we can help get new businesses off the ground by providing resources and guidance through the Emerging Technology Center.

For over two years, we have diligently worked on reforming our worker’s compensation system. I am pleased to say that last night at 6:30 I signed Senate Bill 1, a bill that will reform our worker’s compensation system and result in estimated savings of 20 percent. Go ahead, give yourselves another round of applause, you did it.

As I’ve said before, this reform is critical and yes it will make a difference. I want to thank Labor Secretary Tom Sharp, my legal counsel Joe Schoell, Representative Bill Oberle and Senator Tony DeLuca. Your efforts to get this bill passed were so positive. Thank you very much for all that you do. Last night I was able to personally thank the members of the working group that were here in the building yesterday and, if there are others, I will make sure I thank them as well. They put in so much time we must say thank you to each one of them. They came together and yes, over recent months they worked on this bill. They did an outstanding job and it’s important not just to every Delaware business but every Delaware citizen as well.

You heard me talk last year about the need to address the shortfall in the state’s Transportation Trust Fund. At that time, I appointed a financial management oversight committee to review and monitor expenditures and track revenues to ensure stronger financial management. I commend this group for its commitment and hard work. They have done a great job working with our Department.

We also worked with you, through the bond bill committee, to prioritize projects and identify savings in the program. As I said at that time, our long-term plan to ensure the solvency of the Trust Fund would have to include new revenues in the form of traditional and non-traditional methods of funding the Trust Fund. We have worked very hard during the past two years to identify solutions, but there is still much work to do.

As you might recall, the Task Force I appointed in 2005 identified a range of financial needs with a “worst case scenario” of a \$2.7 billion shortfall for the fund. Through the diligent cost reduction efforts of Transportation Secretary Carolann Wicks, Office of Management and Budget Director Jennifer Davis and their staffs, we now know that the real need over the next six-year program is \$1.5 billion. Obviously, we

still have a lot of work to do to make up that difference, but this actual number is certainly more manageable than the original estimates. We look forward to working with you in the months ahead to solve this problem.

Next week in my budget address, I will give further details of our plan to contain costs, maximize our federal dollars and add revenues to the Trust Fund so we address the financial shortfall and provide a stable, predictable future for our transportation system.

We have worked together to improve the quality of life for our citizens but we still have some work to do.

In December, we gathered to celebrate the opening of our new Veterans Home in Milford to provide a world-class facility for Delaware veterans in their later years and the home is scheduled to open for patients this spring. My budget will therefore include operational funding for the home, which is a first for our state and fulfills a long-time dream for our veterans who bravely and valiantly served our state and our country.

With the changing times and increased demands on our Department of Safety and Homeland Security, additional law enforcement officers and cutting-edge technology are desperately needed to protect and serve our state. In 2003 I set a goal of increasing the number of Delaware State Police ranks to 680 troopers within five years. This year I am recommending the addition of six troopers, bringing our total to 661, keeping us on track to meet our goal.

I will also recommend continued funding for our Delaware Information Analysis Center, a state-of-the-art facility that gathers and shares information throughout government to make Delaware safer.

This center will work with law enforcement, government, and private sector officials to achieve the most important objective—getting the right information into the right hands, before a critical incident occurs.

We all know that the youngest members of our society are our greatest asset. For youth that enter our juvenile justice system, we have a unique opportunity to help set them on the right track, and provide them with the tools they need to go on to a successful future.

Under the leadership of Secretary DeSantis, The Department of Services for Children, Youth and their Families is working everyday, along with partners in the judiciary and in the community, to identify programs and protocols which seek to address the underlying causes of delinquent behaviors, to provide services accordingly. I continue to support the efforts of the Department as it works with its many partners in identifying and implementing initiatives that will give these youth a chance to turn their lives around.

I am very proud of the accomplishments we have made in education, healthcare, the environment and our economic development. We are continuing to be a national leader in areas like fighting cancer and improving employee health, economic development and financial management, and we have a bold plan to continue these efforts.

But as I said earlier, we still have work to do. We have important goals to achieve over the next two years to improve our state now for the generations that follow.

I can assure you that we will not slow down. Our work continues and our focus remains on keeping our state a place where people want to live, to work and raise their children. We cannot do that without the support of our General Assembly. We have worked well together in the past, and I look forward to continuing to work to make Delaware the best state in the nation.

Thank you.

Lieutenant Governor Carney thanked the Governor and requested that the duly appointed committee reassemble to escort the Governor back to her Executive Office.

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

The Secretary of the Senate, Bernard J. Brady, reported that he and the Chief Clerk had compared their Journals and found them to agree.

Senator DeLuca moved that the Joint Session be adjourned at 2:51 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 3:37 p.m.

Representative Marshall requested that she be marked present. Representative Smith made an announcement.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 7**, jointly sponsored by Representative Manolakos & Senator DeLuca & Senator Sokola & Representatives Hudson, Maier & Schooley & Senators Cloutier, Bunting & Peterson, before the House for consideration.

**HB 7 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE SCHOOL BULLYING PREVENTION ACT.**

Representative Spence made comments. Representatives Oberle & Williams requested that they be marked present. Representative Spence introduced and brought **HA 1 to HB 7** before the House for consideration. Representative Spence made comments. **HA 1** was adopted by voice vote. Representative Spence introduced and brought **HA 2 to HB 7** before the House for consideration. Representative Spence

made comments. **HA 2** was adopted by voice vote. Representatives Spence, Keeley, Gilligan & Manolakos made comments. Representative Spence requested and was granted privilege of the floor for Barbara Grogg, President, Delaware State Education Association. Representative Kowalko made comments. Representative Maier requested that she be marked present. Representatives Maier, Wagner & Smith made comments.

The roll call on **HB 7 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Plant & Stone - 3.

Therefore, having received a constitutional majority, **HB 7 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Miro requested that he be marked present during the roll call.

Representative Spence introduced a guest.

Representative Smith introduced and brought **SJR 1**, sponsored by Senator McDowell & Senator Henry & Senator Marshall on behalf of All Senators & Representatives Williams, Plant, Keeley & Brady on behalf of All Representatives, before the House for consideration.

**SJR 1 - PAYING TRIBUTE TO THE HONORABLE WILLIAM T. MC LAUGHLIN, FORMER MAYOR OF WILMINGTON, DISTINGUISHED PUBLIC SERVANT, PHILANTHROPIST, AND EXEMPLARY CITIZEN, ON THE OCCASION OF HIS NINETIETH BIRTHDAY.**

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SJR 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Smith, Gilligan, Keeley, Williams, Brady & Manolakos made comments.

The roll call on **SJR 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Plant & Stone - 3.

Therefore, having received a constitutional majority, **SJR 1** was returned to the Senate.

Representative Smith brought **HB 2**, jointly sponsored by Senator Peterson & Representatives Gilligan, Lavelle, Miro, Thornburg & Wagner & Senator Blevins, before the House for consideration.

**HB 2 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.**

Representative Smith made comments. Representative Smith deferred to Representative Marshall. Representative Marshall introduced and brought **HA 1 to HB 2**, jointly sponsored by Representative Valihura, before the House for consideration. Representatives Marshall, Valihura, Lavelle, Smith, Williams, Gilligan & Smith made comments. **HA 1** was defeated by voice vote. Representatives Marshall, Lavelle, Valihura, Maier, Smith, Schwartzkopf & Smith made comments.

The roll call on **HB 2** was taken and revealed:

YES: 34.

NO: Representatives Ewing, Marshall, Schwartzkopf & Williams - 4.

ABSENT: Representatives Hudson, Plant & Stone - 3.

Therefore, having received a constitutional majority, **HB 2** was sent to the Senate for concurrence.

Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest.

Mr. Speaker Spence resumed the Chair. Representative Wagner made comments.

Representative Wagner introduced **HB 18**, jointly sponsored by Senator Sokola.

**HB 18 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE AND 75 DELAWARE LAWS, CHAPTER 25, RELATING TO HIGH SCHOOL DIPLOMAS.**

Mr. Speaker Spence assigned **HB 18** to the Education Committee.

Mr. Speaker Spence reassigned **HB 15** to the Appropriations Committee.

Representative Cathcart made an announcement.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SJR 1** and requests the concurrence of the House.

Representative Valihura introduced **HB 9**, jointly sponsored by Senator Copeland & Representatives Spence, Smith & Lee.

**HB 9 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Mr. Speaker Spence assigned **HB 9** to the Judiciary Committee.

The Majority Leader moved to recess to the call of the Chair at 4:45 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:12 p.m. on January 23, 2007.

Representative Smith deferred to Representative Carey.

Representative Carey introduced **HB 29**, jointly sponsored by Senator Adams.

**HB 29 - AN ACT TO AMEND CHAPTER 371, 74 DELAWARE LAWS, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF MILTON.**

Mr. Acting Speaker assigned **HB 29** to the House Administration Committee.

Representative Carey introduced **HA 1 to HB 29**. **HA 1 to HB 29** was placed with the bill.

Representative Smith made an announcement.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan introduced **HB 31**, sponsored by Representative Ennis & Senator Vaughn & Representatives Blakey, Ewing, Hall-Long, Mulrooney, Outten, Thornburg, Wagner & Walls & cosponsored by Representative Plant.

**HB 31** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING AND COUNTY IMPACT FEES.

Mr. Acting Speaker assigned **HB 31** to the Transportation/Land Use and Infrastructure Committee.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**6th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
January 23, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

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

The following prefiled legislation was introduced:

**HB 16** - SCHWARTZKOPF & SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Powers and Duties of State Police.

**HB 17** - SCHWARTZKOPF & SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Definition of Law Enforcement Officer.

Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Maier made comments.

Representative Smith brought the following prefiled **Consent Calendar #1** before the House for consideration.

**HCR 2** – SCHOOLEY & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON – Urging Delaware’s Congressional Delegation to Reauthorize the State Children Health Insurance Program (SCHIP) to Assure Federal Funding for Delaware’s SCHIP Program.

**SCR 2** – BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Establishing the Month of February 2007 as National Parent Leadership Month in Delaware.

**SCR 3** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON & REPRESENTATIVE KEELEY & SENATORS ADAMS, AMICK, MCBRIDE, PETERSON, COPELAND, CONNOR, HENRY, SOKOLA, MCDOWELL & SIMPSON & REPRESENTATIVES MAIER, LAVELLE, VIOLA, MULROONEY, HALL-LONG, SCHOOLEY, SMITH, WAGNER, EWING, SPENCE, OUTTEN, ENNIS, MARSHALL, CAREY, THORNBURG & WILLIAMS – Designating the Month of February 2007 as Teen Dating Violence Awareness and Prevention Month in Delaware.

**Consent Calendar #1** was adopted by voice vote and **HCR 2** was sent to the Senate for concurrence and **SCR 2** & **SCR 3** were returned to the Senate.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #4**

DATE: January 23, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number  | Sponsor                         | Date       | Type | Description                                                                    |
|---------|---------------------------------|------------|------|--------------------------------------------------------------------------------|
| H144-73 | Outten                          | 12/6/2006  | M    | Blanche Jefferson                                                              |
| H144-74 | Lofink; Oberle                  | 12/12/2006 | T    | Shannon Riley - Glasgow High Football Team                                     |
| H144-75 | Kowalko                         | 12/8/2006  | M    | Freeman Williams                                                               |
| H144-76 | Lofink                          | 12/15/2006 | T    | James Burget - Eagle Scout                                                     |
| H144-77 | Keeley                          | 12/14/2006 | T    | Sara Pyle Academy for Academic Intensity<br>- Non-Traditional High School      |
| H144-78 | Cathcart                        | 12/2/2006  | M    | Army Sergeant Keith E. Fiscus                                                  |
|         | cosponsors: All Representatives |            |      |                                                                                |
| H144-79 | Brady                           | 12/7/2006  | T    | Ed Rodger - 100th Birthday                                                     |
| H144-80 | Stone                           | 12/9/2006  | M    | Richard Wayne Pryor                                                            |
| H144-81 | Wagner                          | 12/14/2006 | T    | Paul Fleming - Retirement - DelTech                                            |
| H144-82 | Walls                           | 12/13/2006 | T    | Marvin Schelhouse - Distinguished Service<br>Award - School Boards Association |
| H144-83 | Walls                           | 1/3/2007   | T    | Stephen Reynolds - Retirement - DelDOT                                         |
| H144-84 | Stone                           | 12/13/2006 | T    | Cynthia Witt - Dover Symphony - 40 Year Member                                 |
| H144-85 | Spence                          | 1/8/2007   | T    | Cheryl Manna - Secretary - Harmony                                             |

|         |                                 |            |   |                                                                         |
|---------|---------------------------------|------------|---|-------------------------------------------------------------------------|
|         | cosponsors: All Representatives |            |   | Woods Civic Association                                                 |
| H144-86 | Carey                           | 12/11/2006 | M | Joseph Noah Callaway                                                    |
| H144-87 | Smith                           | 12/19/2006 | T | Boy Scout Troop 99 - 12 Eagle Scouts                                    |
| H144-88 | Outten                          | 12/14/2006 | T | William Scott - Supreme Governor - Loyal Order of Moose - Welcome to DE |
| H144-89 | Outten                          | 12/13/2006 | M | Herman Kohland, Jr.                                                     |
| H144-90 | Lee                             | 12/2/2006  | T | Dick & Juanita Stone - 65th Wedding Anniversary                         |
| H144-91 | Outten                          | 12/13/2006 | M | Ida Welch                                                               |
| H144-92 | Blakey                          | 12/10/2006 | M | Louise Dale Hyland Stith                                                |
|         | cosponsor: Rep. Wagner          |            |   |                                                                         |
| H144-93 | Wagner                          | 12/10/2006 | M | Carmine Pisapia, Sr.                                                    |
| H144-94 | Stone; Wagner                   | 12/15/2006 | M | Eva Elizabeth Scotton                                                   |
| H144-95 | Hudson                          | 12/7/2006  | M | Vaughn A. Engelhardt                                                    |
| H144-96 | Wagner                          | 12/15/2006 | T | Richard Ornaier - Andrus Award – Community Service                      |
| H144-97 | Mulrooney                       | 12/31/2006 | T | Lawrence Morrison - Retirement - DelDOT                                 |
| H144-98 | Thornburg                       | 12/14/2006 | M | Earl O. Owen                                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #5

DATE: January 23, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>         | <u>Date</u> | <u>Type</u> | <u>Description</u>                                        |
|---------------|------------------------|-------------|-------------|-----------------------------------------------------------|
| H144-99       | Atkins                 | 12/17/2006  | T           | Victor T. Benderoth                                       |
| H144-100      | Marshall               | 1/4/2007    | M           | Emily Parry                                               |
| H144-101      | Atkins                 | 1/31/2007   | T           | Buck Starkey - Retirement - Dagsboro Church of God        |
| H144-102      | Booth                  | 12/30/2006  | T           | Tom Berl - Eagle Scout                                    |
| H144-103      | Booth                  | 12/30/2006  | T           | Tyler Berl - Eagle Scout                                  |
| H144-104      | Booth                  | 12/30/2006  | T           | Sean Mock - Eagle Scout                                   |
| H144-105      | Maier                  | 12/18/2006  | M           | Mabel Cooper McKim                                        |
| H144-106      | Lee                    | 1/6/2007    | T           | Matthew Martin - Eagle Scout                              |
| H144-107      | Atkins                 | 12/19/2006  | M           | Aubrey Phillips Murray                                    |
| H144-108      | Ennis                  | 12/28/2006  | T           | Dorothy Clemente - Retirement - Office of Pensions        |
| H144-109      | Johnson                | 1/1/2007    | T           | James Ford, Jr. - Retirement - Wilmington Fire Chief      |
| H144-110      | Wagner                 | 12/31/2006  | T           | Brian Bashista - 5 Years - Chief - Robbins Hose Company   |
| H144-111      | Hall-Long              | 1/13/2007   | T           | David Hall, Sr. - EMT of the Year – Townsend Fire Company |
| H144-112      | Hall-Long              | 1/13/2007   | T           | Brian Eide - Firemen of the Year – Townsend Fire Company  |
| H144-113      | Hall-Long              | 1/13/2007   | T           | Raymond Barcus, Sr. - Hall of Fame – Townsend Fire Co.    |
| H144-114      | Hall-Long              | 1/13/2007   | T           | Raymond Barcus, Jr. - Chief Emeritus – Townsend Fire Co.  |
| H144-115      | Stone                  | 12/30/2006  | M           | Elaise H. Maag                                            |
| H144-116      | Wagner                 | 12/31/2006  | M           | John Kozel, Jr.                                           |
| H144-117      | Outten                 | 1/8/2007    | T           | W. Charles Hayes - 70 Year Member – Houston Fire Company  |
| H144-118      | Lofink                 | 1/6/2007    | T           | Linda Dedman - 50th Birthday                              |
| H144-119      | Ennis                  | 1/2/2007    | M           | Virginia P. Hoffecker                                     |
| H144-120      | Outten                 | 1/5/2007    | M           | Hazel M. Smith                                            |
| H144-121      | Hudson                 | 12/23/2006  | M           | Edward Johnston McConnell, Jr.                            |
| H144-122      | Blakey                 | 12/28/2006  | M           | Carolyn Davis                                             |
|               | cosponsor: Rep. Wagner |             |             |                                                           |
| H144-123      | Blakey                 | 1/10/2007   | T           | Judge Frederick Dewey, Jr. - Retirement                   |
|               | cosponsor: Rep. Wagner |             |             |                                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #6

DATE: January 23, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                 |
|---------------|---------------------------------|-------------|-------------|--------------------------------------------------------------------|
| H144-124      | Hocker                          | 12/27/2006  | M           | Dr. Reed M. Stewart                                                |
|               | cosponsor: Rep. Wagner          |             |             |                                                                    |
| H144-125      | Thornburg                       | 12/30/2006  | M           | Helen L. Gelof                                                     |
|               | cosponsor: Rep. Wagner          |             |             |                                                                    |
| H144-126      | Stone                           | 1/12/2007   | T           | Mary Moore - Retirement - Mitten & Winters                         |
| H144-127      | Carey                           | 1/15/2007   | T           | Auxiliary - Milford Memorial Hospital – 100th Anniversary          |
|               | cosponsor: Rep. Walls           |             |             |                                                                    |
| H144-128      | D. Short                        | 1/15/2007   | T           | Dr. Julius & Natasha Mullen - Martin Luther King, Jr. Award        |
| H144-129      | Spence                          | 1/19/2007   | T           | Senior Corporal Robert Hartman, III – Retirement - NCCounty Police |
|               | cosponsors: All Representatives |             |             |                                                                    |

|              |               |           |   |                                                                   |
|--------------|---------------|-----------|---|-------------------------------------------------------------------|
| H144-130     | Spence        | 1/19/2007 | T | Senior Lieutenant James Weston – Retirement - NCCounty Police     |
| H144-131     | Spence        | 1/19/2007 | T | Senior Sergeant Brian Cahill - Retirement – NCCounty Police       |
| H144-132     | Spence        | 1/19/2007 | T | Major James Hedrick - Retirement – NCCounty Police                |
| H144-133     | Spence        | 1/19/2007 | T | Senior Sergeant Jose Hernandez – Retirement - NCCounty Police     |
| H144-134     | Spence        | 1/19/2007 | T | Senior Sergeant Robert Larrimore – Retirement - NCCounty Police   |
| H144-135     | Spence        | 1/19/2007 | T | Senior Sergeant John Mitchell, Jr. – Retirement - NCCounty Police |
| H144-136     | Longhurst     | 1/7/2007  | M | Senior Airman Elizabeth Loncki                                    |
| H144-137     | Hall-Long     | 1/13/2007 | T | Clarence Schwatka - 70 Years - Townsend Fire Company              |
| H144-138     | Schwartzkopf  | 1/15/2007 | T | Brenda Milbourne - Martin Luther King, Jr. Award                  |
| H144-139     | Lavelle       | 1/4/2007  | T | Harry & Rita Francisco - 60th Wedding Anniversary                 |
| H144-140     | Johnson       | 1/24/2007 | T | Lewis Brown, Sr. - 80th Birthday                                  |
| H144-141     | Spence        | 1/10/2007 | M | Reverend Irvin R. Pusey                                           |
| H144-142     | Stone; Wagner | 1/5/2007  | M | Marjory Records                                                   |
| T- Tribute   |               |           |   |                                                                   |
| M - Memoriam |               |           |   |                                                                   |

Representative Booth requested and was granted personal privilege of the floor to introduce guests. Representative Smith deferred to Representative Maier. Representative Maier introduced guests. Representative Maier requested and was granted privilege of the floor for Joseph Joyce, son of Ruth Joyce, former Head Page, House of Representatives. Representative Maier, Mr. Acting Speaker & Representative Smith made comments. Representative Maier requested and was granted privilege of the floor for Josephine Conaty, Head Page, House of Representatives. Mr. Acting Speaker & Representative Gilligan made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representatives Cathcart, Hudson, Johnson, Kowalko, Lavelle, Lofink, Marshall, Miro, Mitchell, Mulrooney, Schooley, Spence, Stone, Valihura, Viola & Wagner.

Mr. Acting Speaker Booth called the House to order at 2:14 p.m. on January 24, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 22 & SB 25 w/SA 1** and requests the concurrence of the House.

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

APPROPRIATIONS: **HB 4** - 5M, 1U; **HB 8** - 6M.

HOUSE ADMINISTRATION: **HB 29** - 3F, 1M; **HJR 2** - 3F, 1M.

JUDICIARY: **HB 9** - 6M.

REVENUE & FINANCE: **HB 12** - 5F, 2M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 31** - 4F, 3M.

VETERANS AFFAIRS: **HB 10** - 6F, 4M.

Mr. Acting Speaker assigned **HB 12** to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

### 7th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session January 24, 2007

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Atkins & Ewing – 2.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 19 - EWING & SENATOR ADAMS - HOUSE ADMINISTRATION** - An Act to Amend the Charter of the Town of Greenwood, Chapter 109, Volume 68, Laws of Delaware, as Amended, to Allow the Town to Indemnify Any Councilmember, the Mayor and/or Other Duly Elected or Appointed Town Official of the Town of Greenwood Who is a Party to, or is Threatened to be a Party to Any Threatened, Pending , or Completed Action, Suit or Proceeding, Whether Civil, Criminal, or Administrative, or Arising out of Actions Taken by Any or Each of them in Connection with the Performance of Their Official Duties. (2/3 bill)

**HB 20** - WAGNER & SENATOR HENRY; REPRESENTATIVES SPENCE, LAVELLE, VALIHURA; SENATOR CLOUTIER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**HB 21** - WAGNER & SENATOR SOKOLA & REPRESENTATIVE MIRO; REPRESENTATIVES SPENCE, SMITH, CATHCART, LAVELLE, LOFINK, MAIER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Standardized Reporting of District and Charter School Finances.

**HB 22** - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON; REPRESENTATIVES SPENCE, CAREY, CATHCART, EWING, LOFINK, MAIER, THORNBURG, KEELEY - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

**HB 23** - WAGNER & SENATOR COOK; REPRESENTATIVES EWING, LAVELLE, THORNBURG - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Operations of the Delaware State Lottery.

**HB 24** - WAGNER & SENATOR PETERSON; REPRESENTATIVES CAREY, ENNIS, HALL-LONG - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

**HB 26** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES LEE, CAREY, CATHCART, EWING, LAVELLE, MANOLAKOS, OUTTEN, THORNBURG, ENNIS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and Deductions.

**HB 27** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES LEE, BLAKEY, CAREY, CATHCART, EWING, MAIER, MIRO, THORNBURG, ENNIS - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Random Drug Testing for Department of Education Employees on Permanent Assignment at Department of Correction Facilities.

**HB 30** - CATHCART & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, ENNIS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Delaware Land Protection Act.

**HB 33** - ATKINS & SENATOR BUNTING; REPRESENTATIVES SPENCE, SMITH, HUDSON, MANOLAKOS, VALIHURA, ENNIS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Prohibitions Concerning Game and Fish.

**HA 1 to HB 1** - MCWILLIAMS & REPRESENTATIVE KEELEY - Placed with the Bill.

**HA 2 to HB 1** - MCWILLIAMS & REPRESENTATIVE KEELEY & REPRESENTATIVE BRADY - Placed with the Bill.

**HJR 3** - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON; REPRESENTATIVES SPENCE, CAREY, CATHCART, EWING, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, KEELEY, HALL-LONG, JOHNSON, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF - LABOR - Directing the Merit Employee Relations Board Establish a Page on the State Website for Information Dissemination for Use by State Employees and State Employees Can Discuss these Matters with their Legislators without Fear of Reprisal.

**SB 22** - SIMPSON & REPRESENTATIVE BOOTH - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Lewes, Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", Relating to the Collection of Annual Taxes. (2/3 bill)

**SB 25 w/SA 1** - VENABLES & REPRESENTATIVE OBERLE; SENATORS BLEVINS, COOK, MCDOWELL, SIMPSON, STILL; REPRESENTATIVES CAREY, LAVELLE, LOFINK, ENNIS, MULROONEY - CAPITAL INFRASTRUCTURE - An Act to Amend the Laws of Delaware Specifying Certain Conditions for the Expenditure of Capital Improvement Funds and to Amend Title 29 of the Delaware Code Relating to Certain Committee Appointments.

The House observed a moment of silence in memory of Harry F. Crystal at the request of Representative Booth. Representatives Hall-Long & Mitchell requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:20 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 4:25 p.m. with Representative Oberle as Acting Speaker.

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

EDUCATION: **HB 18** - 1F, 6M, 2U.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 27** & **SCR 4** and requests the concurrence of the House; **HCR 2** and is returning same to the House.

#### MEMORANDUM

TO: The Honorable Terry R. Spence

FROM: Representative John C. Atkins

DATE: January 24, 2007

RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to illness. Thank you for your understanding.



Representatives Schwartzkopf, Mulrooney, Lofink, Outten & Plant requested that they be marked present.

Representative Smith introduced and brought **HCR 3**, jointly sponsored by Senator Copeland & Representatives Hudson, Lavelle & Valihura & Senators Sorenson & Cloutier, before the House for consideration.

**HCR 3 - A RESOLUTION THANKING JERRY MARTIN FOR HIS MANY YEARS OF SERVICE TO THE COUNCIL OF CIVIC ASSOCIATIONS OF BRANDYWINE HUNDRED.**

Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Lavelle made comments. Representatives Lavelle, Longhurst & Ennis requested that they be marked present. Representatives Valihura & Smith made comments. Representatives Maier, Spence, Gilligan, Keeley & Carey requested that they be marked present.

**HCR 3** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 4**, jointly sponsored by Representative Maier & Senator Bonini & Senator Copeland, before the House for consideration.

**HB 4 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO BUDGET APPROPRIATION AND CAPITAL BUDGET LEGISLATION.**

Representative Lavelle introduced and brought **HA 1 to HB 4** before the House for consideration. Representatives Lavelle, Gilligan, Ennis, Valihura, Schwartzkopf & Lavelle made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 4 w/HA 1** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Spence, Stone, Valihura & Wagner - 17.

NO: 21.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, not having received a constitutional majority, **HB 4 w/HA 1** was declared defeated.

Representative Cathcart requested that he be marked present during the roll call.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with action on **HB 10**. The motion was properly seconded and adopted by voice vote.

Representative Cathcart brought **HB 10**, jointly sponsored by Senator Cook & Representatives Spence, Smith, Lee, Oberle, Atkins, Gilligan & Keeley & Senators Adams, DeLuca, Blevins, Venables, Bunting, Copeland & Sorenson, before the House for consideration.

**HB 10 - AN ACT RELATING TO HIRING AND PAYMENT OF SHIFT DIFFERENTIAL PAY AT THE DELAWARE VETERANS HOME.**

Representative Cathcart made comments.

The roll call on **HB 10** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, having received a constitutional majority, **HB 10** was sent to the Senate for concurrence.

Representative Lee requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Spence resumed the Chair. Representative Thornburg requested and was granted personal privilege of the floor to introduce a guest.

Representative Thornburg introduced and brought **HR 7**, jointly sponsored by Representatives Atkins, Booth, Carey, Hocker, Manolakos, Outten, Hall-Long, Longhurst, McWilliams, Mulrooney & Walls, before the House for consideration.

**HR 7 - COMMEMORATING JANUARY 22-26, 2007 AS DELAWARE AG WEEK.**

Representative Thornburg made comments.

**HR 7** was adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SB 25 w/SA 1**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Oberle brought **SB 25 w/SA 1**, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Simpson & Still & Representatives Carey, Lavelle, Lofink, Ennis & Mulrooney, before the House for consideration.

**SB 25 - AN ACT TO AMEND THE LAWS OF DELAWARE SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS AND TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN COMMITTEE APPOINTMENTS.**

Representative Oberle introduced and brought **HA 1 to SB 25**, jointly sponsored by Representative Carey & Representative Lavelle & Representative Lofink, before the House for consideration.

Representatives Oberle, Gilligan, Smith, Oberle, Lavelle & Valihura made comments. **HA 1** was adopted by voice vote. Representative Oberle made comments.

The roll call on **SB 25 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, having received a constitutional majority, **SB 25 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representatives Smith & Kowalko requested and were granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced a guest.

Representative Smith introduced and brought **SCR 4**, jointly sponsored by Senator Henry & cosponsored by Representatives Johnson, Plant & Keeley, before the House for consideration.

**SCR 4 - COMMENDING THE REVEREND DERRICK JOHNSON OF WILMINGTON AND MR. BILL COSBY FOR THEIR EFFORTS TO BRING A MESSAGE OF NONVIOLENCE TO CRIME-PRONE AREAS OF OUR CITIES, CONGRATULATING REV. JOHNSON UPON BEING CHOSEN AS NATIONAL SPOKESMAN FOR THE PRISON OUTREACH PROGRAM, "LIFE PROJECT," AND URGING HIM TO BRING HIS MESSAGE INTO DELAWARE'S PRISONS.**

Representative Smith requested and was granted personal privilege of the floor to make comments. Representatives Williams & Smith made comments.

**SCR 4** was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Booth.

Representative Booth introduced and brought **HR 8** before the House for consideration.

**HR 8 - A RESOLUTION CALL TO THE DEPARTMENT OF NATURAL RESOURCES AND ECONOMIC CONTROL TO REVIEW PERMIT PROCEDURES FOR NEW CONSTRUCTION SITES TO PREVENT SILT AND SEDIMENT FROM DAMAGING/MITIGATING TOWARDS PONDS AND ESTUARIES.**

Representative Booth & Mr. Speaker Spence made comments.

Representative Booth moved to place **HR 8** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

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

APPROPRIATIONS: **HB 15** - 6M.

Representative Smith introduced **HB 34** sponsored by Representative Spence & Representative Booth & Senator Copeland & Representatives Blakey, Carey, Ewing, Lofink, Manolakos, Outten, D. Short, Thornburg & Gilligan.

**HB 34 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ALTERNATE FUELS.**

Mr. Speaker Spence assigned **HB 34** to the Energy and Natural Resources Committee.

Mr. Speaker Spence & Representative Booth made comments.

The Majority Leader moved to recess to the call of the Chair at 5:25 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m. on January 25, 2007.

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

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

### **8th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session January 25, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Atkins, Carey & Longhurst – 3.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 32 - SPENCE & SENATOR MCDOWELL & SENATOR SORENSON & SENATOR HENRY & SENATOR PETERSON; REPRESENTATIVES HUDSON, MAIER, MIRO, OBERLE, THORNBURG, WAGNER, GILLIGAN, KEELEY, ENNIS, KOWALKO, MARSHALL, SCHOOLEY; SENATORS BUNTING, SOKOLA, VENABLES, COPELAND, SIMPSON - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.**

**HB 35 - SMITH & REPRESENTATIVE SPENCE & SENATOR HENRY; REPRESENTATIVES ENNIS, EWING, HOCKER, HUDSON, LAVELLE, LEE, STONE, THORNBURG, WAGNER; SENATORS COPELAND, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment and Duties of a Healthcare Inspector General in the Division of Public Health.**

**HB 36 - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES WAGNER, VIOLA; SENATORS BUNTING, COPELAND, AMICK - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 24 and 29 of the Delaware Code Relating to Civil Administrative Procedures.**

**HB 37** - BRADY & SENATOR MCDOWELL - HOUSE ADMINISTRATION - An Act to Amend Section 6-301 of the City of Wilmington Home Rule Charter Relating to Employees Hired by the City Auditing Department. (2/3 bill)

**HA 1 to HB 14** - WAGNER - Placed with the Bill.

**SB 27** - HENRY & REPRESENTATIVE MAIER; SENATORS PETERSON, SORENSON, CONNOR, COOK, STILL; REPRESENTATIVES HALL-LONG, MARSHALL, MCWILLIAMS, SCHOOLEY, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Transferring the Delaware Commission for Women to the Department of State.

Representative Smith requested and was granted personal privilege of the floor to make an announcement. Representatives Stone, Marshall, Keeley & Thornburg requested that they be marked present.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
FROM: Representative John C. Atkins  
DATE: January 25, 2007  
RE: Absence from session

Please be advised that it is necessary for me to be absent today due to illness. Thank you for your understanding.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative V. George Carey  
36th District  
DATE: January 25, 2007  
RE: Absence from session

Please be advised that it is necessary for me to be absent today, since I will be attending an Agricultural Chairs Summit in Washington, D.C. Thank you for your understanding.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
CC: JoAnn Hedrick  
FROM: Rep. Valerie J. Longhurst  
DATE: January 25, 2007  
RE: Absence from session

I will be unable to attend today's session because of personal business.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert E. Walls, do hereby request that my name be removed as cosponsor of **HB 34**.

Date: January 24, 2007 Signed: Bob Walls

Mr. Acting Speaker made comments.

The Majority Leader moved to recess for caucus at 2:22 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:39 p.m.

Representatives McWilliams, Outten, Miro, Mulrooney, Valihura, Plant & Hudson requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 5 & SCR 6** and requests the concurrence of the House.

Representative Schwartzkopf requested that he be marked present.

Mr. Speaker Spence assigned **HB 31** to the Transportation/Land Use and Infrastructure Committee.

Representative Smith brought **HJR 2**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HJR 2** - URGING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION CALLING FOR FEDERAL APPROVAL OF EXTENSION OF THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL.

Representative Smith made comments.

The roll call on **HJR 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Carey & Longhurst - 3.

Therefore, having received a constitutional majority, **HJR 2** was sent to the Senate for concurrence.

Representatives Maier, Williams & Cathcart requested that they be marked present during the roll call.

Representative Smith deferred to Representative Lee. Representative Lee requested and was granted privilege of the floor for himself and Representative Blakey to present House Tributes to Captain Michael McCreanor and Lieutenant John Barlow, Delaware Correctional Center. Representative Hudson made

comments. Representative Smith deferred to Representative Gilligan. Representatives Smith & Gilligan made comments.

Representative Gilligan introduced **HB 25**, jointly sponsored by Senator Adams & Representative Keeley & Senators DeLuca, Blevins & Cook.

**HB 25** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2008; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CHAPTER 61, TITLE 29 OF THE DELAWARE CODE IN RELATION TO THE CREATION OF THE DELAWARE HEALTHY LIFE FUND; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Spence assigned **HB 25** to the Appropriations Committee.

Representative Smith made a comment.

Representative Gilligan introduced **HB 50**, jointly sponsored by Senator Adams.

**HB 50** - AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO TAXES AND FEES SUPPORTING THE TRANSPORTATION TRUST FUND. (3/5 bill)

Mr. Speaker Spence assigned **HB 50** to the Revenue & Finance Committee.

Representatives Gilligan & Smith made comments.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **HB 15**, jointly sponsored by Senator Bunting & Representatives Atkins, Blakey, Cathcart, Kowalko, Lee, Mulrooney, Oberle, Schwartzkopf, Smith, Spence, Stone, Thornburg, Viola & Wagner, before the House for consideration.

**HB 15** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)

Representative Lofink made comments.

The roll call on **HB 15** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Carey & Longhurst - 3.

Therefore, having received a constitutional majority, **HB 15** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley introduced **HB 49**, jointly sponsored by Senator DeLuca.

**HB 49** - AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Representatives Smith & Keeley made comments.

Mr. Speaker Spence assigned **HB 49** to the Revenue & Finance Committee.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 18**. The motion was properly seconded and adopted by voice vote.

Representative Wagner introduced and brought **HS 1 for HB 18**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 18** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE AND 75 DELAWARE LAWS, CHAPTER 25, RELATING TO HIGH SCHOOL DIPLOMAS.

Representatives Wagner & Booth made comments.

The roll call on **HS 1 for HB 18** was taken and revealed:

YES: 37.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representatives Atkins, Carey & Longhurst - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 18** was sent to the Senate for concurrence.

Representative Smith introduced and brought **SCR 6**, sponsored by Senator McDowell before the House for consideration.

**SCR 6** - EXTENDING THE REPORTING DATE OF THE SUSTAINABLE ENERGY UTILITY TASK FORCE.

Representative Smith made comments.

**SCR 6** was adopted by voice vote and was returned to the Senate.

Representative Lee deferred to Representative Booth. Representative Booth requested that **HR 8** be stricken. Mr. Speaker Spence requested that **HB 11** be stricken.

Representative Booth introduced and brought **HR 9**, jointly sponsored by Representative Carey, before the House for consideration.

**HR 9** - A RESOLUTION CALL TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REVIEW PERMIT PROCEDURES AND CURRENT REGULATIONS FOR NEW LAND DEVELOPMENT ACTIVITIES TO BETTER PROTECT WATERS OF THE STATE FROM SILT AND SEDIMENT RESULTING FROM STORMWATER RUNOFF.

Representative Booth made comments.

**HR 9** was adopted by voice vote.

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

LABOR: **HB 6** - 5F.

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

The Majority Whip moved to recess to the call of the Chair at 5:20 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on March 13, 2007.

The Majority Whip moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**9th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
March 13, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

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

The following House Committee appointments were announced by Mr. Speaker Spence:

January 29, 2007

AGRICULTURE: Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative John C. Atkins; Representative Joseph W. Booth; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Diana M. McWilliams; Representative Robert E. Walls.

APPROPRIATIONS: Representative Richard C. Cathcart - Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier(Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

CAPITAL INFRASTRUCTURE: Representative William A. Oberle, Jr. - Chair; Representative V. George Carey; Representative Gregory F. Lavelle; Representative Vincent A. Lofink; Representative Bruce C. Ennis; Representative Michael P. Mulrooney; Representative Nick T. Manolakos (Alternate); Representative Donna D. Stone (Alternate); Representative John J. Viola (Alternate).

CORRECTIONS: Representative Clifford G. Lee - Chair; Representative William R. Outten – Vice-chair; Representative J. Benjamin Ewing; Representative Pamela J. Thornburg; Representative James J. Johnson; Representative John L. Mitchell, Jr.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Daniel B. Short; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

EDUCATION: Representative Vincent A. Lofink – Chair; Representative Nancy H. Wagner – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Pamela S. Maier; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

ENERGY AND NATURAL RESOURCES: Representative Gerald W. Hocker - Chair; Representative Joseph W. Booth – Vice-chair; Representative John C. Atkins; Representative V. George Carey; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

ETHICS: Representative Wayne A. Smith - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

GAMING AND PARI-MUTUELS: Representative Vincent A. Lofink – Chair; Representative William A. Oberle, Jr.- Vice-chair; Representative John C. Atkins; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative William R. Outten; Representative Nancy H. Wagner; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John J. Viola.

HEALTH & HUMAN DEVELOPMENT: Representative Pamela S. Maier - Chair; Representative Nick T. Manolakos – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Bethany A. Hall-Long; Representative Nick T. Kowalko; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

HOUSE ADMINISTRATION: Representative Wayne A. Smith – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

HOUSING & COMMUNITY AFFAIRS: Representative Daniel B. Short – Chair; Representative Donna D. Stone – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

JOINT FINANCE: Representative Richard C. Cathcart – Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura (Alternate).

JUDICIARY: Representative Robert J. Valihura, Jr. - Chair; Representative Donna D. Stone – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Nancy H. Wagner; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

LABOR: Representative William A. Oberle, Jr. - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Nick T. Manolakos; Representative Pamela S. Maier; Representative Terry R. Spence; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: Representative Robert J. Valihura, Jr. – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Pamela S. Maier; Representative Valerie J. Longhurst; Representative John J. Viola.

PUBLIC SAFETY AND HOMELAND SECURITY: Representative J. Benjamin Ewing, Jr. – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Clifford G. Lee; Representative William R. Outten; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

REVENUE & FINANCE: Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

RULES: Representative Vincent A. Lofink – Chair; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Wayne A. Smith; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative Helene M. Keeley.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: Representative Deborah D. Hudson – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

TOURISM: Representative Deborah D. Hudson – Chair; Representative Donald A. Blakey - Vice-chair; Representative Joseph W. Booth; Representative V. George Carey; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Gerald L. Brady; Representative Peter C. Schwartzkopf.

TRANSPORTATION, LAND USE AND INFRASTRUCTURE: Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative John C. Atkins; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert E. Walls.

VETERANS' AFFAIRS: Representative John C. Atkins – Chair; Representative Richard C. Cathcart – Vice-chair; Representative V. George Carey; Representative Clifford G. Lee; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Daniel B. Short; Representative Terry R. Spence; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Peter C. Schwartzkopf; Representative John J. Viola.

The following out of session prefiled legislation was introduced:

February 27, 2007

**HB 38** - MAIER & REPRESENTATIVE HALL-LONG & SENATOR BLEVINS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Dietitian/Nutritionist Licensure Act.

**HB 39** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES HOCKER, SCHWARTZKOPF - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to Planning and Zoning.

**HB 41** - EWING & SENATOR HENRY; REPRESENTATIVES BOOTH, CATHCART, HOCKER, OUTTEN, THORNBURG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 47, Title 21 of the Delaware Code Relating to Medical Standards Pertaining to School Bus Drivers.

**HB 42** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES HOCKER, SCHWARTZKOPF - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts.

**HB 43** – D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 43, Chapter 184, Laws of Delaware, as Amended, Entitled "An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefore", Relating to Taxes, Debts, Contracts and Financing. (2/3 bill)

**HB 44** - BLAKEY; REPRESENTATIVES BOOTH, EWING, HOCKER, OUTTEN, STONE; SENATORS HENRY, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 45** - MAIER & SENATOR SOKOLA; REPRESENTATIVES KOWALKO, MANOLAKOS, MCWILLIAMS, SCHOOLEY, VALIHURA; SENATORS COPELAND, SORENSON, HENRY - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to a Statewide Mandatory Curbside Recycling Program for Separated Recyclable Materials.

**HB 46** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVES HUDSON, ENNIS - JUDICIARY - An Act to Amend Chapter 23, Title 13 of the Delaware Code Relating to Guardianship of a Child.

**HB 47** - HUDSON & SENATOR CONNOR; REPRESENTATIVES SPENCE, LEE, BLAKEY, CATHCART, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, VALIHURA, WAGNER, KOWALKO, MCWILLIAMS, SCHOOLEY, VIOLA, WALLS; SENATORS SOKOLA, COPELAND, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code Relating to Reporting and Disclosure of Infections.

**HB 48** - HUDSON & SENATOR VAUGHN; REPRESENTATIVES EWING, MAIER, STONE, VALIHURA, WAGNER - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Certain Specific Requested Relief in Divorce Actions.

**HB 51** – D. SHORT & SENATOR VENABLES; REPRESENTATIVES BLAKEY, BOOTH, CAREY, HOCKER, OUTTEN, KEELEY, BRADY, ENNIS, JOHNSON, MITCHELL, PLANT, WILLIAMS; SENATORS HENRY, MARSHALL, MCDOWELL, CONNOR - CAPITAL INFRASTRUCTURE - An Act to Amend 75 Delaware Laws, Chapter 353, Relating to the FY 2007 Bond Bill.

**HB 52** - WAGNER & SENATOR DELUCA; REPRESENTATIVE MAIER - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Gift Certificates and Gift Cards.

**HB 53** - VALIHURA & REPRESENTATIVE WAGNER & REPRESENTATIVE MARSHALL & SENATOR VAUGHN; REPRESENTATIVES CATHCART, EWING, HUDSON, JOHNSON - JUDICIARY - An Act Concurring in a Proposed Amendment to the Delaware Constitution of 1897, Deleting References to Associate Judges in Superior Court and Family Court. (2/3 bill)

**HB 54** - SPENCE & SENATOR MCBRIDE & SENATOR CLOUTIER; REPRESENTATIVES ATKINS, BLAKEY, CAREY, EWING, HUDSON, LOFINK, MANOLAKOS, D. SHORT, MIRO, THORNBURG, VALIHURA, WAGNER, GILLIGAN, BRADY; SENATORS BUNTING, PETERSON, COPELAND, SORENSON, CONNOR - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Search and Seizure.

**HB 55** - BRADY; REPRESENTATIVES BLAKEY, ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LOFINK, MANOLAKOS, MITCHELL, PLANT, D. SHORT, SPENCE, WAGNER; SENATORS BUNTING, DELUCA, HENRY, MCDOWELL, VENABLES - VETERANS AFFAIRS - An Act to Amend Title 20, Delaware Code Relating to Burial in a Delaware Veterans Cemetery.

**HB 56** - MAIER & SENATOR SOKOLA; REPRESENTATIVES WAGNER, KOWALKO, MCWILLIAMS, SCHOOLEY, WALLS; SENATORS BUNTING, HENRY, SIMPSON - JUDICIARY - An Act to Amend Title 14 of the Delaware Code Relating to Truancy Court Jurisdiction and Proceedings in the Justice of the Peace Court.

**HB 57** - MAIER & SENATOR HENRY; REPRESENTATIVES SPENCE, BOOTH, EWING, HUDSON, THORNBURG, VALIHURA, WAGNER, ATKINS, BLAKEY, OUTTEN, D. SHORT, GILLIGAN, KEELEY, HALL-LONG, SCHOOLEY; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the 2-1-1 Information Helpline.

**HB 58** - MITCHELL & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Volume 68, Chapter 3, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Relating to the Budget. (2/3 bill)

**HB 59** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOOTH, WILLIAMS, MIRO, CATHCART; SENATOR COOK - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Offenses.

**HB 60** - VALIHURA & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE; REPRESENTATIVES HUDSON, LAVELLE, STONE, BLAKEY, OUTTEN, D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Open Legislative Committee Meetings.

**HB 61** - HUDSON & REPRESENTATIVE CATHCART & REPRESENTATIVE VALIHURA & SENATOR SIMPSON; REPRESENTATIVES ATKINS, SMITH, HOCKER, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OUTTEN, STONE, THORNBURG - HOUSE ADMINISTRATION - An Act to Amend Title 15, Delaware Code Relating to Elections and Candidate Disclosures. (2/3 bill)

**HB 62** - WILLIAMS & SENATOR AMICK; REPRESENTATIVES ENNIS, HALL-LONG, KOWALKO, LONGHURST, MITCHELL, PLANT, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Witness Intimidation Penalties.

**HB 63** - WILLIAMS & SENATOR HENRY; REPRESENTATIVES HALL-LONG, KOWALKO, PLANT, SCHOOLEY, THORNBURG, VIOLA, WAGNER - JUDICIARY - An Act to Amend Chapter 90 of Title 11 of the Delaware Code Pertaining to Compensation for Innocent Victims of Crime.

**HB 64** - OUTTEN - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Survivor's Eligibility for Pension Benefits.

**HB 65** - KOWALKO & SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, KEELEY, LONGHURST, MAIER, MIRO, SCHOOLEY, WALLS; SENATORS CLOUTIER, HENRY, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Limiting Artificial Trans Fats in Food Available to or Served to Students in Public Schools, Including Charter Schools.

**HB 66** - ENNIS & SENATOR VAUGHN; REPRESENTATIVES EWING, MITCHELL, HALL-LONG, SPENCE, THORNBURG, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Stopping for School Buses.

**HB 67** - KEELEY & REPRESENTATIVE SPENCE; REPRESENTATIVES LAVELLE, KOWALKO, VIOLA - JUDICIARY - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors. (2/3 bill)

**HB 68** - KOWALKO & SENATOR PETERSON & SENATOR STILL; SENATOR CLOUTIER; REPRESENTATIVES BLAKEY, BRADY, CATHCART, ENNIS, GILLIGAN, HALL-LONG, HOCKER, HUDSON, JOHNSON, LOFINK, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, PLANT, B. SHORT, SPENCE, VALIHURA, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists. (2/3 bill)

**HB 69** - MARSHALL & SENATOR HENRY; REPRESENTATIVES EWING, KEELEY, SCHWARTZKOPF, VALIHURA, BRADY, GILLIGAN, JOHNSON, KOWALKO, MANOLAKOS, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, VIOLA, WALLS; SENATOR PETERSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Prohibited Hunting and Trapping Devices and Methods. (2/3 bill)

**HB 70** - GILLIGAN & SENATOR BLEVINS & SENATOR SOKOLA; REPRESENTATIVES BRADY, ENNIS, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WALLS, WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 71** - SPENCE & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES HUDSON, LAVELLE, MAIER, MIRO, OBERLE, STONE, WAGNER, GILLIGAN, KEELEY, ENNIS, JOHNSON, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, VIOLA, BLAKEY, BRADY, CAREY, THORNBURG, WALLS; SENATORS BUNTING, HENRY, PETERSON, SOKOLA, COPELAND, CLOUTIER, SIMPSON - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Drug Offenses.

**HB 72** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES EWING, HUDSON, KOWALKO, SCHOOLEY, VIOLA; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Building and Plumbing. (3/5 bill)

Representatives Schwartzkopf & Hall-Long requested that they be marked present.

Having voted on the prevailing side, Representative Lofink moved to restore **HB 4 w/HA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink brought **HB 4 w/HA 1**, sponsored by Representative Lavelle & Representative Maier & Senator Bonini & Senator Copeland, before the House for consideration.

**HB 4** - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO BUDGET APPROPRIATION AND CAPITAL BUDGET LEGISLATION.

Representative Lofink deferred to Representative Lavelle. Representative Lavelle moved to place **HB 4 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Stone & Hudson requested that they be marked present.

Representative Miro introduced **HB 76**, jointly sponsored by Senator McBride & Senator Copeland & Representatives Spence, Lee, Atkins, Blakey, Booth, Carey, Ewing, Hocker, Lavelle, Lofink, Outten, D. Short, Thornburg & Brady & Senators Bunting, Bonini, Cloutier, Simpson & Still.

**HB 76** - AN ACT TO PROHIBIT HUMAN AND HUMAN/NON-HUMAN CLONING IN DELAWARE.

Mr. Speaker Spence assigned **HB 76** to the Health & Human Development Committee.



Mr. Speaker Spence made an announcement. Representatives Gilligan & Lavelle, Mr. Speaker Spence & Representative Keeley made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 10 & HCR 3** and is returning same to the House.

January 31, 2007

#### LEGISLATIVE ADVISORY #1

Governor Ruth Ann Minner signed the following legislation on the date indicated:

1/17/07 – **SB 1**; 1/31/07 – **SB 25 aab SA 1 & HA 1 & HB 10**; 1/17/07 – **HJR 1**; 1/18/07 – **SJR 1**.

Representatives McWilliams & Plant requested that they be marked present. Mr. Speaker Spence & Representative Gilligan made comments. Representatives Lee, Valihura & Lofink made announcements.

The Majority Whip moved to recess to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representative Cathcart.

Mr. Speaker Spence called the House to order at 2:10 p.m. on March 14, 2007.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

#### **10th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**

**March 14, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 73 - SCHWARTZKOPF & SENATOR BUNTING - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Rent Increases.**

**HB 74 - SCHWARTZKOPF & SENATOR BUNTING - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to the Sale or Rent of Manufactured Home Communities.**

**HB 75 - VALIHURA & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

**HB 77 - KEELEY & REPRESENTATIVE SPENCE; REPRESENTATIVES D. SHORT, LAVELLE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Video Games and Obscenity. (2/3 bill)**

**HB 78 - MIRO & SENATOR BLEVINS; REPRESENTATIVES SPENCE, BLAKEY, WAGNER, ENNIS, KOWALKO, MITCHELL, SCHOOLEY, SCHWARTZKOPF, WALLS; SENATORS SOKOLA, SORENSON, CONNOR - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.**

**HA 1 to HB 71 - SPENCE - Placed with the Bill.**

Representatives Cathcart & Gilligan requested and were granted personal privilege of the floor to make comments. Representatives Keeley, McWilliams, Plant & Thornburg requested that they be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #2** before the House for consideration.

**HR 6 – ENNIS & REPRESENTATIVE OUTTEN & REPRESENTATIVES KEELEY, D. SHORT & SPENCE – Re-constituting the Motorcycle Rider Education Advisory Committee.**

**HR 10 – MAIER – Extending the Reporting Date of the Alternative Education Task Force.**

**HR 11 – WAGNER & REPRESENTATIVE ENNIS – Re-establishing the Legislative Committee on Personnel Practices.**

**HCR 4 – MCWILLIAMS & REPRESENTATIVES BRADY, ENNIS, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MARSHALL, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WAGNER & WALLS – A Resolution Requiring the Department of Natural Resources and Environmental Control (DNREC) and the Delaware Solid Waste Authority (DSWA) to Delay Enforcement of the Yard Waste Ban at Cherry Island Landfill until June 1, 2007 to Continue to Work Toward Development of a Program that Will Simplify and Economize Yard Waste Recycling and Requesting that DNREC Examine the Possibility of Requiring that Licensed Solid Waste Haulers Disposing of any Waste at the Cherry Island Landfill Provide Yard Waste Collection Service for All Customers.**

**HCR 5 – BOOTH & SENATOR HENRY & REPRESENTATIVES SPENCE, SMITH, CATHCART, EWING, HOCKER, HUDSON, LAVELLE, LOFINK, OUTTEN, D. SHORT, THORNBURG, VALIHURA, WAGNER, ENNIS, HALL-LONG, KOWALKO, MARSHALL, SCHOOLEY, SCHWARTZKOPF & WALLS**

& SENATORS SORENSON & STILL – Requesting the Secretary of the Department of Transportation Enact an Administrative Regulation or Policy Regarding Littering.

**HCR 6** – JOHNSON & REPRESENTATIVE PLANT & SENATOR HENRY & SENATOR MCDOWELL & REPRESENTATIVES BRADY, CAREY, CATHCART, ENNIS, EWING, GILLIGAN, HALL-LONG, HOCKER, KEELEY, KOWALKO, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, SCHOOLEY, SPENCE, VIOLA & WILLIAMS- A Concurrent Resolution Endorsing the National Health Insurance Act.

**HCR 7** – SPENCE ON BEHALF OF ALL REPRRESENTATIVES & SENATOR MCBRIDE ON BEHALF OF ALL SENATORS – Proclaiming the Week of April 22 through April 28, 2007 as Administrative Professionals Week.

**SCR 5** – CONNOR & REPRESENTATIVE HUDSON & SENATORS AMICK, CLOUTIER, COPELAND, SIMPSON, SORENSON, STILL & VENABLES – Congratulating MassMutual for Its Lifebridge Free Life Insurance Program and Encouraging Eligible Delawareans to take Advantage of that Program.

Representative Cathcart requested that **HCR 4** & **HCR 6** be removed from **Consent Calendar #2**.

Mr. Speaker Spence assigned **HCR 4** to the Energy and Natural Resources Committee and **HCR 6** to the Economic Development/Banking & Insurance Committee.

Representatives Marshall & Lavelle requested that they be marked present.

**Consent Calendar #2** was adopted by voice vote and **HR 6**, **HR 10** & **HR 11** were declared passed, **HCR 5** & **HCR 7** were sent to the Senate for concurrence and **SCR 5** was returned to the Senate.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #7

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                      | Sponsor      | Date       | Type | Description                                                          |
|---------------------------------------------|--------------|------------|------|----------------------------------------------------------------------|
| H144-143                                    | Lavelle      | 1/9/2007   | M    | William Edward Kirk, Jr.                                             |
| H144-144                                    | Stone; Walls | 1/10/2007  | T    | Charles Delbert Glanden                                              |
| H144-145                                    | Outten       | 1/9/2007   | M    | Anna Jeanette Welch                                                  |
| H144-146                                    | Outten       | 1/11/2007  | M    | Catherine L. Hopkins                                                 |
| H144-147                                    | Ewing        | 2/6/2007   | T    | Henry & Grace Folsom - 70th Wedding Anniversary                      |
| H144-148                                    | Outten       | 1/13/2007  | M    | William Collison                                                     |
| H144-149                                    | Spence       | 1/11/2007  | M    | Anthony Bove                                                         |
| cosponsors: All Representatives             |              |            |      |                                                                      |
| H144-150                                    | Spence       | 1/31/2007  | T    | Milton Markley - Service - Harmony Woods Civic Association           |
| H144-151                                    | Hudson       | 1/6/2007   | M    | Harry H. Brunt, M.D.                                                 |
| H144-152                                    | Schwartzkopf | 2/3/2007   | T    | Floyd Savage - 50 Year Member - Rehoboth Beach Fire Company          |
| H144-153                                    | Hudson       | 2/3/2007   | T    | Arthur & Mary Colburn - James Gilliam, Jr. Award                     |
| H144-154                                    | Keeley       | 1/27/2007  | T    | John & Ruth Wallace - 50th Wedding Anniversary                       |
| H144-155                                    | Schwartzkopf | 11/3/2006  | T    | Maynard & Edna Ritter - 50th Wedding Anniversary                     |
| H144-156                                    | Schooley     | 12/30/2006 | T    | C. Bruce & Eleana Brooks - 50th Wedding Anniversary                  |
| H144-157                                    | Brady        | 11/7/2006  | T    | Harvey & Elizabeth Manchester - 60th Wedding Anniversary             |
| H144-158                                    | Booth        | 1/20/2007  | T    | Zachary Allen Bister - Eagle Scout                                   |
| H144-159                                    | Thornburg    | 12/3/2006  | T    | Anna Mied & Joshua Krupka - Marriage                                 |
| H144-160                                    | Walls        | 1/18/2007  | T    | Douglas Mosley - Retirement - Natural Resources Conservation Service |
| cosponsor: Rep. Outten                      |              |            |      |                                                                      |
| H144-161                                    | Oberle       | 1/16/2007  | M    | Chief William F. Nefosky, Jr.                                        |
| cosponsors: Reps. Kowalko, Maier & Schooley |              |            |      |                                                                      |
| H144-162                                    | Outten       | 1/14/2007  | M    | Joseph J. Murphy                                                     |
| cosponsor: Rep. Wagner                      |              |            |      |                                                                      |
| H144-163                                    | Ennis        | 1/15/2007  | M    | LaShawn Renee Johnson                                                |
| cosponsor: Rep. Thornburg                   |              |            |      |                                                                      |
| H144-164                                    | Brady        | 1/20/2007  | T    | Paul Ferguson - Retirement - Army National Guard                     |
| cosponsors: All Representatives             |              |            |      |                                                                      |

HOUSE TRIBUTE ANNOUNCEMENT #8

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                          | Sponsor | Date      | Type | Description                                                                   |
|---------------------------------|---------|-----------|------|-------------------------------------------------------------------------------|
| H144-165                        | Brady   | 1/20/2007 | T    | Francis Zaborowski - Retirement - Army National Guard                         |
| cosponsors: All Representatives |         |           |      |                                                                               |
| H144-166                        | Outten  | 1/17/2007 | M    | Paul David Rowland                                                            |
| H144-167                        | Hocker  | 1/26/2007 | T    | Stanley W. Taylor, Jr. - Retirement – Commissioner - Department of Correction |
| cosponsors: All Representatives |         |           |      |                                                                               |

|          |                                                                                                                                                                                   |           |   |                                                                                          |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---|------------------------------------------------------------------------------------------|
| H144-168 | Atkins                                                                                                                                                                            | 11/1/2006 | T | George Truitt - Retirement - Department of Correction                                    |
| H144-169 | Schooley                                                                                                                                                                          | 1/25/2007 | T | All-State Orchestra                                                                      |
|          | cosponsors: All Representatives                                                                                                                                                   |           |   |                                                                                          |
| H144-170 | Ennis                                                                                                                                                                             | 1/17/2007 | M | George R. Wright                                                                         |
| H144-171 | Hall-Long                                                                                                                                                                         | 1/19/2007 | M | Donald H. Morris                                                                         |
|          | cosponsor: Rep. Ennis                                                                                                                                                             |           |   |                                                                                          |
| H144-172 | Marshall                                                                                                                                                                          | 2/11/2007 | T | Wilmington Friends PreSchool & First & Central Presbyterian Church - Service to Families |
| H144-173 | Outten                                                                                                                                                                            | 2/17/2007 | T | Lessie Johnson - Retirement - Social Security Office                                     |
| H144-174 | Atkins                                                                                                                                                                            | 2/2/2007  | T | Long Neck Elementary - Distinguished Title I School                                      |
|          | cosponsors: Reps. Booth, Hocker & Schwartzkopf                                                                                                                                    |           |   |                                                                                          |
| H144-175 | Wagner; Stone                                                                                                                                                                     | 1/15/2007 | T | Tony Ayika - Martin Luther King Achievement Award                                        |
| H144-176 | Wagner                                                                                                                                                                            | 2/9/2007  | T | Catherine Gregory - Retirement - State Housing Authority                                 |
| H144-177 | Maier                                                                                                                                                                             | 1/20/2007 | M | Anna D. Nuckolls                                                                         |
| H144-178 | Spence                                                                                                                                                                            | 1/21/2007 | M | Harry F. Crystal                                                                         |
|          | cosponsors: All Representatives                                                                                                                                                   |           |   |                                                                                          |
| H144-179 | Cathcart                                                                                                                                                                          | 1/23/2007 | M | G. Robert Tulowitzki, Jr.                                                                |
|          | cosponsors: Reps. Longhurst & Spence                                                                                                                                              |           |   |                                                                                          |
| H144-180 | Gilligan                                                                                                                                                                          | 1/25/2007 | T | Mary Sherlock, Esq. - Service – Minority House Attorney                                  |
|          | cosponsors: Reps. Brady, Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, Viola, Walls & Williams |           |   |                                                                                          |

#### HOUSE TRIBUTE ANNOUNCEMENT #9

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor      | Date       | Type | Description                                                                  |
|----------|--------------|------------|------|------------------------------------------------------------------------------|
| H144-181 | Marshall     | 1/28/2007  | T    | Simone M. George - Master of Science in Organizational Leadership            |
| H144-182 | Booth        | 1/20/2007  | T    | Penuel Barrett - Fireman of the Year – Georgetown                            |
| H144-183 | Booth        | 1/20/2007  | T    | Gene Stevenson - Lifetime Fireman of the Year - Georgetown                   |
| H144-184 | Oberle       | 1/25/2007  | T    | John Kirk, III - Service - Workers Comp Core Group                           |
| H144-185 | Oberle       | 1/25/2007  | T    | Bruce Rudin, M.D. - Service – Workers Comp Core Group                        |
| H144-186 | Oberle       | 1/25/2007  | T    | George Heckler, Jr. - Service – Workers Comp Core Group                      |
| H144-187 | Oberle       | 1/25/2007  | T    | Edward Capodanno - Service – Workers Comp Core Group                         |
| H144-188 | Oberle       | 1/25/2007  | T    | John McMahon - Service - Workers Comp Core Group                             |
| H144-189 | Oberle       | 1/25/2007  | T    | John Casey, Jr. - Service – Workers Comp Core Group                          |
| H144-190 | Oberle       | 1/25/2007  | T    | Harry Gravell - Service - Workers Comp Core Group                            |
| H144-191 | Oberle       | 1/25/2007  | T    | Samuel Lathem - Service – Workers Comp Core Group                            |
| H144-192 | Stone        | 11/24/2006 | T    | Herbert Abbott, Sr. - 90th Birthday                                          |
| H144-193 | Oberle       | 1/25/2007  | T    | Michael Begatto - Service – Workers Comp Core Group                          |
| H144-194 | Lee;         | 1/25/2007  | T    | Lt. John Barlow - Lifesaving Heimlich Maneuver                               |
|          | Thornburg    |            |      |                                                                              |
| H144-195 | Lee; Blakey  | 1/25/2007  | T    | Captain Michael McCreanor - Lifesaving Heimlich Maneuver                     |
| H144-196 | Oberle       | 1/25/2007  | T    | Joseph Rhoades - Service – Workers Comp Core Group                           |
| H144-197 | Outten       | 1/23/2007  | M    | Maxine E. Klapp                                                              |
| H144-198 | Hall-Long    | 1/28/2007  | T    | Connie Nimmerichter - 50th Birthday                                          |
| H144-199 | Oberle       | 1/25/2007  | T    | A. Richard Heffron - Service – Workers Comp Core Group                       |
| H144-200 | Oberle       | 1/25/2007  | T    | Suzanne Raab-Long - Service – Workers Comp Core Group                        |
| H144-201 | Johnson      | 1/22/2007  | M    | Millie Cannon-Kinslow                                                        |
| H144-202 | Brady;       | 1/17/2007  | M    | Sylvia DiSabatino Winchester                                                 |
|          | Hudson       |            |      |                                                                              |
| H144-203 | Short; Ewing | 1/24/2007  | M    | Samantha Elizabeth Brown                                                     |
| H144-204 | Ewing        | 2/18/2007  | T    | Nancy Jefferson - 70th Birthday                                              |
| H144-205 | Hudson       | 1/27/2007  | T    | Richard Julian, Sr. - Neptune's Trident Recipient - Kalmar Nyckel Foundation |
| H144-206 | Cathcart     | 2/17/2007  | T    | Edward Shetzler - 60 Year Member - Odessa Fire Company                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #10

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor  | Date      | Type | Description                                          |
|----------|----------|-----------|------|------------------------------------------------------|
| H144-207 | Cathcart | 2/17/2007 | T    | Fred Kielkopf - 65 Year Member - Odessa Fire Company |
| H144-208 | Atkins   | 1/27/2007 | M    | Henry L. Phillips                                    |

|          |                                      |            |   |                                                              |
|----------|--------------------------------------|------------|---|--------------------------------------------------------------|
| H144-209 | Blakey                               | 2/1/2007   | T | Clarence Varnado - Number One Fan –Delaware State University |
| H144-210 | Maier                                | 1/25/2007  | M | Ruth E. Jacobson                                             |
| H144-211 | Carey                                | 1/31/2007  | T | Joanie Martin-Brown - Milton Citizen of the Year             |
| H144-212 | Johnson                              | 1/25/2007  | M | Pastor Renee Robinson                                        |
| H144-213 | Ennis                                | 1/27/2007  | M | H. Jackson Moore                                             |
| H144-214 | Spence                               | 10/15/2006 | T | Reverend Thomas Protack - Installation as Pastor             |
|          | cosponsors: All Representatives      |            |   |                                                              |
| H144-215 | Ennis                                | 1/26/2007  | M | Ruth B. Berghorn                                             |
| H144-216 | Hall-Long                            | 9/1/2006   | T | Lawrence Williams - Retirement - General Motors              |
|          | cosponsor: Rep. Williams             |            |   |                                                              |
| H144-217 | Hudson                               | 2/16/2007  | T | Wanda Hines - Retirement - Council of State Governments      |
|          | cosponsors: All Representatives      |            |   |                                                              |
| H144-218 | Smith                                | 1/30/2007  | M | Evan Anderson, Jr.                                           |
|          | cosponsors: Reps. Lavelle & Valihura |            |   |                                                              |
| H144-219 | Atkins                               | 2/1/2007   | T | Nanticoke Indian Association - Southern DE Tourism Award     |
| H144-220 | Stone                                | 2/1/2007   | M | Herman M. MacDonald                                          |
| H144-221 | Booth                                | 2/16/2007  | T | Janis Collins - Retirement - Division of Child Support       |
| H144-222 | Hocker                               | 3/23/2007  | T | Elsie Mariah Powell - 100th Birthday                         |
| H144-223 | Hudson                               | 3/3/2007   | T | William Goff - Eagle Scout                                   |
| H144-224 | Brady                                | 2/24/2007  | T | William Scott, III - Eagle Scout                             |
| H144-225 | Mitchell; Brady                      | 2/3/2007   | M | Daniel Cunningham Mitchell                                   |
|          | cosponsor: Rep. Keeley               |            |   |                                                              |
| H144-226 | Ennis                                | 3/15/2007  | T | William Stafford - 50 Year Member – American Legion          |
| H144-227 | Lofink                               | 2/6/2007   | T | Littleton Mitchell - Established Mitchell Fellows Program    |
| H144-228 | Outten                               | 2/4/2007   | M | Morris E. Willey                                             |
| H144-229 | Williams                             | 12/6/2006  | M | Eugene Rogers                                                |
| H144-230 | Booth                                | 2/12/2007  | T | Friendship Baptist Church - 50th Anniversary                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #11

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                         | Date       | Type | Description                                                       |
|----------|---------------------------------|------------|------|-------------------------------------------------------------------|
| H144-231 | Miro                            | 12/31/2006 | T    | Lt. Col. Henry VYE, III - Retirement – National Guard             |
| H144-232 | Schooley                        | 1/3/2007   | T    | Lt. Col. Gilbert Nichols - Retirement - National Guard            |
| H144-233 | Thornburg                       | 3/1/2007   | T    | Col. Karl Kromer - Retirement - National Guard                    |
| H144-234 | Wagner                          | 2/8/2007   | T    | D. Wayne Holden - Allen Cup - Philanthropic Leadership            |
| H144-235 | Wagner                          | 2/8/2007   | T    | Sherman Townsend - Allen Cup – Philanthropic Leadership           |
| H144-236 | Mitchell                        | 2/10/2007  | T    | Francis Williams, III - 35 Year Member - Five Points Fire Company |
| H144-237 | Mitchell                        | 2/10/2007  | T    | Jim Chambers - 35 Year Member - Five Points Fire Company          |
| H144-238 | Gilligan; Mitchell              | 2/10/2007  | T    | Roger Bowman - 35 Year Member - Five Points Fire Company          |
| H144-239 | Gilligan; Mitchell              | 2/10/2007  | T    | Rod O'Connor - Member of the Year - Five Points Fire Company      |
| H144-240 | Ennis                           | 2/4/2007   | M    | Arthur M. Abrans, Sr.                                             |
| H144-241 | Hall-Long                       | 2/3/2007   | M    | Harry Hurlock, Jr.                                                |
|          | cosponsor: Rep. Ennis           |            |      |                                                                   |
| H144-242 | Thornburg                       | 2/10/2007  | T    | Honorable Terry Spence - Lincoln Day Dinner Honoree               |
|          | cosponsors: All Representatives |            |      |                                                                   |
| H144-243 | Walls, Wagner                   | 2/6/2007   | M    | Janet E. Duphily                                                  |
| H144-244 | Wagner                          | 1/30/2007  | M    | Reverend Gerald G. Youngs                                         |
| H144-245 | Mulrooney                       | 2/16/2007  | T    | Francis & Anna Paglia - 60th Wedding Anniversary                  |
| H144-246 | Brady                           | 12/15/2006 | T    | Nathan & Floscene Hill - 50th Wedding Anniversary                 |
| H144-247 | Mitchell                        | 2/9/2007   | T    | James & Gladys Murphy - 50th Wedding Anniversary                  |
| H144-248 | Mitchell                        | 1/5/2007   | T    | Dominick & Eva Nardo - 50th Wedding Anniversary                   |
| H144-249 | Plant                           | 2/12/2007  | T    | Willie & Lula Waterman - 50th Wedding Anniversary                 |
| H144-250 | Wagner                          | 2/8/2007   | T    | Wendy Ridgeway - Marketing Education Teacher of Year              |
| H144-251 | Gilligan                        | 2/12/2007  | T    | Francis & Ann Wegrzynowski - 60th Wedding Anniversary             |
| H144-252 | Gilligan                        | 1/17/2007  | T    | Carl & Ida Smith - 60th Wedding Anniversary                       |
| H144-253 | Cathcart                        | 2/17/2007  | T    | Jerome Unruh - 62 Year Member - Odessa Fire Company               |
| H144-254 | Carey                           | 1/2/2007   | M    | Elizabeth Wilkerson                                               |
| H144-255 | Cathcart                        | 2/17/2007  | T    | Tim Lynch - EMT - Life Saving Response                            |

### HOUSE TRIBUTE ANNOUNCEMENT #12

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                  | Date      | Type | Description                                             |
|----------|--------------------------|-----------|------|---------------------------------------------------------|
| H144-256 | Cathcart                 | 2/17/2007 | T    | Richard Haas - EMT - Life Saving Response               |
| H144-257 | Cathcart                 | 2/17/2007 | T    | Thomas Lynch - EMT - Life Saving Response               |
| H144-258 | Cathcart                 | 2/17/2007 | T    | Jesse Hensley - EMT - Life Saving Response              |
| H144-259 | Cathcart                 | 2/17/2007 | T    | Laura Davis - Nurse - Life Saving Response              |
| H144-260 | Cathcart                 | 2/17/2007 | T    | Odessa Fire Company - 80th Anniversary                  |
| H144-261 | Hocker                   | 2/10/2007 | M    | Howard E. Melson                                        |
| H144-262 | Ennis                    | 2/13/2007 | M    | Grace Usilton                                           |
| H144-263 | Lofink                   | 2/12/2007 | M    | Robert Norris                                           |
|          | cosponsor: Rep. Marshall |           |      |                                                         |
| H144-264 | Kowalko;<br>Marshall     | 2/22/2007 | T    | F. Thomas Prusak - Engineer of the Year                 |
| H144-265 | Wagner                   | 2/16/2007 | M    | George Edward Massey                                    |
| H144-266 | Schooley                 | 2/13/2007 | M    | Thomas McFalls                                          |
| H144-267 | Williams                 | 1/31/2007 | T    | Linda Gray - Retirement - 30 Years - State of Delaware  |
| H144-268 | Ennis                    | 3/1/2007  | T    | Edward Clarke, Jr. - Retirement - Postal Service        |
| H144-269 | Ewing                    | 3/1/2007  | T    | Charles Leary - Retirement - DelDOT - 27+ Years         |
| H144-270 | Spence                   | 4/29/2007 | T    | Samir Sethi - Eagle Scout                               |
| H144-271 | Stone                    | 2/12/2007 | M    | Lt. Col. Harold Jarvis                                  |
| H144-272 | Ewing                    | 2/28/2007 | T    | Mary Ricketts Johnson - 99th Birthday                   |
| H144-273 | Keeley;<br>Wagner        | 2/23/2007 | T    | Robert O'Neill, Jr. - Kent County Prosecutor            |
| H144-274 | Miro                     | 2/18/2007 | T    | Chinese American Community Center - Year of the Pig     |
| H144-275 | Outten                   | 2/23/2007 | M    | William A. Wise                                         |
| H144-276 | Hudson                   | 3/14/2007 | T    | Jane & Robert Frelick, M.D. - Carrie Chapman Catt Award |
| H144-277 | Ewing                    | 2/23/2007 | T    | Jill Lewandowski - Teacher of the Year – Woodbridge     |
| H144-278 | Smith                    | 2/28/2007 | T    | Sam Gallion - Cubmaster, Pack 99                        |
| H144-279 | Smith                    | 2/28/2007 | T    | Shelly Dennis - Committee Chair - Pack 99               |
| H144-280 | D. Short                 | 3/16/2007 | T    | Christopher Scott Johnson - Eagle Scout                 |
| H144-281 | Hall-Long                | 3/1/2007  | T    | Suzanne Clark - 60th Birthday                           |

### HOUSE TRIBUTE ANNOUNCEMENT #13

DATE: March 14, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                          | Date       | Type | Description                                                    |
|----------|----------------------------------|------------|------|----------------------------------------------------------------|
| H144-282 | Booth                            | 1/28/2007  | T    | Ira Hitchens - 70th Birthday                                   |
|          | cosponsor: Rep. Schwartzkopf     |            |      |                                                                |
| H144-283 | Valihura                         | 3/10/2007  | T    | Timothy E. Laird - Eagle Scout                                 |
| H144-284 | Schooley                         | 3/2/2007   | T    | Legislative Fellows Program - 25th Anniversary                 |
|          | cosponsors: All Representatives  |            |      |                                                                |
| H144-285 | Hocker                           | 3/3/2007   | T    | Bud Truitt - 80th Birthday                                     |
| H144-286 | Williams                         | 3/4/2007   | T    | Wesley & Judith Harper - 50th Wedding Anniversary              |
| H144-287 | Carey                            | 3/11/2007  | T    | Christopher Rice - Eagle Scout                                 |
| H144-288 | Thornburg                        | 3/14/2007  | T    | Janice Silives - Retirement - Coast Guard – 27 Years           |
| H144-289 | Wagner                           | 3/10/2007  | T    | Jessica Whitaker & Joshua Losey - Marriage                     |
| H144-290 | Ennis                            | 2/21/2007  | M    | Micheline T. Davis                                             |
| H144-291 | Booth                            | 2/23/2007  | T    | Allan Baker - Successful Bid - Oyster Knife                    |
| H144-292 | Hocker                           | 12/27/2006 | T    | Orlando & Madeline Lewis - 65th Anniversary                    |
| H144-293 | Atkins; Booth                    | 3/27/2007  | T    | Samuel Keenan - 80th Birthday                                  |
| H144-294 | Johnson,<br>Schooley             | 4/22/2007  | T    | Edward William Kester - 80th Birthday                          |
| H144-295 | Brady                            | 3/4/2007   | T    | William McClafferty, III - Contributions – Knights of Columbus |
| H144-296 | Short; Ewing                     | 2/24/2007  | M    | Pegeen T. Brown                                                |
| H144-297 | Short; Outten                    | 2/26/2007  | M    | Vernon Edward Hastings                                         |
| H144-298 | Wagner                           | 3/7/2007   | T    | Dr. Reba Hollingsworth - Women's Day Celebration               |
| H144-299 | Ennis                            | 2/19/2007  | M    | William P. Truitt                                              |
|          | cosponsors: Reps. Stone & Wagner |            |      |                                                                |
| H144-300 | Maier                            | 2/20/2007  | M    | T. Patrick Gordon                                              |
| H144-301 | Marshall;<br>Johnson             | 2/27/2007  | M    | Georgia G. McCluney                                            |

|          |              |           |   |                                           |
|----------|--------------|-----------|---|-------------------------------------------|
| H144-302 | Schwartzkopf | 2/7/2007  | M | Shirley Kearney Francis                   |
| H144-303 | Thornburg    | 2/27/2007 | M | Madelyn F. Legar                          |
| H144-304 | Marshall     | 3/7/2007  | T | Go BEYOND, Inc. - Helping Children        |
| H144-305 | Smith        | 3/6/2007  | T | Steve Wood - Outstanding Public Service   |
| H144-306 | Smith        | 3/6/2007  | T | Carl Danberg - Outstanding Public Service |
| H144-307 | Smith        | 3/6/2007  | T | Lisa Smith - Wife, Mother, Confidant      |

T- Tribute

M – Memoriam

Representative Lee requested and was granted personal privilege of the floor to introduce a guest. Representative Maier requested that she be marked present. Representative Maier requested and was granted personal privilege of the floor to introduce guests and make comments.

Mr. Speaker Spence assigned **HB 6** to the Appropriations Committee.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:20 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:20 P.M.: Representatives Atkins, Hudson, Longhurst, Oberle, Schwartzkopf, Valihura, Viola, Walls & Williams.

Mr. Speaker Spence called the House to order at 2:25 p.m. on March 15, 2007.

Mr. Speaker Spence made an announcement.

Representative Thornburg requested and was granted personal privilege of the floor to introduce a guest.

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

EDUCATION: **HB 21** - 10M.

ENERGY AND NATURAL RESOURCES: **HB 33** - 2F, 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 47** - 8M; **HB 3** - 8M; **SB 27** - 8M.

JUDICIARY: **HB 46** - 6M; **HB 48** - 6M; **HB 53** - 6M; **HB 56** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 36** - 3F; **HB 38** - 3F.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 16** - 4M; **HB 17** - 4M; **HB 41** - 4M; **HB 66** - 4M.

REVENUE & FINANCE: **HB 23** - 2F, 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 39** - 6M.

Mr. Speaker Spence requested that **HB 32** be stricken.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 17 aab SA 1** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:28 p.m., thereby ending the current legislative day. The House reconvened at 2:29 p.m.

### 11th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session March 15, 2007

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Representative Robert F. Gilligan, Nineteenth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 79** - MIRO & SENATOR AMICK; REPRESENTATIVES KOWALKO, SCHOOLEY - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Newark, 48 Del. Laws, Chapter 152, as Amended. (2/3 bill)

**HB 80** - WAGNER - LABOR - An Act Awarding Special Pension Benefits to Dorothy L. Franklin and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if the Award were Pursuant to Chapter 55, Title 29 of the Delaware Code.

**HB 81** - LEE & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Laurel, Chapter 288, Volume 64, Laws of Delaware, as Amended, to Add a New Section 36A, to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts and to Provide in Section 15 for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Development Districts.

**HA 1 to HB 8** - OBERLE - Placed with the Bill.

**HA 1 to HB 23** - WAGNER - Placed with the Bill.

**SB 17 w/SA 1** - MCBRIDE & SENATOR HENRY & REPRESENTATIVE EWING; REPRESENTATIVE HOCKER; REPRESENTATIVE SPENCE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Low-Speed Vehicles. (2/3 bill)

The Majority Leader moved to recess for caucus at 2:35 p.m.

The House reconvened at 4:15 p.m.

The Reading Clerk read the following communications into the record:

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert E. Walls, do hereby request that my name be removed as a co-sponsor of **HB 33**.

Date: March 15, 2007

Signed: Bob Walls

March 15, 2007

The Honorable Terry R. Spence  
Speaker of the House  
Legislative Hall  
Dover, Delaware 19901

Dear Mr. Speaker:

After careful consideration, I have decided to resign from all of my committee assignments. Please remove my name from all rosters immediately.

Sincerely,  
John C. Atkins  
41st District  
State Representative

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **SB 27**, jointly sponsored by Senator Henry & Senators Peterson & Sorenson & Representatives Hall-Long, Marshall, McWilliams, Schooley & Wagner & cosponsored by Senators Connor, Cook & Still, before the House for consideration.

**SB 27 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TRANSFERRING THE DELAWARE COMMISSION FOR WOMEN TO THE DEPARTMENT OF STATE.**

Representative Maier made comments.

The roll call on **SB 27** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Lavelle, Oberle & Valihura - 4.

VACANT: 1.

Therefore, having received a constitutional majority, **SB 27** was returned to the Senate.

Representatives Lofink, Miro & Plant requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 21**, jointly sponsored by Senator Sokola & Representative Miro & Representatives Spence, Smith, Cathcart, Lavelle, Lofink & Maier, before the House for consideration.

**HB 21 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STANDARDIZED REPORTING OF DISTRICT AND CHARTER SCHOOL FINANCES.**

Representatives Wagner & Miro made comments.

The roll call on **HB 21** was taken and revealed:

YES: 39.

ABSENT: Representative Atkins - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 21** was sent to the Senate for concurrence.

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

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 23**, jointly sponsored by Senator Cook & Representatives Ewing, Lavelle & Thornburg, before the House for consideration.

**HB 23 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OPERATIONS OF THE DELAWARE STATE LOTTERY.**

Representative Wagner brought **HA 1 to HB 23** before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HB 23 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins & Williams - 2.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 23 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle moved to lift **HB 4 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Lavelle brought **HB 4 w/HA 1**, jointly sponsored by Representative Maier & Senator Bonini & Senator Copeland, before the House for consideration.

**HB 4 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO BUDGET APPROPRIATION AND CAPITAL BUDGET LEGISLATION.**

Representatives Lavelle, Ennis, McWilliams & Schwartzkopf made comments.

The roll call on **HB 4 w/HA 1** was taken and revealed:

YES: 38.

NO: Representative Schwartzkopf - 1.

ABSENT: Representative Atkins - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 4 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 46**, jointly sponsored by Senator Vaughn & Representatives Hudson & Ennis, before the House for consideration.

**HB 46 - AN ACT TO AMEND CHAPTER 23, TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD.**

Representative Valihura made a comment.

The roll call on **HB 46** was taken and revealed:

YES: 39.

ABSENT: Representative Atkins - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 46** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 53**, jointly sponsored by Representative Wagner & Representative Marshall & Senator Vaughn & Representatives Cathcart, Ewing, Hudson & Johnson, before the House for consideration.

**HB 53 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, DELETING REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. (2/3 bill)**

Representative Valihura made a comment.

The roll call on **HB 53** was taken and revealed:

YES: 39.

ABSENT: Representative Atkins - 1.

VACANT: 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 53** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

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

HOUSE ADMINISTRATION: **HB 61** - 1F, 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 31** - 5F, 1M.

Mr. Speaker Spence made an announcement.

The House observed a moment of silence in memory of Richard Ewing, brother of Representative Ewing, at the request of Mr. Speaker Spence.

The Majority Leader moved to recess to the call of the Chair at 4:49 p.m.

Mr. Speaker Spence called the House to order at 2:04 p.m. on March 20, 2007.

The Reading Clerk read the following communications into the record:

March 12, 2007

The Honorable Terry R. Spence

Speaker of the House

Delaware General Assembly

Legislative Hall

Dover, Delaware

Dear Mr. Speaker:

I hereby resign my seat representing the Seventh District in the Delaware House of Representatives effective March 12, 2007

I am also resigning from the position of Majority Leader effective March 12, 2007.

Thank you for all your kindness and I thank each and every member and our staff for their hard efforts and spirit of collegiality during my period of elective service to our fine state.

Very Truly Yours,

Wayne A. Smith

Representative 7th District

House Majority Leader

144th Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Manolakos, do hereby request that my name be removed as cosponsor of **HCR 6**.

Date: March 14, 2007

Signed: Nick T. Manolakos

144th Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pete Schwartzkopf, do hereby request that my name be removed as cosponsor of **HB 51**.

Date: March 15, 2007

Signed: Pete Schwartzkopf



The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**12th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
March 20, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Member Absent: Representative Ewing -1.

Vacancy: 1.

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

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

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

The following prefiled legislation was introduced:

**HB 82** - MULROONEY & SENATOR MARSHALL; REPRESENTATIVES BLAKEY, BRADY, CAREY, ENNIS, HALL-LONG, HOCKER, HUDSON, JOHNSON, KEELEY, KOWALKO, LEE, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MIRO, MITCHELL, OBERLE, PLANT, SCHOOLEY, SCHWARTZKOPF, D. SHORT, THORNBURG, VIOLA, WAGNER, WALLS, WILLIAMS; SENATORS AMICK, BUNTING, CONNOR, HENRY, PETERSON, SOKOLA, SORENSON, STILL, VENABLES - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits.

**HB 83** - VIOLA & SENATOR SOKOLA; REPRESENTATIVES CAREY, HALL-LONG, KOWALKO, LONGHURST, MAIER, MULROONEY, SCHOOLEY, SPENCE, STONE, VALIHURA; SENATORS HENRY, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 29, Title 6 of the Delaware Code Relating to Retail Sales of Motor Fuel.

**HB 84** - OBERLE & SENATOR DELUCA; REPRESENTATIVES SPENCE, LOFINK, ENNIS, MITCHELL; SENATOR AMICK - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to State Detectives and Special Investigators of the Department of Justice.

**HB 85** - THORNBURG & SENATOR BLEVINS; REPRESENTATIVES LEE, VALIHURA, LONGHURST, SCHOOLEY, WALLS, WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Social Services.

**HA 1 to HB 81** - LEE - Placed with the Bill.

The following House Committee appointments were announced by Mr. Speaker Spence:

AGRICULTURE: Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative Joseph W. Booth; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

APPROPRIATIONS: Representative William A. Oberle, Jr. - Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier(Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

CAPITAL INFRASTRUCTURE: Representative Vincent A. Lofink - Chair; Representative V. George Carey; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Bruce C. Ennis; Representative Michael P. Mulrooney; Representative Gerald W. Hocker (Alternate); Representative Pamela S. Maier (Alternate); Representative Nick T. Manolakos (Alternate); Representative John J. Viola (Alternate).

CORRECTIONS: Representative Clifford G. Lee - Chair; Representative William R. Outten – Vice-chair; Representative J. Benjamin Ewing; Representative Pamela J. Thornburg; Representative James J. Johnson; Representative John L. Mitchell, Jr.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Daniel B. Short; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

EDUCATION: Representative Vincent A. Lofink – Chair; Representative Nancy H. Wagner – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Pamela S. Maier; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

ENERGY AND NATURAL RESOURCES: Representative Gerald W. Hocker - Chair; Representative Joseph W. Booth – Vice-chair; Representative V. George Carey; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-

Long; Representative John A. Kowalko, Jr.; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.

ETHICS: Representative Richard C. Cathcart - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

GAMING AND PARI-MUTUELS: Representative Vincent A. Lofink – Chair; Representative William A. Oberle, Jr.- Vice-chair; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative William R. Outten; Representative Nancy H. Wagner; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John J. Viola.

HEALTH & HUMAN DEVELOPMENT: Representative Pamela S. Maier - Chair; Representative Nick T. Manolakos – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Bethany A. Hall-Long; Representative Nick T. Kowalko; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

HOUSE ADMINISTRATION: Representative Richard C. Cathcart – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

HOUSING & COMMUNITY AFFAIRS: Representative Daniel B. Short – Chair; Representative Donna D. Stone – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

JOINT FINANCE: Representative William A. Oberle, Jr. – Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura (Alternate).

JUDICIARY: Representative Robert J. Valihura, Jr. - Chair; Representative Donna D. Stone – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Nancy H. Wagner; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

LABOR: Representative Terry R. Spence - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Nick T. Manolakos; Representative Pamela S. Maier; Representative William A. Oberle, Jr.; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: Representative Robert J. Valihura, Jr. – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Pamela S. Maier; Representative Valerie J. Longhurst; Representative John J. Viola.

PUBLIC SAFETY AND HOMELAND SECURITY: Representative J. Benjamin Ewing, Jr. – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Clifford G. Lee; Representative William R. Outten; Representative Terry R. Spence; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.; Representative Dennis P. Williams.

REVENUE & FINANCE: Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative V. George Carey; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

RULES: Representative Vincent A. Lofink – Chair; Representative Richard C. Cathcart; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative Helene M. Keeley.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: Representative Deborah D. Hudson –Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

TOURISM: Representative Deborah D. Hudson – Chair; Representative Donald A. Blakey - Vice-chair; Representative Joseph W. Booth; Representative V. George Carey; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Gerald L. Brady; Representative Peter C. Schwartzkopf.

TRANSPORTATION, LAND USE AND INFRASTRUCTURE: Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert E. Walls.

VETERANS' AFFAIRS: Representative Terry R. Spence – Chair; Representative Richard C. Cathcart – Vice-chair; Representative V. George Carey; Representative Clifford G. Lee; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady;

Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Peter C. Schwartzkopf; Representative John J. Viola. Representative Cathcart deferred to Representative Lavelle. Representative Lavelle introduced a guest. Representatives Wagner & Hall-Long requested that they be marked present. The Majority Leader moved to recess for caucus at 2:10 p.m. The House reconvened at 3:35 p.m. Representatives Gilligan & Cathcart made comments. Representatives Longhurst & Schwartzkopf requested that they be marked present. Representative Cathcart made announcements. Representatives Williams, Atkins, McWilliams & Miro requested that they be marked present. Representative Ennis made an announcement regarding **HB 31**.

Representative Ennis brought **HB 31**, jointly sponsored by Senator Vaughn & Representatives Blakey, Ewing, Hall-Long, Mulrooney, Outten, Thornburg, Wagner & Walls & cosponsored by Representative Plant, before the House for consideration.

**HB 31 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PLANNING AND COUNTY IMPACT FEES.**

Mr. Speaker Spence introduced a guest.

Representative Valihura introduced and brought **HA 1 to HB 31** before the House for consideration. Representatives Valihura, Ennis & Wagner made comments. Representative Valihura requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Valihura, Wagner & Stone made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 31 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representative Ewing - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 31 w/HA 1** was sent to the Senate for concurrence.

Representatives Maier, Mulrooney & Oberle requested that they be marked present during the roll call.

Representative Stone made comments regarding **HB 31**.

Representative Cathcart deferred to Representative Schwartzkopf. Representative Schwartzkopf requested that **HB 73 & HB 74** be stricken. Representative Cathcart made an announcement.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: Representative Terry Spence  
Speaker of the House  
FROM: Senator Gary F. Simpson  
DATE: March 20, 2007  
RE: Co-Sponsorship of **HB 8**

This is to inform you that I request to be added as a co-sponsor on **House Bill No. 8**.

Thank you for the opportunity to be included in this legislation.

The Senate wishes to inform the House that it has passed **SB 11** and requests the concurrence of the House.

The Majority Leader moved to recess to the call of the Chair at 3:55 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on March 21, 2007.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: J. Benjamin Ewing  
Representative – Thirty-Fifth Representative District  
RE: Absence from Session  
DATE: March 20, 2007

Please be advised that I will be unable to attend session today, Tuesday, March 20, 2007 and tomorrow Wednesday, March 21, 2007 due to illness.

Thank you for your consideration in this matter.

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HA 1 to HB 76**. **HA 1 to HB 76** was placed with the bill.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

### **13th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session March 21, 2007**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Atkins, Ewing & Williams – 3.

Vacancy: 1.

The House observed a moment of silence in memory of Elizabeth A. Crossan at the request of Representative Cathcart.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

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

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

The following prefiled legislation was introduced:

**HB 40** - BOOTH & REPRESENTATIVE SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES SPENCE, SMITH, CATHCART, EWING, HUDSON, LAVELLE, OUTTEN, VALIHURA, WAGNER, KEELEY, MARSHALL; SENATORS HENRY, SOKOLA, SORENSON, AMICK, CONNOR, STILL - ENERGY AND NATURAL RESOURCES - An Act to Amend Titles 16 and 21 of the Delaware Code Relating to Litter Control and Rules of the Road.

**HB 86** - WAGNER & SENATOR COOK; REPRESENTATIVE SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Duties of an Officer Having a Child in Custody.

**HB 87** - BOOTH & REPRESENTATIVE SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES SPENCE, CAREY, EWING, HOCKER, HUDSON, MIRO, D. SHORT, STONE, HALL-LONG, KOWALKO, PLANT, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

**HB 88** - SPENCE & REPRESENTATIVE MAIER & SENATOR HENRY; REPRESENTATIVES ENNIS, EWING, HOCKER, HUDSON, LAVELLE, LEE, STONE, THORNBURG, WAGNER; SENATORS COPELAND, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment and Duties of a Healthcare Inspector General in the Division of Public Health.

**HB 89** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Sunset Act.

**HA 1 to HB 57** - MAIER - Placed with the Bill.

**HA 2 to HB 71** - SPENCE - Placed with the Bill.

**SB 11** - MCBRIDE & REPRESENTATIVE HUDSON; SENATOR BLEVINS; REPRESENTATIVES MAIER & HALL-LONG; SENATOR STILL; REPRESENTATIVE BLAKEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Prescription Drug Payment Assistance Program.

**SB 42** - BLEVINS & REPRESENTATIVE MITCHELL - HOUSE ADMINISTRATION - An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Relating to the Contingency Fund. (2/3 bill)

Representative Valihura requested that he be marked present. Representative Stone requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart deferred to Representative Thornburg. Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Lieutenant John Barlow, Delaware Correctional Center and for Carl C. Danberg, Commissioner, Department of Corrections, who addressed the House. Representative Cathcart deferred to Representative Spence. Representative Spence requested that he be marked present. Representative Spence requested and was granted privilege of the floor to present a House Tribute to Father Thomas J. Protack. Representatives Spence & Gilligan & Mr. Acting Speaker made comments. Representative Cathcart deferred to Representative Maier. Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representatives Carey & McWilliams requested that they be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #3** before the House for consideration.

**HCR 8** – WAGNER & REPRESENTATIVE MAIER & REPRESENTATIVE WALLS – Urging the Department of Safety and Homeland Security to Initiate a Training Program for Delaware Truck Drivers to Detect Terrorist Activity.

**HCR 9** – WAGNER & SENATOR SORENSON & REPRESENTATIVES CATHCART, BOOTH, HOCKER, HUDSON, MAIER, OUTTEN, D. SHORT, STONE & VALIHURA – A Resolution Encouraging the Delaware Medical Society to Inform its Members about Offering to OB-GYN Patients Information on Post-Partum Depression and Screening Tests.

**HCR 10** – LAVELLE & REPRESENTATIVE VALIHURA & REPRESENTATIVE BRADY & REPRESENTATIVE MCWILLIAMS & SENATOR MCDOWELL & SENATOR COPELAND & SENATOR CLOUTIER - Congratulating Naamans Little League on its 50th Anniversary.

**HCR 11** – EWING & SENATOR HENRY & REPRESENTATIVES ATKINS & MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATORS BUNTING & COOK ON BEHALF OF ALL SENATORS – Proclaiming the Month of March as “American Red Cross Month”.

**Consent Calendar #3** was adopted by voice vote and **HCR 8, HCR 9, HCR 10 & HCR 11** were sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #14

DATE: March 21, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                         | Date      | Type | Description                                              |
|----------|---------------------------------|-----------|------|----------------------------------------------------------|
| H144-308 | Hudson                          | 2/27/2007 | M    | Catherine V. Talmo                                       |
| H144-309 | Hudson                          | 3/7/2007  | T    | Robert & Margaret Manning - 65th Wedding Anniversary     |
| H144-310 | Booth; Carey                    | 3/23/2007 | T    | Gee...You Will Project - Women Supporting Women          |
| H144-311 | Blakey                          | 2/28/2007 | T    | Frank & Marion Gibson - 70th Wedding Anniversary         |
|          | cosponsor: Rep. Wagner          |           |      |                                                          |
| H144-312 | Maier;                          | 3/24/2007 | T    | Walter & Helene Bruhl - 50th Wedding Anniversary         |
|          | Schooley                        |           |      |                                                          |
| H144-313 | Hall-Long                       | 3/11/2007 | T    | Brandon Kovalevich - Eagle Scout                         |
| H144-314 | Valihura                        | 2/16/2007 | T    | David Walter - Jeopardy Teen Champion                    |
| H144-315 | Miro;                           | 3/12/2007 | T    | Jeff Leep - National Merit Scholarship Finalist          |
|          | Kowalko                         |           |      |                                                          |
| H144-316 | Oberle;                         | 3/12/2007 | T    | Dariusz Murakowski - National Merit Scholarship Finalist |
|          | Kowalko                         |           |      |                                                          |
| H144-317 | Maier;                          | 3/12/2007 | T    | Tiffany Wen - National Merit Scholarship Finalist        |
|          | Kowalko                         |           |      |                                                          |
| H144-318 | Spence                          | 3/7/2007  | T    | Opportunity Center Inc. - 50th Anniversary               |
|          | cosponsors: All Representatives |           |      |                                                          |
| H144-319 | Ewing                           | 3/11/2007 | T    | Heinrich & Nancy Peters - 50th Wedding Anniversary       |
| H144-320 | Maier                           | 2/27/2007 | M    | Robert F. Milne                                          |
| H144-321 | Smith                           | 3/12/2007 | T    | Jean Diener - Excellence in Administration               |
| H144-322 | Smith                           | 3/12/2007 | T    | Pam Price - Excellence in Public Service                 |
| H144-323 | Smith                           | 3/12/2007 | T    | John Matluský - Excellence in Public Service             |
| H144-324 | Smith                           | 3/12/2007 | T    | Horace & Mary Lou Sherrill - 63rd Wedding Anniversary    |
| H144-325 | Smith                           | 3/12/2007 | T    | Senior Sergeant Michael Kelly - Retirement – NCC Police  |
| H144-326 | Ennis                           | 2/28/2007 | M    | Edward C. Berner, Sr.                                    |
| H144-327 | Hall-Long                       | 3/31/2007 | T    | Kenneth Straughn - Retirement - DelDOT - 26 Years        |
| H144-328 | Thornburg                       | 3/13/2007 | T    | Danny Skeans - Retirement - DelDOT - 18 Years            |
| H144-329 | Mulrooney                       | 3/9/2007  | T    | John & Joanne Hopkins - 50th Wedding Anniversary         |
| H144-330 | Schwartzkopf                    | 2/16/2007 | T    | Charles & Katherine King - 50th Wedding Anniversary      |
| H144-331 | Schooley                        | 1/5/2007  | T    | John & Jacqueline Haas - 50th Wedding Anniversary        |
| H144-332 | Kowalko                         | 3/16/2007 | T    | Ann & Richard Tortella - 50th Wedding Anniversary        |

HOUSE TRIBUTE ANNOUNCEMENT #15

DATE: March 21, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                                      | Date       | Type | Description                                               |
|----------|----------------------------------------------|------------|------|-----------------------------------------------------------|
| H144-333 | Gilligan                                     | 2/15/2007  | T    | Adam & Marie Freccia - 60th Wedding Anniversary           |
| H144-334 | Gilligan                                     | 1/30/2007  | T    | John & Catherine Lacek - 60th Wedding Anniversary         |
| H144-335 | Gilligan                                     | 2/15/2007  | T    | John & Gloria Walsh - 50th Wedding Anniversary            |
| H144-336 | Spence                                       | 4/2/2007   | T    | Pamela Long - Outstanding Service –                       |
|          | cosponsors: All Representatives              |            |      | Harmony Woods Civic Association                           |
| H144-337 | Wagner                                       | 3/29/2007  | T    | Courtney Keitel - 1st Place - Legislative Essay Contest   |
| H144-338 | Ewing                                        | 3/20/2007  | T    | Grier Stayton - Retirement - Department of Agriculture    |
|          | cosponsors: Reps. Carey & Thornburg          |            |      |                                                           |
| H144-339 | Ewing                                        | 2/13/2007  | T    | Taylor Richey - Spirit of the Community Award             |
| H144-340 | Lee; Outten                                  | 3/11/2007  | M    | Ward Linwood Collins                                      |
| H144-341 | Wagner                                       | 11/18/2006 | T    | Stacy Tribbitt & James Dalton, Jr. - Marriage             |
| H144-342 | Hudson                                       | 3/15/2007  | T    | Liane Sorenson - Induction - Hall of Fame - DE Women      |
|          | cosponsors: Rep. Maier & All Representatives |            |      |                                                           |
| H144-343 | Spence                                       | 3/15/2007  | T    | Carolyn Burger - Induction - Hall of Fame - DE Women      |
|          | cosponsors: All Representatives              |            |      |                                                           |
| H144-344 | Viola                                        | 3/15/2007  | T    | Sujata Bhatia - Induction - Hall of Fame - DE Women       |
|          | cosponsors: All Representatives              |            |      |                                                           |
| H144-345 | Schooley                                     | 3/15/2007  | T    | Shirley Tarrant - Induction - Hall of Fame - DE Women     |
|          | cosponsors: All Representatives              |            |      |                                                           |
| H144-346 | Mulrooney                                    | 3/15/2007  | T    | Val Whiting - Induction - Hall of Fame - DE Women         |
|          | cosponsors: All Representatives              |            |      |                                                           |
| H144-347 | Gilligan                                     | 3/11/2007  | T    | William Bush, IV - Becoming Chief Counsel to the Governor |

|          |           |           |   |                               |
|----------|-----------|-----------|---|-------------------------------|
| H144-348 | Ennis     | 4/11/2007 | T | Alverna Price - 90th Birthday |
| H144-349 | Maier     | 3/10/2007 | M | Olive Ann Tarburton           |
| H144-350 | Longhurst | 4/28/2007 | T | Joshua Paine - Eagle Scout    |
| H144-351 | Ewing     | 3/14/2007 | M | Richard Walker Ewing          |

cosponsors: All Representatives

|          |       |           |   |                    |
|----------|-------|-----------|---|--------------------|
| H144-352 | Ewing | 3/13/2007 | M | Dorothy E. Lofland |
|----------|-------|-----------|---|--------------------|

T- Tribute

M – Memoriam

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 42** and requests the concurrence of the House.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:25 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 2:25 P.M.: Representative Longhurst.

Madame Acting Speaker Hudson called the House to order at 2:05 p.m. on March 22, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 7 & SB 3** and requests the concurrence of the House; **HCR 11** and is returning same to the House.

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

**CORRECTIONS: HB 27 - 4M.**

**ENERGY AND NATURAL RESOURCES: HB 69 - 1F, 8M, 2U; HCR 4 - 8M.**

**HEALTH & HUMAN DEVELOPMENT: HB 57 - 7M; HB 72 - 11M.**

**HOUSE ADMINISTRATION: HB 44 - 1F,2M; HB 43 - 1F,2M; HB 37 - 1F,2M; HB 19 - 1F,2M; HB 79 - 1F,2M; HB 58 - 1F,2M; HB 81 - 1F,2M.**

**JUDICIARY: HB 75 - 5M; HB 67 - 6M; HB 54 - 6M; HB 59 - 6M.**

**LABOR: HJR 3 - 1F, 4M; HB 24 - 1F, 4M; HB 22 - 1F, 4M; HB 80 - 1F, 4M.**

**PUBLIC SAFETY & HOMELAND SECURITY: SB 17 w/SA 1 - 5M.**

**TRANSPORTATION/LAND USE AND INFRASTRUCTURE: HB 30 - 3F, 3M.**

**VETERANS AFFAIRS: HB 55 - 9F.**

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

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

#### **14th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session March 22, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Member Absent: Representative Ewing – 1.

Vacancy: 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 90 - HUDSON & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BLAKEY, HOCKER, MANOLAKOS, MIRO, OUTTEN, VALIHURA, WAGNER, KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Composition of the Child Protection Accountability Commission.**

**HB 91 - WAGNER & REPRESENTATIVE BOOTH & REPRESENTATIVE D. SHORT & REPRESENTATIVE STONE & SENATOR HENRY; REPRESENTATIVES CATHCART, BLAKEY, CAREY, EWING, HOCKER, LAVELLE, MAIER, OUTTEN, VALIHURA, BRADY, JOHNSON, KOWALKO, WALLS; SENATORS AMICK, COPELAND, SIMPSON, STILL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.**

**HB 92 - HUDSON & SENATOR BLEVINS; REPRESENTATIVES SPENCE, EWING, HOCKER, STONE, WAGNER, ENNIS, PLANT - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code to Create an Arbitration Procedure for Disputes Between Insurance Carriers and Health Care Providers.**

**HB 93 - LAVELLE & REPRESENTATIVE VALIHURA & SENATOR BLEVINS & SENATOR SOKOLA; REPRESENTATIVES CATHCART, GILLIGAN, HUDSON; SENATORS AMICK, COPELAND, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Vacancies on New Castle County Council.**

**HB 94 - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES CATHCART, ENNIS, EWING, HOCKER, HUDSON, JOHNSON, LAVELLE, LEE, LOFINK, MAIER, MCWILLIAMS, MIRO,**

PLANT, STONE, THORNBURG, VALIHURA; SENATOR PETERSON - CORRECTIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Adult Correction Healthcare Review Committee.

**HA 1 to HB 30** - BOOTH - Placed with the Bill.

**HA 1 to HB 66** - ENNIS - Placed with the Bill.

**HJR 4** - BRADY & SENATOR STILL; REPRESENTATIVES ENNIS, JOHNSON, KEELEY, KOWALKO, MARSHALL, MULROONEY - VETERANS AFFAIRS - Urges the Congress of the United States of America to Swiftly Pass and the President to Sign into Law S.513 and HR 869.

**SB 3** - ADAMS & REPRESENTATIVE EWING; SENATORS BLEVINS, DELUCA, SORENSON, VAUGHN, COOK, HENRY, MCDOWELL, MCBRIDE, PETERSON, VENABLES, BUNTING, MARSHALL; REPRESENTATIVES HOCKER, LAVELLE, SCHWARTZKOPF, HUDSON, BOOTH, ATKINS, CAREY, CATHCART, ENNIS, GILLIGAN, JOHNSON, KEELEY, LEE, LOFINK, MIRO, MULROONEY, OBERLE, OUTTEN, SPENCE, THORNBURG, WAGNER, WILLIAMS - LABOR - An Act to Amend Title 23 of the Delaware Code Relating to Pilotage Rates.

Madame Acting Speaker assigned **HB 57** & **HB 80** to the Appropriations Committee.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests.

Representative Wagner requested that she be marked present.

Representative Cathcart deferred to Representative Manolakos.

Representative Manolakos introduced and brought **HR 12** before the House for consideration.

**HR 12** - A RESOLUTION RECOGNIZING MARCH 25, 2007 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE.

Representative Manolakos made comments. Representative Manolakos requested and was granted privilege of the floor for Father Gus George Christo, Pastor, Holy Trinity Greek Orthodox Church, Wilmington.

**HR 12** was adopted by voice vote.

Representative Manolakos introduced guests. Representative Keeley made comments.

Representatives Spence & Outten requested that they be marked present. Representative Cathcart introduced a guest and made an announcement.

The Majority Leader moved to recess for caucus at 2:25 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 7:20 p.m.

Representative Cathcart introduced and brought **HR 13**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley, before the House for consideration.

**HR 13** - CENSURING REPRESENTATIVE JOHN C. ATKINS FOR A VIOLATION OF A RULE OF LEGISLATIVE CONDUCT ARISING FROM HIS CONDUCT ON OCTOBER 29, 2006 AND LATER CONDUCT PERTAINING THERETO, AND SANCTIONING HIM BY REQUIRING HIM TO FOREGO USE OF HIS LEGISLATIVE IDENTIFICATION CARD AND LEGISLATIVE LICENSE PLATE, BE REMOVED AS CHAIRMAN OF ANY HOUSE COMMITTEE, PAY A FINE, COMPLY WITH COURT-ORDERED COUNSELING AND RECEIVE AN ALCOHOL EVALUATION.

Representative Cathcart moved to place **HR 13** on the Speaker's Table. The motion was seconded by Representative Gilligan and adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 7:22 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 7:22 P.M.: Representatives Lofink, McWilliams, Mulrooney & Oberle.

Mr. Speaker Spence called the House to order at 2:00 p.m. on March 27, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 26** & **SB 39** and requests the concurrence of the House; **HCR 7**, **HCR 8**, **HCR 9** & **HCR 10** and is returning same to the House.

144th Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert Marshall, do hereby request that my name be removed as cosponsor of **HB 95**.

Date: March 22, 2007

Signed: Robert I. Marshall

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

LABOR: **SB 3** - 1F, 6M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HB 14** - 2F, 2M.

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

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**15th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
March 27, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 95** - MAIER & SENATOR PETERSON & SENATOR BLEVINS; REPRESENTATIVES WAGNER, KEELEY, MARSHALL; SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Confinement of Caged Egg-Laying Hens. (2/3 bill)

**HB 96** - OUTTEN & SENATOR BONINI & SENATOR SIMPSON; REPRESENTATIVES SPENCE, LEE, BLAKEY, MAIER, WAGNER, JOHNSON, WALLS; SENATOR COOK - CAPITAL INFRASTRUCTURE - An Act to Authorize and Approve the Transfer of Certain Real Property in the City of Harrington, Kent County, to the City of Harrington. (3/4 bill)

**HB 98** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 53, Chapter 42, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of Seaford" Relating to Taxes, Debts, Contracts and Financing.

**HB 99** - JOHNSON & SENATOR PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriages.

**HA 2 to HB 30** - CAREY - Placed with the Bill.

**HA 1 to HB 56** - MAIER - Placed with the Bill.

**HA 2 to HB 66** - ENNIS - Placed with the Bill.

**HA 1 to HCR 4** - MCWILLIAMS - Placed with the Bill.

**HA 1 to HCR 6** - JOHNSON - Placed with the Bill.

**SB 26** - SOKOLA & REPRESENTATIVE MAIER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Truancy Court Proceedings and Contempt of Court. (2/3 bill)

**SB 39** - SIMPSON & REPRESENTATIVE CAREY & SENATOR BONINI & REPRESENTATIVE WALLS - JUDICIARY - An Act to Amend Title 21 of the Delaware Code Relating to Jurisdiction of Offenses.

Representative Cathcart made comments and an announcement. Representative Wagner requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:08 p.m.

The House reconvened at 2:30 p.m.

Representatives Oberle, Manolakos & Maier requested that they be marked present. Mr. Speaker Spence & Representative Cathcart made announcements.

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

JUDICIARY: **HB 71** - 5M.

The Reading Clerk read the following communication into the record:

144th Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Steven H. Amick, do hereby request that my name be removed as a co-sponsor of **HB 76**.

Date: March 27, 2007

Signed: Steven H. Amick

Representatives Mulrooney & Atkins requested that they be marked present. Representative Atkins made comments.

The Reading Clerk read the following communication into the record:

March 27, 2007

The Honorable Terry R. Spence

Speaker of the House

Legislative Hall

Dover, Delaware 19903

Dear Speaker Spence:

It has been my honor and privilege to represent the State of Delaware's Forty-First Representative District within the General Assembly. The people of my district have been an inspiration to me and will continue to be in the months and years ahead.

Public service is a noble endeavor. Serving the citizens of this district has afforded me an opportunity to make a difference in my community and the State of Delaware.

I hereby submit my resignation as State Representative effective immediately.

Sincerely,

John C. Atkins

41st District

State Representative

Representative Cathcart made comments.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 3:34 p.m.

Representative Cathcart requested that **HR 13** be stricken.



Representative Cathcart deferred to Representative Lofink. Representative Lofink requested and was granted privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates. Chris Merlo, State Treasurer, Jobs for Delaware Graduates and Glenn Jackson, State Historian for Delaware Career Association, addressed the House. Representative Manolakos requested and was granted personal privilege of the floor to make comments. Representative Wagner, Mr. Speaker Spence & Representative Cathcart made comments. Representative Miro requested that he be marked present. Mr. Merlo and Mr. Jackson presented a gift to Representative Miro. Representative Cathcart made an announcement.

Representative Hudson requested that **HB 12** be stricken.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 56**, jointly sponsored by Senator Sokola & Representatives Wagner, Kowalko, McWilliams, Schooley & Walls & Senators Bunting, Henry & Simpson, before the House for consideration.

**HB 56 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY COURT JURISDICTION AND PROCEEDINGS IN THE JUSTICE OF THE PEACE COURT. (2/3 bill)**

Representative Maier brought **HA 1 to HB 56** before the House for consideration.

Representative Maier made comments. **HA 1** was adopted by voice vote. Representative Lavelle made comments. Representative Maier requested and was granted privilege of the floor for Edward Davis, Justice of the Peace in Sussex County. Representatives Lavelle & Booth made comments.

The roll call on **HB 56 w/HA 1** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 56 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Gilligan. Representative Gilligan introduced a guest.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 27**, jointly sponsored by Senator Sokola & Representatives Lee, Blakey, Carey, Cathcart, Ewing, Maier, Miro, Thornburg & Ennis, before the House for consideration.

**HB 27 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RANDOM DRUG TESTING FOR DEPARTMENT OF EDUCATION EMPLOYEES ON PERMANENT ASSIGNMENT AT DEPARTMENT OF CORRECTION FACILITIES.**

Representative Wagner made comments.

The roll call on **HB 27** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 27** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ennis.

Representative Ennis brought **HB 66**, jointly sponsored by Senator Vaughn & Representatives Ewing, Mitchell, Hall-Long, Spence, Thornburg & Walls, before the House for consideration.

**HB 66 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING FOR SCHOOL BUSES. (2/3 bill)**

Representative Ennis brought **HA 1 to HB 66** before the House for consideration. Representative Ennis made comments. **HA 1** was adopted by voice vote. Representative Ennis brought **HA 2 to HB 66** before the House for consideration. Representatives Ennis & Johnson made comments. **HA 2** was adopted by voice vote. Representatives Lee & Ennis made comments.

The roll call on **HB 66 w/HA 1 & 2** was taken and revealed:

YES: 34.

NO: Representatives Lee & Outten - 2.

NOT VOTING: Representatives Blakey, Cathcart & Valihura - 3.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 66 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 3**, jointly sponsored by Senator Adams & Senators Blevins, DeLuca, Sorenson, Vaughn, Cook, Henry, McDowell, McBride, Peterson, Venables, Bunting & Marshall & Representatives Hocker, Lavelle, Schwartzkopf, Hudson, Booth, Atkins, Carey, Cathcart, Ennis, Gilligan, Johnson, Keeley, Lee, Lofink, Miro, Mulrooney, Oberle, Outten, Spence, Thornburg, Wagner & Williams, before the House for consideration.

**SB 3 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES.**

Representative Ewing made comments.

The roll call on **SB 3** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority, **SB 3** was returned to the Senate.

Mr. Speaker Spence introduced a guest.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 22**, jointly sponsored by Representative Ennis & Senator Peterson & Representatives Spence, Carey, Cathcart, Ewing, Lofink, Maier, Thornburg & Keeley, before the House for consideration.

**HB 22** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM.

Representative Wagner made comments.

The roll call on **HB 22** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 22** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 48**, jointly sponsored by Senator Vaughn & Representatives Ewing, Maier, Stone, Valihura & Wagner, before the House for consideration.

**HB 48** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CERTAIN SPECIFIC REQUESTED RELIEF IN DIVORCE ACTIONS.

Representative Hudson made comments.

The roll call on **HB 48** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 48** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HJR 3**, jointly sponsored by Representative Ennis & Senator Peterson & Representatives Spence, Carey, Cathcart, Ewing, Lofink, Maier, Miro, Outten, Thornburg, Keeley, Hall-Long, Johnson, Longhurst, McWilliams, Mulrooney, Schooley & Schwartzkopf, before the House for consideration.

**HJR 3** - DIRECTING THE MERIT EMPLOYEE RELATIONS BOARD ESTABLISH A PAGE ON THE STATE WEBSITE FOR INFORMATION DISSEMINATION FOR USE BY STATE EMPLOYEES AND STATE EMPLOYEES CAN DISCUSS THESE MATTERS WITH THEIR LEGISLATORS WITHOUT FEAR OF REPRISAL.

Representatives Wagner & Ennis made comments.

The roll call on **HJR 3** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority, **HJR 3** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Miro. Representative Miro requested that **HB 79** be stricken.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 19**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 19** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF GREENWOOD, CHAPTER 109, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, TO ALLOW THE TOWN TO INDEMNIFY ANY COUNCILMEMBER, THE MAYOR AND/OR OTHER DULY ELECTED OR APPOINTED TOWN OFFICIAL OF THE TOWN OF GREENWOOD WHO IS A PARTY TO, OR IS THREATENED TO BE A PARTY TO ANY THREATENED, PENDING, OR COMPLETED ACTION, SUIT OR PROCEEDING, WHETHER CIVIL, CRIMINAL, OR ADMINISTRATIVE, OR ARISING OUT OF ACTIONS TAKEN BY ANY OR EACH OF THEM IN CONNECTION WITH THE PERFORMANCE OF THEIR OFFICIAL DUTIES. (2/3 bill)

Representative Ewing made comments.

The roll call on **HB 19** was taken and revealed:

YES: 39.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 19** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:27 p.m.

Mr. Acting Speaker Booth called the House to order at 2:07 p.m. on March 28, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 32** and requests the concurrence of the House.

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

**16th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
March 28, 2007**

The Chief Clerk called the roll:

Members Present: 35.

Members Absent: Representatives Ewing, Lavelle, Lofink & Stone – 4.

Vacancy: 2.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

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

The following prefiled legislation was introduced:

**HB 100** - WAGNER & SENATOR CLOUTIER; REPRESENTATIVES BLAKEY, CAREY, EWING, HOCKER, LAVELLE, LOFINK, MANOLAKOS, MIRO, OUTTEN, D. SHORT, KOWALKO, MCWILLIAMS; SENATORS COPELAND, SORENSON, AMICK, CONNOR, SIMPSON, STILL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures.

**HA 1 to HB 85** - THORNBURG - Placed with the Bill.

**HA 1 to HB 98** – D. SHORT - Placed with the Bill.

**SB 32** - BUNTING & REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Millsboro, Chapter 212, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Amend an Act Being Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled 'An Act to Reincorporate the Town of Millsboro' to Increase the Amount Permitted to be Raised from the Taxation of Real Estate and to Permit Quarterly Assessments of Real Estate"; and Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro" Relating to the Removal of the Limitation of the Amount of Taxes which may be Raised from the Taxation of Real Estate. (2/3 bill)

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

CAPITAL INFRASTRUCTURE: **HB 96** - 4M.

JUDICIARY: **HB 84** - 5M.

Representative Viola requested that he be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #4** before the House for consideration.

**HCR 12** – WAGNER & SENATOR HENRY & REPRESENTATIVES SPENCE, BLAKEY, CAREY, MAIER, OUTTEN, D. SHORT, VALIHURA, ENNIS, KOWALKO, SCHWARTZKOPF & VIOLA – Expressing the Sincere Gratitude of the Members of the Delaware House of Representatives for the Distinguished Service of the Buffalo Soldiers.

**SCR 7** – HENRY & REPRESENTATIVE MAIER & SENATORS BLEVINS, CLOUTIER, CONNOR, COOK, PETERSON & SORENSON & REPRESENTATIVES HALL-LONG, KEELEY, MARSHALL, MCWILLIAMS, PLANT, SCHOOLEY, THORNBURG & WAGNER – Relating to the Promotion of Better Awareness of the Food and Drug Administration Approved Vaccination Against the Human Papilloma Virus and Cervical Cancer.

**Consent Calendar #4** was adopted by voice vote and **HCR 12** was sent to the Senate for concurrence and **SCR 7** was returned to the Senate.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:15 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:15 P.M.: Representatives Mulrooney, Oberle, Spence & Valihura

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:03 p.m. on March 29, 2007.

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

ENERGY AND NATURAL RESOURCES: **HB 40** - 9F, 1M.

HEALTH & HUMAN DEVELOPMENT: **HB 90** - 9M; **HB 83** - 6M, 1U; **SB 11** - 6M; **HB 87** - 1F, 7M.

HOUSE ADMINISTRATION: **SB 22** - 2F, 2M; **SB 42** - 2F, 2M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 20** - 4M, 1U; **HB 78** - 4M, 2U; **HB 91** - 6M.

Mr. Speaker Spence assigned **HB 8** to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**17th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
March 29, 2007**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Carey, Ewing & Hudson – 3.

Vacancy: 2.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 101** - MAIER & SENATOR HENRY; REPRESENTATIVES HALL-LONG, SCHOOLEY; SENATOR PETERSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code.

**HB 102** - WAGNER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Department of Health and Human Services.

**HB 103** - MAIER & SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Uniform Health Data and Registration of Births, Deaths, Marriages, Divorces, Annulments and Adoptions.

**HB 104** - MAIER & SENATOR HENRY; REPRESENTATIVES HALL-LONG, SCHOOLEY; SENATOR PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical Service Systems.

**HB 105** - MAIER & SENATOR BLEVINS & SENATOR HENRY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code and Pharmacy Benefit Manager Practices.

**HB 106** - MAIER & SENATOR BLEVINS; REPRESENTATIVES HUDSON, WAGNER; SENATOR HENRY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Midwives.

**HB 107** - BOOTH & SENATOR VENABLES; REPRESENTATIVES CAREY, HUDSON, D. SHORT - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 and Title 29 of the Delaware Code Relating to Fishing.

**HB 108** - BOOTH & SENATOR VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Licenses.

**HB 109** - WAGNER & REPRESENTATIVE ENNIS & SENATOR COOK; REPRESENTATIVES SPENCE, SCHWARTZKOPF; SENATOR AMICK - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

**HA 3 to HB 30** - ENNIS - Placed with the Bill.

**HA 1 to HB 54** - VALIHURA - Placed with the Bill.

**HA 1 to HB 78** - MIRO - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 21** and is returning same to the House.

#### MEMORANDUM

TO: Terry R. Spence, Speaker  
House of Representatives  
DATE: March 28, 2007  
FROM: Representative Donna D. Stone  
RE: Absence from session

I will not be in session on March 28, 2007, because of outside legislative matters.

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: March 27, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Wednesday, March 28, 2007. Due to business matters, I will be out of town. Thank you for your understanding.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: V. George Carey  
Representative – Thirty-Sixth Representative District  
RE: Absence from Session  
DATE: March 29, 2007

Please be advised that I will be unable to attend session today, Thursday, March 29, 2007 due to out of state business.

Thank you for your consideration in this matter.

Representative Outten requested that he be marked present.

Representative Cathcart deferred to Representative Wagner. Representative Wagner made comments regarding **HCR 13**.

Representative Wagner introduced and brought **HCR 13**, jointly sponsored by Senator Still & Representative Valihura & cosponsored by Representative Ennis & Senators Henry & McDowell, before the House for consideration.

**HCR 13 - CONGRATULATING THE 2006-2007 DELAWARE STATE UNIVERSITY WOMEN'S BASKETBALL TEAM FOR THEIR FIRST NATIONAL TOURNAMENT CONTEST FOR A FEMALE TEAM IN DELAWARE STATE UNIVERSITY HISTORY.**

WHEREAS, the Delaware State University (DSU) women's basketball team captivated a national television audience with a hard-fought 62-47 loss to Southeastern Conference champion Vanderbilt in the opening round of the 2007 National Collegiate Athletic Association (NCAA) Tournament in East Lansing, MI. It was the first national tournament contest for a female team in Delaware State University history; and

WHEREAS, the Lady Hornets, seeded 15th in the tournament's Greensboro region, gave the #2 seeded Commodores all they could handle until late in the game; and

WHEREAS, Head Coach Ed Davis and valiant Lady Hornets held their heads high as they walked off the court to a standing ovation, while earning the respect of ESPN's courtside and studio commentators; and

WHEREAS, the NCAA Tournament loss did nothing to take away the luster of Delaware State's first Mid-Eastern Athletic Conference (MEAC) championship eight days earlier; and

WHEREAS, the Lady Hornets swept past Norfolk State and Florida A&M before taking on upstart Morgan State in the MEAC title game; and

WHEREAS, "I am so proud of this team," said Delaware State head coach Ed Davis, who was named the tournament's Most Outstanding Coach. "We had our share of ups and downs this season, but the team stuck together. After coming up short in the title game a few times, this is especially sweet."; and

WHEREAS, the 2006-2007 season began with nine newcomers and just four returning regulars from the team that fell to Coppin State in the 2006 MEAC championship; and

WHEREAS, Davis, who just completed his seventh season as head coach of the Lady Hornets, has a 123-86 record at DSU. His .588 winning percentage is tops among all coaches in team history.

NOW, THEREFORE:

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware, the Senate concurring therein, that we hereby congratulate and commend the Lady Hornets of Delaware State University on their first national tournament contest for a female team in Delaware State University history.

BE IT FURTHER RESOLVED that commendations are extended to Coach Ed Davis, all the Lady Hornet players, coaches and staff, and to the entire Delaware State University community.

BE IT FURTHER RESOLVED that suitably prepared copies of this Resolution be presented upon its passage to Coach Ed Davis and to Dr. Allen L. Sessoms, President of the Delaware State University.

Representatives Wagner & Ennis made comments.

**HCR 13** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart, Mr. Speaker Spence & Representative Wagner made comments.

Representative Cathcart requested and was granted privilege of the floor for Ed Davis, Head Coach, Lady Hornets Basketball Team, Delaware State University, and the players and coaches. Representative Cathcart introduced a guest. Mr. Speaker Spence & Representative Cathcart made comments. The Lady Hornets and their coaches announced their names and hometowns for the record. Representative Cathcart made comments. Representatives Valihura, Plant, Hall-Long, Maier & Miro requested that they be marked present. Representative Wagner requested and was granted personal privilege of the floor to make comments and to introduce guests. Mr. Speaker Spence & Representative Wagner made comments. Representative Wagner requested privilege of the floor for the Legislative Essay Scholarship winners: First Place, Courtney K. Keitel, Second Place, Joshua A. Marks and Third Place, Theresa M. Brock. Mr. Speaker Spence & Representative Wagner made comments. Representative Thornburg requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:36 p.m.

The House reconvened at 3:46 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 13** and is returning same to the House.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 14**, jointly sponsored by Senator Peterson & Senator Sokola & Representative Maier, before the House for consideration.

**HB 14 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION.**

Representative Wagner requested that **HA 1 to HB 14** be stricken.

Representative Stone requested that she be marked present.

Representative Wagner introduced and brought **HA 2 to HB 14** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HB 14 w/HA 2** was taken and revealed:

YES: 35.

ABSENT: Representatives Carey, Ewing, Hudson & Lee - 4.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 14 w/HA 2** was sent to the Senate for concurrence.

Representatives Mulrooney, Williams, Lavelle, Oberle & Lofink requested that they be marked present during the roll call.

Representative Cathcart made an announcement. Representative Cathcart deferred to Representative D. Short. Representative D. Short requested that **HB 43** be stricken. Representative Cathcart deferred to Representative Brady. Representatives Brady & Lavelle made comments.

Representative Brady brought **HB 55**, jointly sponsored by Representatives Blakey, Ennis, Ewing, Hall-Long, Johnson, Keeley, Kowalko, Lofink, Manolakos, Mitchell, Plant, D. Short, Spence & Wagner & Senators Bunting, DeLuca, Henry, McDowell & Venables, before the House for consideration.

**HB 55 - AN ACT TO AMEND TITLE 20, DELAWARE CODE RELATING TO BURIAL IN A DELAWARE VETERANS CEMETERY.**

Representatives Brady & Ennis made comments.

The roll call on **HB 55** was taken and revealed:

YES: 35.

ABSENT: Representatives Carey, Ewing, Hudson & Lee - 4.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 55** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest and made an announcement.

Representative Miro made comments.

Representative Cathcart deferred to Representative Mitchell.

Representative Mitchell brought **HB 58**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 58 - AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO THE BUDGET. (2/3 bill)**

Representatives Mitchell, Lavelle, Johnson, Mitchell, Wagner & Oberle made comments.

The roll call on **HB 58** was taken and revealed:

YES: 34.

ABSENT: Representatives Carey, Ewing, Hudson, Lee & Schwartzkopf - 5.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 58** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 75**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 75 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representatives Valihura & Wagner made comments. Representative Valihura requested and was granted privilege of the floor for Kenneth W. Boulden, Jr., Clerk of the Peace, New Castle County.

Representatives Wagner, Miro, Booth, Wagner, Miro, Lavelle & Thornburg made comments.

The roll call on **HB 75** was taken and revealed:

YES: 31.

NO: Representatives Blakey, Thornburg & Williams - 3.

NOT VOTING: Representative Wagner - 1.

ABSENT: Representatives Carey, Ewing, Hudson & Lee - 4.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 75** was sent to the Senate for concurrence.

Mr. Speaker Spence assigned **HB 96** to the Appropriations Committee.

Mr. Speaker Spence introduced a guest. Representative Cathcart made comments.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 37**, jointly sponsored by Senator McDowell, before the House for consideration.

**HB 37 - AN ACT TO AMEND SECTION 6-301 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO EMPLOYEES HIRED BY THE CITY AUDITING DEPARTMENT. (2/3 bill)**

Representatives Brady, Lofink, Lavelle, Gilligan, Oberle & Booth made comments.

The roll call on **HB 37** was taken and revealed:

YES: 34.

ABSENT: Representatives Carey, Ewing, Hudson, Lee & Plant - 5.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 37** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner. Representative Wagner requested that **HB 102** & **HB 6** be stricken. Representative Maier requested that **HB 45** be stricken.

Representative Thornburg brought **SB 17 w/SA 1**, sponsored by Senator McBride & Senator Henry & Representative Ewing & Representative Hocker & Representative Spence, before the House for consideration.

**SB 17 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LOW-SPEED VEHICLES.** (2/3 bill)

Representatives Thornburg & Schwartzkopf made comments.

Representative Thornburg moved to place **SB 17 w/SA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence requested that action on **HB 71** be Deferred to a Day Certain, Tuesday, April 3, 2007 and made an announcement. Representatives Valihura & Spence made comments regarding **HB 71**.

The Majority Leader moved to recess to the call of the Chair at 4:58 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:03 p.m. on April 3, 2007.

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

Representative Booth introduced a guest. Representative Hudson requested that she be marked present for the current Legislative Day.

The Reading Clerk read the following communication into the record:

Ms. JoAnn Hedrick  
Chief Clerk of the House  
House of Representatives  
State of Delaware  
Legislative Hall  
Room H 129  
Dover, Delaware 19901  
Dear JoAnn:

Thank you for forwarding me a copy of the resolution approved by Delaware's House of Representatives regarding the State Children's Health Insurance Program. I always appreciate hearing from you, and would like to commend you for your commitment to this important program.

Let me begin by stating that I am very pleased to learn of the vital work being done by Delaware's General Assembly on behalf of the children of Delaware. I strongly believe that one of our nation's primary responsibilities should be to provide greater access to quality, affordable health care for all Americans.

Improving the quality of and access to health care has always been one of my top priorities during my career as a public official.

As you know, the Balanced Budget Act of 1997 established the State Children's Health Insurance Program, or SCHIP. Under the law, states have three years to spend a specific year's federal funding, before the allotments are returned to the treasury or redistributed to other states. In general, this program allows states to provide health insurance to low-income children under the age of 19 who have no health insurance and have family incomes above Medicaid eligibility levels.

Today, nearly 45 million Americans are currently without health insurance including 8.5 million children. Uninsured children are almost twice as likely to go without preventive care services, including immunizations that are essential in avoiding more serious, long-term health problems. Without preventive and regular care, these children are more likely to require inpatient emergency care to treat more serious conditions that could have been averted through timely treatment. As costs continue to rise for working families, more and more families find they are no longer able to afford adequate health care for themselves or their children.

In an effort to address this important issue, Senator John Kerry (D-MA) introduced S. 95 on January 4, 2007. Known as the Kids Come First Act of 2007, S. 95 would amend title XIX of the Social Security Act. This legislation would give states the option to receive 100% Federal Medicaid Assistance Percentages to deliver medical assistance to children in poverty in exchange for expanded coverage of children in working poor families under Medicaid. This legislation also eliminates the cap on State Children's Health Insurance Program (SCHIP) funding for states that expand eligibility for children. Moreover, the Kids Come First Act of 2007 amends the Internal Revenue code to provide for a refundable income tax credit for health insurance coverage of children, a forfeiture of the personal tax exemption for any child not covered by health insurance, and a partial repeal of rate reduction in the highest income tax bracket.

Proponents of Senator Kerry's bill believe it would provide the tax subsidies needed to offset the overwhelming cost of purchasing private health insurance. Supporters of this legislation believe the Kids Come First Act of 2007 would increase federal support for expanding Medicaid and the State Children's Health Insurance Program (SCHIP). Ultimately, they maintain that the combined efforts of this bill would result in comprehensive affordable health coverage for every child in America. Having said that, opponents of the bill contend that S. 95 would place an unfair financial burden on state governments by creating more bureaucracy, and establish yet another unfunded mandate to manage and fund.

During the 108th Congress, I co-sponsored the Children's Health Protection and Improvement Act which would have ensured that no other federal State Children's Health Program funds expire and revert to the treasury through the end of 2007. Moreover, as a former governor, I know that the State Children's Health Program is an effective program that helps ensure that low-income children receive the best care possible.

With that said, when one in four children in our country go without recommended immunizations and one in three children suffer with untreated asthma, it is clear to me that as a country we can do better. Currently, S. 95 is pending before the Senate Committee on Finance. As a long time supporter of efforts to improve access to and the quality of health care in our nation, I assure you that I will continue to monitor the progress of this bill closely. Should the full Senate consider the Kids Come First Act during the 110th Congress, I will certainly keep your views in mind.

Thank you again for taking the time to share your thoughts with me and for your continued dedication to this important issue, it's always good to hear from you. Please do not hesitate to contact me in the future.

With best personal regards, I am

Sincerely yours,  
Thomas R. Carper  
United States Senate

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**18th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
April 3, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Vacancy: 2.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Spence invited Bella Leishear to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 110** - MIRO & SENATOR CONNOR; REPRESENTATIVES SPENCE, MAIER, SCHOOLEY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Group and Blanket Health Insurance.

**HB 111** - ENNIS & SENATOR BLEVINS; REPRESENTATIVES BRADY, CATHCART, HALL-LONG, JOHNSON, KEELEY, KOWALCO, LAVELLE, LONGHURST, MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE, VIOLA, WALLS, WILLIAMS; SENATORS HENRY, MCDOWELL, SOKOLA - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9, 22 and 30 Relating to Land Use and the Applicability of Local Governments' Realty Transfer Taxes. (3/5 bill)

**HB 112** - WAGNER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 113** - MIRO & SENATOR SOKOLA; REPRESENTATIVES SPENCE, CATHCART, MANOLAKOS, KEELEY; SENATORS BLEVINS, MCBRIDE, BONINI, CLOUTIER, STILL - HOUSE ADMINISTRATION - An Act to Amend Title 4 of the Delaware Code Relating to Licenses and Taxes.

**HB 114** - BLAKEY & SENATOR DELUCA - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Clear Zones Within State Rights-of-Way.

**HA 4 to HB 30** - BLAKEY & REPRESENTATIVE OUTTEN & REPRESENTATIVE STONE & REPRESENTATIVE THORNBURG & REPRESENTATIVE WAGNER & REPRESENTATIVE ENNIS & REPRESENTATIVE WALLS - Placed with the Bill.

**HA 3 to HB 71** - SPENCE - Placed with the Bill.

**SB 5 w/SA 4** - VENABLES & SENATOR BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON & REPRESENTATIVE MARSHALL; SENATORS SOKOLA, HENRY & AMICK; REPRESENTATIVES MAIER & SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code by Adopting the Delaware Regenerative Medicine Act, Prohibiting Human Reproductive Cloning, Recognizing the Importance of Stem Cell Research, Including Adult, Umbilical Cord Blood, Amniotic and Embryonic, and Establishing a Framework for the Ethical Conduct of Embryonic Stem Cell Research.

Representative Carey requested that **HB 29** be stricken. Representatives McWilliams & Manolakos requested that they be marked present. Representative Cathcart deferred to Representative Booth. Representative Booth requested and was granted privilege of the floor for himself and Representative Carey to present a House Tribute to Bella Leishear. Representative Booth made comments. Miss Leishear addressed the House. Representative McWilliams made comments. Representative Cathcart deferred to Representative Maier. Representative Maier requested that she be marked present.



Representative Maier introduced and brought **HCR 14**, jointly sponsored by Senator DeLuca & Representatives Miro, Schooley & Kowalko & Senators Peterson, Sokola, Sorenson, Amick & Simpson, before the House for consideration.

**HCR 14** - CONGRATULATING THE 2006-2007 UNIVERSITY OF DELAWARE FIGHTIN' BLUE HENS WOMEN'S BASKETBALL TEAM FOR THEIR OUTSTANDING SEASON AND THEIR SECOND APPEARANCE IN THE NCAA TOURNAMENT.

**HCR 14** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Spence made comments.

Representative Maier requested and was granted privilege of the floor to present a House Tribute to the University of Delaware Women's Basketball Team. Tina Martin, head coach, University of Delaware Women's Basketball Team, addressed the House, introduced the players and announced their year in school and their home states for the record. Representatives Cathcart, Gilligan & Mr. Speaker Spence made comments. The team presented a gift to Mr. Speaker Spence. Mr. Speaker Spence introduced guests.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 5 aab SA 4** and requests the concurrence of the House.

Representative Kowalko requested and was granted personal privilege of the floor to introduce guests. Representative Plant requested that she be marked present. Representative Marshall requested and was granted personal privilege of the floor to introduce a guest. Representative Schooley requested and was granted personal privilege of the floor to make comments. Representative Ennis requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 2:30 p.m.

The House reconvened at 3:57 p.m.

Representative Oberle requested that he be marked present.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 89** - 3F; **HB 106** - 4M.

Representatives Lee, Valihura, Longhurst, Mulrooney, Viola, Lofink & Hudson requested that they be marked present. Representative Cathcart deferred to Representative Wagner. Representative Wagner requested and was granted privilege of the floor for herself, Representative Blakey and Ron Smith, House Attorney, to present a House Tribute to Robert S. McLeod. Mr. McLeod addressed the House. Representative Cathcart made comments.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 71**, jointly sponsored by Senator McDowell & Senator Sorenson & Representatives Hudson, Lavelle, Maier, Miro, Oberle, Stone, Wagner, Gilligan, Keeley, Ennis, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley & Viola & Senators Bunting, Henry, Peterson, Sokola, Copeland, Cloutier & Simpson & cosponsored by Representatives Blakey, Carey, Thornburg, Brady & Walls, before the House for consideration.

**HB 71** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG OFFENSES.

Representative Spence brought **HA 1 to HB 71** before the House for consideration. Representative Spence made comments. Representative Stone requested that she be marked present. **HA 1** was adopted by voice vote. Representative Spence brought **HA 2 to HB 71** before the House for consideration.

Representative Spence made a comment. **HA 2** was adopted by voice vote. Representative Spence brought **HA 3 to HB 71** before the House for consideration. Representative Spence made comments. **HA 3** was adopted by voice vote. Representative Spence made comments. Representative Spence requested and was granted privilege of the floor for Edmund N. Carpenter, II representing Stand Up for What's Right and Just (SURJ). Representative Spence made comments. Representative Williams requested that he be marked present. Representative Williams made a comment.

Mr. Acting Speaker appointed Representative Booth as Acting Speaker.

Representative Spence requested and was granted privilege of the floor for Thomas A. Foley representing SURJ. Representative Spence requested and was granted privilege of the floor for The Honorable Joseph T. Walsh, retired Supreme Court Justice, representing SURJ. Representatives Cathcart, Wagner & Blakey made comments. Representative Spence deferred to Representative Valihura. Representative Valihura requested and was granted privilege of the floor for Richard Andrews, State Prosecutor. Representatives Wagner, Marshall & Williams made comments. Mr. Acting Speaker appointed Representative Oberle as Acting Speaker. Representatives Spence, Blakey, Stone, Hudson, Wagner, Williams, Viola, Kowalko, Ewing & Wagner made comments. Representative Valihura requested and was granted privilege of the floor for Jeffrey Horvath, Chief, Dover Police Department also representing the Police Chiefs Council. Representatives Wagner & Mitchell made comments. Representative Valihura requested and was granted privilege of the floor for Michael Szczerba, Chief, Wilmington Police Department. Representatives Ewing, Blakey, Maier & Spence made comments. Representative Spence requested and was granted privilege of the floor for Charles M. Oberly, III, former Delaware Attorney General. Representatives Maier & Wagner made comments. Representative Valihura requested and was

granted privilege of the floor for Paul Wallace, Chief Prosecutor, New Castle County. Representatives Spence, Williams, Schwartzkopf, Keeley & Mr. Acting Speaker made comments.

Representative Wagner requested a ruling from the Chair. Representatives Spence, Cathcart & Gilligan made comments. Mr. Acting Speaker granted privilege of the floor to Ron Smith, House Attorney.

Mr. Acting Speaker declared a recess at 6:15 p.m.

The House reconvened at 6:39 p.m.

Mr. Acting Speaker granted privilege of the floor to Ron Smith, House Attorney. Mr. Acting Speaker ruled that a majority of the House is 21.

The roll call on **HB 71 w/HA 1, 2 & 3** was taken and revealed:

YES: 26.

NO: Representatives Blakey, Booth, Ewing, Hocker, Lee, Mitchell, Outten, Schwartzkopf, D. Short, Stone, Thornburg, Valihura & Williams - 13.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 71 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:45 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:41 p.m. on April 4, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HS 1/HB 18 & HCR 14** and is returning same to the House.

April 3, 2007

The Honorable Terry Spence

Speaker of the House

Delaware State House of Representatives

Dear Mr. Speaker:

This letter is to inform you that I will miss the House sessions of April 4th and 5th to attend a conference on Education. The conference is to be held in Austin, Texas on the days listed above.

Expose state policy leaders to effective programs, schools and districts from which they may take away concrete, practical lessons;

Provide time for participant to learn about successful policies and interventions that support school redesign, and

Encourage policy makers to share lessons learned and build a network of information and contacts.

Upon my return, it would be my pleasure to share with you and my colleagues the information gleaned from such an excursion, if it is so desired.

Once again, thanks for the opportunity to broaden my education and to be helpful to the Delaware General Assembly and the people of Delaware.

Yours truly,

Don Blakey

State Representative

34th District

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

REVENUE & FINANCE: **HB 13** - 6M.

The Majority Leader moved to adjourn at 2:43 p.m., thereby ending the current legislative day. The House reconvened at 2:44 p.m.

#### **19th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**

**April 4, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Member Absent: Representative Blakey – 1.

Vacancy: 2.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 28** - WAGNER & SENATOR SOKOLA; REPRESENTATIVE SPENCE - CAPITAL INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to School Construction Capital Improvements.

**HB 115** - SPENCE & SENATOR MCBRIDE - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Regulation of Outdoor Advertising.

**HB 116** - MAIER & REPRESENTATIVE SPENCE & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES EWING, OUTTEN, WAGNER, VALIHURA, KEELEY, JOHNSON;

SENATOR CONNOR - JUDICIARY - An Act Relating to Criminal Consequences of Conduct that Involves Certain Trafficking of Persons and Involuntary Servitude.

**HB 117** - EWING & SENATOR HENRY; REPRESENTATIVE THORNBURG; SENATOR DELUCA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Identity Theft.

**HB 118** - EWING & SENATOR SIMPSON; REPRESENTATIVES LEE, BOOTH, HOCKER, OUTTEN, D. SHORT, SCHWARTZKOPF, WALLS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the General Powers of the Government of Sussex County. (2/3 bill)

**HB 119** - MIRO & SENATOR AMICK; REPRESENTATIVES MAIER, SCHOOLEY, KOWALKO; SENATORS PETERSON, SOKOLA, SORENSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Newark, 48 Del. Laws, Chapter 152, as Amended, Relating to Vacancy in Elective Office. (2/3 bill)

**HB 120** - LAVELLE & SENATOR BLEVINS; REPRESENTATIVE HALL-LONG, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Absentee Voting in Municipal Elections Other Than the City of Wilmington.

**HB 122** - CAREY & SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Registration and Vehicles.

**HA 1 to HB 39** - BOOTH - Placed with the Bill.

**HA 1 to HB 106** - MAIER - Placed with the Bill.

**HA 1 to HB 107** - BOOTH - Placed with the Bill.

**HCR 16** - SCHOOLEY & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BRADY, CATHCART, ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, KOWALKO, MANOLAKOS, MARSHALL, MCWILLIAMS, MIRO, MULROONEY, SPENCE, VIOLA, WALLS, WILLIAMS; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - Establishing the Child Poverty Task Force.

Representative Cathcart deferred to Representative Booth. Representative Booth made comments and introduced guests. Mr. Acting Speaker made comments. Representative Cathcart deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor for Paul Gray, Chorus Teacher, Pencader Charter School. The Pencader Charter School chorus performed for the House and the students announced their names and grades for the record.

Mr. Acting Speaker assigned **HB 13** to the Appropriations Committee.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Joseph E. Miro  
DATE: April 4, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Wednesday, April 4, 2007. I will be unable to attend today, due to illness in my family. Thank you.

Mr. Acting Speaker made an announcement. Representative Johnson made comments.

Representatives Plant & Lofink requested that they be marked present.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 87**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Spence, Carey, Ewing, Hocker, Hudson, Miro, D. Short, Stone, Hall-Long, Kowalko, Plant & Schooley, before the House for consideration.

**HB 87** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Representative Booth made comments.

Representatives Gilligan, Keeley & Mulrooney requested that they be marked present.

The roll call on **HB 87** was taken and revealed:

YES: 35.

ABSENT: Representatives Blakey, Brady, Miro & Viola - 4.

VACANT: 2.

Representatives Lavelle & Valihura made comments.

Therefore, having received a constitutional majority, **HB 87** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing moved to lift **SB 17 w/SA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Ewing brought **SB 17 w/SA 1**, jointly sponsored by Senator McBride & Senator Henry & Representative Hocker & Representative Spence, before the House for consideration.

**SB 17** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LOW-SPEED VEHICLES. (2/3 bill)

Representative Ewing made comments. Representative Schwartzkopf introduced and brought **HA 1 to SB 17** before the House for consideration. Representatives Schwartzkopf & Ewing made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 17 w/SA 1 & HA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Blakey, Keeley, Miro & Viola - 4.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 17 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 81**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 81 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF LAUREL, CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, TO ADD A NEW SECTION 36A, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE IN SECTION 15 FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (2/3 bill)**

Representative Lee brought **HA 1 to HB 81** before the House for consideration.

Representative Lee made a comment. **HA 1** was adopted by voice vote. Representative Lee made comments.

The roll call on **HB 81 w/HA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Blakey & Miro - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 81 w/HA 1** was sent to the Senate for concurrence.

Representative Viola requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 54**, jointly sponsored by Senator McBride & Senator Cloutier & Representatives Atkins, Blakey, Carey, Ewing, Hudson, Lofink, Manolakos, D. Short, Miro, Thornburg, Valihura, Wagner, Gilligan & Brady & Senators Bunting, Peterson, Copeland, Sorenson & Connor, before the House for consideration.

**HB 54 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEARCH AND SEIZURE.**

Representative Valihura brought **HA 1 to HB 54** before the House for consideration.

Representatives Valihura & Spence made comments. **HA 1** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 54 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Blakey & Miro - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 54 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 39**, jointly sponsored by Senator Simpson & Representatives Hocker & Schwartzkopf, before the House for consideration.

**HB 39 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING AND ZONING.**

Representative Booth brought **HA 1 to HB 39** before the House for consideration. Representative Booth made a comment. **HA 1** was adopted by voice vote. Representatives Booth, Lee, Ewing & Booth made comments.

The roll call on **HB 39 w/HA 1** was taken and revealed:

YES: 29.

NO: Representatives Ewing, Lee, D. Short & Thornburg - 4.

NOT VOTING: Representatives Ennis, Kowalko, Mulrooney & Wagner - 4.

ABSENT: Representatives Blakey & Miro - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 39 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 90**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Blakey, Hocker, Manolakos, Miro, Outten, Valihura, Wagner & Keeley, before the House for consideration.

**HB 90 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CHILD PROTECTION ACCOUNTABILITY COMMISSION.**

Representative Hudson made a comment.

The roll call on **HB 90** was taken and revealed:

YES: 37.

ABSENT: Representatives Blakey & Miro - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 90** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 40**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Spence, Smith, Cathcart, Ewing, Hudson, Lavelle, Outten, Valihura, Wagner, Keeley & Marshall & Senators Henry, Sokola, Sorenson, Amick, Connor & Still, before the House for consideration.

**HB 40 - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD.**

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker.

Representatives Booth, Schwartzkopf, Hudson & Booth made comments.

The roll call on **HB 40** was taken and revealed:

YES: 37.

ABSENT: Representatives Blakey & Miro - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 40** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SB 11**, jointly sponsored by Senator McBride & Senator Blevins & Representatives Maier & Hall-Long & Senator Still & cosponsored by Representative Blakey, before the House for consideration.

**SB 11 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PRESCRIPTION DRUG PAYMENT ASSISTANCE PROGRAM.**

Representative Hudson made a comment.

The roll call on **SB 11** was taken and revealed:

YES: 37.

ABSENT: Representatives Blakey & Valihura - 2.

VACANT: 2.

Therefore, having received a constitutional majority, **SB 11** was returned to the Senate.

Representative Miro requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **SB 22**, jointly sponsored by Senator Simpson, before the House for consideration.

**SB 22 - AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES, CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE COLLECTION OF ANNUAL TAXES. (2/3 bill)**

Representative Booth made comments.

The roll call on **SB 22** was taken and revealed:

YES: 38.

ABSENT: Representative Blakey - 1.

VACANT: 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 22** was returned to the Senate.

Representative Cathcart deferred to Representative McWilliams. Representatives McWilliams, Gilligan & Schooley made announcements.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 72**, jointly sponsored by & Senator Bunting & Representatives Ewing, Hudson, Kowalko, Schooley & Viola & Senator Henry, before the House for consideration.

**HB 72 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING. (3/5 bill) (F/I)**

Representative Schwartzkopf made comments.

The roll call on **HB 72** was taken and revealed:

YES: 38.

ABSENT: Representative Blakey - 1.

VACANT: 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 72** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 38**, jointly sponsored by Representative Hall-Long & Senator Blevins, before the House for consideration.

**HB 38** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DIETITIAN/NUTRITIONIST LICENSURE ACT.

Representative Maier introduced and brought **HA 1 to HB 38** before the House for consideration. Representatives Maier, Hudson & Hall-Long made comments. **HA 1** was defeated by voice vote.

Representative Maier introduced and brought **HA 2 to HB 38** before the House for consideration.

Representatives Maier, Gilligan, Hall-Long, Ennis & Valihura made comments. Representative Maier requested and was granted privilege of the floor for James Collins representing the Division of Professional Regulation. Representatives Maier & Ennis made comments. Representative Valihura moved to suspend the rules which interfere with action on **HA 2**. The motion was properly seconded and adopted by voice vote. **HA 2** was adopted by voice vote. Representative Maier made comments.

The roll call on **HB 38 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representative Blakey - 1.

VACANT: 2.

Therefore, having received a constitutional majority, **HB 38 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart introduced a guest and made an announcement. Representative Cathcart deferred to Representative Carey. The House observed a moment of silence in memory of Gayle Hudson at the request of Representative Carey. Representative Gilligan made an announcement. Representative Miro made comments. Mr. Acting Speaker made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:15 p.m.

Mr. Acting Speaker Booth called the House to order at 2:09 p.m. on April 5, 2007.

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

#### **20th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session April 5, 2007**

The Chief Clerk called the roll:

Members Present: 30.

Members Absent: Representatives Blakey, Cathcart, Hudson, Lavelle, Miro, Mitchell, Plant, Valihura & Viola – 9.

Vacancy: 2.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

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

The following prefiled legislation was introduced:

**HB 121** - MIRO & SENATOR DELUCA; REPRESENTATIVES HUDSON, VALIHURA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 123** - HALL-LONG & REPRESENTATIVE MAIER & REPRESENTATIVE PLANT & REPRESENTATIVE SCHOOLEY & SENATOR BLEVINS & SENATOR HENRY & SENATOR SORENSON; REPRESENTATIVES BRADY, ENNIS, GILLIGAN, KEELEY, KOWALKO, MARSHALL, MCWILLIAMS, STONE, THORNBURG, VIOLA, WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Urgent and Preventative Dental Care for Pregnant Medicaid Recipients.

**HB 124** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES SPENCE, EWING, HUDSON, LOFINK, MANOLAKOS, MIRO, D. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children.

**HB 125** - KEELEY & REPRESENTATIVE MAIER & SENATOR HENRY; REPRESENTATIVES ENNIS, HALL-LONG, HOCKER, JOHNSON, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA; SENATOR SIMPSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 109, Volume 74 of the Laws of Delaware, as Amended, Entitled "An Act to Amend Title 16 of the Delaware Code Related to the Establishment of a Hearing Aid Loan Bank" to Eliminate the Sunset Provision Relating to the Hearing Aid Loan Bank.

**HB 126** - MARSHALL & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BRADY, ENNIS, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MANOLAKOS, MCWILLIAMS, MIRO, MITCHELL, PLANT, VIOLA; SENATOR CONNOR - EDUCATION - An Act to Amend Chapter 30, Title 14 of the Delaware Code Relating to Early Childhood Education.

**HB 127** - SCHOOLEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE MAIER & REPRESENTATIVE MIRO & SENATOR AMICK & SENATOR PETERSON & SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 152, Volume 48 of the Laws of

Delaware, as Amended, Entitled "An Act Changing the Name of the 'Town of Newark' to the 'City of Newark' and Establishing a Charter Therefor", Relating to the Registration of Voters.

Representatives Oberle & Wagner requested that they be marked present. Representative Schooley requested and was granted privilege of the floor to introduce guests. Representative Maier made comments. Representative Schooley requested and was granted privilege of the floor for Vance A. Funk, III, Mayor of Newark. Representative Spence requested that he be marked present. Representative Spence made comments. Representative Kowalko requested and was granted privilege of the floor to make comments. Mr. Speaker Spence resumed the Chair. Representative Johnson made comments. Representative Carey requested that he be marked present. Representative Maier introduced guests. Mr. Speaker Spence made an announcement.

Mr. Speaker Spence reassigned **HB 95** to the Agriculture Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #16

DATE: April 5, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                          | Date      | Type | Description                                                      |
|----------|----------------------------------|-----------|------|------------------------------------------------------------------|
| H144-353 | Spence                           | 3/29/2007 | T    | Theresa Brock - 3rd Place - Legislative Essay Scholarship        |
|          | cosponsors: All Representatives  |           |      |                                                                  |
| H144-354 | Walls                            | 3/30/2007 | T    | William Stokes - Fire Service - 60+ Years                        |
| H144-355 | Hudson                           | 3/21/2007 | T    | Anna Flynn - 90th Birthday                                       |
| H144-356 | Schwartzkopf;                    | 3/23/2007 | T    | Tim Clausen - Participation on NBC's The Biggest Loser           |
|          | Booth                            |           |      |                                                                  |
| H144-357 | Mitchell                         | 3/24/2007 | T    | Charles Sayers - Member of the Year - Elsmere Fire Company       |
| H144-358 | Mitchell                         | 3/24/2007 | T    | Marion Ruba - President's Award - Elsmere Fire Company           |
| H144-359 | Mitchell                         | 3/24/2007 | T    | Ralph Talley - Lifetime Achievement - Elsmere Fire Co.           |
| H144-360 | Spence                           | 3/29/2007 | T    | Joshua Marks - 2nd Place - Legislative Essay Scholarship         |
|          | cosponsors: All Representatives  |           |      |                                                                  |
| H144-361 | Spence                           | 2/25/2007 | T    | Zachary Spence - Bantam - Karate State Championship              |
| H144-362 | Wagner                           | 2/14/2007 | T    | Arthur & Jean Northwood - 63rd Wedding Anniversary               |
| H144-363 | Hudson                           | 3/21/2007 | M    | Elizabeth Ann Crossan                                            |
|          | cosponsors: All Representatives  |           |      |                                                                  |
| H144-364 | Wagner                           | 3/19/2007 | M    | Joyce Ann Pancoast                                               |
|          | cosponsor: Rep. Stone            |           |      |                                                                  |
| H144-365 | Hall-Long                        | 4/21/2007 | T    | Timothy Scott Radcliffe - Eagle Scout                            |
| H144-366 | Walls                            | 4/25/2007 | T    | Harry Downes, Jr. - Distinguished Alumni Award - DelTech         |
| H144-367 | Hall-Long;                       | 3/20/2007 | M    | James H. Carson, Jr.                                             |
|          | Ennis                            |           |      |                                                                  |
| H144-368 | Stone; Wagner                    | 3/20/2007 | M    | Charles Snyder                                                   |
| H144-369 | Stone; Wagner                    | 3/22/2007 | T    | Bayhealth - Economic Development Leadership Award                |
| H144-370 | Booth; Carey                     | 4/7/2007  | T    | Lawrence Sammons - 70 Year Member –<br>Ellendale Fire Department |
| H144-371 | Spence                           | 3/28/2007 | T    | Francis Irene duPont - Liberty Tree Planting                     |
|          | cosponsors: All Representatives  |           |      |                                                                  |
| H144-372 | Spence                           | 4/1/2007  | T    | Douglas Deveney - Promotion to Sergeant –<br>State Police        |
|          | cosponsors: All Representatives  |           |      |                                                                  |
| H144-373 | Carey                            | 3/31/2007 | T    | Sam Marshall - Community Unity Volunteer of Year - Milford       |
|          | cosponsors: Reps. Wagner & Walls |           |      |                                                                  |
| H144-374 | Stone                            | 3/21/2007 | M    | Ralph A. Figueroa                                                |

HOUSE TRIBUTE ANNOUNCEMENT #17

DATE: April 5, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor       | Date      | Type | Description                                            |
|----------|---------------|-----------|------|--------------------------------------------------------|
| H144-375 | Stone         | 4/14/2007 | T    | Kathleen Mullarkey - 50th Birthday                     |
| H144-376 | Outten        | 3/26/2007 | M    | Robert John Masten, Sr.                                |
| H144-377 | D. Short      | 3/28/2007 | T    | Leon Trivits - 97th Birthday                           |
| H144-378 | Wagner; Stone | 3/31/2007 | T    | Dawn Melson & Michael Williams – Marriage              |
| H144-379 | Wagner; Stone | 3/31/2007 | T    | Melissa Stamp & Richard Harpster – Marriage            |
| H144-380 | Hudson        | 3/12/2007 | M    | Ronald W. Smith                                        |
| H144-381 | Hudson        | 5/11/2007 | T    | Christopher Haley - Eagle Scout                        |
| H144-382 | Oberle        | 3/29/2007 | T    | Nicole Lorah - Legislative Essay Scholarship Winner    |
| H144-383 | Lofink        | 3/29/2007 | T    | Bao-Viet Nguyen - Legislative Essay Scholarship Winner |
| H144-384 | Hall-Long     | 3/29/2007 | T    | Kurt Pokoiski - Legislative Essay Scholarship Winner   |

|              |                                                                      |           |   |                                                                                    |
|--------------|----------------------------------------------------------------------|-----------|---|------------------------------------------------------------------------------------|
| H144-385     | Schooley                                                             | 3/29/2007 | T | Nicole Schreffler - Legislative Essay Scholarship Winner                           |
| H144-386     | Longhurst                                                            | 3/29/2007 | T | Joseph Nichols - Legislative Essay Scholarship Winner                              |
| H144-387     | Viola                                                                | 3/29/2007 | T | Gerald Gibbons - Legislative Essay Scholarship Winner                              |
| H144-388     | McWilliams                                                           | 3/29/2007 | T | Michelle Friedberg - Legislative Essay Scholarship Winner                          |
| H144-389     | Wagner                                                               | 3/29/2007 | T | Delaware State University Women's<br>Basketball - Mid-Eastern Conference Champions |
| H144-390     | Carey                                                                | 3/30/2007 | T | Pastor A. William Sammons, Sr. - Retirement                                        |
| H144-391     | Booth; Carey                                                         | 4/3/2007  | T | Bella Leishear - Inspiration for Bella's Cookies                                   |
| H144-392     | Wagner                                                               | 4/3/2007  | T | Robert McLeod - Kent County<br>Administrator - Retirement                          |
|              | cosponsors: Reps. Blakey, Ennis,<br>Outten, Stone, Thornburg & Walls |           |   |                                                                                    |
| H144-393     | Ennis                                                                | 4/5/2007  | T | Eastern Ramsey - 65th Birthday                                                     |
| H144-394     | Miro                                                                 | 4/3/2007  | T | Joanne Miro - Retirement - Department of Education                                 |
|              | cosponsors: All Representatives                                      |           |   |                                                                                    |
| H144-395     | Maier                                                                | 4/3/2007  | T | University of Delaware Women's Basketball<br>- NCAA Tournament Participant         |
|              | cosponsors: All Representatives                                      |           |   |                                                                                    |
| H144-396     | Mitchell                                                             | 4/1/2007  | M | Mary Jane Grant                                                                    |
|              | cosponsor: Rep. Schooley                                             |           |   |                                                                                    |
| H144-397     | Hudson                                                               | 3/28/2007 | M | Dean L. O'Hollaren                                                                 |
| T- Tribute   |                                                                      |           |   |                                                                                    |
| M - Memoriam |                                                                      |           |   |                                                                                    |

Representative Lee brought the following prefiled **Consent Calendar #5** before the House for consideration.

**HR 14** – KOWALKO – A Resolution Proclaiming April 24 as a Day of Remembrance of the Armenian Genocide.

**HCR 15** – MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR MARSHALL ON BEHALF OF ALL SENATORS – Recognizing June 14, 2007 as National Nursing Assistants' Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

**HCR 17** – OUTTEN & SENATOR BUNTING & REPRESENTATIVE VALIHURA – To Recognize May 2007 as Poppy Month in the State of Delaware.

**Consent Calendar #5** was adopted by voice vote and **HR 14** was declared passed and **HCR 15** & **HCR 17** were sent to the Senate for concurrence.

Representative Kowalko made comments regarding **HR 14**. Representative Thornburg requested and was granted personal privilege of the floor to make comments regarding **HR 14** and to introduce a guest.

Representative Gilligan requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 29** and requests the concurrence of the House.

#### M E M O R A N D U M

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Robert J. Valihura, Jr.  
Representative – Tenth Representative District

RE: Absence from Session

DATE: April 5, 2007

Please be advised that I will be unavailable for session today, Thursday, April 5, 2007 due to a personal matter.

Thank you for your consideration in this matter.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:28 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:28 P.M.: Representatives Longhurst, Manolagos & Mulrooney.

Mr. Speaker Spence called the House to order at 2:05 p.m. on April 24, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 53** and is returning same to the House.

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

EDUCATION: **SB 26** - 9M.

ENERGY AND NATURAL RESOURCES: **HB 107** - 3F, 7M; **HB 108** - 1F, 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 103** - 7M; **HB 99** - 7M; **HB 112** - 8M.

LABOR: **HB 109** - 1F, 4M.

VETERANS AFFAIRS: **HJR 4** - 9F, 1M.

Mr. Speaker Spence assigned **HB 47**, **HB 107** & **HB 108** to the Appropriations Committee.

Representatives Mitchell, Miro, Viola & Lavelle requested that they be marked present for the current Legislative Day.



The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**21st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
April 24, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Member Absent: Representative Longhurst – 1.

Vacancy: 1.

Representative Booth & Mr. Speaker Spence made comments. A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

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

The following out of session prefiled legislation was introduced:

April 17, 2007

**HB 97** - HOCKER & REPRESENTATIVE MIRO & SENATOR BUNTING; REPRESENTATIVES SPENCE, CATHCART, LEE, BLAKEY, BOOTH, CAREY, EWING, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, KEELEY, BRADY, ENNIS, HALL-LONG, KOWALKO, MARSHALL, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, WILLIAMS; SENATORS PETERSON, AMICK, COPELAND, SORENSON, CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax.

**HB 128** - SCHOOLEY & REPRESENTATIVE MARSHALL & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BRADY, ENNIS, EWING, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LAVELLE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, PLANT, SPENCE, STONE, WILLIAMS; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.

**HB 129** - MAIER & SENATOR CONNOR; REPRESENTATIVES BOOTH, HUDSON, KOWALKO, SCHOOLEY; SENATORS BLEVINS, MARSHALL, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Department of Health.

**HB 130** - SCHWARTZKOPF & REPRESENTATIVE BOOTH; REPRESENTATIVES CATHCART, LONGHURST, MCWILLIAMS; SENATORS BUNTING, SIMPSON, BONINI - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders and Sexual Offenses.

**HB 131** - EWING - HOUSE ADMINISTRATION - An Act to Amend An Act Entitled: "An Act to Re-Incorporate the Town of Ellendale" to Simplify the Process for Annexation of Lands into the Town Where the Owner of Such Lands Petitions Annexation and, in All Other Situations, to Require a Favorable Election of the Residents and Property Owners of the Lands to be Annexed as a Condition Precedent to Annexation. (2/3 bill)

**HB 132** - BRADY & SENATOR BLEVINS; REPRESENTATIVES LONGHURST, CATHCART, LEE, KEELEY, WAGNER, MARSHALL, JOHNSON, MULROONEY, THORNBURG; SENATORS BONINI, SOKOLA, MCDOWELL- HOUSE ADMINISTRATION - An Act to Amend Chapter 55, Title 15 of the Delaware Code Relating to Absentee Ballots.

**HB 133** - ENNIS & SENATOR VAUGHN; REPRESENTATIVES EWING, LEE, MITCHELL, OUTTEN, D. SHORT, WILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Licensing Motorcycle Operators.

**HB 134** - D. SHORT & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES LEE, OUTTEN, ENNIS, MITCHELL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 135** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Delaware Laws, Volume 73, Chapter 210, Entitled "An Act to Reincorporate the Town of Blades". (2/3 bill)

**HB 136** - SPENCE & SENATOR MCBRIDE - LABOR - An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HB 137** - STONE & SENATOR DELUCA; REPRESENTATIVES CAREY, HUDSON, KEELEY, LAVELLE, D. SHORT, VALIHURA, VIOLA; SENATORS BONINI, BUNTING, COOK, SOKOLA, STILL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Preneed Funeral Contracts.

**HB 138** - HUDSON & SENATOR HENRY; REPRESENTATIVES SPENCE, HOCKER, LAVELLE, MAIER, MIRO, D. SHORT, STONE, VALIHURA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures.

**HA 1 to HCR 16** - SCHOOLEY - Placed with the Bill.

**SB 29** - PETERSON & SENATOR MCBRIDE & REPRESENTATIVE HUDSON & REPRESENTATIVE LAVELLE; SENATORS SORENSON, SOKOLA, BUNTING, BLEVINS, CONNOR, COPELAND, HENRY, COOK, CLOUTIER, AMICK, MARSHALL; REPRESENTATIVES GILLIGAN, MITCHELL, KEELEY, ENNIS, MULROONEY, JOHNSON, MCWILLIAMS, MARSHALL, SCHOOLEY, HALL-LONG, KOWALKO, LONGHURST, PLANT, CAREY, CATHCART, HOCKER, LEE, MAIER, MANOLAKOS, MIRO, D. SHORT, VALIHURA, BRADY, SPENCE, SMITH, EWING, LOFINK - JUDICIARY - An Act to Amend Title 10 of the Delaware Code by Removing the Statute of Limitations for Civil Suits Relating to Child Sexual Abuse and Adding Related Provisions Regarding Such Suits.

**HA 1 to SB 29** - LAVELLE - Placed with the Bill.

The following prefiled legislation was introduced:

**SB 6 w/SA 1** - BLEVINS & SENATOR MARSHALL & REPRESENTATIVE HALL-LONG; SENATORS HENRY, PETERSON, SORENSON, MCDOWELL, CONNOR, VENABLES, MCBRIDE, SIMPSON, CLOUTIER; REPRESENTATIVES SPENCE, ENNIS, SCHOOLEY, MARSHALL, MCWILLIAMS, KEELEY, MULROONEY, BRADY, GILLIGAN, JOHNSON, KOWALKO, LONGHURST, MITCHELL, PLANT, SCHWARTZKOPF, VIOLA, WALLS, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Creating a Delaware Health Insurance Pool.

**SB 24** - SOKOLA & REPRESENTATIVE STONE; SENATOR COPELAND; REPRESENTATIVE MARSHALL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Promotion of Cooperation, Partnerships and the Exchange of Information Across the Mid-Atlantic Region.

**SB 30 w/SA 1** - ADAMS & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Chapter 95 of Title 10 of the Delaware Code Relating to Civil Procedures of the Justice of the Peace Court.

**SB 43** - CONNOR & REPRESENTATIVE LAVELLE; SENATORS AMICK, COPELAND, HENRY, SIMPSON, SOKOLA, SORENSON, STILL, CLOUTIER; REPRESENTATIVE ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Control Signal Preemption Devices. (2/3 bill)

**SB 50** - ADAMS & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Family Court Jurisdiction over Motor Vehicle Violations.

**SB 52 w/SA 1** - ADAMS & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES CAREY, HOCKER, ENNIS, LONGHURST - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Concerning the Criteria to be Used by the Public Service Commission for Granting Certificates of Public Convenience and Necessity to Water Utilities.

**SB 59** - AMICK; SENATORS PETERSON, SOKOLA, SORENSON; REPRESENTATIVES KOWALKO, MAIER, MIRO, SCHOOLEY - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the City of Newark Relating to the Elimination of the House Sergeant Position. (2/3 bill)

**SB 61** - SORENSON; SENATORS AMICK, PETERSON, SOKOLA; REPRESENTATIVES KOWALKO, MAIER, MIRO, SCHOOLEY - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the City of Newark Relating to the Positions of Alderman and Deputy Alderman. (2/3 bill)

**SB 62** - ADAMS & REPRESENTATIVE VALIHURA; SENATOR VAUGHN; REPRESENTATIVE SPENCE; SENATOR AMICK - JUDICIARY - An Act Concurring in a Proposed Amendment to Article IV, Section 11 of the Delaware Constitution of 1897, as Amended, Relating to Certification of Questions of Law to the Supreme Court. (2/3 bill)

**SB 69** - ADAMS & SENATOR VAUGHN & REPRESENTATIVE VALIHURA & REPRESENTATIVE EWING & REPRESENTATIVE MARSHALL; SENATORS COOK, DELUCA, BUNTING, SORENSON, AMICK, CONNOR, CLOUTIER, COPELAND, HENRY, SIMPSON, VENABLES, BLEVINS, PETERSON, SOKOLA, MCBRIDE, MARSHALL, MCDOWELL; REPRESENTATIVES CATHCART, D. SHORT, HUDSON, MIRO, MCWILLIAMS, KEELEY, HALL-LONG, BOOTH, LAVELLE, WAGNER, MAIER, OBERLE, STONE, WILLIAMS, PLANT, MITCHELL, THORNBURG, SCHOOLEY, BLAKEY, VIOLA, JOHNSON, LOFINK - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Arbitration.

Representative Cathcart moved that the Chief Clerk read the Writ of Election and the Certificate of Election. The motion was seconded by Representative Lee and adopted by voice vote.

The Chief Clerk read the Writ of Election and the Certificate of Election as follows:

WRIT OF ELECTION

TO: THE DEPARTMENT OF ELECTIONS, NEW CASTLE COUNTY  
CARVEL STATE OFFICE BUILDING  
820 N FRENCH STREET  
WILMINGTON, DELAWARE 19801

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 144th General Assembly of the State of Delaware by reason of the resignation of WAYNE A SMITH, of the 7th Representative District of New Castle County, Delaware on March 12, 2007.

WHEREAS, such a vacancy has occurred and exists while said General Assembly is in session;

NOW, THEREFORE, I, TERRY R. SPENCE, Speaker of the House of Representatives of the State of Delaware, Presiding Officer of the Delaware House of Representatives, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 7th Representative District of New Castle County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than eleven nor less than ten days next after receipt of this Writ, exclusive of the day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said WAYNE A. SMITH.

IN WITNESS, THEREOF, I, TERRY R. SPENCE, Speaker of the House of Representatives of the 144th Delaware General Assembly have hereunto set my hand and seal this *4th* day of *April* in the year *Two Thousand and Seven*.

Marilyn Porter  
NOTARY

TERRY R. SPENCE, SPEAKER  
HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
The State of Delaware  
New Castle County, ss.

Be It Remembered, That at the General Election held on Saturday, April Fourteenth, in the year of our Lord Two Thousand and Seven for New Castle County, according to the Constitution and Laws of the State of Delaware,

Bryon Short  
was duly elected  
Representative – 7th District

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, JAMES T. VAUGHN, JR. and RICHARD R. COOCH constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 16th day of April, A.D. 2007.

James T. Vaughn, Jr. President Judge  
Richard R. Cooch, Resident Judge

Representative Cathcart moved that the Oath of Office be administered to Representative-Elect Bryon H. Short by Vice Chancellor Leo Strine, Jr. The motion was seconded by Representative Lee and adopted by voice vote.

Vice Chancellor Strine administered the oath of Representative to Representative-Elect Short as follows:

I, Bryon H. Short, do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

Bryon H. Short  
State Representative

Sworn and subscribed before me on this 24th day of April A.D. 2007  
Leo Strine, Jr.

Vice Chancellor, Court of Chancery

Representative Cathcart moved that the Chief Clerk call the roll of the Members of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The Chief Clerk called the roll.

Representative Cathcart moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Cathcart & Gilligan & Mr. Speaker Spence made comments. Representatives Hall-Long & Williams requested that they be marked present. Representative Marshall requested and was granted personal privilege of the floor to make comments. Representative Hudson requested that she be marked present. Representative Hudson requested and was granted personal privilege of the floor to make an announcement. Representative Mitchell requested and was granted personal privilege of the floor to introduce guests. Representative Maier requested that she be marked present.

Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf requested that he be marked present. Representative Miro requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 43, SB 6 w/SA 1, SB 59, SB 61, SB 30 w/SA 1, SB 50, SB 62, SB 69, SB 52 w/SA 1 & SB 24** and requests the concurrence of the House; **HB 19 w/SA 1 & HB 7 w/SA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SCR 8** and requests the concurrence of the House; **HCR 15 & HCR 17** and is returning same to the House.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Valerie J. Longhurst  
DATE: April 24, 2007  
RE: Absence from session

I will be unable to attend today's session because of a family illness.

144th Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Thurman Adams, Jr., do hereby request that my name be removed as cosponsor of **HB 131**.

Date: April 24, 2007

Signed: Thurman Adams, Jr.

Representative Cathcart deferred to Representative Thornburg. Representative Thornburg requested and was granted privilege of the floor for Janice Pendleton, representing the Office for Advice, Assistance, Support and Information on Special Needs. Representatives Cathcart & Gilligan made announcements.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 4:48 p.m. with Representative Booth as Acting Speaker.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 109**, jointly sponsored by Representative Ennis & Senator Cook & Representative Spence & Senator Amick, before the House for consideration.

**HB 109 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION.**

Representative Wagner made comments.

The roll call on **HB 109** was taken and revealed:

YES: 38.

ABSENT: Representatives Longhurst & Spence - 2.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 109** was sent to the Senate for concurrence.

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

Representative Cathcart deferred to Representative Wagner.

Representative Wagner introduced and brought **HCR 21**, jointly sponsored by Senator Peterson, before the House for consideration.

**HCR 21 - ENCOURAGING DELAWARE EMPLOYERS TO GIVE EQUAL PAY FOR EQUAL WORK.**

Representative Wagner made comments.

**HCR 21** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HB 139**, jointly sponsored by Senator Still & Representatives Kowalko, Longhurst & Spence & Senator Connor.

**HB 139 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO WARNING SIRENS ON THE PREMISES OF PUBLIC AND PRIVATE POST-SECONDARY EDUCATIONAL INSTITUTIONS.**

Mr. Acting Speaker assigned **HB 139** to the Public Safety & Homeland Security Committee.

Representative Lavelle requested that **HA 1 to SB 29** be stricken.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf introduced **HB 141**, jointly sponsored by Senator Bunting.

**HB 141 - AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH. (2/3 bill)**

Mr. Acting Speaker assigned **HB 141** to the House Administration Committee.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura requested that action on **HB 36** be Deferred to a Day Certain, Thursday, April, 26, 2007.

The Majority Leader moved to recess to the call of the Chair at 5:00 p.m.

Mr. Acting Speaker Booth called the House to order at 2:01 p.m. on April 25, 2007.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

**22nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
April 25, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Lofink & Longhurst – 2.

Vacancy: 1.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

The following prefiled legislation was introduced:

**HB 140** - CAREY & SENATOR BUNTING; REPRESENTATIVES HOCKER, THORNBURG, WALLS; SENATOR SIMPSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Tax Ditches.

**HA 1 to HB 36** - VALIHURA - Placed with the Bill.

**HA 1 to HB 83** - VIOLA - Placed with the Bill.

**HA 1 to HB 111** - ENNIS - Placed with the Bill.

**HA 1 to HB 114** - BLAKEY - Placed with the Bill.

**SB 53** - DELUCA & REPRESENTATIVE THORNBURG; SENATOR ADAMS; REPRESENTATIVES CATHCART, HUDSON, STONE - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 26 of the Delaware Code Relating to the Jurisdiction of the Public Service Commission over Voice over Internet Protocol Communications Service.

**HA 2 to SB 29** - LAVELLE - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 53** and requests the concurrence of the House.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House

FROM: Rep. Valerie J. Longhurst

DATE: April 25, 2007

RE: Absence from session

I will be unable to attend today's session because of a family illness.

Representatives Stone & Spence requested that they be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #6** before the House for consideration.

**HCR 18** – WAGNER & SENATOR HENRY & REPRESENTATIVES SPENCE, BLAKEY, CAREY, MAIER, OUTTEN, D. SHORT, VALIHURA, ENNIS, KOWALKO, SCHWARTZKOPF & VIOLA – Expressing the Sincere Gratitude of the General Assembly for the Distinguished Service of the Buffalo Soldiers.

**HCR 19** – SPENCE ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS ON BEHALF OF ALL SENATORS – Commending the Recipients and Nominees of the 2007 Delaware Award for Excellence and Commitment in State Service.

**HCR 20** – WAGNER & REPRESENTATIVE STONE & SENATOR STILL – Recognizing June 9, 2007 as Race Unity Day in the City of Dover.

**HCR 22** – LOFINK ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS – Commending the Students Selected as Secretary of Education Scholars of 2007.

**SCR 8** – PETERSON & REPRESENTATIVE MAIER – Requesting the Governor to Proclaim the Month of May as Lyme Disease Awareness Month.

**Consent Calendar #6** was adopted by voice vote and **HCR 18**, **HCR 19**, **HCR 20** & **HCR 22** were sent to the Senate for concurrence and **SCR 8** was returned to the Senate.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #18

DATE: April 25, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor          | Date      | Type | Description                                                                              |
|----------|------------------|-----------|------|------------------------------------------------------------------------------------------|
| H144-398 | McWilliams       | 4/4/2007  | T    | Mary Margaret Williams - Retirement – House Staff<br>cosponsors: Reps. Gilligan & Keeley |
| H144-399 | Spence           | 3/18/2007 | M    | Mildred A. Crystal<br>cosponsors: All Representatives                                    |
| H144-400 | Maier            | 3/31/2007 | M    | Kersti L. Miller                                                                         |
| H144-401 | Hudson           | 3/28/2007 | M    | Dorothy M. Press                                                                         |
| H144-402 | Walls            | 4/5/2007  | T    | Allen Craft - United States Army - 55 Years                                              |
| H144-403 | Ewing; Carey     | 3/31/2007 | M    | Gayle E. Hudson                                                                          |
| H144-404 | Carey;<br>Wagner | 3/27/2007 | M    | Ruth Miriam Freece Detwiler                                                              |
| H144-405 | Wagner           | 4/29/2007 | T    | Jennifer Nemcic & Adam Ridgeway – Marriage                                               |

|          |                           |            |   |                                                            |
|----------|---------------------------|------------|---|------------------------------------------------------------|
| H144-406 | Hocker                    | 4/10/2007  | T | Thomas Droney - Dedicated Service – Millville              |
| H144-407 | Thornburg                 | 4/5/2007   | T | Harvey & Shirley Garvine - 40th Wedding Anniversary        |
|          | cosponsor: Rep. Mulrooney |            |   |                                                            |
| H144-408 | Schwartzkopf              | 3/29/2007  | M | Ralph A. Martin                                            |
| H144-409 | D. Short                  | 4/11/2007  | T | Seaford 911 Center - Public Safety Telecommunications Week |
| H144-410 | Outten                    | 4/21/2007  | T | Raymond Blanchette - 50th Birthday                         |
| H144-411 | Williams                  | 4/25/2007  | T | William & Phyllis Sheehan - 65th Wedding Anniversary       |
| H144-412 | Williams                  | 1/25/2007  | T | August & Kathryn Hazeur - 55th Wedding Anniversary         |
| H144-413 | Mulrooney                 | 4/12/2007  | T | Carl & Annabelle Witt - 60th Wedding Anniversary           |
| H144-414 | Mulrooney                 | 5/11/2007  | T | Walter & Geraldine Allen - 50th Wedding Anniversary        |
| H144-415 | Johnson                   | 2/21/2007  | T | Harry & Violet Davis - 65th Wedding Anniversary            |
| H144-416 | Hall-Long                 | 2/9/2007   | T | Kenneth & Crystle Kerens - 50th Wedding Anniversary        |
| H144-417 | Marshall                  | 11/17/2006 | T | John & Shirley Veasey - 50th Wedding Anniversary           |
| H144-418 | Viola                     | 2/22/2007  | T | Warren & Frankie Duncan - 55th Wedding Anniversary         |
| H144-419 | Ennis                     | 5/11/2007  | T | Doris R. Wells - 75th Birthday                             |
| H144-420 | Blakey;                   | 4/14/2007  | T | Reverend Doctor Richard Avant - 25th Pastoral Anniversary  |
|          | Wagner                    |            |   |                                                            |
| H144-421 | Outten                    | 4/6/2007   | M | Alvin H. Sylvester                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #19

DATE: April 25, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                | Date      | Type | Description                                                      |
|----------|------------------------|-----------|------|------------------------------------------------------------------|
| H144-422 | Hocker; Booth          | 4/16/2007 | T    | Cynthia Tunney - Volunteer of the Year – Alzheimer's Association |
| H144-423 | Wagner                 | 2/5/2007  | T    | Gladys Wheeler - 100th Birthday                                  |
| H144-424 | Mulrooney              | 4/20/2007 | T    | Dr. Carol Mayhew - Retirement - Department of Education          |
| H144-425 | Valihura               | 5/17/2007 | T    | Stephan Murphy - Eagle Scout                                     |
| H144-426 | McWilliams;            | 4/7/2007  | M    | Mary Greggo Ferrara                                              |
|          | Hudson                 |           |      |                                                                  |
| H144-427 | Lavelle                | 4/12/2007 | M    | Thomas Charles Reynolds, Jr.                                     |
| H144-428 | Keeley                 | 5/15/2007 | T    | Kathleen Bernard - 90th Birthday                                 |
| H144-429 | Wagner; Ennis          | 4/17/2007 | T    | Amber Layton & Joshua Watson - Marriage                          |
| H144-430 | Stone; Walls           | 4/14/2007 | M    | Charles Edward Stapleford                                        |
| H144-431 | Outten                 | 4/28/2007 | T    | Guy & Mary Lou Lindsay - 60th Wedding Anniversary                |
| H144-432 | Outten                 | 4/21/2007 | T    | Everett Warrington, Jr. - 50 Years - Felton Fire Company         |
| H144-433 | Outten                 | 4/21/2007 | T    | Charles Bostick - Kent County Fireman of the Year                |
| H144-434 | Johnson                | 4/14/2007 | M    | Emily B. Favors                                                  |
| H144-435 | Booth;                 | 4/19/2007 | T    | American Association of University Women                         |
|          | Schwartzkopf           |           |      | - Georgetown - 50th Anniversary                                  |
| H144-436 | Schooley               | 4/20/2007 | T    | Mary Herr - Improved Quality of Life in Newark - Retirement      |
| H144-437 | Schwartzkopf           | 4/16/2007 | M    | William E. Wright                                                |
| H144-438 | Blakey                 | 4/21/2007 | T    | Natalie Knight & Michael Keefer - Marriage                       |
|          | cosponsor: Rep. Wagner |           |      |                                                                  |
| H144-439 | Outten                 | 5/3/2007  | T    | Jennifer Crouse - Community Winner - Celebration Diversity       |
| H144-440 | Ennis                  | 4/23/2007 | T    | Patrick Cahill - Councilman - Smyrna                             |
| H144-441 | Outten                 | 5/10/2007 | T    | R. Ronald Draper - Retirement - Office of State Auditor          |
| H144-442 | McWilliams             | 4/24/2007 | T    | Richard & Phyllis Ventresca - 50th Wedding Anniversary           |
| H144-443 | Blakey                 | 4/5/2007  | T    | Margaret Bradley - Retirement - Georgetown Meter Attendant       |
| H144-444 | Johnson                | 4/14/2007 | T    | Holloway Terrace Ladies Auxiliary - 85th Anniversary             |
| H144-445 | Blakey;                | 4/20/2007 | T    | John Sigler - President - National Rifle Association             |
|          | Thornburg              |           |      |                                                                  |
| H144-446 | Maier                  | 4/19/2007 | M    | Naomi E. Pugh                                                    |

T- Tribute

M - Memoriam

Representative Outten requested and was granted personal privilege of the floor to introduce guests. Representative Outten requested and was granted privilege of the floor for Jeffrey Sullivan, Treasurer, Kent County 4-H. Mr. Acting Speaker made comments. Representatives Williams, Gilligan & Schwartzkopf requested that they be marked present. Representative Marshall requested and was granted personal privilege of the floor to introduce guests. Representative Wagner requested that she be marked present. Representative Hall-Long requested and was granted personal privilege of the floor to make comments. Representative Cathcart deferred to Representative Lee. Representative Lee made announcements.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:16 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:16 P.M.: Representatives Lavelle, Miro, Mulrooney & Oberle.

Mr. Acting Speaker Booth called the House to order at 2:03 p.m. on April 26, 2007.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 82** - 7M; **HB 92** - 8M; **HB 101** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 123** - 6F,1M; **HB 124** - 7F,1M; **HB 125** - 5M,1U;  
**HCR 16** - 5F,2M.

HOUSE ADMINISTRATION: **HB 98** - 5F; **HB 119** - 5F; **HB 127** - 5F.

HOUSING & COMMUNITY AFFAIRS: **HB 42** - 8M.

JUDICIARY: **HB 117** - 6M; **HB 134** - 6M; **HB 138** - 5M; **SB 39** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 122** - 5M; **HB 133** - 5M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 63** & **SS 1/SB 67** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**23rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**  
**April 26, 2007**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Lavelle, Longhurst & Schooley – 3.

Vacancy: 1.

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

Mr. Acting Speaker and Alexis Adams led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HA 2 to HB 36** - VALIHURA - Placed with the Bill.

**HA 1 to HB 101** - MAIER - Placed with the Bill.

**HA 1 to HB 113** - MIRO - Placed with the Bill.

**HA 1 to HB 127** - SCHOOLEY - Placed with the Bill.

**HA 1 to HB 130** - SCHWARTZKOPF - Placed with the Bill.

**SB 63** - BLEVINS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurer Investments in Foreign Countries.

**SS 1 for SB 67** - ADAMS & REPRESENTATIVE STONE; SENATORS STILL, COPELAND, DELUCA, SIMPSON; REPRESENTATIVES CAREY, HUDSON, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 4 of the Delaware Code Relating to Breweries and Microbreweries.

Mr. Acting Speaker assigned **HB 82** & **HB 123** to the Appropriations Committee.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests.

Representatives Viola, Marshall & Schwartzkopf requested that they be marked present. Representative Cathcart deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor to present a House Tribute to Harold E. Roberts, Ed.D., on the occasion of his retirement from the Caesar Rodney School District. Mrs. Trish Roberts addressed the House. Mr. Acting Speaker made comments. Representative Cathcart deferred to Representative Hall-Long. Representative Hall-Long introduced guests and requested and was granted privilege of the floor for Newark High School String Quartet. Representative Kowalko requested and was granted personal privilege of the floor to make comments. The quartet performed two selections and announced their names, instruments and grades for the record. Mr. Acting Speaker & Representatives Cathcart & Ennis made comments. Representatives Outten, McWilliams & Walls requested that they be marked present.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Deborah D. Hudson  
State Representative

DATE: April 26, 2007

RE: Absence from Session

Please be advised that it is necessary for me to be absent from session today due to personal business. Thank you for your understanding.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House

FROM: Rep. Valerie J. Longhurst

DATE: April 26, 2007  
RE: Absence from session

I will be absent from session until further notice.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Teresa L. Schooley  
DATE: April 26, 2007  
RE: Absence from session

I will be unable to attend today's session because of personal business.

Representative Stone requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:35 p.m.

The House reconvened at 3:50 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

The minutes of the two previous legislative days were approved as posted.

The Chief Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 54 w/SA 1** and requests the concurrence of the House.

Representative Mulrooney requested that he be marked present.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 36**, jointly sponsored by Senator Sokola & Representatives Wagner & Viola & Senators Bunting, Copeland & Amick, before the House for consideration.

**HB 36 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.**

Representative Valihura brought **HA 1 to HB 36** before the House for consideration. **HA 1** was adopted by voice vote. Representative Valihura brought **HA 2 to HB 36** before the House for consideration. Representative Valihura made comments.

**HA 2** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 36 w/HA 1 & 2** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 36 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Spence, Williams, Gilligan & Keeley requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 89**, jointly sponsored by Senator Sokola & Representatives Hudson, Longhurst, Maier & Viola & Senators Bonini, Bunting, Connor & McDowell, before the House for consideration.

**HB 89 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE SUNSET ACT.**

Representative Valihura made comments.

The roll call on **HB 89** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 89** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Johnson.

Representative Johnson brought **HB 99**, jointly sponsored by Senator Peterson, before the House for consideration.

**HB 99 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGES.**

Representative Johnson made comments.

The roll call on **HB 99** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 99** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 7 w/HA 1 & 2 & SA 1**, jointly sponsored by Representative Manolakos & Senator DeLuca & Senator Sokola & Representatives Hudson, Maier & Schooley & Senators Cloutier, Bunting & Peterson, before the House for concurrence on **SA 1**.



**HB 7 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE SCHOOL BULLYING PREVENTION ACT.**

Representative Spence made comments.

The roll call on **HB 7 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 7 w/HA 1 & 2 & SA 1** was sent to the Governor.

Representative Spence introduced a guest. Mr. Acting Speaker made a comment.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 19 w/SA 1**, jointly sponsored by Senator Adams, before the House for concurrence on **SA 1**.

**HB 19 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF GREENWOOD, CHAPTER 109, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, TO ALLOW THE TOWN TO INDEMNIFY ANY COUNCILMEMBER, THE MAYOR AND/OR OTHER DULY ELECTED OR APPOINTED TOWN OFFICIAL OF THE TOWN OF GREENWOOD WHO IS A PARTY TO, OR IS THREATENED TO BE A PARTY TO ANY THREATENED, PENDING , OR COMPLETED ACTION, SUIT OR PROCEEDING, WHETHER CIVIL, CRIMINAL, OR ADMINISTRATIVE, OR ARISING OUT OF ACTIONS TAKEN BY ANY OR EACH OF THEM IN CONNECTION WITH THE PERFORMANCE OF THEIR OFFICIAL DUTIES. (2/3 bill)**

Representative Ewing made a comment.

The roll call on **HB 19 w/SA 1** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 19 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HB 119**, jointly sponsored by Senator Amick & Representatives Maier, Schooley & Kowalko & Senators Peterson, Sokola & Sorenson, before the House for consideration.

**HB 119 - AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK, 48 DEL. LAWS, CHAPTER 152, AS AMENDED, RELATING TO VACANCY IN ELECTIVE OFFICE. (2/3 bill)**

Representative Miro made comments.

The roll call on **HB 119** was taken and revealed:

YES: 35.

ABSENT: Representatives Hudson, Lavelle, Longhurst, Schooley & Stone - 5.

VACANT: 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 119** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Miro.

Representative Miro requested that action on **HB 78** be Deferred to a Day Certain, Thursday, May 3, 2007. Representative Miro made a comment.

Mr. Acting Speaker reassigned **HB 120** to the Housing & Community Affairs Committee.

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

APPROPRIATIONS: **HB 57** - 4M.

HOUSE ADMINISTRATION: **HB 141** - 3F, 2M; **SB 32** - 5M.

The Majority Leader moved to recess to the call of the Chair at 4:24 p.m.

Mr. Acting Speaker Booth called the House to order at 2:00 p.m. on May 1, 2007.

Representative Hudson requested that she be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

April 16, 2007

Legislative Advisory #2

Governor Ruth Ann Minner signed the following legislation on the date indicated:

3/22/07 – **SB 27**; 3/28/07 – **SB 3**; 4/4/07 – **HB 21**; 4/5/07 – **SB 11, SB 22 & HS 1 for HB 18**; 4/14/07 – **SB 17 aab SA 1 & HA 1**.

The following is a constitutional amendment and does not require the Governor’s signature: **HB 53**.

MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: April 26, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Thursday, April 26, 2007. I will not be able to attend today, due to personal reasons. Thank you.

Representative Lofink introduced **HB 148**, jointly sponsored by Senator DeLuca & Representatives Spence, Lee & Keeley & Senator Still.

**HB - 148** AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (3/5 bill)

Mr. Acting Speaker assigned **HB 148** to the Gaming & Parimutuels Committee.

Representative Lofink made an announcement.

Representative Ewing requested that **HB 131** be stricken.

Representative Cathcart made an announcement.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**24th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
May 1, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District.

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

The following prefiled legislation was introduced:

**HB 142** - LEE & SENATOR HENRY; REPRESENTATIVES GILLIGAN, ENNIS, MCWILLIAMS, WALLS; SENATOR DELUCA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Search and Seizure.

**HB 143** - LEE & SENATOR HENRY; SENATOR DELUCA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Private Investigators and Private Security Agencies.

**HB 144** - OBERLE & REPRESENTATIVE STONE & SENATOR MARSHALL & SENATOR VENABLES - LABOR - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation. (3/5 bill)

**HB 145** - SPENCE & SENATOR SOKOLA; SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 4 of the Delaware Code Relating to Regulatory Provisions.

**HA 5 to HB 30** - BOOTH - Placed with the Bill.

**HA 2 to HB 57** - MAIER - Placed with the Bill.

**HA 1 to HB 100** - WAGNER - Placed with the Bill.

**HA 2 to HB 107** - BOOTH - Placed with the Bill.

**SB 54 w/SA 1** - HENRY & REPRESENTATIVE GILLIGAN; SENATORS BUNTING, COOK, MCDOWELL, PETERSON, STILL; REPRESENTATIVES MANOLAKOS, CATHCART, HALL-LONG, MITCHELL, PLANT, SCHOOLEY, WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

**SB 58 w/SA 1 & 2** - MCDOWELL & REPRESENTATIVE KEELEY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code for Purposes of Regulating Discount Medical Plans.

**HA 1 to SB 6** - HALL-LONG - Placed with the Bill.

Representative Marshall requested and was granted personal privilege of the floor to introduce guests. Representative Cathcart deferred to Representative Miro. Representative Miro requested and was granted privilege of the floor to make comments. Representative Miro requested and was granted privilege of the floor for Dr. Catherine Hunt, President, American Chemical Society. Mr. Acting Speaker & Representative Miro made comments. Representatives Maier & Williams requested that they be marked present. Representatives Gilligan, Cathcart, Ewing & Lofink made comments. Representative Wagner requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 3:43 p.m.

Representative Spence requested that he be marked present.

Mr. Speaker Spence resumed the Chair.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 58 w/SA 1 & 2** and requests the concurrence of the House; **HCR 18, HCR 19, HCR 20, HCR 21 & HCR 22** and is returning same to the House.

Representatives Lee, Hall-Long & Schwartzkopf requested that they be marked present.

Representative Cathcart brought **SB 32**, sponsored by Senator Bunting & Representative Atkins, before the House for consideration.

**SB 32** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 212, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AMEND AN

ACT BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED 'AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO' TO INCREASE THE AMOUNT PERMITTED TO BE RAISED FROM THE TAXATION OF REAL ESTATE AND TO PERMIT QUARTERLY ASSESSMENTS OF REAL ESTATE"; AND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO" RELATING TO THE REMOVAL OF THE LIMITATION OF THE AMOUNT OF TAXES WHICH MAY BE RAISED FROM THE TAXATION OF REAL ESTATE. (2/3 bill)

Representative Cathcart made comments.

The roll call on **SB 32** was taken and revealed:

YES: 39.

ABSENT: Representative Lavelle - 1.

VACANT: 1

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 32** was returned to the Senate.

Representatives Ennis, Mulrooney, Oberle, Plant & Valihura requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 141**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 141** - AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH. (2/3 bill)

Representatives Schwartzkopf & Ewing made comments.

The roll call on **HB 141** was taken and revealed:

YES: 39.

ABSENT: Representative Lavelle - 1.

VACANT: 1

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 141** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **SB 26**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 26** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY COURT PROCEEDINGS AND CONTEMPT OF COURT. (2/3 bill)

Representative Maier made comments.

The roll call on **SB 26** was taken and revealed:

YES: 39.

ABSENT: Representative Lavelle - 1.

VACANT: 1

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 26** was returned to the Senate.

Representative Cathcart deferred to Representative Maier. Representative Maier requested that action on **HB 106** be Deferred to a Day Certain, Tuesday, May, 8, 2007. Representative Maier made an announcement.

Representative Cathcart deferred to Representative Marshall.

Representative Marshall brought **HB 69**, jointly sponsored by Senator Henry & Representatives Ewing, Keeley, Schwartzkopf, Valihura, Brady, Gilligan, Johnson, Kowalko, Manolakos, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Viola & Walls & Senator Peterson, before the House for consideration.

**HB 69** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITED HUNTING AND TRAPPING DEVICES AND METHODS. (2/3 bill)

Representatives Marshall, Wagner, Maier, Hocker, Marshall & Stone made comments.

The roll call on **HB 69** was taken and revealed:

YES: 32.

NO: Representatives Blakey, Hocker, D. Short & Thornburg - 4.

NOT VOTING: Representatives Booth, Oberle & Stone - 3.

ABSENT: Representative Lavelle - 1.

VACANT: 1

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 69** was sent to the Senate for concurrence.

Representative Cathcart made an announcement. Mr. Speaker Spence introduced guests.

Representative Marshall & Mr. Speaker Spence made comments. Mr. Speaker Spence & Representative Mitchell made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:20 p.m.

Mr. Speaker Spence called the House to order at 2:05 p.m. on May 2, 2007.

Representative Lavelle requested that he be marked present for the current Legislative Day.  
The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**25th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
May 2, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Manolakos & Oberle – 2.

Vacancy: 1.

A prayer was offered by Representative Pamela J. Maier, Twenty-First Representative District.

Mr. Speaker Spence & Representative Schwartzkopf led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 146** - MAIER & SENATOR SOKOLA; REPRESENTATIVES MANOLAKOS, MIRO, VALIHURA, KOWALKO, MCWILLIAMS, SCHOOLEY; SENATORS BLEVINS, HENRY, PETERSON, COPELAND, SORENSON, CLOUTIER, CONNOR, STILL - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Residential Curbside Recycling.

**HB 147** - ENNIS & SENATOR VAUGHN; REPRESENTATIVES EWING, LEE, MITCHELL, SPENCE, WILLIAMS, SCHWARTZKOPF - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's License and Identification Card Expiration Dates.

**HB 149** - LEE & SENATOR BUNTING; REPRESENTATIVES CAREY, EWING, HOCKER, MAIER, D. SHORT, VALIHURA, KEELEY, ENNIS; SENATORS ADAMS, COOK - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Reduced Ignition Propensity Cigarettes and Fire Safety. (2/3 bill)

**HB 150** - SPENCE & REPRESENTATIVE OBERLE & SENATOR MCBRIDE; REPRESENTATIVES CAREY, EWING, HOCKER, MIRO, D. SHORT, VALIHURA, BRADY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Arrest and Commitment; Fresh Pursuit.

**HB 151** - SPENCE & REPRESENTATIVE OBERLE; REPRESENTATIVES CATHCART, EWING, MAIER, VALIHURA; SENATORS AMICK, CLOUTIER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.

**HB 152** - SPENCE & REPRESENTATIVE OBERLE & SENATOR MCBRIDE; REPRESENTATIVES EWING, D. SHORT, BRADY, LONGHURST, MULROONEY, PLANT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses. (2/3 bill)

**HB 153** - SPENCE & REPRESENTATIVE OBERLE & SENATOR MCBRIDE; REPRESENTATIVES CATHCART, LEE, EWING, THORNBURG, PLANT - LABOR - An Act to Amend Title 11 of the Delaware Code Relating to Police Pension Plan.

**HB 154** - SPENCE & REPRESENTATIVE OBERLE & SENATOR MCBRIDE; REPRESENTATIVES EWING, GILLIGAN, KEELEY, BRADY, MULROONEY, PLANT, SCHWARTZKOPF, WILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to State Police.

**HB 155** - OBERLE & REPRESENTATIVE VALIHURA & SENATOR PETERSON; REPRESENTATIVES SPENCE, CATHCART, CAREY, EWING, HOCKER, THORNBURG, BRADY, ENNIS, KOWALKO, MITCHELL; SENATORS COPELAND, SORENSON, HENRY, BONINI, SIMPSON, MARSHALL, SOKOLA, BUNTING, CLOUTIER, CONNOR - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Establishing the Office of the State Inspector General.

**HA 2 to HB 76** - MIRO - Placed with the Bill.

**HA 2 to HB 106** - MAIER - Placed with the Bill.

**HA 3 to HB 106** - MAIER - Placed with the Bill.

**HA 1 to HB 118** - EWING - Placed with the Bill.

**HA 1 to HB 121** - VALIHURA - Placed with the Bill.

**HJR 5** - WAGNER & SENATOR HENRY; REPRESENTATIVES THORNBURG, ENNIS, MULROONEY, PLANT - LABOR - Establishing a Toll-Free Number for State Employees to Have a Confidential Avenue to Discuss Personnel-Related Issues.

Representative Ewing requested and was granted personal privilege of the floor to introduce a guest.  
Representative Plant requested that she be marked present.

Mr. Speaker Spence requested that **SB 60 w/SA 2**, jointly sponsored by Senator Blevins & Representative Schwartzkopf & Senators Cook, Copeland, Marshall, McBride, Peterson & Simpson & Representatives Ennis, Hudson, Keeley, Kowalko, Lavelle, Longhurst, Maier, McWilliams, Mitchell,

Mulrooney, Schooley, D. Short, Stone, Brady, Cathcart, Hall-Long, Johnson, Valihura, Walls & Williams, be given its first reading.

**SB 60 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEX OFFENDERS AND COMMUNITY NOTIFICATION OF SEX OFFENDERS ON PROBATION, PAROLE, CONDITIONAL RELEASE OR RELEASE FROM CONFINEMENT.**

Mr. Speaker Spence assigned **SB 60 w/SA 2** to the Public Safety & Homeland Security Committee. Representatives Viola & Hall-Long requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 60 w/SA 2** and requests the concurrence of the House.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: William A. Oberle, Jr.  
Representative – Twenty-Fourth Representative District  
RE: Absence from Session  
DATE: May 2, 2007

Please be advised that I will be unavailable for session today, Wednesday, May 2, 2007. I will be tending to personal business.

Thank you for your consideration in this matter.

Representative Cathcart brought the following prefiled **Consent Calendar #7** before the House for consideration.

**HR 15 – LEE & REPRESENTATIVE SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY –** Pertaining to the Release of Lists of High School Graduates to the House of Representatives.

**HR 16 – WAGNER & REPRESENTATIVES SPENCE, BLAKEY, CAREY, EWING, HOCKER, LOFINK, MAIER, MANOLAKOS, MIRO, OUTTEN, D. SHORT, THORNBURG, VALIHURA, HALL-LONG, JOHNSON, KOWALKO, MCWILLIAMS, MITCHELL, MULROONEY, VIOLA & WALLS –** Recognizing May 2007 as Older Americans Month and May 3, 2007 as Senior’s Day at Legislative Hall.

**HCR 23 – SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SORENSON ON BEHALF OF ALL SENATORS –** Recognizing June 3 through June 9, 2007 as Paralegal Week.

**Consent Calendar #7** was adopted by voice vote and **HR 15 & HR 16** were declared passed and **HCR 23** was sent to the Senate for concurrence.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #20

DATE: May 2, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                         | Date      | Type | Description                                                     |
|----------|---------------------------------|-----------|------|-----------------------------------------------------------------|
| H144-447 | Spence                          | 4/16/2007 | M    | Frances Mary Fisher Richardson                                  |
|          | cosponsors: All Representatives |           |      |                                                                 |
| H144-448 | Ennis;                          | 4/18/2007 | M    | Howard B. Carter, III                                           |
|          | Hall-Long                       |           |      |                                                                 |
| H144-449 | Ennis                           | 4/15/2007 | M    | E. Christiana Murray                                            |
| H144-450 | Ennis                           | 4/23/2007 | T    | P. Memphis Evans - Councilman - Smyrna                          |
| H144-451 | Stone                           | 4/21/2007 | M    | Terry T. Dannemann                                              |
|          | cosponsor: Rep. Wagner          |           |      |                                                                 |
| H144-452 | Booth; Hocker                   | 4/25/2007 | T    | Jeanine Moore - Indian River Teacher of the Year                |
| H144-453 | Viola                           | 4/25/2007 | T    | Sarah Hickman - Youth of the Year                               |
| H144-454 | Maier                           | 4/28/2007 | T    | George Pearson - 80th Birthday                                  |
| H144-455 | Thornburg                       | 4/25/2007 | T    | Margarete MacLeish - Distinguished Alumni - DelTech             |
| H144-456 | Stone; Wagner                   | 4/25/2007 | T    | Kathleen Still - Distinguished Alumni – DelTech                 |
| H144-457 | Blakey                          | 4/26/2007 | T    | Dr. Harold Roberts - Retirement - Caesar Rodney Schools         |
| H144-458 | Spence                          | 4/25/2007 | T    | Carol O'Neill - Retirement - Wilmington Trust                   |
|          | cosponsors: All Representatives |           |      |                                                                 |
| H144-459 | Williams                        | 4/29/2007 | T    | Bishop Aretha Morton - 25th Anniversary – Pastoral Service      |
| H144-460 | Stone; Wagner                   | 4/22/2007 | M    | Priscilla Calahan                                               |
| H144-461 | Carey                           | 4/6/2007  | M    | Nancy Clifton Rhue                                              |
| H144-462 | Ennis                           | 4/26/2007 | T    | Kathleen Melvin - Retirement - Department of Education          |
| H144-463 | Johnson                         | 4/28/2007 | T    | Joseph Hojnicky, Sr. - 60 Year Member – Minquadale Fire Company |

|          |         |           |   |                                                                        |
|----------|---------|-----------|---|------------------------------------------------------------------------|
| H144-464 | Johnson | 4/28/2007 | T | Allan Thompson - 50 Year Member – Minquadale Fire Company              |
| H144-465 | Johnson | 4/28/2007 | T | James Haslam - Firefighter of the Year – Minquadale Fire Company       |
| H144-466 | Johnson | 4/28/2007 | T | Ryan Haslam - Junior Firefighter of the Year - Minquadale Fire Company |
| H144-467 | Johnson | 4/28/2007 | T | Phillip Urban - Life Member - Minquadale Fire Company                  |
| H144-468 | Johnson | 4/28/2007 | T | Matthew Hardy - Member of the Year –Minquadale Fire Company            |
| H144-469 | Johnson | 4/28/2007 | T | Sande Bowden - President's Award – Minquadale Fire Company             |
| H144-470 | Johnson | 4/28/2007 | T | Jane Williams - 40 Years of Service – Minquadale Ladies Auxiliary      |

T- Tribute

M – Memoriam

Representative Cathcart requested and was granted privilege of the floor for Wendy Modzelewski representing the Delaware Center for Educational Technology. Ms. Modzelewski introduced William Dye and Danielle Diener who addressed the House. Representatives Johnson & Mitchell requested that they be marked present. Representative Mitchell requested and was granted personal privilege of the floor to make comments. Representative Marshall requested that she be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:22 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:22 P.M.: Representatives Carey, Lofink, Miro, Mulrooney, Stone, Valihura & Wagner.

Mr. Acting Speaker Booth called the House to order at 2:30 p.m. on May 3, 2007.

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

APPROPRIATIONS: **HB 96** - 5M; **HB 107** - 5M; **HB 108** - 5M.

CORRECTIONS: **HB 94** - 4M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 137** - 10M; **SB 63** – 9M.

EDUCATION: **HB 65** - 1F, 7M; **HB 126** - 4F, 4M.

GAMING & PARIMUTUELS: **HB 148** - 5M.

HEALTH & HUMAN DEVELOPMENT: **HB 129** - 9M, 1U; **SB 5 w/SA 4** - 5M, 1U.

HOUSE ADMINISTRATION: **HB 68** - 3M; **HB 113** - 4M, U; **SB 59** - 5M; **SB 61** - 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 120** - 9M.

JUDICIARY: **HB 100** - 5M; **HB 121** - 3F, 4M; **HB 130** - 5M; **SB 69** - 6M;

**SB 30 w/SA 1** - 6M; **SB 50** - 6M; **SB 62** - 1F, 5M.

LABOR: **HB 136** - 5M; **HB 64** - 5M

PUBLIC SAFETY & HOMELAND SECURITY: **SB 43** - 1F, 6M; **SB 60 w/SA 2** - 7M.

REVENUE & FINANCE: **HB 97** - 10M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 114** - 2F, 5M.

Mr. Acting Speaker assigned **HB 64**, **HB 65**, **HB 97** & **HB 136** to the Appropriations Committee.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

FROM: REPRESENTATIVE Nick T. Manolakos

DATE: May 2, 2007

RE: Absence from Session

Please be advised that it is necessary for me to absent Wednesday, May 2, 2007 and Thursday, May 3, 2007. I will be not be able to attend today and tomorrow, due to business matters. Thank you.

Representative Cathcart made an announcement.

The Majority Leader moved to adjourn at 2:35 p.m., thereby ending the current legislative day. The House reconvened at 2:36 p.m.

### 26th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session May 3, 2007

The Chief Clerk called the roll:

Members Present: 39.

Member Absent: Representative Manolakos – 1.

Vacancy: 1.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

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

The following prefiled legislation was introduced:

**HA 4 to HB 106** - MAIER - Placed with the Bill.

Representative Wagner requested and was granted personal privilege of the floor to introduce guests and to make comments regarding **HR 16**. Mr. Acting Speaker introduced a guest. Representative Keeley requested and was granted personal privilege of the floor to introduce guests. Representative Kowalko requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of Elizabeth M. Ware at the request of Representative Kowalko. Representative Longhurst requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:40 p.m.

The House reconvened at 3:57 p.m. with Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **HB 148**, jointly sponsored by Senator DeLuca & Representatives Spence, Lee & Keeley & Senator Still, before the House for consideration.

**HB 148** - AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (3/5 bill)

Representative Gilligan announced that he will not be voting nor participating in the debate on **HB 148** because of a possible conflict of interest. Representatives Oberle & Mulrooney requested that they be marked present. Representative Lofink introduced and brought **HA 1 to HB 148** before the House for consideration. Representative Lofink made comments. **HA 1** was adopted by voice vote. Representative Lofink made comments.

The roll call on **HB 148 w/HA 1** was taken and revealed:

YES: 37.

NO: Representative Valihura - 1.

NOT VOTING: Representative Gilligan - 1.

ABSENT: Representative Manolakos - 1.

VACANT: 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 148 w/HA 1** was sent to the Senate for concurrence.

Representatives Maier, Plant, Spence, Viola & Williams requested that they be marked present during the roll call.

Representative Lee deferred to Representative Ennis.

Representative Ennis brought **HB 133**, jointly sponsored by Senator Vaughn & Representatives Ewing, Lee, Mitchell, Outten, D. Short & Williams, before the House for consideration.

**HB 133** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSING MOTORCYCLE OPERATORS.

Representative Ennis made comments.

The roll call on **HB 133** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart & Manolakos - 2.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 133** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Schooley.

Representative Schooley brought **HB 127**, jointly sponsored by Representative Kowalko & Representative Maier & Representative Miro & Senator Amick & Senator Peterson & Senator Sorenson, before the House for consideration.

**HB 127** - AN ACT TO AMEND CHAPTER 152, VOLUME 48 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT CHANGING THE NAME OF THE 'TOWN OF NEWARK' TO THE 'CITY OF NEWARK' AND ESTABLISHING A CHARTER THEREFOR", RELATING TO THE REGISTRATION OF VOTERS. (2/3 bill)

Representative Schooley brought **HA 1 to HB 127** before the House for consideration. Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 127 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representative Manolakos - 1.

VACANT: 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 127 w/HA 1** was sent to the Senate for concurrence.

Representative Ewing requested and was granted personal privilege of the floor to make an announcement. Representative Cathcart made comments.

Representative Cathcart read the following statement into the record:

Statement of Clarification

House Bill 6 of the 143rd General Assembly responded to the dramatic increase in Delmarva Power energy rates by putting into motion a Request for New Generation of Power within the State of Delaware.

This process has been playing out over the last year with several legitimate bids being received.

The Public Service Commission staff has recently proposed to the Commission a hybrid project that combines attributes from two of the three proposals.

It is important to note that the approval of any new generation in the State must be unanimously agreed upon by the designated state agencies as outlined in House Bill 6. The designated agencies include the Public Service Commission, the Energy Office, the Office of Management and Budget and the Office of the Controller General. Each of these agencies has a 25% vote in this process.

The proposal by the Public Service Commission staff represents their recommendation to the Commission and does not necessarily represent the recommendation of the three other state agencies.

Representative Schooley requested and was granted privilege of the floor to make comments and to introduce exchange students participating in the Governor's School for Excellence in Chinese Language and Culture. The students announced their names and schools for the record. Representative Cathcart made comments.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 57**, jointly sponsored by Senator Henry & Representatives Spence, Booth, Ewing, Hudson, Thornburg, Valihura, Wagner, Gilligan, Keeley, Hall-Long & Schooley & Senator Connor & cosponsored by Representatives Atkins, Blakey, Outten, D. Short, before the House for consideration.

**HB 57 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE 2-1-1 INFORMATION HELPLINE. (F/N)**

Representative Maier brought **HA 1 to HB 57** before the House for consideration.

Representative Maier made a comment. **HA 1** was adopted by voice vote. Representative Maier brought **HA 2 to HB 57** before the House for consideration. Representative Maier made a comment. **HA 2** was adopted by voice vote. Representative Maier made comments and introduced guests.

The roll call on **HB 57 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representative Manolakos - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 57 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Oberle. Representative Oberle requested that action on **HB 84** be Deferred to a Day Certain, Tuesday, May, 8, 2007.

Representative Cathcart deferred to Representative Thornburg. Representative Thornburg requested that **HB 85** be stricken.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 62**, jointly sponsored by Senator Adams & Senator Vaughn & Representative Spence & Senator Amick, before the House for consideration.

**SB 62 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (2/3 bill)**

Representative Valihura made comments.

The roll call on **SB 62** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos & Viola - 2.

VACANT: 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 62** was returned to the Senate.

Representative Valihura & Mr. Acting Speaker made comments regarding **SB 62**.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **SB 60 w/SA 2**, jointly sponsored by Senator Blevins & Representative Schwartzkopf & Senators Cook, Copeland, Marshall, McBride, Peterson & Simpson & Representatives Ennis, Hudson, Keeley, Kowalko, Lavelle, Longhurst, Maier, McWilliams, Mitchell, Mulrooney, Schooley, D. Short, Stone, Brady, Cathcart, Hall-Long, Johnson, Valihura, Walls & Williams, before the House for consideration.

**SB 60 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEX OFFENDERS AND COMMUNITY NOTIFICATION OF SEX OFFENDERS ON PROBATION, PAROLE, CONDITIONAL RELEASE OR RELEASE FROM CONFINEMENT. (F/N)**

Representatives Spence & Marshall made comments. Representative Spence requested and was granted privilege of the floor for Jennifer Oliva, Deputy Attorney General. Representatives Marshall, Valihura, Blakey, Spence & Valihura made comments.

The roll call on **SB 60 w/SA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos & Oberle - 2.



VACANT: 1.

Therefore, having received a constitutional majority, **SB 60 w/SA 2** was returned to the Senate.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 130**, jointly sponsored by Representative Booth & Representatives Cathcart, Longhurst & McWilliams & Senators Bunting & Simpson & cosponsored by Senator Bonini, before the House for consideration.

**HB 130 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND SEXUAL OFFENSES. (F/N)**

Representative Schwartzkopf brought **HA 1 to HB 130** before the House for consideration.

Representative Schwartzkopf made a comment. **HA 1** was adopted by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 130 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representative Manolakos - 1.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 130 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle brought **HB 120**, jointly sponsored by Senator Blevins & Representatives Hall-Long & Schwartzkopf, before the House for consideration.

**HB 120 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING IN MUNICIPAL ELECTIONS OTHER THAN THE CITY OF WILMINGTON.**

Representative Lavelle introduced and brought **HA 1 to HB 120** before the House for consideration. Representative Lavelle made a comment. **HA 1** was adopted by voice vote. Representative Lavelle made comments.

The roll call on **HB 120 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Walls - 1.

ABSENT: Representatives Manolakos & Stone - 2.

VACANT: 1.

Therefore, having received a constitutional majority, **HB 120 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HB 78**, jointly sponsored by Senator Blevins & Representatives Spence, Blakey, Wagner, Ennis, Kowalko, Mitchell, Schooley, Schwartzkopf & Walls & Senators Sokola, Sorenson & Connor, before the House for consideration.

**HB 78 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Miro brought **HA 1 to HB 78** before the House for consideration.

Representative Miro made comments. **HA 1** was adopted by voice vote. Representatives Miro & Hudson made comments. Representative Miro requested and was granted privilege of the floor for Major Albert Homiak, Delaware State Police. Representatives Miro, Ewing, Hudson, Williams, Kowalko, Viola, Mitchell, Schwartzkopf, Johnson, Williams & Miro made comments. Representative Miro requested and was granted privilege of the floor for Catherine Rossi, Manager of Public and Government Affairs for AAA Mid-Atlantic. Representatives Hudson, Williams, Marshall, Miro, Kowalko, Viola, Williams & Miro made comments. Representative Miro requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Hudson, Miro & Wagner made comments. Representative Miro moved to place **HB 78 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 14 w/HA 2 & SA 1** and is returning same to the House.

Representative Valihura introduced **HB 158**, jointly sponsored by Senator McDowell & Representative Marshall.

**HB 158 - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CREATION AND CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CRIMES, VIOLATIONS OR CIVIL INFRACTIONS AND THE JURISDICTION AND PROCEDURES THEREFORE. (3/5 bill)**

Mr. Speaker Spence assigned **HB 158** to the Judiciary Committee.

The Majority Leader moved to recess to the call of the Chair at 6:06 p.m.

Mr. Speaker Spence called the House to order at 2:05 p.m. on May 8, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SS 1 for SB 68, SCR 9 & SJR 2 w/SA 1** and requests the concurrence of the House; **HB 37, HB 58, HB 81 w/HA 1, HB 141 & HB 119 w/SA 1** and is returning same to the House.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**27th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
May 8, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Schwartzkopf – 1.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

**HB 156** - BRADY; REPRESENTATIVES MAIER, MCWILLIAMS, PLANT, WILLIAMS; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 2, Title 12 of the Delaware Code Relating to the Disposition of a Person's Last Remains.

**HB 157** - LEE & REPRESENTATIVE OUTTEN & REPRESENTATIVE D. SHORT & REPRESENTATIVE ENNIS & SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Fire Departments and Fire Police.

**HB 159** - VALIHURA & SENATOR MCBRIDE; REPRESENTATIVES LOFINK, HALL-LONG, LONGHURST, MCWILLIAMS, MULROONEY, B. SHORT, JOHNSON, OBERLE; SENATORS MCDOWELL, PETERSON, SOKOLA, COPELAND, SORENSON, CONNOR, SIMPSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code to Provide Assistance for the Establishment of Public and Private Programs to Increase the Level of Voluntary Recycling and Beneficial Use of Solid Waste Materials in Delaware. (3/5 bill)

**HB 160** - VALIHURA & REPRESENTATIVE MARSHALL & SENATOR ADAMS & SENATOR DELUCA; REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON, MITCHELL; SENATORS MCDOWELL, AMICK, SIMPSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**HB 161** - WILLIAMS & REPRESENTATIVE KEELEY & REPRESENTATIVE PLANT & SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Amend Article V, Chapter 4 of the City of Wilmington's Home Charter Relating to the Department of Public Works and Property Owner's Responsibilities. (2/3 bill)

**HA 1 to HB 129** - MAIER - Placed with the Bill.

**SS 1 for SB 68** - DELUCA - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

**SJR 2 w/SA 1** - MCBRIDE & REPRESENTATIVE VALIHURA; SENATORS SOKOLA, COPELAND, SORENSON, CONNOR; REPRESENTATIVES LAVELLE, GILLIGAN; SENATOR AMICK - ENERGY AND NATURAL RESOURCES - A Resolution Requiring the Delaware Department of Natural Resources and Environmental Control and the Delaware Solid Waste Authority to Delay the Enforcement of the Yard Waste Ban for Cherry Island Landfill until January 15, 2008 and to Undertake a Number of Activities that will Result in a Suitable Yard Waste Recycling Program for Northern New Castle County.

Representatives Wagner, Hall-Long, B. Short & Miro requested that they be marked present. Representative D. Short requested and was granted personal privilege of the floor to make an announcement.

Representative Cathcart moved that the Chief Clerk read the Writ of Election and the Certificate of Election. There was no objection.

The Chief Clerk read the Writ of Election and the Certificate of Election into the record:

**WRIT OF ELECTION**

TO: THE DEPARTMENT OF ELECTIONS, SUSSEX COUNTY  
119 RACE STREET  
GEORGETOWN, DELAWARE 19947

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 144th General Assembly of the State of Delaware by reason of the resignation of JOHN C. ATKINS, of the 41st Representative District of Sussex County, Delaware on March 27, 2007.

WHEREAS, such a vacancy has occurred and exists while said General Assembly is in session;

NOW, THEREFORE, I, TERRY R. SPENCE, Speaker of the House of Representatives of the State of Delaware, Presiding Officer of the Delaware House of Representatives, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 41st Representative

District of Sussex County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than eleven nor less than ten days next after receipt of this Writ, exclusive of the day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said JOHN C. ATKINS.

IN WITNESS, THEREOF, I, TERRY R. SPENCE, Speaker of the House of Representatives of the 144th Delaware General Assembly have hereunto set my hand and seal this 25th day of April in the year Two Thousand and Seven.

Marilyn Porter  
NOTARY

TERRY R. SPENCE, SPEAKER  
HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
The State of Delaware  
Sussex County, ss.

Be It Remembered, That at the Special Election held on Saturday, the 5th day of May, in the year of our Lord Two Thousand and Seven for Sussex County, according to the Constitution and Laws of the State of Delaware,

Gregory A. Hastings  
was duly elected  
Representative – 41st District

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 7th day of May, A.D. 2007.

T. Henley Graves, Resident Associate Judge  
E. Scott Bradley, Associate Judge

Representative Cathcart moved that the Oath of Office be administered to Representative-Elect Gregory A. Hastings by Judge Kenneth S. Clark, Jr. The motion was seconded by Representative Lee and adopted by voice vote.

Judge Kenneth S. Clark, Jr. administered the oath of Representative to Representative-Elect Hastings as follows:

I, Gregory Allen Hastings, do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

Gregory A. Hastings  
State Representative  
Sworn and subscribed before me on this 8th day of May A.D. 2007  
Kenneth S. Clark, Jr.  
Court of Common Pleas

Representative Hastings made comments and introduced guests. Mr. Speaker Spence made comments.

Representative Cathcart moved that the Chief Clerk call the roll of the Members of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The Chief Clerk called the roll.

Representative Cathcart moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart made comments. Representative Cathcart deferred to Representative Gilligan. Representative Gilligan, Mr. Speaker Spence & Representative Cathcart made comments. Representatives Plant, Williams, McWilliams, Kowalko, Viola, Maier, Outten & Hastings requested that they be marked present. Representative Cathcart deferred to Representative Brady. Representative Brady introduced guests. Representative Brady requested and was granted privilege of the floor for Adjutant General Francis D. Vavala, Delaware National Guard. Mr. Speaker Spence & Representative Cathcart made comments. Representative Brady introduced a guest.

Representative Brady brought **HJR 4**, jointly sponsored by Senator Still & Representatives Ennis, Johnson, Keeley, Kowalko, Marshall & Mulrooney, before the House for consideration.

**HJR 4 - URGES THE CONGRESS OF THE UNITED STATES OF AMERICA TO SWIFTLY PASS AND THE PRESIDENT TO SIGN INTO LAW S.513 AND HR 869.**

The roll call on **HJR 4** was taken and revealed:

YES: 39.

ABSENT: Representatives Mulrooney & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HJR 4** was sent to the Senate for concurrence.

Mr. Speaker Spence granted privilege of the floor to Adjutant General Francis D. Vavala, Delaware National Guard. National Guard Officers announced their names and ranks for the record. Representative Cathcart requested and was granted privilege of the floor for Dr. Lydia Tucker representing Tech Prep Delaware. Mr. Speaker Spence made comments. Representative Schooley requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence introduced a guest. Representative Cathcart made comments.

The Majority Leader moved to recess for caucus at 2:51 p.m.

The House reconvened at 4:20 p.m.

Representative Cathcart deferred to Representative Lofink.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 57** and requests the concurrence of the House.

Representative Lofink made comments regarding **HR 20**.

Representative Lofink introduced and brought **HR 20**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 20** - PROCLAIMING TUESDAY, MAY 8, 2007 AS NATIONAL TEACHER DAY.

**HR 20** was adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle brought **HB 84**, jointly sponsored by Senator DeLuca & Representatives Spence, Lofink, Ennis & Mitchell & Senator Amick, before the House for consideration.

**HB 84** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE DETECTIVES AND SPECIAL INVESTIGATORS OF THE DEPARTMENT OF JUSTICE.

Representative Oberle made comments.

The roll call on **HB 84** was taken and revealed:

YES: 39.

ABSENT: Representatives Mulrooney & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 84** was sent to the Senate for concurrence.

Mr. Speaker Spence granted privilege of the floor to George C. Wright, Executive Director, League of Local Governments, James Baker, Mayor of Wilmington, President and Stephen R. Speed, Mayor of Dover, Vice President. Mr. Speaker Spence made comments. Representative Ennis requested and was granted personal privilege of the floor to introduce a guest. Representatives Cathcart & Williams made comments. Representative Ewing requested and was granted privilege of the floor for Joseph Conaway, Mayor of Bridgeville. The Members of the League of Local Governments announced their names, positions and towns for the record.

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

TELECOMMUNICATION INTERNET & TECHNOLOGY: **SB 53** - 3M.

Mr. Speaker Spence, Representatives Lofink & Valihura made announcements. Representatives Gilligan & Lofink made comments.

Representative Cathcart deferred to Representative Keeley.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Keeley brought **HB 67**, jointly sponsored by Representative Spence & Representatives Kowalko & Viola & cosponsored by Representative Lavelle, before the House for consideration.

**HB 67** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (2/3 bill)

Representatives Keeley & Wagner made comments. Representative Keeley requested and was granted privilege of the floor for John Cordrey, Commissioner of Alcohol. Representatives Wagner, Viola, Thornburg, Williams, Keeley, Stone, Blakey, Miro, Wagner, Lee, Miro & Keeley made comments. Representative Miro requested and was granted privilege of the floor for Daniel Kline, Director, Division of Alcohol and Tobacco Enforcement. Representatives Miro, Williams, Keeley, Blakey & Keeley made comments.

The roll call on **HB 67** was taken and revealed:

YES: Representatives Brady, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Maier, McWilliams, Mitchell, Oberle, Schooley, B. Short & Viola - 14.

NO: 13.

NOT VOTING: Representatives Cathcart, Ennis, Hudson, Lofink, Marshall, Miro, Mulrooney, Plant, Valihura, Wagner & Walls - 11.

ABSENT: Representatives Lavelle, Schwartzkopf & Spence - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 67** was declared defeated.

Representative Mulrooney requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 129**, jointly sponsored by Senator Connor & Representatives Booth, Hudson, Kowalko & Schooley & Senators Blevins, Marshall & Sorenson, before the House for consideration.

**HB 129 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF HEALTH.**

Representative Maier brought **HA 1 to HB 129** before the House for consideration. Representative Maier made a comment. **HA 1** was adopted by voice vote. Representatives Maier & Wagner made comments.

The roll call on **HB 129 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Kowalko, Schwartzkopf & Spence - 3.

Therefore, having received a constitutional majority, **HB 129 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Viola. Representative Viola requested that action on **HB 83** be Deferred to a Day Certain, Tuesday, May, 15, 2007.

Representative Cathcart deferred to Representative Miro. Representative Miro requested that action on **HB 113** be Deferred to a Day Certain, Thursday, May 10, 2007.

Representatives Cathcart deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with action on **HB 78 w/HA 1**. The motion was properly seconded and adopted by voice vote. Representative Miro moved to lift **HB 78 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Miro requested that action on **HB 78 w/HA 1** be Deferred to a Day Certain, Thursday, May 10, 2007.

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HA 3 to HB 78**. **HA 3** was placed with the bill.

The Majority Leader moved to recess to the call of the Chair at 5:50 p.m.

Mr. Acting Speaker Booth called the House to order at 2:10 p.m. on May 9, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 56 w/HA 1** & **HB 27** and is returning same to the House.

May 8, 2007

The Honorable Terry R. Spence  
Speaker of the House  
House of Representatives  
Legislative Hall  
Dover, Delaware 19901  
Dear Speaker Spence:

I will be unable to attend legislative session during the week of May 8th, 2007, since I am recovering from surgery.

Thank you for your consideration in this matter.

Sincerely,  
Peter C. Schwartzkopf  
State Representative  
14th District

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

**28th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
May 9, 2007**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Oberle, Schwartzkopf & Spence – 3.

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

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

The following prefiled legislation was introduced:

**HB 162 - SCHOOLEY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Predatory Mortgage Lending.**

**HB 163 - KEELEY & SENATOR MARSHALL; REPRESENTATIVES EWING, MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, WILLIAMS, JOHNSON, LAVELLE, SPENCE, WAGNER; SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Use of a Firearm by Persons Previously Convicted of a Violent Felony.**

**HB 164 - KEELEY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Chapter 24A, Title 6 of the Delaware Code Relating to Debt Management Services.**

**HA 1 to HB 68 - LAVELLE - Placed with the Bill.**

**SB 57** - BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON; SENATORS COPELAND, PETERSON, HENRY, STILL, BUNTING, CLOUTIER, CONNOR; REPRESENTATIVES HOCKER, HALL-LONG, KEELEY, VALIHURA, MIRO, MITCHELL, SCHOOLEY, SPENCE, STONE, KOWALKO - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Family Court.

Representative Cathcart brought the following prefiled **Consent Calendar #8** before the House for consideration.

**HR 17** – SPENCE & REPRESENTATIVE GILLIGAN – Establishing an Alcohol Awareness Task Force.

**HR 18** – BOOTH & REPRESENTATIVE HOCKER – A Resolution Encouraging Delaware Businesses to Make Restroom Access Available to Customers Who Have Medical Problems.

**HCR 24** – ENNIS & SENATOR VAUGHN & REPRESENTATIVES CAREY, KEELEY, LEE, MITCHELL, OUTTEN, B. SHORT, SPENCE, WALLS & WILLIAMS – Proclaiming the Month of May 2007 as “Motorcycle Awareness Month” and Requesting the Governor to Issue a Proclamation Declaring Same.

**HCR 25** – MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS – Proclaiming May 16, 2007 “Early Child Care and Education Professionals Appreciation Day”.

**SCR 9** – SOKOLA & REPRESENTATIVE LOFINK – Commending the Efforts of Charter Schools in Educating Delaware Students.

Representative Cathcart requested that **HR 18** be removed from **Consent Calendar #8**.

**Consent Calendar #8** was adopted by voice vote and **HR 17** was declared passed, **HCR 24** & **HCR 25** were sent to the Senate for concurrence and **SCR 9** was returned to the Senate.

Representative Cathcart moved to place **HR 18** on the Speaker’s Table. The motion was seconded by Representative Hocker and adopted by voice vote.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: May 9, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                | Sponsor      | Date      | Type | Description                                                            |
|---------------------------------------|--------------|-----------|------|------------------------------------------------------------------------|
| H144-471                              | Johnson      | 4/28/2007 | T    | Stephanie Hojnicky - 45 Years of Service – Minquadale Ladies Auxiliary |
| H144-472                              | Johnson      | 4/28/2007 | T    | Lena Damiano - 50 Years of Service – Minquadale Ladies Auxiliary       |
| H144-473                              | Johnson      | 4/28/2007 | T    | Virginia Houck - 55 Years of Service – Minquadale Ladies Auxiliary     |
| H144-474                              | Johnson      | 4/28/2007 | T    | Mary Wilson - 55 Years of Service - Minquadale Ladies Auxiliary        |
| H144-475                              | Williams     | 4/18/2007 | M    | Ronald Cephas                                                          |
| H144-476                              | Williams     | 5/11/2007 | T    | Donald Bowman - Retirement - Alcohol & Tobacco                         |
| H144-477                              | Thornburg    | 5/7/2007  | T    | Kathy English - Excellence & Commitment in State Service               |
| H144-478                              | Thornburg    | 5/7/2007  | T    | Carrie Erickson - Excellence & Commitment in State Service             |
| H144-479                              | Ennis        | 5/7/2007  | T    | Carmen Barth - Excellence & Commitment in State Service                |
| H144-480                              | Walls        | 5/7/2007  | T    | Peter Wilkins - Excellence & Commitment in State Service               |
| H144-481                              | Spence       | 5/7/2007  | T    | Robert Dunleavy - Excellence & Commitment -State Service               |
| H144-482                              | Cathcart     | 5/7/2007  | T    | John Kirk - Excellence & Commitment in State Service                   |
| H144-483                              | McWilliams   | 5/7/2007  | T    | Larry Pelkey - Excellence & Commitment in State Service                |
| H144-484                              | Schwartzkopf | 5/7/2007  | T    | Andrea Summers - Excellence & Commitment - State Service               |
| H144-485                              | Outten       | 5/6/2007  | T    | Scott William Tjaden - Eagle Scout                                     |
| H144-486                              | Wagner       | 5/5/2007  | T    | Jennifer Simon & Christopher Radnich – Marriage                        |
| H144-487                              | Wagner       | 5/1/2007  | T    | Bruce Curry - High School Principal of the Year                        |
| cosponsors: Reps. Blakey & Outten     |              |           |      |                                                                        |
| H144-488                              | Maier        | 5/9/2007  | T    | Tom Harrigan - Team Captain - Bike to the Bay                          |
| H144-489                              | Valihura     | 5/3/2007  | T    | Direct Support Professionals - Conference                              |
| H144-490                              | Maier        | 5/5/2007  | M    | National Alliance on Mental Illness - 5th Annual Walk                  |
| H144-491                              | Outten       | 4/30/2007 | M    | Ann Howard Leonard Robertson                                           |
| H144-492                              | Brady        | 5/3/2007  | T    | Roberta Rothrock - 96th Birthday                                       |
| H144-493                              | Outten; Lee  | 5/12/2007 | T    | Richard Bennett - 80th Birthday                                        |
| H144-494                              | Booth        | 5/3/2007  | T    | Sussex Central Middle School - Rededication                            |
| cosponsors: Reps. Carey, Hocker & Lee |              |           |      |                                                                        |
| H144-495                              | Ennis        | 5/4/2007  | T    | Steve Wilson - President - Volunteer Firemen's Association             |
| T- Tribute                            |              |           |      |                                                                        |
| M - Memoriam                          |              |           |      |                                                                        |

Representative Cathcart deferred to Representative Hudson. Representative Hudson requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Hudson requested and was granted privilege of the floor for Alan Sokolow, Executive Director, Eastern Regional Conference, Council of State Governments. Representatives Keeley & Viola requested that they be marked present. Representative Cathcart deferred to Representative Hall-Long. Representative Hall-Long requested and was granted privilege of the floor to present a House Tribute to representatives of the Delaware Nurses Association on the occasion of National Nurses Week. Each nurse who was present announced his/her name, town and employer for the record. Representative Ewing & Mr. Acting Speaker made comments. Representative Cathcart made an announcement. Representative Cathcart deferred to Representative Keeley. Representatives Keeley, Williams & Johnson made comments regarding **HB 163**. Representatives Marshall, Carey & Lavelle requested that they be marked present.

The Reading Clerk read the following communication into the record:

May 9, 2007

TO: House Speaker Terry R. Spence  
FROM: Representative William A. Oberle, Jr.  
SUBJECT: Absence from Session

Please be advised that I am unable to attend session today, Wednesday, May 9, 2007, due to personal business.

Thank you for your consideration in this matter.

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

Representative Stone requested that she be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the chair at 2:35 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:35 P.M.: Representatives Lofink, Maier, Miro, Mulrooney & Wagner.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:06 p.m. on May 10, 2007.

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

ENERGY AND NATURAL RESOURCES: **SJR 2 w/SA 1** - 1F, 8M.

HEALTH & HUMAN DEVELOPMENT: **SB 54 w/SA 1** - 7M.

HOUSE ADMINISTRATION: **HB 135** - 3M; **SS 1 for SB 67** - 1F, 2M.

JUDICIARY: **HB 116** - 6M; **HB 142** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 143** - 3M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 147** - 1F, 6M; **HB 149** - 6M; **HB 154** - 7M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 31, SB 81 & SB 44 w/SA 2** and requests the concurrence of the House; the Senate has passed **HB 148 w/HA 1** and is returning same to the House.

Mr. Speaker Spence assigned **HB 138 & HB 147** to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:09 p.m., thereby ending the current legislative day. The House reconvened at 2:10 p.m.

## **29th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**

**May 10, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Hastings & Schwartzkopf – 2.

A prayer was offered by Representative Gerald A. Brady, Fourth Representative District.

Mr. Speaker Spence and Victoria Handlin led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 165** - CATHCART & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, HUDSON, LOFINK, OUTTEN, D. SHORT, VALIHURA, WAGNER, MANOLAKOS, KEELEY, BRADY, HALL-LONG, JOHNSON, LONGHURST, MCWILLIAMS, MITCHELL, VIOLA; SENATORS SORENSON, AMICK - EDUCATION - An Act to Amend Title 1 of the Delaware Code Relating to Veterans' Day, Public School Students and the Employees of Public School Districts and Charter Schools.

**HB 166** - ENNIS & REPRESENTATIVE LEE & SENATOR SIMPSON & SENATOR VAUGHN; REPRESENTATIVES CAREY, EWING, GILLIGAN, HALL-LONG, KOWALKO, MCWILLIAMS, MITCHELL, OBERLE, OUTTEN, SPENCE, WILLIAMS; SENATORS CLOUTIER, CONNOR - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Pertaining to Line-of-Duty Disability Benefits to Covered Firefighters.

**HB 167** - MCWILLIAMS; REPRESENTATIVES CAREY, ENNIS, EWING, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, MAIER, MARSHALL, MITCHELL, OBERLE, OUTTEN, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE, VIOLA, WAGNER, WILLIAMS; SENATORS

BLEVINS, HENRY, MCDOWELL, PETERSON, SOKOLA, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 10, Title 16 of the Delaware Code Relating to Policies of Hospitals and Other Facilities.

**HB 168** - HALL-LONG; REPRESENTATIVES ENNIS, LONGHURST, VALIHURA - EDUCATION - An Act to Amend Chapter 85, Title 14 of the Delaware Code Relating to Private Business and Trade Schools.

**HA 4 to HB 78** - MIRO - Placed with the Bill.

**HA 5 to HB 106** - MAIER - Placed with the Bill.

**HA 1 to HB 123** - HALL-LONG - Placed with the Bill.

**HA 1 to HB 137** - STONE - Placed with the Bill.

**HCR 26** - KOWALKO & REPRESENTATIVE JOHNSON & SENATOR PETERSON; REPRESENTATIVES BRADY, SCHOOLEY, ENNIS, HALL-LONG, LAVELLE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SPENCE, WILLIAMS; SENATORS AMICK, BLEVINS, HENRY, VENABLES - LABOR - Establishing the Delaware Interstate Job Cooperative Task Force.

**SS 1 for SB 31** - HENRY & SENATOR MCDOWELL & SENATOR STILL & REPRESENTATIVE STONE & REPRESENTATIVE KEELEY & REPRESENTATIVE VALIHURA; SENATORS BLEVINS, BONINI, COOK, MARSHALL, MCBRIDE, PETERSON; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, LAVELLE, MAIER, MCWILLIAMS, MIRO, PLANT, SCHOOLEY, SCHWARTZKOPF, D. SHORT, SPENCE, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Use of Credit.

**SB 44 w/SA 2** - BLEVINS & REPRESENTATIVE LAVELLE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Elections.

**SB 81** - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, COOK, SOKOLA, BONINI, STILL; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, KEELEY, PLANT, D. SHORT, VALIHURA, VIOLA, B.SHORT, LAVELLE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to the Sale of Checks and Transmission of Money.

The following House Committee appointments were announced by Mr. Speaker Spence:

AGRICULTURE: Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative Joseph W. Booth; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Nick T. Manolakos; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Diana M. McWilliams; Representative Robert E. Walls.

APPROPRIATIONS: Representative William A. Oberle, Jr. - Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier(Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura, Jr. (Alternate).

CAPITAL INFRASTRUCTURE: Representative Vincent A. Lofink - Chair; Representative V. George Carey; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Bruce C. Ennis; Representative Michael P. Mulrooney; Representative Nick T. Manolakos (Alternate); Representative John J. Viola (Alternate).

CORRECTIONS: Representative Clifford G. Lee - Chair; Representative William R. Outten – Vice-chair; Representative J. Benjamin Ewing; Representative Pamela J. Thornburg; Representative James J. Johnson; Representative John L. Mitchell, Jr.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Daniel B. Short; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

EDUCATION: Representative Vincent A. Lofink – Chair; Representative Nancy H. Wagner – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Gregory A. Hastings; Representative Pamela S. Maier; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

ENERGY AND NATURAL RESOURCES: Representative Gerald W. Hocker - Chair; Representative Joseph W. Booth – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative John A. Kowalko, Jr.; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Robert E. Walls.



ETHICS: Representative Richard C. Cathcart - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

GAMING AND PARI-MUTUELS: Representative Vincent A. Lofink – Chair; Representative William A. Oberle, Jr.- Vice-chair; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative William R. Outten; Representative Nancy H. Wagner; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative Peter C. Schwartzkopf; Representative John J. Viola.

HEALTH & HUMAN DEVELOPMENT: Representative Pamela S. Maier - Chair; Representative Nick T. Manolakos – Vice-chair; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Bethany A. Hall-Long; Representative Nick T. Kowalko; Representative Diana M. McWilliams; Representative Teresa L. Schooley; Representative Robert E. Walls.

HOUSE ADMINISTRATION: Representative Richard C. Cathcart – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative Helene M. Keeley.

HOUSING & COMMUNITY AFFAIRS: Representative Daniel B. Short – Chair; Representative Donna D. Stone – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Robert J. Valihura, Jr.; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

JOINT FINANCE: Representative William A. Oberle, Jr. – Chair; Representative Joseph W. Booth; Representative Joseph E. Miro; Representative Nancy H. Wagner; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Pamela S. Maier (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Daniel B. Short (Alternate); Representative Robert J. Valihura (Alternate).

JUDICIARY: Representative Robert J. Valihura, Jr. - Chair; Representative Donna D. Stone – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Nancy H. Wagner; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.

LABOR: Representative Terry R. Spence - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Nick T. Manolakos; Representative Pamela S. Maier; Representative William A. Oberle, Jr.; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: Representative Robert J. Valihura, Jr. – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Pamela S. Maier; Representative Valerie J. Longhurst; Representative John J. Viola.

PUBLIC SAFETY AND HOMELAND SECURITY: Representative J. Benjamin Ewing, Jr. – Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Clifford G. Lee; Representative William R. Outten; Representative Terry R. Spence; Representative James J. Johnson; Representative Melanie George Marshall; Representative John L. Mitchell, Jr.; Representative Dennis P. Williams.

REVENUE & FINANCE: Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola.

RULES: Representative Vincent A. Lofink – Chair; Representative Richard C. Cathcart; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative Helene M. Keeley.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: Representative Deborah D. Hudson –Chair; Representative Pamela J. Thornburg – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

TOURISM: Representative Deborah D. Hudson – Chair; Representative Donald A. Blakey - Vice-chair; Representative Joseph W. Booth; Representative V. George Carey; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Gerald L. Brady; Representative Peter C. Schwartzkopf.

TRANSPORTATION, LAND USE AND INFRASTRUCTURE: Representative Donald A. Blakey – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative Gerald W. Hocker; Representative Gregory A. Hastings; Representative Nick T. Manolakos; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert E. Walls.

VETERANS' AFFAIRS: Representative Terry R. Spence – Chair; Representative Richard C. Cathcart – Vice-chair; Representative V. George Carey; Representative Gregory A. Hastings; Representative Clifford G. Lee; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Daniel B. Short; Representative Donna D. Stone; Representative Gerald L. Brady; Representative Bruce C. Ennis; Representative Robert F. Gilligan;

Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Peter C. Schwartzkopf; Representative Bryon H. Short; Representative John J. Viola.

Representative Ennis requested that he be marked present. Mr. Speaker Spence introduced guests. Representative Cathcart made an announcement. Representative Cathcart deferred to Representative Kowalko. Representative Kowalko requested and was granted privilege of the floor for himself and Representative Williams to present a House Tribute to Maryanne M. McGonegal who addressed the House. Representative Brady requested and was granted personal privilege of the floor to make comments. Representatives Williams & Maier made comments.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Gregory A. Hastings  
Representative – 41st District  
RE: Absence from Session  
DATE: May 10, 2007

Please be advised that I will be unable to attend session, Thursday, May 10, 2007. I will be serving as pall bearer at the funeral of a family member.

Thank you for your understanding in this matter.

Representative Cathcart deferred to Representative Manolakos.

Representative Oberle requested that he be marked present.

Representative Manolakos introduced and brought **HR 21**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 21 - RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 13, 2007, MOTHER'S DAY.**

Representatives Stone, Longhurst, McWilliams & Mulrooney requested that they be marked present.

Representative Maier made comments.

**HR 21** was adopted by voice vote.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HB 119 w/SA 1**, jointly sponsored by Senator Amick & Representatives Maier, Schooley & Kowalko & Senators Peterson, Sokola & Sorenson, before the House for concurrence on **SA 1**.

**HB 119 - AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK, 48 DEL. LAWS, CHAPTER 152, AS AMENDED, RELATING TO VACANCY IN ELECTIVE OFFICE. (2/3 bill)**

Representative Miro made comments.

The roll call on **HB 119 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Hastings, Plant & Schwartzkopf - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 119 w/SA 1** was sent to the Governor.

Representative Valihura requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Lavelle. Representative Lavelle requested that **HB 1** be stricken.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 14 w/HA 2 & SA 1**, jointly sponsored by Senator Peterson & Senator Sokola & Representative Maier, before the House for concurrence on **SA 1**.

**HB 14 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION.**

Representative Wagner made a comment.

The roll call on **HB 14 w/HA 2 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Hastings, Plant & Schwartzkopf - 3.

Therefore, having received a constitutional majority, **HB 14 w/HA 2 & SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Miro. Representatives Williams, Cathcart & Miro made comments regarding **HB 78**.

Representative Miro brought **HB 78 w/HA 1**, jointly sponsored by Senator Blevins & Representatives Spence, Blakey, Wagner, Ennis, Kowalko, Mitchell, Schooley, Schwartzkopf & Walls & Senators Sokola, Sorenson & Connor, before the House for consideration.

**HB 78 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Hudson introduced and brought **HA 2 to HB 78**, jointly sponsored by Representative Lavelle & Representative Miro, before the House for consideration. Representative Hudson made comments. Representative Hudson requested that **HA 2** be stricken. Representative Miro brought **HA 3 to**

**HB 78** before the House for consideration. Representative Miro requested that **HA 3** be stricken. Representative Miro brought **HA 4 to HB 78** before the House for consideration. Representatives Kowalko & Miro made comments. Representative Cathcart rose on a point of order. Mr. Speaker did not concur. Representative Hudson made comments. Representative Cathcart rose on a point of order. He was not recognized. Representatives Miro, Hudson, Kowalko, Miro, Hudson, Stone, Williams, Mitchell & Miro made comments. **HA 4** was adopted by voice vote. Representative Marshall made comments.

The roll call on **HB 78 w/HA 1 & 4** was taken and revealed:

YES: Representatives Blakey, Brady, Lavelle, Lofink, Maier, Manolakos, Miro, Oberle, Valihura & Viola - 10.

NO: 22.

NOT VOTING: Representatives Ennis, Kowalko, McWilliams, Schooley, Wagner & Spence - 6.

ABSENT: Representatives Hastings, Plant & Schwartzkopf - 3.

Therefore, not having received a constitutional majority, **HB 78 w/HA 1 & 4** was declared defeated.

The Majority Leader moved to recess for caucus at 2:58 p.m.

The House reconvened at 3:50 p.m. with Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **HB 137**, jointly sponsored by Senator DeLuca & Representatives Carey, Hudson, Keeley, Lavelle, D. Short, Valihura & Viola & Senators Bonini, Bunting, Cook, Sokola & Still, before the House for consideration.

**HB 137 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PRENEED FUNERAL CONTRACTS.**

Representative Stone made comments. Representative Stone brought **HA 1 to HB 137** before the House for consideration. Representative Stone made comments. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 137 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 137 w/HA 1** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 98**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 98 - AN ACT TO AMEND VOLUME 53, CHAPTER 42, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" RELATING TO TAXES, DEBTS, CONTRACTS AND FINANCING. (2/3 bill)**

Representatives D. Short, Cathcart, Mr. Acting Speaker, Representatives Gilligan, Stone & D. Short made comments. Representative D. Short brought **HA 1 to HB 98** before the House for consideration. **HA 1** was adopted by voice vote. Representatives D. Short, Stone, D. Short, Mr. Acting Speaker, Representatives Booth, Lofink, Maier & D. Short made comments.

The roll call on **HB 98 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 98 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 134**, jointly sponsored by Senator Bunting & Senator Venables & Representatives Lee, Outten, Ennis & Mitchell, before the House for consideration.

**HB 134 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representatives D. Short, Gilligan, Booth, Wagner & D. Short made comments. Representative D. Short introduced and brought **HA 1 to HB 134** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representatives Stone, Booth, Mr. Acting Speaker & Representative D. Short made comments.

The roll call on **HB 134 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 134 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 135**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 135** - AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES". (2/3 bill)

Representative D. Short made comments.

The roll call on **HB 135** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 135** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 41**, jointly sponsored by Senator Henry & Representatives Booth, Cathcart, Hocker, Outten & Thornburg, before the House for consideration.

**HB 41** - AN ACT TO AMEND CHAPTER 47, TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO SCHOOL BUS DRIVERS.

Representative Ewing made comments.

The roll call on **HB 41** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 41** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson deferred to Representative Thornburg.

Representative Thornburg brought **SB 53**, jointly sponsored by Senator DeLuca & Senator Adams & Representative Cathcart & cosponsored by Representatives Hudson & Stone, before the House for consideration.

**SB 53** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER VOICE OVER INTERNET PROTOCOL COMMUNICATIONS SERVICE.

Representative Thornburg made comments.

The roll call on **SB 53** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **SB 53** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 30 w/SA 1**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 30** - AN ACT TO AMEND CHAPTER 95 OF TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL PROCEDURES OF THE JUSTICE OF THE PEACE COURT.

Representative Valihura made comments.

The roll call on **SB 30 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **SB 30 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 69**, jointly sponsored by Senator Adams & Senator Vaughn & Representative Ewing & Representative Marshall & Senators Cook, DeLuca, Bunting, Sorenson, Amick, Connor, Cloutier, Copeland, Henry, Simpson, Venables, Blevins, Peterson, Sokola, McBride, Marshall & McDowell & Representatives Cathcart, D. Short, Hudson, Miro, McWilliams, Keeley, Hall-Long, Booth, Lavelle, Wagner, Maier, Oberle, Stone, Williams, Plant, Mitchell, Thornburg, Schooley, Blakey, Viola, Johnson & Lofink, before the House for consideration.

**SB 69** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ARBITRATION.

Representative Valihura made comments.

The roll call on **SB 69** was taken and revealed:

YES: 38.

ABSENT: Representatives Hastings, Oberle & Schwartzkopf - 3.

Therefore, having received a constitutional majority, **SB 69** was returned to the Senate.

Representative Cathcart deferred to Representative Outten. Representative Outten requested and was granted privilege of the floor to introduce guests.

Representative Outten brought **HB 96**, jointly sponsored by Senator Bonini & Senator Simpson & Representatives Spence, Lee, Blakey, Maier & Wagner & cosponsored by Senator Cook & Representatives Johnson & Walls, before the House for consideration.

**HB 96** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF HARRINGTON, KENT COUNTY, TO THE CITY OF HARRINGTON. (3/4 bill) (F/N)

Representatives Outten, Gilligan & Maier made comments.

The roll call on **HB 96** was taken and revealed:

YES: 39.

ABSENT: Representatives Hastings & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 96** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on **HR 19**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Wagner introduced and brought **HR 19**, jointly sponsored by Representative Stone & All Representatives, before the House for consideration.

**HR 19** - PROCLAIMING MAY 11, 2007 AS MILITARY SPOUSE APPRECIATION DAY.

Representative Wagner made comments.

**HR 19** was adopted by voice vote.

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

LABOR: **HB 144** - 8M; **SS 1/SB 68** - 8M.

The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.

Mr. Acting Speaker Lavelle called the House to order at 2:05 p.m. on May 15, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 76 w/SA 1, SB 91 w/SA 1, SB 93 w/SA 1 & SB 82** and requests the concurrence of the House; the Senate has passed **HB 75 w/SA 1, HB 31 w/HA 1 & HB 99** and is returning same to the House.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

### **30th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session May 15, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Miro & Schwartzkopf – 2.

A prayer was offered by Dr. N. Cindy Trimm, Pastor, Embassy Worship Center, Fort Lauderdale, Florida and President and CEO, Cindy Trimm Corporation.

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

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

The following prefiled legislation was introduced:

**HB 169** - WAGNER & SENATOR HENRY; REPRESENTATIVES BLAKEY, HUDSON, MANOLAKOS, ENNIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Hospital Quality Report Card.

**HB 170** - SPENCE & SENATOR MCBRIDE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program and State College and University Police Departments.

**HB 171** - WAGNER & SENATOR HENRY; REPRESENTATIVES LOFINK, MAIER, OBERLE, ENNIS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Medical Practice Act.

**HB 172** - EWING & SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

**HA 1 to HB 116** - MAIER - Placed with the Bill.

**HA 1 to HB 155** - OBERLE - Placed with the Bill.

**HA 2 to HB 155** - OBERLE - Placed with the Bill.

**SS 1 for SB 18** - MCDOWELL & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SIMPSON & REPRESENTATIVE THORNBURG & REPRESENTATIVE LOFINK & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE HALL-LONG & REPRESENTATIVE KOWALKO; SENATORS BUNTING, SOKOLA, SORENSON; REPRESENTATIVES BRADY, KEELEY, MCWILLIAMS, PLANT, SPENCE, VALIHURA; SENATOR CLOUTIER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code to Create a Sustainable Energy Utility in the State of Delaware. (3/4 bill)

**SB 70** - BUNTING & REPRESENTATIVE SCHWARTZKOPF; SENATOR SIMPSON; REPRESENTATIVE HOCKER; SENATOR STILL - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 23 of the Delaware Code Relating to Adrift or Abandoned Vessels and Certain Property Relating to Vessels.

**SB 76 w/SA 1** - HENRY & REPRESENTATIVE MAIER; SENATOR BLEVINS; SENATOR SORENSON; REPRESENTATIVE HALL-LONG; REPRESENTATIVE MCWILLIAMS; REPRESENTATIVE SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the State Use Law.

**SB 82 - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY** - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Vehicles.

**SB 91 w/SA 1 - VENABLES & SENATOR ADAMS & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY** - An Act to Amend Title 21 of the Delaware Code Relating to Cargo.

**SB 93 w/SA 1 - VENABLES & REPRESENTATIVE LEE; SENATOR ADAMS; SENATOR BUNTING; REPRESENTATIVE EWING; REPRESENTATIVES D. SHORT, HOCKER, OUTTEN, WALLS - ENERGY AND NATURAL RESOURCES** - An Act to Amend Title 7 of the Delaware Code Relating to Hunting.

Mr. Acting Speaker made comments and introduced guests. Representative Wagner requested that she be marked present. Representative Thornburg requested and was granted personal privilege of the floor to make comments. Representatives Williams & Walls requested that they be marked present. Representative Marshall requested and was granted personal privilege of the floor to introduce a guest and to make comments. Representative Cathcart deferred to Representative Booth. Representative Booth requested and was granted privilege of the floor for Cindy Phillips representing Post #28, American Legion Auxiliary, Oak Orchard/Riverdale. Representative Cathcart deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce guests and to present a House Tribute to Shelia O'Callaghan who addressed the House. Representative Cathcart deferred to Representative Hocker. Representatives Hocker, McWilliams & Plant requested that they be marked present. The House observed a moment of silence in memory of Representative Miro's mother, Elvira Miro, at the request of Mr. Acting Speaker. Representative Gilligan requested and was granted personal privilege of the floor to make an announcement.

The Majority Leader moved to recess for caucus at 2:27 p.m.

The House reconvened at 3:25 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 70 & SS 1/SB 18** and requests the concurrence of the House; the Senate has passed **HCR 23 & HCR 24** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 95, SB 96 & SB 98** and requests the concurrence of the House.

May 15, 2007

The Honorable Terry R. Spence

Speaker of the House

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I am writing to let you know that I will not be in legislative session during the week of May 15th, 2007, since I am at home recovering from surgery.

Thank you for your assistance in this matter.

Sincerely,  
Peter C. Schwartzkopf  
State Representative  
14th District

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Joseph E. Miro  
Representative – Twenty-Second Representative District  
RE: Absence from Session  
DATE: May 15, 2007

Please be advised that I will be unavailable for session today, Tuesday, May 15, 2007.

Thank you for your consideration in this matter.

Representatives Carey, Valihura & Oberle requested that they be marked present.

Representative Cathcart deferred to Representative Viola.

Representative Viola brought **HB 83**, jointly sponsored by Senator Sokola & Representatives Carey, Hall-Long, Kowalko, Longhurst, Maier, Mulrooney, Schooley, Spence & Stone & Senators Henry & Sorenson & cosponsored by Representative Valihura, before the House for consideration.

**HB 83 - AN ACT TO AMEND CHAPTER 29, TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL SALES OF MOTOR FUEL.**

Representative Viola brought **HA 1 to HB 83** before the House for consideration. Representative Viola made a comment. **HA 1** was adopted by voice vote. Representatives Viola, Ewing, Hocker, Viola, Williams, Keeley, Booth, Viola, Williams & Hall-Long made comments. Representative Hall-Long requested and was granted privilege of the floor for Wayne Carter, Executive Director, Colonial Chapter, Paralyzed Veterans of America. Representatives Thornburg & Viola made comments. Representative Spence requested that he be marked present. Representatives Spence & Williams made comments.

Representative Mulrooney requested that he be marked present. Representatives Mulrooney & Thornburg made comments.

The roll call on **HB 83 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 83 w/HA 1** was sent to the Senate for concurrence.

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

Representative Cathcart brought **HB 113**, jointly sponsored by Representative Miro & Senator Sokola & Representatives Spence, Manolakos & Keeley & Senators Blevins, McBride, Bonini, Cloutier & Still, before the House for consideration.

**HB 113 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSES AND TAXES.**

Representative Cathcart made comments. Representative Cathcart brought **HA 1 to HB 113** before the House for consideration. Representative Cathcart requested a ruling from the Chair regarding **HA 1**. Mr. Acting Speaker ruled that Representative Cathcart cannot strike an amendment sponsored by Representative Miro. Representative Cathcart moved to place **HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

The roll call on **HB 113** was taken and revealed:

YES: 33.

NO: Representatives Maier & Oberle - 2.

NOT VOTING: Representatives Booth, Hudson, Valihura & Lavelle - 4.

ABSENT: Representatives Miro & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 113** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley. Representative Keeley requested that **HB 125** be stricken and made an announcement. Representative Cathcart deferred to Representative Marshall. Representative Marshall requested that action on **HB 126** be Deferred to a Day Certain, Wednesday, May 16, 2007.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **SS 1 for SB 67**, jointly sponsored by Senator Adams & Senators Still, Copeland, DeLuca & Simpson & Representatives Carey, Hudson & Schwartzkopf, before the House for consideration.

**SB 67 – AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERIES AND MICROBREWERIES.**

Representative Stone made comments.

The roll call on **SS 1 for SB 67** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 67** was returned to the Senate.

Representative Cathcart deferred to Representative Maier.

Representative Maier requested that action on **SB 54 w/SA 1** be Deferred to a Day Certain, Wednesday, May 16, 2007.

Representative Cathcart deferred to Representative Stone. Representative Stone requested that action on **SB 63** be Deferred to a Day Certain, Wednesday, May 16, 2007.

Representative Cathcart brought **SB 59**, sponsored by Senator Amick & Senators Peterson, Sokola & Sorenson & Representatives Kowalko, Maier, Miro & Schooley, before the House for consideration.

**SB 59 - AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE CITY OF NEWARK RELATING TO THE ELIMINATION OF THE HOUSE SERGEANT POSITION. (2/3 bill)**

Representative Cathcart made a comment.

The roll call on **SB 59** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 59** was returned to the Senate.

Representative Cathcart brought **SB 61**, sponsored by Senator Sorenson & Senators Amick, Peterson & Sokola & Representatives Kowalko, Maier, Miro & Schooley, before the House for consideration.

**SB 61 - AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE CITY OF NEWARK RELATING TO THE POSITIONS OF ALDERMAN AND DEPUTY ALDERMAN. (2/3 bill)**

Representative Cathcart made a comment.

The roll call on **SB 61** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 61** was returned to the Senate.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Representative Cathcart deferred to Representative Wagner. Representative Wagner led the House in singing “Happy Birthday” to Representative Keeley. Representative Cathcart made an announcement. The Majority Leader moved to recess to the call of the Chair at 4:20 p.m. Mr. Acting Speaker Lavelle called the House to order at 2:02 p.m. on May 16, 2007. Representative Miro requested that he be marked present for the current Legislative Day. The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

**31st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
May 16, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Schwartzkopf – 1.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

Mr. Acting Speaker and children from St. John Lutheran Early Learning Center Preschool Class led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 173** - OBERLE & REPRESENTATIVE SPENCE & SENATOR DELUCA & SENATOR AMICK; REPRESENTATIVES CATHCART, EWING, LOFINK, MAIER, MIRO, ENNIS, MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 174** - STONE & SENATOR MCBRIDE; REPRESENTATIVES GILLIGAN, HUDSON, LOFINK, MAIER, SPENCE, VALIHURA; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Electronic Postmarks and the Uniform Electronic Transactions Act.

**HA 2 to HB 121** - MIRO - Placed with the Bill.

**SB 64** - MCBRIDE; SENATORS SIMPSON, VENABLES; REPRESENTATIVES HOCKER, MULROONEY - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 6 of the Delaware Code with Respect to Chapter 12A, Uniform Electronic Transactions Act

**SB 95** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL; SENATORS MCDOWELL, AMICK, SIMPSON; REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON, MITCHELL - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

**SB 96** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL; SENATORS MCDOWELL, AMICK, SIMPSON; REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON, MITCHELL - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

**SB 98** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL; SENATORS MCDOWELL, AMICK, SIMPSON; REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON, MITCHELL - JUDICIARY - An Act to Amend 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. (3/5 bill)

The children from St. John Lutheran Early Learning Center Preschool Class sang “God Bless America”. Mr. Acting Speaker & Representatives Stone, Cathcart & Booth made comments. Representative Cathcart deferred to Representative Hudson. Representatives Hudson & Wagner introduced guests. Representative Cathcart deferred to Representative Maier. Representative Maier requested and was granted privilege of the floor for herself and Representative Marshall to present a House Tribute to Ann B. Wick who addressed the House. Representative Cathcart deferred to Representative Brady. Representative Brady requested and was granted privilege of the floor for to present a House Tribute to Stephanie Seitz. Representative Gilligan made an announcement. Representative Cathcart deferred to Representative Keeley. Representative Keeley introduced guests. Representatives D. Short, Hall-Long & Lofink requested that they be marked present. Representative Cathcart introduced a guest.

Representative Cathcart deferred to Representative Marshall.

Representative Marshall brought **HB 126**, jointly sponsored by Representative Schooley & Representative Maier & Senator Blevins & Senator Sorenson & Representatives Brady, Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Manolakos, McWilliams, Miro, Mitchell, Plant & Viola & Senator Connor, before the House for consideration.



**HB 126 - AN ACT TO AMEND CHAPTER 30, TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION.**

Representative Marshall made a comment.

The roll call on **HB 126** was taken and revealed:

YES: 38.

ABSENT: Representatives Lee, Schwartzkopf & Williams - 3.

Therefore, having received a constitutional majority, **HB 126** was sent to the Senate for concurrence.

Representatives Longhurst, McWilliams, Mulrooney, Ennis, Spence & Plant requested that they be marked present during the roll call.

Representative Spence introduced a guest.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **SB 54 w/SA 1**, sponsored by Senator Henry & Representative Gilligan & Senators Bunting, Cook, McDowell, Peterson & Still & Representatives Cathcart, Hall-Long, Mitchell, Plant, Schooley & Williams & cosponsored by Representative Manolakos, before the House for consideration.

**SB 54 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Maier made comments. Representative Maier introduced and brought **HA 1 to SB 54** before the House for consideration. **HA 1** was adopted by voice vote. Representative Maier made comments.

The roll call on **SB 54 w/SA 1 & HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lee, Schwartzkopf & Williams - 3.

Therefore, having received a constitutional majority, **SB 54 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart made an announcement. Representative Cathcart deferred to Representative Maier. Representatives Maier & Cathcart made comments. Representatives Hudson & Ewing made announcements.

The Majority Leader moved to recess for caucus at 2:31 p.m.

The House reconvened at 4:05 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 64** and requests the concurrence of the House.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **SB 63**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 63 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER INVESTMENTS IN FOREIGN COUNTRIES.**

Representative Stone made comments.

The roll call on **SB 63** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **SB 63** was returned to the Senate.

Representatives Lee & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle brought **HB 144**, jointly sponsored by Representative Stone & Senator Marshall & Senator Venables, before the House for consideration.

**HB 144 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (3/5 bill)**

Representative Oberle made comments.

The roll call on **HB 144** was taken and revealed:

YES: 39.

ABSENT: Representatives McWilliams & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 144** was sent to the Senate for concurrence.

Representative Oberle introduced a guest.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **SS 1 for SB 68**, sponsored by Senator DeLuca, before the House for consideration.

**SB 68 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.**

Representatives Booth, Oberle, D. Short & Booth made comments.

The roll call on **SS 1 for SB 68** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 68** was returned to the Senate.

Representative Cathcart deferred to Representative Carey.

Representative Carey brought **SB 39**, jointly sponsored by Senator Simpson & Senator Bonini & Representative Walls, before the House for consideration.

**SB 39 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO JURISDICTION OF OFFENSES.**

Representative Carey made comments.

The roll call on **SB 39** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **SB 39** was returned to the Senate.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 143**, jointly sponsored by Senator Henry & Senator DeLuca, before the House for consideration.

**HB 143 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES.**

Representative Lee made comments.

The roll call on **HB 143** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 143** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 142**, jointly sponsored by Senator Henry & Representatives Gilligan, Ennis, McWilliams & Walls & Senator DeLuca, before the House for consideration.

**HB 142 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES AND SEARCH AND SEIZURE.**

Representative Lee introduced and brought **HA 1 to HB 142** before the House for consideration. Representatives Lee & Valihura made comments. **HA 1** was adopted by voice vote. Representative Lee & Mr. Acting Speaker made comments.

The roll call on **HB 142 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 142 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey brought **HB 44**, jointly sponsored by Representatives Booth, Ewing, Hocker, Outten & Stone & Senators Henry & Simpson, before the House for consideration.

**HB 44 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representatives Balkey & Williams made comments. Representative Blakey introduced and brought **HA 1 to HB 44** before the House for consideration. Representative Valihura rose on a point of order. Mr. Acting Speaker concurred. Representative Blakey made comments. Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. Representatives Gilligan & Blakey made comments. Representative Cathcart moved to place **HB 44** on the Speaker's Table. The motion was properly seconded. The motion was defeated by voice vote. Representatives Cathcart, Gilligan, Ennis, Blakey & Wagner made comments. **HA 1** was adopted by voice vote. Representatives Blakey, Gilligan, Keeley & Blakey made comments. Representative Oberle rose on a point of order. Representatives Oberle & Blakey made comments. Mr. Acting Speaker concurred. Representatives Brady, Blakey, Ennis & Gilligan made comments. Representative Hocker moved to place **HB 44 w/HA 1** on the Speaker's Table. The motion was properly seconded. Representative Blakey made a comment. Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. A voice vote was taken on the motion. Representative Oberle requested a division of the House on Mr. Acting Speaker's ruling on the results of the voice vote. Members voting in the affirmative rose for the purpose of being counted by the Chief Clerk. The motion was declared defeated by Mr. Acting Speaker. Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. Representatives B. Short & Blakey made comments. A motion to call the previous question was requested by five Members standing for that purpose. The roll call was taken but not announced. Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. Representative Oberle rose on a point of order. Mr. Acting Speaker concurred. Representative Valihura rose on a point of order. Mr. Acting Speaker concurred. Representative Williams rose on a point of order. Mr. Acting Speaker concurred.

The roll call on the motion to end the debate on **HB 44 w/HA 1** was taken and revealed:

YES: Representatives Booth, Carey, Cathcart, Ewing, Hastings, Hudson, Lee, Maier, Miro, Outten, D. Short, Spence, Thornburg, Wagner & Mr. Acting Speaker Lavelle - 15.

NO: 19.

NOT VOTING: Representatives Brady, Ennis, Hocker, Mitchell & Walls - 5.

ABSENT: Representatives Plant & Schwartzkopf - 2.

Therefore, not having received a constitutional majority, the motion was declared defeated.

Representatives B. Short, Blakey, Johnson, Blakey, Keeley, Gilligan, Oberle & Williams made comments.

The roll call on **HB 44 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 44 w/HA 1** was sent to the Senate for concurrence.

Representatives Cathcart & Walls & Mr. Acting Speaker made comments. Representative Lofink moved to reconsider **HB 44 w/HA 1**. The motion was seconded by Representative Valihura.

Representative Oberle moved to table the motion. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 75 w/SA 1**, jointly sponsored by Senator Blevins, before the House for concurrence on **SA 1**.

**HB 75 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Valihura made comments.

The roll call on **HB 75 w/SA 1** was taken and revealed:

YES: 39.

NO: Representative Thornburg - 1.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 75 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 149**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Lee introduced and brought **HS 1 for HB 149**, jointly sponsored by Senator Bunting & Representatives Carey, Ewing, Hocker, Maier, D. Short, Valihura, Keeley & Ennis & Senators Adams & Cook, before the House for consideration.

**HB 149 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES AND FIRE SAFETY. (3/5 bill)**

Mr. Acting Speaker introduced a guest.

Representative Lee introduced and brought **HA 1 to HS 1 for HB 149** before the House for consideration. Representative Lee made comments. **HA 1** was adopted by voice vote. Representative Lee made comments. Representative Lee requested and was granted privilege of the floor for Grover P. Ingle, Acting State Fire Marshall. Representatives Maier, Oberle, Stone & Oberle made comments.

The roll call on **HS 1 for HB 149 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 149 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 92**, jointly sponsored by Senator Blevins & Representatives Spence, Ewing, Hocker, Stone, Wagner, Ennis & Plant, before the House for consideration.

**HB 92 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE AN ARBITRATION PROCEDURE FOR DISPUTES BETWEEN INSURANCE CARRIERS AND HEALTH CARE PROVIDERS.**

Representative Hudson introduced and brought **HA 1 to HB 92** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representatives Hudson & Valihura made comments.

The roll call on **HB 92 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **HB 92 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SJR 2 w/SA 1**, sponsored by Senator McBride & Representative Valihura & Senators Sokola, Copeland, Sorenson & Connor & Representatives Lavelle & Gilligan & cosponsored by Senators Amick & Cloutier, before the House for consideration.

**SJR 2 - A RESOLUTION REQUIRING THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE SOLID WASTE**

AUTHORITY TO DELAY THE ENFORCEMENT OF THE YARD WASTE BAN FOR CHERRY ISLAND LANDFILL UNTIL JANUARY 15, 2008 AND TO UNDERTAKE A NUMBER OF ACTIVITIES THAT WILL RESULT IN A SUITABLE YARD WASTE RECYCLING PROGRAM FOR NORTHERN NEW CASTLE COUNTY.

Representatives Hocker & McWilliams made comments.

The roll call on **SJR 2 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority, **SJR 2 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HB 121**, jointly sponsored by Senator DeLuca & Representatives Hudson & Valihura, before the House for consideration.

**HB 121** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N) (2/3 bill)

Representative Valihura requested that **HA 1 to HB 121** be stricken. Representative Miro requested that **HA 2 to HB 121** be stricken. Representative Miro introduced and brought **HA 3 to HB 121** before the House for consideration. Representative Miro made comments. **HA 3** was adopted by voice vote. Representative Miro made comments.

The roll call on **HB 121 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Schwartzkopf - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 121 w/HA 3** was sent to the Senate for concurrence.

Representatives Cathcart & Lofink made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:56 p.m.

Mr. Acting Speaker Booth called the House to order at 2:05 p.m. on May 17, 2007.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

### **32nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session May 17, 2007**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Schwartzkopf, Spence, Stone & Viola – 4.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

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

The following prefiled legislation was introduced:

**HB 175** - THORNBURG & SENATOR VENABLES; REPRESENTATIVES CATHCART, LEE, CAREY, EWING, HOCKER, LOFINK, MAIER, MANOLAKOS, OBERLE, OUTTEN, D. SHORT, STONE, WAGNER, GILLIGAN, BRADY, ENNIS, HALL-LONG, MULROONEY, WALLS; SENATORS BONINI, SIMPSON, STILL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Subchapter III of Chapter 31 of Title 20 of the Delaware Code Pertaining to the Exercise of Emergency Powers.

**HB 176** - HUDSON & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code and 73 Delaware Laws, Chapter 6, Relating to the Historic Preservation Tax Credit's Sunset Date.

**HB 177** - GILLIGAN & REPRESENTATIVE KEELEY & REPRESENTATIVE SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Candidates.

**HB 178** - KEELEY; REPRESENTATIVES BRADY, HALL-LONG, HOCKER, JOHNSON, KOWALKO, MARSHALL, MITCHELL, PLANT, SCHOOLEY, B. SHORT, VIOLA; SENATORS COOK, PETERSON, SORENSON, VENABLES - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Re-Establishment of a Hearing Aid Loan Bank.

**HA 1 to HB 63** - WILLIAMS - Placed with the Bill.

Mr. Acting Speaker made an announcement. Representative Williams requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 10** and requests the concurrence of the House and the Senate has passed **HCR 25** and is returning same to the House. The Senate wishes to inform the House that it has passed **HJR 2 w/SA 1** and is returning same to the House.

#### MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. John Viola

DATE: May 17, 2007  
RE: Absence from session  
I will be unable to attend today’s session because of personal business.  
Representative Plant requested that she be marked present.  
The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: May 17, 2007  
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                                                                 | Sponsor            | Date      | Type | Description                                                                     |
|----------------------------------------------------------------------------------------|--------------------|-----------|------|---------------------------------------------------------------------------------|
| H144-496                                                                               | Ewing              | 4/28/2007 | M    | Leonard Chaffinch                                                               |
| H144-497                                                                               | Wagner             | 4/7/2007  | T    | Ronald & Betty Stevens - 50th Wedding Anniversary                               |
| H144-498                                                                               | Lee                | 5/1//2007 | T    | Dale Boyce - Delmarva Distinguished Citizen Award                               |
| H144-499                                                                               | Outten             | 5/5/2007  | T    | H. Joseph Gannon, Jr. - Dedication – Harrington High                            |
| H144-500                                                                               | Hall-Long          | 5/12/2007 | T    | Jonathan Christopher Shaffner - Eagle Scout                                     |
| H144-501                                                                               | Booth              | 5/15/2007 | T    | Sussex County Fire Police - 50th Anniversary                                    |
| cosponsors: Reps. Carey, Ewing, Hastings, Hocker, Lee, Outten, Schwartzkopf & D. Short |                    |           |      |                                                                                 |
| H144-502                                                                               | Plant              | 5/6/2007  | T    | Barbara Spencer - Markevic Johnson Educational Foundation Business Award        |
| H144-503                                                                               | Plant              | 5/6/2007  | T    | Justen Wright - L.F.D. - Markevic Johnson Educational Foundation Business Award |
| H144-504                                                                               | Williams           | 5/10/2007 | T    | Maryanne McGonegal - Advocate for Rights of Citizens                            |
| cosponsor: Rep. Kowalko                                                                |                    |           |      |                                                                                 |
| H144-505                                                                               | Stone              | 5/1//2007 | M    | Ernest Claude Davison, Jr.                                                      |
| cosponsor: Rep. Wagner                                                                 |                    |           |      |                                                                                 |
| H144-506                                                                               | Kowalko            | 5/9/2007  | T    | Louise Roselle - U of D Woman's Club Woman of Year                              |
| cosponsor: Rep. Schooley                                                               |                    |           |      |                                                                                 |
| H144-507                                                                               | Wagner             | 5/1//2007 | M    | Erma Mulford Duncan                                                             |
| H144-508                                                                               | Thornburg; Wagner  | 5/3/2007  | M    | Katherine Horvath                                                               |
| H144-509                                                                               | Wagner             | 5/12/2007 | T    | Rebecca Orth & Ryan Rothweiler – Marriage                                       |
| cosponsor: Rep. Stone                                                                  |                    |           |      |                                                                                 |
| H144-510                                                                               | Wagner             | 5/11/2007 | T    | Lisa Glavey & Jason Clarke - Marriage                                           |
| H144-511                                                                               | Hall-Long          | 5/21/2007 | T    | Carroll Van Pelt - 85th Birthday                                                |
| H144-512                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Joseph Dieroff - Heroic Firefighter – Minquas Fire Company                      |
| H144-513                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Robert Harvey, Jr. - Heroic Firefighter – Minquas Fire Company                  |
| H144-514                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Frederick Crocker - 58 Years of Service – Minquas Fire Company                  |
| H144-515                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Minquas Fire Company - 100th Anniversary                                        |
| H144-516                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Minquas Ladies Auxiliary - 80th Anniversary                                     |
| H144-517                                                                               | Gilligan; Mitchell | 5/12/2007 | T    | Florence Cunningham - 50 Years of Service - Minquas Ladies Auxiliary            |

HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: May 17, 2007  
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                          | Sponsor            | Date      | Type | Description                                                    |
|---------------------------------|--------------------|-----------|------|----------------------------------------------------------------|
| H144-518                        | Gilligan; Mitchell | 5/12/2007 | T    | Elsie Andrews - 50 Years of Service – Minquas Ladies Auxiliary |
| H144-519                        | Wagner             | 5/6/2007  | M    | Faye Bell                                                      |
| H144-520                        | Stone              | 5/6/2007  | M    | Charles Johnson                                                |
| cosponsors: All Representatives |                    |           |      |                                                                |
| H144-521                        | Hastings           | 5/10/2007 | T    | Robert Radish - Retirement - DelDOT – 32 Years                 |
| H144-522                        | Hall-Long          | 5/9/2007  | T    | Delaware Nurses Association - National Nurses Week             |
| cosponsor: Rep. Maier           |                    |           |      |                                                                |
| H144-523                        | Hocker             | 5/19/2007 | T    | Ocean View Presbyterian Church - 150th Anniversary             |
| H144-524                        | Outten             | 5/8/2007  | T    | Thomas & Margaret Kates - 65th Wedding Anniversary             |
| H144-525                        | Schooley           | 6/16/2007 | T    | Joseph McMinn - Eagle Scout                                    |
| H144-526                        | Hocker             | 6/17/2007 | T    | Zachary Rickards - Eagle Scout                                 |
| H144-527                        | D. Short           | 5/14/2007 | T    | Joseph Tune - Commander - American Legion Post #16             |

|          |                                 |           |   |                                                             |
|----------|---------------------------------|-----------|---|-------------------------------------------------------------|
| H144-528 | Blakey;<br>Wagner               | 5/19/2007 | T | Trista Badman & Adrian Rigby – Marriage                     |
| H144-529 | Valihura                        | 5/16/2007 | T | Amarech Ghebrehiwot - All Star Award – Health Care          |
| H144-530 | Plant                           | 5/12/2007 | T | Professor Amin Hassan - Martial Arts Hall of Fame Host      |
| H144-531 | Hudson                          | 4/27/2007 | T | John & Ann Ewasko - 50th Wedding Anniversary                |
| H144-532 | Wagner                          | 5/12/2007 | T | Delaware Choral Society - 50th Anniversary                  |
|          | cosponsors: All Representatives |           |   |                                                             |
| H144-533 | Wagner                          | 6/30/2007 | T | Dr. Suzanne Iovino - Retirement - Delaware State University |
| H144-534 | Valihura                        | 5/15/2007 | T | Patrick Bagley - Contributions to Chimes Delaware           |
| H144-535 | Walls                           | 5/11/2007 | T | Honorable Ellis Parrott - Retirement – Justice of the Peace |
| H144-536 | Keeley                          | 5/8/2007  | M | James Francis Lee                                           |
| H144-537 | Maier                           | 5/7/2007  | T | Wilson Elementary School - Superstars in Education Award    |
| H144-538 | Spence                          | 5/31/2007 | T | Sandra Dwyer - Retirement - Department of                   |
|          | cosponsors: All Representatives |           |   |                                                             |
| H144-539 | Outten                          | 5/16/2007 | T | Heather Williams - All Star Award - Health Care             |
| H144-540 | Hudson                          | 4/26/2007 | M | Henry Stephen Dombrowski                                    |

T- Tribute

M – Memoriam

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

Representative Gilligan requested that he be marked present. Representative Cathcart deferred to Representative Thornburg. Representative Thornburg requested and was granted privilege of the floor for Career and Technical Student Organization students. Justin Bailey, President, Future Farmers of America, Peter Andrews, President, Technology Student Association, Billy Leonard, President, Business Professionals of America, Virginia Hansen, President, DECA, an Association of Marketing Students, Dara Jones representing Family Career and Community Leaders of America and Jennifer Osias, Secretary, Skills USA addressed the House. Representative Thornburg requested and was granted privilege of the floor for Frank Ingram, State Advisor, Delaware DECA. Representative Manolakos requested and was granted personal privilege of the floor to make comments and to introduce guests. Representatives Cathcart, Walls & Wagner made comments.

Representative Cathcart brought the following prefiled **Consent Calendar #9** before the House for consideration.

**HR 22 – WAGNER – Recognizing Delaware’s Wholesale Liquor Distributors for Their Efforts in Recycling.**

**HCR 27 – SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SORENSON ON BEHALF OF ALL SENATORS – Extending Sincere Thanks to the Career and Technical Student Organizations of Delaware for The Presentation of the Beautiful Geraniums and Extending Best Wishes for Much Success to Each of These Exemplary Students.**

**HCR 28 – SPENCE & SENATOR MCBRIDE– Encouraging Colleges and Universities in the State to Review Their Emergency Procedures, with Particular Consideration to the Need for Armed Response Capability.**

**SCR 10 – CLOUTIER ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES – Declaring May 2007 as Melanoma and Skin Cancer Detection and Prevention Month in Delaware.**

**Consent Calendar #9** was adopted by voice vote and **HR 22** was declared passed, **HCR 27 & HCR 28** were sent to the Senate for concurrence and **SCR 10** was returned to the Senate.

The Career and Technical Students announced their names, organizations and schools for the record. Representative Wagner made comments regarding **HR 22**. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Mr. Acting Speaker, Representatives Wagner & Thornburg made comments regarding **SCR 10**. Representatives Marshall & Keeley requested that they be marked present. Representative Keeley requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative Williams made comments. Representative Oberle requested that he be marked present.

Representative Cathcart moved to suspend the rules which interfere with action on **HJR 2 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HJR 2 w/SA 1**, sponsored by Senator DeLuca, before the House for concurrence on **SA 1**.

**HJR 2 - URGING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION CALLING FOR FEDERAL APPROVAL OF EXTENSION OF THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL.**

Representative Cathcart made comments.

The roll call on **HJR 2 w/SA 1** was taken and revealed:

YES: 23.

ABSENT: Representatives Hall-Long, Hudson, Johnson, Kowalko, Lavelle, Lofink, Longhurst, Maier, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schwartzkopf, Spence, Stone, Valihura & Viola - 18.

Therefore, having received a constitutional majority, **HJR 2 w/SA 1** was sent to the Governor.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:47 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:47 P.M.: Representatives Hudson, Johnson, Longhurst, Mitchell, Mulrooney & Valihura.

Mr. Acting Speaker Oberle called the House to order at 2:04 p.m. on June 5, 2007.

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

ENERGY AND NATURAL RESOURCES: **HB 146** - 10M, 1U; **HB 159** - 8M, 3U.

HOUSE ADMINISTRATION: **HB 132** - 4M; **HB 161** - 4M.

JUDICIARY: **HB 86** - 6M; **HB 160** - 7M; **HB 163** - 6M; **SB 57** - 6M.

LABOR: **HB 153** - 5M; **HJR 5** - 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 157** - 5M; **HB 175** - 4M, 1U.

REVENUE & FINANCE: **HB 176** - 7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 137 w/HA 1 & HCR 27** and is returning same to the House.

May 14, 2007

Ms. JoAnn M. Hedrick  
Legislative Hall Room H129  
Dover, Delaware 19901

Dear Ms. Hedrick:

Thank you for contacting me about the Ottoman Turko-Armenian conflict. I appreciate your bringing to my attention a resolution that recently passed in the Delaware Legislature to reaffirm the United States record on the Armenian Genocide.

As you may know, over the years several members in Congress have introduced legislation to recognize this conflict as the Armenian Genocide. On January 31, 2007, Representative Adam Schiff (D-CA) introduced legislation (H.Res.106) that is similar to the one passed in Delaware. At this time, Rep. Schiff's bill is currently pending before the House Foreign Relations Committee. Similar legislation has not been introduced in the Senate.

While I understand that relations between Turkey and Armenia are uneasy, I am hopeful that they will work together in the future to resolve their differences. As you know, some efforts have been made to improve relations between the two nations. In July 2001, an independent, Turkish-Armenian Reconciliation Commission (TARC) formed to promote mutual understanding and goodwill in the region. I am pleased that the Bush Administration has sought to reconcile relations between Turkey and Armenia by supporting TARC, among other efforts.

Should this issue come before the full Senate in the future, please be assured that I will keep your views in mind. In the meantime, I will share your concerns with Senator Biden, who is the ranking member of the Senate Foreign Relations Committee, which has jurisdiction over this issue. Thank you again for contacting me regarding this important issue. Please do not hesitate to contact me in the future regarding this or any other matter of concern to you.

With best personal regards, I am

Sincerely yours,  
Thomas R. Carper  
United States Senate

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

### **33rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 5, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Valihura & Walls -2.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District. The House observed a moment of silence in memory of Representative Valihura's father, Robert J. Valihura, Sr., at the request of Mr. Acting Speaker.

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

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

The following out of session prefiled legislation was introduced:

May 30, 2007

**HS 1 for HB 111** - ENNIS & SENATOR BLEVINS; REPRESENTATIVES BRADY, CATHCART, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LAVELLE, LONGHURST,

MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE, VIOLA, WILLIAMS; SENATORS HENRY, MCDOWELL, SOKOLA - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9, 22 and 30 Relating to Land Use and the Applicability of Local Governments' Realty Transfer Taxes.

**HB 179** - WILLIAMS & REPRESENTATIVE KEELEY; REPRESENTATIVES ENNIS, EWING, GILLIGAN, LOFINK, MITCHELL, OBERLE, PLANT, B. SHORT, D. SHORT; SENATORS SOKOLA, VENABLES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 29 of the Delaware Code Relating to the Powers of the Secretary of the Department of Services for Children, Youth and their Families.

**HB 180** - MIRO & SENATOR DELUCA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Selling Stolen Property. (2/3 bill)

**HB 181** - MCWILLIAMS & REPRESENTATIVE B. SHORT; REPRESENTATIVES BRADY, PLANT, WILLIAMS; SENATORS CLOUTIER, HENRY - EDUCATION - An Act to Amend Chapter 19 of Title 14 Relating to Collection and Deposit of School Taxes. (2/3 bill)

**HB 182** - WALLS & SENATOR ADAMS; REPRESENTATIVES BRADY, CAREY, EWING, OUTTEN, D. SHORT; SENATOR BUNTING - ENERGY AND NATURAL RESOURCES - An Act to Amend Chapter 7, Title 7 of the Delaware Code Relating to Regulations and Prohibitions Concerning Game and Fish.

**HB 183** - HUDSON & REPRESENTATIVE VALIHURA & SENATOR VAUGHN & SENATOR SORENSON; SENATOR BLEVINS - JUDICIARY - An Act to Amend Chapter 9, Title 10 of the Delaware Code Relating to Courts and Judicial Procedure.

**HB 184** - STONE & SENATOR DELUCA; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA, VIOLA; SENATORS BONINI, BUNTING, COOK, SOKOLA, CLOUTIER, STILL - EDUCATION - An Act to Amend Title 10 and Title 14 of the Delaware Code Relating to the Delaware College Investment Plan.

**HB 185** - STONE & SENATOR DELUCA; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA, VIOLA; SENATORS BONINI, BUNTING, COOK, SOKOLA, STILL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates.

**HA 1 to HB 146** - MAIER - Placed with the Bill.

**SB 77 w/SA 2** - BUNTING & REPRESENTATIVE HOCKER; SENATORS MCBRIDE, SIMPSON, COPELAND, STILL, CONNOR, BONINI, AMICK, SOKOLA, SORENSON, PETERSON, MCDOWELL; REPRESENTATIVES SPENCE, BOOTH, EWING, THORNBURG, KOWALKO, WALLS, MAIER, BRADY, HUDSON, KEELEY, MIRO, ENNIS, CAREY, LONGHURST; SENATORS VAUGHN, VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Concerning Municipalities Providing Wastewater Service Outside their Municipal Boundaries and the Criteria to be Used by the Public Service Commission for Granting Certificates for Public Convenience and Necessity to Wastewater Utilities.

**SB 78** - HENRY & SENATOR MCDOWELL & SENATOR CONNOR & REPRESENTATIVE MAIER; SENATOR BLEVINS, SENATOR SORENSON; REPRESENTATIVE HALL-LONG, REPRESENTATIVE SCHOOLEY, B. SHORT - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance and Newborn Screening.

**SB 86 w/SA 1** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 31 of the Delaware Code Relating to the Council on Housing and Housing.

**SB 89** - COOK & REPRESENTATIVE HUDSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to Geospatial Data.

**SB 100 w/SA 1** - DELUCA & REPRESENTATIVE OBERLE; SENATORS HENRY, STILL; REPRESENTATIVES MIRO, SPENCE - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.

**SB 104** - ADAMS & SENATOR VAUGHN & SENATOR SORENSON & REPRESENTATIVE VALIHURA; REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Chapter 15, Title 13 of the Delaware Code, Relating to Divorce and Annulment.

**SB 105** - ADAMS & SENATOR VAUGHN & SENATOR SORENSON & REPRESENTATIVE VALIHURA; SENATOR BLEVINS; REPRESENTATIVE HUDSON; SENATOR CLOUTIER; REPRESENTATIVES JOHNSON, LAVELLE, MITCHELL - JUDICIARY - An Act to Amend Chapter 15, Title 13 of the Delaware Code, Relating to Divorce and Annulment.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 89, SB 86 w/SA 1, SB 100 w/SA 1, SB 104, SB 105, SB 78 & SB 77 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 133 w/SA 1, HB 38 w/HA 2 & SA 1, 2, 3 & 4** and is returning same to the House.



Representative Wagner requested that she be marked present. Representative Stone requested and was granted personal privilege of the floor to make comments. Representatives Marshall, Keeley, Gilligan, McWilliams & Schooley requested that they be marked present. Representative Cathcart deferred to Representative Brady. Representative Brady requested and was granted privilege of the floor for Jamie Ginn, Miss Delaware 2006, who addressed the House and presented her official portrait to the House.

Representative Cathcart deferred to Representative Booth. Representative Booth requested that **HB 3** be stricken.

Representative Booth moved to suspend the rules which interfere with lifting **HR 18** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Booth brought **HR 18**, jointly sponsored by Representative Hocker, before the House for consideration.

**HR 18 - A RESOLUTION ENCOURAGING DELAWARE BUSINESSES TO MAKE RESTROOM ACCESS AVAILABLE TO CUSTOMERS WHO HAVE MEDICAL PROBLEMS.**

Representative Booth made comments. Jamie Ginn, Miss Delaware, 2006, made comments.

**HR 18** was adopted by voice vote.

Each Miss Delaware 2007 contestant introduced herself and stated her school, year in school, major and platform for the record. Representative Cathcart made an announcement.

The Majority Leader moved to recess for caucus at 2:35 p.m.

The House reconvened at 4:12 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 37 w/SA 1** and requests the concurrence of the House.

May 23, 2007

#### LEGISLATIVE ADVISORY #3

Governor Ruth Ann Minner signed the following legislation on the date indicated: 4/8/07 – **SB 26 & SB 32**; 5/3/07 – **HB 7 aab HA 1 & 2 & SA 1 & HB 19 aab SA 1**; 5/10/07 – **HB 58, HB 81 aab HA 1, HB 141 & HB 148 aab HA 1**; 5/15/07 – **HB 27, HB 31 aab HA 1, HB 37, HB 56 aab HA 1 & HB 99**; 5/17/07 – **SB 60 aab SA 2 & HB 119 aab SA 1**; 5/23/07 – **SB 30 aab SA 1, SB 39, SB 53, SB 59, SB 61, SS 1/SB 67, SS 1/SB 68, SB 69, HB 75 aab SA 1, HB 137 aab HA 1, SJR 2 aab SA 1 & HJR 2 aab SA 1.**

The following is a constitutional amendment and does not require the Governor's signature: **SB 62.**

Governor Minner vetoed the following legislation on the date indicated: 5/19/07 – **HB 14 aab HA 2 & SA 1.**

May 30, 2007

#### Correction to Legislative Advisory #3

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/8/07 – **SB 26 & SB 32.**

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Robert J. Valihura, Jr.  
Representative – Tenth Representative District  
RE: Absence from Session  
DATE: June 5, 2007

Please be advised that I will be absent from session today, Tuesday, June 5, 2007 due to the death of my father.

Thank you for your consideration in this matter.

#### MEMORANDUM

TO: JoAnn Hedrick  
Chief Clerk  
FROM: Rep. Robert Walls  
DATE: June 5, 2007

Due to illness I will be unable to attend session today, Tuesday, June 5, 2007.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Helene M. Keeley, do hereby request that my name be removed as cosponsor of **HB 161.**

Date: June 5, 2007 Signed: Helene M. Keeley

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Gerald L. Brady, do hereby request that my name be removed as cosponsor of **HB 161.**

Date: June 5, 2007 Signed: Gerald L. Brady

June 5, 2007

TO: House Speaker Terry R. Spence  
FROM: Representative William A. Oberle, Jr.  
SUBJECT: Absence from Session

Please be advised that I will be representing the State of Delaware at a meeting out of state on Wednesday and Thursday, June 6 and 7, 2007 and unable to attend session.

May 19, 2007

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 144th GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 14, as amended by House Amendment No. 2 and Senate Amendment No. 1, by returning it to the Delaware House of Representatives without my signature.

House Bill No. 14 provides that the Department of Technology and Information must develop an acceptable use policy for email communications that would apply to every executive branch agency. Additionally, House Bill No. 14 requires that a State employee in violation of the acceptable use policy shall receive a written warning pursuant to the Merit Rules. The Department of Technology and Information already has an acceptable use policy in effect. In many cases a verbal warning and not a written warning is the appropriate discipline for a violation of the acceptable use policy. By requiring a mandatory written warning, a State employee may receive a more severe penalty than is appropriate based upon the facts surrounding a violation of the acceptable use policy.

House Bill No. 14 requires that State employees within the executive branch receive a written warning pursuant to the Merit Rules for a violation of the acceptable use policy. There are many State employees within the executive branch that are not covered by the Merit Rules. It is inappropriate for State employees not covered by the Merit Rules to be disciplined under such rules.

House Bill No. 14 also limits the penalty for a violation of the acceptable use policy to a written warning, no matter how many times a person violates the policy. Therefore, a person who violates the acceptable use policy for a second or subsequent time would only be disciplined with a written warning. It does not seem reasonable that a person after being warned, who repeatedly violates the acceptable use policy, should continue to receive the same penalty and not receive a more severe penalty for each violation.

For the reasons stated above, I have concluded that vetoing House Bill No. 14, as amended by House Amendment No. 2 and Senate Amendment No. 1, is the only appropriate action.

Sincerely,  
Ruth Ann Minner  
Governor

Representative Gilligan requested that **HB 50** be stricken. Representatives Manolakos & Mulrooney requested that they be marked present. Mr. Acting Speaker & Representative Cathcart made comments.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 86**, jointly sponsored by Senator Cook & Representative Schwartzkopf, before the House for consideration.

**HB 86 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DUTIES OF AN OFFICER HAVING A CHILD IN CUSTODY.**

Representative Wagner made comments.

The roll call on **HB 86** was taken and revealed:

YES: 38.

ABSENT: Representatives Valihura, Walls & Williams - 3.

Therefore, having received a constitutional majority, **HB 86** was sent to the Senate for concurrence.

Representatives Longhurst, Miro, Spence & Lavelle requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner requested that action on **HB 91** be Deferred to a Day Certain, Thursday, June 14, 2007.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 100**, jointly sponsored by Senator Cloutier & Representatives Blakey, Carey, Ewing, Hocker, Lavelle, Lofink, Manolakos, Miro, Outten, D. Short, Kowalko & McWilliams & Senators Copeland, Sorenson, Amick, Connor, Simpson & Still, before the House for consideration.

**HB 100 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES.**

Representative Wagner brought **HA 1 to HB 100** before the House for consideration.

Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representatives Wagner, Blakey, Marshall, Wagner & Mr. Acting Speaker made comments.

The roll call on **HB 100 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Valihura & Walls - 2.

Therefore, having received a constitutional majority, **HB 100 w/HA 1** was sent to the Senate for concurrence.

Representative Williams requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Stone. Representative Stone made an announcement regarding **HB 105**.

Representative Cathcart deferred to Representative Hudson. Representative Hudson brought **SB 57**, jointly sponsored by Senator Blevins & Senator Sorenson & Senators Copeland, Peterson, Henry & Still & Representatives Hocker, Hall-Long, Keeley, Miro, Mitchell, Schooley, Spence & Stone & cosponsored by Senators Bunting, Cloutier & Connor & Representatives Kowalko & Valihura, before the House for consideration.

**SB 57** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT.

Representative Hudson made comments. Representative Stone requested and was granted privilege of the floor for a constituent, Sherri Goldsmith, who addressed the House. Representatives Hudson & Marshall made comments.

The roll call on **SB 57** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Booth, Hastings, D. Short & Thornburg - 4.

ABSENT: Representatives Outten, Valihura & Walls - 3.

Therefore, having received a constitutional majority, **SB 57** was returned to the Senate.

Representative Lofink made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:40 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:05 p.m. on June 6, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 94 w/SA 1** & **SB 87** and requests the concurrence of the House.

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

The Majority Whip moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

#### **34th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 6, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Oberle – 1.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District.

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

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

The following prefiled legislation was introduced:

**HB 186** - ENNIS & SENATOR BLEVINS; REPRESENTATIVES BRADY, CATHCART, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE, VIOLA, WILLIAMS; SENATORS HENRY, MCDOWELL, SOKOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 9 and 22 Relating to Land Use and the Ability of Local Governments to Permit Subdivision of Property.

**HB 187** - HOCKER & SENATOR MCBRIDE; REPRESENTATIVES BOOTH, CAREY, THORNBURG, MCWILLIAMS, WALLS; SENATORS BUNTING, CONNOR - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Clean Air Act Title V Operating Permit Program. (3/5 bill)

**HJR 6** - BOOTH & SENATOR HENRY; REPRESENTATIVE WILLIAMS - APPROPRIATIONS - Requiring the Department of Health and Social Services to Update and Re-base Medicaid Inpatient Reimbursement Rates.

**SB 37 w/SA 1** - BLEVINS & REPRESENTATIVE OBERLE; SENATORS HENRY, MCBRIDE, PETERSON, SIMPSON, SOKOLA, VENABLES; REPRESENTATIVES MAIER, ENNIS, HALL-LONG, KEELEY, KOWALKO, LONGHURST, MULROONEY, SCHOOLEY, MITCHELL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Rates and Rating Organizations.

**SB 87** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Resources Board.

**SB 94 w/SA 1** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 16 and 24 of the Delaware Code Relating to Nursing Home Administrators.

**HA 1 to SB 58** - STONE - Placed with the Bill.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest. Representative Williams requested and was granted personal privilege of the floor to make comments regarding **HB 161**. Representative Williams requested that **HB 161** be stricken. Representative Ewing, Mr. Speaker Spence & Representative Lee made comments. Representatives Mitchell, Marshall, Viola & McWilliams requested that they be marked present.

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

The House reconvened at 3:40 p.m.

Representatives D. Short, Cathcart, Carey, Lavelle, Outten, Mulrooney, Plant, Hudson, Maier & Stone requested that they be marked present. Representative Cathcart deferred to Representative Valihura. Representative Valihura requested that he be marked present.

Representative Valihura brought **HB 159**, jointly sponsored by Senator McBride & Representatives Lofink, Hall-Long, Longhurst, McWilliams, Mulrooney, Brady, Ennis, Kowalko, Marshall, Schooley & Senators McDowell, Peterson, Sokola, Copeland, Sorenson, Connor, Simpson & Henry & cosponsored by Representatives B. Short, Johnson & Oberle, before the House for consideration.

**HB 159 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO PROVIDE ASSISTANCE FOR THE ESTABLISHMENT OF PUBLIC AND PRIVATE PROGRAMS TO INCREASE THE LEVEL OF VOLUNTARY RECYCLING AND BENEFICIAL USE OF SOLID WASTE MATERIALS IN DELAWARE. (3/5 bill) (F/I)**

Representative Valihura moved to place **HB 159** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representatives Hocker, Keeley & Longhurst requested that they be marked present.

Representative Cathcart deferred to Representative Maier.

Representative Maier requested that action on **HB 38 w/HA 2 & SA 1, 2, 3 & 4** be Deferred to a Day Certain, Wednesday, June 13, 2007.

Representative Valihura made an announcement regarding **HB 159**.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **HB 175**, jointly sponsored by Senator Venables & Representatives Cathcart, Lee, Carey, Ewing, Hocker, Lofink, Maier, Manolakos, Oberle, Outten, D. Short, Stone, Wagner, Gilligan, Brady, Ennis, Hall-Long, Mulrooney & Walls & Senators Bonini, Simpson & Still, before the House for consideration.

**HB 175 - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 31 OF TITLE 20 OF THE DELAWARE CODE PERTAINING TO THE EXERCISE OF EMERGENCY POWERS.**

Representatives Thornburg & Marshall made comments.

The roll call on **HB 175** was taken and revealed:

YES: 37.

NO: Representative Williams - 1.

ABSENT: Representatives Mitchell, Oberle & Schwartzkopf - 3.

Therefore, having received a constitutional majority, **HB 175** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 50**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 50 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT JURISDICTION OVER MOTOR VEHICLE VIOLATIONS.**

Representative Ewing made comments.

The roll call on **SB 50** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 50** was returned to the Senate.

Representative Cathcart deferred to Representative Ennis.

Representative Ennis brought **HB 133 w/SA 1**, jointly sponsored by Senator Vaughn & Representatives Ewing, Lee, Mitchell, Outten, D. Short & Williams, before the House for concurrence on **SA 1**.

**HB 133 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSING MOTORCYCLE OPERATORS.**

Representative Ennis made comments.

The roll call on **HB 133 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **HB 133 w/SA 1** was sent to the Governor.

Representative Lofink & Mr. Speaker Spence made announcements. Representative Wagner led those present in singing "Happy Birthday" to Representative Maier. Representative Cathcart made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:00 p.m.

Mr. Acting Speaker Lavelle called the House to order at 2:20 p.m. on June 7, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 90 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 69** and is returning same to the House.

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Pamela J. Thornburg  
DATE: June 6, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Thursday, June 7, 2007. I will not be able to attend due to legislative business. Thank you for your consideration.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Walls, do hereby request that my name be removed as cosponsor of **House Substitute No. 1 for House Bill No. 111**.

Date: May 17, 2007

Signed: Robert E. Walls

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

**35th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
June 7, 2007**

The Chief Clerk called the roll:

Members Present: 33.

Members Absent: Representatives Lofink, Marshall, Oberle, Plant, Spence, Thornburg, Viola & Wagner – 8.

The House observed a moment of silence in memory of Joseph F. Ruff, father of staff member Betty Richards, at the request of Representative Lee. A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 188** - SPENCE & SENATOR MCBRIDE - LABOR - An Act to Amend Chapter 59 of Title 29 of the Delaware Code Relating to the Merit System.

**HB 189** - THORNBURG & REPRESENTATIVE CAREY & SENATOR BUNTING & SENATOR AMICK; REPRESENTATIVES LEE, BOOTH, HOCKER, WALLS; SENATORS VENABLES, SIMPSON - AGRICULTURE - An Act to Amend Title 7 of the Delaware Code Relating to Tax Ditches.

**HB 190** - LOFINK & SENATOR SOKOLA & SENATOR AMICK; REPRESENTATIVES CATHCART, MULROONEY, OBERLE, OUTTEN, PLANT, SPENCE, VIOLA - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to a Sports Lottery.

**HS 1 for HB 190** - LOFINK & SENATOR SOKOLA & SENATOR AMICK; REPRESENTATIVES CATHCART, MULROONEY, OBERLE, OUTTEN, PLANT, SPENCE, VIOLA - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to a Sports Lottery.

**HA 2 to HB 118** - CAREY - Placed with the Bill.

**SB 90 w/SA 1** - BLEVINS & REPRESENTATIVE OBERLE; SENATOR DELUCA; REPRESENTATIVES WAGNER, BOOTH, CATHCART, ENNIS, GILLIGAN, LOFINK, MAIER, MCWILLIAMS, OUTTEN, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders and Establishing a Sex Offender Management Board.

Representative Ewing made an announcement. Representative Lee deferred to Representative Booth. Representative Booth requested and was granted personal privilege of the floor to introduce guests. Representative Valihura requested that he be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 7, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                | Date      | Type | Description                                                          |
|----------|------------------------|-----------|------|----------------------------------------------------------------------|
| H144-541 | Carey;<br>Schwartzkopf | 5/17/2007 | T    | Charlotte Collins - Retirement - Cape Henlopen High School           |
| H144-542 | Maier                  | 5/16/2007 | T    | Ann Wick - Dedicated Volunteer Work – Young Children                 |
| H144-543 | Walls                  | 5/24/2007 | T    | Marie Porter - 80th Birthday                                         |
| H144-544 | Ennis                  | 5/20/2007 | T    | Amelia Muelenaer - 80th Birthday                                     |
| H144-545 | Brady                  | 5/15/2007 | T    | Shelia O'Callaghan - Longest Serving Teacher - Diocese of Wilmington |
| H144-546 | Stone; Wagner          | 5/12/2007 | M    | Paul T. Morris                                                       |
| H144-547 | Blakey;<br>Outten      | 5/11/2007 | M    | Edward J. Deusa                                                      |

|                                 |               |           |   |                                                               |
|---------------------------------|---------------|-----------|---|---------------------------------------------------------------|
| H144-548                        | Wagner        | 5/15/2007 | T | Richard McCall - Induction - Sports Hall of Fame              |
| H144-549                        | Walls         | 5/16/2007 | T | Robert Voshell - Lifetime Achievement Award                   |
| H144-550                        | Hudson        | 5/10/2007 | T | James Huntsberger - Flower Market Poster Artist               |
| H144-551                        | Hudson        | 5/21/2007 | T | Association of Children of Alcoholics - 20th Anniversary      |
| H144-552                        | Stone         | 5/20/2007 | T | Nicholas Julian Abrams - Eagle Scout                          |
| H144-553                        | Hocker        | 5/18/2007 | T | Clemon Jordan - Retirement - DelDOT                           |
| H144-554                        | Brady         | 5/16/2007 | T | Stephanie Seitz - Prudential Spirit of Community Award        |
| H144-555                        | Stone; Blakey | 5/20/2007 | T | Joshua Clayton Lambertson - Eagle Scout                       |
| H144-556                        | Wagner        | 5/10/2007 | M | Terrance Andre Reed                                           |
| H144-557                        | Outten        | 5/26/2007 | T | Mr. & Mrs. Albert Stokes - 50th Wedding Anniversary           |
| H144-558                        | Wagner        | 5/19/2007 | T | Fay Tally - Retirement- Child Support Enforcement             |
| H144-559                        | Spence        | 5/12/2007 | M | Elvira Miro                                                   |
| cosponsors: All Representatives |               |           |   |                                                               |
| H144-560                        | Outten        | 6/30/2007 | T | Mario Eric Nelson - Eagle Scout                               |
| H144-561                        | Carey; Walls  | 5/18/2007 | T | Milford Memorial Hospital Fair - 50th Anniversary             |
| H144-562                        | Ennis         | 5/12/2007 | M | Rosemary L. Fox                                               |
| H144-563                        | Thornburg     | 5/22/2007 | T | Lynda Gannon - Retirement - Lake Forest Schools               |
| cosponsor: Rep. Outten          |               |           |   |                                                               |
| H144-564                        | Outten        | 5/22/2007 | T | Cheryl Hodgman - Retirement - Lake Forest Schools             |
| H144-565                        | Outten        | 5/22/2007 | T | Granville Brockenbrough - Retirement –<br>Lake Forest Schools |

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 7, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                 | Sponsor       | Date      | Type | Description                                               |
|------------------------|---------------|-----------|------|-----------------------------------------------------------|
| H144-566               | Walls         | 5/22/2007 | T    | Melvin Hitchens - Retirement - Lake Forest Schools        |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-567               | Wagner        | 5/22/2007 | T    | James Summers - Retirement - Lake Forest Schools          |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-568               | Outten        | 5/22/2007 | T    | Cathy Draper - Retirement - Lake Forest Schools           |
| H144-569               | Stone         | 5/22/2007 | T    | Paulette Patterson - Retirement - Lake Forest Schools     |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-570               | Blakey        | 5/22/2007 | T    | David Sammons - Retirement - Lake Forest Schools          |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-571               | Carey         | 5/22/2007 | T    | Eileen Redden - Retirement - Lake Forest Schools          |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-572               | Blakey        | 5/22/2007 | T    | Sheila Schieferstein - Retirement - Lake Forest Schools   |
| cosponsor: Rep. Outten |               |           |      |                                                           |
| H144-573               | Lavelle       | 5/20/2007 | T    | Dorothy Emsley - Retirement - Brandywine Schools          |
| H144-574               | B. Short      | 5/20/2007 | T    | Barbara Ligatti - Retirement - Brandywine Schools         |
| H144-575               | Outten; Walls | 5/22/2007 | T    | Lisa Fox - Teacher of the Year - Lake Forest              |
| H144-576               | Outten        | 5/22/2007 | T    | John Melling - Retirement - Lake Forest Schools           |
| H144-577               | Booth; Wagner | 5/19/2007 | M    | Carole Davenport                                          |
| H144-578               | Hudson        | 5/16/2007 | M    | Lee A. Jones                                              |
| cosponsor: Rep. Keeley |               |           |      |                                                           |
| H144-579               | Kowalko       | 6/1/2007  | T    | John Hafycz - Student Leadership Award                    |
| H144-580               | Booth         | 5/31/2007 | T    | Georgetown Perdue Plant - 5 Million Safe Production Hours |
| H144-581               | Plant         | 5/29/2007 | T    | Howard & Evelyn Brown - 50th Wedding Anniversary          |
| H144-582               | B. Short      | 5/4/2007  | T    | Mark & Barbara Faulhaber - 50th Wedding Anniversary       |
| H144-583               | Gilligan      | 4/6/2007  | T    | Daniel & Concetta McAvaney - 50th Wedding Anniversary     |
| H144-584               | Mitchell      | 5/18/2007 | T    | William & Barbara Lewis - 50th Wedding Anniversary        |
| H144-585               | Schwartzkopf  | 4/6/2007  | T    | William & Shirley Fletcher - 50th Wedding Anniversary     |
| H144-586               | B. Short      | 4/21/2007 | T    | Constantine & Lula Geralis - 50th Wedding Anniversary     |
| H144-587               | Outten        | 5/19/2007 | M    | Carol Ann Schulties                                       |

T- Tribute

M - Memoriam

Representative Lee deferred to Representative Hocker. Representative Hocker requested and was granted personal privilege of the floor to make comments and to introduce a guest. Representative Lee made an announcement.

The Reading Clerk read the following communication into the record:

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House

FROM: Rep. Melanie George Marshall  
DATE: June 7, 2007  
RE: Absence from Session

I will be unable to attend session on Thursday, June 7, 2007 due to illness. Thank you for your consideration of this matter.

Representative Williams requested that he be marked present.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representatives Blakey, Cathcart, Longhurst, Manolakos & Miro.

Mr. Acting Speaker Lavelle called the House to order at 2:13 p.m. on June 12, 2007.

Representative Ewing made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 80 w/SA 2 & SB 19** and requests the concurrence of the House and the Senate has passed **HB 41, HB 84 & HJR 4** and is returning same to the House.

Mr. Acting Speaker assigned **SB 29** to the Appropriations Committee.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 174** - 10M; **HB 185** - 8F, 2M; **SB 81** - 9M.

EDUCATION: **HB 165** - 10M; **HB 168** - 11M; **SB 44 w/SA 2** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 128** - 9M; **HB 178** - 8M; **SB 76 w/SA 1** - 7M.

HOUSE ADMINISTRATION: **HB 177** - 4M.

JUDICIARY: **SB 29** - 1F, 4M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 170** - 5M; **HB 179** - 5M; **SB 82** - 5M.

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

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 12, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                           | Date      | Type | Description                                                                        |
|----------|-----------------------------------|-----------|------|------------------------------------------------------------------------------------|
| H144-588 | Kowalko                           | 5/20/2007 | M    | Richard Williams, Jr.                                                              |
|          | cosponsors: Reps. Johnson & Plant |           |      |                                                                                    |
| H144-589 | Lofink                            | 6/8/2007  | T    | Katherine Warren - Retirement – Howard High                                        |
| H144-590 | Hall-Long                         | 5/23/2007 | T    | Charlotte Webb - Teacher of the Year - Colonial                                    |
| H144-591 | Oberle                            | 6/7/2007  | T    | Osvaldo Caceres - Graduation – Sterck School                                       |
| H144-592 | Oberle                            | 6/7/2007  | T    | Katherine Geller - Graduation – Sterck School                                      |
| H144-593 | Oberle                            | 6/7/2007  | T    | Khurram Malik - Graduation - Sterck School                                         |
| H144-594 | Oberle                            | 6/7/2007  | T    | Leneisa Strazzella - Graduation – Sterck School                                    |
| H144-595 | Oberle                            | 6/7/2007  | T    | Clyde Young - Graduation - Sterck School                                           |
| H144-596 | Blakey;<br>Wagner                 | 6/14/2007 | T    | Carol Blaeuer - Retirement –<br>Business Industry Education Alliance               |
| H144-597 | Spence                            | 6/9/2007  | T    | Dr. Kristen Kuratnick - Graduation – Osteopathic Medicine                          |
| H144-598 | Spence                            | 6/9/2007  | T    | Justin Kuratnick, Pharm D - Graduation – Rutgers University                        |
| H144-599 | Schooley                          | 6/13/2007 | T    | Nancy Black - Retirement - Cost Recovery Specialist                                |
| H144-600 | Gilligan                          | 6/24/2007 | T    | Ralph Stewart - 90th Birthday                                                      |
| H144-601 | Ennis                             | 5/24/2007 | T    | Mollie Cherrix - President - Ladies<br>Auxiliary - Volunteer Firemen's Association |
| H144-602 | Wagner                            | 6/9/2007  | T    | Tyler Levins - Eagle Scout                                                         |
| H144-603 | Carey                             | 6/12/2007 | T    | Gwen Williamson - Employee of the First Quarter - KSI                              |
| H144-604 | Carey                             | 6/12/2007 | T    | Chris Whitescarver - Employee of the Third Quarter - KSI                           |
| H144-605 | Carey                             | 6/12/2007 | T    | Lisa Littleton - Employee of the Fourth Quarter - KSI                              |
| H144-606 | Carey                             | 6/12/2007 | T    | Patrick Clendaniel - Employee of the Second Quarter - KSI                          |
| H144-607 | Carey                             | 6/12/2007 | T    | Debra Smith - Staff Employee of the Year – KSI                                     |
| H144-608 | Stone                             | 5/21/2007 | M    | John F. Navert                                                                     |
| H144-609 | Outten                            | 5/30/2007 | T    | Mary Wozniak - Retirement - Bailiff - Kent<br>County Common Pleas Court            |
| H144-610 | Wagner                            | 6/30/2007 | T    | Rosemary Samick - Retirement - Federal Highway<br>Administration                   |
| H144-611 | Hocker                            | 5/11/2007 | T    | Cheryl Carey - Elementary School Counselor of the Year                             |
| H144-612 | Lavelle                           | 5/23/2007 | M    | Frank August Lucia                                                                 |

HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 12, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk

of the House at the request of the sponsor:

| Number                          | Sponsor        | Date      | Type | Description                                               |
|---------------------------------|----------------|-----------|------|-----------------------------------------------------------|
| H144-613                        | Maier          | 5/21/2007 | M    | George L. Orescan                                         |
| H144-614                        | Maier          | 5/25/2007 | M    | Lucille Bell                                              |
| H144-615                        | Brady          | 5/30/2007 | T    | Reverend Canon Lloyd Casson - Retirement                  |
| H144-616                        | Wagner         | 6/2/2007  | T    | Bethany Christian & Michael Halpern – Marriage            |
| H144-617                        | Wagner         | 5/26/2007 | M    | Sheila Wolfe                                              |
| H144-618                        | Spence         | 6/2/2007  | T    | Philip & Gloria Corrozi - 50th Wedding Anniversary        |
| cosponsors: All Representatives |                |           |      |                                                           |
| H144-619                        | Outten; Wagner | 5/31/2007 | T    | John Cash - Retirement - Dover High School                |
| H144-620                        | Blakey; Wagner | 5/31/2007 | T    | Dennis Fisher - Retirement - Dover High                   |
| H144-621                        | Wagner         | 5/31/2007 | T    | Michelle Gordon - Retirement - Dover High                 |
| H144-622                        | Wagner         | 5/31/2007 | T    | Elizabeth Janairo - Retirement - Dover High               |
| H144-623                        | Maier          | 5/30/2007 | T    | Pat Korja - Retirement - Wilson Elementary School         |
| H144-624                        | Carey          | 6/12/2007 | T    | John Garnick - Nicholas Rodriguez Award – KSI             |
| H144-625                        | Ennis          | 5/21/2007 | M    | Fred L. Sipple, Sr.                                       |
| H144-626                        | Outten         | 5/29/2007 | M    | Charlotte A. Blades                                       |
| H144-627                        | Wagner         | 6/9/2007  | T    | Dr. Kenneth Bell - Retirement - Delaware State University |
| H144-628                        | Ennis          | 5/24/2007 | M    | Audrey W. Green                                           |
| H144-629                        | Stone          | 6/7/2007  | T    | Vernon Brown, Jr. - Graduation - Polytech High            |
| H144-630                        | Ewing          | 5/29/2007 | M    | John J. Yoder                                             |
| H144-631                        | Cathcart       | 4/27/2007 | T    | Det. Vincent Clemons - State Police Trooper of the Year   |
| H144-632                        | Lofink         | 6/7/2007  | T    | Brader Elementary School - 5th Grade Class                |
| H144-633                        | Maier          | 6/8/2007  | T    | Theodore & Rosemary Eppig - 50th Wedding Anniversary      |
| H144-634                        | Spence         | 6/6/2007  | T    | Tony Zook - Outstanding Contributions –                   |
| cosponsors: All Representatives |                |           |      | Healthy Delawareans                                       |
| H144-635                        | Ennis          | 5/29/2007 | M    | Joseph Frank Ruff, Sr.                                    |
| H144-636                        | Mitchell       | 6/8/2007  | T    | Frances Facciolo - Retirement - Elsmere Police            |
| H144-637                        | Gilligan       | 6/8/2007  | T    | Master Cpl. Michael Rodick - Retirement - Elsmere Police  |

T- Tribute

M - Memoriam

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**36th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**  
**June 12, 2007**

The Chief Clerk called the roll:

Members Present: 32.

Members Absent: Representatives Carey, Gilligan, Hudson, Keeley, Miro, Plant, Spence, Stone & Williams – 9.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

The following prefiled legislation was introduced:

**HB 191** - OUTTEN & SENATORS COOK, BONINI - HOUSE ADMINISTRATION - An Act to Amend Volume 70, Chapter 91, Laws of Delaware, as Amended, Relating to the Charter of the Town of Felton. (2/3 bill)

**HB 192** - ENNIS & SENATOR BUNTING; REPRESENTATIVES EWING, LEE, OUTTEN, D. SHORT; SENATORS SIMPSON, VAUGHN - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Life Insurance.

**HB 193** - HOCKER & SENATOR VENABLES & SENATOR BUNTING; REPRESENTATIVES CAREY, EWING, HUDSON, VALIHURA, WAGNER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 16 of the Delaware Code Relating to Mosquito Control.

**HB 194** - MAIER & SENATOR BLEVINS; REPRESENTATIVE HALL-LONG; SENATORS PETERSON, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunizations.

**HB 196** - HUDSON & REPRESENTATIVE VALIHURA & SENATOR SIMPSON; REPRESENTATIVES CATHCART, LEE, BLAKEY, BOOTH, MANOLAKOS, MIRO; SENATOR CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists. (2/3 bill)

**HA 1 to HB 140** - CAREY - Placed with the Bill.

**SB 19** - MCDOWELL & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SIMPSON & REPRESENTATIVE THORNBURG & REPRESENTATIVE LOFINK & REPRESENTATIVE HALL-LONG & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE



KOWALKO; SENATORS BUNTING, SOKOLA; REPRESENTATIVES BRADY, KEELEY, MCWILLIAMS, PLANT, SPENCE, VALIHURA - ENERGY AND NATURAL RESOURCES - An Act to Amend the Delaware Code to Increase the Renewable Energy Portfolio Standard.

**SB 80 w/SA 2** - BLEVINS & REPRESENTATIVE OBERLE & REPRESENTATIVE KEELEY; SENATOR MCBRIDE; REPRESENTATIVES JOHNSON, MARSHALL, MITCHELL, LAVELLE, VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Nuisance Abatement.

**HA 3 to SB 29** - HUDSON - Placed with the Bill.

Representative Cathcart deferred to Representative Hocker. Representative Hocker requested and was granted privilege of the floor for Mimi Wright representing the Delaware Forestry Association. Representative Wagner requested that she be marked present. Representative Cathcart deferred to Representative Booth. Representative Booth made comments and introduced guests. Mr. Acting Speaker made comments.

Representative Booth introduced and brought **HR 23**, jointly sponsored by Representative Lee & Representative Carey & Representative Ewing & Representative Hastings & Representative Hocker & Representative Outten & Representative D. Short & Representative Schwartzkopf on behalf of All Representatives, before the House for consideration.

**HR 23** - CONGRATULATING THE SUSSEX TECH GIRL'S SOFTBALL TEAM ON WINNING THE 2007 STATE OF DELAWARE SOFTBALL CHAMPIONSHIP.

Representative Booth made comments.

**HR 23** was adopted by voice vote.

Representative Booth requested and was granted privilege of the floor for John Marvel, varsity softball coach, Sussex Tech Girl's softball team. Representatives Ewing, Hocker & Lee made comments. The players and coaches announced their names and home towns for the record. Representatives Oberle, Lofink & Manolakos made announcements. Representative Cathcart requested and was granted privilege of the floor for Maria Lepore-Stevens representing Girl Scouts of the Chesapeake Bay. Representative Cathcart made a comment.

Representative Cathcart introduced and brought **HCR 29**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley on behalf of All Representatives & Senator Adams & Senator DeLuca & Senator Blevins & Senator Copeland & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 29** - RECOGNIZING JUNE 12, 2007 AS GIRL SCOUT LEGISLATIVE DAY.

WHEREAS, throughout its distinguished history, Girl Scouting has helped build millions of girls and women of courage, confidence and character; and

WHEREAS, through the dedication, time and talent of volunteers of different backgrounds, abilities and areas of expertise, the Girl Scout organization helps girls thrive in so many areas; and

WHEREAS, through Girl Scouting's unique leadership development program, girls define leadership by making the world a better place by discovering, connecting and taking action in their communities; and

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in math, science, sports, technology, health and fields that can expand their horizons; and

WHEREAS, through Girl Scouting girls grow strong, gain self-confidence and skills for success, and learn their duty to the world around them; and

WHEREAS, teen Girl Scouts from throughout Delaware are observing our State government in action by attending sessions, meeting legislators and touring our Legislative Hall.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 144th General Assembly of the State of Delaware, with the approval of the Governor, that we do hereby proclaim Tuesday, June 12, 2007 as Girl Scout Legislative Day.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be sent to the Girl Scouts' Chesapeake Bay Council in The First State.

**HCR 29** was adopted by voice vote and was sent to the Senate for concurrence.

The Girl Scouts in attendance announced their names and hometowns for the record.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Robert E. Walls, do hereby request that my name be removed as cosponsor of **HB 186**.

Date: June 12, 2007

Signed: Robert E. Walls

MEMORANDUM

TO: Terry R. Spence, Speaker  
House of Representatives  
DATE: June 12, 2007  
FROM: Representative Donna D. Stone  
RE: Absence from session

I would like to inform you that I am not able to attend session on Tuesday, June 12, 2007.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Deborah D. Hudson  
State Representative

DATE: June 12, 2007

RE: Absence from Session

Please be advised that it is necessary for me to be absent from session Tuesday, June 12th. Thank you for your understanding.

June 8, 2007

**LEGISLATIVE ADVISORY #4**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/6/07 – **SB 50**. Representative Johnson requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:45 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:45 P.M.: Representatives Marshall, Mitchell, Mulrooney, D. Short & Valihura.

Mr. Acting Speaker Lavelle called the House to order at 2:03 p.m. on June 13, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 83 w/HA 1 & HCR 29** and is returning same to the House.

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

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

AGRICULTURE: **HB 189** - 1F, 6M.

APPROPRIATIONS: **HB 47** - 2F, 2M; **SB 29** - 3F, 1M.

EDUCATION: **HB 181** - 7M.

ENERGY AND NATURAL RESOURCES: **HB 182** - 1F, 8M; **HB 187** - 9M; **SS 1/SB 18** - 3F, 8M; **SB 64** - 11M; **SB 70** - 10M; **SB 52 w/SA 1** - 9M; **SB 77 w/SA 2** - 8M; **SB 89** - 8M; **SB 93 w/SA 1** - 9M.

GAMING & PARIMUTUELS: **HS 1/HB 190** - 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 156** - 8M; **HB 167** - 9M; **HB 194** - 5M, 1U.

HOUSING & COMMUNITY AFFAIRS: **HB 118** - 7M.

JUDICIARY: **HB 158** - 5M; **HB 183** - 5M; **SB 98** - 5M; **SB 104** - 5M; **SB 105** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 94 w/SA 1** - 1F, 2M; **SB 87** - 3F, 1M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 172** - 6M.

EDUCATION: **HB 184** - 7F.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**37th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**

**June 13, 2007**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Carey & Spence - 2.

A prayer was offered by Representative Gregory A. Hastings, Forty-First Representative District.

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

The minutes of the previous two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HS 1 for HB 47** - HUDSON & SENATOR CONNOR; REPRESENTATIVES SPENCE, CATHCART, LEE, BLAKEY, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, VALIHURA, WAGNER, KOWALKO, MCWILLIAMS, SCHOOLEY, VIOLA, WALLS; SENATORS SOKOLA, PETERSON, CLOUTIER, COPELAND, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code Relating to Reporting and Disclosure of Infections.

**HS 1 for HB 52** - WAGNER & SENATOR DELUCA; REPRESENTATIVE MAIER - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Gift Certificates and Gift Cards.

**HB 195** - LEE & REPRESENTATIVE EWING & SENATOR ADAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program.

**HB 197** - VALIHURA & REPRESENTATIVE LAVELLE & SENATOR SOKOLA & SENATOR CLOUTIER; REPRESENTATIVES B. SHORT, MCWILLIAMS; SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Enabling New Castle County to Utilize Tax Increment Financing and Special Development Districts to Fund Costs Related to Redevelopment.

**HB 198** - VALIHURA & SENATOR BUNTING; REPRESENTATIVES BLAKEY, HOCKER, OUTTEN - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation.

**HB 199** - SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Protection from Abuse Proceedings in the Family Court.

**HB 200** - WAGNER & SENATOR HENRY; REPRESENTATIVES LOFINK, MAIER, OBERLE, ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Casualty Insurance Contracts.

**HB 201** - WAGNER & SENATOR HENRY; REPRESENTATIVES LOFINK, MAIER, OBERLE, ENNIS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.

**HB 202** - LEE & SENATOR ADAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 20 of the Delaware Code Relating to the Delaware State Police Ready Reserve.

**HB 203** - EWING & SENATOR SIMPSON; REPRESENTATIVES CATHCART, WAGNER; SENATOR STILL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Contract.

**HA 1 to HB 1 to HB 30** - BLAKEY - Placed with the Bill.

**HA 3 to HB 38** - VALIHURA; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - Placed with the Bill.

**HA 1 to HB 156** - BRADY - Placed with the Bill.

**HA 1 to HB 163** - KEELEY - Placed with the Bill.

**HA 1 to HB 178** - KEELEY - Placed with the Bill.

**HA 1 to SB 52** - BLAKEY - Placed with the Bill.

Representative Cathcart made an announcement. Representatives Wagner & Plant requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:11 p.m.

The House reconvened at 4:13 p.m. with Representative Booth as Acting Speaker.

Representatives Manolakos, Gilligan, Keeley, Stone & Mulrooney requested that they be marked present.

Representative Cathcart deferred to Representative Hocker. Representative Hocker requested that action on **SB 77 w/SA 2** be Deferred to a Day Certain, Thursday, June 14, 2007. Representative Hocker requested that action on **SB 52 w/SA 1** be Deferred to a Day Certain, Thursday, June 14, 2007.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 157**, jointly sponsored by Representative Outten & Representative D. Short & Representative Ennis & Senator Bunting, before the House for consideration.

**HB 157** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE.

Representative Lee made comments.

The roll call on **HB 157** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Hudson, Miro, Spence & Williams - 5.

Therefore, having received a constitutional majority, **HB 157** was sent to the Senate for concurrence.

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

Representative Cathcart brought **HB 165**, jointly sponsored by Senator McBride & Representatives Spence, Hudson, Lofink, Outten, D. Short, Valihura, Wagner, Keeley, Brady, Hall-Long, Johnson, Longhurst, McWilliams, Mitchell & Viola & Senators Sorenson & Amick & cosponsored by Representative Manolakos, before the House for consideration.

**HB 165** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS.

Representative Cathcart moved to place **HB 165** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 38 w/HA 2 & SA 1, 2, 3 & 4**, jointly sponsored by Representative Hall-Long & Senator Blevins, before the House for concurrence on **SA 1, 2, 3, & 4**.

**HB 38** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DIETITIAN/NUTRITIONIST LICENSURE ACT.

Representative Maier made a comment. Representative Maier brought **HA 3 to HB 38**, jointly sponsored by Representatives Valihura, Hudson, Longhurst & Viola, before the House for consideration. Representative Maier made comments. **HA 3** was adopted by voice vote. Representative Maier made comments. Representative Maier moved to place **HB 38 w/HA 2 & SA 1, 2, 3 & 4 & HA 3** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 132**, jointly sponsored by Senator Blevins & Representatives Longhurst, Cathcart, Keeley, Lee, Wagner, Marshall, Johnson, Thornburg & Mulrooney & cosponsored by Senators Bonini, McDowell & Sokola, before the House for consideration.

**HB 132** - AN ACT TO AMEND CHAPTER 55, TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE BALLOTS.

Representative Brady made comments.

The roll call on **HB 132** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Hudson, Miro, Spence & Williams - 5.

Therefore, having received a constitutional majority, **HB 132** was sent to the Senate for concurrence.

Representative Cathcart made comments regarding **HB 132**.

Representative Cathcart moved to lift **HB 165** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart brought **HB 165**, jointly sponsored by Senator McBride & Representatives Spence, Hudson, Lofink, Outten, D. Short, Valihura, Wagner, Keeley, Brady, Hall-Long, Johnson, Longhurst, McWilliams, Mitchell & Viola & Senators Sorenson & Amick & cosponsored by Representative Manolakos, before the House for consideration.

**HB 165** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS.

Representative Cathcart introduced and brought **HA 1** to **HB 165** before the House for consideration. Representative Cathcart made a comment. **HA 1** was adopted by voice vote.

Representatives Cathcart & Lee made comments.

The roll call on **HB 165 w/HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Hudson, Miro, Spence & Williams - 5.

Therefore, having received a constitutional majority, **HB 165 w/HA 1** was sent to the Senate for concurrence.

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

JUDICIARY: **SB 95** - 3F, 2M; **SB 96** - 2F, 3M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 91 w/SA 1** - 6M.

Representatives Oberle & Lofink made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:44 p.m.

Mr. Acting Speaker Booth called the House to order at 2:00 p.m. on June 14, 2007.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SS 1/SB 31** - 7F.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 97 w/SA 1 & SJR 3** and requests the concurrence of the House and the Senate has passed **HB 92 w/HA 1 & SA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **HB 127 w/HA 1 & HB 135** and is returning same to the House.

Representatives Hudson, Miro & Williams requested that they be marked present for the current Legislative Day.

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

### **38th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 14, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Manolakos – 1.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 116** - MAIER & REPRESENTATIVE SPENCE & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES EWING, OUTTEN, WAGNER, KEELEY, JOHNSON; SENATOR CONNOR - JUDICIARY - An Act Relating to Criminal Consequences of Conduct that Involves Certain Trafficking of Persons and Involuntary Servitude. (2/3 bill)

**HS 1 for HB 197** - VALIHURA & REPRESENTATIVE LAVELLE & SENATOR SOKOLA & SENATOR CLOUTIER; REPRESENTATIVES B. SHORT, MCWILLIAMS; SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Enabling New Castle County to Utilize Tax Increment Financing and Special Development Districts to Fund Costs Related to Redevelopment.

**HB 204** - SPENCE & SENATOR MCDOWELL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Delaware County and Municipal Police/Firefighters' Retiree Pension Plan.

**HB 205** - VALIHURA & SENATOR SORENSON; REPRESENTATIVES CATHCART, HUDSON, LAVELLE, LOFINK, MIRO, STONE, BRADY, ENNIS, MCWILLIAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Release of Persons Accused of Crimes.

**HB 206** - OBERLE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 207** - EWING & SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances and Counterfeit or Tainted Controlled Substances.

**HB 208** - LEE & SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Burglary.

**HB 209** - MAIER & SENATOR HENRY; REPRESENTATIVES HUDSON, MANOLAKOS, STONE, WAGNER, HALL-LONG, KOWALKO, SCHOOLEY, WILLIAMS; SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Guardianship of a Child.

**SB 97 w/SA 1** - MARSHALL & REPRESENTATIVE LOFINK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to the Delaware False Claims and Reporting Act.

**SJR 3** - HENRY & SENATOR SOKOLA & REPRESENTATIVE LOFINK & REPRESENTATIVE WILLIAMS; SENATORS BLEVINS, CONNOR, COPELAND, DELUCA, MARSHALL, MCDOWELL, PETERSON; REPRESENTATIVES BRADY, KEELEY, KOWALKO, MANOLAKOS, MARSHALL, OBERLE, PLANT, JOHNSON, SCHOOLEY, SPENCE - EDUCATION - Creating a Task Force to Review the Future of City of Wilmington Students in Public Schools.

**HA 1 to SB 78** - MAIER - Placed with the Bill.

Representatives Hocker, Kowalko, Longhurst & Lee requested that they be marked present. Representative Cathcart deferred to Representative Maier. Representative Maier requested and was granted privilege of the floor for Rhena Whilby-Argoe representing Certified Nurse Assistants. The career nurse assistants present announced their names and hometowns for the record. Representative Cathcart deferred to Representative Wagner. Representative Wagner requested and was granted personal privilege of the floor to make comments regarding **HB 91** and to introduce guests. Representatives Cathcart & Gilligan requested and were granted personal privilege of the floor to introduce guests. Representative Cathcart deferred to Representative Maier. Representative Maier introduced guests and made comments. The 2006-2007 Eagle Scouts announced their names, hometowns and troop numbers for the record.

Representative Maier introduced and brought **SCR 14**, jointly sponsored by Senator Sorenson & Senators Amick, Bonini, Bunting, Cloutier, Connor, Copeland, DeLuca, Sokola, Still & Venables on behalf of All Senators & Representatives Blakey, Booth, Brady, Ennis, Lavelle, Lofink, Mitchell, Oberle, Outten, Schooley, D. Short, Stone, Thornburg & Walls on behalf of All Representatives, before the House for consideration.

**SCR 14** - COMMENDING THE CLASS OF 2006-2007 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA

**SCR 14** was adopted by voice vote and was returned to the Senate. The Eagle Scouts continued to announce their names, hometowns and troop numbers for the record.

Representative Brady requested and was granted personal privilege of the floor to make comments. Representatives Walls, Mitchell & McWilliams requested that they be marked present. Representative Hudson requested that that action on **SB 29** be deferred to a Day Certain, Tuesday, June 19, 2007 and made an announcement regarding **SB 29**. Representatives Keeley & Schooley requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:30 p.m.

The House reconvened at 4:19 p.m. with Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative McWilliams.

Representative Mulrooney requested that he be marked present.

Representative McWilliams introduced and brought **HCR 30**, sponsored on behalf of All Representatives & jointly sponsored by Senator Blevins on behalf of All Senators, before the House for consideration.

**HCR 30** - RECOGNIZING JUNE 15, 2007 AS THE DELAWARE ELDER ABUSE AWARENESS DAY.

Representative McWilliams made comments.

**HCR 30** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with lifting **HB 38 w/HA 2 & SA 1, 2, 3 & 4 & HA 3** from the Speaker's Table. The motion was seconded by Representative Valihura and adopted by voice vote. Representative Maier brought **HB 38 w/HA 2 & SA 1, 2, 3 & 4 & HA 3**, jointly sponsored by Representative Hall-Long & Senator Blevins, before the House for concurrence on **SA 1, 2, 3 & 4**.

**HB 38** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DIETITIAN/NUTRITIONIST LICENSURE ACT.

Representative Valihura introduced and brought **HA 4 to HB 38**, jointly sponsored by Representative Hudson & Representative Longhurst & Representative Maier & Representative Viola, before the House for consideration. Representative Valihura made comments. **HA 4** was adopted by voice vote.

The roll call on **HB 38 w/HA 2 & SA 1, 2, 3 & 4 & HA 3 & 4** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 38 w/HA 2 & SA 1, 2, 3 & 4 & HA 3 & 4** was sent to the Senate for concurrence on **HA 3 & 4**.

Representatives Plant, Spence, Stone & Oberle requested that they be marked present during the roll call.

Mr. Acting Speaker & Representative Spence introduced guests.

Representative Maier introduced and brought **HCR 31**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 31 - RECOGNIZING SUNDAY, JUNE 17TH, 2007 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES.**

Representative Maier made comments.

**HCR 31** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart requested that action on **HB 30** be Deferred to a Day Certain, Tuesday, June 19, 2007. Representative Cathcart deferred to Representative Johnson. Representative Johnson introduced a guest. Representative Spence made comments and introduced a guest. Representative Lee deferred to Representative Wagner. Representative Wagner made comments.

Representative Wagner brought **HB 91**, jointly sponsored by Representative Booth & Representative D. Short & Representative Stone & Senator Henry & Representatives Cathcart, Blakey, Carey, Ewing, Hocker, Lavelle, Maier, Outten, Valihura, Brady, Johnson, Kowalko & Walls & cosponsored by Senators Amick, Copeland, Simpson & Still, before the House for consideration.

**HB 91 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.**

Representative Wagner made a comment.

The roll call on **HB 91** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Oberle - 2.

Therefore, having received a constitutional majority, **HB 91** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hocker.

Representative Hocker brought **SB 77 w/SA 2**, jointly sponsored by Senator Bunting & Senators McBride, Simpson, Copeland, Still, Connor, Bonini, Amick, Sokola, Sorenson, Peterson & McDowell & Representatives Spence, Booth, Ewing, Thornburg, Kowalko, Walls, Maier, Brady, Hudson, Keeley, Miro, Ennis, Carey & Longhurst & cosponsored by Senators Vaughn & Venables, before the House for consideration.

**SB 77 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING MUNICIPALITIES PROVIDING WASTEWATER SERVICE OUTSIDE THEIR MUNICIPAL BOUNDARIES AND THE CRITERIA TO BE USED BY THE PUBLIC SERVICE COMMISSION FOR GRANTING CERTIFICATES FOR PUBLIC CONVENIENCE AND NECESSITY TO WASTEWATER UTILITIES.**

Representatives Hocker, Booth, D. Short, Ewing, Hocker, Carey & Ennis made comments.

The roll call on **SB 77 w/SA 2** was taken and revealed:

YES: 36.

NO: Representatives Ennis, Lee & D. Short - 3.

ABSENT: Representatives Cathcart & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 77 w/SA 2** was returned to the Senate.

Representative Lee deferred to Representative Keeley.

Mr. Speaker Spence resumed the Chair.

Representative Keeley brought **HB 163**, jointly sponsored by Senator Marshall & Representatives Ewing, McWilliams, Mitchell, Plant, Schooley, Schwartzkopf & Williams & Senator Henry & cosponsored by Representatives Johnson, Lavelle, Spence & Wagner, before the House for consideration.

**HB 163 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF A FIREARM BY PERSONS PREVIOUSLY CONVICTED OF A VIOLENT FELONY. (F/N)**

Representative Keeley made comments. Representative Keeley brought **HA 1 to HB 163** before the House for consideration. Representative Keeley made a comment. **HA 1** was adopted by voice vote. Representative Keeley requested and was granted privilege of the floor for Vandrick R. Hamlin, Sr., father of a victim. Representative Keeley made comments.

The roll call on **HB 163 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 163 w/HA 1** was sent to the Senate for concurrence.

Representative Marshall requested and was granted personal privilege of the floor to make comments regarding **HB 163**.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 160**, jointly sponsored by Representative Marshall & Senator Adams & Senator DeLuca & Representatives Hudson, Lavelle, Stone, Wagner, Johnson & Mitchell & Senators McDowell, Amick & Simpson, before the House for consideration.

**HB 160** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative Valihura made comments.

The roll call on **HB 160** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Manolakos - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 160** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone.

Representative Stone brought **SB 81**, jointly sponsored by Senator DeLuca & Senators Bunting, Cook, Sokola, Bonini & Still & Representatives Brady, Carey, Hocker, Hudson, Keeley, Plant, D. Short, Valihura, Viola & Lavelle & cosponsored by Representative B. Short, before the House for consideration.

**SB 81** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE SALE OF CHECKS AND TRANSMISSION OF MONEY.

Representative Stone made comments.

The roll call on **SB 81** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 81** was returned to the Senate.

Representative Lee deferred to Representative Hocker.

Representative Hocker brought **SB 52 w/SA 1**, jointly sponsored by Senator Adams & Senator Bunting & Senator Venables & Representatives Carey, Ennis & Longhurst, before the House for consideration.

**SB 52** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE CRITERIA TO BE USED BY THE PUBLIC SERVICE COMMISSION FOR GRANTING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO WATER UTILITIES.

Representative Hocker made comments. Representative Blakey brought **HA 1 to SB 52** before the House for consideration. Representative Blakey made comments.

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

The roll call on **SB 52 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 52 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee deferred to Representative Carey.

Representative Carey brought **HB 122**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 122** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES.

Representative Carey made comments.

The roll call on **HB 122** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 122** was sent to the Senate for concurrence.

Mr. Speaker Spence made comments.

Representative Lee deferred to Representative Marshall.

Representative Marshall introduced **HB 216**, jointly sponsored by Senator Henry.

**HB 216** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES.

Mr. Speaker Spence assigned **HB 216** to the Agriculture Committee.

Mr. Speaker Spence assigned **HB 184** to the Economic Development/Banking & Insurance Committee.

Representative Lee deferred to Representative Stone.

Representative Stone introduced **HB 214**, jointly sponsored by Senator Blevins.

**HB 214** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES.

Mr. Speaker Spence assigned **HB 214** to the Economic Development/Banking & Insurance Committee.

Representative Lee deferred to Representative Booth.

Mr. Speaker Spence reassigned **HB 186** to the Transportation/Land Use and Infrastructure Committee. Representative Booth introduced **HB 217**, jointly sponsored by Senator Bunting & Representatives Blakey, Outten, Thornburg, Valihura, McWilliams, Schwartzkopf & B. Short.

**HB 217 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE.**

Mr. Speaker Spence assigned **HB 217** to the Economic Development/Banking & Insurance Committee. Representative Booth introduced **HB 213**, jointly sponsored by Representative Schwartzkopf & Senator DeLuca & Representatives Blakey, Hocker, Manolakos, D. Short, Stone, Ennis & McWilliams.

**HB 213 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES.**

Mr. Speaker Spence assigned **HB 213** to the Judiciary Committee.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 166** - 1F, 6M; **SB 58 w/SA 1 & 2** - 2F, 5M; **SB 78** - 4F, 4M; **HB 184** - 10F.

Mr. Speaker Spence made an announcement.

Representative Lee deferred to Representative Valihura.

Representative Valihura introduced **HB 215**, jointly sponsored by Senator Bunting & Representatives Blakey, Hocker & Outten.

**HB 215 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION.**

Mr. Speaker Spence assigned **HB 215** to the Policy Analysis & Government Accountability Committee.

Representative Lee made an announcement. Representative Williams made comments. Mr. Speaker Spence & Representative Maier made announcements. Representative Keeley made comments.

The Majority Whip moved to recess to the call of the Chair at 5:40 p.m.

Mr. Speaker Spence called the House to order at 2:40 p.m. on June 19, 2007.

Representative Ewing made an announcement.

The Reading Clerk read the following communications into the record:

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Nick T. Manolakos  
20th District  
DATE: June 14, 2007  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Thursday, June 14, 2007. I will not be able to attend due to illness. Thank you for your consideration.

The Senate wishes to inform the House that it has passed **SB 109** and requests the concurrence of the House and the Senate has passed **HB 175 w/SA 1, HCR 30 & HCR 31** and is returning same to the House. The Senate has passed **SB 36 w/SA 1 & 2, SB 117 w/SA 1 & SB 120** and requests the concurrence of the House and the Senate has passed **HB 98 w/HA 1, HB 38 w/HA 1 & SA 1, 2, 3 & 4 & HA 3 & 4** and is returning same to the House. The Senate wishes to inform the House that it has passed **HB 120 w/HA 1** and is returning same to the House. The Senate has passed **SCR 13 & SCR 14** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 144** and is returning same to the House.

Mr. Speaker Spence assigned **HB 189** to the Appropriations Committee.

Mr. Speaker Spence introduced guests.

The Majority Leader moved to adjourn at 2:44 p.m., thereby ending the current legislative day. The House reconvened at 2:45.m.

### **39th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 19, 2007**

The Chief Clerk called the roll:

Members Present: 41.

The House observed a moment of silence in memory of nine Charleston, South Carolina firefighters at the request of Representative Lee.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Spence invited Trevor, Zachary and Tanner Boulden to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 210 - KEELEY & SENATOR HENRY; REPRESENTATIVES ENNIS, HALL-LONG, JOHNSON, KOWALKO, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, B. SHORT, WILLIAMS; SENATORS MARSHALL, SOKOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Predatory Refund Anticipation Lending.**



**HB 211** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Provide for Municipal Tax Increment Financing and Municipal Special Development Districts and Financing, and to Provide for Special Development District Financing for Eligible Projects Whether Owned by the Town of Millville or any State and/or Local Governmental Entity or Agency, and to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Development Districts, and to Provide for Certain Matters Relating to Collection and Levy of a Special Ad Valorem Taxes, Special Taxes, and Ad Valorem Taxes in Connection with Such Municipal Tax Increment Financing and Municipal Development Districts. (2/3 bill)

**HB 212** - MANOLAKOS & SENATOR HENRY; REPRESENTATIVES SPENCE, CATHCART, LEE, BOOTH, EWING, HASTINGS, HOCKER, LAVELLE, OBERLE, OUTTEN, THORNBURG, VALIHURA, WAGNER; SENATORS BUNTING, SOKOLA, AMICK, CONNOR - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Protection of Children.

**HB 218** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HOCKER, HUDSON, LAVELLE, VIOLA; SENATORS DELUCA, PETERSON, CLOUTIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Brokers, Salespersons and Appraisers.

**HB 219** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Council on Development Finance.

**HB 220** - KEELEY & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Continuous Remote Alcohol Monitoring Pilot Program.

**HB 221** - OUTTEN - HOUSE ADMINISTRATION - An Act to Amend Volume 69, Chapter 115, as Amended, Relating to the Charter of the City of Harrington. (2/3 bill)

**HB 222** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Chapter 184, Volume 43, Laws of Delaware as Amended, Entitled "An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefore". (2/3 bill)

**HA 1 to HB 9** - VALIHURA - Placed with the Bill.

**HA 1 to HB 172** - EWING - Placed with the Bill.

**HJR 7** - KEELEY & SENATOR PETERSON; REPRESENTATIVES BRADY, ENNIS, SCHOOLEY, VALIHURA - ENERGY AND NATURAL RESOURCES - Creating a Task Force Regarding State Agency Recycling.

**SB 36 w/SA 1 & 2** - MARSHALL & REPRESENTATIVE OBERLE; SENATORS BLEVINS, DELUCA, HENRY, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, CLOUTIER, CONNOR; REPRESENTATIVES LOFINK, MIRO, SPENCE, BRADY, ENNIS, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, VIOLA, WALLS, WILLIAMS - LABOR - An Act to Amend Titles 19 and 29 of the Delaware Code Relating to Collective Bargaining.

**SB 109** - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**SB 117 w/SA 1** - DELUCA & REPRESENTATIVE STONE; SENATORS BONINI, BUNTING, COOK, SOKOLA, STILL; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Wills, Estates, and Trusts.

**SB 120** - DELUCA & REPRESENTATIVE STONE; SENATORS BONINI, BUNTING, COOK, SOKOLA, STILL; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

Representative Cathcart made an announcement. Representatives Longhurst & Williams requested that they be marked present.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **SB 76 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins & Sorenson & Representatives Hall-Long, McWilliams & Schooley, before the House for consideration.

**SB 76** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE USE LAW

Representative Maier made comments.

The roll call on **SB 76 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 76 w/SA 1** was returned to the Senate.

Representatives Mulrooney, Hall-Long & Oberle requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 176**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 176** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE AND 73 DELAWARE LAWS, CHAPTER 6, RELATING TO THE HISTORIC PRESERVATION TAX CREDIT'S SUNSET DATE.

Representative Hudson made a comment.

The roll call on **HB 176** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 176** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **HB 185**, jointly sponsored by Senator DeLuca & Representatives Brady, Carey, Hocker, Hudson, Lavelle, Longhurst, Plant, B. Short, D. Short, Valihura & Viola & Senators Bonini, Bunting, Cook, Sokola & Still, before the House for consideration.

**HB 185** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENTS' ESTATES.

Representative Stone made comments.

The roll call on **HB 185** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 185** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **SS 1 for SB 31**, jointly sponsored by Senator Henry & Senator McDowell & Senator Still & Representative Keeley & Representative Valihura & Senators Blevins, Bonini, Cook, Marshall, McBride & Peterson & Representatives Gilligan, Hudson, Kowalko, Lavelle, Maier, McWilliams, Miro, Plant, Schooley, Schwartzkopf, D. Short, Spence & Williams, before the House for consideration.

**SB 31** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF CREDIT.

Representatives Stone, Williams, Keeley & Stone made comments.

The roll call on **SS 1 for SB 31** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 31** was returned to the Senate.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg made comments.

Representative Thornburg introduced **HB 224**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Connor & cosponsored by Senator Henry.

**HB 224** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FALSE ALARMS AND SECURITY SYSTEMS. (3/5 bill)

Representative Gilligan requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence made comments.

Mr. Speaker Spence assigned **HB 224** to the Public Safety & Homeland Security Committee.

Representative Cathcart deferred to Representative Schooley. Representative Schooley requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart deferred to Representative Williams. Representative Williams & Mr. Speaker Spence made comments. Representative Valihura made an announcement. Representatives Oberle & Cathcart made comments regarding Saint Francis Hospital.

The Majority Leader moved to recess for caucus at 3:13 p.m.

The House reconvened at 5:20 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 121 w/SA 1, SB 127 w/SA 1, SB 126, SB 125 w/SA 1 & SB 112** and requests the concurrence of the House and the Senate has passed **HB 87 w/SA 1** and is returning same to the House.

June 18, 2007

#### LEGISLATIVE ADVISORY #5

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/30/07 – **SB 63**; 6/13/07 – **HB 69**; 6/14/07 – **HB 133 aab SA 1 & HJR 4**; 6/18/07 – **HB 41, HB 84, HB 98 aab HA 1, HB 135 & HB 144**.

The following communication was read into the record at the request of Representative Oberle:

June 19, 2007

The Honorable Terry R. Spence

Speaker of the House

Legislative Hall

Dover, DE 19903

Dear Terry:

As we discussed over the weekend, I respectfully request that I be removed as a member of the Gaming and Pari-mutuels Committee. Further, I request that you secure a replacement for my position on the Delaware Standardbred Breeders Board.

Although I have followed all of the rules of this body, secured Ethics Committee opinions and adhered to all laws and existing standards of ethical behavior, I am aware that perception is sometimes more compelling than the facts.

Next to my family, I have no stronger sense of love and respect other than for this institution. If there is even the slightest perception that something is wrong or would reflect poorly on this body, I want to resolve that situation and do it quickly.

For years, I have endeavored to project, through my actions and deeds, nothing but the best in what public service should be about. I have counseled young students that there is no greater opportunity to serve your community than through public service. I still believe that. And I hope the action that I am taking today completely validates that belief.

Some of you in this chamber know of the stress my immediate family has been under due to illness and the recent passing of Sally's mother. Hopefully, my action today will bring closure to this nearly four-month odyssey.

In closing, let this stand as the last public comment I will make on this issue. Much work remains to be done that requires my fullest attention.

Sincerely,  
William A. Oberle, Jr.  
State Representative  
24th District

Representative Cathcart made comments regarding **SB 29**.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SB 29**, jointly sponsored by Senator Peterson & Senator McBride & Representative Lavelle & Senators Sorenson, Sokola, Bunting, Blevins, Connor, Copeland, Henry, Cook, Cloutier, Amick & Marshall & Representatives Gilligan, Mitchell, Keeley, Ennis, Mulrooney, Johnson, McWilliams, Marshall, Schooley, Hall-Long, Kowalko, Longhurst, Plant, Carey, Cathcart, Hocker, Lee, Maier, Manolakos, Miro, Short & Valihura & cosponsored by Representatives Brady, Spence, Smith, Ewing & Lofink, before the House for consideration.

**SB 29 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE BY REMOVING THE STATUTE OF LIMITATIONS FOR CIVIL SUITS RELATING TO CHILD SEXUAL ABUSE AND ADDING RELATED PROVISIONS REGARDING SUCH SUITS. (F/N)**

Representative Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Robert Quill, a child sex abuse victim. Representative Valihura requested and was granted privilege of the floor for Mark A. Sargent, Dean, Villanova University School of Law. Representatives Hudson & Kowalko made comments. Representative Hudson requested and was granted privilege of the floor for Father Thomas P. Doyle, Catholic Church Canon lawyer specializing in cases of abuse. Representatives Wagner, Lavelle, Hudson, Valihura, Wagner & Lavelle made comments. Representative Stone requested and was granted privilege of the floor for Larry Zutz, President, Zutz Insurance Group. Representatives Stone, Manolakos, Valihura & Viola made comments. Representative Stone requested and was granted privilege of the floor for George Krupanski President and CEO, Delaware Boys and Girls Clubs. Representative Hudson requested and was granted privilege of the floor for Marci Hamilton, attorney and author. Representative Lavelle made comments. Representative Lavelle brought **HA 2 to SB 29** before the House for consideration. Representative Lavelle introduced and brought **HA 1 to HA 2 to SB 29** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Lavelle & Kowalko made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Kowalko, Lavelle, Hudson, Gilligan, Marshall, Stone, Hudson, Wagner, Kowalko & Lavelle made comments. Representative Lavelle moved to place **HA 2 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Hudson brought **HA 3 to SB 29** before the House for consideration. Representative Hudson made a comment. **HA 3** was adopted by voice vote. Representative Lavelle introduced and brought **HA 4 to SB 29** before the House for consideration. Representative Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith House Attorney. Representatives Lavelle, Valihura, Gilligan, Valihura, Maier, Lavelle, Gilligan, Kowalko, Viola, Lavelle, Stone, Wagner, Gilligan, Valihura, Hudson & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Hudson & Lavelle made comments. Representative Hudson requested and was granted privilege of the floor for Jeff Clark, Senate Attorney. Representatives Hudson, Valihura, Maier, B. Short, Wagner, Schwartzkopf, Hudson, Lavelle & Maier made comments.

The roll call on **HA 4 to SB 29** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Cathcart, Hastings, Lavelle, Lee, Maier, Manolakos, Marshall, Oberle, D. Short, Stone, Thornburg, Valihura, Wagner, Spence - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 4 to SB 29** was declared defeated.

The roll call on **SB 29 w/HA 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 29 w/HA 3** was returned to the Senate for concurrence on **HA 3**.

Representatives Lavelle & Hudson made comments regarding **SB 29**.

Mr. Speaker Spence reassigned **HB 219** to the Policy Analysis & Government Accountability Committee.

Representative Valihura introduced **HB 227**, jointly sponsored by Representative Spence & Senator Sokola.

**HB 227** - AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE TO PERMIT QUALIFIED ENGINEERS TO TESTIFY AS EXPERTS IN THE DELAWARE COURTS.

Mr. Speaker Spence assigned **HB 227** to the Judiciary Committee.

Representatives Valihura & Ewing & Mr. Speaker Spence made announcements.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 123 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 126 & HB 55** and is returning same to the House.

Representative B. Short introduced **HB 231**, jointly sponsored by Representatives Brady, Ennis, Hall-Long, Keeley, Marshall & McWilliams & Senators McDowell & Sokola.

**HB 231** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REGULATIONS GOVERNING THE DESIGN AND OPERATION OF SCHOOL BUSES.

Mr. Speaker Spence assigned **HB 231** to the Education Committee.

Representatives Valihura & Cathcart made announcements.

Representative Johnson introduced **HB 229**, jointly sponsored by Senator Henry & Senator McBride & cosponsored by Representative Plant.

**HB 229** - AN ACT TO AMEND TITLE 24, CHAPTER 15 OF THE DELAWARE CODE RELATING TO HOTELS, RESTAURANTS AND PLACES OF ENTERTAINMENT.

Mr. Speaker Spence assigned **HB 229** to the Policy Analysis & Government Accountability Committee.

Representative Lofink made an announcement.

Representative Johnson introduced **HB 232**, jointly sponsored by Senator McDowell & cosponsored by Representative Plant.

**HB 232** - AN ACT TO AMEND CHAPTER 5, TITLE 19 OF THE DELAWARE CODE RELATING TO CHILD LABOR.

Mr. Speaker Spence assigned **HB 232** to the Labor Committee.

Representative Johnson requested and was granted personal privilege of the floor to make comments. Representative Wagner requested that **HB 171** be stricken. Representative Cathcart made an announcement.

Representative Wagner introduced **HB 236**, jointly sponsored by Senator Henry & Representatives Lofink, Maier, Oberle & Ennis.

**HB 236** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEDICAL PRACTICE ACT.

Mr. Speaker Spence assigned **HB 236** to the Policy Analysis & Government Accountability Committee.

Representative Wagner introduced **HB 235**, jointly sponsored by Senator Henry & Representatives Lofink, Maier, Oberle & Ennis.

**HB 235** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADING AND PRACTICE.

Mr. Speaker Spence assigned **HB 235** to the Judiciary Committee.

The Majority Leader moved to recess to the call of the Chair at 8:36 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on June 20, 2007.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

#### **40th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 20, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Spence invited members of Girls State to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HS 1 for HB 106** - MAIER & SENATOR BLEVINS; REPRESENTATIVES HUDSON, WAGNER; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Midwives. (2/3 bill)

**HS 1 for HB 146** - MAIER & REPRESENTATIVE VALIHURA & SENATOR MCBRIDE & SENATOR SOKOLA; REPRESENTATIVES LOFINK, MANOLAKOS, MIRO, OBERLE, BRADY, ENNIS, HALL-LONG, JOHNSON, KOWALKO, MCWILLIAMS, MULROONEY, SCHOOLEY; SENATORS HENRY, MCDOWELL, PETERSON, COPELAND, SORENSON, CONNOR, SIMPSON, CLOUTIER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Residential Curbside Recycling. (3/5 bill)

**HS 1 for HB 194** - MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunizations.

**HB 223** - LAVELLE & REPRESENTATIVE OBERLE & REPRESENTATIVE VALIHURA & SENATOR DELUCA & SENATOR BLEVINS; REPRESENTATIVES LEE, HASTINGS, MAIER, MANOLAKOS, MIRO, D. SHORT, STONE, THORNBURG, BRADY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 10, 11, 21 and 29 of the Delaware Code Relating to Fines, Costs and Assessments for Traffic Violations. (3/5 bill)

**HB 225** - EWING & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the Town of Greenwood Chapter (109 Laws of Delaware, Volume 68, as Amended) to Delegate to the Town Tax Collector the Same Collection Powers, Including Monition Proceedings, as Conferred Upon the Receiver of Taxes of Sussex County. (2/3 bill)

**HB 226** - HOCKER & SENATOR BUNTING; REPRESENTATIVES BLAKEY, D. SHORT, THORNBURG, ENNIS, MCWILLIAMS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission and Criteria for Granting Certificates of Public Convenience and Necessity to Wastewater Utilities.

**HB 228** - EWING & SENATOR ADAMS; REPRESENTATIVES SCHWARTZKOPF, THORNBURG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program.

**HB 230** - CATHCART & REPRESENTATIVE WAGNER & SENATOR VAUGHN; REPRESENTATIVES LEE, MAIER, OBERLE, STONE, THORNBURG, GILLIGAN, ENNIS, SCHWARTZKOPF, MULROONEY, VIOLA, WILLIAMS; SENATORS AMICK, CLOUTIER, HENRY, MCBRIDE, SORENSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Pensions.

**HB 233** - CATHCART & REPRESENTATIVE CAREY & SENATOR SOKOLA; REPRESENTATIVES HOCKER, LAVELLE, BRADY, VIOLA; SENATOR SIMPSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9 and 22 of the Delaware Code Relating to Land Use Planning and Education.

**HB 234** - HUDSON & REPRESENTATIVE BOOTH & SENATOR COOK & SENATOR SIMPSON; REPRESENTATIVES LEE, CAREY, HASTINGS, HOCKER, MIRO, OUTTEN, WAGNER, KOWALKO, WALLS; SENATOR ADAMS - ENERGY AND NATURAL RESOURCES - An Act to Amend Chapter 91, Title 7 of the Delaware Code Pertaining to Gross Receipts Included in the Tax Assessment for the Hazardous Substance Cleanup Fund.

**HA 2 to HB 101** - MAIER - Placed with the Bill.

**HA 1 to HB 167** - MCWILLIAMS - Placed with the Bill.

**HA 1 to HB 169** - D. SHORT - Placed with the Bill.

**HA 1 to HB 200** - WAGNER - Placed with the Bill.

**HA 1 to HB 205** - VALIHURA - Placed with the Bill.

**HCR 32** - LOFINK & SENATOR SOKOLA - EDUCATION - Creating an Economical and Efficient Statewide Student Assessment System and Establishing a Task Force.

**SB 112** - HENRY & REPRESENTATIVE MAIER; SENATORS BLEVINS, MCDOWELL, PETERSON, CONNOR, SORENSON; REPRESENTATIVES HALL-LONG, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend the Delaware Code Relating to Public Health Emergencies.

**SB 121 w/SA 1** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protections System Safety Act.

**SB 123 w/SA 1** - SOKOLA & REPRESENTATIVE LOFINK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Membership of the Professional Standards Board.

**SB 125 w/SA 1** - ADAMS & REPRESENTATIVE CATHCART - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Supervision of Offenders on Conditional Release.

**SB 126** - ADAMS & REPRESENTATIVE CATHCART; SENATOR MCDOWELL - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to the Imposition of Certain Mandatory Drug Fines.

**SB 127 w/SA 1** - ADAMS & REPRESENTATIVE CATHCART; REPRESENTATIVE JOHNSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Revocation of Drivers Licenses.

**HA 2 to SB 78** - MAIER - Placed with the Bill.

Representative Cathcart deferred to Representative Hall-Long. Representative Hall-Long introduced guests. Representative Cathcart deferred to Representative Hocker. Representative Hocker made an announcement. Representative Hudson requested that she be marked present and made an announcement. Representatives Lofink & Miro requested that they be marked present. Representatives Lofink & Cathcart made announcements. Mr. Speaker Spence introduced a guest. Representative Brady requested and was granted privilege of the floor to introduce a guest. Representatives Viola & Stone requested that they be marked present.

Representative Cathcart introduced and brought **HR 27**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley on behalf of All Representatives, before the House for consideration.

**HR 27 - RECOGNIZING WEDNESDAY, JUNE 20, 2007 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR.**

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, legislators would be like ships without rudders being tossed about in a storming sea; and

WHEREAS, Legislative staffs in the halls of Dover down through the ages have been variously referred to as scholars, scribes and scoundrels (current staff being the exception); and

WHEREAS, good legislative staffers are like the elves in the well-known Brothers Grimm tale of “The Elves and the Shoemaker”, in that they toil through the night, working without recognition, for the benefit of others; and

WHEREAS, however, those elves worked naked, and to the dismay of some, relief to others, our legislative staff decided to draw the line somewhere; and

WHEREAS, legislative staff could be considered the "glue" of our organization, getting "stuck" with long hours, “stuck” with many work demands, and “stuck” with Legislators in June; and

WHEREAS, whether it is running errands for legislators, “volunteering” their weekends for their bosses’ political well-being, biting their tongues when a legislator’s head starts spinning around when addressing them, or giving up their first born, our dedicated legislative staff is always willing to conform to the wishes and demands of their bosses; and

WHEREAS, legislative staffers are the only ones who can adequately satiate the hunger of ravenous legislators by feeding them potato chips, cheese curls, M&M's and cookies, thereby taming their inner beast only moments before they enter the chamber; and

WHEREAS, legislative staffers are the only tried and true human beings in Delaware that can endure listening, for hours on end, to legislators debate the finer points on issues as salient and interesting as tax ditches, town charter changes, yard waste and the like; and

WHEREAS, like the work horses they are often compared to, old legislative staffers have been known to be taken away to the glue factory to perform one final service in sealing the envelopes used to mail a multitude of House Tributes; and

WHEREAS, staff is such an integral part of the legislative process that this resolution would not be possible without them.

NOW THEREFORE:

BE IT RESOLVED that by the House of Representatives of the 144th General Assembly that we hereby, extend our deepest, most sincere, most heartfelt, almost to the point of tears gratitude for all of the hard work and dedication of our loyal legislative staff.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

**HR 27** was adopted by voice vote.

Representatives Cathcart, Gilligan, Maier & Mr. Speaker Spence made comments. Representative Johnson requested that he be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #10** before the House for consideration.

**HR 24 – BOOTH ON BEHALF OF ALL REPRESENTATIVES –** Recognizing June 2007 as Amateur Radio Awareness Month in Delaware.

**HR 25 – VALIHURA & REPRESENTATIVE MARSHALL –** Establishing a Probation Violation Task Force.

**HR 26 – PLANT & REPRESENTATIVES BRADY, JOHNSON, KEELEY & WILLIAMS –** Congratulating Wilmington’s Clarence “Sonny Bono” Taylor for Winning WBC United States National Boxing Council Super Welterweight Championship.

**HR 28 – VALIHURA -** Establishing a Delaware Brown Sign Task Force.

**SCR 13 – ADAMS ON BEHALF OF ALL SENATORS & REPRESENTATIVE EWING ON BEHALF OF ALL REPRESENTATIVES -** In Support of the Campaign to Make Delaware’s Kids the Healthiest in the Nation.

**Consent Calendar #10** was adopted by voice vote and **HR 24, HR 25, HR 26 & HR 28** were declared passed and **SCR 13** was returned to the Senate.

Representative Cathcart made an announcement. Representative Plant made comments regarding **HR 26** and requested and was granted privilege of the floor for Clarence “Sonny Bono” Taylor, WBC United States National Boxing Council Super Welterweight Champion. Mr. Speaker Spence, Representatives Keeley & Booth made comments. Mr. Speaker Spence introduced a guest.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 20, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor           | Date       | Type | Description                                                               |
|----------|-------------------|------------|------|---------------------------------------------------------------------------|
| H144-638 | Oberle            | 6/8/2007   | T    | Senior Sergeant William Shipe - Retirement - Elsmere Police               |
| H144-639 | Mulrooney         | 6/8/2007   | T    | Lieutenant Laura Giles - Retirement – Elsmere Police                      |
| H144-640 | Cathcart          | 6/14/2007  | T    | Gerald & Emily Hocker - 38th Wedding Anniversary                          |
| H144-641 | Blakey;<br>Outten | 6/6/2007   | T    | Marion MacDonald - 4-H Hall of Fame Inductee                              |
| H144-642 | Williams          | 6/8/2007   | T    | Universal Peace Federation                                                |
| H144-643 | Wagner            | 12/22/2006 | T    | Susannah Spencer & Adam Sydell – Marriage                                 |
| H144-644 | Ewing             | 6/13/2007  | T    | Patsy Carter - Retirement - Woodbridge Elementary School                  |
| H144-645 | Outten            | 6/13/2007  | T    | Elizabeth Roorck - Retirement - Woodbridge Elementary                     |
| H144-646 | D. Short          | 6/13/2007  | T    | Carolyn Whitt - Retirement - Phillis Wheatley Middle School               |
| H144-647 | D. Short          | 6/13/2007  | T    | Susan Breeding - Retirement - Woodbridge High                             |
| H144-648 | Thornburg         | 6/11/2007  | T    | Cindy Hesseltine - Retirement - Stokes Elementary School                  |
| H144-649 | Stone             | 6/11/2007  | T    | Lois LaMarche – Retirement - Simpson &<br>Stokes Elementary Schools       |
| H144-650 | Lavelle           | 6/13/2007  | T    | John McNamara - Dedication to EECO, Inc.                                  |
| H144-651 | Johnson           | 6/4/2007   | M    | Daniel Price                                                              |
| H144-652 | Cathcart          | 6/8/2007   | T    | William Robinson, Jr. - Retirement – George & Lynch                       |
| H144-653 | Spence            | 6/9/2007   | T    | Nentego Lodge #20 - 50th Anniversary                                      |
| H144-654 | Manolakos         | 6/11/2007  | T    | Paul Czech - Father Trainor Scholarship – Salesianum                      |
| H144-655 | Oberle            | 6/11/2007  | T    | John Yasik - Father Trainor Scholarship – Salesianum                      |
| H144-656 | Marshall          | 6/11/2007  | T    | Catherine Mazalewski - Father Trainor<br>Scholarship - St. Elizabeth High |
| H144-657 | Brady             | 6/11/2007  | T    | Henry Gagnon - Father Trainor Scholarship - St. Mark's                    |
| H144-658 | Spence            | 6/11/2007  | T    | Clarke Berry - Father Trainor Scholarship – St. Mark's                    |
| H144-659 | Brady             | 6/11/2007  | T    | Abaigeal Foley - Father Trainor Scholarship - Padua Academy               |
| H144-660 | Keeley            | 6/11/2007  | T    | Blanca Rodriguez - Father Trainor Scholarship - St. Elizabeth             |
| H144-661 | Booth             | 6/9/2007   | T    | James Adkins - Retirement - Attorney General's Office                     |
| H144-662 | Ennis             | 6/17/2007  | T    | Reverend Dr. David Humphrey - 20th Pastoral Anniversary                   |
| H144-663 | Hall-Long         | 6/28/2007  | T    | Jacob Benedict - Eagle Scout                                              |

T- Tribute

M - Memoriam

Representative Cathcart deferred to Representative Mitchell. Representative Mitchell requested and was granted privilege of the floor to introduce guests and to present a House Tribute to Joseph T. Fitzgerald, IV.

Representative Cathcart introduced **HB 241**, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Lee, Carey, Maier, Oberle, Stone, Thornburg, Gilligan, Ennis, Schwartzkopf, Mulrooney, Viola & Williams & Senators Amick, Cloutier, Henry, McBride & Sorenson.

**HB 241** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS.

Mr. Speaker Spence assigned **HB 241** to the Labor Committee. Representative Cathcart requested that **HB 230** be stricken. Mr. Speaker Spence reassigned **HB 241** to the House Administration Committee.

The Majority Leader moved to recess for caucus, committee meetings and to the call of the Chair at 2:46 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:46 P.M.: Representatives Longhurst, Marshall, Mulrooney, Oberle & Valihura.

Mr. Speaker Spence called the House to order at 2:20 p.m. on June 21, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 35 w/SA 2, SS 1/SB 8 w/SA 1, SB 139 w/SA 1, SB 119 & SB 137 w/SA 1** and the Senate has passed **SCR 16** and requests the concurrence of the House.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 214** - 11M; **HB 164** - 9M; **SB 117 w/SA 1** - 10M; **SB 120** - 8M.

EDUCATION: **HCR 32** - 7M.

ENERGY AND NATURAL RESOURCES: **HB 193** - 8M; **HB 226** - 1F, 7M; **SB 19** - 7M.  
 HEALTH & HUMAN DEVELOPMENT: **HB 209** - 6M.  
 HOUSE ADMINISTRATION: **HB 191** - 5M; **HB 155** - 4M, 1U; **HB 196** - 3M; **HB 241** - 4M.  
 HOUSING & COMMUNITY AFFAIRS: **HS 1/HB 197** - 7M; **SB 86 w/SA 1** - 8M.  
 JUDICIARY: **HB 227** - 5M; **HB 213** - 5M; **HB 150** - 6M; **SB 90 w/SA 1** - 5M; **HB 208** - 6M; **HS 1/HB 116** - 5M; **HB 180** - 7M.  
 LABOR: **SB 100 w/SA 1** - 2F, 4M; **SB 36 w/SA 1 & 2** - 3F, 3M; **HB 188** - 6M; **HCR 26** - 5F.  
 POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 219** - 5M; **HB 218** - 5M; **HB 215** - 4M.  
 PUBLIC SAFETY & HOMELAND SECURITY: **HB 207** - 5M; **HB 224** - 1F, 4M; **HB 223** - 5M; **HB 195** - 5M; **SB 127 w/SA 1** - 5M; **HB 206** - 5M; **HB 202** - 5M; **SB 121 w/SA 1** - 5M; **HB 228** - 5M.  
 TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 115** - 4F, 4M.  
 The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

**41st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
 June 21, 2007**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Maier – 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Spence invited former Representative Gerard A. Cain to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HS 1 for HB 224** - THORNBURG & REPRESENTATIVE GILLIGAN & SENATOR DELUCA & SENATOR CONNOR & SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 24 of the Delaware Code Relating to False Alarms and Security Systems.

**HB 237** - BRADY; REPRESENTATIVES HALL-LONG, LOFINK, LONGHURST, MARSHALL, OBERLE, WILLIAMS; SENATORS CONNOR, MARSHALL, MCDOWELL - LABOR - An Act to Amend Titles 14 and 29 of the Delaware Code Relating to an Accrual of Additional Leave Prior to a Leave of Absence for Military Service.

**HB 239** - SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & SENATOR BUNTING & SENATOR SIMPSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to Growth Management, Public Services, Facilities and Infrastructure.

**HB 240** - VALIHURA & SENATOR MCDOWELL & REPRESENTATIVE MARSHALL; REPRESENTATIVE JOHNSON - JUDICIARY - An Act to Amend Titles 10, 11, 18, 21 and 30 of the Delaware Code Relating to the Creation and Classification of Certain Minor Offenses as Crimes, Violations or Civil Infractions and the Jurisdiction, Procedures and Related Provisions Therefrom.

**HA 1 to HS 1 for HB 52** - WAGNER - Placed with the Bill.

**HA 1 to HB 108** - BOOTH - Placed with the Bill.

**HA 1 to HB 115** - SPENCE - Placed with the Bill.

**HA 4 to HB 118** - D. SHORT - Placed with the Bill.

**HA 1 to HB 191** - OUTTEN - Placed with the Bill.

**HJR 9** - BLAKEY & REPRESENTATIVE MARSHALL & SENATOR HENRY; REPRESENTATIVES THORNBURG, WAGNER, EWING, KEELEY, JOHNSON, PLANT, OUTTEN, MCWILLIAMS, WALLS, B. SHORT, SCHOOLEY, MITCHELL, KOWALKO, LONGHURST, MULROONEY, HALL-LONG, ENNIS - HEALTH & HUMAN DEVELOPMENT - Concerning the Human Rights Crisis and the Divestment of Delaware's Holdings in the Darfur Region of Sudan.

**SS 1 for SB 8 w/SA 1** - SIMPSON & SENATOR MCDOWELL & REPRESENTATIVE HOCKER & REPRESENTATIVE VALIHURA - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering. (2/3 bill)

**SB 35 w/SA 2** - MCDOWELL & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SIMPSON & REPRESENTATIVE THORNBURG & REPRESENTATIVE LOFINK & REPRESENTATIVE HALL-LONG & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE KOWALKO; SENATORS BUNTING, SOKOLA; REPRESENTATIVES BRADY, KEELEY, MCWILLIAMS, PLANT, SPENCE - ENERGY AND NATURAL RESOURCES - An Act to Amend Titles 26 and 29 of the Delaware Code Relating to the Green Energy Fund.

**SB 119** - BUNTING - EDUCATION - An Act to Amend Chapter 26, Title 14 of the Delaware Code, Relating to the Power of County Vocational High School Districts and County Vocational-Technical School Districts to Levy Taxes for School Purposes. (3/5 bill)



**SB 137 w/SA 1 - BUNTING & REPRESENTATIVE SCHWARTZKOPF - HOUSE**  
ADMINISTRATION - An Act to Amend Chapter 197, Volume 54 of the Laws of Delaware as Amended, Relating to the City of Rehoboth Beach. (2/3 bill)

**SB 139 w/SA 1 - DELUCA & REPRESENTATIVE VALIHURA - ECONOMIC**  
DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Management of Institutional Funds.

Mr. Speaker Spence made comments. Representatives Carey, Mitchell, Walls, Schooley, McWilliams & Viola requested that they be marked present. Representative Cathcart made comments. Representative Cathcart deferred to Representative Blakey. Representative Blakey introduced guests and requested and was granted privilege of the floor for Captain James “Flash” Gordon representing the Organization of Black Airline Pilots. Representative Cathcart & Mr. Speaker Spence made comments. The students and instructors participating in the Airway Science camp at Delaware State University announced their names and home towns for the record. Representative Manolakos requested and was granted privilege of the floor for to present a House Tribute to George Jardine, who addressed the House. Representatives Plant, Hudson, Longhurst & Gilligan requested that they be marked present.

Representative Cathcart introduced **HB 238**, sponsored by Representative Spence & Senator DeLuca.

**HB 238 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.**

Mr. Speaker Spence assigned **HB 238** to the Gaming & Parimutuels Committee.

Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative D. Short requested that **HA 1 to HB 169** be stricken.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Terry R. Spence, Speaker  
House of Representatives  
DATE: June 21, 2007  
FROM: Representative Pamela S. Maier  
RE: Absence from session

I will not be in session June 21, 2007, as I am attending a legislative conference.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative J. B. Ewing, do hereby request that my name be removed as a co-sponsor of **HB 30**.

Date: June 21, 2007

Signed: J. B. Ewing

Representatives Williams & Keeley requested that they be marked present. Representative Cathcart made an announcement.

Representative Cathcart brought **HB 30**, jointly sponsored by Senator McBride & Representatives Spence & Ennis, before the House for consideration.

**HB 30 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DELAWARE LAND PROTECTION ACT.**

Representative Cathcart made comments. Representative Booth brought **HA 1 to HB 30** before the House for consideration. Representative Booth made comments. Representative Blakey brought **HA 1 to HA 1 to HB 30** before the House for consideration. Representatives Booth & Cathcart made comments. **HA 1 to HA 1** was defeated by voice vote. Representative Booth requested and was granted privilege of the floor for David Baker, Sussex County Administrator. Representatives Booth & Ewing made comments. Representative Schwartzkopf requested that he be marked present. Representatives Schwartzkopf, Ewing, Hocker, Cathcart & Booth made comments. Representative Booth requested and was granted privilege of the floor for John A. Hughes, Secretary, Department of Natural Resources and Environmental Control. Representatives Booth & Cathcart made comments. Representative Cathcart rose on a point of order. Representatives Booth & Cathcart made comments. Mr. Speaker did not concur. Representatives Schwartzkopf, Booth & Cathcart made comments.

The roll call on **HA 1 to HB 30** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Lee, Outten, D. Short, Thornburg & Wagner - 11.

NO: 26.

ABSENT: Representatives Lavelle, Maier, Mulrooney & Stone - 4.

Therefore, not having received a constitutional majority, **HA 1 to HB 30** was declared defeated.

Representatives Ennis, Oberle & Wagner requested that they be marked present during the roll call.

Representative Carey brought **HA 2 to HB 30** before the House for consideration. Representatives Carey & Cathcart made comments. **HA 2** was defeated by voice vote. Representative Ennis brought **HA 3 to HB 30** before the House for consideration. Representative Ennis made comments. Representative Ennis requested that **HA 3** be stricken. Representative Blakey brought **HA 4 to HB 30**, jointly sponsored by Representative Outten & Representative Stone & Representative Thornburg & Representative Wagner & Representative Ennis & Representative Walls, before the House for consideration. Representative Blakey moved to place **HA 4** on the Speaker's Table. The motion was properly seconded and adopted by voice

vote. Representative Booth brought **HA 5 to HB 30** before the House for consideration. Representative Booth requested that **HA 5** be stricken. Representative Cathcart introduced and brought **HA 6 to HB 30** before the House for consideration. Representative Cathcart made comments. Representative Wagner made comments. Representative Cathcart requested and was granted privilege of the floor for John A. Hughes, Secretary, Department of Natural Resources and Environmental Control. Representatives Wagner, Ennis & Booth made comments. Representative Booth requested and was granted privilege of the floor for David Baker, Sussex County Administrator. Representative Valihura made comments. **HA 6** was adopted by voice vote. Representative Cathcart made comments. Representative Blakey moved to lift **HA 4 to HB 30** from the Speaker's Table. The motion was seconded by Representative Wagner and adopted by voice vote. Representative Blakey brought **HA 4 to HB 30**, jointly sponsored by Representative Outten & Representative Stone & Representative Thornburg & Representative Wagner & Representative Ennis & Representative Walls, before the House for consideration. Representatives Blakey, Ennis & Cathcart made comments. **HA 4** was defeated by voice vote. Representatives Wagner & Blakey made comments.

The roll call on **HB 30 w/HA 6** was taken and revealed:

YES: 23.

NO: Representatives Lee, Outten & Stone - 3.

NOT VOTING: Representatives Blakey, Booth, Carey, Ennis, Ewing, Gilligan, Hall-Long, Hocker, Marshall, Mulrooney, D. Short, Thornburg & Wagner - 13.

ABSENT: Representatives Lavelle & Maier - 2.

Therefore, having received a constitutional majority, **HB 30 w/HA 6** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 92 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Representatives Spence, Ewing, Hocker, Stone, Wagner, Ennis & Plant, before the House for concurrence on **SA 1**.

**HB 92 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE AN ARBITRATION PROCEDURE FOR DISPUTES BETWEEN INSURANCE CARRIERS AND HEALTH CARE PROVIDERS.**

Representative Hudson made comments.

The roll call on **HB 92 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Maier & Williams - 3.

Therefore, having received a constitutional majority, **HB 92 w/HA 1 & SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 87 w/SA 1**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Spence, Carey, Ewing, Hocker, Hudson, Miro, D. Short, Stone, Hall-Long, Kowalko, Plant & Schooley, before the House for concurrence on **SA 1**.

**HB 87 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Booth made comments.

The roll call on **HB 87 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Maier & Williams - 3.

Therefore, having received a constitutional majority, **HB 87 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **SS 1 for SB 18**, jointly sponsored by Senator McDowell & Senator Blevins & Senator Copeland & Senator Simpson & Representative Lofink & Representative Schooley & Representative Hall-Long & Representative Kowalko & Senators Bunting, Sokola & Sorenson & Representatives Brady, Keeley, McWilliams, Plant, Spence & Valihura & cosponsored by Senator Cloutier, before the House for consideration.

**SB 18 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO CREATE A SUSTAINABLE ENERGY UTILITY IN THE STATE OF DELAWARE. (3/4 bill) (F/N)**

Representative Thornburg made comments.

The roll call on **SS 1 for SB 18** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Maier, Mulrooney & Williams - 4.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SS 1 for SB 18** was returned to the Senate.

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

APPROPRIATIONS: **HB 82** - 4M; **HB 147** - 4M.

GAMING & PARIMUTUELS: **HB 238** - 6M.

Representative Cathcart deferred to Representative Lee.

Representative Lee introduced and brought **SCR 17**, sponsored by Senator Adams on behalf of All Senators & Representative Spence on behalf of All Representatives, before the House for consideration.

**SCR 17** - EXTENDING DEEPEST CONDOLENCES TO THE FAMILIES AND LOVED ONES OF THE NINE FIREFIGHTERS WHOSE LIVES WERE LOST IN A TRAGIC FIRE IN THE CITY OF CHARLESTON, SOUTH CAROLINA, AND TO THEIR FELLOW MEMBERS OF THE CHARLESTON FIRE DEPARTMENT.

Representative Lee made comments.

**SCR 17** was adopted by voice vote and was returned to the Senate.

The House observed a moment of silence in memory of the Charleston, South Carolina firefighters at the request of Mr. Speaker Spence. Representative Lee made an announcement.

The Majority Leader moved to recess for caucus at 4:21 p.m.

The House reconvened at 6:05 p.m. with Representative Booth as Acting Speaker.

Representative Cathcart made an announcement.

Representative Cathcart introduced **HB 245**, jointly sponsored by Representative Oberle & Representative Gilligan & Representative Keeley & Senator DeLuca & Senator Cook & Senator Copeland & Senator Sorenson.

**HB 245** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Mr. Acting Speaker assigned **HB 245** to the Revenue & Finance Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 75** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 79 w/SA 3 & SB 136 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 96** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 110 w/SA 1 & SB 114** and requests the concurrence of the House and **HB 134** and is returning same to the House. The Senate wishes to inform the House that it has passed **SCR 17** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SCR 15, SCR 12 & SCR 19** and requests the concurrence of the House.

Representative Cathcart deferred to Representative Lavelle. Representative Lavelle requested that he be marked present. Representative Lavelle introduced **HB 242** jointly sponsored by Representative Oberle & Representative Valihura & Representative Stone & Representative Marshall & Senator Bunting & Senator Copeland & Senator Bonini & Senator Cloutier & Representatives Spence, Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Maier, Manolakos, Miro, Outten, D. Short, Thornburg, Wagner, Gilligan, Brady, Hall-Long, Longhurst, McWilliams, Mitchell, Schooley & Schwartzkopf & cosponsored by Representative Hudson.

**HB 242** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE.

Mr. Acting Speaker assigned **HB 242** to the Judiciary Committee.

Representative Lavelle made comments. Representative Cathcart deferred to Representative Schwartzkopf. Representative Cathcart requested that action on **SB 127** be deferred to a Day Certain, Tuesday, June 26, 2007. Representative Schwartzkopf requested that **HB 199, HB 16 & HB 59** be stricken. Representative Cathcart deferred to Representative Ewing. Representative Ewing requested that action on **HB 118** be deferred to a Day Certain, Tuesday, June 26, 2007.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with action on **HB 211**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hocker brought **HB 211**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 211** - AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND FINANCING, AND TO PROVIDE FOR SPECIAL DEVELOPMENT DISTRICT FINANCING FOR ELIGIBLE PROJECTS WHETHER OWNED BY THE TOWN OF MILLVILLE OR ANY STATE AND/OR LOCAL GOVERNMENTAL ENTITY OR AGENCY, AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF A SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH SUCH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (2/3 bill)

Representative Hocker made comments.

The roll call on **HB 211** was taken and revealed:

YES: 40.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 211** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 61**, jointly sponsored by Representative Cathcart & Representative Valihura & Senator Simpson & Representatives Smith, Atkins, Hocker, Lavelle, Lofink, Maier, Manolakos, Miro, Outten, Stone, Thornburg, Blakey, Gilligan & Viola, before the House for consideration.

**HB 61** - AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTIONS AND CANDIDATE DISCLOSURES. (2/3 bill)

Representatives Hudson, Marshall & Schwartzkopf made comments. Representative Hudson requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Marshall, Hudson, Gilligan, Lavelle & Hudson made comments.

The roll call on **HB 61** was taken and revealed:

YES: 35.

NO: Representatives Johnson, Mulrooney, Plant, Schwartzkopf & Williams - 5.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 61** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 9**, jointly sponsored by Senator Copeland & Representatives Spence, Smith & Lee, before the House for consideration.

**HB 9** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Valihura brought **HA 1 to HB 9** before the House for consideration. **HA 1** was adopted by voice vote. Representative Valihura introduced and brought **HA 2 to HB 9** before the House for consideration. Representatives Wagner, Valihura & Gilligan made comments. **HA 2** was adopted by voice vote. Representatives Valihura, Wagner, Gilligan, Valihura, Marshall, Ewing, Wagner, Valihura & Kowalko made comments. Representative Valihura moved to place **HB 9 w/HA 1 & 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

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

EDUCATION: **SJR 3** - 7F.

Representative Lee deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **HB 155**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 155**, jointly sponsored by Representative Valihura & Senator Peterson & Representatives Spence, Cathcart, Carey, Ewing, Hocker, Thornburg, Brady, Ennis, Kowalko & Mitchell & Senators Copeland, Sorenson, Henry, Bonini, Simpson, Marshall, Sokola & Bunting & cosponsored by Senators Cloutier & Connor, before the House for consideration.

**HB 155** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE ESTABLISHING THE OFFICE OF THE STATE INSPECTOR GENERAL. (F/N)

Representative Oberle brought **HA 1 to HB 155** before the House for consideration. Representatives Oberle & Gilligan made comments. **HA 1** was adopted by voice vote. Representative Oberle brought **HA 2 to HB 155** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Oberle introduced and brought **HA 3 to HB 155** before the House for consideration. Representative Oberle made comments. **HA 3** was adopted by voice vote. Representative Oberle introduced and brought **HA 4 to HB 155** before the House for consideration. Representative Oberle made a comment. **HA 4** was adopted by voice vote. Representatives Oberle, Gilligan, McWilliams, Oberle, Williams, Schwartzkopf, Oberle, Kowalko, Keeley, Oberle & Johnson made comments.

The roll call on **HB 155 w/HA 1, 2, 3 & 4** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Plant, Schwartzkopf & Williams - 3.

ABSENT: Representatives Maier & Miro - 2.

Therefore, having received a constitutional majority, **HB 155 w/HA 1, 2, 3 & 4** was sent to the Senate for concurrence.

Representative Cathcart made an announcement. Representative Wagner requested that **HB 24** be stricken. Representatives Lofink & Cathcart made announcements.

The Majority Leader moved to recess to the call of the Chair at 7:56 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:17 p.m. on June 26, 2007.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 111 w/SA 1** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:18 p.m., thereby ending the current legislative day. The House reconvened at 2:19 p.m.

**42nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
June 26, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District. Mr. Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 243** - MAIER & SENATOR MCDOWELL; REPRESENTATIVE HUDSON; SENATOR BLEVINS - JUDICIARY - An Act to Amend Titles 10, 11, 14, 16, 29 and 31 of the Delaware Code Relating to Jurisdiction of the Family Court, Relating to Offenses Relating to Children, Relating to System of Free Public Schools, Relating to Abuse of Children, Relating to Child Welfare, Relating to the Office of the Child Advocate and Relating to the Court-appointed Special Advocate.

**HB 244** - VALIHURA & REPRESENTATIVE ENNIS & SENATOR VENABLES; REPRESENTATIVES BLAKEY, CAREY, LOFINK, OBERLE, KEELEY, HALL-LONG, KOWALKO, LONGHURST, SCHOOLEY, VIOLA, WALLS; SENATORS BLEVINS, SOKOLA, STILL - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9, 22 and 29 of the Delaware Code Relating to the Transfer of Development Rights and the Creation of Special Development Districts.

**HB 246** - MAIER & REPRESENTATIVE LAVELLE & REPRESENTATIVE MIRO & SENATOR SOKOLA & SENATOR BLEVINS; REPRESENTATIVES SPENCE, LOFINK, MANOLAKOS, KOWALKO, MCWILLIAMS, SCHOOLEY; SENATOR MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Garbage Disposal.

**HB 247** - WAGNER & SENATOR HENRY; REPRESENTATIVES LOFINK, MAIER, OBERLE, ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Titles 10 and 18 of the Delaware Code Relating to Property Insurance Contracts and Statutes of Limitations.

**HB 248** - WAGNER & REPRESENTATIVE MAIER & SENATOR PETERSON & SENATOR SOKOLA - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Technology and Information and Merit System of Personnel Administration.

**HA 1 to HA 1 to HB 115** - SPENCE - Placed with the Bill.

**HA 1 to HB 151** - SPENCE - Placed with the Bill.

**HA 1 to HB 153** - SPENCE - Placed with the Bill.

**HA 2 to HB 169** - D. SHORT - Placed with the Bill.

**HA 1 to HB 174** - SPENCE - Placed with the Bill.

**HA 2 to HB 191** - OUTTEN - Placed with the Bill.

**HA 1 to HB 218** - VALIHURA - Placed with the Bill.

**HJR 8** - SPENCE & SENATOR MCBRIDE - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - Designating and Naming Interstate 95 (I-95) through Delaware Connecting Pennsylvania and Maryland as the "Purple Heart Trail".

**HJR 10** - LOFINK & SENATOR DELUCA - GAMING & PARIMUTUELS - Directing the Secretary of Finance, the Director of the Office of Management and Budget and the Controller General to Conduct a Comprehensive Study Regarding Sports Betting in Delaware.

**SS 1 for SB 75** - ADAMS & REPRESENTATIVE SPENCE; SENATORS COOK, DELUCA, HENRY, AMICK, BONINI, CLOUTIER; REPRESENTATIVES OBERLE, GILLIGAN, KEELEY, MAIER, MARSHALL, VALIHURA, WAGNER, WILLIAMS, SCHWARTZKOPF, D. SHORT, THORNBURG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 10 of the Delaware Code Relating to Court Security Assessments.

**SB 79 w/SA 3** - DELUCA & REPRESENTATIVE OBERLE; SENATORS ADAMS, AMICK, BLEVINS, SORENSON, VENABLES; REPRESENTATIVES BOOTH, CATHCART, ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, LEE, LOFINK, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, SCHOOLEY, SCHWARTZKOPF, SPENCE, THORNBURG, VIOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 9 and 22 Relating to Emergency Communication Systems.

**SB 110 w/SA 1** - SORENSON & SENATOR BLEVINS & REPRESENTATIVE HUDSON; SENATORS CLOUTIER, CONNOR, HENRY, PETERSON, SOKOLA, STILL; REPRESENTATIVES ENNIS, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LAVELLE, LOFINK, LONGHURST, MAIER, MANOLAKOS, OBERLE, PLANT, SCHOOLEY, D. SHORT, SPENCE, VALIHURA, VIOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Retaliatory Acts.

**SB 111 w/SA 1** - SORENSON & SENATOR BLEVINS & REPRESENTATIVE HUDSON; SENATORS CLOUTIER, CONNOR, COPELAND, HENRY, PETERSON, STILL; REPRESENTATIVES ENNIS, KEELEY, LOFINK, MAIER, MANOLAKOS, SCHOOLEY, SPENCE; SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Contempt of a Domestic Violence Protective Order.

**SB 114** - COPELAND & REPRESENTATIVE BRADY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Display of License Plates.

**SB 136 w/SA 2** - COOK & REPRESENTATIVE OBERLE; SENATORS AMICK, CLOUTIER, HENRY, MCBRIDE, VAUGHN, STILL; REPRESENTATIVES BOOTH, MIRO, SCHWARTZKOPF, WAGNER, WILLIAMS - LABOR - An Act to Amend Titles 11 and 29 of the Delaware Code, Relating to the Establishment of an Other Post-employment Benefits Fund.

Representatives Hocker, Miro & Maier requested that they be marked present. Mr. Acting Speaker introduced a guest. Representative B. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Plant requested that she be marked present. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Hastings requested and was granted personal privilege of the floor to make an announcement. Representative Cathcart requested and was granted privilege of the floor for Brett P. Tomashek, representing the University of Delaware English Language Institute who introduced a group of visiting teachers from Jordan and Syria. Representatives Johnson, Keeley & Hall-Long requested that they be marked present.

Representative Cathcart requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations, and the 2007 Legislative Fellows. Representative Blakey made comments and presented a House Tribute to Jonathan Rifkin who addressed the House. Mr. Acting Speaker made comments. Representative Maier made comments and presented a House Tribute to Alyson Gross who addressed the House. Representative Lofink made comments and presented a House Tribute to Michael Haynes who addressed the House. Representatives Thornburg, Hocker & Cathcart made comments and presented a House Tribute to Robert Smith who addressed the House. Rich Puffer, staff member, made comments and presented a House Tribute to Dafnah Meron who addressed the House. Mr. Puffer presented House Tributes to Sommer Wynn and Shelley Cook who addressed the House. Representatives Valihura & Ewing made comments and presented a House Tribute to René Bartuccio who addressed the House. Representatives Lee, Ennis & Mr. Acting Speaker made comments. Representatives Stone & D. Short made comments and presented a House Tribute to Jared Brewster who addressed the House.

Representative Cathcart deferred to Representative Ennis.

Representative Manolakos requested that he be marked present.

Representative Ennis introduced **HB 251**, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Blakey, Brady, Johnson, Keeley, Kowalko, Longhurst, Manolakos, McWilliams, Mitchell, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, B. Short, D. Short, Stone, Thornburg, Viola, Walls & Williams & Senators Peterson, Simpson & Still & cosponsored by Representatives Carey & Ewing.

**HB 251** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO VOLUNTEER FIREFIGHTERS.

Mr. Acting Speaker assigned **HB 251** to the Public Safety & Homeland Security Committee.

Representatives Marshall, Wagner, Mitchell & Stone requested that they be marked present.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **HB 175 w/SA 1**, jointly sponsored by Senator Venables & Representatives Cathcart, Lee, Carey, Ewing, Hocker, Lofink, Maier, Manolakos, Oberle, Outten, D. Short, Stone, Wagner, Gilligan, Brady, Ennis, Hall-Long, Mulrooney & Walls & Senators Bonini, Simpson & Still, before the House for concurrence on **SA 1**.

**HB 175** - AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 31 OF TITLE 20 OF THE DELAWARE CODE PERTAINING TO THE EXERCISE OF EMERGENCY POWERS.

Representative Thornburg made comments.

The roll call on **HB 175 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, **HB 175 w/SA 1** was sent to the Governor.

Representatives Gilligan, Hudson, Longhurst, McWilliams, Valihura, Viola & Spence requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 127 w/SA 1**, sponsored by Senator Adams & Representative Cathcart & cosponsored by Representative Johnson, before the House for consideration.

**SB 127** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REVOCATION OF DRIVERS LICENSES.

Representative Ewing made comments.

The roll call on **SB 127 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 127 w/SA 1** was returned to the Senate.

Representative Wagner requested that **HB 112** be stricken.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 118**, jointly sponsored by Senator Simpson & Representatives Lee, Booth, Hocker, Outten, D. Short, Schwartzkopf & Walls, before the House for consideration.

**HB 118 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF SUSSEX COUNTY. (3/5 bill)**

Representative Ewing made comments. Representative Ewing brought **HA 1 to HB 118** before the House for consideration. **HA 1** was adopted by voice vote. Representative Carey brought **HA 2 to HB 118** before the House for consideration. Representative Carey made comments. **HA 2** was adopted by voice vote. Representative Ewing introduced and brought **HA 3 to HB 118** before the House for consideration. Representative Ewing made comments. **HA 3** was adopted by voice vote. Representative D. Short brought **HA 4 to HB 118** before the House for consideration. Representative D. Short made comments. **HA 4** was adopted by voice vote.

The roll call on **HB 118 w/HA 1, 2, 3 & 4** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Williams - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 118 w/HA 1, 2, 3 & 4** was sent to the Senate for concurrence.

Mr. Acting Speaker Oberle appointed Representative Booth as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 153**, jointly sponsored by Representative Oberle & Senator McBride & Representatives Cathcart, Lee, Ewing, Thornburg & Plant, before the House for consideration.

**HB 153 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE PENSION PLAN.**

Representative Spence brought **HA 1 to HB 153** before the House for consideration. Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence made comments.

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

YES: 41.

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

Representative Williams requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 154**, jointly sponsored by Representative Oberle & Senator McBride & Representatives Ewing, Gilligan, Keeley, Brady, Mulrooney, Plant, Schwartzkopf & Williams, before the House for consideration.

**HB 154 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE.**

Representatives Spence, Mitchell, Schwartzkopf, Wagner, Spence, Schwartzkopf, Wagner & Ewing made comments.

The roll call on **HB 154** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 154** was sent to the Senate for concurrence.

The House observed a moment of silence in memory of Andrew Hearn at the request of Representative Cathcart.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 156**, jointly sponsored by Representatives Maier, McWilliams, Plant & Williams & Senator Connor, before the House for consideration.

**HB 156 - AN ACT TO AMEND CHAPTER 2, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON'S LAST REMAINS.**

Representative Brady made a comment. Representative Brady brought **HA 1 to HB 156** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Brady & Wagner made comments.

The roll call on **HB 156 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 156 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 87**, jointly sponsored by Senator Sokola & Senators Bonini, Bunting, Connor & McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 87 - ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD.**

Representative Valihura made comments.

The roll call on **SB 87** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 87** was returned to the Senate.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle moved to suspend the rules which interfere with action on **HB 242**. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Lavelle brought **HB 242**, jointly sponsored by Representative Oberle & Representative Valihura & Representative Stone & Representative Marshall & Senator Bunting & Senator Copeland & Senator Bonini & Senator Cloutier & Representatives Spence, Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Maier, Manolakos, Miro, Outten, D. Short, Thornburg, Wagner, Gilligan, Brady, Hall-Long, Longhurst, McWilliams, Mitchell, Schooley & Schwartzkopf, before the House for consideration.

**HB 242 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE.**

Representative Lavelle introduced and brought **HA 1 to HB 242** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representative Lavelle made comments and requested and was granted privilege of the floor for Pat Machle, Director, Developmental Disabilities Council. Representatives Marshall, Oberle, Williams, Lavelle, Kowalko, Gilligan & Lavelle made comments. Representative Hudson introduced and brought **HA 2 to HB 242** before the House for consideration. Representatives Hudson, Valihura, Lavelle, Oberle, Hudson, Spence, Schwartzkopf & Lavelle made comments. Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Oberle & Hudson made comments. Representative Hudson moved to place **HA 2 to HB 242** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Lavelle requested and was granted privilege of the floor for Tania Culley Child Advocate for the State of Delaware. Representatives Hudson & Lavelle made comments.

The roll call on **HB 242 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 242 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart introduced **HB 254** jointly sponsored by Representative Ennis & Representative Valihura & Senator Adams & Senator Vaughn & Senator Still.

**HB 254 - AN ACT TO AMEND TITLE 7, SUBCHAPTER VI, RELATING TO THE RESTRICTIONS ON TAKING GAME.**

Mr. Acting Speaker assigned **HB 254** to the Energy and Natural Resources Committee.

Representative Cathcart introduced **HB 253**, jointly sponsored by Representative Lee & Representative Oberle & Representative Spence & Representative Gilligan & Representative Keeley & Senator Adams & Senator DeLuca & Senator Blevins & Senator Cook & Senator Copeland & Senator Sorenson.

**HB 253 - AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO TAXES AND FEES SUPPORTING THE TRANSPORTATION TRUST FUND. (3/5 bill)**

Mr. Speaker Spence assigned **HB 253** to the Capital Infrastructure Committee.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley introduced **HB 249**, jointly sponsored by Representatives Cathcart, Gilligan, Oberle, Spence & Senators Adams, Blevins, Cook, Copeland, DeLuca & Sorenson.

**HB 249 - AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)**

Mr. Speaker Spence assigned **HB 249** to the Revenue & Finance Committee.

The Majority Leader moved to recess for caucus at 4:11 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 6:44 p.m.

Representative Cathcart deferred to Representative Oberle.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Dr. Greg Hammer, President, American Veterinary Medical Association, who addressed the House.

Representative Oberle introduced **HB 250**, jointly sponsored by Senator Cook & Representatives Booth, Wagner, Miro, Schwartzkopf & Williams & Senators Vaughn, Henry, McBride, Cloutier & Amick.

**HB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2008; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representative Oberle moved to suspend the rules which interfere with placing **HB 250** on the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote. Representative Oberle moved to place **HB 250** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle, Mr. Speaker Spence, Representatives Lavelle & Schwartzkopf made comments.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 249**. The motion was properly seconded and adopted by voice vote.



Representative Keeley brought **HB 249**, jointly sponsored by Representatives Cathcart, Gilligan, Oberle & Spence & Senators Adams, Blevins, Cook, Copeland, DeLuca & Sorenson, before the House for consideration.

**HB 249** - AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Representatives Keeley & Cathcart made comments. Representative Keeley introduced and brought **HA 1 to HB 249** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representatives Keeley, Cathcart, Valihura & Walls made comments.

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

YES: 29.

NO: Representatives Ennis, Hastings, Hocker, Hudson, Lee, Maier, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 12.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 249 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on **HB 253**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought **HB 253**, jointly sponsored by Representative Lee & Representative Oberle & Representative Spence & Representative Gilligan & Representative Keeley & Senator Adams & Senator DeLuca & Senator Blevins & Senator Cook & Senator Copeland & Senator Sorenson, before the House for consideration.

**HB 253** - AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO TAXES AND FEES SUPPORTING THE TRANSPORTATION TRUST FUND. (3/5 bill)

Representatives Cathcart & Stone made comments.

The roll call on **HB 253** was taken and revealed:

YES: 38.

NO: Representatives Hastings, Hocker & Stone - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 253** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 94 w/SA 1**, jointly sponsored by Senator Sokola & Senators Bonini, Bunting, Connor & McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 94** - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOME ADMINISTRATORS. (2/3 bill)

Representative Valihura made a comment.

The roll call on **SB 94 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 94 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 93 w/SA 1**, jointly sponsored by Senator Venables & Representative Lee & Senator Adams & Senator Bunting & Representative Ewing & cosponsored by Representatives D. Short, Outten, Walls & Hocker, before the House for consideration.

**SB 93** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING.

Representative Hocker made comments.

The roll call on **SB 93 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 93 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 104**, jointly sponsored by Senator Adams & Senator Vaughn & Senator Sorenson & Representative Hudson, before the House for consideration.

**SB 104** - AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE, RELATING TO DIVORCE AND ANNULMENT.

Representative Valihura made a comment.

The roll call on **SB 104** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 104** was returned to the Senate.

Representative Cathcart deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 168**, jointly sponsored by Senator Sokola & Representatives Ennis, Longhurst & Valihura, before the House for consideration.

**HB 168** - AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS.

Representative Hall-Long made comments.

The roll call on **HB 168** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 168** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Walls.

Representative Walls brought **HB 182**, jointly sponsored by Senator Adams & Representatives Brady, Carey, Ewing, Outten & D. Short & Senator Bunting, before the House for consideration.

**HB 182 - AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH.**

Representatives Walls, Stone, Ewing, Lavelle, Ennis, Valihura, Carey, Hocker, Ewing & Walls made comments.

The roll call on **HB 182** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 182** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Williams.

Representative Williams brought **HB 179**, jointly sponsored by Representative Keeley & Representatives Ennis, Ewing, Gilligan, Lofink, Mitchell, Oberle, Plant, B. Short & D. Short & Senators Sokola & Venables, before the House for consideration.

**HB 179 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE SECRETARY OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.**

Representative Williams made comments. Mr. Speaker Spence appointed Representative Booth as Acting Speaker. Representative Spence introduced **HA 1 to HB 179**. Representative Spence made comments. Representative Spence requested that **HA 1** be stricken.

The roll call on **HB 179** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 179** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **HB 184**, jointly sponsored by Senator DeLuca & Representatives Brady, Carey, Hocker, Hudson, Lavelle, Longhurst, Plant, B. Short, D. Short, Valihura & Viola & Senators Bonini, Bunting, Cook, Sokola & Still & cosponsored by Senator Cloutier, before the House for consideration.

**HB 184 - AN ACT TO AMEND TITLE 10 AND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE COLLEGE INVESTMENT PLAN.**

Representative Stone made comments.

The roll call on **HB 184** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 184** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on **Consent Agenda A**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought the following **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration

**HB 227 – VALIHURA & REPRESENTATIVE SPENCE & SENATOR SOKOLA – An Act to Amend Chapter 28, Title 24 of the Delaware Code to Permit Qualified Engineers to Testify as Experts in the Delaware Courts.**

**HB 228 – EWING & SENATOR ADAMS & REPRESENTATIVES SCHWARTZKOPF & THORNBURG – An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program.**

**HB 180 – MIRO & SENATOR DELUCA - An Act to Amend Title 11 of the Delaware Code Relating to Selling Stolen Property. (2/3 bill)**

**HB 221 – OUTTEN - An Act to Amend Volume 69, Chapter 115, as Amended, Relating to the Charter of the City of Harrington. (2/3 bill)**

**HB 222 – D. SHORT & SENATOR VENABLES – An Act to Amend Chapter 184, Volume 43, Laws of Delaware as Amended, Entitled “An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefore”. (2/3 bill)**

**SB 137 w/SA 1 – BUNTING & REPRESENTATIVE SCHWARTZKOPF – An Act to Amend Chapter 197, Volume 54 of the Laws of Delaware as Amended, Relating to the City of Rehoboth Beach. (2/3 bill)**

**HB 225 – EWING & SENATOR ADAMS – An Act to Amend the Municipal Charter of the Town of Greenwood Chapter (109 Laws of Delaware, Volume 68, as Amended) to Delegate to the Town Tax Collector the Same Collection Powers, Including Monition Proceedings, as Conferred Upon the Receiver of Taxes of Sussex County.**

The roll call on **Consent Agenda A** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 227, HB 228, HB 180, HB 221, HB 222 & HB 225** were sent to the Senate for concurrence and **SB 137 w/SA 1** was returned to the Senate.

Representative Cathcart brought the following **Consent Agenda B**, before the House for consideration.

**HB 214** – STONE & SENATOR BLEVINS – An Act to Amend Title 18 of the Delaware Code Relating to Captive Insurance Companies.

**SB 117 w/SA 1** – DELUCA & REPRESENTATIVE STONE & SENATORS BONINI, BUNTING, COOK, SOKOLA & STILL & REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA & VIOLA – An Act Amending Title 12 of the Delaware Code Relating to Wills, Estates, and Trusts.

**SB 120** - DELUCA & REPRESENTATIVE STONE & SENATORS BONINI, BUNTING, COOK, SOKOLA & STILL & REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA & VIOLA – An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**HB 193** – HOCKER & SENATOR VENABLES & SENATOR BUNTING & REPRESENTATIVES CAREY, EWING, HUDSON, VALIHURA & WAGNER – An Act to Amend Title 16 of the Delaware Code Relating to Mosquito Control.

**HB 215** – VALIHURA & SENATOR BUNTING & REPRESENTATIVES BLAKEY, HOCKER & OUTTEN - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation.

**HB 213** – BOOTH & SENATOR DELUCA & REPRESENTATIVE SCHWARTZKOPF – An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures. (F/I)

**SB 90 w/SA 1** – BLEVINS & REPRESENTATIVE OBERLE & SENATOR DELUCA – An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenders and Establishing a Sex Offender Management Board.

**HB 195** – LEE & REPRESENTATIVE EWING & SENATOR ADAMS – An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 214, HB 193, HB 215, HB 213 & HB 195** was sent to the Senate for concurrence and **SB 117 w/SA 1, SB 120 & SB 90 w/SA 1** were returned to the Senate.

Representative Cathcart deferred to Representative Wagner.

Representative Lofink made an announcement.

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

EDUCATION: **SB 119** - 7M; **SB 123 w/SA 1** - 7M.

ENERGY AND NATURAL RESOURCES: **HS 1/ HB 146** - 7M, 2U; **HB 234** - 9M; **HJR 7** - 9M.

GAMING & PARIMUTUELS: **HJR 10** - 7M.

HEALTH & HUMAN DEVELOPMENT: **HJR 9** - 7M; **SB 112** - 7M.

JUDICIARY: **HB 220** - 6M; **HB 235** - 6M; **HB 240** - 5M; **SB 80 w/SA 2** - 6M; **SB 126** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 251** - 5M; **SS 1/SB 75** - 5M; **SB 79 w/SA 3** - 5M;

Representative Wagner brought **HB 20**, jointly sponsored by Senator Henry & Representatives Spence, Lavelle & Valihura & cosponsored by Senator Cloutier, before the House for consideration.

**HB 20** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Representatives Wagner, Marshall, Kowalko & Wagner made comments.

The roll call on **HB 20** was taken and revealed:

YES: 28.

NO: Representatives Keeley, Kowalko, Longhurst, Marshall, Miro, Mulrooney, Outten, Plant, Schwartzkopf, Stone, Thornburg, Viola & Williams - 13.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 20** was sent to the Senate for concurrence.

Mr. Speaker Spence requested that action on **SB 36 w/SA 1 & 2** be Deferred to a Day Certain, Thursday, June 28, 2007. Mr. Speaker Spence assigned **SCR 15** to the Telecommunication Internet & Technology Committee. Representative Keeley requested that **HB 49** be stricken. Representatives Valihura & Cathcart made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 145 w/SA 1 & SB 153** and requests the concurrence of the House and the Senate has passed **HB 130 w/HA 1** and the Senate has passed **HB 72 w/SA 1 & 2 & HB 121 w/HA 3 & SA 1** and is returning same to the House. The Senate has passed **SB 118 & SB 149 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 132** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 150 w/SA 1** and requests the concurrence of the House and **HS 1/HB 149 w/HA 1** and is returning same to the House. The

Senate wishes to inform the House that it has passed **SB 154 & SB 144** and requests the concurrence of the House.

June 22, 2007

LEGISLATIVE ADVISORY #6

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/20/07 – **SB 57**; 6/21/07 – **SB 54 aab SA 1 & HA 1, HB 38 aab HA 2 & SA 1, 2, 3 & 4 & HA 3 & 4, HB 83 aab HA 1 & HB 127 aab HA 1.**

The Majority Leader moved to recess to the call of the Chair at 8:12 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:15 p.m. on June 27, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 159, SB 140 & SB 133** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Clifford Lee, do hereby request that my name be removed as cosponsor of **HB 249**.

Date: June 26, 2007

Signed: Clifford G. Lee

MEMORANDUM

To: Ms. JoAnn P. Hedrick  
Chief Clerk – House of Representatives  
From: Mr. Bernard J. Brady  
Secretary of the Senate  
RE: Senate Concurrent Resolution 12  
Date: 26 June 2006

In the Senate Chamber on this date, Senator Colin R. J. Bonini moved to reconsider Senate Concurrent Resolution 12 upon its return from the House of Representatives.

Hereby, I request the return of Senate Concurrent Resolution 12 for reconsideration in the Senate.

MEMORANDUM

TO: The Honorable Bernard J. Brady  
Secretary of the Senate  
FROM: JoAnn M. Hedrick  
Chief Clerk of the House  
RE: Senate Concurrent Resolution Number 12  
DATE: June 26, 2007

Per your request, please find attached Senate Concurrent Resolution Number 12.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**43rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session**

**June 27, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 9 - VALIHURA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 252 - KOWALKO & SENATOR PETERSON; REPRESENTATIVES GILLIGAN, KEELEY, MCWILLIAMS, B. SHORT - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hazardous Waste Management.**

**HB 255 - OBERLE & SENATOR DELUCA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Pension Benefits of 911 Communications Workers in the State Employees' Pension Plan.**

**HB 256 - MANOLAKOS & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to State Election Commissioner and Registration Records.**

**HB 257 - MARSHALL & SENATOR BLEVINS; REPRESENTATIVES GILLIGAN, KEELEY, OBERLE; SENATORS HENRY, PETERSON, SOKOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Taxes. (3/5 bill)**

**HB 258 - BLAKEY & SENATOR BUNTING; REPRESENTATIVE KOWALKO - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Mobile Home Lots and Leases Act.**

**HB 259 - MIRO & REPRESENTATIVE LOFINK & SENATOR SOKOLA; REPRESENTATIVES BOOTH, EWING, MAIER, WAGNER, HALL-LONG; SENATORS SORENSON, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Denial, Suspension, Revocation and Limitation of Educator Licenses and Certificates.**

**HB 261** - HALL-LONG & REPRESENTATIVE ENNIS; REPRESENTATIVES BRADY, EWING, KEELEY, KOWALKO, LONGHURST, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, OBERLE, OUTTEN, PLANT, SCHOOLEY, SCHWARTZKOPF, VALIHURA, VIOLA, WILLIAMS; SENATORS BLEVINS, COOK - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Law Enforcement Officers' Bill of Rights.

**HA 1 to HB 189** - THORNBURG - Placed with the Bill.

**HA 1 to HS 1 for HB 197** - VALIHURA - Placed with the Bill.

**HA 1 to HB 208** - LEE - Placed with the Bill.

**HA 1 to HB 217** - BOOTH - Placed with the Bill.

**HA 1 to HB 220** - KEELEY - Placed with the Bill.

**HA 1 to HB 236** - WAGNER - Placed with the Bill.

**HA 1 to HB 240** - STONE - Placed with the Bill.

**HA 2 to HB 240** - VALIHURA - Placed with the Bill.

**SB 118** - MARSHALL & REPRESENTATIVE SPENCE; SENATORS DELUCA, BLEVINS, HENRY, MCDOWELL, MCBRIDE, CONNOR; REPRESENTATIVES OBERLE, BRADY, KEELEY, MULROONEY, VIOLA, MITCHELL - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.

**SB 133** - BLEVINS & REPRESENTATIVE HUDSON & REPRESENTATIVE VALIHURA; SENATORS MARSHALL, PETERSON, SOKOLA, SORENSON, CONNOR, CLOUTIER; REPRESENTATIVES ENNIS, EWING, KOWALKO, LOFINK, MITCHELL, SPENCE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children.

**SB 140** - BONINI & REPRESENTATIVE WALLS - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Frederica. (2/3 bill)

**SB 144** - DELUCA & SENATOR AMICK; REPRESENTATIVES VALIHURA & MARSHALL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Certain Defenses to Criminal Liability.

**SB 145 w/SA 1** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 27 of Title 24 of the Delaware Code Relating to Professional Land Surveyors.

**SB 149 w/SA 1** - MARSHALL & REPRESENTATIVE SPENCE; SENATORS COOK, ADAMS, DELUCA, BLEVINS, MCDOWELL, SORENSON, STILL; REPRESENTATIVES GILLIGAN, CATHCART, LEE, HUDSON, LAVELLE, STONE, B. SHORT, SCHWARTZKOPF - LABOR - An Act to Amend Title 30 of the Delaware Code Relating to Tax Credits.

**SB 150 w/SA 1** - BLEVINS & REPRESENTATIVE MIRO; SENATORS DELUCA, COPELAND; REPRESENTATIVES CATHCART, GILLIGAN, MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 20 of the Delaware Code Relating to Medical Personnel Providing Volunteer Medical Services During Emergency or Disaster Relief Operations.

**SB 153** - ADAMS & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Amend an Act Entitled “An Act to Re-incorporate the Town of Ellendale” to Update the Procedures for Annexation of Lands into the Town, Simplifying the Process for Parcels of Two Contiguous Acres or Less Where the Owner Requests Annexation; and, in All Other Situations, Requiring a Favorable Election of the Residents and Property Owners of the Existing Town and of the Lands to be Annexed as a Condition Precedent to Annexation (2/3 bill)

**SB 154** - COOK & REPRESENTATIVE WAGNER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Changing School District Boundaries.

**SB 159** - BUNTING & REPRESENTATIVE THORNBURG - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Powers of the Department of Agriculture to Adopt Regulations for the Inspection of Egg, Meat, and Poultry Products and the Humane Slaughter of Livestock.

**HA 2 to SB 6** - HALL-LONG - Placed with the Bill.

**HA 1 to SB 36** - D. SHORT - Placed with the Bill.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 27, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                         | Date      | Type | Description                                           |
|----------|---------------------------------|-----------|------|-------------------------------------------------------|
| H144-664 | Hall-Long                       | 6/28/2007 | T    | Leland Benedict - Eagle Scout                         |
| H144-665 | Hall-Long                       | 6/28/2007 | T    | Aaron Jessie Lee - Eagle Scout                        |
| H144-666 | Spence                          | 6/12/2007 | T    | Hollis & Mary Anglin - Small Business Persons of Year |
|          | cosponsors: All Representatives |           |      |                                                       |
| H144-667 | Spence                          | 6/12/2007 | T    | Farley Printing Company - Family Owned                |
|          | cosponsors: All Representatives |           |      | Business of the Year                                  |

|                                                        |                   |           |   |                                                                           |
|--------------------------------------------------------|-------------------|-----------|---|---------------------------------------------------------------------------|
| H144-668                                               | Schooley          | 6/18/2007 | T | Denise Levering - Retirement - Maclary Elementary School                  |
| H144-669                                               | Outten            | 5/16/2007 | T | Jordan Robert Walls - Eagle Scout                                         |
| H144-670                                               | Marshall          | 6/30/2007 | T | Emmanuel Shomide - 1st Birthday                                           |
| H144-671                                               | Booth             | 6/20/2007 | T | Constance Dick - Longest Serving State Employee                           |
| cosponsors: All Representatives                        |                   |           |   |                                                                           |
| H144-672                                               | B. Short          | 6/10/2007 | T | John Gallagher, Jr. - Tony Award Winner                                   |
| H144-673                                               | Thornburg         | 5/13/2007 | T | Elizabell Massey - Bayhealth-Kent General – Longest Employed Staff Member |
| H144-674                                               | Kowalko           | 6/12/2007 | M | Shirley Ann Manfield                                                      |
| cosponsor: Representative Marshall                     |                   |           |   |                                                                           |
| H144-675                                               | Lofink            | 5/17/2007 | T | Steven Sean Ferguson - Eagle Scout                                        |
| H144-676                                               | Blakey; Wagner    | 6/29/2007 | T | Cheryl Conley - Retirement - Department of Correction                     |
| H144-677                                               | Spence            | 5/13/2007 | T | Vincent John Cochran - Graduation - West Virginia University              |
| H144-678                                               | Outten; Thornburg | 6/29/2007 | T | Colleen Ostafy - 50th Birthday                                            |
| H144-679                                               | Maier             | 6/14/2007 | T | Rocco Louis Malin - Eagle Scout                                           |
| H144-680                                               | Maier             | 6/14/2007 | T | Daniel Martin Rappel Wlock - Eagle Scout                                  |
| H144-681                                               | Thornburg         | 6/14/2007 | T | Steven Morris - Eagle Scout                                               |
| H144-682                                               | Walls             | 6/9/2007  | M | Charles H. West                                                           |
| cosponsors: Representatives Carey, Ewing, Lee & Outten |                   |           |   |                                                                           |
| H144-683                                               | Schwartzkopf      | 6/14/2007 | T | Lt. Michael Warrington - Retirement - State Police                        |
| H144-684                                               | Manolakos         | 6/21/2007 | T | George Jardine - Coach of the Year - Youth Soccer                         |
| H144-685                                               | Brady             | 6/20/2007 | T | Britannia Vondrasek - Outstanding Student Award                           |
| H144-686                                               | Wagner            | 6/30/2007 | T | Dr. Doris Woledge - Retirement - Delaware State University                |

#### HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 27, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                                | Sponsor           | Date      | Type | Description                                                     |
|-------------------------------------------------------|-------------------|-----------|------|-----------------------------------------------------------------|
| H144-687                                              | Stone; Blakey     | 6/18/2007 | T    | Kyle DeMarie - Eagle Scout                                      |
| H144-688                                              | Wagner            | 6/15/2007 | T    | Dr. Tommy Frederick - Retirement - Delaware State University    |
| H144-689                                              | B. Short          | 6/20/2007 | T    | Amir Young - Student Recognition Award                          |
| H144-690                                              | Kowalko           | 6/20/2007 | T    | Willard Scott - Student Recognition Award                       |
| H144-691                                              | Carey             | 6/20/2007 | T    | Ishmeal Perkins - Student Recognition Award                     |
| H144-692                                              | Outten            | 6/15/2007 | M    | Mary V. W. Taylor                                               |
| H144-693                                              | Outten; D. Short  | 6/15/2007 | M    | William J. Messick                                              |
| H144-694                                              | Ewing             | 6/29/2007 | T    | Wanda Hyland Isler - Retirement - Office of Management & Budget |
| cosponsors: All Representatives                       |                   |           |      |                                                                 |
| H144-695                                              | Lavelle           | 5/31/2007 | T    | Masley Enterprises, Inc. - Manufacturing Military Gloves        |
| H144-696                                              | Miro              | 6/22/2007 | T    | Dr. Sandra Brunson - Retirement – Department of Education       |
| H144-697                                              | Ennis             | 4/25/2007 | T    | Jelisa Dixon - Youth of the Year - Boys & Girls Club            |
| H144-698                                              | Wagner            | 6/16/2007 | T    | Jennifer Klein & Jason Newman - Marriage                        |
| H144-699                                              | Kowalko; Mitchell | 6/20/2007 | T    | Joseph Fitzgerald, IV - U. S. Naval Academy                     |
| H144-700                                              | Maier             | 6/24/2007 | T    | Pastor Ray Graham - 8 Years of Ministry                         |
| H144-701                                              | Stone             | 6/28/2007 | T    | Robert Neely - Retirement - DelDOT                              |
| H144-702                                              | Outten            | 6/29/2007 | T    | Nancy Soriano - Retirement - Department of Education            |
| H144-703                                              | Spence            | 6/17/2007 | M    | Ellen L. Anderson                                               |
| H144-704                                              | Spence            | 7/27/2007 | T    | David Axon, M.D. - Retirement – Orthopedics                     |
| H144-705                                              | Schwartzkopf      | 6/14/2007 | M    | Billy Echo Taylor, Jr.                                          |
| H144-706                                              | Lofink            | 6/26/2007 | T    | Michael Haynes - Outstanding Performance –                      |
| cosponsors: Representatives Brady, Legislative Fellow |                   |           |      |                                                                 |

Carey, Cathcart, Ennis, Gilligan, Hastings, Hudson, Johnson, Keeley, Lee, Longhurst, Maier, Manolakos, Mulrooney, Oberle, Outten, Plant, Schwartzkopf, B. Short, D. Short, Spence, Stone, Valihura, Viola & Wagner

#### HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 27, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                                | Sponsor   | Date      | Type | Description                              |
|-------------------------------------------------------|-----------|-----------|------|------------------------------------------|
| H144-707                                              | Thornburg | 6/26/2007 | T    | Robert Smith - Outstanding Performance – |
| cosponsors: Representatives Booth, Legislative Fellow |           |           |      |                                          |

Carey, Cathcart, Gilligan, Hall-Long, Hastings, Hocker, Keeley, Kowalko, Lee, Longhurst, Manolakos,

McWilliams, Mulrooney, Outten, Spence & Walls  
H144-708     Blakey            6/26/2007     T     Jonathan Rifkin - Outstanding Performance –  
                         cosponsors: Representatives Booth, Legislative Fellow  
Brady, Carey, Ennis, Gilligan, Hastings, Hocker, Hudson, Johnson, Kowalko, Lavelle, Longhurst, Maier,  
Manolakos, Miro, Oberle, Outten, Schwartzkopf, D. Short, Stone, Thornburg, Valihura, Wagner, Walls & Williams  
H144-709     Stone                6/26/2007     T     Jared Brewster - Outstanding Performance –  
                         cosponsors: Representatives Brady, Legislative Fellow  
Carey, Hastings, Hocker, Hudson, Lavelle, Longhurst, Plant, B. Short, D. Short, Valihura & Viola  
H144-710     Maier                6/26/2007     T     Alyson Gross - Outstanding Performance –  
                         cosponsors: Representatives Blakey, Legislative Fellow  
Booth, Hall-Long, Kowalko, Lofink, Manolakos, Marshall, McWilliams, Miro, Schooley, Wagner & Walls  
HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 27, 2007  
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor  | Date      | Type | Description                                                                                                                                                                                                                                                             |
|----------|----------|-----------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H144-711 | Valihura | 6/26/2007 | T    | Renee Bartuccio - Outstanding Performance –<br>cosponsors: Representatives Ewing, Legislative Fellow<br>Hudson, Johnson, Lavelle, Lee, Marshall, Mitchell, Outten, Spence, Stone, Thornburg, Wagner & Williams                                                          |
| H144-712 | Gilligan | 6/26/2007 | T    | Shelley Cook - Outstanding Performance –<br>cosponsors: Representatives Brady, Legislative Fellow<br>Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams |
| H144-713 | Gilligan | 6/26/2007 | T    | Dafnah Meron - Outstanding Performance –<br>cosponsors: Representatives Brady, Legislative Fellow<br>Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams |
| H144-714 | Gilligan | 6/26/2007 | T    | Sommer Wynn - Outstanding Performance –<br>cosponsors: Representatives Brady, Legislative Fellow<br>Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams  |
| H144-715 | Outten   | 7/24/2007 | T    | Timothy Messick - Retirement - DelDOT                                                                                                                                                                                                                                   |

T- Tribute  
M – Memoriam

Representative Cathcart brought the following prefiled **Consent Calendar #11** before the House for consideration.

**HR 29** – WAGNER – Establishing a Task Force for Women’s Healthy Heart Issues.

**HR 30** – WAGNER ON BEHALF OF ALL REPRESENTATIVES – Establishing a Task Force to Review Public-Private Partnership for Educational Facilities Construction.

**HR 31** – HUDSON ON BEHALF OF ALL REPRESENTATIVES – Designating the Wilmington Railroad as Delaware’s Operating Railroad Museum.

**HR 32** – HUDSON & REPRESENTATIVES LEE, CAREY, ENNIS, EWING, HASTINGS, HOCKER, LAVELLE, LOFINK, MANOLAKOS, OUTTEN, B. SHORT, D. SHORT, STONE, THORNBURG, VALIHURA & WAGNER – Directing the Delaware Economic Development Office to Study the Costs and Impact of Undocumented Immigration on the State of Delaware.

**HR 33** – D. SHORT & REPRESENTATIVE BOOTH & REPRESENTATIVE CAREY & REPRESENTATIVE EWING & REPRESENTATIVE HASTINGS & REPRESENTATIVE SCHWARTZKOPF – To Commend Beebe Medical Center, Nanticoke Memorial Hospital and Peninsula Regional Medical Center on becoming Tobacco-Free, Smoke-Free Medical Campuses.

**HCR 33** – D. SHORT & SENATOR STILL – Creating and Aviation Advisory Task Force to Report on Aviation Issues Within the State.

**HCR 34** – GILLIGAN & REPRESENTATIVE SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SORENSON & SENATOR PETERSON ON BEHALF OF ALL SENATORS – A Resolution Honoring the Centennial of United Parcel Service of America, Inc, (UPS) and Recognizing the Contributions of the Company to the Citizens of Delaware.

**SCR 16** – SIMPSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE HALL-LONG ON BEHALF OF ALL REPRESENTATIVES – Honoring the Young Women from Across the State of Delaware Participating in the 2007 Session of Delaware’s Girls’ State.

**SCR 19** – SOKOLA & REPRESENTATIVE VALIHURA & SENATORS BUNTING, CONNOR & MCDOWELL & REPRESENTATIVES HUDSON, LONGHURST, MAIER & VIOLA – A Resolution Urging the United States Congress to End the Practice of “Smokestack Chasing”.

Representative Wagner requested that **HR 30** be stricken.

**Consent Calendar #11** was adopted by voice vote and **HR 29, HR 31, HR 32 & HR 33** were declared passed, **HCR 33 & HCR 34** were sent to the Senate for concurrence and **SCR 16 & SCR 19** were returned to the Senate.

Representative Booth requested and was granted privilege of the floor for Brian Tinsman, YMCA Youth in Government Governor, who addressed the House and presented a YMCA volunteer award to JoAnn M. Hedrick, Chief Clerk of the House. Mr. Acting Speaker made comments. Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Douglas VanSant on the occasion of his retirement from the Capitol School Board. Mr. Acting Speaker, Representatives Lee & Wagner made comments. Representative Viola requested that he be marked present.

Representative Lofink moved to suspend the rules which interfere with action on **HJR 10**. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative Lofink brought **HJR 10**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HJR 10 - DIRECTING THE SECRETARY OF FINANCE, THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO CONDUCT A COMPREHENSIVE STUDY REGARDING SPORTS BETTING IN DELAWARE.**

Representative Lofink made comments.

The roll call on **HJR 10** was taken and revealed:

YES: 37.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representatives McWilliams, Plant & Williams - 3.

Therefore, having received a constitutional majority, **HJR 10** was sent to the Senate for concurrence.

Representatives Ennis, Gilligan, Hall-Long, Hudson, Johnson, Lavelle, Longhurst, Manolakos, Marshall, Miro, Mitchell, Mulrooney, Schwartzkopf, Stone, Valihura & Keeley requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 121 w/SA 1**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 121 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTIONS SYSTEM SAFETY ACT.**

Representative Ewing made a comment.

The roll call on **SB 121 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives McWilliams & Spence - 2.

Therefore, having received a constitutional majority, **SB 121 w/SA 1** was returned to the Senate.

Representatives Plant & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Keeley. Representative Keeley & Mr. Acting Speaker made comments.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HJR 5**, jointly sponsored by Senator Henry & Representatives Thornburg, Ennis, Mulrooney & Plant, before the House for consideration.

**HJR 5 - ESTABLISHING A TOLL-FREE NUMBER FOR STATE EMPLOYEES TO HAVE A CONFIDENTIAL AVENUE TO DISCUSS PERSONNEL-RELATED ISSUES.**

Representative Wagner made comments.

The roll call on **HJR 5** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HJR 5** was sent to the Senate for concurrence.

Representative McWilliams requested that she be marked present during the roll call.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 64**, jointly sponsored by Senator McBride & Senators Simpson & Venables & Representative Mulrooney, before the House for consideration.

**SB 64 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE WITH RESPECT TO CHAPTER 12A., UNIFORM ELECTRONIC TRANSACTIONS ACT**

Representative Hocker made comments.

The roll call on **SB 64** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **SB 64** was returned to the Senate.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 187**, jointly sponsored by Senator McBride & Representatives Booth, Carey, Thornburg, McWilliams & Walls & Senators Bunting & Connor, before the House for consideration.



**HB 187** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (3/5 bill) (F/I)

Representative Hocker made comments.

The roll call on **HB 187** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 187** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 226**, jointly sponsored by Senator Bunting & Representatives Blakey, D. Short, Thornburg, Ennis & McWilliams, before the House for consideration.

**HB 226** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION AND CRITERIA FOR GRANTING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO WASTEWATER UTILITIES.

Representative Hocker made comments.

The roll call on **HB 226** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 226** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 178**, jointly sponsored by Representatives Brady, Hall-Long, Hocker, Johnson, Kowalko, Marshall, Mitchell, Plant, Schooley, B. Short & Viola & Senators Cook, Peterson, Sorenson & Venables, before the House for consideration.

**HB 178** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE RE-ESTABLISHMENT OF A HEARING AID LOAN BANK.

Representative Keeley brought **HA 1 to HB 178** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representative Keeley made comments.

The roll call on **HB 178 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 178 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone. Representative Stone deferred to Representative Maier.

Representative Maier brought **SB 78**, jointly sponsored by Senator Henry & Senator McDowell & Senator Connor & Senator Blevins & Senator Sorenson & Representative Hall-Long & Representative Schooley & cosponsored by Representative B. Short, before the House for consideration.

**SB 78** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE AND NEWBORN SCREENING. (F/N)

Representative Maier requested that **HA 1 to SB 78** be stricken. Representative Maier brought **HA 2 to SB 78** before the House for consideration. Representative Maier made comments. **HA 2** was adopted by voice vote. Representative Maier made comments.

The roll call on **SB 78 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Gilligan & Keeley - 2.

Therefore, having received a constitutional majority, **SB 78 w/HA 2** was returned to the Senate.

Representative Lee deferred to Representative Stone.

Representative Stone brought **HB 174**, jointly sponsored by Senator McBride & Representatives Gilligan, Hudson, Lofink, Maier, Spence & Valihura & Senator Sokola, before the House for consideration.

**HB 174** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ELECTRONIC POSTMARKS AND THE UNIFORM ELECTRONIC TRANSACTIONS ACT.

Representative Stone deferred to Representative Spence. Representative Spence made comments. Representative Stone moved to place **HB 174** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lee deferred to Representative Maier.

Representative Maier brought **HB 101**, jointly sponsored by Senator Henry & Representatives Hall-Long & Schooley & Senator Peterson, before the House for consideration.

**HB 101** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE.

Representative Maier requested that **HA 1 to HB 101** be stricken. Representative Maier brought **HA 2 to HB 101** before the House for consideration. Representative Maier made comments. **HA 2** was adopted by voice vote. Representative Maier made comments.

The roll call on **HB 101 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative McWilliams - 1.

Therefore, having received a constitutional majority, **HB 101 w/HA 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone.

Representative Stone moved to lift **HB 174** from the Speaker's Table. The motion was seconded by Representative Manolakos and adopted by voice vote.

Representative Stone brought **HB 174**, jointly sponsored by Senator McBride & Representatives Gilligan, Hudson, Lofink, Maier, Spence & Valihura & Senator Sokola, before the House for consideration.

**HB 174 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ELECTRONIC POSTMARKS AND THE UNIFORM ELECTRONIC TRANSACTIONS ACT.**

Representative Stone deferred to Representative Spence. Representative Spence brought **HA 1 to HB 174** before the House for consideration. Representatives Spence & Stone made comments. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 174 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HB 174 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone.

Representative Spence brought **HB 115**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 115 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REGULATION OF OUTDOOR ADVERTISING.**

Representative Spence made comments. Representative Spence brought **HA 1 to HB 115** before the House for consideration. Representative Spence made comments. Representative Spence brought **HA 1 to HA 1 to HB 115** before the House for consideration. Representatives Spence & Hudson made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Spence moved to place **HA 1 w/HA 1** and **HB 115** on the Speaker's Table. The motion was seconded by Representative Hudson and was adopted by voice vote. Representative Spence made comments.

Representative Lee deferred to Representative Maier.

Representative Maier brought **HS 1 for HB 116**, jointly sponsored by Representative Spence & Senator Blevins & Senator Sorenson & Representatives Ewing, Outten, Wagner, Keeley & Johnson & Senator Connor & cosponsored by Representatives Valihura & Wagner, before the House for consideration.

**HB 116 - AN ACT RELATING TO CRIMINAL CONSEQUENCES OF CONDUCT THAT INVOLVES CERTAIN TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE. (2/3 bill)**

Representative Maier made comments.

The roll call on **HS 1 for HB 116** was taken and revealed:

YES: 39.

ABSENT: Representatives Gilligan & Wagner - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 116** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Lee deferred to Representative Valihura.

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker.

Representative Valihura brought **HS 1 for HB 197**, jointly sponsored by Representative Lavelle & Senator Sokola & Senator Cloutier & Representatives B. Short & McWilliams & Senator Henry, before the House for consideration.

**HB 197 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE ENABLING NEW CASTLE COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO REDEVELOPMENT.**

Representative Valihura made comments. Representative Valihura brought **HA 1 to HS 1 for HB 197** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote.

The roll call on **HS 1 for HB 197 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Wagner - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 197 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Spence.

Representative Spence moved to lift **HB 115** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HB 115**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 115 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REGULATION OF OUTDOOR ADVERTISING.**

Representative Spence moved to lift **HA 1 w/HA 1 to HB 115** from the Speaker's Table. The motion was seconded by Representative Hudson and adopted by voice vote. Representative Spence brought

**HA 1 w/HA 1** before the House for consideration. Representative Spence made comments. Representative Spence requested and was granted privilege of the floor for Frederick H. Schrank, Deputy Attorney General assigned to the Department of Transportation and John R. Watson representing the Outdoor Advertising Association of America. Representatives Hudson, Stone, Valihura, Maier, Booth, Miro, Valihura, Wagner & Spence made comments. **HA 1 w/HA 1** was adopted by voice vote. Representative Spence made a comment.

The roll call on **HB 115 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

NO: Representative Miro - 1.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **HB 115 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HS 1 for HB 47**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Hudson brought **HS 1 for HB 47**, jointly sponsored by Senator Connor & Representatives Spence, Cathcart, Lee, Blakey, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Valihura, Wagner, Kowalko, McWilliams, Schooley, Viola & Walls & Senators Sokola, Copeland & Sorenson & cosponsored by Senators Cloutier & Peterson, before the House for consideration.

**HB 47 - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO REPORTING AND DISCLOSURE OF INFECTIONS.** (F/N)

Representative Hudson introduced and brought **HA 1 to HS 1 for HB 47** before the House for consideration. Representative Hudson made a comment. **HA 1** was adopted by voice vote. Representative Hudson introduced and brought **HA 2 to HS 1 for HB 47** before the House for consideration.

Representatives Hudson & Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Wayne A. Smith representing the Delaware Healthcare Association.

Representatives Oberle, Hudson, Wagner, Hall-Long, Oberle, Hudson & Hall-Long made comments.

Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney.

Representatives Hall-Long, Oberle & D. Short made comments. **HA 2** was adopted by voice vote.

Representatives Hudson & Oberle made comments.

The roll call on **HS 1 for HB 47 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 47 w/HA 1 & 2** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 4:55 p.m.

The House reconvened at 7:00 p.m. with Representative Booth as Acting Speaker.

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

AGRICULTURE: **SB 159** - 1F, 6M.

ENERGY AND NATURAL RESOURCES: **SS 1/SB 8 w/SA 1** - 10M; **SB 35 w/SA 2** - 10M.

HEALTH & HUMAN DEVELOPMENT: **SB 150 w/SA 1** - 6M.

JUDICIARY: **HB 212** - 5M; **HB 243** - 6M; **SB 111 w/SA 1** - 6M.

LABOR: **HB 237** - 6M; **SB 118** - 7M; **SB 149 w/SA 1** - 7M.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg moved to suspend the rules which interfere with action on **HS 1 for HB 224**. The motion was properly seconded and adopted by voice vote.

Representative Thornburg brought **HS 1 for HB 224**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Connor & Senator Henry, before the House for consideration.

**HB 224 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FALSE ALARMS AND SECURITY SYSTEMS.**

Representatives Thornburg & Lavelle made comments.

The roll call on **HS 1 for HB 224** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 224** was sent to the Senate for concurrence.

Representative Spence made an announcement.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 164** before the House for consideration.

**HB 164 - AN ACT TO AMEND CHAPTER 24A, TITLE 6 OF THE DELAWARE CODE RELATING TO DEBT MANAGEMENT SERVICES.**

Representative Keeley made comments.

The roll call on **HB 164** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 164** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Outten.

Representative Outten introduced **HB 263** jointly sponsored by Senator Simpson & Representatives Blakey, Ewing, Thornburg, Brady, Johnson & Walls.

**HB 263** - AN ACT TO AMEND CHAPTER 29 OF TITLE 30 OF THE DELAWARE CODE PERTAINING TO RETAIL AND WHOLESALE LICENSE REQUIREMENTS AND TAXES.

Mr. Acting Speaker assigned **HB 263** to the Revenue & Finance Committee.

Representative Mulrooney requested and was granted personal privilege of the floor to introduce a guest.

Representative Lee deferred to Representative Hocker. Representative Hocker deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **SB 70**, jointly sponsored by Senator Bunting & Senator Simpson & Representative Hocker & cosponsored by Senator Still, before the House for consideration.

**SB 70** - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO ADRIFT OR ABANDONED VESSELS AND CERTAIN PROPERTY RELATING TO VESSELS.

Representatives Schwartzkopf & Valihura made comments.

The roll call on **SB 70** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **SB 70** was returned to the Senate.

Representative Lee deferred to Representative Outten.

Representative Outten brought **HB 191**, jointly sponsored by Senator Cook & cosponsored by Senator Bonini, before the House for consideration.

**HB 191** - AN ACT TO AMEND VOLUME 70, CHAPTER 91, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF FELTON. (2/3 bill)

Representative Outten brought **HA 1** to **HB 191** before the House for consideration. Representative Outten requested that **HA 1** be stricken. Representative Outten brought **HA 2** to **HB 191** before the House for consideration. Representative Outten made comments. **HA 2** was adopted by voice vote. Representative Outten made comments.

The roll call on **HB 191 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 191 w/HA 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **HS 1** for **HB 194**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Maier brought **HS 1** for **HB 194**, jointly sponsored by Senator Blevins & Representative Hall-Long & Senators Peterson & Sokola, before the House for consideration.

**HB 194** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS.

Representative Maier made comments.

The roll call on **HS 1** for **HB 194** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, **HS 1** for **HB 194** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 218**, jointly sponsored by Senator Sokola & Representatives Hocker, Hudson, Lavelle & Viola & Senators DeLuca, Peterson & Cloutier, before the House for consideration.

**HB 218** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS, SALESPERSONS AND APPRAISERS.

Representative Valihura brought **HA 1** to **HB 218** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representatives Valihura & Wagner made comments.

The roll call on **HB 218 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HB 218 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence reassigned **HB 257** to the House Administration Committee.

Representative Lee deferred to Representative Booth.

Representative Booth brought **HB 107**, jointly sponsored by Senator Venables & Representatives Carey, Hudson & D. Short, before the House for consideration.

**HB 107 - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE RELATING TO FISHING. (F/I) (3/5 bill)**

Representative Booth brought **HA 1 to HB 107** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote. Representative Booth brought **HA 2 to HB 107** before the House for consideration. Representatives Booth & Wagner made comments. Representative Booth requested and was granted privilege of the floor for Patrick Emory, Director, Division of Fish and Wildlife, Department of Natural Resources and Environmental Control. **HA 2** was adopted by voice vote. Representative Booth introduced and brought **HA 3 to HB 107** before the House for consideration. Representative Wagner made comments. **HA 3** was adopted by voice vote. Representatives Booth, Valihura, Booth, Lavelle, Ewing, Booth, Hocker, Ewing, Manolakos, Schwartzkopf, Thornburg & Booth made comments.

The roll call on **HB 107 w/HA 1, 2 & 3** was taken and revealed:

YES: 39.

NO: Representatives Ewing & Miro - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 107 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Ewing made a comment regarding **HB 107**.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 108**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 108 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES. (F/I) (3/5 bill)**

Representative Booth made comments. Representative Booth brought **HA 1 to HB 108** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Booth & Ennis made comments. Representative Booth requested and was granted privilege of the floor for Patrick Emory, Director, Division of Fish and Wildlife, Department of Natural Resources and Environmental Control. Representatives Ennis & Hocker made comments.

The roll call on **HB 108 w/HA 1** was taken and revealed:

YES: 38.

NO: Representatives Ewing, Hocker & Outten - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 108 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ennis.

Representative Ennis brought **HB 147**, jointly sponsored by Senator Vaughn & Representatives Ewing, Lee, Mitchell, Spence & Williams & cosponsored by Representative Schwartzkopf, before the House for consideration.

**HB 147 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE AND IDENTIFICATION CARD EXPIRATION DATES.**

Representative Ennis made comments.

The roll call on **HB 147** was taken and revealed:

YES: 40.

NOT VOTING: Representative Valihura - 1.

Therefore, having received a constitutional majority, **HB 147** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SB 136 w/SA 2**. The motion was seconded by Representative Hudson and adopted by voice vote. Representative Oberle brought **SB 136 w/SA 2**, jointly sponsored by Senator Cook & Senators Amick, Cloutier, Henry, McBride & Vaughn & Representatives Booth, Miro, Schwartzkopf, Wagner & Williams & cosponsored by Senator Still, before the House for consideration.

**SB 136 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF AN OTHER POST-EMPLOYMENT BENEFITS FUND.**

Representative Oberle made comments.

The roll call on **SB 136 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 136 w/SA 2** was returned to the Senate.

Representative Lavelle moved to suspend the rules which interfere with introduction of and action on **HB 264**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Lavelle introduced and brought **HB 264**, jointly sponsored by Representative Cathcart & Representative Oberle & Representative Gilligan & Representative Keeley & Senator DeLuca & Senator Cook & Senator Copeland & Senator Sorenson, before the House for consideration.

**HB 264 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (3/5 bill)**

Representatives Lavelle, Valihura, Williams, Gilligan & Ennis made comments. Mr. Speaker Spence ruled that **HB 264** requires a three-fifths vote.

The roll call on **HB 264** was taken and revealed:

YES: 39.

NO: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 264** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **HB 238**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HB 238**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 238 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.**

Representative Gilligan announced that he will not be voting on **HB 238** because of a possible conflict of interest. Representatives Spence & Valihura made comments.

The roll call on **HB 238** was taken and revealed:

YES: 40.

NOT VOTING: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **HB 238** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 150**, jointly sponsored by Representative Oberle & Senator McBride & Representatives Carey, Ewing, Hocker, Miro, D. Short, Valihura & Brady, before the House for consideration.

**HB 150 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT; FRESH PURSUIT.**

Representative Spence made comments.

The roll call on **HB 150** was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **HB 150** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **SS 1 for SB 75**. The motion was seconded by Representative Hocker and adopted by voice vote. Representative Ewing brought **SS 1 for SB 75**, jointly sponsored by Senator Adams & Representative Spence & Senators Cook, DeLuca, Henry, Amick, Bonini & Cloutier & Representatives Oberle, Gilligan, Keeley, Maier, Marshall, Valihura, Wagner, Williams, Schwartzkopf, D. Short & Thornburg, before the House for consideration.

**SB 75 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT SECURITY ASSESSMENTS. (F/I)**

Representatives Ewing & Oberle made comments.

The roll call on **SS 1 for SB 75** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 75** was returned to the Senate.

Representative Cathcart deferred to Representative Brady. Representative Brady made comments regarding **HB 237**.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 234**, jointly sponsored by Representative Booth & Senator Cook & Senator Simpson & Representatives Lee, Carey, Hastings, Hocker, Miro, Outten, Wagner, Kowalko & Walls & Senator Adams, before the House for consideration.

**HB 234 - AN ACT TO AMEND CHAPTER 91, TITLE 7 OF THE DELAWARE CODE PERTAINING TO GROSS RECEIPTS INCLUDED IN THE TAX ASSESSMENT FOR THE HAZARDOUS SUBSTANCE CLEANUP FUND. (F/N)**

Representative Valihura brought **HA 1 to HB 234**, jointly sponsored by Representative Hudson & Representative Carey & Representative Hastings & Representative Hocker, & Representative Lavelle & Representative D. Short & Representative Stone & Representative Brady & Representative Longhurst & Representative Plant & Representative B. Short & Representative Viola, before the House for consideration. Representatives Valihura & Hudson made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 234 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 234 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart brought the following **Consent Agenda C**, which requires a two-thirds vote, before the House for consideration

**SB 80 w/SA 2** – BLEVINS & REPRESENTATIVE OBERLE & REPRESENTATIVE KEELEY & SENATOR MCBRIDE; REPRESENTATIVES JOHNSON, MARSHALL, MITCHELL, LAVELLE & VALIHURA – An Act to Amend Title 10 of the Delaware Code Relating to Nuisance Abatement.

**HB 202** – LEE & SENATOR ADAMS - An Act to Amend Title 20 of the Delaware Code Relating to the Delaware State Police Ready Reserve.

**SB 95** – ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL & SENATORS MCDOWELL, AMICK & SIMPSON & REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON & MITCHELL - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

**SB 96** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL & SENATORS MCDOWELL, AMICK & SIMPSON & REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON & MITCHELL - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

**SB 98** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL & SENATORS MCDOWELL, AMICK & SIMPSON & REPRESENTATIVES STONE, HUDSON, LAVELLE, WAGNER, JOHNSON & MITCHELL - An Act to Amend 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. (3/5 bill)

**SB 42** – BLEVINS & REPRESENTATIVE MITCHELL – An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled “An Act to Reincorporate the Town of Elsmere” Relating to the Contingency Fund. (2/3 bill)

**HJR 7** – KEELEY & SENATOR PETERSON & REPRESENTATIVES BRADY, ENNIS, SCHOOLEY & VALIHURA– Creating a Task Force Regarding State Agency Recycling.

Representative Cathcart requested that **HJR 7** be removed from **Consent Agenda C**.

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 202** was sent to the Senate for concurrence and **SB 80 w/SA 2**, **SB 95**, **SB 96**, **SB 98** & **SB 42** were returned to the Senate.

Representative Cathcart moved to place **HJR 7** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Blakey, Lofink & Oberle made announcements.

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

ENERGY AND NATURAL RESOURCES: **HB 254** - 6F, 4M.

The Majority Leader moved to recess to the call of the Chair at 9:05 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on June 28, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 122 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 163 w/HA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 148** & **SB 160** and requests the concurrence of the House and the Senate has passed **HB 253** & **HB 249 w/HA 1** and is returning same to the House. The Senate has passed **SJR 5** and requests the concurrence of the House

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

#### **44th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session June 28, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 262** - KEELEY & REPRESENTATIVE OBERLE & SENATOR BLEVINS & SENATOR DELUCA & SENATOR MCDOWELL; REPRESENTATIVES BRADY, KOWALKO, LONGHURST, MCWILLIAMS, SCHWARTZKOPF; SENATOR COOK - JUDICIARY - An Act to Amend Chapter 31 of Title 20 of the Delaware Code Relating to Price Increases During Emergencies and Natural Disasters.

**HB 265** - HOCKER; REPRESENTATIVES LEE, BOOTH, CAREY, HASTINGS, HUDSON, VALIHURA; SENATORS VENABLES, COPELAND, SORENSON, BONINI, SIMPSON, STILL - LABOR - An Act to Amend Titles 14 and 19 of the Delaware Code Relating to the Right to Work.

**HB 266** - MAIER & SENATOR MCDOWELL & REPRESENTATIVE HUDSON; SENATOR BLEVINS - JUDICIARY - An Act to Amend Titles 10, 11, 13, 14, 16, 29 and 31 of the Delaware Code Relating to Definitions of Child Abuse, Dependency and Neglect.

**HA 1 to HA 1 to HB 172** - EWING - Placed with the Bill.

**HA 1 to HB 219** - VALIHURA - Placed with the Bill.

**SB 122 w/SA 1& 2** - BUNTING & REPRESENTATIVE BLAKEY; SENATORS ADAMS, SIMPSON, VENABLES; REPRESENTATIVES ENNIS, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, VIOLA, WALLS, WILLIAMS - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Housing Community Closures and Resident Ownership of Manufactured Housing Communities.

**SB 148** - DELUCA & REPRESENTATIVE LOFINK - CAPITAL INFRASTRUCTURE - An Act to Amend Volume 75, Chapter 353 of the Laws of Delaware Relating to Design-build Procurement.

**SB 160** - DELUCA & REPRESENTATIVE OBERLE - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

**SJR 5** - DELUCA & SENATOR ADAMS; SENATORS BLEVINS, COOK, COPELAND, MARSHALL, SORENSON, CLOUTIER, CONNOR, STILL; REPRESENTATIVES CATHCART, GILLIGAN, HUDSON, KEELEY, LEE, OBERLE - APPROPRIATIONS - Directing the Director of the Office of Management and Budget, the Secretary of Finance and the Controller General to Analyze Existing Revenues and Make Recommendations to Ensure a Stable Long Term Revenue Base.

**HA 3 to SB 6** - VALIHURA - Placed with the Bill.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 208**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 208** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BURGLARY.

Representative Lee brought **HA 1 to HB 208** before the House for consideration. Representative Lee made comments. **HA 1** was adopted by voice vote. Representative Lee made comments.

The roll call on **HB 208 w/HA 1** was taken and revealed:

YES: 33.

ABSENT: Representatives Gilligan, Kowalko, Longhurst, Maier, Marshall, Mitchell, Plant & Schooley - 8.

Therefore, having received a constitutional majority, **HB 208 w/HA 1** was sent to the Senate for concurrence.

Representatives Lavelle, Schwartzkopf, Stone, Wagner, Walls, Keeley, McWilliams & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Ennis.

Representative Ennis moved to suspend the rules which interfere with action on **HB 251**. The motion was seconded by Representative Mulrooney and adopted by voice vote. Representative Ennis brought **HB 251**, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Blakey, Brady, Johnson, Keeley, Kowalko, Longhurst, Manolakos, McWilliams, Mitchell, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, B. Short, D. Short, Stone, Thornburg, Viola, Walls & Williams & Senators Peterson, Simpson & Still & cosponsored by Representatives Carey & Ewing, before the House for consideration.

**HB 251** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO VOLUNTEER FIREFIGHTERS.

Representatives Ennis & Wagner made comments.

The roll call on **HB 251** was taken and revealed:

YES: 34.

ABSENT: Representatives Kowalko, Longhurst, Maier, Marshall, Mitchell, Plant & Schooley - 7.

Therefore, having received a constitutional majority, **HB 251** was sent to the Senate for concurrence.

Representative Gilligan requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Lofink. Representative Lofink introduced a guest.

Representative Lofink brought **SJR 3**, jointly sponsored by Senator Henry & Senator Sokola & Representative Williams & Senators Blevins, Connor, Copeland, DeLuca, Marshall, McDowell & Peterson & Representatives Brady, Keeley, Kowalko, Manolakos, Marshall, Oberle, Plant, Schooley & Spence & cosponsored by Representative Johnson, before the House for consideration.

**SJR 3** - CREATING A TASK FORCE TO REVIEW THE FUTURE OF CITY OF WILMINGTON STUDENTS IN PUBLIC SCHOOLS.

Representatives Lofink & Johnson, Mr. Acting Speaker & Representative Williams made comments.

The roll call on **SJR 3** was taken and revealed:

YES: 36.

ABSENT: Representatives Lavelle, Longhurst, Maier, Marshall & Schooley - 5.



Therefore, having received a constitutional majority, **SJR 3** was returned to the Senate.  
Representatives Plant, Mitchell & Kowalko requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **HCR 32**, jointly sponsored by Senator Sokola, before the House for consideration.

**HCR 32 - CREATING AN ECONOMICAL AND EFFICIENT STATEWIDE STUDENT ASSESSMENT SYSTEM AND ESTABLISHING A TASK FORCE.**

Representative Lofink made comments.

**HCR 32** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **SB 119**, sponsored by Senator Bunting, before the House for consideration.

**SB 119 - AN ACT TO AMEND CHAPTER 26, TITLE 14 OF THE DELAWARE CODE, RELATING TO THE POWER OF COUNTY VOCATIONAL HIGH SCHOOL DISTRICTS AND COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICTS TO LEVY TAXES FOR SCHOOL PURPOSES. (3/5 bill)**

Representative Lofink deferred to Representative Booth. Representative Booth made comments.

The roll call on **SB 119** was taken and revealed:

YES: 34.

NO: Representatives Hastings, Lee, Schwartzkopf & Stone - 4.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representatives Hocker & Lavelle - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 119** was returned to the Senate.

Representatives Longhurst, Maier, Marshall & Schooley requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **SB 123 w/SA 1**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 123 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MEMBERSHIP OF THE PROFESSIONAL STANDARDS BOARD.**

Representative Lofink made comments.

The roll call on **SB 123 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 123 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 126**, sponsored by Senator Adams & Representative Cathcart & cosponsored by Senator McDowell, before the House for consideration.

**SB 126 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF CERTAIN MANDATORY DRUG FINES**

Representative Valihura made comments.

The roll call on **SB 126** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 126** was returned to the Senate.

Representative Cathcart deferred to Representative Thornburg. Representative Thornburg moved to suspend the rules which interfere with action on **HB 189**. The motion was seconded by Representative Carey and adopted by voice vote. Representative Thornburg brought **HB 189**, jointly sponsored by Representative Carey & Senator Bunting & Senator Amick & Representatives Lee, Booth, Hocker & Senators Venables & Simpson & cosponsored by Representative Walls, before the House for consideration.

**HB 189 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES. (F/N)**

Representative Thornburg brought **HA 1 to HB 189** before the House for consideration.

Representatives Thornburg & Booth made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 189 w/HA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Hastings - 1.

Therefore, having received a constitutional majority, **HB 189 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on **HB 241**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HB 241**, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Lee, Carey, Maier, Oberle, Stone, Thornburg, Gilligan, Ennis, Schwartzkopf, Mulrooney,

Viola & Williams & Senators Amick, Cloutier, Henry, McBride & Sorenson, before the House for consideration.

**HB 241** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS. (F/N)

Representative Cathcart moved to place **HB 241** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HS 1 for HB 146**, jointly sponsored by Representative Valihura & Senator McBride & Senator Sokola & Representatives Lofink, Manolakos, Miro, Oberle, Brady, Ennis, Hall-Long, Johnson, Kowalko, McWilliams, Mulrooney & Schooley & Senators Henry, McDowell, Peterson, Copeland, Sorenson, Connor & Simpson & cosponsored by Senator Cloutier, before the House for consideration.

**HB 146** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RESIDENTIAL CURBSIDE RECYCLING. (3/5 bill) (F/I)

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker. Representatives Maier, Valihura & McWilliams & Maier made comments. Representative Maier requested and was granted privilege of the floor for David Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Maier, McWilliams, Williams, B. Short, Booth & Schooley made comments. Representative Maier requested and was granted privilege of the floor for Pasquale S. Canzano, CEO, Delaware Solid Waste Authority. Representatives Schooley, Maier, B. Short, Kowalko, Johnson & Maier made comments.

The roll call on **HS 1 for HB 146** was taken and revealed:

YES: Representatives Blakey, Brady, Hall-Long, Johnson, Kowalko, Lofink, Maier, Manolakos, Marshall, Miro, Oberle, Schooley, Valihura, Viola & Lavelle - 15.

NO: 21.

NOT VOTING: Representatives Cathcart, McWilliams, B. Short & Spence - 4.

ABSENT: Representative Ennis - 1.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 146** was declared defeated.

Representative Cathcart deferred to Representative Manolakos. Representative Manolakos requested and was granted privilege of the floor to present a House Tribute to Bob Carpenter representing Hockessin Athletic Club, who addressed the House. Representatives Miro, Hudson, Spence & Gilligan made comments.

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

HOUSE ADMINISTRATION: **HB 256** - 4M.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gregory F. Lavelle, do hereby request that my name be removed as a cosponsor of **HB 186**.

Date: June 28, 2007

Signed: Gregory F. Lavelle

The Majority Leader moved to recess for caucus at 4:01 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 6:14 p.m.

Representative Cathcart moved to suspend the rules which interfere with action on **Consent Agenda D**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought the following **Consent Agenda D** before the House for consideration.

**HB 183** – HUDSON & REPRESENTATIVE VALIHURA & SENATOR VAUGHN & SENATOR SORENSON & SENATOR BLEVINS – An Act to Amend Chapter 9, Title 10 of the Delaware Code Relating to Courts and Judicial Procedure.

**HB 232** – JOHNSON & SENATOR MCDOWELL & REPRESENTATIVE PLANT – An Act to Amend Chapter 5, Title 19 of the Delaware code Relating to Child Labor.

**HB 237** – BRADY & REPRESENTATIVE HASTINGS & REPRESENTATIVES – An Act to Amend Titles 14 and 29 of the Delaware Code Relating to an Accrual of Additional Leave Prior to a Leave of Absence for Military Service. (F/N)

**HB 254** – CATHCART & REPRESENTATIVE ENNIS & REPRESENTATIVE VALIHURA & SENATOR ADAMS & SENATOR VAUGHN & SENATOR STILL – An Act to Amend Title 7, Subchapter VI, Relating to the Restrictions on Taking Game.

Representative Cathcart requested that **HB 237** be removed from **Consent Agenda D**.

**HB 237** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO AN ACCRUAL OF ADDITIONAL LEAVE PRIOR TO A LEAVE OF ABSENCE FOR MILITARY SERVICE. (F/N)

Representative Cathcart moved to place **HB 237** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart requested that **HB 183** be removed from **Consent Agenda D**.

**HB 183** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Representative Cathcart moved to place **HB 183** on the Speaker's Table. The motion was seconded by Representative Keeley and adopted by voice vote.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 232** & **HB 254** were sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to lift **HB 183** from the Speaker's Table. The motion was seconded by Representative Stone and adopted by voice vote.

Representative Hudson brought **HB 183**, jointly sponsored by Representative Valihura & Senator Vaughn & Senator Sorenson & Senator Blevins, before the House for consideration.

**HB 183** - AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Representatives Hudson & Schwartzkopf made comments.

The roll call on **HB 183** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 183** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **SB 133**. The motion was properly seconded and adopted by voice vote. Representative Hudson brought **SB 133**, jointly sponsored by Senator Blevins & Representative Valihura & Senators Marshall, Peterson, Sokola & Sorenson & Representatives Ennis, Ewing, Kowalko, Lofink, Mitchell & Spence & cosponsored by Senators Connor & Cloutier, before the House for consideration.

**SB 133** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN.

Representative Hudson made comments.

The roll call on **SB 133** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Blakey & Marshall - 2.

Therefore, having received a constitutional majority, **SB 133** was returned to the Senate.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HB 121 w/HA 3 & SA 1**, jointly sponsored by Senator DeLuca & Representatives Hudson & Valihura, before the House for concurrence on **SA 1**.

**HB 121** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill) (F/N)

Representative Miro made comments.

The roll call on **HB 121 w/HA 3 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 121 w/HA 3 & SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 220**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 220** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CONTINUOUS REMOTE ALCOHOL MONITORING PILOT PROGRAM.

Representative Keeley brought **HA 1 to HB 220** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representatives Keeley, Williams, Ennis & Keeley made comments.

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

YES: 41.

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

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 172**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 172** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

Representative Ewing brought **HA 1 to HB 172** before the House for consideration. Representative Ewing requested that **HA 1** be stricken. Representative Ewing requested that **HA 1 to HA 1** be stricken. Representative Ewing introduced and brought **HA 2 to HB 172** before the House for consideration. Representative Ewing made a comment. **HA 2** was adopted by voice vote.

The roll call on **HB 172 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 172 w/HA 2** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 6:50 p.m.

The House reconvened at 7:55 p.m.

Representative Cathcart deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **HB 266**. The motion was properly seconded and adopted by voice vote.

Representative Maier brought **HB 266**, jointly sponsored by Senator McDowell & Representative Hudson & Senator Blevins, before the House for consideration.

**HB 266 - AN ACT TO AMEND TITLES 10, 11, 13, 14, 16, 29 AND 31 OF THE DELAWARE CODE RELATING TO DEFINITIONS OF CHILD ABUSE, DEPENDENCY AND NEGLECT.**

Representative Maier made comments.

The roll call on **HB 266** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 266** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Booth.

Mr. Speaker Spence introduced a guest.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HJR 11**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Booth introduced and brought **HJR 11**, jointly sponsored by Representative Walls & Senator McDowell & Representatives Blakey, Brady, Carey, Cathcart, Ennis, Ewing, Gilligan, Hall-Long, Hastings, Hocker, Hudson, Johnson, Kowalko, Lee, Lofink, Longhurst, Maier, Manolakos, Marshall, McWilliams, Miro, Mitchell, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, B. Short, D. Short, Spence, Stone, Thornburg, Valihura, Wagner & Williams & Senators Bonini, Bunting, Simpson & Venables, before the House for consideration.

**HJR 11 - CREATING A TASK FORCE TO DEVELOP SPECIFIC RECOMMENDATIONS AIMED AT IMPROVING THE EQUITABLE DISTRIBUTION OF RESOURCES ACROSS DELAWARE PUBLIC SCHOOL DISTRICTS.**

Representatives Booth & Walls made comments.

The roll call on **HJR 11** was taken and revealed:

YES: 41.

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

Representative Manolakos moved to suspend the rules which interfere with action on **HB 256**. The motion was seconded by Representative Hastings and adopted by voice vote. Representative Manolakos brought **HB 256**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 256 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO STATE ELECTION COMMISSIONER AND REGISTRATION RECORDS.**

Representative Manolakos made a comment. Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Manolakos, Gilligan, Mr. Speaker Spence, Representatives Hocker, Lavelle & Manolakos made comments. Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Williams & Lavelle made comments.

The roll call on **HB 256** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 256** was sent to the Senate for concurrence.

Mr. Speaker Spence reassigned **HB 192, HB 247 & SB 139** to the Judiciary Committee.

Representative Valihura made an announcement.

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

EDUCATION: **SB 154** - 7M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 244** - 3F, 3M.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey moved to suspend the rules which interfere with action on **HJR 9**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Blakey brought **HJR 9**, jointly sponsored by Representative Marshall & Senator Henry & Representatives Thornburg, Wagner, Booth, Carey, Cathcart, Hastings, Hocker, Lee, Maier, Manolakos, Miro, D. Short, Spence, Stone & Valihura & cosponsored by Representatives Ewing, Outten, Ennis, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, McWilliams, Mitchell, Mulrooney, Plant, Schooley, B. Short & Walls, before the House for consideration.

**HJR 9 - CONCERNING THE HUMAN RIGHTS CRISIS AND THE DIVESTMENT OF DELAWARE'S HOLDINGS IN THE DARFUR REGION OF SUDAN.**

Representatives Blakey, Johnson, Keeley, Kowalko, Maier, Blakey & Williams made comments.

The roll call on **HJR 9** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 9** was sent to the Senate for concurrence.

Representative Booth, Mr. Speaker Spence & Representative Manolakos made comments regarding **HB 256**. Representative Cathcart rose on a point of order. Mr. Speaker did not concur. Representatives Manolakos, Booth, Schwartzkopf, Williams & Cathcart made comments.

Representative Cathcart moved to suspend the rules which interfere with action on **HB 245**. The motion was properly seconded and adopted by voice vote.

Representative Cathcart brought **HB 245**, jointly sponsored by Representative Oberle & Representative Gilligan & Representative Keeley & Senator DeLuca & Senator Cook & Senator Copeland & Senator Sorenson, before the House for consideration.

**HB 245** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Representatives Cathcart, Valihura & Oberle made comments.

The roll call on **HB 245** was taken and revealed:

YES: 38.

NO: Representatives Hudson, Stone & Valihura - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 245** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 8:35 p.m.

The House reconvened at 11:55 p.m.

Representative Lofink brought **SB 36 w/SA 1 & 2**, jointly sponsored by Senator Marshall & Representative Oberle & Senators Blevins, DeLuca, Henry, McBride, McDowell, Peterson, Sokola, Cloutier & Connor & Representatives Miro, Spence, Brady, Ennis, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams, before the House for consideration.

**SB 36** - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING. (F/N)

Representative Lofink deferred to Representative Oberle. Representative D. Short brought **HA 1 to SB 36** before the House for consideration. Representatives D. Short & Oberle made comments.

The roll call on **HA 1 to SB 36** was taken and revealed:

YES: Representatives Booth, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 15.

NO: 23.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Blakey & Carey - 2.

Therefore, not having received a constitutional majority, **HA 1 to SB 36** was declared defeated.

Representatives Oberle, Lavelle, Williams, D. Short, Oberle, Valihura, Maier & Oberle made comments.

The roll call on **SB 36 w/SA 1 & 2** was taken and revealed:

YES: 26.

NO: Representatives Ewing, Hudson, Lavelle, Lee, Maier, Manolakos, Outten, D. Short, Stone & Valihura - 10.

ABSENT: Representatives Blakey, Booth, Carey, Hastings & Hocker - 5.

Therefore, having received a constitutional majority, **SB 36 w/SA 1 & 2** was returned to the Senate.

Representative Cathcart made an announcement. Representatives Schwartzkopf & Valihura made comments regarding **SB 122**.

The Majority Leader moved to recess to the call of the Chair at 12:10 a.m.

Mr. Acting Speaker Oberle called the House to order at 6:09 p.m. on June 30, 2007.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 128 & SS 1/SB 47** and requests the concurrence of the House and the Senate has passed **HB 142 w/HA 1**, the Senate has passed **HB 157 w/SA 1 & 2** and is returning same to the House. The Senate has passed **SB 84 w/SA 1 & 4** and requests the concurrence of the House and the Senate has passed **HB 46, HB 48 & HB 90** and is returning same to the House. The Senate wishes to inform the House that it has passed **SCR 20, SB 157, SB 138 w/SA 1, SCR 12 & SCR 22** and requests the concurrence of the House and the Senate has passed **SB 146, SB 158 w/SA 1 & SB 99** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 264, HB 187, HB 108 w/HA 1, HB 107 w/HA 1, 2 & 3 & HJR 10** and is returning same to the House.

June 28, 2007

Legislative Advisory #7

Governor Ruth Ann Minner signed the following legislation on the date indicated:

6/26/07 – **HB 120 aab HA 1**; 6/28/07 – **HB 126, SS 1/SB 18, SB 52 aab SA 1 & HA 1, SB 76 aab SA 1, SB 77 aab SA 2, SB 93 aab SA 1, SB 104, SB 121 aab SA 1, SB 137 aab SA 1, HB 55, HB 87 aab SA 1, HB 92 aab HA 1 & SA 1, HB 96, HB 130 aab HA 1, HB 132, HB 134 aab HA 1, HB 175 aab SA 1 & SB 136 aab SA 2.**

The Majority Leader moved to adjourn at 6:11 p.m., thereby ending the current legislative day. The House reconvened at 6:12 p.m.

**45th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Session  
June 30, 2007**

The Chief Clerk called the roll:

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

**HB 267** - PLANT & SENATOR BLEVINS; REPRESENTATIVES BRADY, ENNIS, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALCO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, SCHOOLEY, SCHWARTZKOPF, B. SHORT, VIOLA, WALLS, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code with Respect to Medicare Supplement Insurance.

**HB 268** - CAREY & SENATOR VENABLES; REPRESENTATIVES EWING, HASTINGS, HOCKER, LAVELLE, MAIER, OUTTEN, THORNBURG; SENATORS MCDOWELL, AMICK, BONINI - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Natural Areas Preservation System.

**HB 269** - CAREY & SENATOR VENABLES; REPRESENTATIVES EWING, HASTINGS, HOCKER, LAVELLE, MAIER, OUTTEN, THORNBURG; SENATORS MCDOWELL, AMICK, BONINI - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to State Resources Areas.

**HB 270** - HALL-LONG & REPRESENTATIVE MCWILLIAMS & SENATOR HENRY & SENATOR BLEVINS; REPRESENTATIVES MAIER, MANOLAKOS, MITCHELL, SCHOOLEY; SENATORS MARSHALL, MCDOWELL, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 6, 16 and 24 of the Delaware Code Relating to Internet Pharmacies and Internet Sales of Prescription Drugs.

**HA 3 to HB 169** - WAGNER - Placed with the Bill.

**HA 1 to HB 244** - WAGNER - Placed with the Bill.

**HA 2 to HB 244** - VALIHURA - Placed with the Bill.

**HA 1 to HB 257** - MARSHALL - Placed with the Bill.

**SS 1 for SB 47** - STILL & REPRESENTATIVE BLAKEY - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Camden. (2/3 bill)

**SB 84 w/SA 1 & 4** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 25, Title 24 of the Delaware Code by Striking Chapter 25 in Its Entirety and by Substituting the Following Thereof. (2/3 bill)

**SB 99** - MARSHALL & REPRESENTATIVE SPENCE; SENATOR BLEVINS; REPRESENTATIVES KEELEY, MULROONEY - LABOR - An Act to Amend Title 29 of the Delaware Code, Relating to the State Employee's Pension Plan.

**SB 128** - STILL & REPRESENTATIVE WAGNER; SENATOR BONINI; REPRESENTATIVES BLAKEY, ENNIS, STONE, THORNBURG - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the House of Pride, Inc.

**SB 138 w/SA 1** - DELUCA & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Enhanced 911 Emergency Number Service and Reporting System Fund.

**SB 146** - STILL & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75 of the Laws of Delaware, as Amended, Regarding Bond Issuing Authority. (2/3 bill)

**SB 157** - DELUCA & REPRESENTATIVE HUDSON; REPRESENTATIVES EWING, MIRO, MULROONEY, VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Taxes and Tobacco Products.

**SB 158 w/SA 1** - SIMPSON & SENATOR BUNTING & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE HOCKER; SENATOR ADAMS - CAPITAL INFRASTRUCTURE - An Act to Authorize the Department of Transportation to Trade or Exchange Certain Real Property in Sussex County, Delaware.

**HA 4 to SB 6** - VALIHURA - Placed with the Bill.

Representative Cathcart brought the following prefiled **Consent Calendar #12** before the House for consideration.

**HR 34** – WAGNER – Establishing a Task Force to Review Public-Private Partnership for Educational Facilities Construction.

**HR 36** – BLAKEY - Establishing a Task Force to Study the Economic and Tourism Benefits of Enhancing Film Production in Delaware.

**SCR 12** – MARSHALL & REPRESENTATIVE BRADY & SENATORS MCDOWELL & CONNOR & REPRESENTATIVES JOHNSON, KOWALKO, MULROONEY, SPENCE, OBERLE & LOFINK –Urging Congress to Enact the Employee Free Choice Act.

**SCR 20** – SORENSON & REPRESENTATIVE LOFINK – Requesting the Delaware Department of Education to Study the Feasibility of Integrating Mandatory Cardiopulmonary Resuscitation/Automated External Defibrillator Training into High School Courses.

**SCR 22** – VENABLES & REPRESENTATIVE LOFINK – Expressing the Desire that Delaware Technical & Community College Remain an Open Admission Institution and Directing the Co-Chairs of the Joint Bond Bill Committee to Work with the Office of the Controller General and the College to Identify a Stable Funding Source to Finance the College’s Need for Major and Minor Capital Improvements and Deferred Maintenance.

Representative Cathcart requested that **SCR 12** be removed from **Consent Calendar #12**.

**Consent Calendar #12** was adopted by voice vote and **HR 34** & **HR 36** were declared passed and **SCR 20** & **SCR 22** were returned to the Senate.

The Reading Clerk read the following communication into the record:  
HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: June 30, 2007

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor              | Date      | Type | Description                                                                 |
|----------|----------------------|-----------|------|-----------------------------------------------------------------------------|
| H144-716 | Ennis; Wagner        | 6/26/2007 | T    | Dr. Greg Hammer - President - American Veterinary Medical Association       |
| H144-717 | Walls                | 6/23/2007 | T    | Jack & Karen Fitzgerald - 50th Wedding Anniversary                          |
| H144-718 | Schwartzkopf         | 6/22/2007 | M    | Walter D. Wagamon                                                           |
| H144-719 | Wagner               | 7/7/2007  | T    | Alexis Christiansen & Michael Huttie – Marriage                             |
| H144-720 | Blakey               | 7/7/2007  | T    | Henry & Mary Greene - 50th Wedding Anniversary                              |
| H144-721 | Wagner               | 6/13/2007 | T    | Doug Van Sant - Retirement - Capital School Board                           |
| H144-722 | B. Short             | 6/15/2007 | T    | Margot Miller - Scholastic Art & Writing Award                              |
| H144-723 | Spence               | 7/5/2007  | T    | Corporal Mike Snead - New Castle County Police - Outstanding Public Servant |
| H144-724 | Spence               | 6/27/2007 | T    | Dominick Tiberi - Professional Boxing Championships                         |
| H144-725 | Spence               | 6/26/2007 | T    | Hercules Incorporated - Presidential Green Chemistry Challenge Award        |
| H144-726 | Ewing                | 6/28/2007 | T    | Betty McWilliams - Retirement - House Staff                                 |
| H144-727 | Ennis                | 6/17/2007 | T    | Blanche Bailey - 85th Birthday                                              |
| H144-728 | Carey                | 6/30/2007 | T    | Patrick Coates - Retirement - Management & Budget                           |
| H144-729 | Lee                  | 6/30/2007 | T    | Frank Calio - Retirement - Election Commissioner                            |
| H144-730 | Outten               | 7/1/2007  | T    | George Sullivan - 90th Birthday                                             |
| H144-731 | Viola                | 8/18/2007 | T    | Kevin Radcliffe - Eagle Scout                                               |
| H144-732 | Viola                | 6/14/2007 | T    | Kyle Anglin - Eagle Scout                                                   |
| H144-733 | Spence               | 6/28/2007 | T    | Lawrence M. Sullivan - Professional Achievement Award                       |
| H144-734 | Schooley; Wagner     | 6/30/2007 | T    | Michael & Helen Kubico - 66th Wedding Anniversary                           |
| H144-735 | Wagner; Walls        | 6/30/2007 | T    | Donna Breasure - Retirement - Capital School District                       |
| H144-736 | Blakey;Wagner        | 6/30/2007 | T    | Caroline Finn - Retirement - Capital School District                        |
| H144-737 | Blakey;Wagner        | 6/30/2007 | T    | Carol McFann - Retirement - Capital School District                         |
| H144-738 | Thornburg; Wagner    | 6/30/2007 | T    | Juanita Parker - Retirement - Capital School District                       |
| H144-739 | Schwartzkopf; Wagner | 6/30/2007 | T    | Barbara Saulsbury - Retirement - Capital School District                    |
| H144-740 | Stone; Wagner        | 6/30/2007 | T    | Virginia Vadakin - Retirement - Capital School District                     |

T- Tribute  
M - Memoriam

Representatives Stone & Viola requested that they be marked present.

Representative Cathcart moved to place **SCR 12** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 240**, jointly sponsored by Senator McDowell & Representative Marshall & Representative Johnson, before the House for consideration.

**HB 240** - AN ACT TO AMEND TITLES 10, 11, 18, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CREATION AND CLASSIFICATION OF CERTAIN MINOR OFFENSES AS

CRIMES, VIOLATIONS OR CIVIL INFRACTIONS AND THE JURISDICTION, PROCEDURES AND RELATED PROVISIONS THEREFROM. (F/N)

Representative Valihura requested that **HA 2 to HB 240** be stricken. Representative Valihura made comments. Representative Stone brought **HA 1 to HB 240** before the House for consideration. Representative Stone moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Ewing and adopted by voice vote. Representative Valihura introduced and brought **HA 3 to HB 240** before the House for consideration. Representative Valihura made comments. **HA 3** was adopted by voice vote. Representative Valihura made comments and requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General. Representatives Ewing, Schwartzkopf, Ewing, Ennis, Kowalko, Johnson, Schwartzkopf, Wagner & Mitchell made comments. Representative Valihura deferred to Representative Stone. Representative Stone moved to lift **HA 1 to HB 240** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Stone brought **HA 1 to HB 240** before the House for consideration. Representative Stone requested and was granted privilege of the floor for Donna Lee Williams representing AAA Mid-Atlantic. Representative Stone made a comment. Representative Spence requested that he be marked present. Representatives Spence, Valihura, Stone & Ennis made comments. Representative Ennis requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General. Representatives Ennis, Stone & Valihura made comments. Representative Plant requested that she be marked present.

The roll call on **HA 1 to HB 240** was taken and revealed:

YES: Representatives Blakey, Kowalko, Lofink, Maier, Spence, Stone & Williams - 7.

NO: 34.

Therefore, not having received a constitutional majority, **HA 1 to HB 240** was declared defeated.

Representatives McWilliams & Williams requested that they be marked present during the roll call.

The roll call on **HB 240 w/HA 3** was taken and revealed:

YES: 40.

NO: Representative Maier - 1.

Therefore, having received a constitutional majority, **HB 240 w/HA 3** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Manolakos.

Representative Manolakos brought **HB 212**, jointly sponsored by Senator Henry & Representatives Spence, Cathcart, Lee, Booth, Ewing, Hastings, Hocker, Lavelle, Oberle, Outten, Thornburg, Valihura & Wagner & Senators Bunting, Sokola, Amick & Connor, before the House for consideration.

**HB 212 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF CHILDREN.**

Representative Manolakos introduced **HA 1 to HB 212**. Representative Manolakos requested that **HA 1 to HB 212** be stricken. Representative Manolakos introduced and brought **HA 2 to HB 212** before the House for consideration. Representative Manolakos made comments. Representative Marshall requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General. Representative Marshall made comments. Mr. Speaker Spence resumed the Chair. **HA 2** was adopted by voice vote.

The roll call on **HB 212 w/HA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 212 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HJR 13**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Oberle introduced and brought **HJR 13**, jointly sponsored by Senator Cook & Representatives Booth, Miro, Schwartzkopf, Wagner & Williams & Senators Amick, Cloutier, Henry, McBride & Vaughn, before the House for consideration.

**HJR 13 - THE OFFICIAL GENERAL FUND REVENUE FOR FISCAL YEAR 2007.**

Representative Oberle made comments.

The roll call on **HJR 13** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 13** was sent to the Senate for concurrence.

Representative Oberle made an announcement.

Representative Cathcart deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with introduction of and action on **HJR 12**. The motion was properly seconded and adopted by voice vote. Representative Carey introduced and brought **HJR 12**, jointly sponsored by Senator Venables, before the House for consideration.

**HJR 12 - REQUESTING THAT THE U.S. FISH AND WILDLIFE SERVICE ISSUE THE FINAL RULING FOR CONSERVATION MANAGEMENT OF THE GREATER SNOW GOOSE.**

Representative Carey made comments.



The roll call on **HJR 12** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

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

The Majority Leader moved to recess for dinner at 7:29 p.m.

The House reconvened at 8:48 p.m. with Representative Lavelle as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 142 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 245** and is returning same to the House.

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

JUDICIARY: **HB 192** - 6M; **HB 247** - 6M; **SB 139 w/SA 1** - 6M; **SB 144** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 84 w/SA 1 & 4** - 3M; **SB 145 w/SA 1** - 3M.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing introduced and brought **HR 35**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 35** - TO CONGRATULATE DEBORAH PORTER, INTERIM DIRECTOR; DEBBIE MESSINA, PRINT SHOP SUPERVISOR AND RUTH ANN MELSON, LEGISLATIVE LIBRARIAN, ALL OF THE DIVISION OF RESEARCH, FOR COMPLETING 30 YEARS OF STATE SERVICE IN 2007.

WHEREAS, it is not easy to find good people; and

WHEREAS, the Division of Research, Department of Legislative Council, for the General Assembly has been fortunate to have among its fine State employees three individuals who this year achieved 30 years of State service – Deborah Porter, Interim Director; Debbie Messina, Print Shop Supervisor; and Ruth Ann Melson, Legislative Librarian; and

WHEREAS, in spite of uncertain economic times, these dedicated ladies have stayed with State service even though they could have made lots more money in the private sector; and

WHEREAS, Legislative Hall would be in bad shape, especially in June, without them.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that Deborah Porter, Debbie Messina and Ruth Ann Melson, all of the Division of Research are congratulated by the House, for completing 30 years of State employment in 2007, in Legislative Hall and with the Delaware General Assembly.

BE IT FURTHER RESOLVED, that these dedicated individuals truly understand the need for fiscal control, and although it has been suggested that the Chief Clerk not present an engraved tribute to each, but to let Debbie, in her Print Shop, make copies of this Resolution for the three, but cooler heads have prevailed.

BE IT FURTHER RESOLVED that for this special occasion that the budget be d... – that the Chief Clerk present an engraved copy to each of the three.

Representative Ewing made comments.

**HR 35** was adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HJR 16**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Oberle introduced and brought **HJR 16**, jointly sponsored by Senator Cook & Representatives Booth, Miro, Schwartzkopf, Wagner & Williams & Senators Amick, Cloutier, Henry, McBride & Vaughn, before the House for consideration.

**HJR 16** - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2008

Representative Oberle made comments.

The roll call on **HJR 16** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 16** was sent to the Senate for concurrence.

Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest. Representatives Spence, Wagner & B. Short introduced guests.

Representative Cathcart deferred to Representative Miro.

Mr. Acting Speaker introduced guests.

Representative Miro moved to suspend the rules which interfere with introduction of and action on **HJR 15**. The motion was seconded by Representative Maier and adopted by voice vote. Representative Miro introduced and brought **HJR 15**, jointly sponsored by Senator Blevins, before the House for consideration.

**HJR 15** - DIRECTING THE SECRETARY OF THE DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PERFORM A FISCAL IMPACT ANALYSIS TO DETERMINE HOW MUCH REVENUE DELAWARE PHARMACIES ARE EXPECTED TO LOSE BECAUSE OF MEDICAID'S NEW FORMULA THAT DETERMINES MAXIMUM REIMBURSEMENT FOR

MULTIPLE-SOURCE DRUGS, AND DIRECTING THE DIRECTOR OF THE DIVISION OF SOCIAL SERVICES TO ADOPT EMERGENCY AND FINAL REGULATIONS THAT INCREASE THE AMOUNT OF REIMBURSEMENT.

Representatives Miro & Marshall made comments.

The roll call on **HJR 15** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 15** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on **SJR 5**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought **SJR 5**, jointly sponsored by Senator DeLuca & Senator Adams & Senators Blevins, Cook, Copeland, Marshall & Sorenson & Representatives Gilligan, Hudson, Keeley, Lee & Oberle & cosponsored by Senators Cloutier, Connor & Still, before the House for consideration.

**SJR 5 - DIRECTING THE DIRECTOR OF THE OFFICE OF MANGEMENT AND BUDGET, THE SECRETARY OF FINANCE AND THE CONTROLLER GENERAL TO ANALYZE EXISTING REVENUES AND MAKE RECOMMENDATIONS TO ENSURE A STABLE LONG TERM REVENUE BASE.**

Representatives Cathcart & Keeley made comments.

The roll call on **SJR 5** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 5** was returned to the Senate.

Representative Cathcart deferred to Representative Spence. Representative Spence requested and was granted privilege of the floor for himself and Representatives Cathcart, Lee, Gilligan & Keeley to present a gift to Wayne A. Smith, former House Majority Leader, who addressed the House. Representative B. Short made comments.

The Majority Leader moved to recess for caucus at 9:20 p.m.

The House reconvened at 10:00 p.m. with Representative Oberle as Acting Speaker.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SB 5 w/SA 4**, jointly sponsored by Senator Venables & Senator Blevins & Senator Sorenson & Representative Marshall & Senators Sokola, Henry & Amick & Representatives Maier & Schooley, before the House for consideration.

**SB 5 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, RECOGNIZING THE IMPORTANCE OF STEM CELL RESEARCH, INCLUDING ADULT, UMBILICAL CORD BLOOD, AMNIOTIC AND EMBRYONIC, AND ESTABLISHING A FRAMEWORK FOR THE ETHICAL CONDUCT OF EMBRYONIC STEM CELL RESEARCH.**

Representative Hudson introduced and brought **HA 1 to SB 5** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson introduced and brought **HA 2 to SB 5** before the House for consideration. Representative Hudson made comments. **HA 2** was adopted by voice vote. Representatives Hudson, Miro & Ennis made comments. Representative Ennis introduced and brought **HA 3 to SB 5** before the House for consideration. Representatives Ennis & Hudson made comments. **HA 3** was adopted by voice vote. Representatives Hudson, Keeley, Schwartzkopf, Kowalko, Hudson, Miro, Hall-Long, Hudson, Maier, Plant, Schooley & Hudson made comments.

The roll call on **SB 5 w/SA 4 & HA 1, 2 & 3** was taken and revealed:

YES: Representatives Ennis, Hudson, Johnson, Manolakos, Plant, Schwartzkopf & B. Short - 7.

NO: 30.

NOT VOTING: Representatives Ewing, Maier & McWilliams - 3.

ABSENT: Representative Stone - 1.

Therefore, not having received a constitutional majority, **SB 5 w/SA 4 & HA 1, 2 & 3** was declared defeated.

Representative Marshall made comments regarding **SB 5**.

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker.

Representative Hudson made comments regarding **SB 5**.

Representative Cathcart moved to suspend the rules which interfere with action on **Consent Agenda E**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought **Consent Agenda E**, which requires a two-thirds vote, before the House for consideration.

**SB 89 – COOK & REPRESENTATIVE HUDSON - An Act to Amend Title 29 of the Delaware Code Relating to Geospatial Data. (2/3 bill)**

**SB 82 – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Vehicles. (2/3 bill)**

**SB 79 w/SA 3 – DELUCA & REPRESENTATIVE OBERLE & SENATORS ADAMS, AMICK, BLEVINS, SORENSON & BLEVINS & REPRESENTATIVES BOOTH, CATHCART, ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, LEE, LOFINK, LONGHURST, MARSHALL, MCWILLIAMS,**

MITCHELL, MULROONEY, SCHOOLEY, SCHWARTZKOPF, SPENCE, THORNBURG & VIOLA - An Act to Amend Titles 9 and 22 Relating to Emergency Communication Systems. (2/3 bill)

**SB 105** – ADAMS & SENATOR VAUGHN & SENATOR SORENSON & REPRESENTATIVE VALIHURA; SENATOR BLEVINS; REPRESENTATIVE HUDSON; SENATOR CLOUTIER; REPRESENTATIVES JOHNSON, LAVELLE, MITCHELL - An Act to Amend Chapter 15, Title 13 of the Delaware Code, Relating to Divorce and Annulment. (2/3 bill)

**SB 159** – BUNTING & REPRESENTATIVE THORNBURG - An Act to Amend Title 3 of the Delaware Code Relating to the Powers of the Department of Agriculture to Adopt Regulations for the Inspection of Egg, Meat, and Poultry Products and the Humane Slaughter of Livestock. (2/3 bill)

**SB 44 w/SA 2** – BLEVINS & REPRESENTATIVES LAVELLE, MIRO, SCHOOLEY - An Act to Amend Title 14 of the Delaware Code Relating to School Elections. (2/3 bill)

**SB 43** – CONNOR & REPRESENTATIVE LAVELLE & SENATORS AMICK, COPELAND, HENRY, SIMPSON, SOKOLA, SORENSON, STILL & CLOUTIER & REPRESENTATIVE ENNIS - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Control Signal Preemption Devices. (2/3 bill)

**SB 153** – ADAMS & REPRESENTATIVE CAREY - An Act to Amend An Act Entitled “An Act to Reincorporate the Town of Ellendale” to Update the Procedures for Annexation of Lands Into the Town, Simplifying the Process for Parcels of Two Contiguous Acres or Less Where the Owner Requests Annexation; and, in All Other Situations, Requiring a Favorable Election of the Residents and Property Owners of the Existing Town and of the Lands to be Annexed as a Condition Precedent to Annexation. (2/3 bill)

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

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 89, SB 82, SB 79 w/SA 3, SB 105, SB 159, SB 44 w/SA 2, SB 43 & SB 153** were returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **Consent Agenda F**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought **Consent Agenda F** before the House, which requires a two-thirds vote.

**HB 82** – MULROONEY & SENATOR MARSHAL & REPRESENTATIVES BLAKEY, BRADY, CAREY, ENNIS, HALL-LONG, HOCKER, HUDSON, JOHNSON, KEELEY, KOWALKO, LEE, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MIRO, MITCHELL, OBERLE, PLANT, SCHOOLEY, SCHWARTZKOPF, D. SHORT, THORNBURG, VIOLA, WAGNER, WALLS & WILLIAMS & SENATORS AMICK, BUNTING, CONNOR, HENRY, PETERSON, SOKOLA, SORENSON, STILL & VENABLES - An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits. (F/N)

**SS 1 for SB 47** – STILL & REPRESENTATIVE BLAKEY - An Act to Reincorporate the Town of Camden. (2/3 bill)

**SB 146** – STILL & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75 of the Laws of Delaware, as Amended, Regarding Bond Issuing Authority. (2/3 bill)

**SB 149 w/SA 1** – MARSHALL & REPRESENTATIVE SPENCE & SENATORS COOK, ADAMS, DELUCA, BLEVINS, MCDOWELL, SORENSON & STILL & REPRESENTATIVES GILLIGAN, CATHCART, LEE, HUDSON, LAVELLE, STONE, B. SHORT & SCHWARTZKPF - An Act to Amend Title 30 of the Delaware Code Relating to Tax Credits. (F/N)

The roll call on **Consent Agenda F** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 82** was sent to the Senate for concurrence & **SS 1/SB 47, SB 146 & SB 149 w/SA 1** were returned to the Senate.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 111 w/SA 1**, sponsored by Senator Sorenson & Senator Blevins & Representative Hudson & Senators Cloutier, Connor, Copeland, Henry, Peterson & Still & Representatives Ennis, Keeley, Lofink, Maier, Manolakos, Schooley & Spence & cosponsored by Senator Sokola, before the House for consideration.

**SB 111** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL CONTEMPT OF A DOMESTIC VIOLENCE PROTECTIVE ORDER.

Representative Valihura made comments.

The roll call on **SB 111 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Mulrooney - 2.

Therefore, having received a constitutional majority, **SB 111 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SB 160**. The motion was properly seconded and adopted by voice vote.

Representative Oberle brought **SB 160**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 160 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.**

Representative Oberle made comments.

The roll call on **SB 160** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 160** was returned to the Senate.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with lifting **HB 250** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 250**, jointly sponsored by Senator Cook & Representatives Booth, Wagner, Miro, Schwartzkopf & Williams & Senators Vaughn, Henry, McBride, Cloutier & Amick, before the House for consideration.

**HB 250 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2008; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representatives Oberle, Gilligan, Mr. Acting Speaker, Representatives Cathcart, Spence & Oberle made comments.

The roll call on **HB 250** was taken and revealed:

YES: 39.

NO: Representatives Hastings & Valihura - 2.

Therefore, having received a constitutional majority, **HB 250** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Gilligan.

Representative Gilligan brought **HB 177**, jointly sponsored by Representative Keeley & Representative Spence & Representative Cathcart & Representative Lee & Senator Adams & Senator DeLuca & Senator Blevins & Senator Copeland & Senator Sorenson, before the House for consideration.

**HB 177 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CANDIDATES.**

Representative Gilligan made comments.

The roll call on **HB 177** was taken and revealed:

YES: Representatives Brady, Ennis, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola & Walls - 17.

NO: 19.

NOT VOTING: Representatives Kowalko, Lofink, Oberle, Spence & Williams - 5.

Therefore, not having received a constitutional majority, **HB 177** was declared defeated.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 72 w/SA 1 & 2**, jointly sponsored by Senator Bunting & Representatives Ewing, Hudson, Kowalko, Schooley & Viola & Senator Henry, before the House for concurrence on **SA 1 & 2**.

**HB 72 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING. (3/5 bill) (F/I)**

Representative Schwartzkopf made comments.

The roll call on **HB 72 w/SA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 72 w/SA 1 & 2** was sent to the Governor.

Representative Lee brought **HB 157 w/SA 1 & 2**, jointly sponsored by Representative Outten & Representative D. Short & Representative Ennis & Senator Bunting, before the House for concurrence on **SA 1 & 2**.

**HB 157 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE.**

Representative Lee made comments.

The roll call on **HB 157 w/SA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 157 w/SA 1 & 2** was sent to the Governor.

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

Representative Cathcart deferred to Representative Outten.

Representative Outten moved to suspend the rules which interfere with action on **HB 263**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Outten brought **HB 263**, jointly sponsored by Senator Simpson & Representatives Blakey, Ewing, Thornburg, Brady, Johnson & Walls, before the House for consideration.

**HB 263** - AN ACT TO AMEND CHAPTER 29 OF TITLE 30 OF THE DELAWARE CODE PERTAINING TO RETAIL AND WHOLESALE LICENSE REQUIREMENTS AND TAXES.

Representative Outten made comments.

The roll call on **HB 263** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 263** was sent to the Senate for concurrence.

Representative Valihura requested that **HB 219** & **HB 158** be stricken.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **SB 128**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner brought **SB 128**, jointly sponsored by Senator Still & Senator Bonini & Representatives Blakey, Ennis, Stone & Thornburg, before the House for consideration.

**SB 128** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE HOUSE OF PRIDE, INC.

Representative Wagner made comments.

The roll call on **SB 128** was taken and revealed:

YES: 40.

ABSENT: Representative Outten - 1.

Therefore, having received a constitutional majority, **SB 128** was returned to the Senate.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 154**, jointly sponsored by Senator Cook, before the House for consideration.

**SB 154** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING SCHOOL DISTRICT BOUNDARIES.

Representative Wagner made comments.

The roll call on **SB 154** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 154** was returned to the Senate.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 158 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Schwartzkopf brought **SB 158 w/SA 1**, jointly sponsored by Senator Simpson & Senator Bunting & Representative Hocker & cosponsored by Senator Adams, before the House for consideration.

**SB 158** - AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRADE OR EXCHANGE CERTAIN REAL PROPERTY IN SUSSEX COUNTY, DELAWARE.

Representatives Schwartzkopf & Valihura made comments.

The roll call on **SB 158 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Viola - 2.

Therefore, having received a constitutional majority, **SB 158 w/SA 1** was returned to the Senate.

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

LABOR: **HB 255** - 6M.

Representative Cathcart deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with lifting **HB 237** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Brady brought **HB 237**, jointly sponsored by Representative Hastings & Representatives Hall-Long, Lofink, Longhurst, Marshall, Oberle & Williams & Senators Connor, Marshall & McDowell & Representatives Blakey, Booth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Spence, Stone, Thornburg, Valihura & Wagner, before the House for consideration.

**HB 237** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO AN ACCRUAL OF ADDITIONAL LEAVE PRIOR TO A LEAVE OF ABSENCE FOR MILITARY SERVICE. (F/N)

Representative Brady introduced and brought **HA 1 to HB 237** before the House for consideration. Representative Brady made a comment. **HA 1** was adopted by voice vote. Representatives Brady & Hastings made comments.

The roll call on **HB 237 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 237 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 60**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura introduced and brought **HS 1 for HB 60**, jointly sponsored by Representative

Cathcart & Representative Gilligan & Representative Keeley & Representative Lee & Representative Spence & Senator Blevins & Senator Sokola & Representatives Brady, Ennis, Hall-Long, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams, before the House for consideration.

**HB 60** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN LEGISLATIVE COMMITTEE MEETINGS.

Representatives Valihura, Gilligan, Kowalko & Valihura made comments.

The roll call on **HS 1 for HB 60** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 60** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura made comments.

Representative Valihura introduced **HB 272**, jointly sponsored by Representative Hudson & Representative Stone & Senator Cloutier & Representatives Blakey, Maier, Thornburg, Wagner, Ennis, Hall-Long, Keeley, Kowalko, Longhurst, McWilliams, Mulrooney, Plant, Schooley & Williams & Senators Connor & Sokola.

**HB 272** AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY. (2/3 bill)

Mr. Speaker Spence assigned **HB 272** to the House Administration Committee.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg introduced and brought **SCR 27**, sponsored by Senator Adams & Representative Ewing & Senator McBride & Representative Carey, before the House for consideration.

**SCR 27** - ESTABLISHING THE TAX DITCH RIGHT-OF-WAY TASK FORCE.

Representative Thornburg made comments.

**SCR 27** was adopted by voice vote and was returned to the Senate.

The Majority Leader moved to adjourn the First Session of the 144th General Assembly at 12:00 midnight.

Mr. Speaker Spence called the House to order at 12:01 a.m. on July 1, 2007.

The Reading Clerk read the following communication into the record:

TO: The Members of the 144th 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, 2007

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 144th General Assembly of the State of Delaware in Special Session.

John C. Carney, Jr., Lieutenant Governor  
and President of the Senate

Terry R. Spence  
Speaker of the House of Representatives

### **1st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Special Session**

**July 1, 2007**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

Mr. Speaker Spence announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **SB 150 w/SA 1**, jointly sponsored by Senator Blevins & Senators DeLuca & Copeland & Representatives Cathcart, Gilligan & Maier, before the House for consideration.

**SB 150** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING EMERGENCY OR DISASTER RELIEF OPERATIONS.

Representative Miro made comments.

The roll call on **SB 150 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Ennis & Mulrooney - 2.

Therefore, having received a constitutional majority, **SB 150 w/SA 1** was returned to the Senate.

Representatives Longhurst & Gilligan requested that they be marked present during the roll call.

Mr. Speaker Spence introduced a guest.

Representative Cathcart deferred to Representative Oberle.

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

**HB 271**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Oberle introduced and brought **HB 271**, jointly sponsored by Senator Cook & Representatives Booth, Wagner, Miro, Schwartzkopf & Williams & Senators Vaughn, Henry, McBride, Cloutier & Amick, before the House for consideration.

**HB 271 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2008; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2008 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.** (3/4 bill)

Representatives Oberle, Booth, Williams & Oberle made comments.

The roll call on **HB 271** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House,

**HB 271** was sent to the Senate for concurrence.

Representative Ennis requested that he be marked present during the roll call.

The Majority Leader moved to recess for caucus at 12:25 a.m.

The House reconvened at 12:50 a.m.

Representative McWilliams introduced a guest.

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

**SB 155**. The motion was seconded by Representative Lavelle and adopted by voice vote. Representative Lofink introduced and brought **SB 155**, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Simpson & Still & Representatives Carey, Lavelle, Stone, Ennis, Mulrooney, Manolakos & Viola, before the House for consideration.

**SB 155 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE.** (3/4 bill)

Representatives Lofink, Booth, Valihura, Mr. Speaker Spence, Representatives Stone, D. Short & Oberle made comments.

The roll call on **SB 155** was taken and revealed:

YES: 38.

NO: Representatives Booth, Hastings & D. Short - 3.

Therefore, having received a constitutional majority of at least three-fourths Members of the House,

**SB 155** was returned to the Senate.

Representatives Carey & Oberle made comments regarding **SB 155**. Mr. Speaker Spence & Representatives Wagner & Manolakos introduced guests.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 207**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 207 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES AND COUNTERFEIT OR TAINTED CONTROLLED SUBSTANCES.**

Representative Ewing made comments.

The roll call on **HB 207** was taken and revealed:

YES: 41.

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

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 35 w/SA 2**, sponsored by Senator McDowell & Senator Blevins & Senator Copeland & Senator Simpson & Representative Thornburg & Representative Lofink & Representative Hall-Long & Representative Schooley & Representative Kowalko & Senators Bunting & Sokola & Representatives Brady, Keeley, McWilliams, Plant & Spence, before the House for consideration.

**SB 35 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND.** (F/I)

Representatives Hocker & Stone made comments.

The roll call on **SB 35 w/SA 2** was taken and revealed:

YES: 40.

NOT VOTING: Representative Outten - 1.

Therefore, having received a constitutional majority, **SB 35 w/SA 2** was returned to the Senate.

Representative Outten announced that he did not vote on **SB 35 w/SA 2** because of a possible conflict of interest.

Representative Lofink moved to suspend the rules which interfere with introduction of and action on **SJR 7**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Lofink introduced and brought **SJR 7**, jointly sponsored by Senator Sokola, before the House for consideration.

**SJR 7 - SUPPORTING VISION 2015 AND ENCOURAGING THE GENERAL ASSEMBLY, STATE AGENCIES, DELAWARE PUBLIC SCHOOLS AND DISTRICTS AND THE ENTIRE EDUCATION COMMUNITY TO COOPERATE WITH AND ASSIST THE "LEAD COMMITTEE".**

Representative Lofink made comments.

The roll call on **SJR 7** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 7** was returned to the Senate.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **SB 157**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson brought **SB 157**, jointly sponsored by Senator DeLuca & Representatives Ewing, Miro, Mulrooney & Viola, before the House for consideration.

**SB 157 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES AND TOBACCO PRODUCTS.**

Representative Hudson made comments.

The roll call on **SB 157** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 157** was returned to the Senate.

Representative Cathcart deferred to Representative Maier.

Representative Maier made comments.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **SB 113 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier introduced and brought **SB 113 w/SA 1**, jointly sponsored by Senator McDowell & Representative Marshall & Senators Amick, Blevins, Cloutier, Connor, Henry, Marshall, Peterson, Sokola, Sorenson & Still & Representatives Brady, Ennis, Hall-Long, Hudson, Keeley, Kowalko, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Valihura & Viola, before the House for consideration.

**SB 113 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (F/N)**

Representative Maier made comments.

The roll call on **SB 113 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 113 w/SA 1** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **Consent Agenda H**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Cathcart brought **Consent Agenda H**, which requires a two-thirds vote, before the House for consideration.

**SB 118 – MARSHALL & REPRESENTATIVE SPENCE & SENATORS DELUCA, BLEVINS, HENRY, MCDOWELL, MCBRIDE & CONNOR & REPRESENTATIVES OBERLE, BRADY, KEELEY, MULROONEY, VIOLA & MITCHELL – An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.**

**HB 192 – ENNIS & SENATOR BUNTING & REPRESENTATIVES EWING, LEE, OUTTEN & D. SHORT & SENATORS SIMPSON & VAUGHN - An Act to Amend Title 18 of the Delaware Code Relating to Life Insurance. (2/3 bill)**

**SB 139 w/SA 1 – DELUCA & REPRESENTATIVE VALIHURA - An Act to Amend Title 12 of the Delaware Code Relating to Management of Institutional Funds. (2/3 bill)**

**SB 144 – DELUCA & SENATOR AMICK & REPRESENTATIVES VALIHURA & MARSHALL - An Act to Amend Title 11 of the Delaware Code Relating to Certain Defenses to Criminal Liability. (2/3 bill)**

**SB 112 – HENRY & REPRESENTATIVE MAIER & SENATORS BLEVINS, MCDOWELL, PETERSON, CONNOR & SORENSON & REPRESENTATIVES HALL-LONG & SCHOOLEY - An Act to Amend the Delaware Code Relating to Public Health Emergencies. (2/3 bill)**

**SB 84 w/SA 1 & 4 – SOKOLA & REPRESENTATIVE VALIHURA & SENATORS BUNTING, CONNOR & MCDOWELL & REPRESENTATIVES HUDSON, LONGHURST, MAIER & VIOLA - An Act to Amend Chapter 25, Title 24 of the Delaware Code by Striking Chapter 25 in Its Entirety and by Substituting the Following Thereof. (2/3 bill)**



**SB 145 w/SA 1** – SOKOLA & REPRESENTATIVE VALIHURA & SENATORS BUNTING, CONNOR & MCDOWELL & REPRESENTATIVES HUDSON, LONGHURST, MAIER & VIOLA - An Act to Amend Chapter 27 of Title 24 of the Delaware Code Relating to Professional Land Surveyors. (2/3 bill)

**SB 19** - SENATOR MCDOWELL & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SIMPSON & REPRESENTATIVE THORNBURG & REPRESENTATIVE LOFINK & REPRESENTATIVE HALL-LONG & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE KOWALKO & SENATORS BUNTING & SOKOLA & REPRESENTATIVES BRADY, KEELEY, MCWILLIAMS, PLANT, SPENCE & VALIHURA - An Act to Amend the Delaware Code to Increase the Renewable Energy Portfolio Standard.

**SB 140** – BONINI & REPRESENTATIVE WALLS - An Act to Reincorporate the Town of Frederica. (2/3 bill)

**HB 247** – WAGNER & SENATOR HENRY & REPRESENTATIVES LOFINK, MAIER, OBERLE & ENNIS - An Act to Amend Titles 10 and 18 of the Delaware Code Relating to Property Insurance Contracts and Statutes of Limitations. (2/3 bill)

Representative Stone requested that **SB 118** be removed from **Consent Agenda H**. Representative Cathcart requested that **SB 19** be removed from **Consent Agenda H**.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 192** & **HB 247** were sent to the Senate for concurrence and **SB 139 w/SA 1**, **SB 144**, **SB 112**, **SB 84 w/SA 1 & 4**, **SB 145 w/SA 1 & SB 140** were returned to the Senate.

Representative Oberle moved to place **SB 118** on the Speaker's Table.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 19**, sponsored by Senator McDowell & Senator Blevins & Senator Copeland & Senator Simpson & Representative Thornburg & Representative Lofink & Representative Hall-Long & Representative Schooley & Representative Kowalko & Senators Bunting & Sokola & Representatives Brady, Keeley, McWilliams, Plant & Spence & cosponsored by Representative Valihura, before the House for consideration.

**SB 19** - AN ACT TO AMEND THE DELAWARE CODE TO INCREASE THE RENEWABLE ENERGY PORTFOLIO STANDARD.

Representative Hocker deferred to Representative Thornburg. Representative Lavelle introduced and brought **HA 1 to SB 19** before the House for consideration. Representatives Lavelle & Oberle made comments. **HA 1** was adopted by voice vote. Representative Thornburg made comments.

The roll call on **SB 19 w/HA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Outten - 1.

Therefore, having received a constitutional majority, **SB 19 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Oberle made comments regarding **SB 118**.

Representative Oberle brought **SB 118**, jointly sponsored by Senator Marshall & Representative Spence & Senators Deluca, Blevins, Henry, McDowell, McBride & Connor & Representatives Brady, Keeley, Mulrooney & Viola & cosponsored by Representative Mitchell, before the House for consideration.

**SB 118** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING.

Representative Oberle moved to place **SB 118** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SS 1 for SB 8**, jointly sponsored by Senator Simpson & Senator McDowell & Representative Valihura, before the House for consideration.

**SB 8** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (2/3 bill)

Representative Hocker made comments.

The roll call on **SS 1 for SB 8 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Outten - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SS 1 for SB 8 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with introduction of and action on **SB 169**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Stone introduced and brought **SB 169**, jointly sponsored by Senator Henry & Senators Bunting, Cloutier, Marshall, Sokola & Sorenson & Representatives Booth, Carey, Ewing, Hastings, Hocker, Keeley, Lavelle, Lee, Oberle, Schwartzkopf, D. Short, Valihura & Wagner, before the House for consideration.

Representative Stone made comments.

**SB 169** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE NEIGHBORHOOD ASSISTANCE TAX CREDIT.

Representatives Williams & Plant made comments.

The roll call on **SB 169** was taken and revealed:

YES: 38.

NO: Representatives Johnson, Kowalko & Plant - 3.

Therefore, having received a constitutional majority, **SB 169** was returned to the Senate.

Representative Cathcart brought the following **Consent Calendar #1** before the House for consideration.

**HR 37 – THORNBURG & REPRESENTATIVE VIOLA** - Establishing the Grocery Store Beer Sales Task Force to Study the Feasibility of Beer Sales in Grocery Stores.

**HR 38 – STONE** - Creating the Health Insurance Pools Task Force.

**SCR 11 – HENRY & SENATOR MCDOWELL & SENATOR MARSHALL & REPRESENTATIVE WILLIAMS & REPRESENTATIVE PLANT** - Establishing a Cemetery Study Committee to Examine and Make Recommendations Regarding the Regulation and Oversight of Cemeteries.

**SCR 24 – MARSHALL & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR HENRY** - Establishing a Task Force to Consider the Need for Adjustments to and/or Revisions of Eagle's Law, Enacted in 2000 to Establish Minimum Staffing Levels for Residential Health Facilities.

**SCR 25 – MCDOWELL & SENATOR HENRY & REPRESENTATIVE KEELEY & SENATOR MARSHALL & REPRESENTATIVES PLANT & WILLIAMS** - Encouraging Dart to Develop a Seven Day a Week Statewide Transit Service Plan in Delaware.

**SCR 26 – MCDOWELL & REPRESENTATIVE WILLIAMS & REPRESENTATIVE PLANT** - Requesting the Delaware State Housing Authority Properly Demolish Courtyard Apartments.

**SCR 28 – MCDOWELL & REPRESENTATIVE THORNBURG & SENATORS BUNTING, CONNOR, COPELAND, HENRY, MARSHALL, MCBRIDE, PETERSON, SIMPSON, SOKOLA & VENABLES & REPRESENTATIVES ENNIS, HALL-LONG, KOWALKO, MULROONEY, SCHOOLEY, SCHWARTZKOPF, VIOLA & WILLIAMS** - Requesting the Secretary of the Department of Natural Resources and Environmental Control to Convene a Stakeholders Workgroup to Consider the Regional Greenhouse Gas Initiative and the Disposition of Revenues from the Sale of Carbon Dioxide Allowances.

**SCR 29 – ADAMS & SENATOR SIMPSON & REPRESENTATIVE CAREY & REPRESENTATIVES EWING, BOOTH, SCHWARTZKOPF** - Honoring Delaware Wildlife Artist Richard Clifton and Congratulating Him Upon His Recent Accomplishment in Winning the 2006 Federal Duck Stamp Art Contest.

Representative Stone requested that **SCR 26** be removed from **Consent Calendar # 1**.

Representative Gilligan requested that **HR 37 & HR 38** be removed from **Consent Calendar #1**.

Representative Maier requested that **SCR 24** be removed from **Consent Calendar #1**.

**Consent Calendar #1** was adopted by voice vote and **SCR 11, SCR 25, SCR 28 & SCR 29** were returned to the Senate.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **HR 38** before the House for consideration.

**HR 38 - CREATING THE HEALTH INSURANCE POOLS TASK FORCE.**

Representative Stone made comments.

The roll call on **HR 38** was taken and revealed:

YES: 22.

NO: Representatives Ennis, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola & Walls - 14.

NOT VOTING: Representatives Brady, Hall-Long, Mitchell & Williams - 4.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **HR 38** was declared passed.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **HR 37**, jointly sponsored by Representative Viola, before the House for consideration.

**HR 37 - ESTABLISHING THE GROCERY STORE BEER SALES TASK FORCE TO STUDY THE FEASIBILITY OF BEER SALES IN GROCERY STORES.**

Representative Thornburg moved to place **HR 37** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Mr. Speaker Spence assigned **SCR 24** to the Policy Analysis & Government Accountability Committee & **SCR 26** to the Housing and Community Affairs Committee.

Representative Cathcart made comments.

The Majority Leader moved to recess to the call of the Chair at 2:05 a.m.

Mr. Speaker Spence called the House to order at 2:01 p.m. on January 8, 2008.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

**1st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
January 8, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Vacancy: 1.

A prayer was offered by Father Thomas J. Protack, Pastor, St. John Newman Catholic Church, Selbyville, Delaware and Berlin, Maryland.

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

The following out of session prefiled legislation was introduced:

December 18, 2007

**HB 273** - SPENCE & SENATOR MCBRIDE - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Attorney General's and the Public Defender's Compensation.

**HB 274** - HALL-LONG & REPRESENTATIVE ENNIS - ENERGY AND NATURAL RESOURCES - An Act to Amend Chapter 60 of Title 7 of the Delaware Code Relating to Land.

**HB 275** - HOCKER & REPRESENTATIVES BOOTH, EWING, HALL-LONG, OUTTEN; SENATORS BUNTING, COOK, VENABLES; REPRESENTATIVES CAREY, HASTINGS, MAIER, D. SHORT, STONE, THORNBURG, WALLS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Licenses.

**HB 276** - WAGNER & SENATOR PETERSON & SENATOR SOKOLA; REPRESENTATIVES SPENCE, BLAKEY, EWING, LAVELLE, OBERLE, OUTTEN, GILLIGAN, LONGHURST, MARSHALL; SENATORS BLEVINS, BONINI - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 277** - SCHWARTZKOPF & SENATOR BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Possession of a Weapon in a Safe School and Recreation Zone.

**HB 278** - LAVELLE & SENATOR BLEVINS; REPRESENTATIVES HUDSON, OBERLE, GILLIGAN - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Disposal of Yard Waste in the Cherry Island Landfill and in Other Landfills, and Raising the Elevation of the Cherry Island Landfill.

**HB 279** - MIRO & SENATOR PETERSON; REPRESENTATIVES SPENCE, EWING, OBERLE, D. SHORT, GILLIGAN, KEELEY, KOWALKO, LONGHURST, MARSHALL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses, Animals and Penalties.

**HB 280** - SCHWARTZKOPF & SENATOR BUNTING & SENATOR SIMPSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9 and 17 of the Delaware Code Relating to Design and Construction Standards for Roads and Streets in Sussex County and Throughout the State.

**HB 281** - BRADY & SENATOR ENNIS - VETERANS AFFAIRS - An Act to Amend Title 20 of the Delaware Code Relating to the Burial of War Veterans.

**HB 282** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, SCHWARTZKOPF - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HA 1 to HB 159** - VALIHURA - Placed with the Bill.

**HA 2 to HB 159** - MAIER - Placed with the Bill.

**SB 132** - COPELAND; SENATORS BONINI, CLOUTIER, SIMPSON, STILL; REPRESENTATIVES LOFINK, MAIER, SPENCE - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**SB 142 w/SA 1 & 2** - MCDOWELL & REPRESENTATIVE KEELEY & SENATOR HENRY & REPRESENTATIVE WILLIAMS - LABOR - An Act to Amend Titles 7 and 29 of the Delaware Code Related to Procurement.

**SB 151 w/SA 1** - PETERSON; SENATORS BUNTING, SORENSON, VENABLES, MARSHALL, CONNOR; REPRESENTATIVES MIRO, SCHWARTZKOPF, WAGNER, SPENCE, OUTTEN - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates and Parking Permits for Persons with Disabilities which Limit or Impair Their Ability to Walk.

**SB 161 w/SA 1** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 18 of the Delaware Code Relating to the Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration Examiners.

**SB 163** - MARSHALL & REPRESENTATIVE KEELEY; SENATORS MCDOWELL, BLEVINS, HENRY, CONNOR; REPRESENTATIVES MAIER, BRADY, KOWALKO, MULROONEY, PLANT, WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 5 and 29 of the Delaware Code Relating to Foreclosure Protection for Homeowners. (2/3 bill)

**SB 165** - CLOUTIER & SENATOR CONNOR & SENATOR MARSHALL & REPRESENTATIVE HUDSON; SENATORS AMICK, BONINI, COPELAND, HENRY, MCDOWELL,

SIMPSON, SORENSON, STILL, VAUGHN; REPRESENTATIVES MAIER, SPENCE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Returns. (2/3 bill)  
**SB 166** - CLOUTIER & SENATOR CONNOR & REPRESENTATIVE LAVELLE; SENATORS ADAMS, AMICK, BLEVINS, BONINI, BUNTING, COPELAND, PETERSON, SIMPSON, SORENSON, STILL, VENABLES; REPRESENTATIVES ENNIS, JOHNSON, LOFINK, MAIER, MARSHALL, SPENCE, STONE, VALIHURA - JUDICIARY - An Act Amend Title 11 of the Delaware Code Relating to the Definition of "swears falsely".

**SB 171** - MCDOWELL & REPRESENTATIVE MIRO; SENATORS BLEVINS, CLOUTIER, CONNOR, HENRY, MARSHALL, PETERSON, SORENSON; REPRESENTATIVES BLAKEY, HALL-LONG, KOWALKO, MAIER, MANOLAKOS, MCWILLIAMS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Placement of Neglected and Delinquent Children.

Representative Cathcart moved that the Chief Clerk read the communication. Representative Lee seconded the motion.

The Chief Clerk read the following into the record:

November 3, 2007

The Honorable Terry R. Spence  
Speaker of the House of Representatives  
Legislative Hall  
Dover, Delaware 19901

Dear Mr. Speaker:

I hereby submit my resignation from the office of State Representative for the 28th District, effective on the date of the Special Election to fill the vacancy in the 14th Senate District seat.

It has been my great honor to serve with you and the other members of the House of Representatives. I look forward to working with all of you in the future in my new capacity as 14th District Senator. I thank you for your kindness and consideration in the past and extend to you and to every member of the House my heartfelt best wishes for the future.

May we all continue to work together for the good of those we serve and for the betterment of our beloved State of Delaware.

Sincerely yours,  
Bruce C. Ennis  
State Representative

Representative Cathcart moved to accept Senator Ennis's resignation. There was no objection.  
Representative Cathcart moved that the Chief Clerk read the Writ of Election and the Certificate of Election. There was no objection.

The Chief Clerk read the Writ of Election as follows:

WRIT OF ELECTION

TO: THE DEPARTMENT OF ELECTIONS, KENT COUNTY  
100 ENTERPRISE PLACE  
SUITE 5  
DOVER, DELAWARE 19904

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 144th General Assembly of the State of Delaware by reason of the resignation of BRUCE C. ENNIS, of the 28th Representative District of Kent County, Delaware on November 3, 2007.

WHEREAS, such a vacancy has occurred and exists while said General Assembly is in session;

NOW, THEREFORE, I, TERRY R. SPENCE, Speaker of the House of Representatives of the State of Delaware, Presiding Officer of the Delaware House of Representatives, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 28th Representative District of Kent County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than eleven nor less than ten days next after receipt of this Writ, exclusive of the day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said BRUCE C. ENNIS.

IN WITNESS, THEREOF, I, TERRY R. SPENCE, Speaker of the House of Representatives of the 144th Delaware General Assembly have hereunto set my hand and seal this 28th day of November in the year Two Thousand and Seven.

TERRY R. SPENCE, SPEAKER  
HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE

The Chief Clerk read the Certificate of Election as follows:

The State of Delaware  
Kent County, ss.

Be It Remembered, That at the Special Election held on Saturday, December Eighth, in the year of our Lord Two Thousand and Seven for Kent County, according to the Constitution and Laws of the State of Delaware,

William J. Carson  
was duly elected  
Representative for the 28th Representative District  
for said County in the General Assembly

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, WILLIAM L. WITHAM, JR. and JAMES T. VAUGHN, JR., constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 10th day of December, A.D. 2007.

William L. Witham, Jr., Resident Associate Judge  
James T. Vaughn, Jr., President Judge

Representative Cathcart moved that the Oath of Office be administered to Representative-Elect William J. Carson, Jr. by The Honorable James T. Vaughn, Jr., President Judge, Superior Court. The motion was seconded by Representative Lee and adopted by voice vote.

Judge James T. Vaughn, Jr. administered the oath of Representative to Representative-Elect Carson as follows:

I, William J. Carson, Jr., do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

William J. Carson, Jr.  
State Representative

Sworn and subscribed before me on this 8th day of January A.D. 2008

James T. Vaughn, Jr.

President Judge, Superior Court of Delaware

Representative Carson made comments. Mr. Speaker Spence introduced a guest. Representatives Gilligan & Cathcart made comments.

Representative Cathcart moved that the Chief Clerk call the roll of the Members of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The Chief Clerk called the roll.

Members Present: 41.

Representative Cathcart moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 144th General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 169 & SCR 24** and requests the concurrence of the House; **SCR 11, SCR 25, SCR 26, SCR 27, SCR 28 & SCR 29** and requests the concurrence of the House; **SB 171, SB 113 w/SA 1 & SB 151 w/SA 1** and requests the concurrence of the House; **SB 161 w/SA 1 & SJR 7** and requests the concurrence of the House; **SB 155** and requests the concurrence of the House; **HJR 13 & HJR 16** and is returning same to the House. The Senate wishes to inform the House that it has defeated **HB 118 w/HA 1, 2, 3 & 4** and is returning same to the House. The Senate wishes to inform the House that it has passed **HB 109 & HB 185** and is returning same to the House; **HB 165 w/HA 1, HB 168, HB 156 w/HA 1, HCR 32 & HCR 34** and is returning same to the House; **HB 179, HB 182, HB 100 w/HA 1, HB 178 w/HA 1, HB 160 & HB 184** and is returning same to the House.

June 30, 2007

#### LEGISLATIVE ADVISORY #8

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/07 – **HB 107 aab HA 1, 2 & 3, HB 108 aab HA 1, HB 187, HB 245, HB 249 aab HA 1, HB 253, HB 264 & HJR 10.**

The Senate wishes to inform the House that it has passed **HB 226, HB 225, HB 213, HS 1/HB 116, HB 180, HB 147, HB 164 & HB 193** and is returning same to the House; **HB 251, HB 228, HS 1/HB 224, HS 1/HB 194, HS 1/HB 47 w/HA 1 & 2, HB 57 w/HA 1 & 2, HB 202 & HB 254** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 132, SB 166 & SB 165** and requests the concurrence of the House; **HB 227, HB 250, HB 214 & HB 191 w/HA 2** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 163** and requests the concurrence of the House; **HB 266, HB 256, HB 220 w/HA1, HB 154 & HB 238** and is returning same to

the House; **HB 150** and is returning same to the House; **HB 222, HB 115 w/HA 1 & HA1 to HA 1, HB 234 w/HA 1, HB 172 w/HA 2 & HB 271** and is returning same to the House.

July 5, 2007

#### LEGISLATIVE ADVISORY #9

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/07 – **SB 149 aab SA 1; 7/1/07 – SB 155, HB 250 & HB 271; 7/5/07 – SB 42, SB 64, SB 70, SS 1/SB 75, SB 81, SB 87, SB 90 aab SA 1, SB 94 aab SA 1, SB 117 aab SA 1, SB 119, SB 120, SB 123 aab SA 1, SB 127 aab SA 1, HB 46, HB 48, HB 90, HB 121 aab HA 3 & SA 1, HB 142 aab HA 1, HS 1/HB 149 aab HA 1 & HB 163 aab HA 1; 6/30/07 – SJR 5; 7/1/07 – HJR 13 & HJR 16; 7/5/07 – SJR 3.**

Representative Wagner led Members of the House in singing “Happy Birthday” to Representatives Gilligan & Williams.

Mr. Speaker Spence removed **HB 65** from the Appropriations Committee and assigned it to the Ready List.

The Majority Leader moved to recess for caucus at 2:30 p.m.

The House reconvened at 3:37 p.m. with Representative Booth as Acting Speaker.

The minutes of the previous two legislative days were approved as posted.

Representative Mulrooney requested that he be marked present.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HJR 17**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart introduced and brought **HJR 17**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley, before the House for consideration.

#### **HJR 17 - RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES.**

Representative Cathcart made comments.

The roll call on **HJR 17** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 17** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle requested and was granted privilege of the floor to present a House Tribute to Ryan Odens, National Adult Representative of Easter Seals who addressed the House. Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 17**, jointly sponsored by Senator Bunting, before the House for consideration.

#### **HB 17 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF LAW ENFORCEMENT OFFICER.**

Representative Schwartzkopf moved to place **HB 17** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle made a comment.

Representative Oberle brought **SB 100 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Henry & Still & Representatives Miro & Spence, before the House for consideration.

#### **SB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING.**

Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Oberle made comments.

The roll call on **SB 100 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 100 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Maier. Representative Maier made comments and requested that **HB 243** be stricken.

Representative Cathcart deferred to Representative Stone. Representative Stone deferred to Representative Keeley.

Representative Keeley requested that action on **SB 58 w/SA 1 & 2** be deferred to a Day Certain, Thursday, January 10, 2008.

Representative Cathcart deferred to Representative Wagner. Representative Wagner requested that **HB 235** be stricken.

Representative Cathcart deferred to Representative Lofink. Representative Lofink made announcements.

The Reading Clerk read the following communications into the record:

July 16, 2007

#### LEGISLATIVE ADVISORY #10

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/10/07 – **SB 29 aab HA 3, SB 89, SB 95, SB 96, SB 98, SB 105, SB 126, SB 159, HB 72 aab SA 1 & 2, HB 154, HB 156 aab HA 1, HB 165 aab HA 1, HB 168 & HB 256.**

July 17, 2007

LEGISLATIVE ADVISORY #11

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/12/07 - **SB 82, SB 111 aab SA 1, SB 128, SB 146, SB 153, SB 158 aab SA 1, HS 1/HB 47 aab HA 1 & 2, HB 100 aab HA 1, HB 109, HS 1/HB 116, HB 147, HB 157 aab SA 1 & 2, HB 172 aab HA 2, HB 178 aab HA 1, HB 179, HB 191 aab HA 2, HS 1/HB 194, HB 213, HB 220 aab HA 1, HB 234 aab HA 1 & HB 266.**

July 17, 2007

LEGISLATIVE ADVISORY #12

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/17/07 – **SB 43, SB 44 aab SA 2, SS 1/SB 47, SB 140, SB 144, SB 154, SB 160, HB 115 aab HA 1 aab HA 1 to HA 1, HB 160, HB 164, HB 180, HB 182, HB 184, HB 185, HB 193, HB 202, HB 222, HB 225, HB 227, HB 238 & HB 251.**

July 27, 2007

LEGISLATIVE ADVISORY #13

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/18/07 – **SB 80 aab SA 2, SB 139 aab SA 1, HB 150, HB 214, HB 226 & HB 228; 7/24/07 – SS 1/SB 8 aab SA 1, SB 19 aab HA 1, SB 35 aab SA 2, SB 84 aab SA 1 & 4, SB 112, SB 113 aab SA 1, SB 145 aab SA 1, SB 157, SB 169 & SJR 7**

August 9, 2007

LEGISLATIVE ADVISORY #14

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/26/07 – **HB 254; 7/31/07 – SB 133; 8/1/07 – SS 1/SB 31, SB 78 aab HA 2 & HB 57 aab HA 1 & 2; 8/2/07 – SB 36 aab SA 1 & 2 & HS 1/HB 224; 8/7/07 – SB 150 aab SA 1.**

August 29, 2007

LEGISLATIVE ADVISORY #15

Governor Ruth Ann Minner signed the following legislation on the date indicated: 8/28/07 – **SB 79 aab SA 3.**

The Majority Whip moved to recess to the call of the Chair at 4:08 p.m.

Mr. Acting Speaker Booth called the House to order at 2:20 p.m. on January 9, 2008.

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

**2nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
January 9, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Ewing – 1.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

The following prefiled legislation was introduced:

**HB 283** - SPENCE & REPRESENTATIVE MULROONEY & SENATOR MARSHALL & SENATOR CONNOR; REPRESENTATIVES LOFINK, OBERLE, WAGNER, BRADY, JOHNSON, KOWALKO, MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, WALLS, WILLIAMS; SENATORS DELUCA, BLEVINS, BUNTING, MCBRIDE, PETERSON, CLOUTIER - LABOR - An Act to Amend Title 14 of the Delaware Code Relating to the Public School Employment Relations Act.

**HA 1 to HB 206** - OBERLE - Placed with the Bill.

**HA 2 to SB 58** - STONE - Placed with the Bill.

Representative Lofink made an announcement.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor       | Date      | Type | Description                                       |
|----------|---------------|-----------|------|---------------------------------------------------|
| H144-741 | Thornburg;    | 6/30/2007 | T    | Janette Wilson - Retirement - Capital Schools     |
|          | Stone         |           |      |                                                   |
| H144-742 | Thornburg;    | 6/30/2007 | T    | Joan Floyd - Retirement - Capital School District |
|          | Wagner        |           |      |                                                   |
| H144-743 | Ennis; Wagner | 6/30/2007 | T    | Aleta Kane - Retirement - Capital School District |
| H144-744 | Schwartzkopf; | 6/30/2007 | T    | Rosemary Medeiros - Retirement - Capital Schools  |

|          |                                        |           |   |                                                         |
|----------|----------------------------------------|-----------|---|---------------------------------------------------------|
|          | Wagner                                 |           |   |                                                         |
| H144-745 | Wagner                                 | 6/30/2007 | T | Sharon Reed - Retirement - Capital Schools              |
| H144-746 | Wagner                                 | 8/4/2007  | T | Michael Davis - Eagle Scout                             |
| H144-747 | Manolakos                              | 6/28/2007 | T | Hockessin Athletic Club - Grand Opening                 |
|          | cosponsors: Reps. Hudson, Maier & Miro |           |   |                                                         |
| H144-748 | Stone                                  | 6/6/2007  | M | Johnathan Lee Campbell                                  |
| H144-749 | Lee                                    | 7/1/2007  | T | Richard & Dolores Culver - 50th Wedding Anniversary     |
| H144-750 | Johnson                                | 6/20/2007 | M | Deacon LeRoy Smith                                      |
| H144-751 | Hocker                                 | 6/9/2007  | T | Frank & Joan Sandone - 50th Wedding Anniversary         |
| H144-752 | Outten                                 | 6/28/2007 | M | Roland Melvin, Jr.                                      |
| H144-753 | Lee                                    | 7/3/2007  | T | Karin MacDonald - Visit to Delaware                     |
| H144-754 | Wagner                                 | 6/26/2007 | M | Maria Gloria Pingel                                     |
| H144-755 | B. Short                               | 6/30/2007 | T | Philip Tynan - International Physics Olympiad           |
| H144-756 | Hudson                                 | 6/30/2007 | T | Benjamin Connell - International Physics Olympiad       |
| H144-757 | Manolakos                              | 6/30/2007 | T | Ying Yu Gao - International Physics Olympiad            |
| H144-758 | Manolakos                              | 6/30/2007 | T | Rui Hu - International Physics Olympiad                 |
| H144-759 | Outten                                 | 6/28/2007 | M | Richard G. West                                         |
| H144-760 | Walls                                  | 7/5/2007  | T | James Abbott - 50 Years Service - Carlisle Fire Company |
| H144-761 | Wagner;                                | 7/7/2007  | T | Zelma Ryder & Larry Adams – Marriage                    |
|          | Blakey                                 |           |   |                                                         |
| H144-762 | Blakey;                                | 6/28/2007 | M | E. Carleton Dill                                        |
|          | Wagner                                 |           |   |                                                         |
| H144-763 | Hudson                                 | 6/7/2007  | T | James & Albina Grieco - 60th Wedding Anniversary        |
| H144-764 | Hudson                                 | 5/17/2007 | T | Alva & Ethel Spahr - 60th Wedding Anniversary           |
| H144-765 | Carey                                  | 6/21/2007 | T | Mr. & Mrs. C. Rodney Sharp - 66th Wedding Anniversary   |

#### HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                         | Date      | Type | Description                                                                        |
|----------|---------------------------------|-----------|------|------------------------------------------------------------------------------------|
| H144-766 | Ewing                           | 7/2/2007  | T    | Mr. & Mrs. William Reynolds - 50th Wedding Anniversary                             |
| H144-767 | Thornburg                       | 7/11/2007 | T    | Dr. Radu Roatis - President - Romanian National Veterinary & Food Safety Authority |
| H144-768 | Thornburg                       | 7/11/2007 | T    | Dr. Mircea Chertes - Counselor to Prime Minister - Romania                         |
| H144-769 | Outten                          | 7/4/2007  | M    | Charles L. Busker                                                                  |
| H144-770 | Hocker                          | 7/22/2007 | T    | Joshua W. Hudson - Eagle Scout                                                     |
| H144-771 | Spence                          | 7/14/2007 | T    | Donald White - Commander of the American Legion                                    |
| H144-772 | Booth                           | 7/13/2007 | T    | Sister Margaret Giblin - Retirement - La Casita de Georgetown                      |
| H144-773 | Wagner                          | 7/8/2007  | M    | Jerome Zaback                                                                      |
| H144-774 | Blakey; Ennis                   | 7/25/2007 | T    | Roy & Evelyn Voshell - 70th Wedding Anniversary                                    |
| H144-775 | Johnson                         | 7/4/2007  | M    | Reverend Naomi Ruth Winchester                                                     |
| H144-776 | Spence                          | 7/12/2007 | T    | Bob Lennon - Retirement - Opportunity Center                                       |
|          | cosponsors: All Representatives |           |      |                                                                                    |
| H144-777 | Wagner                          | 7/25/2007 | T    | Elsie Sapp Buckworth                                                               |
| H144-778 | Blakey                          | 7/6/2007  | T    | William and Louise Cook - 50th Wedding Anniversary                                 |
| H144-779 | Schwartzkopf                    | 7/13/2007 | T    | Earl & Irene Marcotte - 50th Wedding Anniversary                                   |
| H144-780 | Ennis                           | 7/12/2007 | T    | James & Jean Vennard - 50th Wedding Anniversary                                    |
| H144-781 | Mitchell                        | 6/1/2007  | T    | Dominick & Elizabeth Facciolo - 50th Wedding Anniversary                           |
| H144-782 | Gilligan                        | 6/21/2007 | T    | William & Beatrice Willis - 60th Wedding Anniversary                               |
| H144-783 | Kowalko                         | 6/29/2007 | T    | Leslie & Sue Nagg - 50th Wedding Anniversary                                       |
| H144-784 | Mulrooney                       | 5/4/2007  | T    | Ronald & Lois-Anne Nichols - 50th Wedding Anniversary                              |
| H144-785 | Carey                           | 5/11/2007 | T    | Garrett Schwatka - Saved Friends from Dog Attack                                   |
| H144-786 | Blakey;                         | 7/9/2007  | M    | Olin Gooden                                                                        |
|          | Thornburg                       |           |      |                                                                                    |
| H144-787 | Maier                           | 7/12/2007 | M    | Madelyn Lunetta                                                                    |
| H144-788 | Wagner                          | 4/20/2007 | T    | Edward & Doretha Minus - 50th Wedding Anniversary                                  |
| H144-789 | Lee                             | 6/30/2007 | T    | Donald & Bonnie Lou Newson - 50th Wedding Anniversary                              |
| H144-790 | Outten                          | 7/13/2007 | M    | Curtis O. Bartley                                                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:



| <u>Number</u> | <u>Sponsor</u>                              | <u>Date</u> | <u>Type</u> | <u>Description</u>                                        |
|---------------|---------------------------------------------|-------------|-------------|-----------------------------------------------------------|
| H144-791      | Outten                                      | 7/12/2007   | M           | Raymond G. Henry                                          |
| H144-792      | Lee                                         | 7/13/2007   | M           | Kevin L. Morris                                           |
| H144-793      | Lee                                         | 7/10/2007   | M           | John H. Owings                                            |
| H144-794      | Lee                                         | 7/21/2007   | T           | Independent Odd Fellows Charity Lodge - 150th Anniversary |
| H144-795      | Ennis                                       | 6/22/2007   | T           | Lynn & Marjorie Marsh - 50th Wedding Anniversary          |
| H144-796      | Schooley                                    | 7/17/2007   | M           | Dock H. Williams                                          |
| H144-797      | Hastings;<br>Hocker                         | 7/17/2007   | T           | Cheryl Layfield - Excellence in Nursing Practice Award    |
| H144-798      | Stone                                       | 7/16/2007   | M           | The Honorable Andrew Foltz                                |
|               | cosponsors: All Representatives             |             |             |                                                           |
| H144-799      | Outten                                      | 7/21/2007   | T           | The Billy Ray Collison Horse Pull                         |
|               | cosponsors: All Representatives             |             |             |                                                           |
| H144-800      | D. Short                                    | 5/18/2007   | T           | Frank Dowd - Commander - Blackhawk Helicopter Squadron    |
| H144-801      | Plant                                       | 7/12/2007   | M           | Sevonja Walker-Savage                                     |
| H144-802      | Outten                                      | 7/24/2007   | T           | Junior Dairy Show Dedication - Chuck Busker               |
| H144-803      | Ewing                                       | 7/24/2007   | M           | Henry Wilhelm Peters                                      |
| H144-804      | Stone;<br>Thornburg                         | 7/28/2007   | T           | Iris Gibbs, M.D. - Contributions to Medical Community     |
| H144-805      | Outten;<br>Wagner                           | 7/17/2007   | M           | William Melvin Berry                                      |
| H144-806      | Manolakos;<br>Thornburg                     | 7/24/2007   | M           | Margaret Alberta Garvine                                  |
| H144-807      | Keeley                                      | 7/28/2007   | T           | Pastor Mercides Anthony - 7th Pastoral Anniversary        |
| H144-808      | Wagner                                      | 5/27/2007   | T           | Aaron Mooney & Shannon Christiansen – Marriage            |
| H144-809      | Wagner                                      | 7/20/2007   | T           | E. Vernon Ingram, Jr. - Semi-retirement                   |
| H144-810      | Wagner                                      | 7/24/2007   | M           | Emma O. Spohn                                             |
| H144-811      | Maier                                       | 7/22/2007   | M           | Roberta G. McHugh                                         |
| H144-812      | Hudson                                      | 7/5/2007    | M           | Louis C. Zambanini                                        |
| H144-813      | Viola                                       | 7/20/2007   | T           | Delaware Lady Sharks - National Championship              |
|               | cosponsors: Reps. Lofink, Marshall & Oberle |             |             |                                                           |
| H144-814      | Wagner                                      | 8/5/2007    | T           | Kelly Beaman & Brian Tinsley – Marriage                   |
| H144-815      | Wagner                                      | 8/10/2007   | T           | Jennifer Dascher & Joseph Heller - Marriage               |

#### HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                        |
|---------------|---------------------------------|-------------|-------------|-----------------------------------------------------------|
| H144-816      | Spence                          | 8/9/2007    | T           | Gina Borkowski - Community Service                        |
|               | cosponsors: All Representatives |             |             |                                                           |
| H144-817      | Outten                          | 9/22/2007   | T           | Connie Morgan - Retirement - Division of Motor Vehicles   |
| H144-818      | Carey                           | 8/8/2007    | T           | Charles Wilkerson - 90th Birthday                         |
| H144-819      | Spence                          | 7/1/2007    | T           | Cathy Prouse - Retirement - State Police                  |
|               | cosponsors: All Representatives |             |             |                                                           |
| H144-820      | Spence                          | 6/1/2007    | T           | Kristin Hainsworth - Graduation                           |
|               | cosponsors: All Representatives |             |             |                                                           |
| H144-821      | Walls                           | 7/1/2007    | T           | Rev. Dr. Sandra Ball - Director - Connectional Ministries |
| H144-822      | Hall-Long                       | 8/5/2007    | T           | James Frazier - 80th Birthday                             |
| H144-823      | Hall-Long                       | 9/22/2007   | T           | Steven Morris - Eagle Scout                               |
| H144-824      | Carey                           | 8/3/2007    | T           | Town of Milton - Bicentennial                             |
| H144-825      | Booth                           | 8/11/2007   | T           | Joe & Joan Messick - 60th Wedding Anniversary             |
| H144-826      | Ennis                           | 8/8/2007    | M           | Joseph C. Stubbs                                          |
| H144-827      | Hall-Long                       | 7/9/2007    | M           | Gladys I. Ennis                                           |
| H144-828      | Ennis                           | 8/23/2007   | T           | Grace Turner - 80th Birthday                              |
| H144-829      | Outten                          | 7/26/2007   | M           | Annabelle E. Boone                                        |
| H144-830      | Longhurst                       | 8/3/2007    | M           | Jeremy Acosta                                             |
| H144-831      | Wagner                          | 8/7/2007    | M           | Margaret A. Lower                                         |
| H144-832      | Stone; Wagner                   | 7/31/2007   | M           | Howard Earl Moore                                         |
| H144-833      | Blakey                          | 8/9/2007    | M           | Agnes M. Jopp                                             |
|               | cosponsors: All Representatives |             |             |                                                           |
| H144-834      | Keeley                          | 8/10/2007   | M           | Barbara W. Jarome                                         |
| H144-835      | Maier                           | 7/23/2007   | M           | Judith R. Schwagel                                        |
| H144-836      | Maier                           | 8/24/2007   | T           | Doug & Diane Kellogg - 50th Wedding Anniversary           |
| H144-837      | Wagner                          | 7/1/2007    | T           | Susan McNamara - Retirement - Management & Budget         |

|          |          |           |   |                                                    |
|----------|----------|-----------|---|----------------------------------------------------|
| H144-838 | Mitchell | 7/26/2007 | T | George & Mary Fernandez - 65th Wedding Anniversary |
| H144-839 | Mitchell | 6/22/2007 | T | Charles & Diane Setting - 50th Wedding Anniversary |

HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                                             | Date       | Type | Description                                              |
|----------|-----------------------------------------------------|------------|------|----------------------------------------------------------|
| H144-840 | Mitchell                                            | 6/22/2007  | T    | John & Helen Socko - 50th Wedding Anniversary            |
| H144-841 | Mitchell                                            | 8/17/2007  | T    | Joseph & Minnie Barranco - 60th Wedding Anniversary      |
| H144-842 | Mitchell                                            | 6/22/2007  | T    | James & Loretta Schneider - 50th Wedding Anniversary     |
| H144-843 | McWilliams                                          | 6/14/2007  | T    | Francis & Mildred Pedelini - 55th Wedding Anniversary    |
| H144-844 | Kowalko                                             | 8/17/2007  | T    | Nelson & Elizabeth Hall - 50th Wedding Anniversary       |
| H144-845 | Marshall                                            | 6/11/2007  | T    | Harold & Marie Batten - 69th Wedding Anniversary         |
| H144-846 | Keeley                                              | 7/21/2007  | T    | Phillip & Theresa Calvarese - 60th Wedding Anniversary   |
| H144-847 | Plant                                               | 8/10/2007  | T    | Henry & Mary Szcaesiak - 60th Wedding Anniversary        |
| H144-848 | Schwartzkopf                                        | 8/17/2007  | T    | R. William & Kathryn Baker - 50th Wedding Anniversary    |
| H144-849 | Outten                                              | 9/1/2007   | T    | Bill & Betty Chambers - 50th Wedding Anniversary         |
|          | cosponsors: Reps. Carey, Ewing & Thornburg          |            |      |                                                          |
| H144-850 | Stone                                               | 8/19/2007  | T    | Theresa Higdon - 50th Birthday                           |
| H144-851 | Ewing                                               | 9/14/2007  | T    | Lt. Lewis Briggs, II - Retirement - State Police         |
|          | cosponsors: Reps. Booth, Hocker, Lee & Schwartzkopf |            |      |                                                          |
| H144-852 | Thornburg                                           | 8/16/2007  | M    | Ruby L. Keeler                                           |
|          | cosponsor: Rep. Stone                               |            |      |                                                          |
| H144-853 | Hudson                                              | 6/29/2007  | T    | Charles & Theresa Sorce - 60th Wedding Anniversary       |
| H144-854 | Hudson                                              | 7/31/2007  | M    | Louis Victor Salvatore                                   |
| H144-855 | Schwartzkopf; Booth                                 | 8/23/2007  | T    | Christine Strauss - Norman Baylis Award                  |
| H144-856 | Booth                                               | 8/23/2007  | T    | Longwood Foundation - John W. Rollins, Sr. Award         |
| H144-857 | Booth                                               | 8/23/2007  | T    | E. James Monihan - Robert W. Tunnell, Sr. Award          |
| H144-858 | Schwartzkopf; Booth                                 | 8/23/2007  | T    | Honorable Eugene Bookhammer - Lifetime Achievement Award |
| H144-859 | Booth; Ewing                                        | 10/20/2007 | T    | Alexander Kansak, IV - Eagle Scout                       |
| H144-860 | Booth                                               | 11/4/2007  | T    | Joshua King - Eagle Scout                                |
| H144-861 | Lee                                                 | 7/6/2007   | T    | John & Mary Slusher - 50th Wedding Anniversary           |
| H144-862 | Hastings                                            | 8/18/2007  | M    | Walter W. Phillips, Jr.                                  |

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                                 | Date      | Type | Description                                               |
|----------|-----------------------------------------|-----------|------|-----------------------------------------------------------|
| H144-863 | Wagner                                  | 6/23/2007 | T    | Lauren Cosetti & Kenneth Lee - Marriage                   |
| H144-864 | Walls                                   | 8/31/2007 | T    | John Eustis, Jr. - Retirement - DelDOT                    |
| H144-865 | Spence                                  | 8/30/2007 | T    | Victor Crivineanu - Dean, Veterinary Medicine, Bucharest  |
| H144-866 | Walls                                   | 9/7/2007  | T    | Michael Shahan - Retirement - Division of Motor Vehicles  |
| H144-867 | Outten                                  | 8/23/2007 | M    | Carl R. Moore                                             |
| H144-868 | Thornburg                               | 6/10/2007 | T    | Cassel & Evelyn Evans - 50th Wedding Anniversary          |
| H144-869 | Spence                                  | 8/31/2007 | T    | Manuelita Perez Olson - Dedication of Building            |
|          | cosponsors: Reps. Keeley, Lofink & Miro |           |      |                                                           |
| H144-870 | Keeley, Miro                            | 9/7/2007  | T    | Latin American Community Center - Hispanic Heritage Month |
| H144-871 | Outten; Wagner                          | 9/2/2007  | T    | Brandi Miller & Jason Gleockler – Marriage                |
| H144-872 | Hudson                                  | 8/17/2007 | M    | Mary Duggan Jornlin Theisen                               |
|          | cosponsors: All Representatives         |           |      |                                                           |
| H144-873 | D. Short                                | 8/31/2007 | T    | Julie Chelton - Retirement - Blades Town Administrator    |
| H144-874 | Hocker                                  | 9/9/2007  | T    | Millville United Methodist Church - 100th Anniversary     |
| H144-875 | Hocker                                  | 9/19/2007 | T    | Ocean View Police Department - New Facility               |
| H144-876 | Hastings                                | 9/1/2007  | T    | Edna Englehart - 100th Birthday                           |
| H144-877 | Schooley                                | 9/5/2007  | T    | Pat Wisniewski - 3600 Mile Bicycle Journey                |
| H144-878 | Wagner                                  | 8/25/2007 | T    | Mae Hutchinson & William Wilson - Marriage                |
| H144-879 | Carey; Walls                            | 8/28/2007 | M    | Dr. William O. Adkins                                     |
| H144-880 | Stone                                   | 9/11/2007 | T    | Louise Moore - 90th Birthday                              |
| H144-881 | Stone                                   | 9/8/2007  | T    | Elaine Rooney & Lew Scotton - Marriage                    |
| H144-882 | Wagner                                  | 9/2/2007  | T    | Marantha Christian Church - Dedication - New Building     |
| H144-883 | Hudson                                  | 9/6/2007  | T    | Charles & Elise Staub - 60th Wedding Anniversary          |

|          |          |           |   |                                                      |
|----------|----------|-----------|---|------------------------------------------------------|
| H144-884 | Stone    | 8/22/2007 | M | Robert Allen Taylor, Jr.                             |
| H144-885 | Stone    | 9/5/2007  | T | Anthony Ciferni, III - Heroism - Fire in Family Home |
| H144-886 | Gilligan | 9/15/2007 | T | Victor Joseph - Eagle Scout                          |
| H144-887 | Marshall | 9/9/2007  | T | Matthew & Deanna Burroughs - Marriage                |
| H144-888 | Ewing    | 10/7/2007 | T | Nancy Germanos - 75th Birthday                       |

HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                   | Date       | Type | Description                                              |
|----------|---------------------------|------------|------|----------------------------------------------------------|
| H144-889 | Hudson                    | 9/7/2007   | T    | WSFS - Greenville Office - Grand Opening                 |
| H144-890 | Gilligan                  | 9/3/2007   | T    | Charles & Charolotte Wade - 55th Wedding Anniversary     |
| H144-891 | Stone;<br>Thornburg       | 9/6/2007   | M    | Joseph Frank Wick                                        |
| H144-892 | Maier                     | 8/24/2007  | T    | Bill & Carole Fulmer - 50th Wedding Anniversary          |
| H144-893 | Maier                     | 10/12/2007 | T    | Frank & Patsy Phares - 50th Wedding Anniversary          |
| H144-894 | Maier                     | 8/17/2007  | M    | Janice Hall Peters                                       |
| H144-895 | Hocker                    | 9/13/2007  | T    | Harold Barber - Fireman of the Year                      |
| H144-896 | Johnson                   | 7/31/2007  | T    | Lee Jarmon - Retirement - New Castle County              |
| H144-897 | Johnson                   | 9/22/2007  | T    | Jim Barnes - Retirement - New Castle Police              |
|          | cosponsor: Rep. Mulrooney |            |      |                                                          |
| H144-898 | Ennis                     | 8/31/2007  | M    | C. Albert O'Neal, Jr.                                    |
| H144-899 | Mulrooney                 | 7/27/2007  | T    | Edward & Roberta Scott - 50th Wedding Anniversary        |
| H144-900 | Schwartzkopf              | 9/7/2007   | T    | John & Peach Lackus - 50th Wedding Anniversary           |
| H144-901 | Schwartzkopf              | 5/29/2007  | T    | Ray & Eleanor Trout - 65th Wedding Anniversary           |
| H144-902 | Longhurst                 | 8/10/2007  | T    | Melvin & Elizabeth Price - 50th Wedding Anniversary      |
| H144-903 | Plant                     | 8/25/2007  | T    | James & Ruth Fennell - 50th Wedding Anniversary          |
| H144-904 | Williams                  | 9/19/2007  | T    | John & Dolores Drennon - 50th Wedding Anniversary        |
| H144-905 | Ennis                     | 9/27/2007  | T    | Michael McGrath - 50 Years of Service - Boy Scouts       |
| H144-906 | Lavelle                   | 8/12/2007  | T    | Lyman Brenner - American Legion State Commander          |
| H144-907 | Outten                    | 9/13/2007  | T    | Colonel Joseph Zeroles - Fire Policeman of the Year      |
| H144-908 | Blakey                    | 9/13/2007  | T    | Deloy Moore - Retirement - DelDOT                        |
| H144-909 | Johnson;<br>Mulrooney     | 9/22/2007  | T    | Jim Barnes - Retirement - New Castle Police              |
| H144-910 | Keeley                    | 10/2/2007  | T    | Community Reinvestment Action Council - 20th Anniversary |
| H144-911 | Ewing                     | 9/20/2007  | T    | Marion Hudson - 93rd Birthday                            |
| H144-912 | Blakey                    | 8/17/2007  | T    | Sam & Jan Marinucci - 50th Wedding Anniversary           |
| H144-913 | Plant                     | 7/30/2007  | M    | Reverend Joseph T. Burton, Sr.                           |

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                                                         | Date       | Type | Description                                                    |
|----------|-----------------------------------------------------------------|------------|------|----------------------------------------------------------------|
| H144-914 | Spence                                                          | 9/22/2007  | T    | Delaware Forestry Association - 25th Anniversary               |
|          | cosponsors: All Representatives                                 |            |      |                                                                |
| H144-915 | Booth;<br>Hastings                                              | 9/22/2007  | T    | Lieutenant Rodney Layfield - Promotion - State Police          |
| H144-916 | Ennis; Wagner                                                   | 9/15/2007  | M    | Shandolen Annette Fields-Batson                                |
| H144-917 | Schooley                                                        | 9/20/2007  | T    | Norman Collins, Ph. D. - Contributions – Agricultural Museum   |
| H144-918 | Ewing                                                           | 9/24/2007  | T    | Ronnie & Scott Webb - Farm Family of the Year                  |
| H144-919 | Walls                                                           | 9/24/2007  | T    | Bruce Walton - Distinguished Service to Agriculture Award      |
| H144-920 | Maier                                                           | 9/7/2007   | T    | Bernard & Agnes Nally - 50th Wedding Anniversary               |
| H144-921 | Mulrooney;                                                      | 9/29/2007  | T    | IBEW - Local #313 - 105th Anniversary                          |
|          | Oberle cosponsors: Reps. Brady, Johnson, Lofink, Plant & Spence |            |      |                                                                |
| H144-922 | Outten                                                          | 8/31/2007  | T    | Raymond & Berit Thorne - 50th Wedding Anniversary              |
| H144-923 | Wagner                                                          | 9/7/2007   | T    | William & Joyce Darling - 50th Wedding Anniversary             |
| H144-924 | Stone                                                           | 8/17/2007  | T    | Jerry & Sylvia Dempsey - 50th Wedding Anniversary              |
| H144-925 | Hudson                                                          | 9/29/2007  | T    | Village of Marshallton - Placement of Historical Marker        |
|          | cosponsor: Rep. Gilligan                                        |            |      |                                                                |
| H144-926 | Walls                                                           | 10/13/2007 | T    | Frederica Volunteer Fire Company - 75th Anniversary            |
| H144-927 | Wagner                                                          | 9/22/2007  | M    | Dr. Robert Street Jackson                                      |
| H144-928 | Gilligan;<br>Hudson                                             | 9/30/2007  | T    | Joseph Mullins, Sr. - Chief Emeritus - Mill Creek Fire Company |
| H144-929 | Gilligan;                                                       | 9/30/2007  | T    | Lawrence Mergenthaler - Chief Emeritus - Mill                  |

|          |                                |           |   |                                                                                   |
|----------|--------------------------------|-----------|---|-----------------------------------------------------------------------------------|
| H144-930 | Hudson<br>Gilligan;            | 9/30/2007 | T | Creek Fire Company<br>Catherine Jenkins - Board of Directors Emeritus             |
| H144-931 | Hudson<br>Schwartzkopf         | 9/30/2007 | T | - Mill Creek Women's Auxiliary<br>Dutch Kelley - Volunteer - New Life Thrift Shop |
| H144-932 | cosponsor: Rep. Booth<br>Stone | 9/8/2007  | T | John & Judith Dewey - 50th Wedding Anniversary                                    |
| H144-933 | Brady                          | 9/28/2007 | T | Master Sergeant Timothy Houser – Service - State and Nation                       |
| H144-934 | Hastings                       | 10/1/2007 | T | Hitchens Farm - Century Farm Award                                                |
| H144-935 | Schwartzkopf                   | 10/1/2007 | T | Green Acres Farm - Century Farm Award                                             |

cosponsor: Rep. Hocker

#### HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                                      | Date       | Type | Description                                                           |
|----------|----------------------------------------------|------------|------|-----------------------------------------------------------------------|
| H144-936 | Lofink                                       | 9/29/2007  | T    | Laurie Jackson & Michael Brown - Marriage                             |
| H144-937 | cosponsors: All Representatives<br>Mulrooney | 10/3/2007  | T    | Khadijah Rushdan - Wilmington Award –<br>Athletics Category           |
| H144-938 | cosponsor: Rep. Keeley<br>Brady              | 10/3/2007  | T    | Daniel Butler - Wilmington Award - Business Category                  |
| H144-939 | cosponsor: Rep. Keeley<br>Keeley             | 10/3/2007  | T    | Brother Chris Posch - Wilmington Award - Faith Category               |
| H144-940 | Schooley                                     | 10/3/2007  | T    | Catherine McKay - Wilmington Award –<br>Health/Science Category       |
| H144-941 | cosponsor: Rep. Keeley<br>Mulrooney          | 10/3/2007  | T    | Reverend Aaron Moore - Wilmington Award –<br>Health/Science Category  |
| H144-942 | Keeley                                       | 10/3/2007  | T    | Isidro Colon, Sr. - Wilmington Award - Senior Category                |
| H144-943 | Plant                                        | 10/3/2007  | T    | Stanley Kozicki - Wilmington Award –<br>Volunteerism Category         |
| H144-944 | cosponsor: Rep. Keeley<br>Brady; Keeley      | 10/3/2007  | T    | Little Italy Neighborhood Association –<br>Wilmington Award Recipient |
| H144-945 | Carey                                        | 10/6/2007  | T    | Stephen Hollenbeck - Distinguished Service to Agriculture             |
| H144-946 | Hall-Long                                    | 10/8/2007  | T    | Joanne Whalen - Distinguished Service to Agriculture                  |
| H144-947 | Hall-Long                                    | 10/8/2007  | T    | Katie Powers - Youth Ambassador - Agriculture                         |
| H144-948 | Wagner                                       | 11/10/2007 | T    | Carla Reyes & Jeffrey Minner - Marriage                               |
| H144-949 | Wagner                                       | 8/4/2007   | T    | Danielle Coffield & Steven Smith - Marriage                           |
| H144-950 | Spence                                       | 9/26/2007  | M    | Francis J. O'Neill                                                    |
| H144-951 | cosponsors: All Representatives<br>Outten    | 9/26/2007  | M    | Gladys Schiff                                                         |
| H144-952 | Thornburg                                    | 9/25/2007  | M    | William Harrison Bass                                                 |
| H144-953 | cosponsor: Rep. Wagner<br>Maier              | 10/4/2007  | T    | Jean Griswold - Griswold Special Care - 25th Anniversary              |
| H144-954 | Spence                                       | 10/6/2007  | T    | Glenn Nathan - Retirement - Social Security Administration            |
| H144-955 | Cathcart                                     | 10/13/2007 | T    | Andrew Fisher - Eagle Scout                                           |
| H144-956 | Oberle                                       | 10/6/2007  | T    | Brandywine High Class of 1967 - 40th Class Reunion                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number   | Sponsor                            | Date       | Type | Description                                              |
|----------|------------------------------------|------------|------|----------------------------------------------------------|
| H144-957 | Cathcart                           | 10/21/2007 | T    | Barbara Greenwell - Retirement - Crossing Guard          |
| H144-958 | Outten                             | 10/7/2007  | T    | Linda Sullivan - Volunteer of the Year Award – 4-H       |
| H144-959 | D. Short                           | 10/6/2007  | T    | Sussex County Habitat for Humanity's Women Build         |
| H144-960 | Spence                             | 10/10/2007 | T    | National Day of the Republic of China - 96th Anniversary |
| H144-961 | Hall-Long                          | 10/13/2007 | T    | Andrew Fisher - Eagle Scout                              |
| H144-962 | cosponsor: Rep. Ennis<br>Miro      | 10/11/2007 | T    | Rebecca King - School Nurse of the Year                  |
| H144-963 | cosponsor: Rep. Viola<br>Thornburg | 11/10/2007 | T    | Benjamin White - Eagle Scout                             |
| H144-964 | Hall-Long                          | 10/3/2007  | T    | William Hutchison - Distinguished Service Award          |
| H144-965 | Walls                              | 10/9/2007  | T    | Faye Denkenberger - Retirement - Frederica Senior Center |
| H144-966 | Ennis                              | 10/1/2007  | M    | John E. Pleasanton, Jr.                                  |
| H144-967 | Carey                              | 10/26/2007 | T    | Dennis Hughes - Retirement - DelDOT                      |
| H144-968 | D. Short                           | 10/21/2007 | T    | Dr. Eduardo Jiloca - Retirement - Family Practice        |

|          |       |            |   |                                                                           |
|----------|-------|------------|---|---------------------------------------------------------------------------|
| H144-969 | Carey | 10/17/2007 | T | Olive Garden Restaurant - KSI - Supported Employment Program Award        |
| H144-970 | Carey | 10/17/2007 | T | Sanders Management Corporation - KSI – Supported Employment Program Award |
| H144-971 | Carey | 10/17/2007 | T | Playtex Products, Inc. - KSI - Industrial Work Crew Program Award         |
| H144-972 | Carey | 10/17/2007 | T | Intervet, Inc. - KSI - Industrial Work Crew Program Award                 |
| H144-973 | Carey | 10/17/2007 | T | Veterans Home - KSI - Industrial Work Crew Program Award                  |
| H144-974 | Carey | 10/17/2007 | T | Kraft Foods Global, Inc. - KSI - Industrial Work Crew Program Award       |
| H144-975 | Carey | 10/17/2007 | T | LabCorp of America - KSI - Cartridge Service Award                        |
| H144-976 | Carey | 10/17/2007 | T | DelDOT - KSI - Cartridge Service Award                                    |

HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                           |
|---------------|----------------|-------------|-------------|------------------------------------------------------------------------------|
| H144-977      | Carey          | 10/17/2007  | T           | Pinnacle Foods Corporation - KSI - Sub-contract Award                        |
| H144-978      | Carey          | 10/17/2007  | T           | B & G Foods, Inc. - KSI - Sub-contract Award                                 |
| H144-979      | Carey          | 10/17/2007  | T           | Fastenal Company - KSI - Sub-contract Award                                  |
| H144-980      | Carey          | 10/17/2007  | T           | Perdue Farms Incorporated - KSI - Sub-contract Award                         |
| H144-981      | Carey          | 10/17/2007  | T           | Dentsply/Caulk - KSI - Sub-contract Award                                    |
| H144-982      | Carey          | 10/17/2007  | T           | Procter & Gamble - KSI - Partnership Award                                   |
| H144-983      | Keeley         | 10/11/2007  | T           | The Lorelton Assisted Living Facility - 20th Anniversary                     |
| H144-984      | Spence         | 10/17/2007  | T           | Retired Association - State Police - Volunteer Service - Speakers Conference |
| H144-985      | Wagner         | 10/13/2007  | T           | Tanya Malcolm & Scott Heatherly – Marriage                                   |
| H144-986      | Wagner         | 10/20/2007  | T           | Seton Patterson & Chris McIlroy - Marriage                                   |
| H144-987      | Spence         | 10/12/2007  | T           | Delaware ALF-CIO - 50th Anniversary                                          |
| H144-988      | Spence         | 10/12/2007  | T           | Edward Peterson - Past President - AFL-CIO                                   |
| H144-989      | Spence         | 10/12/2007  | T           | Ted Janeka - Past President - AFL-CIO                                        |
| H144-990      | Spence         | 10/12/2007  | T           | Michael Begatto - Past President - AFL-CIO                                   |
| H144-991      | Spence         | 10/12/2007  | T           | Samuel Lathem - Past President - AFL-CIO                                     |
| H144-992      | Spence         | 10/12/2007  | T           | Linda Chavez-Thompson/AFL-CIO Executive Vice President                       |
| H144-993      | Outten         | 10/8/2007   | M           | Alfred G. B. Mann                                                            |
| H144-994      | Blakey; Wagner | 10/8/2007   | M           | Edward T. Crawford                                                           |
| H144-995      | Marshall       | 10/11/2007  | M           | David O. Kessler                                                             |
| H144-996      | Booth          | 9/21/2007   | T           | David Wilson - Volunteer of the Year - United Services Organization          |
| H144-997      | Walls          | 10/17/2007  | T           | Milford Housing Development Corporation – 30th Anniversary                   |
| H144-998      | Wagner         | 10/3/2007   | M           | Linda Young Welsh                                                            |

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u> |
|---------------|----------------|-------------|-------------|--------------------|
|---------------|----------------|-------------|-------------|--------------------|

|           |                                 |            |   |                                                          |
|-----------|---------------------------------|------------|---|----------------------------------------------------------|
| H144-999  | Booth                           | 10/21/2007 | T | Harold White - 90th Birthday                             |
| H144-1000 | Spence                          | 10/10/2007 | M | Honorable James T. Vaughn                                |
|           | cosponsors: All Representatives |            |   |                                                          |
| H144-1001 | Hastings                        | 10/21/2007 | T | Hickory Hill United Methodist - 130th Anniversary        |
| H144-1002 | Hudson                          | 10/17/2007 | T | James Berman - Teacher of the Year - Wal-Mart            |
| H144-1003 | Gilligan                        | 10/7/2007  | T | Michael Capriglione - Police Chief of the Year           |
| H144-1004 | Outten                          | 10/21/2007 | T | John & Carolyn Rose - 60th Wedding Anniversary           |
| H144-1005 | Wagner                          | 7/28/2007  | T | Charles & Helen Drummer - 50th Wedding Anniversary       |
| H144-1006 | Keeley                          | 11/8/2007  | T | Anita Doran - 100th Birthday                             |
| H144-1007 | Marshall                        | 10/25/2007 | T | Carolyn Carter - President - Wilton Civic Alliance       |
| H144-1008 | Maier                           | 9/26/2007  | M | Arthur Gamsby                                            |
| H144-1009 | Blakey                          | 8/24/2007  | T | Dave & Bonnie Farley - 60th Wedding Anniversary          |
| H144-1010 | Wagner                          | 10/11/2007 | M | Lola E. Locke                                            |
| H144-1011 | Oberle                          | 10/18/2007 | T | Bill Wheatley - Governor's Outstanding Volunteer Award   |
| H144-1012 | Williams                        | 10/28/2007 | T | Songs of Inspiration Gospel Ministry - 25th Anniversary  |
| H144-1013 | Hudson                          | 11/10/2007 | T | Mary Waters-Langrell - 80th Birthday                     |
| H144-1014 | Hudson                          | 9/25/2007  | M | Francis Robert Faerber                                   |
| H144-1015 | Hudson                          | 10/26/2007 | T | Charles & Catherine Bramble - 50th Wedding Anniversary   |
| H144-1016 | Hudson                          | 10/7/2007  | T | Edward & Helen Frederick - 60th Wedding Anniversary      |
| H144-1017 | Hudson                          | 9/17/2007  | T | Victor & Antoinette Battaglia - 60th Wedding Anniversary |
| H144-1018 | Hall-Long                       | 5/25/2007  | T | Robert & Blanche Biddle - 50th Wedding Anniversary       |
| H144-1019 | Hall-Long                       | 4/27/2007  | T | Bud & Doris Morris - 50th Wedding Anniversary            |
| H144-1020 | Longhurst                       | 7/27/2007  | T | John & Terry O'Donnell - 50th Wedding Anniversary        |
| H144-1021 | Plant                           | 9/10/2007  | T | Rufus & Viola Scrivens - 50th Wedding Anniversary        |
| H144-1022 | Plant                           | 9/6/2007   | T | William & Catherine Harkins - 60th Wedding Anniversary   |
| H144-1023 | Ewing                           | 10/17/2007 | M | William James Russell                                    |

cosponsors: Reps. Lee & Schwartzkopf

#### HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                           |
|---------------|---------------------------------|-------------|-------------|--------------------------------------------------------------|
| H144-1024     | Keeley                          | 10/25/2007  | T           | Liam Sullivan - Retirement - Wilmington Police               |
| H144-1025     | Wagner                          | 10/13/2007  | T           | Penelope Howe & Mark Farley - Marriage                       |
| H144-1026     | Maier                           | 10/26/2007  | T           | James & Heather Riley - Community Service                    |
| H144-1027     | Walls                           | 10/28/2007  | T           | St. Paul United Methodist Church - 150th Anniversary         |
|               | cosponsor: Rep. Carey           |             |             |                                                              |
| H144-1028     | McWilliams                      | 9/24/2007   | T           | Anthony & Theresa Bonvetti - 60th Wedding Anniversary        |
| H144-1029     | Ennis                           | 10/16/2007  | M           | Florence M. Cooke                                            |
| H144-1030     | Schooley                        | 10/29/2007  | T           | Karen Kaler - President - Newark High PTA                    |
| H144-1031     | Hudson                          | 10/14/2007  | M           | William Daniel Holloway                                      |
| H144-1032     | Outten                          | 10/20/2007  | M           | William J. Paskey, Jr.                                       |
|               | cosponsors: All Representatives |             |             |                                                              |
| H144-1033     | Wagner                          | 10/20/2007  | T           | Joanna Vilone & Richard Lau - Marriage                       |
| H144-1034     | Cathcart                        | 11/2/2007   | T           | Ike & Ginny Guessford - 50th Wedding Anniversary             |
| H144-1035     | Hudson                          | 10/25/2007  | T           | Ozzie Kincannon - 80th Birthday                              |
| H144-1036     | Hudson                          | 11/9/2007   | T           | Greenbank Mill & Philips Farm - 20 Years of Preservation     |
| H144-1037     | Hudson                          | 10/24/2007  | T           | Caridad Alonso - Teacher of the Year                         |
| H144-1038     | Gilligan                        | 9/14/2007   | T           | Harold & Frances Figgs - 50th Wedding Anniversary            |
| H144-1039     | Gilligan                        | 10/5/2007   | T           | Joseph & Joan Barba - 50th Wedding Anniversary               |
| H144-1040     | Gilligan                        | 9/7/2007    | T           | James & Gail Shinn - 50th Wedding Anniversary                |
| H144-1041     | Viola                           | 7/6/2007    | T           | Raymond & Patricia McCall - 50th Wedding Anniversary         |
| H144-1042     | Outten                          | 11/7/2007   | T           | Captain Richard Powell - Service to Country                  |
| H144-1043     | Lofink                          | 11/11/2007  | T           | Jeffrey Davis - Eagle Scout                                  |
| H144-1044     | Outten                          | 11/7/2007   | T           | Sgt 1st Class Kevin Outten - Meritorious Service to Country  |
| H144-1045     | Outten                          | 11/7/2007   | T           | Specialist Gavin Harrington - Meritorious Service to Country |
| H144-1046     | Outten                          | 11/7/2007   | T           | Specialist Mahalia Baynard - Meritorious Service to Country  |
| H144-1047     | Outten                          | 11/3/2007   | T           | Anna Lee Minner - 80th Birthday                              |
| H144-1048     | B. Short                        | 10/15/2007  | T           | Albert & Carole Dempsey - 50th Wedding Anniversary           |

#### HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u> |
|---------------|----------------|-------------|-------------|--------------------|
|---------------|----------------|-------------|-------------|--------------------|

|           |                  |            |   |                                                            |
|-----------|------------------|------------|---|------------------------------------------------------------|
| H144-1049 | Hall-Long; Ennis | 10/31/2007 | T | Ken Branner - Retirement - duPont Company –                |
| H144-1050 | Hall-Long        | 11/11/2007 | T | Iva Boardman - Retirement - Board of Nursing               |
| H144-1051 | Hastings; Carey  | 10/5/2007  | T | Mary McCabe Tally - 99th Birthday                          |
| H144-1052 | Lavelle          | 10/31/2007 | T | Blue Ball Working Group - Dedication                       |
| H144-1053 | Stone            | 10/27/2007 | M | Norman Lee Tunney                                          |
| H144-1054 | Stone            | 10/26/2007 | M | Betty M. Garrison                                          |
| H144-1055 | Lee              | 11/14/2007 | T | Nancy Allen - Laurel Business Person of the Year           |
| H144-1056 | Lee              | 11/14/2007 | T | Randall Lee - Laurel Citizen of the Year                   |
| H144-1057 | Lee              | 11/14/2007 | T | Saralee Clark - Laurel Citizen of the Year                 |
| H144-1058 | Lee              | 11/16/2007 | T | Alan Jefferson - First Place - Dump Truck - Snow Roadeo    |
| H144-1059 | Longhurst        | 11/16/2007 | T | Jason Chadick - First Place - Dump Truck - Snow Roadeo     |
| H144-1060 | Booth            | 10/17/2007 | T | Jefferson, Urian, Doane & Sterner, P.A/30th Anniversary    |
| H144-1061 | Williams         | 10/27/2007 | M | Anna Leola Price Williams                                  |
| H144-1062 | Hocker           | 11/15/2007 | T | Neil Hanrahan - Retirement - Public Works – Fenwick Island |
| H144-1063 | Ennis            | 10/2/2007  | T | Michael Foster - 80th Birthday                             |
| H144-1064 | Wagner           | 8/25/2007  | T | Andrea Hinchey & Jeffrey Pietragallo - Marriage            |
| H144-1065 | Wagner           | 10/30/2007 | M | Carl Goodnight                                             |
| H144-1066 | Wagner           | 11/6/2007  | T | John Robbins - 107th Birthday                              |
| H144-1067 | Lofink           | 11/11/2007 | T | St. Margaret of Scotland Church - Dedication               |
| H144-1068 | Cathcart; Wagner | 11/1/2007  | M | Edward H. Schabinger                                       |
| H144-1069 | Spence           | 11/7/2007  | T | James R. Kenney - Service to State and Nation              |
| H144-1070 | Hudson           | 11/14/2007 | T | Del-Mar Diabetes Association - World Diabetes Day          |
| H144-1071 | Walls            | 11/18/2007 | T | Marvin & Charlotte Davis - 50th Wedding Anniversary        |
| H144-1072 | Walls            | 11/23/2007 | T | Obby & Iva Reed - 50th Wedding Anniversary                 |
| H144-1073 | Wagner           | 11/9/2007  | M | Robert W. Hollingsworth                                    |
| H144-1074 | Lee              | 11/29/2007 | T | Joyce Figgs - Delmar Citizen of the Year                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>       | <u>Date</u> | <u>Type</u> | <u>Description</u>                                        |
|---------------|----------------------|-------------|-------------|-----------------------------------------------------------|
| H144-1075     | D. Short             | 11/17/2007  | T           | Edward & Shirley Butler - 50th Wedding Anniversary        |
| H144-1076     | Thornburg; Wagner    | 11/11/2007  | M           | Frances Messina                                           |
| H144-1077     | Blakey               | 11/12/2007  | T           | Edwin Englehart - Service to Country                      |
| H144-1078     | Blakey               | 11/12/2007  | T           | John Porter Chapter - Service to Country                  |
| H144-1079     | Brady                | 12/8/2007   | T           | Alvin Crawl - Retirement - DelDOT                         |
| H144-1080     | Wagner               | 11/30/2007  | T           | Sarah Stoner & William Torbert - Marriage                 |
| H144-1081     | Wagner               | 10/18/2007  | T           | Patricia Heather - Governor's Outstanding Volunteer Award |
| H144-1082     | Schwartzkopf; Wagner | 11/10/2007  | M           | Maurice Barros                                            |
| H144-1083     | Lavelle              | 11/10/2007  | M           | Elizabeth B. Minner Hrupsa                                |
| H144-1084     | Walls; Outten        | 11/18/2007  | T           | Kathryn Melson Moore - 90th Birthday                      |
| H144-1085     | Thornburg            | 11/28/2007  | T           | Hallie Thompson - State Ambassador - Farm Bureau          |
| H144-1086     | Lee                  | 11/24/2007  | T           | Marlene Elliott & James Brown - Marriage                  |
| H144-1087     | Carey                | 11/24/2007  | T           | Mae Joseph - 104th Birthday                               |
| H144-1088     | Maier                | 11/20/2007  | M           | Frank Banz                                                |
| H144-1089     | Walls; Thornburg     | 11/23/2007  | M           | Miriam Elaine Mast                                        |
| H144-1090     | Wagner               | 11/11/2007  | M           | Reverend Stephen Lawrence Wallace                         |
| H144-1091     | Carey                | 11/22/2007  | T           | Uhland & Janice Pepper - 50th Wedding Anniversary         |
| H144-1092     | Wagner               | 11/16/2007  | T           | Margaret deValinger - 101st Birthday                      |
| H144-1093     | Carey                | 12/1/2007   | T           | Richard Wright - 50 Years - Milton Fire Company           |
| H144-1094     | Carey                | 12/1/2007   | T           | Robert Willey - 50 Years - Milton Fire Company            |
| H144-1095     | Carey                | 12/1/2007   | T           | Dr. James White - 65 Years - Milton Fire Company          |
| H144-1096     | Thornburg            | 11/28/2007  | T           | James Coleman - Retirement - DelDOT - 35 Years            |
| H144-1097     | Outten               | 11/21/2007  | M           | Walter W. Winkler                                         |
| H144-1098     | Maier                | 11/24/2007  | M           | Angelo J. Rossi, Sr.                                      |
| H144-1099     | Thornburg            | 11/24/2007  | M           | James Evan Vodvarka                                       |

cosponsor: Rep. Ewing  
H144-1100 Carey; Walls 9/18/2007 M William K. Kenton, Jr.  
HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                                    | Sponsor              | Date       | Type | Description                                                         |
|-----------------------------------------------------------|----------------------|------------|------|---------------------------------------------------------------------|
| H144-1101                                                 | Johnson              | 11/30/2007 | T    | Kenyatta Lucas, Ph. D. - Outstanding Achievements                   |
| H144-1102                                                 | Thornburg            | 10/27/2007 | T    | Edward & Lorraine Coker - 50th Wedding Anniversary                  |
| H144-1103                                                 | Outten               | 11/8/2007  | T    | John & Anna Farley - 60th Wedding Anniversary                       |
| H144-1104                                                 | Stone                | 12/22/2007 | T    | Elizabeth Burgess & Donald Scholfield – Marriage                    |
| H144-1105                                                 | Brady                | 12/15/2007 | T    | Richard Amos - Eagle Scout                                          |
| H144-1106                                                 | Keeley               | 11/25/2007 | T    | Sean Velazquez - Eagle Scout                                        |
| H144-1107                                                 | Oberle               | 12/1/2007  | T    | Lyle Newcomb - Eagle Scout                                          |
| H144-1108                                                 | D. Short             | 11/26/2007 | M    | Vincent C. Morris                                                   |
| H144-1109                                                 | Walls                | 11/24/2007 | M    | Charles D. Murphy                                                   |
| cosponsors: Reps. Carey & Thornburg                       |                      |            |      |                                                                     |
| H144-1110                                                 | Wagner               | 12/2/2007  | T    | Dr. Scott Miller - Wesley College President - 10 Years              |
| cosponsor: Reps. Blakey, Outten, Stone, Thornburg & Walls |                      |            |      |                                                                     |
| H144-1111                                                 | Hudson               | 11/22/2007 | M    | Lawrence C. Gropp                                                   |
| H144-1112                                                 | Lee; Outten          | 12/14/2007 | T    | Gwendolyn Shedaker - Retirement - Delmarva Power                    |
| H144-1113                                                 | Hocker               | 11/28/2007 | T    | Henry Johnson, Jr. Family - Farm Family of the Year                 |
| H144-1114                                                 | Blakey;<br>Thornburg | 12/2/2007  | M    | Edwin Francis Englehart                                             |
| H144-1115                                                 | Stone                | 10/18/2007 | T    | Robert Samuel - Governor's Outstanding Volunteer Award              |
| H144-1116                                                 | Carey                | 12/15/2007 | M    | William J. Irwin, Jr.                                               |
| H144-1117                                                 | Maier                | 11/3/2007  | M    | Carole B. Fulmer                                                    |
| H144-1118                                                 | Johnson              | 11/2/2007  | T    | John & Gladys Fitch - 65th Wedding Anniversary                      |
| H144-1119                                                 | Plant                | 11/15/2007 | T    | Joseph & Elizabeth Wysocki - 60th Wedding Anniversary               |
| H144-1120                                                 | B. Short             | 11/11/2007 | T    | Henry & Betty Lewis - 65th Wedding Anniversary                      |
| H144-1121                                                 | Hocker               | 10/23/2007 | T    | Parts Depot/Goodyear Gemini - Sussex County<br>Employer of the Year |
| H144-1122                                                 | Stone                | 10/26/2007 | T    | Major Doug Thompson - 90th Birthday                                 |
| H144-1123                                                 | Outten               | 12/3/2007  | M    | Harold I. Jump, Sr.                                                 |
| H144-1124                                                 | Outten               | 12/7/2007  | M    | Sara Emily Cain Masten                                              |
| H144-1125                                                 | Wagner               | 10/8/2007  | T    | Sara Auten & David Long - Marriage                                  |

HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: January 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                          | Sponsor             | Date       | Type | Description                                                        |
|---------------------------------|---------------------|------------|------|--------------------------------------------------------------------|
| H144-1126                       | B. Short;<br>Wagner | 12/13/2007 | T    | Warden Raphael Williams - Retirement –<br>Department of Correction |
| H144-1127                       | Hocker              | 12/20/2007 | T    | Donald Parrish - Retirement - DelDOT                               |
| H144-1128                       | Maier               | 12/11/2007 | M    | Ju Cho                                                             |
| H144-1129                       | Maier               | 12/12/2007 | M    | Mary W. Pierson                                                    |
| H144-1130                       | Hudson              | 12/4/2007  | M    | Daniel S. Hart                                                     |
| H144-1131                       | Wagner              | 12/30/2007 | T    | Berlin & Reba Hollingsworth - 60th Wedding Anniversary             |
| H144-1132                       | Booth               | 1/3/2008   | T    | Robert Perry - Retirement - DelDOT                                 |
| H144-1133                       | Outten              | 12/15/2007 | M    | Kori Lynn Minner                                                   |
| H144-1134                       | Maier               | 12/15/2007 | M    | Richard Lee Criss                                                  |
| H144-1135                       | Johnson             | 12/31/2007 | T    | Kathleen Wilbur - Retirement - Colonial School Board               |
| H144-1136                       | Blakey              | 11/7/2007  | T    | Beverly Laing - Kent County Tourism Award                          |
| H144-1137                       | Wagner              | 11/7/2007  | T    | K. C. Seth - Kent County Tourism Award                             |
| H144-1138                       | Carey               | 12/16/2007 | M    | John Lewis Brown                                                   |
| H144-1139                       | Gilligan            | 12/14/2007 | M    | Garrett Browne Lyons, Sr.                                          |
| H144-1140                       | Hastings            | 11/11/2007 | T    | Calvin & Harriett Rayne - 50th Wedding Anniversary                 |
| H144-1141                       | Stone               | 12/17/2007 | M    | The Honorable Edward Joshua Bennett                                |
| cosponsors: All Representatives |                     |            |      |                                                                    |
| H144-1142                       | Blakey, Stone       | 12/17/2007 | M    | Robert Milton Swift                                                |
| H144-1143                       | Booth               | 12/29/2007 | T    | Ryan Mock - Eagle Scout                                            |
| H144-1144                       | Ewing               | 12/20/2007 | M    | Oscar Watkins                                                      |
| H144-1145                       | Carey               | 12/19/2007 | M    | Herman W. Sharp, Jr.                                               |
| H144-1146                       | Outten              | 2/1/2008   | T    | Steven Curtiss - Retirement - DelDOT                               |



|           |           |            |   |                                         |
|-----------|-----------|------------|---|-----------------------------------------|
| H144-1147 | Stone     | 2/1/2008   | T | C. Wayne Kling - Retirement - DelDOT    |
| H144-1148 | Thornburg | 12/23/2007 | M | Patricia Ann LePore                     |
| H144-1149 | Wagner    | 11/19/2007 | T | Sherif Girgis - Rhodes Scholar          |
| H144-1150 | Hastings  | 1/19/2008  | T | Elizabeth L. Taylor - 100th Birthday    |
| H144-1151 | Lee       | 1/26/2008  | T | Jonathan Mark Springfield - Eagle Scout |

cosponsors: Reps. Booth, Carey & Hocker

T- Tribute

M - Memoriam

Mr. Acting Speaker, Representatives Cathcart & Hocker made comments. Mr. Acting Speaker introduced a guest. Representative Gilligan made comments. Mr. Acting Speaker & Representative Cathcart made comments. Representative Viola requested that he be marked present. Representative Cathcart deferred to Representative Wagner. Representative Wagner led the House in singing "Happy Birthday" to Representative Hocker.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representatives Blakey, Carey, Carson, Hall-Long, Kowalko, Lavelle, Longhurst, Maier, Mulrooney, Oberle, Schooley, Schwartzkopf, D. Short, Spence, Stone & Valihura.

Mr. Acting Speaker Booth called the House to order at 2:07 p.m. on January 10, 2008.

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

ENERGY AND NATURAL RESOURCES: **HB 275** - 3F,5M,3U.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 114** - 6M; **SB 138 w/SA 1** - 6M; **SB 151 w/SA 1** - 6M.

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

Representative Cathcart made an announcement.

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

### 3rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session January 10, 2008

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Manolakos – 1.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

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

The following prefiled legislation was introduced:

**SB 189** - SIMPSON & SENATOR BUNTING & SENATOR ADAMS & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE HOCKER - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Chapter 121 of Volume 76 of the Laws of Delaware Relating to the Timing of a Public Hearing.

**SJR 6** - BUNTING & REPRESENTATIVE HOCKER - ENERGY AND NATURAL RESOURCES - Honoring Oliver W. Cropper of Fenwick Island for His Many Years of Public Service by Designating an Unnamed Point Extending into Little Assawoman Bay in His Honor, and Urging the Proper Authorities to Accept His Name Officially when Such Action may be Carried Out under the Applicable Regulations.

Representative Cathcart deferred to Representative Thornburg. Representative Thornburg requested that **HR 37** be stricken. Representative Cathcart made an announcement. Representatives Gilligan & McWilliams requested that they be marked present. Representative Cathcart deferred to Representative Blakey. Representative Blakey made comments regarding **HB 258** and requested that **HB 258** be stricken. Representative Cathcart made an announcement.

The minutes of the previous two legislative days were approved as posted.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 189** & **SJR 6** and requests the concurrence of the House and the Senate has passed **HJR 17** and is returning same to the House.

Representative Keeley requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:20 p.m.

The House reconvened at 3:36 p.m.

Representative Cathcart deferred to Representative Spence. Representatives Spence, B. Short & Lofink requested that they be marked present.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg introduced and brought **HR 39**, jointly sponsored by Representatives Booth, Carey, Hastings, Hocker, Manolakos, Outten, Carson, Hall-Long, McWilliams, Mulrooney & Walls, before the House for consideration.

**HR 39** - COMMEMORATING JANUARY 7-12, 2008 AS DELAWARE AGRICULTURE WEEK.

Representative Thornburg made comments.

Representative Hocker requested that he be marked present.

**HR 39** was adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle made comments. Representative Oberle moved to restore **SB 100 w/SA 1**.

The motion was seconded by Representative Hastings and adopted by voice vote.

Representative Oberle brought **SB 100 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Henry & Still & Representatives Miro & Spence, before the House for consideration.

**SB 100** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING.

Representative Oberle moved to rescind the roll call on **SB 100 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Oberle moved to place **SB 100 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Hocker and adopted by voice vote.

Representative Cathcart brought **SB 86 w/SA 1**, sponsored by Senator Sokola & Representative Valihura & Senators Bonini, Bunting, Connor, McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 86** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON HOUSING AND HOUSING.

Representative Cathcart moved to place **SB 86 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Mulrooney, Oberle & Viola requested that they be marked present.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley requested that action on **SB 58 w/SA 1 & 2** be deferred to a Day Certain, Tuesday, January 15, 2008.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 209**, jointly sponsored by Senator Henry & Representatives Hudson, Manolakos, Stone, Wagner, Hall-Long, Kowalko, Schooley & Williams & Senator Blevins, before the House for consideration.

**HB 209** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD.

Representative Maier made comments.

The roll call on **HB 209** was taken and revealed:

YES: 29.

ABSENT: Representatives Blakey, Carson, Hudson, Kowalko, Lavelle, Longhurst, Manolakos, Outten, Schwartzkopf, D. Short, Stone & Valihura - 12.

Therefore, having received a constitutional majority, **HB 209** was sent to the Senate for concurrence.

Representative Williams requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 275**, jointly sponsored by Representatives Booth, Ewing, Hall-Long & Outten & Senators Bunting, Cook & Venables & Representatives Carey, Hastings, Maier, D. Short, Stone & Thornburg & cosponsored by Representative Walls, before the House for consideration.

**HB 275** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES.

Representative Hocker made comments.

The roll call on **HB 275** was taken and revealed:

YES: 27.

ABSENT: Representatives Blakey, Carson, Hall-Long, Hudson, Kowalko, Lavelle, Longhurst, Manolakos, Outten, Schwartzkopf, D. Short, Stone, Valihura & Williams - 14.

Therefore, having received a constitutional majority, **HB 275** was sent to the Senate for concurrence.

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

Representative Mulrooney made comments. Representative Cathcart made an announcement.

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

LABOR: **HB 283** - 5F; **SB 99** - 1F,4M; **SB 132** - 5M; **SB 142 w/SA 1 & 2** - 6M.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

To: Terry R. Spence, Speaker of the House

From: Rep. Nick T. Manolakos

Date: January 10, 2008

RE: Absence from session

I am absent from session today due to illness.

Representative Lofink made an announcement.

The Majority Leader moved to recess to the call of the Chair at 3:59 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:06 p.m. on January 15, 2008.

Representative Cathcart made an announcement. Mr. Speaker Spence introduced guests.

The Majority Leader moved to recess for caucus at 2:10 p.m.

The House reconvened at 2:29 p.m.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson made comments.

Representative Hudson introduced **HB 285**, jointly sponsored by Senator Henry & Representatives Lavelle & Maier & Senators Copeland & Simpson & cosponsored by Representative Plant.

**HB 285** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS AND SAME-GENDER EDUCATION.

Representative Hudson made comments.

Mr. Speaker Spence assigned **HB 285** to the Education Committee.

Representative Cathcart moved to suspend the rules which interfere with action on

**SB 189**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 189**, sponsored by Senator Simpson & Senator Bunting & Senator Adams & Representative Schwartzkopf & Representative Hocker, before the House for consideration.

**SB 189** - AN ACT TO AMEND CHAPTER 121 OF VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO THE TIMING OF A PUBLIC HEARING.

Representative Schwartzkopf made comments.

The roll call on **SB 189** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 189** was returned to the Senate.

Representative Manolakos requested that he be marked present for the current Legislative Day during the roll call.

The Majority Leader moved to adjourn at 2:36 p.m., thereby ending the current legislative day. The House reconvened at 2:37 p.m.

#### **4th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session January 15, 2008**

The Chief Clerk called the roll:

Members Present: 41.

Representative Booth made an announcement. A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Representative Longhurst introduced guests. Mr. Speaker Spence invited Sara Tatnall to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HA 1 to HB 267** - PLANT - Placed with the Bill.

**HA 1 to SB 86** - CATHCART - Placed with the Bill.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner made comments and requested and was granted privilege of the floor the 2008 Teachers of the Year who announced their names, grades taught, subjects, schools and districts for the record. Courtney Fox, State Teacher of the Year, addressed the House. Representatives Lavelle, B. Short, Wagner, Manolakos & Mr. Speaker Spence made comments.

Representative Wagner introduced and brought **HCR 35**, jointly sponsored by Representative Lofink on behalf of All Representatives & Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 35** - COMMENDING COURTNEY FOX FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2008 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

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

Mr. Speaker Spence & Representative Gilligan made comments.

Representative Cathcart deferred to Representative Johnson.

Representative Johnson requested and was granted privilege of the floor for himself and Representatives Marshall & Mulrooney to join him in presenting a House Tribute to Kathleen Wilbur on the occasion of her retirement as President, Colonial School Board. Representatives Mulrooney & Cathcart made comments. George H. Meney, Ed.D., Superintendent, Colonial School District and Mrs. Wilbur addressed the House. Representative Gilligan & Mr. Speaker Spence made comments.

Representatives Lofink & Miro requested that they be marked present. Representative Cathcart deferred to Representative Blakey. Representative Blakey made an announcement. The House observed a moment of silence in memory of The Honorable Edward J. Bennett and The Honorable James T. Vaughn at the request of Representative Cathcart. Representative Johnson made an announcement.

The Majority Leader moved to recess for caucus at 3:15 p.m.

The House reconvened at 4:43 p.m. with Representative Booth as Acting Speaker.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 138 w/SA 1**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 138** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENHANCED 911 EMERGENCY NUMBER SERVICE AND REPORTING SYSTEM FUND.

Representatives Ewing & Maier made comments. Representative Ewing requested and was granted privilege of the floor for Elizabeth Olsen, Deputy Secretary, Department of Public Safety and Homeland Security. Representative Maier made comments.

The roll call on **SB 138 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **SB 138 w/SA 1** was returned to the Senate.

Representative Oberle requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 103**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 103** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA AND REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS AND ADOPTIONS.

Representative Maier made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 103** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker. Representative Hocker made an announcement. Representative Cathcart deferred to Representative Lofink. Representatives Lofink & Valihura made announcements. Representative Wagner led the House in singing "Happy Birthday" to Representative Schwartzkopf. Representative Lavelle made comments.

Representative Cathcart made comments regarding **HB 289**.

Representative Williams introduced **HB 289**, jointly sponsored by Representative Hastings & Representative Oberle & Senator Ennis.

**HB 289** - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (2/3 bill)

Mr. Acting Speaker assigned **HB 289** to the Transportation/Land Use and Infrastructure Committee.

Representative Williams made comments regarding **HB 289**. Representative Cathcart deferred to Representative Blakey. Representatives Blakey & Schooley made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:11 p.m.

Mr. Acting Speaker Booth called the House to order at 2:14 p.m. on January 16, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 211 w/SA 1** & **HCR 35** and is returning same to the House.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

## **5th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**

**January 16, 2008**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Gilligan, Kowalko, Lavelle & Manolakos – 4.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District.

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

The following prefiled legislation was introduced:

**HB 284** - B. SHORT & SENATOR SOKOLA; REPRESENTATIVE MCWILLIAMS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Chapter 5 of Title 17 of the Delaware Code Pertaining to Snow and Ice Removal in Nonmunicipal Residential Communities.

**HB 286** - MAIER & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE HALL-LONG & REPRESENTATIVE MARSHALL & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BRADY, CAREY, CARSON, EWING, JOHNSON, KEELEY, KOWALKO, LONGHURST, MCWILLIAMS, MIRO, MITCHELL, SCHWARTZKOPF, STONE, VIOLA, WAGNER, WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 14 and Title 16 of the Delaware Code to Assist Enrollment in the Delaware Healthy Children Program.

**HB 287** - SPENCE & SENATOR DELUCA - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County and the Grant of an Administrative Dimensional Variance.

**HA 1 to HB 65** - KOWALKO - Placed with the Bill.

**HA 2 to HB 283** - D. SHORT - Placed with the Bill.

**HA 1 to HJR 7** - KEELEY - Placed with the Bill.

**HA 1 to HA 1 to SB 86** - VALIHURA - Placed with the Bill.

**HA 1 to SB 161** - VALIHURA - Placed with the Bill.

Representatives McWilliams & Carey requested that they be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #51**

DATE: January 16, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                   | Date       | Type | Description                                                |
|-----------|-------------------------------------------|------------|------|------------------------------------------------------------|
| H144-1152 | Stone                                     | 1/1/2008   | M    | Gordon Massey, Jr.                                         |
| H144-1153 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal Bernard Alimenti - Retirement - NCC Police |
| H144-1154 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Sergeant Michael Kelly - Retirement – NCC Police    |
| H144-1155 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal James DiTomasso – Retirement - NCC Police  |
| H144-1156 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal Gorman Swift - Retirement – NCC Police     |
| H144-1157 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal Daniel Horsey - Retirement – NCC Police    |
| H144-1158 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Lieutenant Henry Tobin - Retirement – NCC Police    |
| H144-1159 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Sergeant Daniel Yeager - Retirement – NCC Police    |
| H144-1160 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal Douglas Warren - Retirement - NCC Police   |
| H144-1161 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Sergeant Eugene McKenna - Retirement - NCC Police   |
| H144-1162 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal William Sheridan - Retirement - NCC Police |
| H144-1163 | Spence;<br>Mitchell                       | 1/11/2008  | T    | Senior Corporal Patrick Mullin - Retirement – NCC Police   |
| H144-1164 | Lee<br>cosponsors: Reps. Ewing & D. Short | 1/11/2008  | T    | Western Sussex Boys and Girls Club - 10th Anniversary      |
| H144-1165 | Maier                                     | 1/3/2008   | M    | Agnes T. Dworsky                                           |
| H144-1166 | Maier                                     | 1/2/2008   | M    | Edythe L. Lumb                                             |
| H144-1167 | Booth                                     | 12/23/2007 | T    | Inez Keller - 104th Birthday                               |
| H144-1168 | Wagner; Stone                             | 12/8/2007  | T    | Robbins Hose Company - 125th Anniversary                   |
| H144-1169 | Lavelle                                   | 1/8/2008   | T    | Ryan Odens - Easter Seals' National Adult Representative   |
| H144-1170 | Spence<br>cosponsor: Rep. Hastings        | 1/26/2008  | T    | Mack & Rae Long - 50th Wedding Anniversary                 |
| H144-1171 | Booth                                     | 7/20/2007  | T    | Jeff & Betty Broderick - 50th Wedding Anniversary          |
| H144-1172 | Wagner                                    | 7/28/2007  | T    | Taran Winters & Ryan Curl - Marriage                       |
| H144-1173 | Viola                                     | 1/8/2008   | T    | Amber Hickman-Taylor - Boys & Girls Clubs Staff of Year    |
| H144-1174 | Walls                                     | 1/9/2008   | T    | Bertha Macklin - Retirement - Frederica Senior Center      |
| H144-1175 | D. Short                                  | 1/9/2008   | T    | John Kinsley - Retirement - Sussex EMT                     |
| H144-1176 | Hudson                                    | 11/27/2007 | T    | Hugh & Naomi Campbell - 50th Wedding Anniversary           |

**HOUSE TRIBUTE ANNOUNCEMENT #52**

DATE: January 16, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor             | Date      | Type | Description                                      |
|-----------|---------------------|-----------|------|--------------------------------------------------|
| H144-1177 | Booth               | 1/19/2008 | T    | Cory Matz - Eagle Scout                          |
| H144-1178 | Walls               | 1/10/2008 | T    | Scott Peterman - Environmental Stewardship Award |
| H144-1179 | Thornburg;<br>Walls | 1/13/2008 | T    | Robert Attix - 70th Birthday                     |
| H144-1180 | Plant; Wagner       | 1/2/2008  | M    | Melissa Dawn Wright                              |

|              |                     |            |   |                                                                   |
|--------------|---------------------|------------|---|-------------------------------------------------------------------|
| H144-1181    | Hall-Long           | 1/12/2008  | T | Frank Moffit - Posthumous Induction – Firemen's Hall of Fame      |
| H144-1182    | Hall-Long           | 1/12/2008  | T | Donald Reyburn - Heroic Fireman of the Year - Townsend            |
| H144-1183    | Hall-Long           | 1/12/2008  | T | David Hall, Sr. - EMT of the Year - Townsend Fire Company         |
| H144-1184    | Hall-Long           | 1/12/2008  | T | Larry & Ruby Dillmore - President's Award – Townsend Fire Company |
| H144-1185    | Lofink              | 1/13/2008  | T | Coach Shannon Riley - Coach of the Year – Glasgow High            |
| H144-1186    | Schooley; Maier     | 1/1/2008   | M | Barbara S. Bonner                                                 |
| H144-1187    | Schooley            | 1/5/2008   | M | Richard D. Groo                                                   |
| H144-1188    | Schwartzkopf; Booth | 1/7/2008   | M | Edna Miller Harmon                                                |
| H144-1189    | Wagner; Stone       | 1/7/2008   | M | Alice M. Holmes                                                   |
| H144-1190    | Lofink              | 1/13/2008  | T | Adam Ward - All-State Football Team                               |
| H144-1191    | Lofink              | 1/13/2008  | T | Jules Jones - All-State Football Team                             |
| H144-1192    | Lofink              | 1/13/2008  | T | Wayne Wilmore - All-State Football Team                           |
| H144-1193    | Lofink              | 1/13/2008  | T | Malachi Freeman - All-State Football Team                         |
| H144-1194    | Lofink              | 1/13/2008  | T | Chaz Yancey - All-State Football Team                             |
| H144-1195    | Cathcart            | 1/12/2008  | T | Dustin Wersinger - Eagle Scout                                    |
| H144-1196    | Wagner              | 1/13/2008  | T | Millard & Hattye Mae Biddle - 75th Wedding Anniversary            |
| H144-1197    | Thornburg; Wagner   | 12/30/2007 | M | Bernard Robert Petrosky, Ph.D.                                    |
| H144-1198    | Walls               | 1/12/2008  | T | Edgar & Irene Pierson - 50th Wedding Anniversary                  |
| H144-1199    | Stone               | 1/12/2008  | T | James Flood, Sr. - Retirement - Writer, Journalist & Businessman  |
| H144-1200    | Stone; Wagner       | 1/3/2008   | M | James T. Conlogue, Jr.                                            |
| H144-1201    | Outten              | 1/12/2008  | M | Mannon N. Robinson, Jr.                                           |
| H144-1202    | Lofink              | 1/17/2008  | T | Peter Grandell, Jr. - Retirement - Votech Schools                 |
| T- Tribute   |                     |            |   |                                                                   |
| M - Memoriam |                     |            |   |                                                                   |

Representatives Walls, Hastings & Thornburg requested that they be marked present.

Representative Hall-Long requested and was granted personal privilege of the floor to make an announcement. Representative Maier & Mr. Acting Speaker made comments.

Representative Cathcart brought the following prefiled **Consent Calendar #13** before the House for consideration.

**HCR 36** – HUDSON ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS – Designating the Month of February 2008 as “Delaware’s Teen Dating Violence Awareness and Prevention Month”.

**HCR 37** –SPENCE & SENATOR ADAMS & REPRESENTATIVES CATHCART, LEE, GILLIGAN, KEELEY & SENATORS DELUCA, BLEVINS, COPELAND & SORENSON – 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.

**SCR 31** – COOK & REPRESENTATIVE HUDSON – Commending All Those who have Helped to Make Delaware’s E-Government Resources and Services the Best in the Nation.

**Consent Calendar #13** was adopted by voice vote and **HCR 36** & **HCR 37** were sent to the Senate for concurrence and **SCR 31** was returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 31** and requests the concurrence of the House.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House

CC: JoAnn Hedrick

FROM: Rep. John A. Kowalko

DATE: January 16, 2008

RE: Absence from Session

I will be unable to attend today’s session because of illness.

MEMORANDUM

To: Terry R. Spence, Speaker of the House

From: Rep. Nick Manolakos

Date: January 16, 2008

RE: Absence from session

I am absent from session today due to illness.

MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: January 16, 2008  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Wednesday, January 16, 2008. I will not be able to attend today due to the death of my father-in-law last evening. Thank you.

Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to Sergeant William A. Foraker, Capitol Police. Mr. Acting Speaker made comments. Mark Foraker, brother of Sergeant Foraker, addressed the House and presented a gift to Sergeant Foraker. Sergeant Foraker addressed the House. Mr. Acting Speaker & Representative Mitchell made comments.

Representatives Wagner, Hudson, Blakey & Carson requested that they be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: House of Representatives  
FROM: Terry R. Spence, Speaker of the House  
DATE: January 16, 2008  
RE: Absence from Session

Please excuse my absence from session, Thursday, January 17, 2008, due to my position on and commitment to the Executive Committee of the National Speakers.

During my absence from session Rep. William Oberle, Speaker Pro Tempore, will act on behalf of my office concerning any and all issues that may arise.

Thank you.

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HB 288**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier, Manolacos, Wagner & Gilligan.

**HB 288** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OPENING AND CLOSING HOURS FOR SCHOOL ELECTIONS.

Mr. Acting Speaker assigned **HB 288** to the Education Committee.

Representative Cathcart made an announcement.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:35 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:35 P.M.: Representatives Brady, Longhurst, Mulrooney, Oberle, Spence, Viola & Williams.

Mr. Acting Speaker Oberle called the House to order at 1:55 p.m. on January 17, 2008.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 203** - 9M.

ENERGY AND NATURAL RESOURCES: **SJR 6** - 8F.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HJR 8** - 6M.

VETERANS AFFAIRS: **HB 281** - 9F.

The Majority Leader moved to adjourn at 1:56 p.m., thereby ending the current legislative day. The House reconvened at 1:57 p.m.

**6th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
January 17, 2008**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Ewing & Spence – 2.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

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

The following prefiled legislation was introduced:

**HB 291** - HUDSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 292** - LOFINK & SENATOR VENABLES; REPRESENTATIVES CAREY, LAVELLE, STONE, MULROONEY, VIOLA; SENATORS BLEVINS, COOK, MCDOWELL, SIMPSON, STILL - CAPITAL INFRASTRUCTURE - An Act to Amend the Fiscal Year 2008 Bond and Capital Improvements Act and Amending the Laws of Delaware. (3/4 bill)

**HB 293** - LOFINK & SENATOR VENABLES - EDUCATION - An Act to Amend Title 30 of the Delaware Code Relating to the Community College Infrastructure Fund for Delaware Technical & Community College. (3/5 bill)

**HB 294** - WAGNER & SENATOR BLEVINS; REPRESENTATIVES SPENCE, CATHCART, HUDSON, MAIER, STONE, KEELEY, KOWALKO, MITCHELL; SENATOR STILL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children.

**HB 295** - MITCHELL & REPRESENTATIVE MARSHALL & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, KEELEY, LONGHURST, MCWILLIAMS, SCHOOLEY, VIOLA; SENATOR SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 1 of Title 21 of the Delaware Code Relating to Motor Vehicles.

**HA 1 to HB 283** - D. SHORT - Placed with the Bill.

**SB 147 w/SA 1** - SIMPSON & SENATOR BONINI & REPRESENTATIVE CAREY & REPRESENTATIVE WALLS - HOUSE ADMINISTRATION - An Act to Amend Chapter 148, Volume 72, Laws of Delaware, as Amended, the Charter of the City of Milford, to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts and to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Development Districts and to Provide for Certain Matters Relating to Collection and Levy of Special Ad Valorem Taxes, Special Taxes, and Ad Valorem Taxes in Connection with Such Municipal Tax Increment Financing and Municipal Development Districts and to Increase the Contract Amount Not Subject to Competitive Bidding. (2/3 bill)

**SJR 8** - HENRY; SENATORS SOKOLA & MCDOWELL; REPRESENTATIVES LOFINK & MIRO - EDUCATION - Extending the Reporting Deadline of the Task Force to Review the Future of City of Wilmington Students in Public Schools.

The Majority Leader moved to recess for the Joint Session at 2:00 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:02 p.m.

#### **JOINT SESSION - HOUSE CHAMBER**

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

The Members of the Senate were admitted, welcomed and seated. Lieutenant Governor John C. Carney, Jr. and Senator Thurman G. Adams, President pro Tempore, joined Mr. Acting Speaker on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted, welcomed and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials along with the Presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College who were admitted, welcomed and seated.

The Sergeant-at-Arms announced the arrival of the members of the Governor's cabinet. They were admitted, welcomed and seated.

Representative Cathcart moved that the Senate and the House meet in Joint Session at 2:08 p.m. for the purpose of hearing an address by the Honorable Ruth Ann Minner, Governor of the State of Delaware. There was no objection.

Representative Cathcart moved that Representative Oberle, as Acting Speaker of the House of Representatives, preside over the Joint Session. There was no objection.

Representative Cathcart moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. There was no objection.

Representative Cathcart moved that the Acting Speaker appoint a committee of four to escort the Governor to the Joint Session. The motion was seconded by Representative Lee. There was no objection. Mr. Acting Speaker appointed Representative V. George Carey (Spokesperson), Representative Michael P. Mulrooney, Senator Nancy W. Cook and Senator Steven H. Amick to form the escort committee.

Mr. Acting Speaker declared a temporary recess at 2:10 p.m. to await the arrival of the Governor. The Joint Session reconvened at 2:12 p.m.

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

Representative Carey introduced Governor Minner to the Joint Session.

Mr. Acting Speaker welcomed the Governor to the House Chamber.

The Governor addressed the members of the General Assembly as follows:

Thank you very much, Mr. Speaker. Good afternoon everyone.

To our Lieutenant Governor, President Pro Tem Adams, Speaker Spence, members of the 144th General Assembly, the members of my cabinet, a special thank you to you, to the other elected officials who are here, to our university Presidents and community college President, to our state employees, our most important resource, to our distinguished guests, to my family and yes, to all of my fellow Delawareans...

I am particularly proud to be here today to appear before you for this State of the State address as it kicks off my last year as your Governor. As you all know, my career in elected public office started right here in this Chamber. It doesn't seem like it's been that long ago but yes so much of what I've worked on as your Governor are the things that we started doing and working on when I was here.

My annual appearance, my legislative friends, have not only been an opportunity to remember my roots but also reaffirm my longstanding priorities, such as creating world-class schools, protecting our precious environment, fighting to keep and create jobs, and working to make Delaware a healthier state.

Many of these efforts began many years ago, with many of you right here in this Chamber and across the hall and so it's only fitting that today, we reflect on our accomplishments, celebrate our successes, and renew our dedication to those key areas for the months ahead.



We face a very tight budget year, so we will continue to provide the best possible service for the people of Delaware while keeping the costs at a minimum. In this economy, we don't want to start many new programs. Instead, we're building on the initiatives begun during the Minner/Carney Administration that have already made a difference in the lives of so many Delawareans and that will impact our state long after my term is over.

I'll take the liberty today to highlight some of what we've done since I first appeared here back in January of 2001. I am proud to report Delaware is healthier, safer, more secure, and above all, our children are better educated today than they were seven years ago.

First, I'd like to talk about our schools. In 2001, we knew we needed to improve state test scores, we knew we needed to work to implement full-day kindergarten in every public elementary school in the state, upgrade our teacher performance review system, and come up with a plan to attract and keep the brightest college graduates teaching in Delaware classrooms.

If a student could not afford college, he or she often gave up the dream of higher education, and yes quite often dropped out of high school.

Since I took office, we have put reading specialists in all of our public elementary schools and math specialists in every one of our middle schools to help our students who are struggling in the key subjects. Our Delaware Teacher Corps has brought more bright and talented teachers into our classrooms, and our new Delaware Performance Appraisal System for teachers will implement in every school district next school year.

And through the persistence of hard work of all of us and the leadership of Senator McDowell and Representative Wagner, we all worked together to implement the SEED scholarship program, offering free college tuition to any student who works hard, stays out of trouble, and gets good grades. Today, more than 1,300 Delaware high school graduates are successfully attending college and yes on the path to a degree, a good job, and a better life.

In 2005, Delaware students outscored the rest of the nation in improvements on the National Assessment of Educational Progress in fourth and eighth-grades and yes in reading and in math, and their improvement continues today to remain above the national average. And yes we have also been recognized as one of the top four states in the country for closing the achievement gap among minorities, disabled, and low-income students.

Our test scores continue to rise, and we have one of the highest percentages of national blue ribbon schools in the United States.

I am extremely proud of our accomplishments in the field of education. Let's continue building on that record by passing the Student Academic Reward scholarship STAR. The STAR scholarship would enable high-achieving SEED graduates to continue to a four-year degree tuition-free. This is a tremendous opportunity for our students and would result in better educated workforce for our business community.

At this time, I am very proud to introduce Cameron Galbreath of Dover, an architectural engineering major at Delaware Tech and Community College, and Kelsey Burris of Camden, a theater production major in the Associate of Arts program at the University of Delaware. These two SEED students are currently excelling in their fields of study and they would like to take advantage of the STAR program if it becomes available. Let's finish the job we started and make the dream a reality for such hard-working Delaware students.

We will also continue to support the efforts of Vision 2015 an organization of business leaders, educators and state officials who are committed to plan to make our schools the best in the world. In that effort, we will recommend an appropriation of \$500,000 to continue to invest in early childhood education and also make the virtual school a reality by investing more than \$250,000 in that cutting-edge project.

Just last week, I met with Skip Schoenhals and Secretary Valerie Woodruff, from the Department of Education and yes they co-chair the 18-member committee that I established to find cost-savings in our public education system. As always, Skip and Val did a great job getting this group together and developing an aggressive list of ideas to save our state money in education. I have forwarded that report to the Office of Budget and Management and directed Jennifer Davis to work with Secretary Woodruff to begin reviewing and implementing some of these cost-savings ideas as soon as possible. Thank you to Skip and Val. We appreciate your hard work.

I propose to devote any cost savings through this effort to our early childhood education initiatives and other classroom programs. And I want to tell you it will make a difference.

We will also continue funding for full-day kindergarten, a program that helps children get additional time in the classroom as they are building the foundation for their educational success. My budget proposal for the next fiscal year includes state funding for full-day kindergarten in 11 districts and nine charter schools.

As you know, in 2001, Delaware's cancer incidence and mortality rates were among the worst in the nation, and a quarter of our adult residents were smoking. Our infant mortality rate was also the highest in the nation.

I am extremely pleased today to tell you our cancer mortality rate is declining twice as fast as the national average. Our colorectal and other cancer screenings are at an all-time high. We now have the third highest rate of colorectal screening in the nation as a result of our Screening for Life program, and we continue to be the only state to provide cancer treatment for the uninsured.

Our smoking rate has decreased from the 25 percent in adults in 2001 to less than 19 percent today. Thanks each one of you for our Clean Indoor Air Act and our tobacco prevention efforts. But our youth smoking has declined more than half over the past decade, which is especially encouraging.

Even during the prior recession when other states were making massive cuts in the numbers of people receiving Medicaid, we have continued and never dropped any of Delaware's neediest residents from our system.

It's due to our cost-containment efforts, and we continue to look for new and innovative ways to keep our Medicaid costs down so we can continue to handle the increased enrollment without critically cutting services to the people of our state.

Our efforts to address the infant mortality also are clearly showing results. We have provided prenatal services to more than 1,800 high-risk mothers, and an additional 5,800 women are receiving preconceptional care. Between July of 2006 and September of 2007, the percentage of low birth weight babies born to women in our program was 6.5 percent, lower than the national average which is 7.8 percent. While we still have more work to do, our efforts in this area have brought real change and lowered infant death rates in the First State.

This year, I ask you to continue funding to implement the recommendations of the Infant Mortality Task Force so we can further our efforts to save the lives of newborn babies in Delaware.

Under the leadership of Lt. Governor Carney, we are addressing the disparities in healthcare service and outcome among our minorities, our ethnic populations and through the Governor's Task Force on Health Disparities they are working hard. We must establish a health disparities registry through our health service providers and the health insurance companies to identify problem areas so we can target our efforts.

We are also continuing to promote the health and wellness of our state employees. As Delaware's largest employer, state government covers approximately 110,000 lives through our health care services including all of our state workers, their families, and our retirees. We know that if we invest in our employees' health now, it can help our workers feel better, assist them in better managing chronic diseases and lead to a greater productivity in the workplace as well as in their lives. It also saves the state money that would otherwise be spent on health care costs.

I have said it before. If our employees continue the path to wellness, we must reward them for their efforts and I am once again proud to announce that I am recommending no increase in employee healthcare cost to the employee for the next fiscal year. I look forward to working with the State Employees Benefits Committee to make it a reality for an unprecedented third year in a row. It does make a difference. This would be a well-deserved reward for our state employees in these difficult times. It would also be a testament to our work and partnership with the State Employees Benefit Committee.

In addition, we're adding to our successful DelaWELL healthcare initiative. And starting on February the 14th, we will be adding a number of benefits to this program to include offering up to 100 percent refund for the cost of Weight Watchers if employees meet their weight-loss goals.

We'll also continue our 5K runs/walks and the other wellness education programs, which have been so popular with our State employees over the last year.

In Delaware schools, our nurses, our teachers, our principals have been very innovative in creating programs to address the growing problem of childhood obesity. Our Lieutenant Governor, through his Lt. Governor's Challenge program, has reached 43 percent of elementary schools in our state. Today, I challenge the Lieutenant Governor to a challenge. By this time next year, I challenge him to get his program in every single elementary school in the State of Delaware. And when he does, we know that our children will be challenged to better health.

Due to the growing demands on our hospitals and medical centers, we have invested nearly \$7 million during the Minner/Carney Administration toward nursing expansion programs in Delaware. Last year, we authorized a \$4 million-dollar loan to support the revitalization efforts at Saint Francis Hospital, and I am pleased that this year Christiana Care Health System will begin to expand their Wilmington campus, which will provide additional health services in that community.

We continue to achieve successes in our efforts to protect and preserve Delaware's environment. Since 2001, we have protected nearly 11,000 acres of open space and 87,000 acres of farmland and forestland in our state. We have also partnered with agencies and private landowners to create more than 150 acres of wetlands and to restore 6,350 feet of stream corridors.

Our Department of Natural Resources and Environmental Control has adopted regulations to reduce emissions of mercury, nitrogen oxide, and sulfur dioxide for Delaware power plants.

We were one of seven states to first sign onto the Regional Greenhouse Gas Initiative, which is designed to cap and reduce emissions from fossil-fueled power plants in the northeastern United States.

Since 2003, we have cleaned up 31 contaminated brownfield sites, and 67 others were awarded brownfield grants. Some of the projects include the site of the AAA headquarters in Wilmington on the Riverfront, the Dogfish Head grill and brewery in Milton, and the new Barclay bank that building too in Wilmington. But they are all the way up and down the State because they have been cleaning up those brownfields.

As a large consumer of energy and materials in Delaware, our state government must do more to be a leader in conservation, efficiency, and green innovation.

Since last year, we have made some amazing progress by saving \$21 million through bulk purchasing of electricity with state agencies, school districts, local governments, and fire companies. In addition, a minimum of five percent of our electrical supply must now be green energy.

But we need to do more and I have asked my Cabinet to reduce energy uses in our state facility and significantly increase our recycling rates. My goal is 10 percent reduction in overall energy usage and a 25 percent increase in recyclables over the next year. We will achieve those goals through a number of initiatives, such as: replacing older, inefficient fluorescent lighting fixtures with newer, more energy effective fixtures; requiring automatic sleep mode for all of our computers; and installing motion sensitive light switches in offices. We will also implement a program to provide comprehensive recycling in all state facilities; construct “green roofs” on new construction, like our Kent County Courthouse; and yes install photovoltaic and solar hot water panels on large office buildings to reduce the consumption of energy. Finally, we must maximize our use of energy performance contracts and conduct and act on energy audits in state buildings.

Also, we know energy use is a big part of our greenhouse gas emissions. In addition to focusing our efforts on energy efficiency and conservation to help climate change, I’m looking forward to the General Assembly passing legislation early this session to allow our full participation in Regional Greenhouse Gas Initiatives. Delaware’s participation in this landmark effort must continue and must succeed.

Also, ladies and gentlemen, as I said last year at this time, now it is more important for us to do a voluntary recycling program in our state. As you know, a lot of work has been done, and yes we’ve gained some momentum in just recent weeks, so let’s not miss this opportunity.

When I took office in 2001, our Economic Development Office was working with an outdated organization and an antiquated competitive strategy to attract and retain businesses. We definitely desperately needed to update our staffing models and increase resources to meet the global marketplace of the 21st century.

Since then, we have created or retained over 65,000 jobs. We rank No. 1 in industry research and development in the investment and improved from a ranking of 46 to second in the nation in the number of jobs in rapidly growing companies, according to the 2007 report by the Kauffman Foundation.

Our legal environment for business continues to be ranked first in the nation by the U.S. Chamber of Commerce, and we continue to be one of seven states in the nation to maintain our AAA bond rating. In 2007, EXPANSION magazine ranked Delaware third in the country for attracting and recruiting of businesses over the last eight years.

Together, we created the New Economy Initiative that has invested more than \$227 million in state, matching private and federal funds to bolster Delaware’s economy. Through those investments, we have strengthened some of our largest employers, helped launch fledgling start-ups, fostered small business, and more importantly, advanced Delaware’s presence in some of the industries of the future.

The Financial Services sector in Delaware continues to thrive. The Minner/Carney Administration has been working to accelerate the growth of high-wage jobs in this area by implementing legislative changes to insure Delaware remains competitive and a location of choice for these firms. To that end, I plan to propose a modification to our corporate income tax code that will help attract additional top wage-earning jobs to Delaware.

Last year, with your help and the leadership of Senator Deluca and Representative Oberle, with the help of our Labor Secretary Tom Sharp, we reformed Delaware’s workers’ compensation laws, a priority for me for over three years and a need for our state for over 30 years. As a result, we will save Delaware businesses millions of dollars through our lower costs and help them remain competitive in this challenging economy.

The backbone of Delaware’s economy, like that of the United States, is made up of small businesses.

We will continue to work to revitalize our downtown communities with a focused effort on growing the small business base on Delaware’s main streets. We will partner with private financial institutions to provide technical and financial services to these new small businesses. This supports my Livable Delaware agenda by encouraging small businesses to locate in areas they were designed for, while also reinforcing a strong sense of the local community as we keep our downtowns vital.

In months ahead, we will continue to market Delaware as a premier location for research and development. We will work to bring more high-tech, life science, and sustainable manufacturing operations to our state.

In 2001, attacks upon our nation brought a new level of security and scrutiny. The demands on our law enforcement officers and emergency responders increased, the protection of our public facilities and private businesses, and the level of preparedness for our residents increased.

At that time, the staffing levels for our state troopers had leveled off, new demands and responsibilities on our troopers had exceeded the resource and technology we were providing, and our communications systems were antiquated and unreliable. While we all appreciate the value of our volunteer firemen and the ambulance services, we learned that they, too, needed to invest in new technologies for health emergencies and communications.

Together, we put more than \$102 million into our 800 megahertz system to create seamless, reliable communications for our men and women on the front lines of public safety.

We spent nearly \$1.7 million in state and federal funds to create the Delaware Information Analysis Center, a center whose primary purpose is to gather information from the public and the private sectors, analyze that data, and disseminate it to those public and private agencies that have a need and a right to know.

DIAC, which has been operating for two years, provides us with valuable information to create advanced situational awareness so we can react effectively in the event of natural or manmade disaster. We have also helped fund research on avian influenza, developed a plan in case of a pandemic in our state, invested in our public health laboratories to ensure that we are prepared to protect our residents.

Today, through this multi-year investment in our public health labs, we can now test suspicious substances within 24 hours to ensure quick, accurate, and safe responses to potential attacks.

We also have the largest State Police force in the history of our State which will exceed my goal of 680 troopers that I outlined two years ago. I have asked Colonel Tom MacLeish to be here today and yes I also asked Colonel McLeish to be here and bring two of his newest recruits from this historic class. I am very proud to introduce India Sturgis and Ryan Quackenbush, representing the future of the Delaware State Police. Thank you for being here.

Thank you, Colonel MacLeish, and thank you to India and Ryan, we do appreciate your commitment to protect and to serve the people of our state. Please pass those sincere appreciations along to your fellow recruits when you return to headquarters.

Finally, I'm happy to announce that our Departments of Education and Safety and Homeland Security are again joining forces to protect our children. Beginning this spring, the Delaware State Police will begin offering fingerprinting and other safety-related tools to every fourth-grader in every elementary school in our state. Over time, every one of our school-age child will participate in this program, which will provide our families critical information as we serve this group of children. They'll have invaluable tools for law enforcement during an emergency.

As we enter our final year, I've been asked how our record will stand up over time. In fact, many of you have asked me, "How will our work be remembered?"

Will it be the Clean Indoor Air Act? The new veterans home? Our efforts to protect and preserve farmland? Our work to reform the foster care system in Delaware? Or will it be the improvements that we've made in schools?"

Friends, I believe our work will live on through the people we've helped and the lives that we've touched. Our work will live on through the thousands of children who will get a jumpstart in life through full-day kindergarten. Our work will live on through those SEED students who get their college diploma and dream of a better life.

Our work will live on through those who successfully battled cancer because of our early screening and our health insurance program that we created. Our work will live on through the thousands of people in our state who will live longer and better lives because they will no longer be exposed to second-hand smoke. Our work will live on through those Delawareans who are working and providing for their families through a job that we protected or created.

Our work will live on through these programs and many, many others because we worked together. Thank you, I appreciate that. We have made difficult decisions, and we have put the well-being of Delawareans before any personal or political agenda. We did the right thing.

I look forward to working with you in the months ahead to continue to build on what we've done, making those difficult decisions and yes those accomplishments and to work to create an even better future for our great state.

Thank you, each one of you for your help over the last seven years.

Mr. Acting Speaker led those present in singing "Happy Birthday" to Governor Minner. Her staff presented her with a birthday cake.

Mr. Acting Speaker thanked the Governor and requested that the duly appointed committee reassemble to escort her back to her Executive Office.

Representative Cathcart moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals to see if they agree.

The Chief Clerk of the House, JoAnn M. Hedrick, reported that she and the Secretary had compared their Journals and found them to agree.

Representative Cathcart moved that the Joint Session be adjourned at 2:56 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 3:03 p.m.

The Majority Leader moved to recess for caucus at 3:05 p.m.

The House reconvened at 5:10 p.m.

The Majority Leader moved to recess to the call of the chair at 5:11 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 5:11 P.M.: Representatives Hall-Long, Hudson & Williams.

Mr. Acting Speaker Booth called the House to order at 2:17 p.m. on January 22, 2008.

Representatives Spence & Ewing requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HCR 12** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 179 w/SA 1 & SCR 32** and requests the concurrence of the House and the Senate has passed **HB 221** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 147 w/SA 1 & SJR 8** and requests the concurrence of the House and the Senate has passed **HS 1/HB 197 w/SA 3 & HCR 37** and is returning same to the House.

The minutes of the previous two legislative days were approved as posted.

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

EDUCATION: **HB 231** – 10F,2M; **HB 288** – 11M,2U.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

**7th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
January 22, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Williams – 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

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

The following prefiled legislation was introduced:

**HB 297** - WAGNER & SENATOR SOKOLA & SENATOR STILL; REPRESENTATIVES SPENCE, HUDSON, STONE, SENATORS SORENSON, ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Department of Education.

**HA 1 to HB 285** - HUDSON - Placed with the Bill.

**HCR 38** - VALIHURA & REPRESENTATIVE KOWALCO & SENATOR SORENSON & SENATOR SOKOLA; REPRESENTATIVES SCHWARTZKOPF, JOHNSON, CAREY, CARSON, EWING, HASTINGS, MAIER, MANOLAKOS, MITCHELL, MULROONEY, OBERLE, B. SHORT, BOOTH, WALLS, PLANT, BLAKEY, SPENCE, LOFINK, WILLIAMS, MIRO; SENATORS BUNTING, ENNIS, BONINI, CLOUTIER, SIMPSON, PETERSON - ENERGY AND NATURAL RESOURCES - Recommending the Controller General Vote to Approve the Power Purchase Agreement between Bluewater Wind and Delmarva Power and Requesting the Public Service Commission Determine if the Costs should be Distributed among all Delmarva Power Customers.

**SB 179 w/SA 1** - SOKOLA & REPRESENTATIVE VALIHURA; SENATORS BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act To Amend Title 24 of the Delaware Code Relating to Real Estate Appraisal.

Representative Kowalko requested and was granted personal privilege of the floor to make an announcement. Representative Keeley requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Lofink.

Representative Lavelle requested that he be marked present.

Representative Lofink moved to suspend the rules which interfere with introduction of and action on **HB 300**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink introduced and brought **HB 300**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 300** - AN ACT TO AMEND THE FISCAL YEAR 2008 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representative Lofink moved to place **HB 300** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

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

The Majority Leader moved to recess for caucus at 2:30 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 3:55 p.m.

Representative Cathcart deferred to Representative D. Short.

Representatives Viola, Schwartzkopf, Miro & Mulrooney requested that they be marked present.

Representative D. Short deferred to Representative Valihura. Representative Valihura made a comment.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 42**, jointly sponsored by Senator Simpson & Representatives Hocker & Schwartzkopf, before the House for consideration.

**HB 42** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS.

Representatives Booth, Ewing & Schwartzkopf made comments.

The roll call on **HB 42** was taken and revealed:

YES: 35.

NO: Representatives Ewing, Lee, Maier & D. Short - 4.

ABSENT: Representatives Viola & Williams - 2.

Therefore, having received a constitutional majority, **HB 42** was sent to the Senate for concurrence.

Representatives Hudson, Oberle, Plant, Wagner, Maier, Schooley & Stone requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to lift **HB 300** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Lofink brought **HB 300**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney, Viola, Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 300** - AN ACT TO AMEND THE FISCAL YEAR 2008 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representative Lofink made comments.

The roll call on **HB 300** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 300** was sent to the Senate for concurrence.

Representative Wagner requested that **HB 200** & **HB 201** be stricken.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf requested that **HB 17** be stricken.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 211 w/SA 1**, jointly sponsored by Senator Bunting, before the House for concurrence on **SA 1**.

**HB 211** - AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND FINANCING, AND TO PROVIDE FOR SPECIAL DEVELOPMENT DISTRICT FINANCING FOR ELIGIBLE PROJECTS WHETHER OWNED BY THE TOWN OF MILLVILLE OR ANY STATE AND/OR LOCAL GOVERNMENTAL ENTITY OR AGENCY, AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF A SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH SUCH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (2/3 bill)

Representative Hocker made comments.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

The roll call on **HB 211** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 211** was sent to the Governor.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 283**, jointly sponsored by Representative Mulrooney & Senator Marshall & Senator Connor & Representatives Cathcart, Lofink, Maier, Manolakos, Miro, Oberle, Wagner, Brady, Carson, Ewing, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams & Senators Blevins, Bunting, Cook, DeLuca, Ennis, Henry, McBride, McDowell, Peterson & Cloutier, before the House for consideration.

**HB 283** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT.

Representative Spence deferred to Representative D. Short. Representative D. Short requested that **HA 1 to HB 283** be stricken. Representative D. Short brought **HA 2 to HB 283** before the House for consideration. Representative D. Short made comments. **HA 2** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 283 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 283 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SJR 6**, jointly sponsored by Senator Bunting & cosponsored by Senator Adams, before the House for consideration.

**SJR 6** - HONORING OLIVER W. CROPPER OF FENWICK ISLAND FOR HIS MANY YEARS OF PUBLIC SERVICE BY DESIGNATING AN UNNAMED POINT EXTENDING INTO LITTLE ASSAWOMAN BAY IN HIS HONOR, AND URGING THE PROPER AUTHORITIES TO ACCEPT HIS NAME OFFICIALLY WHEN SUCH ACTION MAY BE CARRIED OUT UNDER THE APPLICABLE REGULATIONS.

Representative Hocker made comments.

The roll call on **SJR 6** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SJR 6** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HS 1 for HB 197 w/HA 1 & SA 3**, jointly sponsored by Representative Lavelle & Senator Sokola & Senator Cloutier & Representatives B. Short & McWilliams & Senator Henry, before the House for concurrence on **SA 3**.

**HB 197** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE ENABLING NEW CASTLE COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO REDEVELOPMENT.

Representative Valihura made comments.

The roll call on **HS 1 for HB 197 w/HA 1 & SA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 197 w/HA 1 & SA 3** was sent to the Governor.

Mr. Acting Speaker made comments.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short moved to lift **SB 86 w/SA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative D. Short brought **SB 86 w/SA 1**, sponsored by Senator Sokola & Representative Valihura & Senators Bonini, Bunting, Connor, McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 86** – AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE REALTING TO THE COUNCIL ON HOUSING AND HOUSING.

Representative D. Short deferred to Representative Valihura. Representative Cathcart requested that **HA 1 to SB 86** be stricken. Representative Valihura requested that **HA 1 to HA 1 to SB 86** be stricken. Representative Valihura made comments. Representative Valihura introduced and brought **HA 2 to SB 86** before the House for consideration. **HA 2** was adopted by voice vote. Representative Valihura made a comment.

The roll call on **SB 86 w/SA 1 & HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Williams - 2.

Therefore, having received a constitutional majority, **SB 86 w/SA 1 & HA 2** was returned to the Senate.

Representative Cathcart deferred to Representative Lofink. Representative Lofink made an announcement.

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

JUDICIARY: **SB 166** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 161 w/SA 1** - 3M.

The Majority Leader moved to recess at 4:46 p.m.

The House reconvened at 5:09 p.m.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HB 285**. The motion was seconded by Representative Lofink and adopted by voice vote.

Representative Hudson brought **HB 285**, jointly sponsored by Senator Henry & Representatives Lavelle & Maier & Senators Copeland & Simpson & cosponsored by Representative Plant, before the House for consideration.

**HB 285** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS AND SAME-GENDER EDUCATION.

Representatives Lofink & Hudson made comments. Representative Hudson requested that **HA 1 to HB 285** be stricken. Representative Hudson introduced and brought **HA 2 to HB 285** before the House for consideration. Representatives Hudson, Wagner & Oberle made comments. Representative Hudson requested and was granted privilege of the floor for Nancy Wilson, Deputy Secretary, Department of Education. **HA 2** was adopted by voice vote. Representative Hudson deferred to Representative Schooley. Representative Schooley introduced and brought **HA 3 to HB 285** before the House for consideration. Representatives Schooley & Hudson made comments. **HA 3** was adopted by voice vote. Representative Hudson deferred to Representative Marshall. Representative Marshall introduced and brought **HA 4 to HB 285** before the House for consideration. Representative Marshall made comments. **HA 4** was adopted by voice vote. Representative Schooley made comments. Representative Schooley introduced and brought **HA 5 to HB 285** before the House for consideration. Representative Valihura made comments. Representative Schooley deferred to Representative Marshall. Representatives Marshall, Valihura, McWilliams, Hudson, Oberle, Cathcart, McWilliams, Oberle, Hudson, Schooley, Valihura & Marshall made comments. Representative Valihura requested and was granted privilege of the floor for Mike Migliore, House Attorney. Representatives Valihura, Marshall, Cathcart, Oberle, Wagner, Stone, Schooley, Hudson, Kowalko & Keeley made comments. **HA 5** was adopted by voice vote. Representatives Hudson, Gilligan & Lofink made comments. Representative McWilliams introduced and brought **HA 6 to HB 285** before the House for consideration. Representatives McWilliams & Hudson made comments. **HA 6** was adopted by voice vote. Representatives Wagner, Hudson & Johnson made comments.

The roll call on **HB 285 w/HA 2, 3, 4, 5 & 6** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee, Williams - 2.

Therefore, having received a constitutional majority, **HB 285 w/HA 2, 3, 4, 5 & 6** was sent to the Senate for concurrence.

Representative Spence & Mr. Acting Speaker made comments regarding **HB 285**.

Representative Cathcart deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with action on **HB 288**. The motion was seconded by Representative Cathcart and adopted by voice vote.

**HB 288 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OPENING AND CLOSING HOURS FOR SCHOOL ELECTIONS. (F/N)**

Representative Miro introduced and brought **HA 1 to HB 288** before the House for consideration. Representative Miro made comments. Representative Miro moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Miro introduced and brought **HA 2 to HB 288** before the House for consideration. Representatives Miro & Hudson made comments. **HA 2** was adopted by voice vote. Representative Manolakos announced that he will not be voting on **HA 2** because of a possible conflict of interest.

The roll call on **HB 288 w/HA 2** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Maier, Manolakos, Oberle & Valihura - 4.

ABSENT: Representatives Lee, Viola & Williams - 3.

Therefore, having received a constitutional majority, **HB 288 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart made an announcement and introduced a guest.

The Majority Leader moved to recess to the call of the Chair at 6:30 p.m.

Mr. Acting Speaker Booth called the House to order at 2:19 p.m. on January 23, 2008.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 194** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

### **8th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session January 23, 2008**

The Chief Clerk called the roll:

Members Present: 41.

Mr. Acting Speaker made an announcement. A prayer was offered by Representative J. Benjamin Ewing, Thirty-Fifth Representative District.

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

The following prefiled legislation was introduced:

**HB 298 - BOOTH & SENATOR SIMPSON; REPRESENTATIVE SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**



**HB 299** - HUDSON & REPRESENTATIVE MARSHALL & SENATOR DELUCA & SENATOR SIMPSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Bail and Bail Agents. (3/5 bill)

**HB 301** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES CATHCART, MAIER, HALL-LONG; SENATOR HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

**HA 2 to HB 236** - STONE - Placed with the Bill.

**HA 1 to HB 276** - MIRO - Placed with the Bill.

**SB 194** - VENABLES & REPRESENTATIVE HASTINGS; SENATOR STILL - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to Real Property Acquisition and the Exercise of Eminent Domain. (2/3 bill)

**HA 3 to SB 58** - STONE - Placed with the Bill.

**HA 4 to SB 58** - KEELEY - Placed with the Bill.

**HA 1 to HA 4 to SB 58** - KEELEY - Placed with the Bill.

Representatives Kowalko, Marshall, Keeley, Wagner & Valihura requested that they be marked present.

Representative Cathcart deferred to Representative Hall-Long. Representative Hall-Long introduced guests. Representative McWilliams requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf introduced **HB 302**, jointly sponsored by Senator Bunting & Representatives Plant, Maier & Kowalko.

**HB 302** - AN ACT TO AMEND CHAPTER 27 OF TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND STUDIES.

Mr. Acting Speaker assigned **HB 302** to the Health & Human Development Committee.

Representative Cathcart brought the following prefiled **Consent Calendar #14** before the House for consideration.

**HR 40** – HALL-LONG & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Recognizing the Week of January 20, 2008, through January 26, 2008, as Nurse Anesthetists Week.

**HR 41** – WAGNER & REPRESENTATIVES SPENCE, MAIER, D. SHORT & VALIHURA – Requesting the Delaware Solid Waste Authority Report on the Initiatives to Recycle E-Waste.

**SCR 32** – BONINI & REPRESENTATIVE OUTTEN & SENATORS BUNTING, CONNOR, COPELAND, STILL & VENABLES & REPRESENTATIVES EWING, HASTINGS, HOCKER, HUDSON, MAIER, SPENCE, THORNBURG & VALIHURA – Designating February 6, 2008 as “Ronald Reagan Day” in the State of Delaware.

Representative Wagner made comments regarding **HR 41**.

**Consent Calendar #14** was adopted by voice vote and **HR 40** & **HR 41** were declared passed and **SCR 32** was returned to the Senate.

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

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:37 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:37 P.M.: Representatives Lofink, Maier, Miro, Mulrooney, Oberle, Plant & Spence.

Mr. Acting Speaker Oberle called the House to order at 2:19 p.m. on January 24, 2008.

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

HEALTH & HUMAN DEVELOPMENT: **HB 286** - 6F; **HB 294** - 6F.

REVENUE & FINANCE: **HB 26** - 3F,5M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 280** - 5F,1M.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

To: Terry R. Spence, Speaker of the House

From: Rep. Nick Manolakos

Date: January 23, 2008

RE: Absence from session

I am absent from session today due to a family emergency.

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

Representative Cathcart deferred to Representative Hudson. Representative Hudson introduced **HA 1 to SB 118**. **HA 1** was placed with the bill. Representative Cathcart deferred to Representative Lavelle. Representative Lavelle introduced **HA 2 to SB 118**. **HA 2** was placed with the bill

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

Representative Cathcart deferred to Representative D. Short. Representative D. Short introduced **HA 3 to SB 118**. **HA 3** was placed with the bill. Representative Cathcart deferred to Representative Stone. Representative Stone introduced **HA 4 to SB 118**. **HA 4** was placed with the bill. Representative Cathcart

deferred to Representative Hastings. Representative Hastings introduced **HA 5 to SB 118**. **HA 5** was placed with the bill Representative Cathcart deferred to Representative Hudson. Representative Hudson introduced **HA 6 to SB 118**. **HA 6** was placed with the bill

Representative Cathcart deferred to Representative Wagner.

Representative Wagner made comments regarding **HCR 39**.

Representative Wagner introduced and brought **HCR 39**, jointly sponsored by Representative Stone & Representatives Thornburg & Kowalko on behalf of All Representatives & Senator Cook & Senator Henry on behalf of All Senators, before the House for consideration.

**HCR 39 - A RESOLUTION PROCLAIMING FRIDAY, FEBRUARY 1, 2008 TO BE DELAWARE GO RED FOR WOMEN AND WEAR RED DAY.**

**HCR 39** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink made comments regarding **HR 42**.

Representative Lofink introduced and brought **HR 42**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 42 - CELEBRATING JANUARY 28TH THROUGH FEBRUARY 1ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE.**

**HR 42** was adopted by voice vote.

The Majority Leader moved to adjourn at 2:35 p.m., thereby ending the current legislative day. The House reconvened at 2:36 p.m.

### **9th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session January 24, 2008**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

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

The following prefiled legislation was introduced:

**HB 303 - MULROONEY & SENATOR MARSHALL; REPRESENTATIVES BRADY, CARSON, HALL-LONG, KOWALKO, LOFINK, LONGHURST, MIRO, MITCHELL, PLANT, VALIHURA, WILLIAMS; SENATORS CLOUTIER, COOK - LABOR - An Act to Amend Chapter 85, Title 29 of the Delaware Code Relating to the Council on Apprenticeship and Training.**

**HB 304 - OBERLE & SENATOR COOK - GAMING & PARIMUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to Licenses to Conduct Racing Meets.**

**HB 305 - CATHCART & SENATOR ENNIS; REPRESENTATIVES CAREY, EWING, HASTINGS, HOCKER, MANOLAKOS, OBERLE, VALIHURA, BRADY, CARSON, HALL-LONG, MCWILLIAMS, MITCHELL, VIOLA; SENATORS COOK, CONNOR, DELUCA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Titles and Conveyances.**

**HB 306 - CATHCART & REPRESENTATIVE BLAKEY & SENATOR ENNIS & SENATOR PETERSON; REPRESENTATIVES SPENCE, VALIHURA, CARSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9 and 22 Relating to Land Use, Required Notice for County Zoning Changes, and the Ability of Local Governments to Create Overlay Districts.**

**HB 307 - EWING & SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driver Licenses.**

**HA 1 to HB 279 - MIRO - Placed with the Bill.**

**SB 108 w/SA 1 & 3 - SOKOLA & REPRESENTATIVE VALIHURA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code, Relating to Radiation Control. (3/5 bill)**

**SB 197 - BLEVINS & REPRESENTATIVE MITCHELL - HOUSE ADMINISTRATION - An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled "An Act to Reincorporate the Town of Elsmere" Relating to the Collection of Delinquent Property Taxes. (2/3 bill)**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 197 & SB 108 w/SA 1 & 3** and requests the concurrence of the House and the Senate has passed **HB 101 w/HA 2 & HCR 36** and is returning same to the House.

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

The Majority Leader moved to recess for caucus at 2:40 p.m.

The House reconvened at 4:22 p.m.

Representatives Valihura & Outten requested that they be marked present.

Representative Cathcart made an announcement regarding **SB 118**.

Representative Spence moved to suspend the rules which would interfere with introduction of and action on **HB 296**.

**HB 296** – Spence & Representative Schwartzkopf & Representatives Gilligan, Carson, Kowalko, Longhurst, McWilliams, Schooley, B. Short & Senator Bunting - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MOBILE HOME LOTS AND LEASES.

The roll call on the motion was taken and revealed:

YES: Representatives Carson, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Spence, Walls & Williams - 18.

NO: 23.

Therefore, not having received a constitutional majority, the motion was defeated.

Representatives Maier, Viola & Williams requested that they be marked present during the roll call.

Representatives Spence & Cathcart made comments.

Mr. Acting Speaker assigned **HB 296** to the Manufactured Housing Subcommittee.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to lift **SB 118** from the Speaker's Table. The motion was seconded by Representative Lofink and adopted by voice vote.

Representative Spence brought **SB 118**, jointly sponsored by Senator Marshall & Senators DeLuca, Blevins, Henry, McDowell, McBride & Connor & Representatives Oberle, Brady, Keeley, Mulrooney & Viola & cosponsored by Representative Mitchell, before the House for consideration.

**SB 118** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING.

Representative Spence made comments. Representative Cathcart announced that he will not be participating in the debate nor voting on **SB 118** because of a possible conflict of interest. Representative Hudson brought **HA 1 to SB 118** before the House for consideration. Representatives Hudson, Spence, Lofink, Hudson & Mulrooney made comments. Representative Stone requested and was granted privilege of the floor for Russell T. Larson, Controller General. Representatives Booth, Hudson, Viola, Mulrooney & Hudson made comments.

The roll call on **HA 1 to SB 118** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 16.

NO: 24.

ABSENT: Representative Cathcart - 1.

Therefore, not having received a constitutional majority, **HA 1 to SB 118** was declared defeated.

Representative Lavelle brought **HA 2 to SB 118** before the House for consideration. Representatives Lavelle, Spence, Hocker, Viola & Lavelle made comments.

The roll call on **HA 2 to SB 118** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 17.

NO: 23.

NOT VOTING: Representative Cathcart - 1.

Therefore, not having received a constitutional majority, **HA 2 to SB 118** was declared defeated.

Mr. Acting Speaker made comments.

Representative D. Short brought **HA 3 to SB 118** before the House for consideration. Representatives D. Short, Spence, Stone, Viola & Mulrooney made comments.

The roll call on **HA 3 to SB 118** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 18.

NO: 22.

NOT VOTING: Representative Cathcart - 1.

Therefore, not having received a constitutional majority, **HA 3 to SB 118** was declared defeated.

Representative Stone brought **HA 4 to SB 118** before the House for consideration. Representative Stone requested that **HA 4** be stricken. Representative Hastings requested that **HA 5 to SB 118** be stricken. Representative Hudson brought **HA 6 to SB 118** before the House for consideration. Representatives Hudson, Spence, Mulrooney, Lavelle, Hudson, Spence & Kowalko made comments.

The roll call on **HA 6 to SB 118** was taken and revealed:

YES: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 17.

NO: 23.

NOT VOTING: Representative Cathcart - 1.

Therefore, not having received a constitutional majority, **HA 6 to SB 118** was declared defeated.

Representative D. Short introduced and brought **HA 7 to SB 118** before the House for consideration. Mr. Acting Speaker & Representative D. Short made comments. Representative D. Short requested that **HA 7** be stricken. Representative Valihura introduced and brought **HA 8 to SB 118** before the House for consideration. Representative Valihura requested that **HA 8** be stricken. Representative Spence made

comments. Representative Lavelle requested and was granted privilege of the floor for Russell T. Larson, Controller General. Representatives Lavelle & Booth & Mr. Acting Speaker made comments.

The roll call on **SB 118** was taken and revealed:

YES: 22.

NO: Representatives Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Stone, Thornburg, Valihura & Wagner - 18.

NOT VOTING: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **SB 118** was returned to the Senate.

Mr. Acting Speaker made an announcement.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings introduced and brought **HR 44** before the House for consideration.

**HR 44** - CREATING A TASK FORCE TO STUDY THE COST AND ISSUES RELATING TO STEROID TESTING PROGRAMS AND REVIEW EDUCATION AND PREVENTION EFFORTS FOR STUDENT ATHLETES IN DELAWARE.

Representative Hastings made comments.

**HR 44** was adopted by voice vote.

Representative Gilligan introduced **HB 325**, jointly sponsored by Senator Adams & Representative Keeley & Senators Blevins, DeLuca & Venables.

**HB 325** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (3/4 bill)

Mr. Acting Speaker assigned **HB 325** to the Capital Infrastructure Committee.

Representative Cathcart made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:46 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:00 p.m. on March 11, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 196 w/SA 1**, **SB 193**, **SCR 33**, **SCR 34** & **SCR 35** and requests the concurrence of the House; **HCR 39**, **HB 275** & **HB 300** and is returning same to the House.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

### **10th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session March 11, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Spence - 1.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District.

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

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

The following out of session prefiled legislation was introduced:

February 6, 2008

**HB 290** - LONGHURST & SENATOR BLEVINS; REPRESENTATIVES BOOTH, BRADY, CARSON, JOHNSON, KOWALKO, MARSHALL, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, VIOLA, WILLIAMS; SENATOR CONNOR - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Scalp Hair Prosthesis.

**HB 308** - MAIER & SENATOR HENRY; REPRESENTATIVES BLAKEY, HUDSON, LAVELLE, SPENCE, WAGNER; SENATORS SIMPSON, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Delaware Code Relating to the Acupuncture Advisory Council and Licensing of Acupuncture. (2/3 bill)

**HB 309** - HOCKER & SENATOR BUNTING; REPRESENTATIVES SPENCE, BOOTH, HASTINGS, MAIER, MANOLAKOS, MIRO, D. SHORT, LONGHURST, SCHWARTZKOPF; SENATOR COPELAND - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Action.

**HB 311** - EWING & SENATOR VENABLES; REPRESENTATIVES LEE, CAREY, HASTINGS, D. SHORT, SCHWARTZKOPF - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 7 of the Delaware Code Establishing a New Chapter 71 and Chapter 72 Enabling Sussex County to Create Tax

Increment Financing Districts and to Utilize Tax Increment Financing to Fund Costs Related to Development and Redevelopment and to Create Special Development Districts and to Utilize Special Development District Financing to Fund Costs Related to Development and Redevelopment.

**HB 312** - D. SHORT & SENATOR VENABLES; REPRESENTATIVES LEE, BOOTH, EWING, HASTINGS, OUTTEN - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Concerning the Manner of Voting upon Suburban Community Improvements.

**HB 313** - WAGNER & REPRESENTATIVE OBERLE & REPRESENTATIVE EWING & SENATOR BLEVINS; REPRESENTATIVES MAIER, MANOLAKOS, THORNBURG, GILLIGAN, CARSON, HALL-LONG, KOWALKO; SENATORS CONNOR, ENNIS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation.

**HB 314** - PLANT; REPRESENTATIVES JOHNSON, KEELEY; SENATORS HENRY, MARSHALL, PETERSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V, Section 2, of the Constitution of the State of Delaware Relating to Qualifications for Voting. (2/3 bill)

**HB 315** - WAGNER & SENATOR HENRY; REPRESENTATIVES SPENCE, EWING, LAVELLE, MAIER, HALL-LONG, MCWILLIAMS; SENATORS ENNIS, PETERSON, CLOUTIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Council on Services for Aging and Adults with Physical Disabilities.

**HB 316** - GILLIGAN & REPRESENTATIVE SPENCE; REPRESENTATIVES KEELEY, MARSHALL, VIOLA, OBERLE, MANOLAKOS, BRADY, MAIER; SENATORS ADAMS, DELUCA, CONNOR - VETERANS AFFAIRS - An Act to Amend Title 20 of the Delaware Code Relating to the Adjutant General.

**HCR 40** - HOCKER & SENATOR COPELAND; REPRESENTATIVES SPENCE, HUDSON, LAVELLE, MAIER, MANOLAKOS, VALIHURA - ENERGY AND NATURAL RESOURCES - Requesting the Delaware Energy Office to Submit to the General Assembly Legislation to Spread the Costs of Electricity Produced by Offshore Wind Generation among all Delaware Electricity Users.

**SB 193** - SIMPSON & SENATOR ADAMS & REPRESENTATIVE HOCKER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering for Cooperatives.

**SB 196 w/SA 1** - ADAMS & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Milton. (2/3 bill)

**HA 1 to SB 122** - SCHWARTZKOPF - Placed with the Bill.

**HA 1 to SB 163** - KEELEY - Placed with the Bill.

March 5, 2008

**HB 260** - WAGNER & SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Pharmacy Access Act.

**HB 317** - BLAKEY & SENATOR STILL - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the Town of Wyoming (43 Del. Laws 189) to Amend the Designation of the Boundaries of the Town of Wyoming; Bring the Act into Compliance with Chapter 75 of Title 15 of the Delaware Code; Permit Taxation and Borrowing by the Town of Wyoming in a Manner Consistent with the Growth of the Town through Annexation; and Make Other Minor Changes to Make the Act Consistent with the Practices of the Town of Wyoming. (2/3 bill)

**HB 318** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES KOWALKO, MITCHELL; SENATOR BUNTING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to General Regulatory Provisions, the University of Delaware, Delaware State University and Delaware Technical and Community College.

**HB 319** - SPENCE & REPRESENTATIVE OBERLE & SENATOR PETERSON & SENATOR MCDOWELL; REPRESENTATIVES CATHCART, BOOTH, CAREY, HUDSON, LOFINK, MAIER, MIRO, OUTTEN, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, HALL-LONG, KOWALKO, MCWILLIAMS, MITCHELL, SCHOOLEY, B. SHORT; SENATORS BLEVINS, BUNTING, CONNOR, ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Colorectal Cancer Screening.

**HB 320** - WAGNER & SENATOR HENRY; REPRESENTATIVES SPENCE, EWING, LAVELLE, MAIER, HALL-LONG, MCWILLIAMS; SENATORS ENNIS, PETERSON, CLOUTIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 321** - WAGNER & SENATOR ENNIS & SENATOR SOKOLA; REPRESENTATIVES LAVELLE, THORNBURG - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Technology and Information and an Acceptable Use Policy.

**HB 322** - MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunizations Containing Mercury.

**HB 323** - HALL-LONG & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Middletown. (2/3 bill)

**HA 1 to SB 151** - SPENCE - Placed with the Bill.

Mr. Acting Speaker introduced a guest.

Mr. Acting Speaker reassigned **SB 108** to the Policy Analysis & Government Accountability Committee.

The House observed a moment of silence in memory of Doris Dorzback, Representative Stone's mother, at the request of Mr. Acting Speaker.

Representatives Gilligan, Keeley & Lee requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:08 p.m.

The House reconvened at 4:53 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 192 & SB 198** and requests the concurrence of the House and the Senate has passed **HB 183** and is returning same to the House.

#### MEMORANDUM

TO: House of Representatives  
FROM: Terry R. Spence, Speaker of the House  
DATE: March 11, 2008  
RE: Absence from Session

Please excuse my absence from session today, due to a family medical emergency.

During my absence from session Rep. William Oberle, Speaker Pro Tempore, will act on behalf of my office concerning any and all issues that may arise.

Thank you.

January 28, 2008

#### LEGISLATIVE ADVISORY #16

Governor Ruth Ann Minner signed the following legislation on the date indicated: 1/15/08 – **SB 189**; 1/24/08 – **SB 138 aab SA 1, HB 221 & HJR 17**.

February 13, 2008

#### LEGISLATIVE ADVISORY #17

Governor Ruth Ann Minner signed the following legislation on the date indicated: 1/24/08 – **SB 118 & HB 300**; 2/1/08 – **HS 1/HB 197 aab HA 1 & SA 3 & HB 275**.

February 20, 2008

#### LEGISLATIVE ADVISORY #18

Governor Ruth Ann Minner signed the following legislation on the date indicated: 2/1/08 -**HB 211 aab SA1**; 2/4/08 - **HB 101**; 2/6/08 - **SB 86 aab SA 1 and HA 2** - 2/4/08 -**SJR 6**.

March 10, 2008

#### LEGISLATIVE ADVISORY #18

Correction to Legislative Advisory #18

**HB 101** was misidentified; the correct listing is: **HB 101 aab HA 2**.

To the Members of the State of Delaware House of Representatives

The family of W. Laird Stabler, Jr. extends its sincere thanks and gratitude for the citation issued in his memory. It is indeed an honor.

His public life began in the House of Representatives which began a long career of dedication and service of which he was very proud.

Our deep gratitude to all who follow in his footsteps.

Sincerely,  
Peg Stabler

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle requested that **HB 206** be stricken.

Representatives Thornburg, Booth, Viola & McWilliams requested that they be marked present.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 206**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **HS 1 for HB 206**, jointly sponsored by Senator DeLuca & cosponsored by Representative Carson, before the House for consideration.

**HB 206 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Representative Oberle made comments.

The roll call on **HS 1 for HB 206** was taken and revealed:

YES: 37.

ABSENT: Representatives Hastings, Schwartzkopf, Spence & Williams - 4.

Therefore, having received a constitutional majority, **HS 1 for HB 206** was sent to the Senate for concurrence.

Representatives Carson, Hudson, Lofink, Mulrooney, Plant, Stone, Valihura & Wagner requested that they be marked present during the roll call.

Representative Lee deferred to Representative Ewing.

Representative Ewing brought **HB 203**, jointly sponsored by Senator Simpson & Representatives Cathcart & Wagner & Senator Still & cosponsored by Senator Adams, before the House for consideration.

**HB 203** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CONTRACT.

Mr. Acting Speaker appointed Representative Oberle as Acting Speaker.

Representative Ewing made comments.

The roll call on **HB 203** was taken and revealed:

YES: 34.

ABSENT: Representatives Cathcart, Hastings, Keeley, Schwartzkopf, Spence, Stone & Williams - 7. Therefore, having received a constitutional majority, **HB 203** was sent to the Senate for concurrence.

Representative Wagner requested that **HB 321** & **HB 315** be stricken.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 166**, jointly sponsored by Senator Cloutier & Senator Connor & Representative Lavelle & Senators Adams, Amick, Blevins, Bonini, Bunting, Copeland, Peterson, Simpson, Sorenson, Still & Venables & Representatives Ennis, Johnson, Lofink, Maier, Marshall, Spence & Stone, before the House for consideration.

**SB 166** - AN ACT AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "SWEARS FALSELY".

Representative Valihura made comments.

The roll call on **SB 166** was taken and revealed:

YES: 37.

ABSENT: Representatives Hastings, Schwartzkopf, Spence, Williams - 4.

Therefore, having received a constitutional majority, **SB 166** was returned to the Senate.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 161 w/SA 1**, jointly sponsored by Senator Sokola & Senators Bunting, Connor & McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 161** - AN ACT TO AMEND TITLE 24, CHAPTER 18 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION EXAMINERS.

Representative Valihura brought **HA 1 to SB 161** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representative Valihura made comments.

The roll call on **SB 161 w/SA 1 & HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Cathcart, Hastings, Schwartzkopf, Spence & Williams - 5.

Therefore, having received a constitutional majority, **SB 161 w/SA 1 & HA 1** was returned to the Senate.

Mr. Acting Speaker & Representative Valihura made comments.

Representative Lee deferred to Representative Miro.

Representative Miro brought **SB 171**, jointly sponsored by Senator McDowell & Representative Valihura & Senators Blevins, Cloutier, Connor, Henry, Marshall, Peterson & Sorenson & Representatives Blakey, Hall-Long, Kowalko, Maier, Manolakos & McWilliams, before the House for consideration.

**SB 171** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLACEMENT OF NEGLECTED AND DELINQUENT CHILDREN.

Representative Miro moved to suspend the rules which interfere with action on **SB 171**. The motion was seconded by Representative Lofink and adopted by voice vote. Representatives Miro & Wagner made comments.

The roll call on **SB 171** was taken and revealed:

YES: 36.

ABSENT: Representatives Hastings, Keeley, Schwartzkopf, Spence & Williams - 5.

Therefore, having received a constitutional majority, **SB 171** was returned to the Senate.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey made comments.

Representative Blakey introduced **HB 324**, jointly sponsored by Senator Blevins.

**HB 324** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PURPOSE AND MEANING OF LAWS.

Mr. Acting Speaker assigned **HB 324** to the House Administration Committee.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of W. Laird Stabler at the request of Representative Hudson.

Representative Wagner requested that **HB 26** be stricken.

Representative Cathcart deferred to Representative Maier.

Representative Maier made comments.

The Majority Leader moved to recess to the call of the Chair at 5:29 p.m.  
Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on March 12, 2008.  
Representative Lee deferred to Representative Maier.  
Representative Maier made an announcement.  
The Majority Whip moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**11th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
March 12, 2008**

The Chief Clerk called the roll:  
Members Present: 39.  
Members Absent: Representatives Plant & Spence – 2.  
A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.  
Mr. Acting Speaker led those present in a pledge of allegiance to the American Flag.  
The minutes of the previous legislative day were approved as posted.  
The following prefiled legislation was introduced:

**SS 1 for SB 192 - BLEVINS & REPRESENTATIVE HUDSON & SENATOR SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Domestic Violence Coordinating Council.**

**SB 198 - DELUCA & SENATOR BLEVINS & SENATOR SORENSON & REPRESENTATIVE VALIHURA & REPRESENTATIVE WAGNER & REPRESENTATIVE HUDSON & REPRESENTATIVE MARSHALL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.**

Representatives Keeley & Hall-Long requested that they be marked present.  
Representative Lee brought the following prefiled **Consent Calendar #15** before the House for consideration.

**HR 43 – CATHCART & REPRESENTATIVE SPENCE & REPRESENTATIVE LEE & REPRESENTATIVES BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, HALL-LONG, JOHNSON, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, VIOLA & WALLS – Requesting the Department of Technology and Information (DTI) Conduct a Study Estimating the Cost of Options for Webcasting Audio/Video of the Delaware General Assembly.**

**HR 45 – WAGNER & REPRESENTATIVE HOCKER & REPRESENTATIVES MANOLAKOS & D. SHORT –Urging the Use of Green or Environmentally Preferable Products in State Buildings.**

**SCR 33 – PETERSON & MARSHALL & REPRESENTATIVES KEELEY, PLANT, MITCHELL & GILLIGAN – Marking the Observance of the One Hundredth Anniversary of the Establishment of Saint Elizabeth Parish and Saint Elizabeth Elementary School in the City of Wilmington in 1908.**

**SCR 34 – ENNIS & REPRESENTATIVE SPENCE & REPRESENTATIVE D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CARSON, KEELEY & OUTTEN – Reorganizing the Motorcycle Rider Education Advisory Committee.**

**SCR 35 – ENNIS & REPRESENTATIVE D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CAREY, CARSON, KEELEY, LEE, MITCHELL, OUTTEN, B. SHORT, SPENCE, WALLS & WILLIAMS – Proclaiming the Month of May 2008 as “Motorcycle Awareness Month” and Requesting the Governor to Issue a Proclamation for “Motorcycle Awareness Month”.**

**Consent Calendar #15** was adopted by voice vote and **HR 43 & HR 45** were declared passed and **SCR 33, SCR 34 & SCR 35** were returned to the Senate.

Representative B. Short requested that he be marked present.  
The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #53**

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor       | Date      | Type | Description                                        |
|-----------|---------------|-----------|------|----------------------------------------------------|
| H144-1203 | Schooley      | 1/7/2008  | M    | David Cooper Fenimore                              |
| H144-1204 | B. Short      | 1/27/2008 | T    | Christopher Neal Potts - Eagle Scout               |
| H144-1205 | Blakey        | 1/7/2008  | T    | Gordon & Evelyn Pearson - 50th Wedding Anniversary |
| H144-1206 | Blakey; Carey | 1/10/2008 | M    | Horace Edward Short, Sr.                           |
| H144-1207 | Brady         | 1/11/2008 | M    | John R. Cummings                                   |
| H144-1208 | Blakey        | 1/20/2008 | T    | Andy & Lucie Hastings - 60th Birthdays             |
| H144-1209 | Blakey        | 1/16/2008 | T    | Alton Lavan - MEAC & Regional Coach of the Year    |
| H144-1210 | Cathcart;     | 1/16/2008 | T    | Retired Corporal William Foraker –                 |



|           |                                         |            |   |                                                                          |                                            |
|-----------|-----------------------------------------|------------|---|--------------------------------------------------------------------------|--------------------------------------------|
|           | Wagner, cosponsors: All Representatives |            |   |                                                                          | New Castle County Police Dedicated Service |
| H144-1211 | Hudson                                  | 1/9/2008   | M | Dr. Keon Chi                                                             |                                            |
| H144-1212 | Carey                                   | 1/15/2008  | M | Marilyn Bovis                                                            |                                            |
| H144-1213 | Brady                                   | 12/8/2007  | T | Thomas & Anna Santacecilia - 50th Wedding Anniversary                    |                                            |
| H144-1214 | Hall-Long                               | 11/30/2007 | T | William & Joann Stump - 50th Wedding Anniversary                         |                                            |
| H144-1215 | Maier                                   | 12/28/2007 | M | Dorothy M. Cooke                                                         |                                            |
| H144-1216 | Booth                                   | 1/30/2008  | T | Phillip Lowe - Retirement - DelDOT                                       |                                            |
| H144-1217 | Carson                                  | 12/27/2007 | M | Leonard H. Voss, Sr.                                                     |                                            |
| H144-1218 | Carson                                  | 1/12/2008  | M | Elizabeth Ennis Smith                                                    |                                            |
| H144-1219 | Carson                                  | 1/12/2008  | M | Deborah Holmes                                                           |                                            |
| H144-1220 | Carson                                  | 1/7/2008   | T | Robert Jones - Citizens Hose Company President                           |                                            |
| H144-1221 | Wagner                                  | 1/19/2008  | T | David Skocik - Military Retirement                                       |                                            |
| H144-1222 | Carson                                  | 1/7/2008   | T | George & Renee Scuse - Honorary Lifetime Members - Citizens Hose Company |                                            |
| H144-1223 | Schwartzkopf; Wagner                    | 1/18/2008  | T | Lori Brandner - State Service - 25 Years                                 |                                            |
| H144-1224 | Carson                                  | 1/17/2008  | T | Arthur Ricker - Treasurer - Citizens Hose Company                        |                                            |
| H144-1225 | Outten                                  | 1/13/2008  | M | Paul Stubbs                                                              |                                            |
| H144-1226 | Booth                                   | 1/26/2008  | T | William H. Bryan - 50 Years – Georgetown Fire Company                    |                                            |
| H144-1227 | Booth                                   | 1/31/2008  | T | Terry Megee - Retirement - Boys & Girls Club President                   |                                            |
| H144-1228 | Booth                                   | 2/9/2008   | T | Mae Elizabeth Ritter Dorman - 100th Birthday                             |                                            |
| H144-1229 | Maier                                   | 1/5/2008   | M | Anne Rebecca Pickell Naylor                                              |                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                | Date       | Type | Description                                                          |
|-----------|------------------------|------------|------|----------------------------------------------------------------------|
| H144-1230 | D. Short               | 1/21/2008  | T    | Norman & Rose Poole - Martin Luther King Community Recognition Award |
| H144-1231 | Wagner                 | 1/20/2008  | T    | Elnora Wilber - 100th Birthday                                       |
| H144-1232 | Wagner                 | 1/20/2008  | T    | Theresa Smith - 101st Birthday                                       |
| H144-1233 | Spence                 | 1/24/2008  | T    | Philip Corrozi - 75th Birthday                                       |
| H144-1234 | Lee; Outten            | 1/25/2008  | T    | Wayne Whaley - Retirement - Delmarva Power                           |
| H144-1235 | Outten; Schwartzkopf   | 1/25/2008  | T    | Jeron Duffy - Retirement - Delmarva Power                            |
| H144-1236 | Hocker                 | 2/2/2008   | T    | Frank Holloway - 50 Years – Selbyville Fire Company                  |
| H144-1237 | Carson; Thornburg      | 1/23/2008  | T    | Crystal Graham - Teacher of the Year – Smyrna District               |
| H144-1238 | Thornburg              | 8/11/2007  | T    | Melissa Nicholson & Jacob Urian - Marriage                           |
| H144-1239 | Outten                 | 1/22/2008  | M    | Homer G. Brown                                                       |
| H144-1240 | Carey                  | 1/12/2008  | T    | Michael Pfaffenhauser - Eagle Scout                                  |
| H144-1241 | Outten                 | 1/26/2008  | T    | Robert & Elizabeth Collins - 70th Anniversary                        |
| H144-1242 | Thornburg              | 1/23/2008  | T    | Smyrna High Wrestling Team - 500th Win                               |
|           | cosponsor: Rep. Carson |            |      |                                                                      |
| H144-1243 | Spence                 | 1/18/2008  | M    | William C. Bennett                                                   |
| H144-1244 | Carey                  | 1/19/2008  | M    | Patrick Tillman Coates, Sr.                                          |
| H144-1245 | Hastings               | 3/17/2008  | T    | Sarah Allen - 100th Birthday                                         |
| H144-1246 | Outten                 | 2/2/2008   | T    | Bobby & Dorothy Collins - 50th Wedding Anniversary                   |
| H144-1247 | Outten; Lavelle        | 1/16/2008  | M    | Retired Lieutenant Colonel Ronald Knapp, Sr.                         |
| H144-1248 | Stone                  | 11/24/2007 | T    | Sarah Stakes & James Craig, Jr. - Marriage                           |
| H144-1249 | Stone                  | 11/3/2007  | T    | Shirley Schwaeble & Fernando Ruiz, III – Marriage                    |
| H144-1250 | Miro                   | 2/3/2008   | T    | Chinese American Community Center – Chinese New Year                 |
| H144-1251 | Outten                 | 2/16/2008  | T    | Ronald Vincent - 50 Years – Farmington Fire Company                  |
| H144-1252 | Hocker                 | 1/24/2008  | T    | Russell Archut - Retirement - Assistant Sussex Engineer              |
| H144-1253 | Spence                 | 1/25/2008  | T    | Benjamin Brown - Community Service - 62 Years                        |
| H144-1254 | Spence                 | 1/9/2008   | T    | Honorable David McBride - Legislative Award - Conservation Districts |

#### HOUSE TRIBUTE ANNOUNCEMENT #55

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number | Sponsor | Date | Type | Description |
|--------|---------|------|------|-------------|
|--------|---------|------|------|-------------|

|           |               |            |   |                                                                |
|-----------|---------------|------------|---|----------------------------------------------------------------|
| H144-1255 | Hastings      | 1/30/2008  | T | Corporal Scott Workman - Trooper of the Year - Troop 5         |
| H144-1256 | Mulrooney     | 1/22/2008  | M | Susan Neville Mangini                                          |
| H144-1257 | Schwartzkopf  | 1/31/2008  | T | Ann Case - Retirement - State Board of Education               |
| H144-1258 | Brady;        | 2/9/2008   | T | Isadore Testa - Member of the Year - Five Points Fire Company  |
| H144-1259 | Mitchell      | 2/9/2008   | T | Fred Shewbrooks - 60 Years - Five Points Fire Company          |
| H144-1260 | Mitchell      | 2/9/2008   | T | Michael Mundy - 50 Years - Five Points Fire Company            |
| H144-1261 | Mitchell      | 2/9/2008   | T | Donald Winnington - 50 Years - Five Points Fire Company        |
| H144-1262 | Hudson        | 1/18/2008  | T | Dorothy S. Brand                                               |
| H144-1263 | Spence        | 2/4/2008   | T | Ken Johnson - Vice President - Harmony Woods Civic Association |
| H144-1264 | Wagner        | 3/2/2008   | T | Floyd Durham - 90th Birthday                                   |
| H144-1265 | Hudson        | 1/26/2008  | T | Steven Bomberger - President - Home Builders Association       |
| H144-1266 | D. Short      | 2/2/2008   | T | C. Bryan Bennett - 50 Years – Seaford Fire Department          |
| H144-1267 | D. Short      | 2/2/2008   | T | Wesley Short - 55 Years - Seaford Fire Department              |
| H144-1268 | Booth         | 1/26/2008  | T | Harry Fletcher, Sr. - Lifetime Fireman of Year - Georgetown    |
| H144-1269 | Booth         | 1/26/2008  | T | William Bradley - Fireman of the Year – Georgetown             |
| H144-1270 | Spence        | 2/9/2008   | T | William Clark - 70th Birthday                                  |
| H144-1271 | Outten        | 2/11/2008  | T | William Dyer - 80th Birthday                                   |
| H144-1272 | Walls; Outten | 1/31/2008  | T | Bruce Ney - National Sporting Clays Hall of Fame               |
| H144-1273 | Carson        | 1/31/2008  | T | Alan Robinson, Jr. - President - Volunteer Firemen             |
| H144-1274 | Walls         | 2/1/2008   | T | Thelma Gillespie - 90th Birthday                               |
| H144-1275 | Thornburg     | 2/6/2008   | T | June Myers - 80th Birthday                                     |
| H144-1276 | Stone         | 10/20/2007 | T | Kathryn McIlvain & Matthew Scott – Marriage                    |
| H144-1277 | Outten        | 1/30/2008  | M | Winston A. Linton                                              |
| H144-1278 | Outten        | 2/4/2008   | T | Richard Shultie - 50 Years – Harrington Fire Company           |
| H144-1279 | Carson        | 2/24/2008  | T | Robert Carson - 60th Birthday                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                   |
|---------------|----------------|-------------|-------------|----------------------------------------------------------------------|
| H144-1280     | Wagner         | 1/30/2008   | M           | Hugh Price, Jr.                                                      |
| H144-1281     | Wagner         | 12/1/2007   | T           | Frances Reed & Christopher Kutsch – Marriage                         |
| H144-1282     | Wagner         | 11/22/2007  | T           | Nancy Rumley & Brian Bashista - Marriage                             |
| H144-1283     | Williams       | 1/18/2008   | M           | Wayne Latney                                                         |
| H144-1284     | Williams       | 1/29/2008   | M           | Arindia Stallings                                                    |
| H144-1285     | Thornburg;     | 2/23/2008   | T           | Corinne Christiansen - 80th Birthday                                 |
| H144-1286     | Wagner         |             |             |                                                                      |
| H144-1286     | Mitchell       | 1/25/2008   | T           | Arthur & Yvonne Episcopo - 50th Wedding Anniversary                  |
| H144-1287     | Mitchell       | 2/17/2008   | T           | James & Bonnie Catinella - 40th Wedding Anniversary                  |
| H144-1288     | Mulrooney      | 3/1/2008    | T           | Paul & Sylvia Holloway - 50th Wedding Anniversary                    |
| H144-1289     | Wagner; Stone  | 3/16/2008   | T           | Dover Symphony Orchestra - 40th Anniversary                          |
| H144-1290     | Schooley       | 2/2/2008    | M           | Dr. Anthony Scarangelo                                               |
| H144-1291     | Blakey         | 2/8/2008    | T           | Frank & Hilda Moffett - 50th Wedding Anniversary                     |
| H144-1292     | Wagner         | 12/28/2007  | T           | Berlin & Reba Hollingsworth - 60th Wedding Anniversary               |
| H144-1293     | Wagner         | 2/2/2008    | T           | Irving & Phyllis Levitt - 50th Wedding Anniversary                   |
| H144-1294     | Stone          | 2/5/2008    | M           | Nancy Palmer Hart                                                    |
| H144-1295     | Wagner; Stone  | 2/2/2008    | T           | Jennifer Louise Malmberg                                             |
| H144-1296     | Wagner         | 2/3/2008    | M           | Doris R. Dorzback                                                    |
| H144-1297     | Wagner         | 2/6/2008    | M           | Laura P. Reynard                                                     |
| H144-1298     | Wagner         | 1/31/2008   | M           | Reverend Dr. James Hill, Sr.                                         |
| H144-1299     | Johnson        | 2/5/2008    | M           | Theodore E. Gregory, Jr.                                             |
| H144-1300     | Maier          | 2/12/2008   | T           | Rolando Toccafondi - Retirement - Wilson Elementary School Principal |
| H144-1301     | Carson         | 2/11/2008   | T           | Sharon Hoeffcker - 50th Birthday                                     |
| H144-1302     | Carson         | 2/8/2008    | M           | Ruth A. Wicks                                                        |
| H144-1303     | Outten         | 2/9/2008    | M           | Bernice Marie Hrupsa                                                 |
| H144-1304     | Carson         | 2/12/2008   | T           | Gerald Mood - Fireman of the Year – Citizens Hose Company            |
| H144-1305     | Wagner         | 2/21/2008   | T           | William Felty, Jr. - Retirement - DelDOT                             |

H144-1306 Outten 2/9/2008 M Bertha Ray Nichols

HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor             | Date      | Type | Description                                                                                      |
|-----------|---------------------|-----------|------|--------------------------------------------------------------------------------------------------|
| H144-1307 | Wagner              | 2/9/2008  | M    | Lucy J. Durney                                                                                   |
| H144-1308 | Stone;Wagner        | 2/19/2008 | M    | George F. Gardner, III                                                                           |
| H144-1309 | Booth               | 2/20/2008 | T    | Karen Varuolo - Retirement - Human Resources Professional                                        |
| H144-1310 | Lavelle             | 1/23/2008 | T    | William Harlam - Eagle Scout                                                                     |
| H144-1311 | Lavelle             | 2/20/2008 | T    | Courtney Fox - Teacher of the Year                                                               |
| H144-1312 | Kowalko;<br>Lavelle | 2/26/2008 | T    | Dr. James O'Neill - First State Savings Star Award                                               |
| H144-1313 | Williams            | 2/6/2008  | T    | Donald Cannon - Marine Corps - 25 Years                                                          |
| H144-1314 | Spence              | 2/20/2008 | T    | Ira & Jean Coover - 60th Wedding Anniversary                                                     |
| H144-1315 | Outten              | 2/9/2008  | M    | Elta M. Englehart                                                                                |
| H144-1316 | Stone;Wagner        | 2/16/2008 | T    | James Bordley, Jr. - Honoree - Mt. Zion A.M.E. Church                                            |
| H144-1317 | Lofink              | 2/21/2008 | T    | Jamil Merrell - All-State Football Team                                                          |
| H144-1318 | Lofink              | 2/21/2008 | T    | Jamal Merrell - All-State Football Team                                                          |
| H144-1319 | Lofink              | 2/21/2008 | T    | Jerry Evans - All-State Football Team                                                            |
| H144-1320 | Lofink              | 2/21/2008 | T    | Eric Duricek - All-State Football Team                                                           |
| H144-1321 | Lofink              | 2/21/2008 | T    | Dan Eby - All-State Football Team                                                                |
| H144-1322 | Lofink              | 2/21/2008 | T    | Jamaal Jackson - All-State Football Team                                                         |
| H144-1323 | Brady;<br>Hudson    | 2/4/2008  | M    | Martina Mary Quinn Quill                                                                         |
| H144-1324 | Hudson              | 2/17/2008 | M    | Benjamin Garrison Scott, Jr.                                                                     |
| H144-1325 | Lofink              | 2/21/2008 | T    | Hodgson VoTech Football Team - Division II Champions                                             |
| H144-1326 | Johnson             | 2/23/2008 | T    | Lee Jarmon - Good Citizenship Award                                                              |
| H144-1327 | Kowalko             | 2/23/2008 | T    | Steven J. Day - Eagle Scout                                                                      |
| H144-1328 | Hudson              | 3/11/2008 | T    | Kim Allen, Ed.D. - Woman of Distinction – Honorary Chair                                         |
| H144-1329 | Spence              | 2/22/2008 | T    | Sally Milbury-Steen - Humanitarian Award – AFL-CIO<br>cosponsors: Reps. Brady, Oberle & Schooley |
| H144-1330 | Spence              | 2/22/2008 | T    | Samuel Lathem - Labor Leader Award – AFL-CIO<br>cosponsors: Reps. Brady, Marshall & Oberle       |
| H144-1331 | Marshall            | 2/21/2008 | T    | Linda George - Distinguished Geography Teacher Award                                             |

HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: March 12, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                | Date      | Type | Description                                                                          |
|-----------|------------------------|-----------|------|--------------------------------------------------------------------------------------|
| H144-1332 | Lee                    | 2/23/2008 | T    | Mary Goff - 100th Birthday                                                           |
| H144-1333 | Carey                  | 2/4/2008  | T    | Kathryn Greig - Milton Citizen of the Year                                           |
| H144-1334 | Carson                 | 2/23/2008 | T    | Honorable Bruce Ennis - I Love Smyrna Day<br>cosponsors: Reps. Hall-Long & Thornburg |
| H144-1335 | Stone                  | 2/18/2008 | M    | Christopher Patrick Schauble                                                         |
| H144-1336 | Lofink                 | 2/19/2008 | M    | James Baker                                                                          |
| H144-1337 | Hall-Long              | 2/28/2008 | T    | Terry Van Horn - Retirement - Department of Agriculture                              |
| H144-1338 | Kowalko;<br>Maier      | 3/7/2008  | T    | Susan Lamblack - Retirement –<br>Secretary/Treasurer - Newark                        |
| H144-1339 | Schooley;<br>Maier     | 3/11/2008 | T    | Carl Luft - Retirement - Newark City Manager                                         |
| H144-1340 | Blakey                 | 2/28/2008 | T    | Sandra Stump - Retirement - Management and Budget                                    |
| H144-1341 | Schwartzkopf;<br>Booth | 3/4/2008  | T    | Joan Thompson - Woman in History Honoree                                             |
| H144-1342 | Maier                  | 2/27/2008 | T    | Monnyeen Klopfenstein - Retirement<br>cosponsor: Rep. Hall-Long                      |
| H144-1343 | Spence                 | 2/24/2008 | M    | Honorable W. Laird Stabler, Jr.<br>cosponsors: All Representatives                   |
| H144-1344 | Schwartzkopf           | 2/29/2008 | T    | Rodney Gibbons - Retirement - Department of Correction                               |
| H144-1345 | Outten                 | 2/23/2008 | M    | Elizabeth Cecilia Gerardi<br>cosponsor: Rep. Wagner                                  |
| H144-1346 | Spence                 | 3/1/2008  | T    | John Marta - 90th Birthday                                                           |
| H144-1347 | Hudson                 | 2/16/2008 | T    | Frances Haut - 100th Birthday                                                        |
| H144-1348 | Hudson                 | 4/10/2008 | T    | Kevin Protack - Eagle Scout                                                          |

|           |                                    |   |                                                     |
|-----------|------------------------------------|---|-----------------------------------------------------|
| H144-1349 | Wagner;Walls 2/24/2008             | M | B. Victoria Johnson                                 |
| H144-1350 | Stone;Wagner 2/23/2008             | M | Paul R. Carey                                       |
| H144-1351 | Outten 3/1/2008                    | T | Denise Baker - Retirement - Lake Forest High School |
|           | cosponsor: Rep. Walls              |   |                                                     |
| H144-1352 | Stone; Wagner 2/22/2008            | M | Ina B. Sanders                                      |
| H144-1353 | Thornburg; 2/28/2008               | M | Theodore Paul Bobola, Sr.                           |
|           | Wagner                             |   |                                                     |
| H144-1354 | Gilligan; Maier3/1/2008            | M | Christine Woodring                                  |
| H144-1355 | McWilliams 3/7/2008                | T | Joseph Dell'Olio - Retirement - Child, Inc.         |
|           | cosponsors: Reps. Maier & Marshall |   |                                                     |

T- Tribute

M - Memoriam

Representatives Schwartzkopf, Longhurst, McWilliams & Viola requested that they be marked present.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:12 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:12 P.M.: Representatives Cathcart, Gilligan, Hudson, Lavelle, Lofink, Mulrooney & Valihura.

Mr. Acting Speaker Oberle called the House to order at 2:09 p.m. on March 13, 2008.

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

ENERGY AND NATURAL RESOURCES: **SB 193** - 1F,7M; **HCR 38** - 3F,6M; **HCR 40** - 6M,3U.

GAMING & PARIMUTUELS: **HB 304** - 3M,3U.

HEALTH & HUMAN DEVELOPMENT: **HB 320** - 8M; **HB 322** - 9M.

HOUSE ADMINISTRATION: **SB 147 w/SA 1** - 3M; **SB 196 w/SA 1** - 4M; **HB 324** - 4M.

JUDICIARY: **HB 276** - 5M; **HB 309** - 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 307** - 7M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 211 w/SA 1** and requests the concurrence of the House.

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

## 12th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session March 13, 2008

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Manolakos -1.

A prayer was offered by Representative Robert F. Gilligan, Nineteenth Representative District.

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

The following prefiled legislation was introduced:

**HB 326** - JOHNSON; REPRESENTATIVES BLAKEY, BRADY, EWING, HALL-LONG, HUDSON, KOWALKO, LONGHURST, MANOLAKOS, MULROONEY, PLANT, SCHOOLEY, B. SHORT, SPENCE, WILLIAMS, WALLS; SENATORS HENRY, MCBRIDE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Discipline.

**HB 327** - PLANT; REPRESENTATIVES JOHNSON, KOWALKO, MULROONEY, WILLIAMS; SENATORS HENRY, MARSHALL - LABOR - An Act to Amend Chapter 7, Title 19 of the Delaware Code Relating to the Doctrine of Employment at Will and Protection from Wrongful Termination.

**HB 328** - SPENCE & SENATOR BLEVINS; REPRESENTATIVES BOOTH, EWING, HOCKER, HUDSON, LAVELLE, LOFINK, MIRO, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, CARSON, JOHNSON, KOWALKO, LONGHURST, MARSHALL, MITCHELL, MULROONEY, B. SHORT, VIOLA; SENATORS DELUCA, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, COPELAND, SORENSON, AMICK, BONINI, CLOUTIER, CONNOR, STILL - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Agriculture. (2/3 bill)

**HB 329** - LEE & SENATOR ENNIS; REPRESENTATIVES OUTTEN, D. SHORT, CARSON, MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Fire Prevention. (3/5 bill)

**HA 1 to HB 291** - HUDSON - Placed with the Bill.

**HA 1 to HB 328** - SPENCE - Placed with the Bill.

**HA 2 to HB 328** - SPENCE - Placed with the Bill.

**SB 211 w/SA 1** - ADAMS & SENATOR SIMPSON; REPRESENTATIVES CAREY & EWING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Changing Boundaries.

**HA 1 to SB 196** - CAREY - Placed with the Bill.

Mr. Acting Speaker & Representative Gilligan made comments.

Representatives Brady, Hall-Long, Marshall, Williams, Schwartzkopf & Wagner requested that they be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

To: Terry R. Spence, Speaker of the House

From: Rep. Nick Manolakos

Date: March 13, 2008

RE: Absence from session

Please be advised I will be absent from session today.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 5:40 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 191** & **SJR 10** and requests the concurrence of the House.

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

LABOR: **HB 303** - 2F,4M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HB 248** - 3M.

Representatives Spence, Miro, McWilliams, Outten, D. Short & Mulrooney requested that they be marked present.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 281**, jointly sponsored by Senator Ennis & Representative Ewing & Representatives Blakey, Booth, Carey, Carson, Cathcart, Gilligan, Hall-Long, Hocker, Hudson, Johnson, Keeley, Kowalko, Lavelle, Lee, Lofink, Longhurst, Maier, Manolakos, Marshall, McWilliams, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Schooley, B. Short, D. Short, Spence, Stone, Thornburg, Valihura, Viola, Wagner & Walls, before the House for consideration.

**HB 281** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE BURIAL OF WAR VETERANS.

Representative Brady made comments.

The roll call on **HB 281** was taken and revealed:

YES: 39.

ABSENT: Representatives Gilligan & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 281** was sent to the Senate for concurrence.

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

Representative Cathcart deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with introduction of and action on **SJR 10**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Miro introduced and brought **SJR 10**, jointly sponsored by Senator Sorenson & Senator Amick on behalf of All Senators & Representative Schooley on behalf of All Representatives, before the House for consideration.

**SJR 10** - CELEBRATING THE 50TH ANNIVERSARY OF W.L. GORE & ASSOCIATES, WORLD-RENOWNED INNOVATOR IN TECHNOLOGY, PRODUCTS AND CORPORATE CULTURE.

Representatives Miro & Keeley made comments.

The roll call on **SJR 10** was taken and revealed:

YES: 39.

ABSENT: Representatives Gilligan & Manolakos - 2.

Therefore, having received a constitutional majority, **SJR 10** was returned to the Senate.

Representative Miro introduced a guest.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 276**, jointly sponsored by Senator Peterson & Senator Sokola & Representatives Spence, Blakey, Ewing, Lavelle, Oberle, Outten, Gilligan, Longhurst & Marshall & Senator Blevins & cosponsored by Senator Bonini, before the House for consideration.

**HB 276** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)

Representative Wagner brought **HA 1 to HB 276**, sponsored by Representative Miro, before the House for consideration. Representative Miro made comments.

The roll call on **HA 1 to HB 276** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Manolakos & Mulrooney - 3.

Therefore, having received a constitutional majority, **HA 1 to HB 276** was declared passed.

Representative Wagner made comments.

The roll call on **HB 276 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Manolakos & Mulrooney - 3.

Therefore, having received a constitutional majority, **HB 276 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 320**, jointly sponsored by Senator Henry & Representatives Spence, Ewing, Lavelle, Maier, Hall-Long & McWilliams & Senators Ennis, Peterson & Cloutier, before the House for consideration.

**HB 320** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Representative Wagner made comments.

The roll call on **HB 320** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Manolakos, Mulrooney & D. Short - 4.

Therefore, having received a constitutional majority, **HB 320** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Carey.

Representative Carey brought **SB 147 w/SA 1**, jointly sponsored by Senator Simpson & Senator Bonini & Representative Walls, before the House for consideration.

**SB 147** - AN ACT TO AMEND CHAPTER 148, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE CITY OF MILFORD, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH SUCH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO INCREASE THE CONTRACT AMOUNT NOT SUBJECT TO COMPETITIVE BIDDING. (2/3 bill)

Representatives Carey & Valihura made comments.

The roll call on **SB 147 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Manolakos, Mulrooney & D. Short - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 147 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Carey.

Representative Carey brought **SB 196 w/SA 1**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 196** - AN ACT TO REINCORPORATE THE TOWN OF MILTON. (2/3 bill)

Representative Carey brought **HA 1 to SB 196** before the House for consideration. Representative Carey made comments. **HA 1** was adopted by voice vote. Representative Carey made comments.

The roll call on **SB 196 w/SA 1 & HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Manolakos, Mulrooney & D. Short - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 196 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 286**, jointly sponsored by Representative Schooley & Representative Hall-Long & Representative Marshall & Senator Blevins & Senator Sorenson & Representatives Brady, Carey, Carson, Ewing, Johnson, Keeley, Kowalko, Longhurst, McWilliams, Miro, Mitchell, Schwartzkopf, Stone, Viola, Wagner & Walls, before the House for consideration.

**HB 286** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE TO ASSIST ENROLLMENT IN THE DELAWARE HEALTHY CHILDREN PROGRAM.

Representatives Maier & Wagner made comments.

The roll call on **HB 286** was taken and revealed:

YES: 37.

ABSENT: Representatives Gilligan, Manolakos, Mulrooney & D. Short - 4.

Therefore, having received a constitutional majority, **HB 286** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey brought **HB 324**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 324** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PURPOSE AND MEANING OF LAWS.

Representative Blakey made comments.

The roll call on **HB 324** was taken and revealed:

YES: 35.

ABSENT: Representatives Ewing, Gilligan, Manolakos, Mulrooney, D. Short & Williams - 6.

Therefore, having received a constitutional majority, **HB 324** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner made comments.

Representative Wagner requested that **HB 318** be stricken.

Representative Valihura made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:22 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:08 p.m. on March 13, 2008.

Representative Ewing made an announcement.

Representative Booth introduced **HB 343**, jointly sponsored by Senator Simpson & Representative Schwartzkopf.

**HB 343** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES AND SPECIFIC OFFENSES.

Mr. Acting Speaker assigned **HB 343** to the Judiciary Committee.

Representative Booth made comments. Representatives Valihura, Lofink & Mr. Acting Speaker made announcements.

The minutes of the previous two legislative days were approved as posted.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker introduced **HS 1 for HB 309**, jointly sponsored by Senator Bunting & Representatives Spence, Booth, Hastings, Maier, Manolakos, Miro, D. Short, Longhurst & Schwartzkopf & Senator Copeland.

**HB 309** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTION.

Mr. Acting Speaker assigned **HS 1/HB 309** to the Judiciary Committee.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

### **13th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session March 18, 2008**

The Chief Clerk called the roll:

Members Present: 41.

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

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 308** - MAIER & SENATOR HENRY; REPRESENTATIVES SPENCE, BLAKEY, HUDSON, LAVELLE, WAGNER; SENATOR COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Delaware Code Relating to the Acupuncture Advisory Council and Licensing of Acupuncture. (2/3 bill)

**HB 330** - HUDSON & SENATOR COPELAND; REPRESENTATIVES SPENCE, CAREY, HOCKER, LAVELLE, KEELEY, MITCHELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Seed Program.

**HB 331** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, D. SHORT, STONE, WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Strategic Fund.

**HB 332** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, STONE, WAGNER; SENATORS BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to the Delaware Constitution Relating to Voting on the Budget and Bond Bills. (2/3 bill)

**HB 334** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, D. SHORT, WAGNER, B. SHORT; SENATORS BUNTING, BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Creating a Searchable Budget Database for State Spending.

**HB 335** - LAVELLE & SENATOR SORENSON; REPRESENTATIVES HUDSON, D. SHORT, STONE, WAGNER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Civil Suits Based upon Child Sexual Abuse by an Adult.

**HB 336** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, D. SHORT, WAGNER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Disclosure of Checking Account Activity and Pay and Benefits of State Agencies.

**HB 337** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, D. SHORT; SENATORS BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON -

EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Disclosure of Checking Account Activity and Pay and Benefits of School Districts and Charter Schools.

**HB 338** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, D. SHORT, STONE, B. SHORT; SENATORS BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to a Searchable Archive of All Contracts Entered into by School Districts and Charter Schools.

**HB 339** - HUDSON & REPRESENTATIVE VALIHURA & SENATOR BLEVINS; REPRESENTATIVES MANOLAKOS, STONE, THORNBURG; SENATORS PETERSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 11 and 13 of the Delaware Code Relating to Marriage Licenses. (3/5 bill)

**HB 340** - HUDSON & SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.

**HA 2 to HB 279** - OBERLE - Placed with the Bill.

**SB 191** - SOKOLA & REPRESENTATIVE LONGHURST; SENATORS BLEVINS, COOK, PETERSON; REPRESENTATIVES GILLIGAN, SCHOOLEY, KOWALKO, MITCHELL, VIOLA, MULROONEY, PLANT, WILLIAMS, CARSON, HALL-LONG, JOHNSON, WALLS, KEELEY, MARSHALL, SCHWARTZKOPF, BRADY, MCWILLIAMS, B. SHORT, BOOTH - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

**SB 201** - HENRY & SENATORS DELUCA, CONNOR & COPELAND; SENATORS PETERSON, ENNIS, SOKOLA, SORENSON, SIMPSON, VENABLES; REPRESENTATIVES HOCKER, KEELEY, LAVELLE, MAIER, WAGNER, D. SHORT, VALIHURA, CAREY, THORNBURG, LEE, BOOTH, SPENCE, EWING, CATHCART, WALLS, BRADY, VIOLA, CARSON, MITCHELL, B. SHORT, LOFINK - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates. (3/5 bill)

**SB 208 w/SA 1** - ENNIS & REPRESENTATIVE LEE; SENATORS ADAMS, AMICK, BLEVINS, CONNOR, COPELAND, SIMPSON, STILL, VENABLES; REPRESENTATIVES BLAKEY, BOOTH, BRADY, CAREY, EWING, MCWILLIAMS, THORNBURG, WILLIAMS, OUTTEN - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

Representative Cathcart deferred to Representative Keeley.

The House observed a moment of silence in memory of Joshua James Beckwith at the request of Representative Keeley.

Mr. Acting Speaker presented a House Tribute to Thomas M. Jarrett, Chief Information Officer, Department of Technology and Information, who addressed the House. Representative Cathcart deferred to Representative Lofink. Representative Lofink introduced a guest and requested and was granted privilege of the floor to present a House Tribute to Katherine Kleinot, third place, Legislative Essay Contest. Representative Cathcart deferred to Representative Walls. Representative Walls requested and was granted privilege of the floor to present a House Tribute to Logan Hughes, second place, Legislative Essay Contest. Representative Cathcart deferred to Representative Miro. Representative Miro requested and was granted privilege of the floor to present a House Tribute to Vincenza Carrieri Russo, Miss Delaware USA. Representative Cathcart deferred to Representative Miro. Representative Miro requested and was granted privilege of the floor for himself and Representatives Hudson and Stone to introduce Oliver W. Liao, Deputy Director, Taipei Economic and Cultural Representative Office, who addressed the House. Representative Cathcart deferred to Representative Stone. Representative Stone requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart deferred to Representative Lofink. Representative Lofink requested and was granted privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates, and Lenelle Daniels, President, Casee Wanamaker, Vice President, Kyla Bibbins, Secretary, Genera Aeran, Reporter and DeAndre Deaninge, Historian, Delaware Career Association. Each officer announced his/her name, school and future educational plans for the record.

Representatives Maier & Schwartzkopf requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 201 & SB 208 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 103 & HB 283 w/HA 2** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, F. Gary Simpson, do hereby request that my name be removed as cosponsor of **HS 1/HB 308**.

Date: March 13, 2008

Signed: F. Gary Simpson

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HS 1 for HB 259**, jointly sponsored by Representative Lofink & Senator Sokola & Representatives Booth, Ewing, Maier, Wagner & Hall-Long & Senators Sorenson & Simpson & cosponsored by Representative Walls.



**HB 259 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DENIAL, SUSPENSION, REVOCATION AND LIMITATION OF EDUCATOR LICENSES AND CERTIFICATES.**

Mr. Acting Speaker assigned **HS 1 for HB 259** to the Education Committee.

The Majority Leader moved to recess for caucus at 2:43 p.m.

The House reconvened at 6:00 p.m.

Representative Ewing made an announcement.

Representative Lavelle requested that he be marked present.

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

Representative Gilligan made comments.

Representatives Williams & Mulrooney requested that they be marked present.

Representative Cathcart deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 303**, jointly sponsored by Senator Marshall & Representatives Brady, Carson, Hall-Long, Kowalko, Lofink, Longhurst, Miro, Mitchell, Plant, Valihura & Williams & Senators Cloutier & Cook, before the House for consideration.

**HB 303 - AN ACT TO AMEND CHAPTER 85, TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON APPRENTICESHIP AND TRAINING.**

Representative Mulrooney made comments.

The roll call on **HB 303** was taken and revealed:

YES: 40.

ABSENT: Representative McWilliams - 1.

Therefore, having received a constitutional majority, **HB 303** was sent to the Senate for concurrence.

Representatives Thornburg, Viola, Plant & Spence requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 193**, jointly sponsored by Senator Simpson & Senator Adams, before the House for consideration.

**SB 193 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING FOR COOPERATIVES.**

Representative Hocker made comments.

The roll call on **SB 193** was taken and revealed:

YES: 40.

ABSENT: Representative McWilliams - 1.

Therefore, having received a constitutional majority, **SB 193** was returned to the Senate.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with action on **HS 1 for HB 309**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hocker brought **HS 1 for HB 309**, jointly sponsored by Senator Bunting & Representatives Spence, Booth, Hastings, Maier, Manolakos, Miro, D. Short, Longhurst & Schwartzkopf; & Senator Copeland, before the House for consideration.

**HB 309 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTION.**

Representatives Hocker & Marshall made comments.

The roll call on **HS 1 for HB 309** was taken and revealed:

YES: 40.

ABSENT: Representative McWilliams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 309** was sent to the Senate for concurrence.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 108 w/SA 1 & 3 - 3M; SB 179 w/SA 1 - 3M.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 213 & SCR 37** and requests the concurrence of the House.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:09 p.m. on March 19, 2008.

Mr. Acting Speaker assigned **SB 108 w/SA 1 & 3** to the Appropriations Committee.

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

**14th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
March 19, 2008**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Lavelle & Valihura – 2.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 236** - WAGNER & SENATOR HENRY; REPRESENTATIVES LOFINK, MAIER, OBERLE; SENATOR ENNIS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Medical Practice Act.

**HB 333** - MARSHALL & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON & SENATOR SIMPSON; REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Government.

**HB 342** - BOOTH & REPRESENTATIVE EWING & SENATOR SIMPSON; REPRESENTATIVES LEE, HASTINGS, HUDSON, LAVELLE, MAIER, OUTTEN, THORNBURG, VALIHURA, CARSON, SCHWARTZKOPF, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Registration and Vehicles.

**HB 344** - OBERLE & SENATOR MCBRIDE; REPRESENTATIVE MAIER; SENATOR ENNIS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to Wind Energy Systems.

**HA 1 to HB 343** - BOOTH - Placed with the Bill.

**HCR 42** - HOCKER & SENATOR VENABLES; REPRESENTATIVES SPENCE, BOOTH, EWING, HUDSON, LAVELLE, D. SHORT, THORNBURG, LONGHURST, MCWILLIAMS, WALLS; SENATOR COPELAND - ENERGY AND NATURAL RESOURCES - Requesting the Delaware Energy Office Study the New Jersey Approach to Offshore Wind Development and Submit Recommendations to Encourage the Development of the Bluewater Wind Offshore Wind Farm without the Requirement of Forced Contracts.

**SB 213** - ADAMS & SENATOR MARSHALL & REPRESENTATIVE SPENCE & REPRESENTATIVE STONE; SENATORS DELUCA, COOK, MCDOWELL, COPELAND, STILL, BUNTING, ENNIS, HENRY, MCBRIDE, SOKOLA, VENABLES, BONINI, CLOUTIER, CONNOR, SIMPSON, SORENSON; REPRESENTATIVES CATHCART, LEE, HUDSON, LAVELLE, BLAKEY, BRADY, CAREY, CARSON, EWING, HALL-LONG, HASTINGS, JOHNSON, KOWALKO, LOFINK, LONGHURST, MANOLAKOS, GILLIGAN, KEELEY, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, THORNBURG, VALIHURA, VIOLA, WAGNER, WALLS, WILLIAMS - REVENUE & FINANCE - An Act to Amend Title 5 of the Delaware Code Pertaining to the Delaware Bank Franchise Tax and Title 30 of the Delaware Code Pertaining to the Delaware Corporation Income Tax.

Mr. Acting Speaker introduced guests.

Representatives Hastings & Hudson requested that they be marked present.

Representative Cathcart deferred to Representative Spence.

Representative Spence requested and was granted privilege of the floor to introduce volunteers who participated in the National Speakers Conference and to present a House Tribute to George Fiorile representing Dover Downs Hotel & Casino.

Representatives Booth, Johnson, Kowalko, Lofink, Maier & Mitchell requested that they be marked present. Representative Lofink requested and was granted personal privilege of the floor to make an announcement.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Robert J. Valihura, Jr.  
Representative – Tenth Representative District  
RE: Absence from Session  
DATE: March 19, 2008

Please be advised that I will be absent from session today, Wednesday, March 19, 2008 due to personal business.

Thank you for your consideration in this matter.

MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: March 19, 2008  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Wednesday, March 19, 2008. I will not be able to attend today due to personal and family reasons.

Representatives McWilliams & Marshall requested that they be marked present. Representative Marshall requested and was granted personal privilege of the floor to introduce a guest.

Representative Cathcart brought the following prefiled **Consent Calendar #16** before the House for consideration.

**SCR 37 – BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON & REPRESENTATIVE KEELEY – Designating the Month of April 2008 as Delaware’s Sexual Assault Awareness Month.**

**Consent Calendar #16** was adopted by voice vote and **SCR 37** was returned to the Senate.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #59**

DATE: March 19, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                           | Sponsor       | Date      | Type | Description                                                     |
|----------------------------------|---------------|-----------|------|-----------------------------------------------------------------|
| H144-1356                        | Blakey        | 1/25/2008 | T    | Fred & Margaret DeGenova - 50th Wedding Anniversary             |
| H144-1357                        | Wagner        | 1/31/2008 | T    | Thomas & Marge Faux - 60th Wedding Anniversary                  |
| H144-1358                        | Thornburg     | 2/17/2008 | T    | Steve & Janet Szelestei - 50th Wedding Anniversary              |
| H144-1359                        | Thornburg     | 2/7/2008  | T    | Dallas Mastin - Eagle Scout                                     |
| H144-1360                        | Wagner        | 3/2/2008  | M    | Robert Earle Osborne, Jr.                                       |
| H144-1361                        | Stone; Wagner | 3/1/2008  | M    | Kimiko Lauer                                                    |
| H144-1362                        | Thornburg     | 3/2/2008  | M    | Norma Jean Tobey                                                |
| cosponsors: Reps. Stone & Wagner |               |           |      |                                                                 |
| H144-1363                        | Hocker        | 2/24/2008 | M    | Brice M. Hickman                                                |
| cosponsor: Rep. Wagner           |               |           |      |                                                                 |
| H144-1364                        | Carey         | 3/8/2008  | T    | Walter Kee, Jr. - Retirement - Vegetable Crop Specialist        |
| H144-1365                        | Wagner        | 2/26/2008 | T    | Jocelyn Persinger & Brad Yurkovich – Marriage                   |
| H144-1366                        | Cathcart      | 3/8/2008  | T    | Amy Trowbridge - Life Member - Port Penn Fire Company           |
| H144-1367                        | Cathcart      | 3/8/2008  | T    | Brian Dunkelberger - Life Member - Port Penn Fire Company       |
| H144-1368                        | Cathcart      | 3/8/2008  | T    | Dale Bendler - 30 Year Member - Port Penn Fire Company          |
| H144-1369                        | Cathcart      | 3/8/2008  | T    | Steve DiVirigilio - 30 Years - Port Penn Fire Company           |
| H144-1370                        | Lee           | 2/15/2008 | T    | Calvin & Leatrice Hearn - 50th Wedding Anniversary              |
| H144-1371                        | Booth         | 4/12/2008 | T    | Kirby Mills - Eagle Scout                                       |
| H144-1372                        | Hastings      | 3/16/2008 | T    | Oak Orchard-Riverdale Post - American Legion - 25th Anniversary |
| H144-1373                        | Carey         | 3/14/2008 | T    | John Holloway, Jr. - Retirement - DelDOT                        |
| H144-1374                        | Maier         | 3/18/2008 | T    | Scott Falin - 1st Place - Legislative Essay Scholarship         |
| H144-1375                        | Walls         | 3/18/2008 | T    | Logan Hughes - 2nd Place - Legislative Essay Scholarship        |
| H144-1376                        | Lofink        | 3/18/2008 | T    | Katherine Kleinot - 3rd Place - Legislative Essay Scholarship   |
| H144-1377                        | Outten        | 2/25/2008 | M    | Joseph Lee Heverin                                              |
| H144-1378                        | Stone; Wagner | 1/1/2008  | T    | Edward Hynes, DPM - Retirement - Dover Podiatry Group           |
| H144-1379                        | Viola         | 3/8/2008  | T    | Donald & Elva Ragan - 50th Wedding Anniversary                  |
| H144-1380                        | Kowalko       | 2/4/2008  | T    | Sergius & Nancy Wolynetz - 50th Wedding Anniversary             |

T- Tribute

M - Memoriam

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:35 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:35 P.M.: Representatives Carey, Mulrooney, Schooley, Stone & Wagner.

Madame Acting Speaker Stone called the House to order at 2:15 p.m. on March 20, 2008.

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

AGRICULTURE: **HB 328** - 10M.

HEALTH & HUMAN DEVELOPMENT: **SS 1/SB 192** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 329** - 6M; **SB 201** - 7M.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**15th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**  
**March 20, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Miro – 1.

Representative Hastings made comments.

A prayer was offered by Representative Gregory A. Hastings, Forty-First Representative District.

Madame Acting Speaker invited Kylie Lavelle, Representative Lavelle's daughter, to join her in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 345** - BOOTH & SENATOR BUNTING; REPRESENTATIVES CATHCART, LEE, HASTINGS, HOCKER, MANOLAKOS, OUTTEN, D. SHORT, THORNBURG, GILLIGAN, BRADY, CARSON, SCHWARTZKOPF, WALLS, WILLIAMS; SENATOR SIMPSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sentencing.

**HB 346** - CATHCART & SENATOR PETERSON & SENATOR COPELAND; REPRESENTATIVES SPENCE, LEE, BLAKEY, BOOTH, CAREY, EWING, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, MITCHELL, SCHOOLEY, B. SHORT, VIOLA, WALLS, HASTINGS; SENATORS BUNTING, SORENSON, BONINI, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Legislative Conflicts of Interest.

**HR 48** - LOFINK; REPRESENTATIVES SPENCE, LEE, CATHCART, BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, MITCHELL, SCHOOLEY, B. SHORT, VIOLA, WALLS - HOUSE ADMINISTRATION - A Resolution to Amend House Resolution No. 3 of the 144th General Assembly Relating to House Rules.

**SB 199** - DELUCA & REPRESENTATIVE VALIHURA; SENATORS ADAMS, AMICK, BLEVINS, CLOUTIER, CONNOR, COOK, COPELAND, ENNIS, HENRY, MARSHALL, MCDOWELL, PETERSON, SIMPSON, SORENSON, VENABLES; REPRESENTATIVE MARSHALL - JUDICIARY - An Act to Amend Titles 7, 9, 10, 15, 29 and 31 of the Delaware Code Relating to References to Associate Judges.

Representative Ewing requested and was granted personal privilege of the floor to make a comment. Representative Outten requested that he be marked present. Representative Kowalko requested and was granted privilege of the floor to make comments. The House observed a moment of silent prayer for Maryanne McGonegal at the request of Representative Kowalko.

Representative Schwartzkopf requested that he be marked present.

Representative Cathcart deferred to Representative Manolakos.

Representative Manolakos introduced and brought **HR 47** before the House for consideration.

**HR 47** - A RESOLUTION RECOGNIZING MARCH 25, 2008 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE.

Representative Manolakos made comments.

**HR 47** was adopted by voice vote.

Representative Booth requested that he be marked present.

Representative Spence requested that **HB 170** be stricken.

Representatives Hudson & Gilligan requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 199** and requests the concurrence of the House and the Senate has passed **HB 285 w/HA 2, 3, 4, 5 & 6** and is returning same to the House.

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Joseph E. Miro  
DATE: March 19, 2008  
RE: Absence from Session

Please be advised that it is necessary for me to be absent on Thursday, March 20, 2008. I will not be able to attend today due to personal reasons.

The Majority Leader moved to recess for caucus at 2:27 p.m.

The House reconvened at 4:49 p.m. with Representative Booth as Acting Speaker.

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

EDUCATION: **HS 1/HB 259** - 9M; **HB 297** - 9M; **HB 301** - 9M; **HB 326** - 1F,8M; **SB 211 w/SA 1** - 9M; **SJR 8** - 8M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 204 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 303 & HB 324** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Melanie George Marshall, do hereby request that my name be removed as cosponsor of **SB 213**.

Date: March 20, 2008

Signed: Melanie G. Marshall

Representatives Plant, Keeley & Mulrooney requested that they be marked present.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **HS 1 for HB 236**. The motion was properly seconded and adopted by voice vote.

Representative Wagner brought **HS 1 for HB 236**, jointly sponsored by Senator Henry & Representatives Lofink, Maier & Oberle & Senator Ennis, before the House for consideration.

**HB 236 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEDICAL PRACTICE ACT.**

Representative Wagner made comments.

The roll call on **HS 1 for HB 236** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 236** was sent to the Senate for concurrence.

Representatives Hocker & Maier requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **SB 213**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **SB 213**, jointly sponsored by Senator Adams & Senator Marshall & Representative Stone & Senators DeLuca, Cook, McDowell, Copeland, Still, Bunting, Ennis, Henry, McBride, Sokola, Venables, Bonini, Cloutier, Connor, Simpson & Sorenson & Representatives Cathcart, Lee, Hudson, Lavelle, Blakey, Brady, Carey, Carson, Ewing, Hall-Long, Hastings, Johnson, Kowalko, Lofink, Longhurst, Manolakos, Gilligan, Keeley, McWilliams, Miro, Mitchell, Mulrooney, Outten, Schooley, Schwartzkopf, B. Short, D. Short, Thornburg, Valihura, Viola, Wagner, Walls & Williams, before the House for consideration.

**SB 213 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE BANK FRANCHISE TAX AND TITLE 30 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE CORPORATION INCOME TAX. (F/N)**

Representative Spence made comments. Representative Spence deferred to Representative Stone. Representative Stone requested and was granted personal privilege of the floor to make comments.

The roll call on **SB 213** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 213** was returned to the Senate.

The Majority Leader moved to recess for caucus at 5:04 p.m.

The House reconvened at 5:08 p.m.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 328**, jointly sponsored by Senator Blevins & Representatives Booth, Ewing, Hocker, Hudson, Lavelle, Lofink, Miro, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Gilligan, Keeley, Carson, Johnson, Kowalko, Longhurst, Marshall, Mitchell, Mulrooney, B. Short & Viola & Senators DeLuca, Marshall, McBride, McDowell, Peterson, Copeland, Sorenson, Amick, Bonini, Cloutier, Connor & Still, before the House for consideration.

**HB 328 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE. (2/3 bill)**

Representative Spence requested that **HA 1 to HB 328** be stricken. Representative Spence brought **HA 2 to HB 328** before the House for consideration. Representative Spence made comments. **HA 2** was adopted by voice vote. Representative Spence introduced and brought **HA 3 to HB 328** before the House for consideration. Representative Spence made comments. **HA 3** was adopted by voice vote.

Representative Spence made comments.

The roll call on **HB 328 w/HA 2 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 328 w/HA 2 & 3** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which interfere with action on **HB 305**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HB 305**, jointly sponsored by Senator Ennis & Representatives Carey, Ewing, Hastings, Hocker, Manolakos, Oberle, Valihura, Brady, Carson, Hall-Long, McWilliams, Mitchell & Viola & Senator Cook & cosponsored by Senators Connor & DeLuca, before the House for consideration.

**HB 305 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.**

Representatives Cathcart & Williams made comments.

The roll call on **HB 305** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 305** was sent to the Senate for concurrence. Representative Cathcart introduced guests.

Representative Lee deferred to Representative D. Short.

Representative D. Short brought **SB 201**, jointly sponsored by Senator Henry & Senators DeLuca, Connor & Copeland & Senators Peterson, Ennis, Sokola, Sorenson, Simpson & Venables & Representatives Hocker, Keeley, Lavelle, Maier & Wagner & cosponsored by Representatives D. Short, Valihura, Carey, Thornburg, Lee Booth, Spence, Ewing, Cathcart, Walls, Brady, Viola, Carson, Mitchell, B. Short & Lofink, before the House for consideration.

**SB 201** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representatives D. Short & Valihura made comments.

The roll call on **SB 201** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 201** was returned to the Senate.

Representative D. Short made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 174** & **SCR 38** and requests the concurrence of the House and the Senate has passed **HS 1/HB 206 w/SA 1** and is returning same to the House.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short moved to suspend the rules which interfere with action on **SCR 38**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative D. Short brought **SCR 38**, jointly sponsored by Senator Bunting & Representatives Carey & Ewing & cosponsored by Representatives Hocker, Wagner, Lavelle, Carson, Hastings, Outten, Carey, Spence & Lee, before the House for consideration.

**SCR 38** - ESTABLISHING A TASK FORCE TO CONSIDER THE NEED FOR A BURN CAMP IN DELAWARE.

Representative D. Short deferred to Representative Hocker.

Representatives Hocker & D. Short made comments.

**SCR 38** was adopted by voice vote and was returned to the Senate.

Representative Cathcart deferred to Representative B. Short.

Representative B. Short brought **HB 231**, jointly sponsored by Representatives Brady, Cathcart, Ennis, Hall-Long, Hastings, Keeley, Lofink, Marshall, McWilliams, Oberle, D. Short, Spence & Valihura & Senators McDowell & Sokola, before the House for consideration.

**HB 231** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REGULATIONS GOVERNING THE DESIGN AND OPERATION OF SCHOOL BUSES.

Representative Gilligan, Mr. Acting Speaker, Representatives B. Short, Ewing, Wagner, Lavelle, B. Short, Thornburg, Oberle, Hocker, Longhurst & McWilliams made comments.

The roll call on **HB 231** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Valihura - 2.

Therefore, having received a constitutional majority, **HB 231** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Spence regarding **HR 49**.

Representatives Spence, Gilligan, Oberle, Spence & Mr. Acting Speaker made comments.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 196**, jointly sponsored by Representative Valihura & Senator Simpson & Representatives Cathcart, Lee, Blakey, Booth, Manolakos & Miro & cosponsored by Senator Cloutier, before the House for consideration.

**HB 196** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYISTS. (2/3 bill)

Representative Hudson made comments. Representative Kowalko introduced and brought **HA 1 to HB 196** before the House for consideration. Representatives Kowalko, Hudson, Oberle, Kowalko, Lavelle, Valihura, Schwartzkopf, Lavelle, Oberle & Kowalko made comments. Representative Kowalko requested that **HA 1 to HB 196** be stricken. Representative Hudson introduced and brought **HA 2 to HB 196** before the House for consideration. Mr. Acting Speaker made an announcement. Representative Hudson made comments. **HA 2** was adopted by voice vote. Representative Lavelle introduced and brought **HA 3 to HB 196** before the House for consideration. Representatives Lavelle & Hudson made comments. **HA 3** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 196 w/HA 2 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 196 w/HA 2 & 3** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 294**, jointly sponsored by Senator Blevins & Representatives Spence, Cathcart, Hudson, Maier, Stone, Keeley, Kowalko & Mitchell & Senator Still, before the House for consideration.

**HB 294 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN.**

Representative Wagner introduced and brought **HA 1 to HB 294** before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 294 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **HB 294 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart made comments.

The Majority Leader moved to recess to the call of the Chair at 6:27 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:06 p.m. on April 8, 2008.

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

### **16th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session April 8, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Longhurst – 1.

The House observed a moment of silence in memory of Beverly J. Sweet, staff member and George Sullivan, father of Dale Sullivan, at the request of Representative Lee, Olive R. Boulden, wife of former Speaker of the House, Kenneth Boulden, at the request of Representative Cathcart, United States Air Force Staff Sergeant Travis Griffin at the request of Mr. Speaker Spence, John D. Pingree, Jr. and Benny Divita at the request of Representative Wagner and Maryanne McGonegal at the request of Representative Kowalko.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

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

The following out of session prefiled legislation was introduced:

April 2, 2008

**HB 347 - SPENCE & SENATOR ADAMS; REPRESENTATIVES LEE, THORNBURG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Establishment of the Delaware Police Accreditation Commission.**

**HB 348 - MAIER & SENATOR HENRY; REPRESENTATIVES BLAKEY, MIRO, HALL-LONG, KOWALKO, MARSHALL, MCWILLIAMS, SCHOOLEY; SENATOR SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.**

**HB 349 - HASTINGS & SENATOR PETERSON & SENATOR COPELAND; REPRESENTATIVES SPENCE, LEE, CATHCART, BLAKEY, BOOTH, CAREY, EWING, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, LONGHURST, MITCHELL, SCHOOLEY, B. SHORT, VIOLA, WALLS; SENATORS BUNTING, SORENSON, BONINI, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.**

**HB 350 - EWING & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, CATHCART, BOOTH, HASTINGS, HOCKER, LAVELLE, LOFINK, D. SHORT - HOUSE ADMINISTRATION - An Act Proposing an Amendment to the Delaware Constitution of 1897, as Amended, Related to the Auditor of Accounts.**

**HB 351 - EWING & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, CATHCART, BOOTH, HASTINGS, HOCKER, LAVELLE, LOFINK, D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Related to the Auditor of Accounts.**

**HB 352 - HALL-LONG & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR CONNOR & REPRESENTATIVE MITCHELL & REPRESENTATIVE WAGNER; REPRESENTATIVES BLAKEY, BRADY, CAREY, CARSON, EWING, HUDSON, JOHNSON, KEELEY, KOWALKO, LOFINK, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, SPENCE, VALIHURA, WALLS, WILLIAMS; SENATORS CLOUTIER, SORENSON -**

HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 353** - WALLS; REPRESENTATIVES BRADY, CARSON, GILLIGAN, JOHNSON, KEELEY, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, SCHOOLEY, B. SHORT, SPENCE, WILLIAMS; SENATORS ADAMS, ENNIS, BUNTING, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Liquefied Petroleum Gas Containers.

**HB 354** - LAVELLE & REPRESENTATIVE HUDSON & SENATOR COPELAND; REPRESENTATIVES SPENCE, LEE, CATHCART, BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, LONGHURST, MITCHELL, SCHOOLEY, B. SHORT, VIOLA, WALLS; SENATORS BUNTING, PETERSON, SORENSON, BONINI, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.

**HB 355** - BRADY; REPRESENTATIVES CARSON, EWING, KEELEY, KOWALKO, LONGHURST, MANOLAKOS, MITCHELL, OUTTEN, SCHOOLEY, WILLIAMS; SENATORS HENRY, MARSHALL, MCDOWELL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

**HA 1 to HB 344** - OBERLE - Placed with the Bill.

**HJR 18** - B. SHORT & SENATOR SOKOLA; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WALLS, WILLIAMS; SENATORS BONINI, CLOUTIER, COPELAND - HOUSE ADMINISTRATION - Relating to Reports in Electronic Format to the Delaware General Assembly.

**HCR 43** - STONE & SENATOR PETERSON & SENATOR COPELAND; REPRESENTATIVES SPENCE, LEE, CATHCART, BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, THORNBURG, VALIHURA, WAGNER, GILLIGAN, KEELEY, BRADY, CARSON, LONGHURST, MITCHELL, SCHOOLEY, B. SHORT, VIOLA, WALLS; SENATORS BUNTING, SORENSON, BONINI, SIMPSON - HOUSE ADMINISTRATION - Requesting Assistance of the National Conference of State Legislatures (NCSL) to Review House and Senate Rules and Procedures with Regard to Professional Conduct.

**HR 49** - SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE; REPRESENTATIVES BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER - LABOR - Urging the Governor, in the Wake of Severe Budget Shortfalls, to Authorize Every Department or Agency to Implement the Use of a Four-day Compressed Work Schedule for Nonessential State Employees, as Well as Other Flexible Work Options.

**SB 174** - HENRY & REPRESENTATIVE EWING; REPRESENTATIVE SPENCE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Child Helmet Requirements.

**SB 204 w/SA 1** - MARSHALL & SENATOR CONNOR & REPRESENTATIVE BRADY; SENATORS DELUCA, BLEVINS, HENRY, MCDOWELL, MCBRIDE, PETERSON, ENNIS; REPRESENTATIVES VIOLA, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, MITCHELL, MULROONEY, PLANT, LOFINK - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Minimum Wage.

Representative Cathcart made an announcement regarding **HB 357**.

Representatives Carson & Lofink requested that they be marked present.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to suspend the rules which interfere with introduction of and action on **HB 357**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink introduced and brought **HB 357**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 357** - AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE; REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF SUCH FUNDS.

Representative Lofink made comments. Representative Lofink moved to place **HB 357** on the Speaker's Table. The motion was seconded by Representative Stone and adopted by voice vote.

The Reading Clerk read the following communication into the record:

March 26, 2008

LEGISLATIVE ADVISORY #19



Governor Ruth Ann Minner signed the following legislation on the date indicated: 3/20/08 – **SB 161 aab SA 1 & HA 1, SB 166, HB 103, HB 183, HB 283 aab HA 2 & HB 324**; 3/22/08 – **SB 171**; 3/25/08 – **SB 147 aab SA 1 & SB 193**; 3/20/08 – **SJR 10**.

Mr. Speaker Spence assigned **HB 301** to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 4:25 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 39** and requests the concurrence of the House.

Representatives Viola, Booth, Miro & Mulrooney requested that they be marked present.

Representative Lee deferred to Representative Maier.

Representative Maier requested that she be marked present.

Representative Maier brought **HB 322**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 322 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS CONTAINING MERCURY.**

Representative Maier made a comment.

The roll call on **HB 322** was taken and revealed:

YES: 37.

ABSENT: Representatives Hall-Long, Lofink, Longhurst & Oberle - 4.

Therefore, having received a constitutional majority, **HB 322** was sent to the Senate for concurrence.

Representatives Hudson, Plant, Valihura & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura requested that action on **HB 159** be Deferred to a Day Certain, Tuesday, April 15, 2008.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 297**, jointly sponsored by Senator Sokola & Senator Still & Representatives Spence, Hudson & Stone & Senator Sorenson & cosponsored by Senator Ennis, before the House for consideration.

**HB 297 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF EDUCATION. (F/N)**

Representatives Wagner & Booth made comments.

Representative Wagner moved to place **HB 297** on the Speaker's Table. The motion was seconded by Representative Hocker and adopted by voice vote.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 248**, jointly sponsored by Representative Maier & Senator Peterson & Senator Sokola, before the House for consideration.

**HB 248 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION AND MERIT SYSTEM OF PERSONNEL ADMINISTRATION.**

Representatives Wagner made comments.

The roll call on **HB 248** was taken and revealed:

YES: 40.

ABSENT: Representative Longhurst - 1.

Therefore, having received a constitutional majority, **HB 248** was sent to the Senate for concurrence.

Representative Oberle requested that he marked present during the roll call.

Representative Cathcart deferred to Representative Maier.

Representative Maier made comments regarding **HCR 47**.

Representative Maier introduced and brought **HCR 47**, jointly sponsored by Senator Henry & Representative Outten & Senator Cook & Representative Manolakos & Senator Sokola & Representative D. Short & Senator Adams & Representative Schwartzkopf & Senator Simpson & Senators DeLuca, Bunting & Venables, before the House for consideration.

**HCR 47 - RECOGNIZING THE COMMITMENT OF GRANDPARENTS AND OTHER RELATIVE CARE GIVERS RAISING CHILDREN WHOSE PARENTS ARE UNABLE TO DO SO.**

**HCR 47** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner moved to lift **HB 297** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner brought **HB 297**, jointly sponsored by Senator Sokola & Senator Still & Representatives Spence, Hudson & Stone & Senator Sorenson & cosponsored by Senator Ennis, before the House for consideration.

**HB 297 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF EDUCATION. (F/N)**

Representative Wagner requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Wagner, Schwartzkopf, Marshall & Wagner made comments.

The roll call on **HB 297** was taken and revealed:

YES: 40.

ABSENT: Representative Longhurst - 1.

Therefore, having received a constitutional majority, **HB 297** was sent to the Senate for concurrence.

Representative Cathcart deferred to Mr. Speaker Spence.

Mr. Speaker Spence presented a House Tribute to Philip J. Corrozi on the occasion of his 75th birthday. Representative Wagner led the House in singing "Happy Birthday". Mr. Corrozi addressed the House. Representatives Lavelle & Gilligan made comments.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:00 p.m. on April 9, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 225** and requests the concurrence of the House and the Senate has passed **HB 192** and is returning same to the House.

#### Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House

CC: JoAnn Hedrick  
Chief Clerk of the House

FROM: Rep. Valerie J. Longhurst

DATE: April 8, 2008

RE: Absence from Session

I will be unable to attend session on Tuesday, April 8, 2008, Wednesday, April 9, 2008 and Thursday, April 10, 2008 due to an out-of-state family illness.

Thank you for your consideration of this matter.

#### MEMORANDUM

To: Terry R. Spence, Speaker of the House

From: Rep. Nick Manolakos

Date: April 8, 2008

RE: Absence from session

Please be advised I will be absent from session tomorrow, Wednesday, April 9, due to a death in the family.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gregory F. Lavelle, do hereby request that my name be removed as cosponsor of **HB 358**.

Date: April 8, 2008 Signed: Gregory F. Lavelle

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 49**.

Date: April 2, 2008 Signed: William A. Oberle, Jr.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

### **17th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session April 9, 2008**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Longhurst & Manolakos – 2.

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

Representative Carson introduced guests.

Mr. Acting Speaker invited children from the Loving Care Nursery School in Smyrna to join him in leading those present in a pledge of allegiance to the American Flag. The children sang "It's A Grand Old Flag".

The following prefiled legislation was introduced:

**HB 356** - HUDSON & SENATOR SORENSON; REPRESENTATIVES HOCKER, LAVELLE, MAIER - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Cash Contributions.

**HB 358** - HUDSON; REPRESENTATIVES MAIER, MITCHELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Elections.

**HB 359** - HALL-LONG & REPRESENTATIVE MAIER & REPRESENTATIVE KEELEY & SENATOR BLEVINS & SENATOR HENRY; REPRESENTATIVES EWING, GILLIGAN, JOHNSON, KOWALKO, LONGHURST, MANOLAKOS, MCWILLIAMS, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, SPENCE, VALIHURA; SENATORS CLOUTIER, CONNOR, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Preventative and Urgent Dental Care for Medicaid Recipients.

**HA 1 to HB 311** - D. SHORT - Placed with the Bill.

**HA 1 to HB 350** - EWING - Placed with the Bill.

**HA 1 to HB 357** - THORNBURG & REPRESENTATIVE STONE - Placed with the Bill.

**SB 225** - AMICK & REPRESENTATIVE LOFINK & REPRESENTATIVE MARSHALL - HEALTH & HUMAN DEVELOPMENT - An Act Authorizing Family Court to Allow Ramatoulaye Bah to Adopt Her Niece Raghiatou Bah.

**HA 1 to SB 204** - LAVELLE - Placed with the Bill.

Representative Carson requested and was granted personal privilege of the floor to present a House Tribute to Bettielou Wagner, owner, Loving Care Nursery School, Smyrna. Mr. Acting Speaker & Representative Marshall made comments.

Representative Valihura requested that he be marked present.

Representative Valihura requested and was granted personal privilege of the floor to make an announcement and to introduce a guest. Mr. Acting Speaker made comments. Representative Williams requested that he be marked present. Representative Schooley requested and was granted privilege of the floor to make an announcement and to introduce a guest. Representative Gilligan requested that he be marked present.

Representative Cathcart brought the following prefiled **Consent Calendar #17** before the House for consideration.

**HR 50** – WAGNER & REPRESENTATIVE STONE ON BEHALF OF ALL REPRESENTATIVES – Proclaiming May 9, 2008 as Military Spouse Appreciation Day.

**HCR 41** – SPENCE ON BEHALF OF ALL REPRESENTATIVES & SENATOR MCBRIDE ON BEHALF OF ALL SENATORS – Proclaiming the Week of April 20 through April 26, 2008 as Administrative Professionals Week.

**HCR 44** – HUDSON ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS – Designating Saturday, May 3, 2008 “Brian Tumor Awareness Day” in the State of Delaware.

**HCR 46** – SPENCE ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS ON BEHALF OF ALL SENATORS – Commending the Recipients and Nominees of the 2008 Delaware Award for Excellence and Commitment in State Service.

**SCR 39** – BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES - Proclaiming April 9, 2008 “Early Child Care and Education Professionals Appreciation Day”.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner made comments regarding **SCR 39** & **HR 50**.

Representatives Lavelle, Booth, Schwartzkopf & Maier requested that they be marked present.

**Consent Calendar #17** was adopted by voice vote and **HR 50** was declared passed, **HCR 41**, **HCR 44** & **HCR 46** were sent to the Senate for concurrence and **SCR 39** was returned to the Senate.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #60**

DATE: April 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                                | Sponsor       | Date      | Type | Description                                              |
|---------------------------------------|---------------|-----------|------|----------------------------------------------------------|
| H144-1381                             | Kowalko       | 2/22/2008 | T    | Robert & Loretta Bouwkamp - 50th Wedding Anniversary     |
| H144-1382                             | Mulrooney     | 2/18/2008 | T    | Charles & Melloney McClain - 50th Wedding Anniversary    |
| H144-1383                             | Wagner        | 5/19/2008 | T    | John Orona - Small Business Award - Young Entrepreneur   |
| H144-1384                             | Booth         | 3/28/2008 | T    | Helen Pepper - Retirement - Division of Social Services  |
| H144-1385                             | Outten        | 3/10/2008 | M    | Laura Belle Wilson                                       |
| H144-1386                             | Walls; Carey  | 3/15/2008 | T    | Milford Senior Center - 35th Anniversary                 |
| H144-1387                             | Spence        | 3/12/2008 | T    | Uma Chowdhry - Induction - Women's Hall of Fame          |
| H144-1388                             | McWilliams    | 3/12/2008 | T    | Renee Beaman - Induction - Women's Hall of Fame          |
| H144-1389                             | Valihura      | 3/12/2008 | T    | Christine McDermott - Induction - Women's Hall of Fame   |
| H144-1390                             | Wagner        | 3/12/2008 | T    | Grace Beck - Induction - Women's Hall of Fame            |
| H144-1391                             | Hudson        | 3/12/2008 | T    | Evelyn Swensson - Induction - Women's Hall of Fame       |
| H144-1392                             | Miro          | 3/12/2008 | T    | Richard Pryor - Commitment - Catholic Charities          |
| H144-1393                             | Wagner; Stone | 3/13/2008 | T    | Wesley College - 135th Anniversary                       |
| H144-1394                             | Hudson        | 3/12/2008 | M    | Lawrence D. Tobin, Sr.                                   |
| H144-1395                             | Carson        | 3/16/2008 | T    | Dublin All-Star Marching Band - St. Patrick's Day Parade |
| H144-1396                             | Outten        | 3/8/2008  | M    | Loris Norma Frost Henry                                  |
| H144-1397                             | D. Short      | 3/8/2008  | M    | Ronald Harmon                                            |
| cosponsors: Reps. Ewing, Lee & Outten |               |           |      |                                                          |
| H144-1398                             | Maier; Oberle | 3/18/2008 | T    | Thomas Jarrett - Meritorious Service Award               |
| H144-1399                             | Miro          | 3/18/2008 | T    | Vincenza Carrieri Russo - Miss Delaware USA              |
| H144-1400                             | Outten        | 3/22/2008 | T    | Ernest Harding - 70 Years - Houston Fire Company         |
| H144-1401                             | Outten        | 3/22/2008 | T    | Richard Yost - 55 Years - Houston Fire Company           |

|           |                                 |           |   |                                                            |
|-----------|---------------------------------|-----------|---|------------------------------------------------------------|
| H144-1402 | Hudson                          | 3/4/2008  | M | Sr. Mary Paul McLaughlin, O.S.B.                           |
| H144-1403 | Spence                          | 3/28/2008 | T | Lt. Pete Sawyer - Dedication - Crime Prevention Area Watch |
|           | cosponsors: All Representatives |           |   |                                                            |
| H144-1404 | Lavelle                         | 3/14/2008 | M | Edward Leroy Bramble                                       |
| H144-1405 | Booth;                          | 3/19/2008 | T | Sussex Central High Wrestling Team - Dual Meet Champs      |
|           | Hastings                        |           |   |                                                            |

HOUSE TRIBUTE ANNOUNCEMENT #61

DATE: April 9, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                            | Date      | Type | Description                                                 |
|-----------|----------------------------------------------------|-----------|------|-------------------------------------------------------------|
| H144-1406 | Hudson                                             | 3/19/2008 | T    | Artisans Bank - Red Clay Center - New Headquarters          |
| H144-1407 | Spence                                             | 3/19/2008 | T    | Dover Downs Hotel & Casino - Assistance –                   |
|           | cosponsors: All Representatives                    |           |      |                                                             |
| H144-1408 | Lee;                                               | 3/22/2008 | T    | Elijah Gordy - 80th Birthday                                |
|           | Hastings                                           |           |      |                                                             |
| H144-1409 | Carson                                             | 3/13/2008 | M    | Joshua James Beckwith                                       |
|           | cosponsors: Reps. Hall-Long & Keeley               |           |      |                                                             |
| H144-1410 | Booth                                              | 3/29/2008 | T    | Robert Davidson - Eagle Scout                               |
| H144-1411 | Booth                                              | 5/23/2008 | T    | MSG Michael Mason - Retirement - Army National Guard        |
| H144-1412 | Lofink                                             | 3/29/2008 | T    | Col. Pete Fedorkowicz - Retirement - Army National Guard    |
| H144-1413 | Kowalko                                            | 3/27/2008 | T    | Donna Hardy - Retirement - DelDOT                           |
| H144-1414 | Spence                                             | 4/10/2008 | T    | Kathleen Wilbur Elementary School - New Name                |
|           | cosponsor: All Representatives                     |           |      |                                                             |
| H144-1415 | Carey;                                             | 3/20/2008 | M    | Bettie Louise Smith                                         |
|           | Outten                                             |           |      |                                                             |
| H144-1416 | Spence                                             | 3/27/2008 | T    | Lil Douglas - 80th Birthday                                 |
|           | cosponsors: All Representatives                    |           |      |                                                             |
| H144-1417 | Wagner                                             | 4/26/2008 | T    | Kelly Ulp & Duane Haught – Marriage                         |
| H144-1418 | Carson                                             | 3/23/2008 | T    | John Fearon - 60th Birthday                                 |
| H144-1419 | Carson                                             | 3/23/2008 | T    | Claude Angel - 70th Birthday                                |
| H144-1420 | Hudson                                             | 3/31/2008 | T    | Priscilla Rakestraw - Trailblazer Award                     |
|           | cosponsors: Reps. Maier, Stone, Thornburg & Wagner |           |      |                                                             |
| H144-1421 | Mitchell                                           | 3/29/2008 | T    | Megan Dougherty - President's Award –                       |
|           |                                                    |           |      | Elsmere Fire Company                                        |
| H144-1422 | Mitchell                                           | 3/29/2008 | T    | Dee McCormick - Member of the Year –                        |
|           |                                                    |           |      | Elsmere Fire Company Ladies Auxiliary                       |
| H144-1423 | Blakey                                             | 3/8/2008  | T    | Robert & Reba Dunkleberger - 50th Wedding Anniversary       |
| H144-1424 | Blakey                                             | 3/8/2008  | T    | Henry & Beatrice Weeks - 50th Wedding Anniversary           |
| H144-1425 | Blakey;                                            | 3/22/2008 | M    | Daniel E. McNulty, Jr.                                      |
|           | Stone                                              |           |      |                                                             |
| H144-1426 | Mitchell                                           | 3/29/2008 | T    | John Jankowski, Jr. - Member of Year - Elsmere Fire Company |
| H144-1427 | Mitchell                                           | 3/29/2008 | T    | Joseph Catalogna - 50 Years – Elsmere Fire Company          |
| H144-1428 | Miro; Mitchell                                     | 3/29/2008 | T    | Vernon Brown - 75 Years - Elsmere Fire Company              |

T- Tribute

M - Memoriam

Mr. Acting Speaker made an announcement.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:16 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:16 P.M.: Representatives Hudson, Lofink, Miro, Mulrooney, Spence & Stone.

Mr. Acting Speaker Booth called the House to order at 2:08 p.m. on April 10, 2008.

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

HEALTH & HUMAN DEVELOPMENT: **HB 348** - 9M; **HB 352** - 9M; **HB 340** - 8M.

HOUSING & COMMUNITY AFFAIRS: **HB 311** - 2F,6M; **HB 312** - 1F,6M.

JUDICIARY: **HB 279** - 5M; **HB 335** - 8M; **HB 345** - 8M; **SB 199** - 8M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 174** - 5M,2U; **HB 347** - 5M; **HB 353** - 6M; **HB 342** - 7M; **SB 208 w/SA 1** - 6M.

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

**18th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**  
**April 10, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Longhurst – 1.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

The minutes of the previous two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HB 360** - LAVELLE & SENATOR COPELAND; REPRESENTATIVES HUDSON, MIRO, KEELEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to Municipalities.

**HA 2 to HB 344** - OBERLE - Placed with the Bill.

**HA 1 to HCR 38** - BOOTH - Placed with the Bill.

Representative Gilligan requested and was granted personal privilege of the floor to make an announcement. Representative Cathcart deferred to Representative D. Short.

Representative D. Short requested and was granted personal privilege of the floor to introduce guests.

Representative D. Short requested and was granted privilege of the floor for Danna S. Palmer representing Gold Star Families, who addressed the House regarding **SB 201**.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 23 & SS 1/SB 71 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 153 w/HA 1 & SA 1 & HCR 47** and is returning same to the House.

Representatives Hall-Long, McWilliams & Keeley requested that they be marked present.

Mr. Acting Speaker assigned **HB 352** to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 2:19 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 5:13 p.m.

Representative Spence requested that he be marked present.

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

HOUSE ADMINISTRATION: **HB 272** - 4M; **HB 317** - 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 207 w/SA 1, SB 218, SS 1/SB 168 w/SA 2 & SB 230** and requests the concurrence of the House.

Representatives Miro, Mulrooney, Oberle, Outten, Thornburg & Valihura requested that they be marked present.

Representative Lee requested that action on **HB 329** be deferred to a Day Certain, Tuesday, April 15, 2008.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to lift **HB 357** from the Speaker's Table. Representative Lofink moved to suspend the rules which interfere with action on **HB 357**. The motions were properly seconded and adopted by voice vote.

Representative Lofink brought **HB 357**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 357** - AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE; REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF SUCH FUNDS.

Representative Lofink made comments. Representative Lofink deferred to Representative Thornburg. Representative Thornburg made comments. Representative Thornburg requested that **HA 1 to HB 357** be stricken. Representative Thornburg introduced and brought **HA 2 to HB 357** before the House for consideration. Representatives Thornburg, Gilligan & Lofink made comments. Representatives Schwartzkopf, Williams, Lavelle, Maier, Stone, Hudson & Wagner requested that they be marked present. **HA 2** was defeated by voice vote.

The roll call on **HB 357** was taken and revealed:

YES: 38.

NO: Representative Thornburg - 1.

ABSENT: Representatives Longhurst & Plant - 2.

Therefore, having received a constitutional majority, **HB 357** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HCR 38**, jointly sponsored by Representative Kowalko & Senator Sorenson & Senator Sokola & Representatives Schwartzkopf, Johnson, Carey, Carson, Ewing, Hastings, Manolakos, Mitchell, Mulrooney, Oberle, B. Short, Walls, Plant, Blakey, Spence, Lofink & Williams & Senators Bunting, Ennis, Bonini, Cloutier & Simpson & cosponsored by Representative Miro & Senator Peterson, before the House for consideration.

**HCR 38 - RECOMMENDING THE CONTROLLER GENERAL VOTE TO APPROVE THE POWER PURCHASE AGREEMENT BETWEEN BLUEWATER WIND AND DELMARVA POWER AND REQUESTING THE PUBLIC SERVICE COMMISSION DETERMINE IF THE COSTS SHOULD BE DISTRIBUTED AMONG ALL DELMARVA POWER CUSTOMERS.**

Representative Valihura made comments. Representative Marshall announced that she will not be voting on **HCR 38** and all amendments because of a conflict of interest.

Representative Booth brought **HA 1 to HCR 38** before the House for consideration. Representatives Booth, Valihura, Schwartzkopf, Booth, Lavelle & Schwartzkopf made comments. Representative Outten announced that he will not be voting on **HCR 38** or amendments to it because of a possible conflict of interest.

The roll call on **HA 1 to HCR 38** was taken and revealed:

YES: 22.

NO: Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, McWilliams, Mitchell, Mulrooney, Schooley, Schwartzkopf, B. Short, Viola & Williams - 15.

NOT VOTING: Representatives Marshall & Outten - 2.

ABSENT: Representatives Longhurst & Plant - 2.

Therefore, having received a constitutional majority, **HA 1 to HCR 38** was declared passed.

Representative D. Short introduced and brought **HA 2 to HCR 38** before the House for consideration. Representatives D. Short, Valihura, Hudson, Oberle, Schwartzkopf, D. Short, Kowalko, Miro, D. Short, Keeley, D. Short, Maier, Wagner & Valihura made comments.

The roll call on **HA 2 to HCR 38** was taken and revealed:

YES: Representatives Booth, Carey, Ewing, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, D. Short, Stone, Thornburg & Wagner - 13.

NO: 24.

NOT VOTING: Representatives Marshall & Outten - 2.

ABSENT: Representatives Longhurst & Plant - 2.

Therefore, not having received a constitutional majority, **HA 2 to HCR 38** was declared defeated.

Representatives Valihura, Hocker, McWilliams, Booth, Lavelle, Valihura, Stone, Keeley, Gilligan, Schwartzkopf, Stone, Valihura & Hocker made comments.

The roll call on **HCR 38 w/HA 1** was taken and revealed:

YES: 25.

NO: Representatives Booth, Carey, Ewing, Hocker, Hudson, Lee, Maier, D. Short, Stone, Thornburg & Walls - 11.

NOT VOTING: Representatives Marshall, Outten & Wagner - 3.

ABSENT: Representatives Longhurst & Plant - 2.

Therefore, having received a constitutional majority, **HCR 38 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle brought **HS 1 for HB 206 w/SA 1**, jointly sponsored by Senator DeLuca & cosponsored by Representative Carson, before the House for concurrence on **SA 1**.

**HB 206 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Representative Oberle made comments.

The roll call on **HS 1 for HB 206 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Longhurst & Plant - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 206 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Booth.

Representative Booth requested that **HB 298** be stricken.

The Majority Leader moved to recess to the call of the Chair at 7:00 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 7:00 P.M.: Representative Plant.

Mr. Acting Speaker Lavelle called the House to order at 2:08 p.m. on April 15, 2008.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Joseph W. Booth, do hereby request that my name be removed as cosponsor of **HCR 38**.

Date: April 10, 2008

Signed: Joseph W. Booth

Representative Cathcart made an announcement.

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

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Williams – 1.

Representative Hocker requested that he be marked present.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

The House observed a moment of silence in memory of Dr. Harold Roberts at the request of Representative Blakey.

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

The minutes of the previous legislative day were approved as posted

The following prefiled legislation was introduced:

**HB 341** - CARSON & REPRESENTATIVE CAREY & REPRESENTATIVE EWING & REPRESENTATIVE WALLS & SENATOR VENABLES & SENATOR ENNIS & SENATOR SIMPSON & SENATOR BONINI; REPRESENTATIVES THORNBURG, MANOLAKOS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Tort Liability of Property Owners.

**HB 361** - SPENCE & SENATOR MCBRIDE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health & Safety.

**HB 362** - SCHOOLEY & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES EWING, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, SCHWARTZKOPF, B. SHORT, D. SHORT, SPENCE, VALIHURA, WALLS; SENATORS CLOUTIER, ENNIS, HENRY, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**HB 363** - MAIER & REPRESENTATIVE KEELEY & SENATOR ENNIS; REPRESENTATIVES SPENCE, HOCKER, HUDSON, LAVELLE, WAGNER; SENATORS BUNTING, PETERSON, VENABLES, CONNOR - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Missing Children.

**HB 364** - BOOTH & SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Size and Weight of Vehicles.

**HA 1 to HB 347** - MITCHELL & REPRESENTATIVE WILLIAMS - Placed with the Bill.

**HA 1 to HB 353** - WALLS - Placed with the Bill.

**SB 23** - STILL & REPRESENTATIVE STONE; SENATORS CONNOR, COPELAND, HENRY, SORENSON; REPRESENTATIVES ENNIS, KEELEY, SMITH, SPENCE, BRADY, WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Military Deployment.

**SS 1 for SB 71 w/SA 2** - BLEVINS & REPRESENTATIVE MAIER; SENATOR MCDOWELL; REPRESENTATIVES HALL-LONG, MARSHALL, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Interstate Compact on the Placement of Children.

**SS 1 for SB 168 w/SA 2** - MCBRIDE; SENATORS CONNOR & SIMPSON; REPRESENTATIVES CAREY, MCWILLIAMS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Transfer or Closure of Chemical or Hazardous Substance Establishments and to Establish a Contractor Certification Program for Hazardous Substance Cleanup Sites.

**SB 207 w/SA 1** - MARSHALL; SENATOR HENRY; REPRESENTATIVE MAIER – POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Certification Requirements to Practice Medicine.

**SB 218** - ADAMS & SENATOR DELUCA & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Execution Procedures in Justice.

**SB 230** - ENNIS & REPRESENTATIVE LEE; SENATORS ADAMS, AMICK, BLEVINS, BONINI, BUNTING, CLOUTIER, CONNOR, COOK, COPELAND, DELUCA, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL, VENABLES; REPRESENTATIVES BLAKEY, BOOTH, BRADY, CAREY, CARSON, CATHCART, EWING, GILLIGAN, HALL-LONG, HASTINGS, HOCKER, HUDSON, JOHNSON, KEELEY, KOWALKO, LAVELLE, LOFINK, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, OBERLE, OUTTEN, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, SPENCE, STONE, THORNBURG, VALIHURA, VIOLA, WAGNER, WALLS, WILLIAMS - CORRECTIONS - An Act to Rename the Delaware Correctional Center Near Smyrna in Honor of the Late Delaware Commissioner of Correction and Delaware State Senator, James T. Vaughn.

**HA 1 to SS 1 for SB 192** - HUDSON - Placed with the Bill.

The House observed a moment of silence in memory of The Honorable Martin Isaacs, former House Member and former Secretary, Department of Agriculture, at the request of Representative Booth. Representative Booth made an announcement.

Representative Blakey introduced guests and requested and was granted privilege of the floor for Joyce Warrington, representing the Organization of Adult Alumni and Students in Service.

Representatives Manolakos, Oberle, Outten, Viola, Spence, Hall-Long, Gilligan, Schwartzkopf & Carson requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:20 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 3:54 p.m.

Representative Cathcart deferred to Representative Stone.

Representatives Mulrooney & Keeley requested that they be marked present.

Representative Stone introduced and brought **SCR 36**, sponsored on behalf of All Representatives & jointly sponsored by Senator Copeland on behalf of All Senators, before the House for consideration.

**SCR 36 - COMMEMORATING THE 100TH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE AND THEIR SERVICE TO OUR COUNTRY.**

Representative Stone requested and was granted personal privilege of the floor to introduce guests. Representatives Stone & Gilligan made comments.

**SCR 36** was adopted by voice vote and was returned to the Senate.

Representatives Longhurst, Plant & Valihura requested that they be marked present.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 329**, jointly sponsored by Senator Ennis & Representatives Outten & D. Short & cosponsored by Representative Mitchell, before the House for consideration.

**HB 329 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (3/5 bill)**

Representative Lee made comments.

The roll call on **HB 329** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 329** was sent to the Senate for concurrence.

Representatives Hudson, Lofink, Maier & Miro requested that they be marked present during the roll call.

Representative Lee requested and was granted personal privilege of the floor to introduce guests.

The House observed a moment of silence in memory of The Honorable Robert D. Thompson, Jr. at the request of Mr. Speaker Spence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 340**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson introduced and brought **HS 1 for HB 340** before the House for consideration.

**HB 340 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.**

Representative Hudson made comments.

The roll call on **HS 1 for HB 340** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 340** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle brought **HB 335**, jointly sponsored by Senator Sorenson & Representatives Hudson, D. Short, Stone & Wagner, before the House for consideration.

**HB 335 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL SUITS BASED UPON CHILD SEXUAL ABUSE BY AN ADULT.**

Representative Lavelle made comments.

The roll call on **HB 335** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 335** was sent to the Senate for concurrence.

Mr. Speaker Spence made comments regarding **HB 335**.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SS 1 for SB 192**, jointly sponsored by Senator Blevins & Senator Sorenson, before the House for consideration.

**SB 192 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.**

Representative Hudson made comments. Representative Hudson brought **HA 1 to SS 1 for SB 192** before the House for consideration. **HA 1** was adopted by voice vote.



The roll call on **SS 1 for SB 192 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 192 w/HA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura moved to lift **HB 159** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **HB 159**, jointly sponsored by Senator McBride & Representatives Lofink, Hall-Long, Longhurst, McWilliams, Mulrooney, Brady, Ennis, Kowalko, Marshall & Schooley & Senators McDowell, Sokola, Copeland, Sorenson, Connor & Henry & cosponsored by Representatives Johnson, Oberle & B. Short, before the House for consideration.

**HB 159** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO PROVIDE ASSISTANCE FOR THE ESTABLISHMENT OF PUBLIC AND PRIVATE PROGRAMS TO INCREASE THE LEVEL OF VOLUNTARY RECYCLING AND BENEFICIAL USE OF SOLID WASTE MATERIALS IN DELAWARE. (3/5 bill) (F/I)

Representative Valihura made comments. Representative Valihura brought **HA 1 to HB 159** before the House for consideration. **HA 1** was adopted by voice vote. Representative Maier made comments and requested that **HA 2 to HB 159** be stricken. Representative Valihura introduced and brought **HA 3 to HB 159** before the House for consideration. Representatives Valihura & Wagner made comments. Representative Valihura requested and was granted privilege of the floor for David S. Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Wagner, Booth, Thornburg, Miro, Schwartzkopf, Kowalko, Stone, Valihura & Miro made comments. **HA 3** was adopted by voice vote. Representative Valihura made comments. Representative Maier requested and was granted privilege of the floor for James D. Werner, Director, Division of Air and Waste Management, Department of Natural Resources and Environmental Control. Representatives Maier, Brady, McWilliams, Wagner, Valihura, Thornburg, Booth & Miro made comments. Representative Valihura requested and was granted privilege of the floor for Pasquale Canzano, Chief Executive Officer, Delaware Solid Waste Authority. Representatives Miro, Kowalko, Maier, Wagner, Hudson, Booth & McWilliams made comments. Representative Valihura moved to place **HB 159 w/HA 1 & 3** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 36** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 357** and is returning same to the House.

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

JUDICIARY: **HB 277** - 5M; **HB 343** - 5M; **SB 198** - 5M.

The Majority Leader moved to recess to the call of the Chair at 5:43 p.m.

Mr. Speaker Spence called the House to order at 2:05 p.m. on April 16, 2008.

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

HOUSING & COMMUNITY AFFAIRS: **SB 110 w/SA 1** - 6F,2M.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Pam Maier, do hereby request that my name be removed as cosponsor of **HCR 38**.

Date: April 15, 2008

Signed: Pamela Maier

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

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**20th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**  
**April 16, 2008**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Lavelle, Plant, Schooley & Valihura – 4.

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

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

The minutes of the previous legislative day were approved as posted

The following prefiled legislation was introduced:

**HB 365** - BRADY; REPRESENTATIVES KEELEY, THORNBURG, JOHNSON, WILLIAMS; SENATORS HENRY, MARSHALL - HOUSE ADMINISTRATION - An Act to Amend Titles 10 and 11 of the City of Wilmington's Home Rule Charter Relating to Liens for Unpaid Water Rents and Sewer Service Charges. (2/3 bill)

Representatives Schwartzkopf & Thornburg requested that they be marked present.

Representative Blakey requested and was granted privilege of the floor for Professor Harold E. Stafford, who has a graduate class in Political Science at Delaware State University. Mr. Stafford introduced his students who announced their names and programs of study for the record. Mr. Speaker Spence & Representative Cathcart made comments. Representative Cathcart deferred to Representative Stone. Representative Stone requested and was granted personal privilege of the floor to make an announcement. Representatives Hocker & Maier requested that they be marked present. Representative Cathcart deferred to Representative Hall-Long. Representative Hall-Long requested and was granted privilege of the floor to present a House Tribute to Dr. Herman Ellis, Medical Director, Division of Public Health, Department of Health and Social Services.

Representative Cathcart brought the following prefiled **Consent Calendar #18** before the House for consideration.

**HR 46** – THORNBURG ON BEHALF OF ALL REPRESENTATIVES – Proclaiming April 21 through April 25, 2008 as Small Business Week.

**HCR 48** – LOFINK ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS – Commending the Students Selected as Secretary of Education Scholars of 2008.

**Consent Calendar #18** was adopted by voice vote and **HR 46** was declared passed & **HCR 48** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record.

HOUSE TRIBUTE ANNOUNCEMENT #62

DATE: April 16, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                         | Date      | Type | Description                                            |
|-----------|---------------------------------|-----------|------|--------------------------------------------------------|
| H144-1429 | Carey                           | 4/8/2008  | T    | Jacob & Doris Lauer - 60th Wedding Anniversary         |
| H144-1430 | Stone                           | 3/25/2008 | M    | Harriett Susan Rench                                   |
| H144-1431 | Wagner                          | 4/4/2008  | T    | Dr. Kenneth Bell - Shofar Public Service Award         |
| H144-1432 | Wagner                          | 4/4/2008  | T    | Ellen Wasfi - Shofar Public Service Award              |
| H144-1433 | Thornburg;<br>Wagner            | 4/4/2008  | T    | Virginia Carson - Shofar Public Service Award          |
| H144-1434 | Wagner                          | 4/4/2008  | T    | Dr. Warren Rhodes - Shofar Public Service Award        |
| H144-1435 | Blakey;<br>Wagner               | 4/4/2008  | T    | Harold Stafford - Shofar Public Service Award          |
| H144-1436 | Wagner                          | 3/22/2008 | M    | Harold C. Schmittinger                                 |
|           | cosponsors: All Representatives |           |      |                                                        |
| H144-1437 | Lee                             | 4/8/2008  | T    | Delmar Lions Club - 70th Anniversary                   |
| H144-1438 | Thornburg;<br>Wagner            | 3/27/2008 | M    | Helen F. Bobola                                        |
| H144-1439 | Stone;Wagner                    | 3/29/2008 | T    | Kelly Angel & Samuel Johnson - Marriage                |
| H144-1440 | Blakey;<br>Wagner               | 3/27/2008 | M    | Dr. Mary Green Wyche                                   |
| H144-1441 | Maier                           | 3/27/2008 | M    | James F. Gilmore, Jr.                                  |
| H144-1442 | Blakey;<br>Wagner               | 3/23/2008 | M    | Thomas Robert Willim                                   |
| H144-1443 | Thornburg;<br>Wagner            | 3/27/2008 | M    | William Morgan Carney                                  |
| H144-1444 | Spence                          | 2/29/2008 | T    | Kevin Welch - First Place - Keyboarding Production     |
|           | cosponsors: All Representatives |           |      |                                                        |
| H144-1445 | Schwartzkopf                    | 3/23/2008 | M    | Mildred S. Webster Potts                               |
| H144-1446 | Lee                             | 4/20/2008 | T    | James M. Watts, Jr. - Eagle Scout                      |
| H144-1447 | Oberle                          | 3/30/2008 | M    | William P. Cooke                                       |
| H144-1448 | Stone;Maier                     | 4/2/2008  | M    | Beverly J. Sweet                                       |
| H144-1449 | Booth                           | 5/18/2008 | T    | Jed Alexander West - Eagle Scout                       |
| H144-1450 | Hudson                          | 4/13/2008 | T    | Helen Lareau - Retirement - Brandywine Schools         |
| H144-1451 | Spence                          | 4/13/2008 | T    | Nancy Linton - Retirement - Brandywine Schools         |
| H144-1452 | Manolakos                       | 4/13/2008 | T    | Barbara Guiseppe - Retirement - Brandywine Schools     |
| H144-1453 | Hocker                          | 4/8/2008  | T    | Mary Nolan - 100th Birthday                            |
| H144-1454 | Blakey                          | 4/7/2008  | T    | Robert Hawkins, Sr. - Retirement - Camden Town Council |

HOUSE TRIBUTE ANNOUNCEMENT #63

DATE: April 16, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor       | Date     | Type | Description  |
|-----------|---------------|----------|------|--------------|
| H144-1455 | Wagner; Stone | 4/5/2008 | M    | Benny Divita |

|           |                                         |           |   |                                                                         |
|-----------|-----------------------------------------|-----------|---|-------------------------------------------------------------------------|
| H144-1456 | Stone;Wagner                            | 4/5/2008  | M | Edith M. Roth                                                           |
| H144-1457 | Viola                                   | 4/9/2008  | T | Wilbert Townsville- Youth of the Year                                   |
| H144-1458 | Cathcart                                | 4/20/2008 | T | Julia Simmons Lattomus Sidwell - 100th Birthday                         |
| H144-1459 | Carey;<br>Wagner                        | 3/31/2008 | M | John D. Pingree, Jr.                                                    |
| H144-1460 | Carey                                   | 4/12/2008 | T | June Joseph Lynch Grier - 80th Birthday                                 |
| H144-1461 | Carey                                   | 4/14/2008 | T | Rosa Harmon - 100th Birthday                                            |
| H144-1462 | Outten                                  | 4/7/2008  | M | Florence Green                                                          |
| H144-1463 | Booth                                   | 5/11/2008 | T | Elizabeth Hochholzer - Retirement –<br>Southern Delaware Choral Society |
| H144-1464 | Schooley                                | 4/3/2008  | M | Allen Dale Pierce                                                       |
| H144-1465 | Johnson                                 | 4/2/2008  | M | Olive R. Boulden                                                        |
|           | cosponsors: All Representatives         |           |   |                                                                         |
| H144-1466 | Outten                                  | 4/12/2008 | T | Joseph Hughes - 50 Years - Felton Fire Company                          |
| H144-1467 | Outten                                  | 4/12/2008 | T | Donald Woikoski - 50 Years - Felton Fire Company                        |
| H144-1468 | Outten                                  | 4/12/2008 | T | Robert Wood - 50 Years - Felton Fire Company                            |
| H144-1469 | Outten                                  | 4/12/2008 | T | Beatrice Harrington - 55 Years –<br>Felton Fire Company Auxiliary       |
| H144-1470 | Outten                                  | 4/12/2008 | T | R. Marie Moore - 50 Years - Felton<br>Fire Company Auxiliary            |
| H144-1471 | Hudson                                  | 3/8/2008  | T | Woodward & Beverle Eastburn - 50th Wedding Anniversary                  |
| H144-1472 | Schooley                                | 4/13/2008 | T | City of Newark - 250th Anniversary                                      |
|           | cosponsors: Reps. Kowalko, Maier & Miro |           |   |                                                                         |
| H144-1473 | Carson                                  | 4/9/2008  | T | Bettielou Wagner - Stewardship of Children                              |
| H144-1474 | Williams                                | 4/2/2008  | M | Maryanne McGonegal                                                      |
|           | cosponsors: Reps. Gilligan & Kowalko    |           |   |                                                                         |
| H144-1475 | Outten                                  | 4/7/2008  | M | George L. Sullivan                                                      |
| H144-1476 | Carson                                  | 4/8/2008  | T | Robert Price - 70th Birthday                                            |
| H144-1477 | Hudson                                  | 3/26/2008 | M | Richard Carlson Rucker                                                  |
| H144-1478 | Spence                                  | 4/6/2008  | M | R. Hursey Porter, Sr.                                                   |
|           | cosponsors: All Representatives         |           |   |                                                                         |

T- Tribute

M - Memoriam

Representative Longhurst requested that she be marked present.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House

FROM: Rep. Teresa Schooley

DATE: April 16, 2008

RE: Absence from session

I will be unable to attend today's session due to illness. Thank you for your understanding.

Representative Lofink requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:25 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:25 P.M.: Representatives Miro, Mulrooney & Oberle.

Mr. Acting Speaker Booth called the House to order at 2:14 p.m. on April 17, 2008.

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

HEALTH & HUMAN DEVELOPMENT: **HB 339** - 6M; **HB 359** - 3F,4M; **SB 225** - 2F,5M.

HOUSE ADMINISTRATION: **HB 323** - 5M; **HB 346** - 5M; **HB 349** - 5M; **HB 350** - 5M; **HB 351** - 5M; **HB 354** - 5M; **HCR 43** - 5M.

ENERGY AND NATURAL RESOURCES: **SS 1/SB 168 w/SA 2** - 7M.

Mr. Acting Speaker reassigned **HB 363** to the Public Safety & Homeland Security Committee.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 212** and requests the concurrence of the House.

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

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

### 21st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session April 17, 2008

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District. Mr. Acting Speaker led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 366** - HUDSON & REPRESENTATIVE MITCHELL & SENATOR BLEVINS & SENATOR CONNOR - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Highways.

**HB 367** - SPENCE & REPRESENTATIVE BRADY & SENATOR ENNIS; REPRESENTATIVES LOFINK, MANOLAKOS, MIRO, OBERLE, THORNBURG, JOHNSON, MULROONEY, VIOLA; SENATORS SOKOLA, COPELAND - VETERANS AFFAIRS - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education for Those Serving in the Delaware National Guard.

**HA 1 to HB 351** - EWING - Placed with the Bill.

**SB 212** - BLEVINS & SENATOR AMICK & REPRESENTATIVE KEELEY & REPRESENTATIVE MITCHELL - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Custody Proceedings.

Representatives Keeley, Marshall, Hall-Long & Gilligan requested that they be marked present.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson requested and was granted personal privilege of the floor for herself and members of the Tourism Committee to introduce a delegation of Legislators from the National Union of State Legislatures (UNALE) in Brazil participating in a State Department Leadership Program. Mr. Alexandre Postal, President, UNALE, addressed the House through Louis V. Riggio, Interpreter. Representative Miro requested that he be marked present. Representatives Blakey, Miro, Mr. Acting Speaker & Representative Cathcart made comments. Representatives Lavelle & McWilliams requested that they be marked present.

The Reading Clerk read the following communication into the record:

April 17, 2008

The Honorable Terry R. Spence, Speaker

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend legislative session today due to personal reasons.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

Representative Lofink requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:37 p.m.

The House reconvened at 3:54 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **SB 225**, jointly sponsored by Senator Amick & Representative Marshall & cosponsored by Senator McDowell, before the House for consideration.

**SB 225** - AN ACT AUTHORIZING FAMILY COURT TO ALLOW RAMATOULAYE BAH TO ADOPT HER NIECE RAGHIATOU BAH.

Representative Lofink made comments.

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

YES: 39.

ABSENT: Representatives Ewing & Plant - 2.

Therefore, having received a constitutional majority, **SB 225** was returned to the Senate.

Representatives Maier, Schwartzkopf, Williams & Spence requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 153 w/HA 1 & SA 1**, jointly sponsored by Representative Oberle & Senator McBride & Representatives Cathcart, Lee, Ewing, Thornburg & Plant & cosponsored by Representatives Lofink, Mitchell & Williams, before the House for concurrence on **SA 1**.

**HB 153** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE PENSION PLAN.

Representative Spence requested and was granted privilege of the floor for David C. Craik, Pension Administrator, Office of Management and Budget. Representatives Booth, Mitchell, Maier, Spence, Wagner & D. Short made comments.

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

YES: 39.

ABSENT: Representatives Ewing & Plant - 2.

Therefore, having received a constitutional majority, **HB 153 w/HA 1 & SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 342**, jointly sponsored by Representative Ewing & Senator Simpson & Representatives Lee, Hastings, Hudson, Lavelle, Maier, Outten, Thornburg, Valihura, Carson, Schwartzkopf & Walls, before the House for consideration.

**HB 342 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES.**

Representative Booth made comments.

The roll call on **HB 342** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Plant - 2.

Therefore, having received a constitutional majority, **HB 342** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Booth.

Representative Booth brought **HB 345**, jointly sponsored by Senator Bunting & Representatives Cathcart, Lee, Hastings, Hocker, Manolakos, Outten, D. Short, Thornburg, Gilligan, Brady, Carson, Schwartzkopf, Walls & Williams & Senator Simpson, before the House for consideration.

**HB 345 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING.**

Representative Booth made comments. Representative Booth moved to place **HB 345** on the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Cathcart deferred to Representative McWilliams.

Representative McWilliams introduced **HB 369**, jointly sponsored by Representatives Cathcart, Ewing, Keeley, Marshall, Schooley, Schwartzkopf, B. Short & Williams & Senators Blevins, Cloutier, Connor, Henry & Still & cosponsored by Representatives Maier, Oberle, Carson, Kowalko, Manolakos, Mitchell, Thornburg & Wagner.

**HB 369 - AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.**

Mr. Acting Speaker assigned **HB 369** to the Judiciary Committee.

Representative McWilliams made comments regarding **HB 369**.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **SB 151 w/SA 1**, jointly sponsored by Senator Peterson & Senators Bunting, Sorenson, Venables, Marshall & Connor & Representatives Miro, Schwartzkopf, Spence & Outten, before the House for consideration.

**SB 151 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES AND PARKING PERMITS FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THEIR ABILITY TO WALK.**

Representative Spence requested that **HA 1 to SB 151** be stricken. Representative Spence moved to restore **HA 1 to SB 151**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Spence brought **HA 1 to SB 151** before the House for consideration. Representative Spence introduced and brought **HA 1 to HA 1 to SB 151** before the House for consideration. Representative Spence requested that **HA 1 to HA 1** be stricken. Representatives Spence & Wagner made comments. **HA 1** was adopted by voice vote. Representatives Wagner & Hudson made comments. Representative Wagner requested and was granted privilege of the floor for John Brady, House Attorney. Representatives Hudson, Wagner, Hudson, Viola & Wagner made comments.

The roll call on **SB 151 w/SA 1 & HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Ewing, Plant & Walls - 3.

Therefore, having received a constitutional majority, **SB 151 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Lofink.

Representatives Lofink & Gilligan made comments. Representative Cathcart deferred to Representative Wagner. Representative Wagner led the Members of the House in singing "Happy Birthday" to Mr. Acting Speaker.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 343**, jointly sponsored by Representatives Carey & Schwartzkopf & Senators Bunting & Simpson, before the House for consideration.

**HB 343 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES AND SPECIFIC OFFENSES.**

Representative Booth requested that **HA 1 to HB 343** be stricken. Representative Booth introduced and brought **HA 2 to HB 343** before the House for consideration. Representative Booth made comments. Representative Booth introduced and brought **HA 1 to HA 2 to HB 343** before the House for consideration. Representatives Schwartzkopf & Booth made comments. **HA 1 to HA 2** was adopted by voice vote. **HA 2 w/HA 1** was adopted by voice vote. Representatives Booth, Marshall & Blakey made comments. Representative Blakey requested and was granted privilege of the floor for John Brady, House Attorney. Representatives Blakey & Booth made comments.

The roll call on **HB 343 w/HA 2 & HA 1 to HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Plant - 2.

Therefore, having received a constitutional majority, **HB 343 w/HA 2 & HA 1 to HA 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst & Mr. Acting Speaker introduced guests.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 231 & SB 236** and requests the concurrence of the House and the Senate has passed **HCR 41, HCR 44, HCR 46 & HCR 48** and is returning same to the House.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

Mr. Acting Speaker Booth called the House to order at 2:14 p.m. on April 22, 2008.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

**22nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
April 22, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Marshall – 1.

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

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

The following prefiled legislation was introduced:

**HB 368 - OUTTEN; SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Amend Volume 69 and Volume 74, Laws of Delaware, as Amended, Relating to the Charter of the City of Harrington. (2/3 bill)**

**HB 370 - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS, LONGHURST, SCHOOLEY; SENATORS MCDOWELL, BONINI, CONNOR – HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Division of Child Support Enforcement.**

**HA 2 to HB 267 - PLANT - Placed with the Bill.**

**HA 1 to HB 323 - HALL-LONG - Placed with the Bill.**

**HA 1 to HB 346 - MCWILLIAMS & REPRESENTATIVE KEELEY & REPRESENTATIVE LONGHURST & REPRESENTATIVE MARSHALL & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS – Placed with the Bill.**

**HA 2 to HB 346 - KOWALKO - Placed with the Bill.**

**HA 1 to HB 349 - LONGHURST & REPRESENTATIVE KEELEY & REPRESENTATIVE MCWILLIAMS & REPRESENTATIVE MARSHALL & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS - Placed with the Bill.**

**HA 1 to HB 354 - SCHWARTZKOPF & REPRESENTATIVE KEELEY & REPRESENTATIVE LONGHURST & REPRESENTATIVE MARSHALL & REPRESENTATIVE MCWILLIAMS; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS - Placed with the Bill.**

**HA 2 to HB 354 - SCHWARTZKOPF & REPRESENTATIVE KEELEY & REPRESENTATIVE LONGHURST & REPRESENTATIVE MCWILLIAMS & REPRESENTATIVE MARSHALL; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS - Placed with the Bill.**

**HA 3 to HB 354** - KEELEY & REPRESENTATIVE LONGHURST & REPRESENTATIVE MCWILLIAMS & REPRESENTATIVE MARSHALL & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS - Placed with the Bill.

**HA 4 to HB 354** - KOWALKO - Placed with the Bill.

**SB 231** - BLEVINS & REPRESENTATIVE BLAKEY; SENATORS HENRY, MCDOWELL, VENABLES; REPRESENTATIVES MITCHELL, OUTTEN - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Election Reports.

**SB 236** - ADAMS; REPRESENTATIVES WALLS, CARSON, EWING; SENATORS COOK, COPELAND, DELUCA, MCDOWELL, SIMPSON, VENABLES - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers. (2/3 bill)

Representative Cathcart deferred to Representative Spence. Representative Spence requested and was granted privilege of the floor to present a House Tribute to Dan Baker, Public Address Announcer, Philadelphia Phillies, who addressed the House. Representative Cathcart deferred to Representative Walls. Representative Walls requested and was granted privilege of the floor for himself and Representative Outten to present a House Tribute to Bruce Ney, who addressed the House. Representative Walls introduced guests. Representative Cathcart deferred to Representative Hastings. Representative Hastings requested and was granted personal privilege of the floor to introduce guests. Representative Cathcart deferred to Representative Wagner. Representative Wagner requested and was granted privilege of the floor for herself and Representative Walls to present a Delaware State Flag to Sergeant Foster Trader, United States Army, who has served four tours of duty in Iraq. Sergeant Trader addressed the House. Representatives Hudson, Miro, Maier, Viola, Schooley, Longhurst & Schwartzkopf requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 3:59 p.m.

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

CORRECTIONS: **SB 230** - 6F.

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

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **HS 1 for HB 259**, jointly sponsored by Representative Lofink & Senator Sokola & Representatives Booth, Ewing, Maier, Wagner & Hall-Long & Senators Sorenson & Simpson & cosponsored by Representative Walls, before the House for consideration.

**HB 259** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DENIAL, SUSPENSION, REVOCATION AND LIMITATION OF EDUCATOR LICENSES AND CERTIFICATES.

Representatives Miro & Lavelle made comments.

Representatives Valihura, Manolakos, Mulrooney, Williams, Stone & Oberle requested that they be marked present.

The roll call on **HS 1 for HB 259** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 259** was sent to the Senate for concurrence.

Representative Lofink requested that he be marked present during the roll call.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker introduced **HB 372**, jointly sponsored by Senator Bunting.

**HB 372** - AN ACT TO AMEND CHAPTER 59, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "ENUMERATION OF POWERS" TO ADD TO THE PROVISIONS OF SECTION 23 (13) THE POWER AND AUTHORITY TO CONDUCT REFERENDUM SPECIAL ELECTIONS ON CERTAIN ORDINANCES ADOPTED BY TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH. (2/3 bill)

Mr. Acting Speaker assigned **HB 372** to the House Administration Committee.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Spence.

Representative Spence requested that **HB 273** be stricken.

Representative Spence brought **HB 347**, jointly sponsored by Senator Adams & cosponsored by Representatives Lee & Thornburg, before the House for consideration.

**HB 347** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE POLICE ACCREDITATION COMMISSION.

Representative Mitchell brought **HA 1 to HB 347**, jointly sponsored by Representative Williams, before the House for consideration. Representatives Mitchell & Spence made comments. **HA 1** was adopted by voice vote. Representatives Spence & Mitchell made comments. Representative Spence

requested and was granted privilege of the floor for William J. Topping, Chief, Georgetown Police, representing the Delaware Police Chiefs Council.

The roll call on **HB 347 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Marshall - 2.

Therefore, having received a constitutional majority, **HB 347 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 198**, jointly sponsored by Senator DeLuca & Senator Blevins & Senator Sorenson & Representative Wagner & Representative Hudson & Representative Marshall, before the House for consideration.

**SB 198** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT.

Representative Valihura made comments.

The roll call on **SB 198** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 198** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 199**, jointly sponsored by Senator DeLuca & Senators Adams, Amick, Blevins, Cloutier, Connor, Cook, Copeland, Ennis, Henry, Marshall, McDowell, Peterson, Simpson, Sorenson & Venables & Representative Marshall, before the House for consideration.

**SB 199** - AN ACT TO AMEND TITLES 7, 9, 10, 15, 29 AND 31 OF THE DELAWARE CODE RELATING TO REFERENCES TO ASSOCIATE JUDGES.

Representative Valihura made comments.

The roll call on **SB 199** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 199** was returned to the Senate.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 350**, jointly sponsored by Senator McBride & Representatives Spence, Cathcart, Booth, Hastings, Hocker, Lavelle, Lofink & D. Short, before the House for consideration.

**HB 350** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATED TO THE AUDITOR OF ACCOUNTS. (2/3 bill)

Representative Ewing brought **HA 1 to HB 350** before the House for consideration. Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representatives Ewing & McWilliams made comments.

The roll call on **HB 350 w/HA 1** was taken and revealed:

YES: 34.

NO: Representative McWilliams - 1.

NOT VOTING: Representatives Lofink, Miro, Oberle, Viola & Wagner - 5.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 350 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 351**, jointly sponsored by Senator McBride & Representatives Spence, Cathcart, Booth, Hastings, Hocker, Lavelle, Lofink & D. Short, before the House for consideration.

**HB 351** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO THE AUDITOR OF ACCOUNTS.

Representative Ewing brought **HA 1 to HB 351** before the House for consideration. Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representatives Ewing & Oberle made comments.

The roll call on **HB 351 w/HA 1** was taken and revealed:

YES: 36.

NO: Representative Oberle - 1.

NOT VOTING: Representatives Lofink, Viola & Wagner - 3.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 351 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 323**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 323** - AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN. (2/3 bill)



Representative Hall-Long brought **HA 1 to HB 323** before the House for consideration. Representatives Hall-Long & Lee made comments. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 323 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 323 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart made an announcement. Representative Cathcart deferred to Representative Lofink. Representative Lofink made an announcement. Representative Cathcart deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor for Dr. Lesa Griffiths, Advisor for the United States Department of State and the University of Delaware Exchange Program to China. The students participating in the program announced their names and schools for the record.

Mr. Speaker Spence reassigned **SB 236** to the Public Safety & Homeland Security Committee.

Representative Ewing made an announcement. Representative Cathcart deferred to Representative Booth. Representative Booth requested that **HB 345** be stricken. Representative Cathcart deferred to Representative D. Short. Representative D. Short made an announcement. Representative Cathcart deferred to Representative Thornburg. Representative Thornburg made an announcement. Representative Cathcart deferred to Representative Blakey. Representative Blakey made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:59 p.m.

Madame Acting Speaker Maier called the House to order at 2:18 p.m. on April 23, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 89 w/SA 1** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, William R. Outten, do hereby request that my name be removed as cosponsor of **SB 231**.

Date: April 22, 2008

Signed: William R. Outten

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House

CC: JoAnn Hedrick  
Chief Clerk of the House

FROM: Rep. Melanie George Marshall

DATE: April 22, 2008

RE: Absence from Session

I will be unable to attend session on Tuesday, April 22, 2008 and Wednesday, April 23, 2008 for personal reasons.

Thank you for your consideration of this matter.

Memorandum:

TO: The Honorable Terry R. Spence  
The Honorable Robert Gilligan  
JoAnn Hedrick, Chief Clerk

FROM: The Honorable James Johnson

DATE: April 22, 2008

I will be unable to attend session on Thursday, April 24th due to the fact that I will be in Washington, D.C. attending the NCSL Conference.

The Majority Whip moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

### **23rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session April 23, 2008**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Hudson & Valihura – 2.

A prayer was offered by Representative Donna D. Stone, Thirty-Second Representative District.

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

The minutes of the previous legislative day were approved as posted

The following prefiled legislation was introduced:

**HB 371 - HUDSON & REPRESENTATIVE WILLIAMS & SENATOR BLEVINS;**  
**REPRESENTATIVES LEE, LAVELLE, MAIER, MIRO, D. SHORT, STONE, VALIHURA, BRADY,**  
**KOWALKO, B. SHORT, VIOLA; SENATORS CLOUTIER, SORENSON - JUDICIARY - An Act to**  
**Amend Title 11 of the Delaware Code Relating to Compensation for Innocent Victims of Crime.**

**HB 373** - CARSON; REPRESENTATIVES BLAKEY, CATHCART, KEELEY, MAIER, MCWILLIAMS, MULROONEY; SENATORS COOK, ENNIS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Jurisdiction, Powers and Duties of the Department of Transportation.

**HB 374** - VALIHURA & SENATOR DELUCA; REPRESENTATIVE MITCHELL; SENATOR CLOUTIER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Litigation and Court Procedure.

**HB 375** - LEE & SENATOR VENABLES - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 376** - HASTINGS & REPRESENTATIVE THORNBURG & SENATOR VENABLES & SENATOR SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Delaware Agricultural Lands Protection.

**HB 377** - MAIER & SENATOR HENRY; REPRESENTATIVES SPENCE, HUDSON, LAVELLE, WAGNER, KOWALKO; SENATORS COPELAND, SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Acupuncture Advisory Council and Licensing of Acupuncture.

**HB 378** - HALL-LONG & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR HENRY; REPRESENTATIVES CARSON, EWING, JOHNSON, KOWALKO, LONGHURST, MANOLAKOS, MCWILLIAMS; SENATORS AMICK, CLOUTIER, CONNOR, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Hospitals.

**HB 379** - KEELEY; REPRESENTATIVES BRADY, CARSON, HALL-LONG, JOHNSON, KOWALKO, LOFINK, LONGHURST, MAIER, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, B. SHORT, SPENCE, STONE, THORNBURG, VALIHURA, VIOLA, WALLS, WILLIAMS; SENATORS BLEVINS, CONNOR, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 26 A, Title 16 of the Delaware Code Relating to the Hearing and Loan Bank.

**HB 380** - KEELEY; REPRESENTATIVES BRADY, CARSON, HALL-LONG, KOWALKO, LONGHURST, MAIER, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, VIOLA, WALLS; SENATORS BLEVINS, CLOUTIER, CONNOR, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to the Registration of Lobbyists.

**HB 381** - MAIER & SENATOR HENRY; REPRESENTATIVES BLAKEY, BOOTH, MANOLAKOS, MIRO, WAGNER, HALL-LONG, KOWALKO, MCWILLIAMS, SCHOOLEY, WALLS; SENATORS BLEVINS, MCDOWELL, PETERSON, SORENSON, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Advance Health-Care Directives and Health-Care Information.

**HA 1 to HB 319** - SPENCE - Placed with the Bill.

**HCR 50** - KOWALKO & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE WILLIAMS; REPRESENTATIVES KEELEY, JOHNSON, MITCHELL, MULROONEY, PLANT, VALIHURA; SENATORS ENNIS, PETERSON, SIMPSON, SOKOLA, CLOUTIER, CONNOR, SORENSON - ENERGY AND NATURAL RESOURCES - Recommending the Public Service Commission Deny Any Request by Delmarva Power to Recoup from, or Pass-through to, Its Ratepayers the Costs It has Incurred Opposing the Power Purchase Agreement Negotiated between Delmarva Power ND Bluewater Wind Pursuant to the Criteria Established in House Bill No. 6.

Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Representatives Lee, Schwartzkopf & Lavelle made comments. Madame Acting Speaker introduced guests.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: April 23, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                 | Date      | Type | Description                                           |
|-----------|-----------------------------------------|-----------|------|-------------------------------------------------------|
| H144-1479 | Lee                                     | 4/19/2008 | T    | Delmar Little League - 50th Anniversary               |
| H144-1480 | Carey                                   | 4/18/2008 | T    | Doris McNatt - 80th Birthday                          |
| H144-1481 | Hall-Long                               | 3/20/2008 | T    | John & Dorothy Wilson - 60th Wedding Anniversary      |
| H144-1482 | Blakey                                  | 4/10/2008 | M    | Dr. Harold Roberts                                    |
|           | cosponsors: All Representatives         |           |      |                                                       |
| H144-1483 | Schooley                                | 4/14/2008 | T    | Frank Osborne, Jr. - Retirement - Newark City Council |
|           | cosponsors: Reps. Kowalko, Maier & Miro |           |      |                                                       |
| H144-1484 | Lavelle                                 | 4/19/2008 | T    | Cate Williams - Committee Chair - Cub Scouts          |
| H144-1485 | Hastings                                | 2/28/2008 | T    | Jim & Cindy Wootten - 50th Wedding Anniversary        |
| H144-1486 | Maier                                   | 4/11/2008 | M    | Elton Wayne Brewer                                    |
| H144-1487 | Maier                                   | 4/9/2008  | M    | Mary Ashworth Anderson                                |

|           |                                    |           |   |                                                                               |
|-----------|------------------------------------|-----------|---|-------------------------------------------------------------------------------|
| H144-1488 | Wagner                             | 4/10/2008 | M | Dr. Archie Randall Jordan                                                     |
| H144-1489 | Hocker                             | 4/16/2008 | T | Michael Lingenfelter - Indian River Teacher of the Year                       |
|           | cosponsors: Reps. Booth & Hastings |           |   |                                                                               |
| H144-1490 | Hall-Long                          | 4/16/2008 | T | Dr. Herman Ellis - Board of Regents – American College of Preventive Medicine |
| H144-1491 | Wagner                             | 4/13/2008 | T | April Murphy & Jason Miller - Marriage                                        |
| H144-1492 | Wagner                             | 4/22/2008 | T | Foster Lamont Trader - Four Tours of Duty in Iraq                             |
| H144-1493 | Wagner; Stone                      | 4/30/2008 | T | Becker Morgan Group - 25th Anniversary                                        |
| H144-1494 | Wagner                             | 4/19/2008 | T | Alex Becton - Afro-American Sports Hall of Fame                               |
| H144-1495 | Spence                             | 4/15/2008 | T | Honorable Thurman Adams, Jr. - 35 Years of Leadership                         |
|           | cosponsors: All Representatives    |           |   |                                                                               |
| H144-1496 | Spence                             | 4/19/2008 | T | Damien Craighton - Wrestling Hall of Fame Induction                           |
| H144-1497 | Hocker; Blakey                     | 4/19/2008 | T | Pete Basile - Wrestling Hall of Fame Induction                                |
| H144-1498 | Carson; Thornburg                  | 4/19/2008 | T | Zane Robinson - Wrestling Hall of Fame Induction                              |
| H144-1499 | D. Short                           | 4/16/2008 | T | Mike Wright - National Wrestling Tournament - 7th Place                       |
| H144-1500 | Schwartzkopf                       | 4/5/2008  | M | Honorable Robert D. Thompson, Jr.                                             |
|           | cosponsors: All Representatives    |           |   |                                                                               |
| H144-1501 | Hudson                             | 4/3/2008  | T | Jacqueline Harris - Chapman Award - League of Women Voters                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: April 23, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                 | Date      | Type | Description                                                         |
|-----------|-----------------------------------------|-----------|------|---------------------------------------------------------------------|
| H144-1502 | Schooley                                | 4/3/2008  | T    | Fay Whittle - Chapman Award - League of Women Voters                |
| H144-1503 | Keeley                                  | 4/19/2008 | T    | Ben & MaryAnne Sowinski - 50th Wedding Anniversary                  |
| H144-1504 | Booth; Ewing                            | 4/13/2008 | M    | Honorable Miles Martin Isaacs                                       |
|           | cosponsors: All Representatives         |           |      |                                                                     |
| H144-1505 | Outten                                  | 4/18/2008 | T    | Denies Faries - Retirement - Department of Health & Social Services |
| H144-1506 | Carson                                  | 4/17/2008 | T    | Twentieth Century Club of Smyrna - 110th Anniversary                |
|           | cosponsors: Reps. Hall-Long & Thornburg |           |      |                                                                     |
| H144-1507 | Keeley                                  | 4/10/2008 | M    | Maxine Alice Brunswick                                              |
| H144-1508 | Brady                                   | 4/12/2008 | M    | Rufus Mathena                                                       |
| H144-1509 | Hudson                                  | 4/22/2008 | T    | John Hynansky - General Motors Dealer of the Year                   |
| H144-1510 | Schooley                                | 2/20/2008 | T    | Ira & Jeanne Coover - 60th Wedding Anniversary                      |
| H144-1511 | Schooley                                | 4/12/2008 | T    | Jesse & Anne Stewart - 50th Wedding Anniversary                     |
| H144-1512 | B. Short                                | 4/3/2008  | T    | John & Irene Hynes - 60th Wedding Anniversary                       |
| H144-1513 | Schwartzkopf                            | 4/19/2008 | T    | Francis & Mickey Baker - 50th Wedding Anniversary                   |
| H144-1514 | Hall-Long                               | 4/12/2008 | T    | Richard & Cathy Lyons - 50th Wedding Anniversary                    |
| H144-1515 | Gilligan                                | 2/5/2008  | T    | Wayne & Edith Benner - 70th Wedding Anniversary                     |
| H144-1516 | McWilliams                              | 4/19/2008 | T    | Alexander & Josephine Marra - 50th Wedding Anniversary              |
| H144-1517 | Johnson                                 | 3/26/2008 | T    | Homer & Marjorie Jennings - 60th Wedding Anniversary                |
| H144-1518 | Stone                                   | 4/19/2008 | T    | Kelly Devine - Where Pigs Fly - 15th Anniversary                    |
| H144-1519 | Booth                                   | 4/25/2008 | T    | Howard Seymour Water Reclamation Plant Dedication                   |
|           | cosponsors: Reps. Carey & Schwartzkopf  |           |      |                                                                     |
| H144-1520 | Lavelle                                 | 4/27/2008 | T    | David Hamilton - Eagle Scout                                        |
| H144-1521 | Lavelle                                 | 4/27/2008 | T    | Taylor Geib - Eagle Scout                                           |
| H144-1522 | Lavelle                                 | 4/27/2008 | T    | Thomas Mulrooney - Eagle Scout                                      |
| H144-1523 | Spence                                  | 4/22/2008 | T    | Dan Baker - Phillies Announcer - 37th Year                          |
|           | cosponsors: All Representatives         |           |      |                                                                     |
| H144-1524 | Thornburg                               | 4/17/2008 | M    | Malvin Gelof                                                        |

T- Tribute

M - Memoriam

Representative Lee brought the following prefiled **Consent Calendar #19** before the House for consideration.

**HCR 49** – OUTTEN & SENATOR BONINI – Establishing a Task Force to Review Coordination of Health Care, Social and Legal Services for Delawareans with Disabilities.

**HCR 51** – VALIHURA & REPRESENTATIVE MAIER & REPRESENTATIVE KEELEY & SENATOR HENRY & SENATOR CONNOR – Declaring May 1, 2008 as Direct Support Professionals Day in Delaware.

**Consent Calendar #19** was adopted by voice vote and **HCR 49 & HCR 51** were sent to the Senate for concurrence.

Representative Lofink requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 228 aab SA 1** and requests the concurrence of the House.

April 23, 2008

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Deborah D. Hudson – 12th District  
DATE: April 23, 2008  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to illness. Thank you for your understanding.

Madame Acting Speaker introduced a guest. Representatives D. Short & Walls made announcements. Representative Blakey made comments. Mr. Darrel Cole, Director, Division of Public Relations, Department of Transportation addressed the House and introduced Department of Transportation employees. Representative Stone requested and was granted personal privilege of the floor to introduce guests. Representative Lofink made an announcement.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:34 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:34 P.M.

Representatives Cathcart, Gilligan, Keeley, Mulrooney, Oberle & Spence.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:18 p.m. on April 24, 2008.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 355** - 6F,2M,1U.

EDUCATION: **HB 337** - 9M; **HB 338** - 11M.

HEALTH & HUMAN DEVELOPMENT: **HB 361** - 7M; **SS 1/SB 71 w/SA 2** - 7M.

HOUSE ADMINISTRATION: **HB 332** - 4M; **HB 334** - 4M; **HB 336** - 4M; **HB 356** - 4M; **HB 372** - 4M; **HR 48** - 4M; **HJR 18** - 4M; **SB 197** - 4M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 363** - 5M; **HB 364** - 5M; **SB 236** - 5M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 287** - 7F.

VETERANS AFFAIRS: **HB 316** - 2F,11M; **HB 367** - 3F,9M.

Representatives Hudson & Marshall requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 195** and requests the concurrence of the House and the Senate has passed **HB 247 w/SA 1**, **HB 305** & **HB 209 w/SA 1** and is returning same to the House.

Representatives Plant & Williams requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

## **24th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**

**April 24, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Johnson – 1.

Mr. Speaker Spence introduced a guest.

The House observed a moment of silence in memory of James R. Cerillo, Jr., brother of staff member Ellen Youngmans, at the request of Representative Wagner. The House observed a moment of silent prayer for Senator Henry at the request of Representative Keeley.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Spence invited Rowan Short, Representative B. Short's daughter, to join him in leading those present in a pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted

The following prefiled legislation was introduced:

**HB 382** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LONGHURST, MAIER, SCHOOLEY; SENATORS BUNTING, CONNOR, MCDOWELL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

**HB 383** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code and 76 Delaware Laws, Chapter 79, Section 56 Relating to the Council on Development Finance.

**HB 384** - BRADY & SENATOR MARSHALL; REPRESENTATIVES HALL-LONG, KEELEY, MAIER, SCHWARTZKOPF, VALIHURA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 2, Title 12 of the Delaware Code Relating to the Disposition of a Person's Last Remains.

**HB 385** - SCHOOLEY; REPRESENTATIVES BRADY, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MAIER, MANOLAKOS, MCWILLIAMS, MULROONEY, B. SHORT, STONE; SENATORS AMICK, BLEVINS, COOK, HENRY, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Maximum Student-Instructor Ratio Requirements.

**HB 386** - WAGNER & SENATOR STILL; REPRESENTATIVES MAIER, THORNBURG; SENATOR SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Pharmacy.

**HB 387** - KEELEY; REPRESENTATIVES BRADY, CARSON, HALL-LONG, JOHNSON, KOWALKO, LOFINK, LONGHURST, MAIER, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, B. SHORT, SPENCE, STONE, THORNBURG, VALIHURA, VIOLA, WALLS, WILLIAMS; SENATORS BLEVINS, CONNOR, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 26A, Title 16 of the Delaware Code Relating to the Hearing Aid Loan Bank.

**HA 4 to HB 159** - WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE THORNBURG - Placed with the Bill.

**HA 1 to HB 290** - LONGHURST - Placed with the Bill.

**HA 1 to HB 299** - HUDSON - Placed with the Bill.

**HA 2 to HB 353** - WALLS - Placed with the Bill.

**HJR 19** - SCHOOLEY & REPRESENTATIVE KEELEY; REPRESENTATIVES BRADY, HALL-LONG, KOWALKO, LOFINK, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, B. SHORT, STONE, VIOLA, WALLS, WILLIAMS; SENATORS AMICK, BLEVINS, HENRY, SORENSON, STILL - EDUCATION - Directing the Department of Education to Conduct a Study to Ascertain the Cost and Associated Issues to Achieve a Maximum Class Size of 15 Students in Public Schools.

**SB 195** - DELUCA & REPRESENTATIVE CATHCART; SENATORS BLEVINS, HENRY, SORENSON; REPRESENTATIVES HUDSON, KOWALKO, LAVELLE, MITCHELL, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Titles 4 and 15 of the Delaware Code Relating to Alcohol Sales on Election Days.

**SB 228 w/SA 1** - MCDOWELL & SENATOR COPELAND; REPRESENTATIVES THORNBURG, HALL-LONG; SENATORS BLEVINS, SIMPSON; REPRESENTATIVE SCHOOLEY - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to the Sustainable Energy Utility.

**HA 1 to SB 208** - WILLIAMS - Placed with the Bill.

Representative Hall-Long requested that she be marked present.

Representative Hall-Long introduced guests and requested and was granted privilege of the floor for Tonisha V. Jones, junior at Middletown High School, who recited "Still I Rise" by Maya Angelou.

Representative B. Short requested and was granted personal privilege of the floor to introduce a guest.

Representative Gilligan requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:34 p.m.

The House reconvened at 5:22 p.m. with Representative Booth as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 219, SB 217 w/SA 1 & SB 221 w/SA 1** and requests the concurrence of the House and the Senate has passed **HJR 12** and is returning same to the House.

Representatives Mulrooney & Oberle requested that they be marked present.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle introduced and brought **HR 51**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 51** - RECOGNIZING APRIL 28, 2008 AS WORKERS MEMORIAL DAY.

Representative Oberle made comments. The House observed a moment of silence in memory of all State employees who have died in the line of duty at the request of Representative Oberle. Representative Oberle introduced guests. Representative Oberle deferred to Representative Lofink. Representatives Lofink & Miro requested that they be marked present. Representative Lofink made comments.

**HR 51** was adopted by voice vote.

Representative Cathcart brought **HB 346**, jointly sponsored by Senator Peterson & Senator Copeland & Representatives Spence, Lee, Blakey, Booth, Carey, Ewing, Hocker, Hudson, Lavelle, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Gilligan, Keeley, Brady, Carson, Mitchell, Schooley, B. Short, Viola & Walls & Senators Bunting, Sorenson, Bonini & Simpson & cosponsored by Representative Hastings, before the House for consideration.

**HB 346** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LEGISLATIVE CONFLICTS OF INTEREST.

Representative Cathcart brought **HA 1 to HB 346**, sponsored by Representative McWilliams & Representative Keeley & Representative Longhurst & Representative Marshall & Representative Schwartzkopf & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls & Williams, before the House for consideration. Representatives McWilliams & Cathcart made comments. Representatives Valihura & Stone requested that they be marked present. **HA 1** was adopted by voice vote. Representative Cathcart deferred to Representative Kowalko. Representative Kowalko brought **HA 2 to HB 346** before the House for consideration. Representative Kowalko made comments. Representative Kowalko requested that **HA 2** be stricken. Representatives Cathcart, Marshall & Schwartzkopf made comments. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Cathcart & Oberle made comments.

The roll call on **HB 346 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Johnson - 1.

Therefore, having received a constitutional majority, **HB 346 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 174**, jointly sponsored by Senator Henry & Representative Spence, before the House for consideration.

**SB 174 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS. (2/3 bill)**

Representative Ewing made comments. Representative Lavelle introduced and brought **HA 1 to SB 174** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Mulrooney, Ewing & Thornburg made comments.

The roll call on **SB 174 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Johnson - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 174 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings brought **HB 349**, jointly sponsored by Senator Peterson & Senator Copeland & Representatives Spence, Lee, Cathcart, Blakey, Booth, Carey, Ewing, Hocker, Hudson, Lavelle, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Gilligan, Keeley, Brady, Carson, Longhurst, Mitchell, Schooley, B. Short, Viola & Walls & Senators Bunting, Sorenson, Bonini & Simpson, before the House for consideration.

**HB 349 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES.**

Representative Lavelle rose on a point of order. Mr. Acting Speaker concurred. Representative Longhurst brought **HA 1 to HB 349**, jointly sponsored by Representative Keeley & Representative McWilliams & Representative Marshall & Representative Schwartzkopf & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls & Williams, before the House for consideration. Representative Lavelle introduced and brought **HA 1 to HA 1 to HB 349**, jointly sponsored by Representatives Spence, Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura & Wagner, before the House for consideration. Representative Lavelle moved to suspend the rules which interfere with introduction of and action on **HA 1 to HA 1**. The motion was seconded by Representative Lee and adopted by voice vote. Representatives Lavelle, Mulrooney, Schwartzkopf, Lavelle, Longhurst, McWilliams & Lavelle made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Longhurst made comments. **HA 1 with HA 1 to HA 1** was adopted by voice vote. Representatives Hastings, Gilligan, Stone, Hastings & Marshall made comments.

The roll call on **HB 349 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Johnson & Williams - 2.

Therefore, having received a constitutional majority, **HB 349 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Schooley. Representative Schooley requested that **HB 385** be stricken.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle brought **HB 354**, jointly sponsored by Representative Hudson & Senator Copeland & Representatives Spence, Lee, Cathcart, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Gilligan, Keeley, Brady, Carson, Longhurst, Mitchell, Schooley, B. Short, Viola & Walls & Senators Bunting, Peterson, Sorenson, Bonini & Simpson, before the House for consideration.

**HB 354 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES.**

Representative Schwartzkopf brought **HA 1 to HB 354**, jointly sponsored by Representative Keeley & Representative Longhurst & Representative Marshall & Representative McWilliams & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls, Williams before the House for consideration. Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HA 1 to HB 354** was taken and revealed:

YES: Representatives Brady, Carson, Gilligan, Hall-Long, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola & Walls - 17.

NO: 22.

ABSENT: Representatives Johnson & Williams - 2.

Therefore, not having received a constitutional majority, **HA 1 to HB 354** was declared defeated.

Representative Schwartzkopf brought **HA 2 to HB 354**, jointly sponsored by Representative Keeley & Representative Longhurst & Representative McWilliams & Representative Marshall & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls & Williams, before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote.

Representative Keeley brought **HA 3 to HB 354**, jointly sponsored by Representative Longhurst & Representative McWilliams & Representative Marshall & Representative Schwartzkopf & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls & Williams, before the House for consideration. Representative Keeley introduced and brought **HA 1 to HA 3 to HB 354** before the House for consideration. Representative Keeley made a comment. **HA 1 to HA 3** was adopted by voice vote. Representatives Keeley, Lavelle, Kowalko, Lavelle & Keeley made comments.

The roll call on **HA 3 with HA 1 to HA 3 to HB 354** was taken and revealed:

YES: Representatives Brady, Carson, Gilligan, Hall-Long, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola & Walls - 17.

NO: 21.

ABSENT: Representatives Johnson, Miro & Williams - 3.

Therefore, not having received a constitutional majority, **HA 3 with HA 1 to HA 3 to HB 354** was declared defeated.

Representative Kowalko requested that **HA 4 to HB 354** be stricken.

Representatives Lavelle & Keeley made comments.

The roll call on **HB 354 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Johnson & Williams - 2.

Therefore, having received a constitutional majority, **HB 354 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Mr. Speaker Spence resumed the Chair.

Representative Keeley made comments regarding **HB 349 & HB 354**.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HJR 14**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Oberle introduced and brought **HJR 14**, jointly sponsored by Senator Cook & Representatives Cathcart, Gilligan, Keeley, Spence, Lee, Blakey, Booth, Brady, Carey, Carson, Ewing, Hall-Long, Hastings, Hocker, Hudson, Johnson, Kowalko, Lofink, Longhurst, Maier, Manolakos, Marshall, McWilliams, Miro, Mitchell, Mulrooney, Outten, Plant, Schooley, Schwartzkopf, B. Short, D. Short, Thornburg, Viola, Wagner & Walls & Williams & Senators DeLuca, Copeland, Sorenson, Adams, Blevins, Bonini, Bunting, Cloutier, Connor, Ennis, Henry, McDowell, Still & Venables, before the House for consideration.

**HJR 14 - DIRECTING A STRATEGY TO CONSTRUCT FISCAL YEAR 2009 STATE GOVERNMENT APPROPRIATIONS.**

Representatives Oberle, Gilligan, Hudson, Oberle, Miro, Lavelle, Valihura, Oberle, Wagner, Kowalko, McWilliams, B. Short, Lavelle, Valihura, Blakey, Booth, Oberle, Cathcart & Oberle made comments.

The roll call on **HJR 14** was taken and revealed:

YES: 37.

NOT VOTING: Representatives Lavelle & Valihura - 2.

ABSENT: Representatives Johnson & Williams - 2.

Therefore, having received a constitutional majority, **HJR 14** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 211 w/SA 1**, jointly sponsored by Senator Adams & Senator Simpson & Representative Carey & cosponsored by Representative Walls, before the House for consideration.

**SB 211 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING BOUNDARIES.**

Representative Ewing made comments.

The roll call on **SB 211 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Johnson, Longhurst, Plant, Valihura & Williams - 5.

Therefore, having received a constitutional majority, **SB 211 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **HR 48**, jointly sponsored by Representatives Spence, Lee, Cathcart, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Gilligan, Keeley, Brady, Carson, Mitchell, Schooley, B. Short, Viola & Walls, before the House for consideration.

**HR 48 - A RESOLUTION TO AMEND HOUSE RESOLUTION NO. 3 OF THE 144TH GENERAL ASSEMBLY RELATING TO HOUSE RULES.**

Representative Lofink made comments. Representative Marshall introduced and brought **HA 1 to HR 48**, jointly sponsored by Representative Keeley & Representative Longhurst & Representative McWilliams & Representative Schwartzkopf & Representative B. Short & Representatives Brady, Carson, Gilligan, Hall-Long, Kowalko, Mitchell, Mulrooney, Plant, Schooley, Viola, Walls & Williams, before the House for consideration. Representatives Marshall, Lofink, Cathcart & Marshall made comments.

The roll call on **HA 1 to HR 48** was taken and revealed:

YES: Representatives Brady, Carson, Gilligan, Hall-Long, Keeley, Kowalko, Lofink, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Schooley, Schwartzkopf, B. Short, Viola & Walls - 17.

NO: 20.

ABSENT: Representatives Johnson, Plant, Valihura & Williams - 4.

Therefore, not having received a constitutional majority, **HA 1 to HR 48** was declared defeated.

**HR 48** was adopted by voice vote.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 236**, jointly sponsored by Senator Adams & Representatives Walls, Carson & Senators Cook, Copeland, DeLuca, McDowell, Simpson & Venables, before the House for consideration.

**SB 236 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (2/3 bill)**

Representative Ewing made comments. Representative Ewing requested and was granted privilege of the floor for Corporal Detective David M. Hanich, State Police. Representatives Ewing, Carey, Brady, Schwartzkopf, D. Short, Hudson, Walls, Brady, Mr. Speaker Spence, Representatives Keeley, Schwartzkopf & Ewing made comments.

The roll call on **SB 236** was taken and revealed:

YES: 30.

NOT VOTING: Representatives Brady & Keeley - 2.

ABSENT: Representatives Johnson, Longhurst, Maier, Miro, Oberle, Plant, Stone, Valihura & Williams - 9.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 236** was returned to the Senate.

Mr. Speaker Spence made announcements.

Representative Cathcart deferred to Representative Wagner.

Representative Lofink made an announcement.

Representative Wagner introduced and brought **HR 52**, jointly sponsored by Representative Hudson & Representative Maier & Representative Stone & Representative Thornburg & Representative Keeley & Representative Hall-Long & Representative Marshall & Representative McWilliams & Representative Plant & Representative Schooley, before the House for consideration.

**HR 52 - PROCLAIMING APRIL AS FINANCIAL EDUCATION MONTH FOR WOMEN IN DELAWARE.**

Representative Wagner made comments.

**HR 52** was adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 7:40 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:09 p.m. on May 6, 2008.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 290** - 3F,2M,2U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HJR 14** and is returning same to the House.

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Vincent Lofink, do hereby request that my name be removed as cosponsor of **SB 228**.

Date: April 24, 2008

Signed: Vincent A. Lofink

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

**25th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
May 6, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Williams – 1.

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



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

The following out of session prefiled legislation was introduced:

May 1, 2008

**HS 1 for HB 376** - HASTINGS & REPRESENTATIVE THORNBURG & SENATOR VENABLES & SENATOR SIMPSON; REPRESENTATIVES SPENCE, CAREY, EWING, HOCKER, HUDSON, MAIER, MANOLAKOS, MIRO, OUTTEN, D. SHORT, VALIHURA - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Delaware Agricultural Lands Protection.

**HB 388** - HOCKER & REPRESENTATIVE WALLS & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, BLAKEY, CAREY, EWING, MANOLAKOS, MIRO, GILLIGAN, BRADY; SENATORS BUNTING, VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to American Lobsters.

**HB 389** - HOCKER & REPRESENTATIVE WALLS & SENATOR VENABLES; REPRESENTATIVES SPENCE, LEE, BLAKEY, CAREY, EWING, HASTINGS, MANOLAKOS, OUTTEN, D. SHORT, STONE, MITCHELL; SENATORS BUNTING, MCBRIDE - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Red Fox Hunting.

**HB 390** - HOCKER & REPRESENTATIVE WALLS & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, LEE, EWING, HASTINGS, LAVELLE, MANOLAKOS, OUTTEN, D. SHORT, STONE, VALIHURA, KOWALKO, MITCHELL; SENATORS BUNTING, VENABLES, COPELAND - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Use of Hunter Orange Material.

**HB 391** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES SPENCE, LAVELLE, MANOLAKOS, THORNBURG, CARSON, KOWALKO, SCHOOLEY, B. SHORT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Notice of the Length of the School Year.

**HB 392** - HOCKER & SENATOR BUNTING; REPRESENTATIVES SPENCE, LEE, CATHCART, BLAKEY, CAREY, EWING, HASTINGS, HUDSON, LAVELLE, MAIER, MIRO, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, CARSON, HALL-LONG, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, B. SHORT, VIOLA, WILLIAMS; SENATOR SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

**HB 393** - SCHOOLEY; REPRESENTATIVES BRADY, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MAIER, MANOLAKOS, MCWILLIAMS, MULROONEY, B. SHORT, STONE; SENATORS AMICK, BLEVINS, COOK, HENRY, SORENSON, CLOUTIER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Maximum Student Instructor Ratio Requirements.

**HB 394** - D. SHORT & SENATOR VENABLES; REPRESENTATIVES LEE, BLAKEY, BOOTH, CAREY, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, MAIER, MIRO, OUTTEN, STONE, THORNBURG, VALIHURA, WAGNER; SENATORS SIMPSON, STILL - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

**HB 395** - HUDSON & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Victims' Bill of Rights.

**HB 396** - EWING & SENATOR ADAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Burglar's Tools.

**HB 397** - MIRO & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, MANOLAKOS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Local School Taxes.

**HB 398** - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, LAVELLE, MCWILLIAMS, MITCHELL, OBERLE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 4 and 21 of the Delaware Code Relating to Alcoholic Liquor, Persons Under the Age of 21 Years, and the Suspension of Driving Privileges.

**HB 399** - LOFINK & SENATOR DELUCA; REPRESENTATIVES CATHCART, HUDSON, MANOLAKOS, OBERLE, BRADY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's License.

**HB 400** - LAVELLE & REPRESENTATIVE WAGNER & SENATOR CLOUTIER; REPRESENTATIVES HOCKER, HUDSON, D. SHORT; SENATORS COPELAND, SORENSON, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Physician's Liability Insurance, Designating Any Physician Providing Medical Clinic Service Without Compensation and Who is Otherwise Not Immune from Suit a State Employee Entitled to be Indemnified by the State, and Providing Legal Representation for Such Physicians.

**HB 401** - HOCKER & REPRESENTATIVE CAREY & REPRESENTATIVE WALLS & SENATOR BUNTING & SENATOR VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Use of Automatic-Loading Guns.

**HB 402** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Fenwick Island, Delaware, Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Fenwick Island, Delaware", to Amend Section 6,

Elections, Section 7, Nominations and Section 9, Qualifications of Voters, to Conform with State Law and Clarify Certain Provisions Contained Therein. (2/3 bill)

**HB 403** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Establishment of a Mental Health Death Review Committee.

**HB 404** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16 and 29 of the Delaware Code Relating to Nursing Facilities and Similar Facilities.

**HB 405** - JOHNSON; REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 406** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Psychiatric Center.

**HB 407** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Mental Health Patients' Bill of Rights.

**HB 408** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Mental Health Patients' Bill of Rights, Notifications and Forms.

**HB 409** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 410** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code Relating to Nursing Facilities and Similar Facilities.

**HB 411** - HALL-LONG; REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 51, Title 16 of the Delaware Code Relating to Criminal Background Checks and Mandatory Drug Testing.

**HA 1 to HB 372** - HOCKER - Placed with the Bill.

**HR 53** - HALL-LONG; REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Urging the Delaware Psychiatric Center's Performance Improvement Unit and the Department of Health and Social Services Staff Training Program to Facilitate a Culture of Cooperation, Staff Accountability and Address Interpersonal Conflicts Within One Year.

**HR 54** - HALL-LONG; REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Urging the Delaware Psychiatric Center to Develop a Comprehensive System to Monitor and Track Patient Assessments, Treatment Plans, Therapy Sessions and Discharge Documentation.

**HR 55** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Urging the Joint Finance Committee to Give Great Weight to Allocating Additional Funding Directly to the Delaware Psychiatric Center to Fund Necessary Improvements to the Facility.

**HR 56** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Urging the Joint Finance Committee to Review the Delaware Psychiatric Center's Overtime Appropriations.

**HR 57** - CATHCART; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Directing the Department of Health and Social Services and the Delaware State Police to Develop a Memorandum of Understanding Relating to When the Police will be Contacted to Investigate Alleged Criminal Actions at the Delaware Psychiatric Center.

**HR 58** - HALL-LONG; REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - Creating a Task Force to Study and Make Recommendations Regarding the Establishment of a Certification and Licensure Process for Mental Health Attendants.

**SB 217 w/SA 1** - SIMPSON & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Verifications of Service of Process.

**SB 219** - ENNIS & REPRESENTATIVE THORNBURG; SENATOR AMICK - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Electronic Filing Costs in Justice of the Peace Court.

**SB 221 w/SA 1 - ADAMS & REPRESENTATIVE WAGNER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Nonpayment of Judgments Involving Motor Vehicle Safety.**

The House observed a moment of silent prayer for Yvonne Steele at the request of Representative Thornburg. The House observed a moment of silence in memory of James Lake, Representative McWilliams' father, at the request of Representative Schooley and for Pierre V. Stephens, Fred W. O'Nions and Melville F. Warren, Sr. at the request of Representative Wagner. Representative Keeley requested that she be marked present. Representative Hastings requested and was granted personal privilege of the floor to introduce a guest. Mr. Acting Speaker made a comment. Representative Hall-Long requested that she be marked present. Representatives Hastings & Booth introduced guests. Representatives D. Short & Hocker requested and were granted personal privilege of the floor to introduce guests. Representative Schwartzkopf requested that he be marked present. Representative Ewing made a comment. Representative Carson requested that he be marked present.

Representative Cathcart requested and was granted privilege of the floor for Frank Ingram, Education Specialist, Student Activities, Department of Education. Brittany Gardner, President, Future Farmers of America, Siobain McIlivain, President, Distributive Education Clubs of America, an Association of Marketing Students, Raymond Taraila, III, President, Technology Student Association, Corinne Dries, President, Family Career and Community Leaders of America and Jennifer Osias, Vice-President, Skills USA addressed the House. Mr. Acting Speaker, Representatives Thornburg, Wagner, Mr. Acting Speaker & Representative Cathcart made comments.

Representative Cathcart introduced and brought **HCR 53**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley on behalf of All Representatives & Senator Adams & Senator DeLuca & Senator Blevins & Senator Copeland & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 53 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS.**

Representative Cathcart made comments.

**HCR 53** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Manolakos introduced guests and made comments. Mr. Acting Speaker made comments. The students and teachers announced their names, grades, schools and organizations for the record. Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest.

Representatives Gilligan & Plant requested that they be marked present.

The Reading Clerk read the following communications into the record:

April 29, 2008

#### LEGISLATIVE ADVISORY #20

Governor Ruth Ann Minner signed the following legislation on the date indicated: 3/26/08 – **SB 196 aab SA 1 & HA 1**; 4/1/08 – **HB 285 aab HA 2, 3, 4, 5 & 6 & HB 303**; 4/10/08 – **SB 201**; 4/16/08 – **HB 357**; 4/18/08 – **HB 192**; 4/24/08 – **HS 1/HB 206 aab SA 1 & SB 225**; 4/25/08 – **SB 236**; 4/24/08 – **HJR 14**.

May 2, 2008

#### LEGISLATIVE ADVISORY #21

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/1/08 – **SB 151 aab SA 1 & HA 1, SS 1/SB 192 aab HA 1, SB 198, SB 199, HB 153 aab HA 1 & SA 1 & HJR 12**.

The Senate wishes to inform the House that it has passed **HCR 49 & HCR 51** and is returning same to the House.

#### MEMORANDUM

TO: House of Representatives  
FROM: Terry R. Spence, Speaker of the House  
DATE: May 6, 2008  
RE: Absence from Session

Please excuse my absence from session today, due to a minor medical procedure being performed this afternoon.

During my absence from session, Rep. William Oberle, Speaker Pro Tempore, will act on behalf of my office concerning any and all issues that may arise.

Thank you.

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

The Majority Leader moved to recess for caucus at 2:43 p.m.

The House reconvened at 4:10 p.m.

Representatives Lavelle & Lee requested that they be marked present.

Representative Cathcart deferred to Representative Gilligan.

Representative Gilligan brought **HB 316**, jointly sponsored by Representative Spence & Representatives Keeley, Marshall, Viola, Oberle & Manolakos & Senators Adams & DeLuca & cosponsored by Representatives Brady & Maier & Senator Connor, before the House for consideration.

**HB 316** - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE ADJUTANT GENERAL.

Representative Gilligan & Mr. Acting Speaker made comments.

The roll call on **HB 316** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority, **HB 316** was sent to the Senate for concurrence.

Representatives Miro, Viola & Longhurst requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Lee.

Representative Lee requested that action on **SB 230** be deferred to a Day Certain, Wednesday, May 7, 2008.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SS 1 for SB 168**, sponsored by Senator McBride & Senators Connor & Simpson & Representatives Carey & McWilliams, before the House for consideration.

**SB 168** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRANSFER OR CLOSURE OF CHEMICAL OR HAZARDOUS SUBSTANCE ESTABLISHMENTS AND TO ESTABLISH A CONTRACTOR CERTIFICATION PROGRAM FOR HAZARDOUS SUBSTANCE CLEANUP SITES.

Representatives Hocker & Booth made comments. Representative Hocker requested and was granted privilege of the floor for David S. Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representative Booth & Mr. Acting Speaker made comments.

The roll call on **SS 1 for SB 168 w/SA 2** was taken and revealed:

YES: 38.

NO: Representative Booth - 1.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 168 w/SA 2** was returned to the Senate.

Representative Lee deferred to Representative Lavelle.

Representative Lavelle requested and was granted personal privilege of the floor to introduce guests.

Representative Lee deferred to Representative Stone.

Representative Stone brought **HCR 43**, jointly sponsored by Senator Peterson & Senator Copeland & Representatives Spence, Lee, Cathcart, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Thornburg, Valihura, Wagner, Gilligan, Keeley, Brady, Carson, Longhurst, Mitchell, Schooley, B. Short, Viola & Walls & Senators Bunting, Sorenson, Bonini & Simpson, before the House for consideration.

**HCR 43** - REQUESTING ASSISTANCE OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) TO REVIEW HOUSE AND SENATE RULES AND PROCEDURES WITH REGARD TO PROFESSIONAL CONDUCT.

**HCR 43** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier brought **SS 1 for SB 71 w/SA 2**, jointly sponsored by Senator Blevins & Senator McDowell & Representatives Hall-Long, Marshall & Schooley, before the House for consideration.

**SB 71** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN.

Representative Maier made comments.

The roll call on **SS 1 for SB 71 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 71 w/SA 2** was returned to the Senate.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 363**, jointly sponsored by Representative Keeley & Senator Ennis & Representatives Spence, Hocker, Hudson, Lavelle & Wagner & Senators Bunting, Peterson, Venables & Connor, before the House for consideration.

**HB 363** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MISSING CHILDREN.

Representative Maier made comments.

The roll call on **HB 363** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence, Williams - 2.

Therefore, having received a constitutional majority, **HB 363** was sent to the Senate for concurrence.

Representative Cathcart brought the following **Consent Agenda** before the House for concurrence on Senate Amendments.

**HB 89 w/SA 1** – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HUDSON, LONGHURST, MAIER & VIOLA & SENATORS BONINI, BUNTING, CONNOR & MCDOWELL – An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Sunset Act.

**HB 247 w/SA 1** – WAGNER & SENATOR HENRY & REPRESENTATIVES LOFINK, MAIER & OBERLE & SENATOR ENNIS – An Act to Amend Titles 10 and 18 of the Delaware Code Relating to Property Insurance Contracts and Statutes of Limitations.

**HB 209 w/SA 1** – MAIER & SENATOR HENRY & REPRESENTATIVES HUDSON, MANOLAKOS, STONE, WAGNER, HALL-LONG, KOWALKO, SCHOOLEY & WILLIAMS & SENATOR BLEVINS – An Act to Amend Title 13 of the Delaware Code Relating to Guardianship of a Child.

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

YES: 39.

ABSENT: Representatives Spence & Williams – 2.

Therefore having received a constitutional majority, **HB 89 w/SA 1**, **HB 247 w/SA 1** & **HB 209 w/SA 1** were sent to the Governor.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to suspend the rules which interfere with introduction of and action on **HB 412**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink introduced and brought **HB 412**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 412** – AN ACT DEAUTHORIZING CERTAIN PROJECT BALANCES TO THE GENERAL FUND AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.

Representative Lofink & Mr. Acting Speaker made comments.

Representative Lofink moved to place **HB 412** on the Speaker's Table. The motion was seconded by Representative Valihura and adopted by voice vote.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 53**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 54**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 55**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 56**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 57**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HR 58**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 411**.

Date: May 6, 2008

Signed: William A. Oberle, Jr.

The Senate wishes to inform the House that it has passed **SB 178 w/SA 1**, **SB 222**, **SB 164** & **SB 216** and requests the concurrence of the House and the Senate has passed **HCR 53** and is returning same to the House.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink introduced and brought **HR 59**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 59** - PROCLAIMING TUESDAY, MAY 6, 2008 AS NATIONAL TEACHER DAY.

Representative Lofink made comments.

**HR 59** was adopted by voice vote.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:46 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on May 7, 2008.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 403**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 404**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 405**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 406**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 407**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 408**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 409**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Oberle, do hereby request that my name be removed as cosponsor of **HB 410**.  
Date: May 6, 2008 Signed: William A. Oberle, Jr.

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

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

**26th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
May 7, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Maier – 1.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

Representative Mitchell made comments. The House observed a moment of silence in memory of police officers who have lost their lives in the line of duty at the request of Mr. Acting Speaker.

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

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

The following prefiled legislation was introduced:

**HS 1 for HB 344** - OBERLE & SENATOR MCBRIDE; REPRESENTATIVE MAIER;  
SENATORS ENNIS, SIMPSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to Wind Energy Systems.

**HB 413** - VALIHURA & SENATOR ADAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Seller Financed Sales of Residential Real Estate and Conditional Sales Agreements Involving Real Estate.

**HB 414** - OBERLE & SENATOR HENRY - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Collective Bargaining.

**HB 415** - LOFINK & SENATOR VENABLES - EDUCATION - An Act to Amend Titles 14, 29 and 30 of the Delaware Code to Establish a Community College Infrastructure Fund for the Benefit of Delaware Technical & Community College and to Designate a Revenue Source Therefore. (3/5 bill)

**HB 416** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Interscholastic Athletic Association.

**HA 1 to HS 1 for HB 190** - LOFINK - Placed with the Bill.

**HJR 21** - SPENCE & REPRESENTATIVE BRADY ON BEHALF OF ALL REPRESENTATIVES & SENATOR MCBRIDE ON BEHALF OF ALL SENATORS - HOUSE ADMINISTRATION - Establishing a Trail Parallel to Interstate 95 (I-95) through Delaware Connecting Pennsylvania and Maryland to be Known as "Purple Heart Trail".

**SB 164** - BLEVINS & REPRESENTATIVE CATHCART - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Write-In Candidates

**SB 178 w/SA 1** - BUNTING & REPRESENTATIVE HOCKER; REPRESENTATIVE SCHWARTZKOPF - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Beach Preservation Act.

**SB 216** - DELUCA & SENATOR ADAMS & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to Jurisdiction of the Justice of the Peace Court in Summary Possession Actions.

**SB 222** - BLEVINS & SENATOR SORENSON & SENATOR CONNOR & REPRESENTATIVE MAIER & REPRESENTATIVE SCHOOLEY; SENATORS AMICK, COPELAND, SOKOLA; REPRESENTATIVES HALL-LONG, JOHNSON, KOWALKO, LAVELLE, MARSHALL, MCWILLIAMS, WALLS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Early Childhood Education Program and the Establishment of a Quality Rating and Improvement Program.

Representatives Hocker, B. Short & Schooley requested that they be marked present.

Representative Cathcart deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor for herself and members of the Council of State Governments Executive Committee to present a House Tribute to Alan Sokolow, Executive Director, Eastern Regional Conference, Council of State Governments on the occasion of his retirement. Mr. Sokolow addressed the House and introduced guests. Representative Spence presented Mr. Sokolow with a gift.

Representative Gilligan made an announcement. Representative Manolakos requested that he be marked present. Mr. Acting Speaker made an announcement.

Representative Spence requested that **HJR 8** be stricken.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings introduced and brought **HCR 52**, sponsored by on behalf of All Representatives & jointly sponsored by Senator Bunting on behalf of All Senators, before the House for consideration.

**HCR 52** - TO RECOGNIZE MAY 2008 AS POPPY MONTH IN THE STATE OF DELAWARE.

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, the American Legion Auxiliary has pledged to remind America annually of the debt through the distribution of the memorial flower.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware, the Senate concurring therein, that at the month of May 2008 be recognized as Poppy Month in the State of Delaware and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy.

BE IT FURTHER RESOLVED, that a suitably prepared copy of this resolution be delivered to the American Legion Auxiliary Unit #28 in Millsboro, Delaware.

**HCR 52** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Hastings requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative Hastings requested and was granted privilege of the floor for members of American Legion Auxiliary Unit #28, Millsboro. Carole Baldwin addressed the House. Representative Hastings made comments.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson requested and was granted privilege of the floor for herself and Representative Manolakos. Representative Hudson introduced Barbara Ridge, representing Delaware Association of Children of Alcoholics who addressed the House. Representative Manolakos made comments.

The Reading Clerk read the following communication into the record:

Memo

To: Terry R. Spence, Speaker of the House

From: Representative Pamela S. Maier

Date: 5/7/2008

Re: Absence from session

Please be advised I will be absent from session on May 7 and May 8, 2008 to attend to a family matter.

Mr. Acting Speaker made an announcement.

The Majority Leader moved to recess for caucus at 2:39 p.m.

The House reconvened at 4:08 p.m.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **SB 230**, jointly sponsored by Senator Ennis & All Senators & All Representatives, before the House for consideration.

**SB 230** - AN ACT TO RENAME THE DELAWARE CORRECTIONAL CENTER NEAR SMYRNA IN HONOR OF THE LATE DELAWARE COMMISSIONER OF CORRECTION AND DELAWARE STATE SENATOR, JAMES T. VAUGHN.

Representative Lee, Mr. Acting Speaker & Representative Hall-Long made comments.

The roll call on **SB 230** was taken and revealed:

YES: 40.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **SB 230** was returned to the Senate.

Representatives Lavelle, Mulrooney, Plant, Schwartzkopf, Thornburg & Williams requested that they be marked present during the roll call.

Representative Lee requested and was granted privilege of the floor for James T. Vaughn, Jr., President Judge, Superior Court. Mr. Acting Speaker granted privilege of the floor to Senator Bruce C. Ennis. Representative Cathcart deferred to Representative Thornburg. Representative Thornburg made comments. Representative Ewing requested and was granted personal privilege of the floor to make comments. Representative Cathcart made comments.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle brought **HB 332**, jointly sponsored by Senator Copeland & Representatives Hudson, Maier, Manolakos, Stone & Wagner & Senators Bonini, Cloutier, Connor, Simpson & Sorenson, before the House for consideration.

**HB 332** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO VOTING ON THE BUDGET AND BOND BILLS. (2/3 bill)

Representatives Lavelle, Marshall & Schwartzkopf made comments.

Representative Lavelle moved to place **HB 332** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SB 110 w/SA 1**, jointly sponsored by Senator Sorenson & Senator Blevins & Senators Cloutier, Connor, Henry, Peterson, Sokola & Still & Representatives Ennis, Hall-Long, Johnson, Keeley, Kowalko, Lavelle, Lofink, Longhurst, Maier, Manolakos, Oberle, Plant, Schooley, D. Short, Spence, Valihura & Viola, before the House for consideration.

**SB 110** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RETALIATORY ACTS.

Mr. Acting Speaker ruled that **HA 1 to SB 110** is substantive in nature and that a rules suspension is necessary. Representative B. Short moved to suspend the rules which interfere with introduction of and action on **HA 1 to SB 110**. The motion was seconded by Representative Hudson and adopted by voice vote. Representative B. Short introduced and brought **HA 1 to SB 110**, jointly sponsored by Representative D. Short, before the House for consideration. Representatives B. Short & Hudson made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 110 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representative Maier - 1.

Representative Hocker announced that he did not vote on **SB 110 w/SA 1 & HA1** because of a possible conflict of interest.

Therefore, having received a constitutional majority, **SB 110 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to suspend the rules which interfere with lifting **HB 412** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink brought **HB 412**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 412** - AN ACT DEAUTHORIZING CERTAIN PROJECT BALANCES TO THE GENERAL FUND AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.

Representative Lofink made comments.

The roll call on **HB 412** was taken and revealed:

YES: 40.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **HB 412** was sent to the Senate for concurrence.

Representatives Lofink & Valihura made comments.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **HJR 21**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HJR 21**, jointly sponsored by Representative Brady on behalf of All Representatives & Senator McBride on behalf of All Senators, before the House for consideration.



**HJR 21** - ESTABLISHING A TRAIL PARALLEL TO INTERSTATE 95 (I-95) THROUGH DELAWARE CONNECTING PENNSYLVANIA AND MARYLAND TO BE KNOWN AS "PURPLE HEART TRAIL".

Representative Spence made comments and introduced guests. Representative Spence requested and was granted privilege of the floor for Cornelius C. Carroll, Commissioner, Veterans Affairs and Gary M. Morris, former Commissioner, Veterans Affairs.

The roll call on **HJR 21** was taken and revealed:

YES: 40.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **HJR 21** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **HB 159 w/HA 1 & 3**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura moved to lift **HB 159 w/HA 1 & 3** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **HB 159 w/HA 1 & 3**, jointly sponsored by Senator McBride & Representatives Lofink, Hall-Long, Longhurst, McWilliams, Mulrooney, Brady, Ennis, Kowalko, Marshall & Schooley & Senators McDowell, Sokola, Copeland, Sorenson, Connor & Henry & cosponsored by Representatives Johnson, B. Short & Oberle, before the House for consideration.

**HB 159** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO PROVIDE ASSISTANCE FOR THE ESTABLISHMENT OF PUBLIC AND PRIVATE PROGRAMS TO INCREASE THE LEVEL OF VOLUNTARY RECYCLING AND BENEFICIAL USE OF SOLID WASTE MATERIALS IN DELAWARE. (3/5 bill) (F/I)

Representative Valihura made comments. Representative Valihura deferred to Representative Wagner. Representative Wagner requested that **HA 4 to HB 159** be stricken. Representative Wagner introduced and brought **HA 5 to HB 159** before the House for consideration. Representatives Wagner, Valihura & Booth made comments. Representative Wagner requested and was granted privilege of the floor for David S. Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Booth, Miro, Thornburg, Hudson, Booth & Wagner made comments. **HA 5** was adopted by voice vote. Representatives Booth, Valihura, Miro, Thornburg, D. Short & Valihura made comments.

The roll call on **HB 159 w/HA 1, 3 & 5** was taken and revealed:

YES: 25.

NO: Representatives Blakey, Booth, Carey, Carson, Cathcart, Ewing, Hastings, Hocker, Lavelle, Lee, Miro, Outten, Thornburg & Walls - 14.

ABSENT: Representatives Hall-Long & Maier - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 159 w/HA 1, 3 & 5** was sent to the Senate for concurrence.

Mr. Acting Speaker & Representative Valihura made comments.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle moved to lift **HB 332** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lavelle brought **HB 332**, jointly sponsored by Senator Copeland & Representatives Hudson, Maier, Manolakos, Stone & Wagner & Senators Bonini, Cloutier, Connor, Simpson & Sorenson, before the House for consideration.

**HB 332** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO VOTING ON THE BUDGET AND BOND BILLS. (2/3 bill)

Representative Lavelle introduced and brought **HA 1 to HB 332** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Schwartzkopf, Lavelle & Gilligan made comments.

The roll call on **HB 332 w/HA 1** was taken and revealed:

YES: 34.

NO: Representatives Marshall, Schwartzkopf & Williams - 3.

ABSENT: Representatives Hall-Long, Maier, Plant & Viola - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 332 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 356**, jointly sponsored by Senator Sorenson & Representatives Hocker, Lavelle & Maier, before the House for consideration.

**HB 356** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS.

Representative Hudson made comments.

The roll call on **HB 356** was taken and revealed:

YES: 35.

NO: Representatives Blakey, Schwartzkopf & Williams - 3.  
ABSENT: Representatives Hall-Long, Maier & Plant - 3.  
Therefore, having received a constitutional majority, **HB 356** was sent to the Senate for concurrence.  
Representative Cathcart made an announcement.  
Representative Cathcart deferred to Representative Spence.  
Representative Spence requested that action on **HB 367** be deferred to a Day Certain, Tuesday, May 13, 2008.  
Representative Keeley made announcements.  
Representative Hudson introduced **HB 417**, jointly sponsored by Representative Cathcart & Senator Adams & Senator DeLuca.  
Representative Hudson made an announcement.  
**HB 417** - AN ACT TO AMEND SUBCHAPTER VII-A OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE TELECOMMUNICATIONS TECHNOLOGY INVESTMENT ACT.  
Mr. Acting Speaker assigned **HB 417** to the Telecommunication Internet & Technology Committee.  
Representative Cathcart deferred to Representative Lofink.  
Representative Lofink requested that action on **HS 1 for HB 190** be deferred to a Day Certain, Thursday, May 15, 2008.  
Representative Lofink made announcements.  
The Chief Clerk read the following committee reports into the record:  
JUDICIARY: **HB 375** - 5M; **SB 212** - 5M; **SB 218** - 5M.  
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 377** - 3M.  
The Majority Leader moved to recess to the call of the Chair at 5:37 p.m.  
Mr. Acting Speaker Oberle called the House to order at 2:04 p.m. on May 8, 2008.  
The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

**27th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
May 8, 2008**

The Chief Clerk called the roll:  
Members Present: 39.  
Members Absent: Representatives Maier & Spence – 2.  
A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.  
Mr. Acting Speaker led those present in a pledge of allegiance to the American Flag.  
The minutes of the previous legislative day were approved as posted.  
The following prefiled legislation was introduced:  
**HA 1 to HB 375** - LEE - Placed with the Bill.  
**HA 1 to HB 387** - KEELEY - Placed with the Bill.  
Representative Ewing made an announcement.  
Representative B. Short requested that he be marked present.  
The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #66**

DATE: May 8, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                  |
|---------------|---------------------------------|-------------|-------------|---------------------------------------------------------------------|
| H144-1525     | Williams                        | 4/12/2008   | M           | John Patrick Mulhern, Jr.                                           |
|               | cosponsors: All Representatives |             |             |                                                                     |
| H144-1526     | Johnson                         | 4/26/2008   | T           | George Blunt - 55 Years – Minquadale Fire Company                   |
| H144-1527     | Johnson                         | 4/26/2008   | T           | Frederick Wilson - 55 Years – Minquadale Fire Company               |
| H144-1528     | Johnson                         | 4/26/2008   | T           | Patsy McNeal - 50 Years – Minquadale Ladies Auxiliary               |
| H144-1529     | Johnson                         | 4/26/2008   | T           | Chris Kanich - Junior Fireman of the Year – Minquadale Fire Company |
| H144-1530     | Johnson                         | 4/26/2008   | T           | Terry Masten - Member of Year – Minquadale Fire Company             |
| H144-1531     | Johnson                         | 4/26/2008   | T           | Richard Dougherty - Chief's Award – Minquadale Fire Company         |
| H144-1532     | Lee                             | 4/25/2008   | T           | Red Hat Society Day in Laurel                                       |
| H144-1533     | Hastings                        | 4/28/2008   | T           | Rosalie Bonds - 100th Birthday                                      |
| H144-1534     | Cathcart                        | 4/24/2008   | T           | Middletown High Junior ROTC Drill Team - State Champs               |
| H144-1535     | Hocker; Mitchell                | 5/8/2008    | T           | Bill & Pauline Rogers - 60th Wedding Anniversary                    |
| H144-1536     | Maier                           | 5/3/2008    | T           | Carl & Suzanne Cavanaugh - 50th Wedding Anniversary                 |
| H144-1537     | Wagner                          | 4/26/2008   | T           | Delaware Parents Association - 20th Anniversary                     |
| H144-1538     | Walls                           | 4/25/2008   | T           | Rachel Winston - Arbor Day Poster Contest Winner                    |
| H144-1539     | Keeley                          | 4/25/2008   | T           | Housing Opportunities of Northern                                   |

|           |                                                                                                                                                      |                                                          |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
|           | cosponsors: Reps. Brady, Carey, Hastings, Hocker, Hudson, Johnson, Longhurst, Mitchell, Plant, B. Short, D. Short, Stone, Valihura, Viola & Williams | Delaware - 25th Fair Housing Ceremony                    |
| H144-1540 | Outten                                                                                                                                               | 4/26/2008 M David E. Peterson                            |
| H144-1541 | Outten                                                                                                                                               | 4/23/2008 M Steven Michael Fredericks                    |
|           | cosponsors: All Representatives                                                                                                                      |                                                          |
| H144-1542 | Wagner                                                                                                                                               | 4/21/2008 M James F. Cerillo, Jr.                        |
|           | cosponsors: All Representatives                                                                                                                      |                                                          |
| H144-1543 | Booth                                                                                                                                                | 4/25/2008 T Joseph R. Hudson Wing - Beebe Medical Center |
|           | cosponsor: Rep. Carey                                                                                                                                |                                                          |

HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: May 8, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                                  | Date      | Type | Description                                                                      |
|-----------|----------------------------------------------------------|-----------|------|----------------------------------------------------------------------------------|
| H144-1544 | D. Short                                                 | 4/26/2008 | T    | American Legion Post #6 - 82nd Anniversary                                       |
| H144-1545 | Ewing                                                    | 4/27/2008 | T    | Ann Brenner - Union United Methodist Church Sunday School Hall of Fame           |
| H144-1546 | Keeley                                                   | 4/26/2008 | T    | Barbara Croxton - Community & Church Service                                     |
| H144-1547 | Stone                                                    | 5/5/2008  | T    | Kelli Steele - Governor's Award for Excellence & Commitment in State Service     |
| H144-1548 | Walls                                                    | 5/5/2008  | T    | Shirley Callahan - Governor's Award for Excellence & Commitment in State Service |
| H144-1549 | Blakey                                                   | 5/5/2008  | T    | Robert Bullock - Governor's Award for Excellence & Commitment in State Service   |
| H144-1550 | Spence                                                   | 5/5/2008  | T    | Amy Jacobs - Governor's Award for Excellence & Commitment in State Service       |
| H144-1551 | Carey                                                    | 5/5/2008  | T    | Cheryl Rice - Governor's Award for Excellence & Commitment in State Service      |
| H144-1552 | Manolakos                                                | 5/5/2008  | T    | Michael Cocuzza - Governor's Award for Excellence & Commitment in State Service  |
| H144-1553 | Hall-Long                                                | 5/5/2008  | T    | Kevin Hunter - Governor's Award for Excellence & Commitment in State Service     |
| H144-1554 | Miro                                                     | 5/5/2008  | T    | Samuel Elliott - Governor's Award for Excellence & Commitment in State Service   |
| H144-1555 | Schooley                                                 | 5/4/2008  | T    | Maurice Pritchett - Retirement - Christina Schools                               |
|           | cosponsors: Reps. Johnson, Keeley, Plant, Spence & Viola |           |      | Kowalko, Lofink, Longhurst, Maier, Marshall, Miro, Oberle,                       |
| H144-1556 | Thornburg                                                | 4/24/2008 | T    | Cosmo Ricchuiti - 50 Year Member – American Legion                               |
|           | cosponsor: Rep. Carson                                   |           |      |                                                                                  |
| H144-1557 | Carson                                                   | 4/24/2008 | T    | Prince Congleton - 50 Year Member – American Legion                              |
| H144-1558 | Carson                                                   | 4/24/2008 | T    | William Stafford - 50 Year Member – American Legion                              |
| H144-1559 | Booth                                                    | 5/1//2008 | T    | Ralph Hughes - Water Operator of the Year                                        |
| H144-1560 | Booth                                                    | 5/1//2008 | T    | Richard Buckler - Wastewater Operator of the Year                                |
| H144-1561 | Booth                                                    | 5/1//2008 | T    | Lisa Wood - On-Site Professional of the Year                                     |
| H144-1562 | Booth                                                    | 5/1//2008 | T    | Steve Rohm - Environmental Lifetime Achievement Award                            |
| H144-1563 | Booth                                                    | 5/1//2008 | T    | Keith Hudson - Environmental Lifetime Achievement Award                          |
| H144-1564 | Booth                                                    | 5/1//2008 | T    | Wayne Hudson - Environmental Lifetime Achievement Award                          |

T- Tribute

M – Memoriam

Representative Cathcart brought the following prefiled **Consent Calendar #20** before the House for consideration.

**HR 60** – SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES – Respecting and Honoring All Delaware Mothers on May 11, 2008, Mother’s Day.

**HCR 45** – BLAKEY & REPRESENTATIVE OUTTEN & REPRESENTATIVE STONE & REPRESENTATIVE THORNBURG & REPRESENTATIVE WAGNER & REPRESENTATIVE CARSON & REPRESENTATIVE WALLS & SENATOR COOK & SENATOR ENNIS & SENATOR BONINI & SENATOR STILL – A Resolution Recognizing June 14, 2008 as the 10th Annual Safe Summer Day and Applauding the Safe Summer Day Committee for Their Continued Efforts in Protecting the Health and Well-being of the Children of Kent County.

**Consent Calendar #20** was adopted by voice vote and **HR 60** was declared passed and **HCR 45** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley requested and was granted privilege of the floor to present a House Tribute to Anderson Homes. Mr. Stephen Anderson, representing Anderson Homes, addressed the House. Representative Keeley presented House Tributes to representatives of the University of Delaware; Public Safety Officers from the City of Wilmington; Waste Management, Discover Card, Wilmington Trust, B & F Drywall, Johnny Janosik, Structural Systems and ING for their community service during the Extreme Makeover Home Edition project in Wilmington. Ms. Ju-Juanna Latif, Extreme Makeover Home recipient, addressed the House. Mr. Acting Speaker made comments.

Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to Dr. Jack P. Varsalona, President, Wilmington University, who addressed the House. Representative Cathcart & Mr. Acting Speaker made comments. Representative Johnson requested that he be marked present and made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 231 w/SA1** and is returning same to the House.

May 8, 2008

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Deborah D. Hudson – 12th District  
DATE: May 8, 2008  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to a family emergency. Thank you for your understanding.

#### MEMORANDUM

TO: House of Representatives  
FROM: Terry R. Spence, Speaker of the House  
DATE: May 8, 2008  
RE: Absence from Session

Please excuse my absence from session today; I will be in Washington D.C. on legislative business.

Also, I will be out of the country the week of May 12, 2008, and will not be attending session on May 13th, 14th and 15th.

During my absence from session Rep. William Oberle, Speaker Pro Tempore, will act on behalf of my office concerning any and all issues that may arise.

Thank you.

Representatives Longhurst, Mitchell, Viola, Hocker & Valihura requested that they be marked present. Representative Ewing made an announcement. Representative Wagner introduced a guest. Mr. Acting Speaker made comments. Representative Miro made an announcement. Representative Hall-Long requested and was granted personal privilege of the floor to make comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:42 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:42 P.M.: Representatives Carey, Hastings, Lee & Mulrooney.

Mr. Speaker Pro Tempore Oberle called the House to order at 3:05 p.m. on May 13, 2008.

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

HEALTH & HUMAN DEVELOPMENT: **HB 370** - 6M; **HB 378** - 6M; **HB 379** - 7M; **HB 381** - 7M; **HB 384** - 6M.

ENERGY AND NATURAL RESOURCES: **HB 388** - 11M; **HB 389** - 10M; **HB 390** - 11M; **HB 401** - 10M.

Representatives Hudson, Stone, Lofink & Gilligan requested that they be marked present for the current Legislative Day. Representatives Valihura & Ewing made announcements. Representatives, Schooley & McWilliams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 214 w/SA 1** and requests the concurrence of the House and the Senate has passed **HCR 45 & HCR 52** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 242 & SB 237** and requests the concurrence of the House and the Senate has passed **HB 347 w/HA 1, HB 412 & HB 248 w/SA 1** and is returning the same to the House.

The Majority Leader moved to adjourn at 3:08 p.m., thereby ending the current legislative day. The House reconvened at 3:09 p.m.

#### 28th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session

May 13, 2008

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Spence – 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.  
Mr. Speaker pro Tempore led those present in a pledge of allegiance to the American Flag.  
The minutes of the previous legislative day were approved as posted.  
The following prefiled legislation was introduced:

**HS 1 for HB 216** - MARSHALL & SENATOR HENRY; REPRESENTATIVES KEELEY, MAIER, MCWILLIAMS, VALIHURA; SENATOR CONNOR - AGRICULTURE - An Act to Amend Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

**HS 1 for HB 374** - VALIHURA & SENATOR DELUCA; REPRESENTATIVE MITCHELL; SENATORS ADAMS, COOK, MCDOWELL, AMICK, CLOUTIER, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Litigation and Court Procedure.

**HB 418** - HOCKER & SENATOR MCBRIDE; REPRESENTATIVES CATHCART, LEE, BOOTH, CAREY, EWING, MIRO, OUTTEN, D. SHORT, THORNBURG, VALIHURA, WAGNER, BRADY, MCWILLIAMS, MULROONEY, VIOLA, WALLS, WILLIAMS; SENATORS VENABLES, CONNOR, SIMPSON - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Clean Air Act Title V Operating Permit Program.

**HB 419** - CATHCART & SENATOR COPELAND; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Creating a Community Mental Health Treatment Act.

**HB 420** - LOFINK & SENATOR VENABLES - EDUCATION - An Act to Establish a Community College Infrastructure Fund for the Benefit of Delaware Technical and Community College and to Designate a Revenue Source Therefor. (3/5 bill)

**HB 421** - SCHWARTZKOPF; REPRESENTATIVES BRADY, CAREY, CARSON, EWING, HALL-LONG, HOCKER, KOWALKO, LOFINK, MANOLAKOS, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, PLANT, SCHOOLEY, B. SHORT, D. SHORT, VALIHURA, WALLS; SENATORS BLEVINS, BUNTING, HENRY, MARSHALL, PETERSON, SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HA 1 to HB 371** - HUDSON - Placed with the Bill.

**HA 1 to HB 378** - HALL-LONG - Placed with the Bill.

**SB 214 w/SA 1** - DELUCA & REPRESENTATIVE HOCKER; SENATORS BUNTING, ENNIS, HENRY; REPRESENTATIVES BRADY, KEELEY, VIOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to Tax Increment Financing and Special Development Districts.

**SB 237** - HENRY & REPRESENTATIVE WALLS; REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 11 and 21 of the Delaware Code Relating to Motor Vehicle Offenses Subject to Voluntary Assessment and Probation Before Judgment.

**SB 242** - ADAMS & SENATOR DELUCA; REPRESENTATIVES SPENCE, VALIHURA, WAGNER - JUDICIARY - An Act Proposing an Amendment to Article IV of the Delaware Constitution of 1897, as Amended, Relating to the Judiciary and the Chief Magistrate of the Justice of the Peace Court. (2/3 bill)

The Chief Clerk introduced Adanna Hydes, Supervisor, House Services, Kentucky Legislative Research Commission.

Representatives Cathcart & Gilligan made announcements.

Representative Cathcart deferred to Representative Hudson.

Mr. Speaker pro Tempore reassigned **HB 392** to the Health & Human Development Committee.

Representative Hudson introduced and brought **HCR 54**, jointly sponsored by Representative Spence & Representative Miro on behalf of All Representatives & Senator McBride on behalf of All Senators, before the House for consideration.

**HCR 54** - WELCOMING THE TAIWAN REPRESENTATIVE TO THE U.S., DR. JAUSHIEH JOSEPH WU, TO DELAWARE AND LOOKING FORWARD TO CONTINUED TRADE AND CULTURAL EXCHANGES WITH TAIWAN.

Representative Hudson made comments.

Representative Hudson requested and was granted privilege of the floor for Dr. Jaushieh Joseph Wu who addressed the House. Representative Hudson made a comment.

**HCR 54** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura. Representative Valihura made comments. Representative Marshall requested and was granted privilege of the floor for herself and Representative Valihura to present a House Tribute to Franny Haney, coordinator, Mock Trial Competition, who addressed the House. Mr. Speaker pro Tempore made comments. Representative Cathcart deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Hastings requested and was granted personal privilege of the floor to introduce guests. Representative D. Short requested that he be marked present.

The Majority Leader moved to recess for caucus at 3:32 p.m.

The House reconvened at 4:55 p.m. with Representative Booth as Acting Speaker.

Representatives Valihura, Maier, Ewing, Blakey, Hocker, Thornburg, Cathcart & Lofink made announcements. Representative Williams requested that he be marked present.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 208 w/SA 1**, jointly sponsored by Senator Ennis & Representative Lee & Senators Adams, Amick, Blevins, Connor, Copeland, Simpson, Still & Venables & Representatives Blakey, Booth, Brady, Carey, McWilliams, Thornburg & Williams & cosponsored by Representative Outten, before the House for consideration.

**SB 208** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Representative Williams brought **HA 1 to SB 208** before the House for consideration.

Representatives Williams & Ewing made comments. **HA 1** was adopted by voice vote. Representative Ewing made comments.

The roll call on **SB 208 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **SB 208 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Cathcart deferred to Representative Maier.

Representative Maier deferred to Representative Valihura.

Representative Valihura brought **HB 377**, sponsored by Senator Henry & Representative Maier & Representatives Spence, Hudson, Lavelle, Wagner & Kowalko & Senators Copeland & Simpson, before the House for consideration.

**HB 377** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ACUPUNCTURE ADVISORY COUNCIL AND LICENSING OF ACUPUNCTURE. (2/3 bill)

Representative Valihura deferred to Representative Maier. Representative Maier introduced and brought **HA 1 to HB 377** before the House for consideration. Representative Maier made a comment. **HA 1** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 377 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 377 w/HA 1** was sent to the Senate for concurrence.

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

Representative Cathcart deferred to Representative B. Short.

Representative B. Short brought **HB 231 w/SA 1**, jointly sponsored by Representatives Brady, Cathcart, Ennis, Hall-Long, Hastings, Keeley, Lofink, Marshall, McWilliams, Oberle, D. Short, Spence & Valihura & Senators McDowell & Sokola, before the House for concurrence on **SA 1**.

**HB 231** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REGULATIONS GOVERNING THE DESIGN AND OPERATION OF SCHOOL BUSES.

Representative B. Short made comments.

The roll call on **HB 231 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 231 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Mitchell.

Representative Mitchell brought **SB 197**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 197** - AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO THE COLLECTION OF DELINQUENT PROPERTY TAXES. (2/3 bill)

Representative Mitchell made comments.

The roll call on **SB 197** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 197** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura, Oberle, Lavelle & Gilligan made comments. Representative Ewing made an announcement.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner brought **HB 248 w/SA 1**, jointly sponsored by Representative Maier & Senator Peterson & Senator Sokola, before the House for concurrence on **SA 1**.

**HB 248** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION AND MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

Representative Wagner made comments.

The roll call on **HB 248 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 248 w/SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 370**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier, Longhurst & Schooley & Senators McDowell, Bonini & Connor & cosponsored by Representative Manolakos, before the House for consideration.

**HB 370** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT.

Representative Valihura made comments.

The roll call on **HB 370** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 370** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 355**, jointly sponsored by Representatives Carson, Ewing, Keeley, Kowalko, Longhurst, Manolakos, Mitchell, Outten, Schooley & Williams & Senators Henry, Marshall & McDowell, before the House for consideration.

**HB 355** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS.

Representative Brady introduced and brought **HA 1 to HB 355** before the House for consideration. Representative Brady requested that **HA 1** be stricken. Representative Brady introduced and brought **HA 2 to HB 355** before the House for consideration. Representatives Brady & D. Short made comments.

The roll call on **HA 2 to HB 355** was taken and revealed:

YES: 38.

NO: Representative D. Short - 1.

ABSENT: Representatives Lavelle & Spence - 2.

Therefore, having received a constitutional majority, **HA 2 to HB 355** was declared passed.

Representatives Brady, Hudson & Maier made comments.

The roll call on **HB 355 w/HA 2** was taken and revealed:

YES: 36.

NO: Representatives Hastings, D. Short & Stone - 3.

ABSENT: Representatives Lavelle & Spence - 2.

Therefore, having received a constitutional majority, **HB 355 w/HA 2** was sent to the Senate for concurrence.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 54** and is returning the same to the House.

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

HOUSE ADMINISTRATION: **HB 257** - 3M; **HB 314** - 4M; **HB 333** - 4M; **HB 365** - 4M; **HB 368** - 3M; **SB 195** - 2M,2U.

JUDICIARY: **HS 1 for HB 374** - 5M; **HB 371** - 1F,5M; **HB 396** - 6M; **SB 217 w/SA 1** - 6M; **SB 219** - 6M;

The Majority Leader moved to recess to the call of the Chair at 5:52 p.m.

Mr. Speaker pro Tempore Oberle called the House to order at 2:00 p.m. on May 14, 2008.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 265** and requests the concurrence of the House.

Representative Hudson requested that **HB 395** be stricken.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

## **29th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session May 14, 2008**

The Chief Clerk called the roll:

Representative Cathcart made an announcement. Representative Lofink & Mr. Speaker pro Tempore introduced guests. Mr. Speaker pro Tempore made an announcement. Representative Cathcart deferred to Representative Longhurst. Representative Longhurst made comments.

Members Present: 39.

Members Absent: Representatives Lavelle & Spence – 2.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Speaker pro Tempore led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 422** - WALLS; REPRESENTATIVES BRADY, CAREY, CARSON, EWING, HALL-LONG, HOCKER, KEELEY, LEE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, PLANT, B. SHORT, D. SHORT, THORNBURG, VALIHURA, VIOLA, WILLIAMS; SENATORS ADAMS, COOK, SIMPSON, VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to Protected Wildlife. (2/3 bill)

**HA 1 to HB 386** - WAGNER - Placed with the Bill.

**HA 1 to HB 403** - CATHCART - Placed with the Bill.

**HA 1 to HB 410** - CATHCART - Placed with the Bill.

**SB 265** - VENABLES & REPRESENTATIVE LOFINK; SENATORS BLEVINS, COOK, MCDOWELL, SIMPSON, STILL; REPRESENTATIVES CAREY, LAVELLE, STONE, MULROONEY, VIOLA - CAPITAL INFRASTRUCTURE - An Act Deauthorizing Certain Project Balances to the General Fund and Depositing Certain Funds of the State to the General Fund.

**HA 1 to SB 109** - HOCKER & REPRESENTATIVE LAVELLE & REPRESENTATIVE VALIHURA - Placed with the Bill.

Representative Longhurst made comments. Representative Cathcart requested and was granted privilege of the floor for students and coaches from the Appoquinimink School District who participated in the Odyssey of the Mind Competition. Representatives Cathcart, Hall-Long, Lofink & Mr. Speaker pro Tempore made comments. The students and coaches announced their names for the record. Mr. Speaker pro Tempore introduced guests.

Representatives Kowalko, Mitchell, Brady, Walls & Gilligan requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: May 14, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                    | Sponsor           | Date      | Type | Description                                                |
|---------------------------|-------------------|-----------|------|------------------------------------------------------------|
| H144-1565                 | Booth             | 5/1/2008  | T    | John Hanley - Environmental Lifetime Achievement Award     |
| H144-1566                 | Wagner            | 4/26/2008 | T    | Arlene Dennis & Howard Samuels – Marriage                  |
| H144-1567                 | Stone;Wagner      | 5/2/2008  | T    | Old Dover Days Festival - 75th Anniversary                 |
| H144-1568                 | Spence            | 3/22/2008 | T    | Dr. Ying-Jeou Ma -12th President – Taiwan                  |
| H144-1569                 | Spence            | 3/22/2008 | T    | Mr. Van-Chang Siew - Vice President – Taiwan               |
| H144-1570                 | Ewing             | 4/17/2008 | T    | Ronald & Audrey Tyndall - Outstanding Poultry Producer     |
| H144-1571                 | Maier             | 4/22/2008 | M    | David M. Prylucki                                          |
| H144-1572                 | Stone; Wagner     | 4/26/2008 | M    | Melville F. Warren, Sr.                                    |
| H144-1573                 | Brady             | 4/27/2008 | M    | Edwin Kenneth Taylor                                       |
| H144-1574                 | Keeley            | 5/18/2008 | T    | Matthew Silva - Eagle Scout                                |
| H144-1575                 | Wagner            | 5/3/2008  | T    | Laura Bogdziewicz & J. Stites McDaniel, IV - Marriage      |
| H144-1576                 | D. Short          | 5/3/2008  | T    | Nanticoke Little League - 50th Anniversary                 |
| H144-1577                 | Booth             | 4/8/2008  | T    | Mr. & Mrs. John Hayes - 60th Wedding Anniversary           |
| H144-1578                 | D. Short          | 4/19/2008 | T    | Travis & Lorraine Kouts - 50th Wedding Anniversary         |
| H144-1579                 | Outten            | 5/3/2008  | T    | Melvin Wyatt - Outstanding Community Service               |
| H144-1580                 | D. Short          | 5/4/2008  | T    | Deacon Vernon Roberts - Service to Church - Happy Birthday |
| H144-1581                 | Keeley; Plant     | 5/3/2008  | T    | Comcast - 7th Annual Comcast Cares Day                     |
| H144-1582                 | Stone             | 5/2/2008  | T    | Spence's Bazaar - 75th Anniversary                         |
| H144-1583                 | Maier             | 4/27/2008 | M    | George William Hoover                                      |
| H144-1584                 | Stone             | 4/30/2008 | M    | E. D. Bryan                                                |
| cosponsor: Rep. Wagner    |                   |           |      |                                                            |
| H144-1585                 | Lofink            | 5/3/2008  | T    | Joseph Benson - 70th Birthday                              |
| cosponsor: Rep. Longhurst |                   |           |      |                                                            |
| H144-1586                 | Wagner            | 4/30/2008 | M    | Joseph Douglas Tull                                        |
| H144-1587                 | Hudson            | 5/1/2008  | M    | Bettyann Jennings DiSabatino                               |
| H144-1588                 | Wagner; Thornburg | 5/9/2008  | T    | Sharese McGhee - Retirement - Department of State          |
| H144-1589                 | Stone; Wagner     | 5/1/2008  | M    | Retired Lieutenant Colonel Fred W. O'Nions                 |
| H144-1590                 | D. Short          | 5/7/2008  | T    | Thomas Makowski & Pat Gallagher – Mission of Caring        |

HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: May 14, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:



| <u>Number</u> | <u>Sponsor</u>     | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                     |
|---------------|--------------------|-------------|-------------|------------------------------------------------------------------------|
| H144-1591     | Hudson             | 5/7/2008    | T           | Alan Sokolow - Executive Director – ERC/CSG - Retirement               |
| H144-1592     | Cathcart           | 5/8/2008    | T           | Wilmington University - Becoming a University                          |
| H144-1593     | Lee                | 5/9/2008    | T           | Lions of Multiple District - Kusiak Lions Youth Foundation             |
| H144-1594     | Wagner;<br>Blakey  | 5/9/2008    | T           | Michele Rigby & Dave Mihock - Marriage                                 |
| H144-1595     | Ewing              | 5/8/2008    | T           | Woodbridge Basketball - Henlopen Conference Champions                  |
| H144-1596     | Carson             | 5/4/2008    | T           | Jane Jacobs - 80th Birthday                                            |
| H144-1597     | Walls              | 6/7/2008    | T           | Leroy & Shirley Hitchens - 50th Wedding Anniversary                    |
| H144-1598     | Carey;<br>Cathcart | 6/14/2008   | T           | Tyler Nelson Eddy - Eagle Scout                                        |
| H144-1599     | Manolakos          | 5/2/2008    | T           | Judson Wagner - Presidential Award for Excellence                      |
| H144-1600     | B. Short           | 5/27/2008   | T           | Phyllis Ray - Retirement - Brandywine Schools                          |
| H144-1601     | Keeley             | 5/8/2008    | T           | Anderson Homes - Extreme Makeover:<br>Home Edition Participant         |
| H144-1602     | Keeley             | 5/8/2008    | T           | ING - Extreme Makeover: Home Edition Participant                       |
| H144-1603     | Keeley             | 5/8/2008    | T           | Discover - Extreme Makeover: Home Edition Participant                  |
| H144-1604     | Keeley             | 5/8/2008    | T           | University of Delaware - Extreme<br>Makeover: Home Edition Participant |
| H144-1605     | Keeley             | 5/8/2008    | T           | Wilmington Trust - Extreme Makeover:<br>Home Edition Participant       |
| H144-1606     | Keeley             | 5/8/2008    | T           | Waste Management - Extreme Makeover:<br>Home Edition Participant       |
| H144-1607     | Keeley             | 5/8/2008    | T           | Structural Systems - Extreme Makeover:<br>Home Edition Participant     |
| H144-1608     | Keeley             | 5/8/2008    | T           | B & F Drywall - Extreme Makeover: Home<br>Edition Participant          |
| H144-1609     | Keeley             | 5/8/2008    | T           | Johnny Janosik - Extreme Makeover: Home<br>Edition Participant         |
| H144-1610     | D. Short           | 5/31/2008   | T           | Joshua Christopher Dill - Eagle Scout                                  |
| H144-1611     | Spence;<br>Wagner  | 5/8/2008    | T           | Mae Bowen - Normandy Nightingale – World War II                        |
| H144-1612     | Spence;<br>Wagner  | 5/8/2008    | T           | Grace McDonnell - Army Nurse - World War II                            |
| H144-1613     | Spence;<br>Wagner  | 5/8/2008    | T           | Idabelle Isaacs - Public Health Nurse                                  |
| H144-1614     | Keeley             | 5/8/2008    | T           | City of Wilmington - Extreme Makeover:<br>Home Edition Participant     |

#### HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: May 14, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>       | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                              |
|---------------|----------------------|-------------|-------------|---------------------------------------------------------------------------------|
| H144-1615     | Stone                | 5/9/2008    | T           | Dover Air Force Base - Commander-in-<br>Chief's Award - Installation Excellence |
| H144-1616     | Wagner               | 3/15/2008   | T           | Jennifer Mills & Alfred Dittman, III – Marriage                                 |
| H144-1617     | Wagner               | 5/2/2008    | M           | Pierre V. Stevens                                                               |
| H144-1618     | Outten               | 5/6/2008    | M           | Dr. Zosimo A. Buendia                                                           |
| H144-1619     | Oberle               | 5/10/2008   | T           | Insulators Local 42 - 93rd Anniversary                                          |
| H144-1620     | Wagner; Walls        | 5/14/2008   | T           | Linda Jones - All Star Award Winner – Health Care Facilities                    |
| H144-1621     | Booth;<br>D. Short   | 5/14/2008   | T           | Melissa Banks-Sockriter - All Star Award –<br>Health Care Facilities            |
| H144-1622     | Williams;<br>Lavelle | 5/14/2008   | T           | Dorothea Malcolm - All Star Award Winner<br>- Health Care Facilities            |
| H144-1623     | Stone;<br>Wagner     | 5/14/2008   | T           | Catrina Ansbach - All Star Award Winner –<br>Health Care Facilities             |
| H144-1624     | Keeley;<br>Plant     | 5/14/2008   | T           | Jacqueline Jasinski - All Star Award Winner<br>- Health Care Facilities         |

|              |                       |           |   |                                                                   |
|--------------|-----------------------|-----------|---|-------------------------------------------------------------------|
| H144-1625    | Maier;<br>McWilliams  | 5/14/2008 | T | Guy Townsend - All Star Award Winner – Health Care Facilities     |
| H144-1626    | Cathcart;<br>Wagner   | 5/14/2008 | T | John Fink - All Star Award Winner - Health Care Facilities        |
| H144-1627    | B. Short;<br>Valihura | 5/14/2008 | T | Robert Greer - All Star Award Winner – Health Care Facilities     |
| H144-1628    | D. Short              | 5/14/2008 | T | Christy Potter - All Star Award Winner – Health Care Facilities   |
| H144-1629    | Hudson;<br>McWilliams | 5/14/2008 | T | Judith DeStafney - All Star Award Winner – Health Care Facilities |
| H144-1630    | Hall-Long;<br>Wagner  | 5/14/2008 | T | James Adams - All Star Award Winner – Health Care Facilities      |
| H144-1631    | Wagner                | 5/14/2008 | T | Deborah Rudis - All Star Award Winner – Health Care Facilities    |
| H144-1632    | Hudson                | 5/14/2008 | T | Tracy Hersh - All Star Award Winner – Health Care Facilities      |
| H144-1633    | B. Short              | 5/14/2008 | T | Patricia Hackett - All Star Award Winner – Health Care Facilities |
| H144-1634    | Spence                | 5/14/2008 | T | Laurence Lane - All Star Award Winner – Health Care Facilities    |
| H144-1635    | Hastings              | 5/4/2008  | T | Ronnie Wootten - 35 Years Service - Grace United Methodist Church |
| H144-1636    | Wagner                | 5/17/2008 | T | Anne-Marie Eggleston & Larry Koewing – Marriage                   |
| H144-1637    | Schooley              | 6/1/2008  | T | David Boyd - Eagle Scout                                          |
| H144-1638    | Ewing                 | 6/7/2008  | T | Leon & Betty Rust - 50th Wedding Anniversary                      |
| T- Tribute   |                       |           |   |                                                                   |
| M - Memoriam |                       |           |   |                                                                   |

Representative Cathcart brought the following prefiled **Consent Calendar #21** before the House for consideration.

**HCR 55 – WAGNER & SENATOR COPELAND AND REPRESENTATIVES SPENCE, LEE, CAREY, HOCKER, HUDSON, LAVELLE, MAIER, OBERLE, OUTTEN, D. SHORT, THORNBURG, CARSON & KOWALKO & SENATOR STILL** – Requiring the Department of Education to Develop Cost Saving Estimates and Implementation Timeline for the Delaware Student Testing Program for 2009 and 2010.

**HCR 56 – LOFINK ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS** – Thanking the Parent Teacher Association (the “PTA”) for Its 111 Years of Service and Dedication to Our Children, Our Schools and Our Communities.

**Consent Calendar #21** was adopted by voice vote and **HCR 55 & HCR 56** were sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker requested that **HB 372** be stricken.

Representative Mulrooney requested that he be marked present.

Representative Hocker moved to suspend the rules which interfere with introduction of and action on **HB 423**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Hocker introduced and brought **HB 423**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 423 - AN ACT TO AMEND CHAPTER 59, VOLUME 63, LAWS OF DELAWARE, AS AMENDED RELATING TO THE CHARTER OF THE TOWN OF DEWEY BEACH, DELAWARE, TO ADD TO THE PROVISIONS OF SECTION 23 (13) THE POWER AND AUTHORITY TO CONDUCT REFERENDUM SPECIAL ELECTIONS ON CERTAIN ORDINANCES ADOPTED BY TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH, TO AMEND SECTION 5(b) BY DESIGNATING NOT LESS THAN TWO (2) OF THE TOWN COMMISSIONERS AS RESIDENT COMMISSIONERS, TO AMEND SECTION 22(a) BY DESIGNATING THE TOWN'S FISCAL YEAR AS APRIL 1 THROUGH MARCH 31, AND BY ADDING A NEW SECTION 33 TO PROHIBIT GAMBLING WITHIN THE TOWN LIMITS. (2/3 bill)**

Representative Hocker moved to place **HB 423** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representatives Keeley & McWilliams requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:32 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:32 P.M.: Representatives Lee, Marshall, Schooley, Schwartzkopf, B. Short, Thornburg, Valihura, Viola & Williams.

Mr. Speaker pro Tempore Oberle called the House to order at 2:05 p.m. on May 15, 2008.

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

HEALTH & HUMAN DEVELOPMENT: **HB 405** - 6M; **HB 411** - 6M; **HB 404** - 6M; **HB 406** - 6M; **HB 392** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 261** - 5M; **SB 221 w/SA 1** - 5M.

REVENUE & FINANCE: **SB 109** - 1F,6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 248 w/SA 1 & 3** & **SB 256 w/SA 1** and requests the concurrence of the House and the Senate has passed **HCR 56** and is returning the same to the House.

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

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

**30th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
May 15, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Spence – 1.

The House observed a moment of silence in memory of Eugene A. Matlusky and Alfred A. Stango at the request of Representatives Lee & Booth.

A prayer was offered by Representative Gregory A. Hastings, Forty-First Representative District.

Mr. Speaker pro Tempore led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 424** - HUDSON & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Regarding Voluntary and Mandatory Testing of Offenders Convicted of Certain Sex Crimes.

**HB 425** - OBERLE & REPRESENTATIVE GILLIGAN & SENATOR SORENSON & SENATOR HENRY; REPRESENTATIVES SPENCE, MAIER, SCHOOLEY; SENATOR COPELAND - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 and Title 21 of the Delaware Code Relating to the Crossing of Roadways by Pedestrians. (2/3 bill)

**HA 1 to HCR 50** - KOWALKO - Placed with the Bill.

**SB 248 w/SA 1 & 3** - ENNIS & REPRESENTATIVE HALL-LONG; SENATORS AMICK, CLOUTIER, CONNOR, MCDOWELL, SIMPSON, SOKOLA, SORENSON, STILL; REPRESENTATIVES CARSON, EWING, KEELEY, KOWALKO, LEE, LONGHURST, MITCHELL, OBERLE, PLANT, SPENCE, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to a Level 1 Learner's Permit. (2/3 bill)

**SB 256 w/SA 1** - HENRY; SENATORS ENNIS, MCDOWELL, PETERSON, SORENSON, CONNOR; REPRESENTATIVES KEELEY, JOHNSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16 and 29 of the Delaware Code Relating to the Department of Health and Social Services, Death Certificates, and Cemeteries. (3/5 bill)

Representatives Keeley & Carson requested that they be marked present. Representative Lee deferred to Representative Hastings. Representative Hastings requested and was granted personal privilege of the floor to introduce guests. Representative Marshall requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker pro Tempore made comments and introduced a guest.

Mr. Speaker pro Tempore assigned **HB 405** & **HB 406** to the Appropriations Committee.

Representative Valihura requested and was granted privilege of the floor to introduce guests and to present a House Tribute to Elizabeth R. Roche, Founding President, Winning Women of the First State Series. Ms. Roche addressed the House. Mr. Speaker pro Tempore made comments.

Representative Lee deferred to Representative Hocker.

Representative Hocker made an announcement.

Representatives Schwartzkopf & Longhurst requested that they be marked present.

The Majority Whip moved to recess for caucus at 2:18 p.m.

The House reconvened at 5:34 p.m.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink moved to suspend the rules which interfere with action on **SB 265**. The motion was properly seconded and adopted by voice vote.

Representative Lofink brought **SB 265**, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Simpson & Still & Representatives Carey, Lavelle, Stone, Mulrooney & Viola, before the House for consideration.

**SB 265** - AN ACT DEAUTHORIZING CERTAIN PROJECT BALANCES TO THE GENERAL FUND AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.

Representative Lofink made comments.

The roll call on **SB 265** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **SB 265** was returned to the Senate.

Representatives Cathcart, Miro, Mulrooney, Plant, B. Short, Stone, Wagner, Williams & McWilliams requested that they be marked present during the roll call.

Mr. Speaker pro Tempore made comments regarding **SB 265**.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker moved to lift **HB 423** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Hocker brought **HB 423**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 423** - AN ACT TO AMEND CHAPTER 59, VOLUME 63, LAWS OF DELAWARE, AS AMENDED RELATING TO THE CHARTER OF THE TOWN OF DEWEY BEACH, DELAWARE, TO ADD TO THE PROVISIONS OF SECTION 23 (13) THE POWER AND AUTHORITY TO CONDUCT REFERENDUM SPECIAL ELECTIONS ON CERTAIN ORDINANCES ADOPTED BY TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH, TO AMEND SECTION 5(b) BY DESIGNATING NOT LESS THAN TWO (2) OF THE TOWN COMMISSIONERS AS RESIDENT COMMISSIONERS, TO AMEND SECTION 22(a) BY DESIGNATING THE TOWN'S FISCAL YEAR AS APRIL 1 THROUGH MARCH 31, AND BY ADDING A NEW SECTION 33 TO PROHIBIT GAMBLING WITHIN THE TOWN LIMITS. (2/3 bill)

Representative Hocker made comments.

The roll call on **HB 423** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 423** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink brought **HS 1 for HB 190**, jointly sponsored by Senator Sokola & Senator Amick & Representatives Cathcart, Mulrooney, Oberle, Outten, Plant, Spence & Viola, before the House for consideration.

**HB 190** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A SPORTS LOTTERY.

Representative Lofink made comments. Representative Lofink brought **HA 1 to HS 1 for HB 190** before the House for consideration. Representative Gilligan announced that he will not be voting on **HS 1 for HB 190** because of a possible conflict of interest. Representative Lofink introduced and brought **HA 1 to HA 1 to HS 1 for HB 190** before the House for consideration. Representative Lofink made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Lofink made comments. **HA 1 w/HA 1 to HA 1** was adopted by voice vote. Representative Lofink made comments. Representative Valihura requested and was granted privilege of the floor for David Remes, counsel, National Football League. Representatives Lofink, Cathcart & Wagner made comments. Mr. Speaker pro Tempore granted privilege of the floor to Jihad Beauchman, counsel, National Football League. Representatives Wagner, Valihura, Lavelle & Booth made comments. Representative Hudson introduced and brought **HA 2 to HS 1 for HB 190** before the House for consideration. Representative Hudson made a comment. Mr. Speaker pro Tempore ruled that **HA 2 to HS 1 for HB 190** contains a typographical error which can be rectified by the codifiers. Representatives Hudson & Lofink made comments. Mr. Speaker pro Tempore announced that he will not be participating in the debate or voting on **HS 1 for HB 190 w/HA 1 & HA 1 to HA 1** because of a possible conflict of interest. Representative Hudson made comments. Representative Lofink requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Lofink & Hudson made comments. Mr. Speaker pro Tempore ruled that a three-fifths majority is required on **HS 1 for HB 190** if **HA 2** is adopted. Representatives Lofink & Hudson made comments.

The roll call on **HA 2 to HS 1 for HB 190** was taken and revealed:

YES: Representatives Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Stone & Valihura - 10.

NO: 28.

NOT VOTING: Representatives Gilligan & Oberle - 2.

ABSENT: Representative Spence - 1.

Therefore, not having received a constitutional majority, **HA 2 to HS 1 for HB 190** was declared defeated.

Representative Lofink made a comment.

The roll call on **HS 1 for HB 190 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 28.

NO: Representatives Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier & Valihura - 10.

NOT VOTING: Representatives Gilligan & Oberle - 2.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 190 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

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

ENERGY AND NATURAL RESOURCES: **HB 418** - 6F,2M; **SB 228 w/SA 1** - 1F,6M,1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 174 w/HA 1 & SA 1 & 2, SB 239 w/SA 1, SB 244, SB 261, SB 247 & SB 246 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 323 w/HA 1 & HB 286 w/SA 1 & HB 320** and is returning the same to the House.

Representative Keeley requested and was granted personal privilege of the floor to introduce a guest.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner led those present in singing “Happy Birthday” to Representative Keeley.

The Majority Leader moved to recess to the call of the Chair at 6:32 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:26 p.m. on June 3, 2008.

The Majority Leader moved to adjourn at 2:28 p.m., thereby ending the current legislative day. The House reconvened at 2:29 p.m.

**31st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
June 3, 2008**

The Chief Clerk called the roll:

Members Present:

Members Absent:

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

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

The following out of session prefiled legislation was introduced:

May 29, 2008

**HS 1 for HB 416** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Interscholastic Athletic Association.

**HB 426** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code to Grant the Public Service Commission Authority to Enforce Federal Pipeline Safety Regulations.

**HB 427** - VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA; REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON, MITCHELL; SENATORS ADAMS, COOK, MCDOWELL, AMICK, SIMPSON - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships.

**HB 428** - VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA; REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON, MITCHELL; SENATORS ADAMS, COOK, MCDOWELL, AMICK, SIMPSON - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulations, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships.

**HB 429** - VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA; REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON, MITCHELL; SENATORS ADAMS, COOK, MCDOWELL, AMICK, SIMPSON - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

**HB 430** - HASTINGS & SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 431** - KEELEY & REPRESENTATIVE WAGNER & REPRESENTATIVE MARSHALL & REPRESENTATIVE THORNBURG & REPRESENTATIVE BOOTH & REPRESENTATIVE VALIHURA & SENATOR SIMPSON & SENATOR CONNOR & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES CARSON, HOCKER, LONGHURST, MAIER, MANOLAKOS, D. SHORT, STONE, VIOLA, WALLS; SENATORS ENNIS, HENRY, SOKOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Judicial Branch Emergencies.

**HB 432** - KEELEY & REPRESENTATIVE MARSHALL & REPRESENTATIVE THORNBURG & REPRESENTATIVE WAGNER & REPRESENTATIVE BOOTH & REPRESENTATIVE VALIHURA & SENATOR CONNOR & SENATOR SIMPSON & SENATOR SORENSON; REPRESENTATIVES CARSON, HALL-LONG, LONGHURST, MAIER, STONE; SENATORS BLEVINS, ENNIS, HENRY, MARSHALL, SOKOLA - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article XVII, Section 1 of the Constitution of Delaware Relating to Continuity of Government Operations. (2/3 bill)

**HB 433** - WALLS; REPRESENTATIVES BRADY, CAREY, CARSON, EWING, HALL-LONG, HOCKER, KEELEY, LEE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN,

PLANT, B. SHORT, D. SHORT, THORNBURG, VALIHURA, VIOLA, WILLIAMS; SENATORS ADAMS, COOK, SIMPSON, VENABLES - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Protected Wildlife.

**HB 434** - KEELEY & SENATOR ENNIS; REPRESENTATIVES JOHNSON, LONGHURST, MAIER, MITCHELL, MULROONEY, SCHOOLEY, SCHWARTZKOPF, B. SHORT, WILLIAMS; SENATORS BLEVINS, HENRY, PETERSON - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Continuous Remote Alcohol Monitoring Pilot Program.

**HB 435** - KEELEY; REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, KOWALKO, LONGHURST, MAIER, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, STONE, VALIHURA, WAGNER; SENATORS BUNTING, CONNOR, MARSHALL, SIMPSON, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to Reporting by Elected Public Officers.

**HB 436** - KEELEY & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LAVELLE; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, JOHNSON, KOWALKO, LONGHURST, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, VIOLA, WALLS, WILLIAMS, HOCKER, MIRO, D. SHORT, STONE, WAGNER; SENATORS BUNTING, CONNOR, MARSHALL, PETERSON, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.

**HB 437** - MIRO & SENATOR STILL - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**HB 438** - SPENCE & SENATOR BLEVINS; REPRESENTATIVES CATHCART, LEE, BLAKEY, CAREY, EWING, HOCKER, LOFINK, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, GILLIGAN, KEELEY, BRADY, CARSON, JOHNSON, KOWALKO, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, B. SHORT, VIOLA, WALLS; SENATORS DELUCA, ENNIS, SORENSON, CLOUTIER, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.

**HB 439** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, SCHOOLEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Cosmetology and Barbering and Licensure of Aestheticians. (3/5 bill)

**HB 440** - LONGHURST & SENATOR MCDOWELL; REPRESENTATIVES JOHNSON, KEELEY, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF, VIOLA - ENERGY AND NATURAL RESOURCES - An Act to Amend Chapter 64, Title 7 of the Delaware Code Relating to Recycling and Waste Reduction in the State of Delaware.

**HA 1 to HB 389** - HOCKER - Placed with the Bill.

**HA 1 to HB 392** - HOCKER - Placed with the Bill.

**HA 1 to HB 407** - CATHCART - Placed with the Bill.

**HA 1 to HB 408** - CATHCART - Placed with the Bill.

**SB 174 w/HA 1 & SA 1 & 2** - HENRY & REPRESENTATIVE EWING; REPRESENTATIVE SPENCE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Child Helmet Requirements.

**SB 239 w/SA 1** - BLEVINS & SENATOR ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE CARSON; SENATORS CLOUTIER, CONNOR, STILL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Practices in the Insurance Industry.

**SB 244** - DELUCA & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL; SENATORS ADAMS, COOK, MCDOWELL, AMICK, SIMPSON; REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON, MITCHELL - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 246 w/SA 1** - DELUCA & REPRESENTATIVE HUDSON & SENATOR BUNTING; SENATORS ENNIS, SORENSON, VENABLES, CLOUTIER; REPRESENTATIVES CARSON, JOHNSON, LAVELLE, MAIER, B. SHORT, STONE, VIOLA, WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 29 of the Delaware Code Relating to Notaries Public. (3/5 bill)

**SB 247** - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, COOK, SOKOLA, BONINI, STILL; REPRESENTATIVES LAVELLE, CAREY, HOCKER, HUDSON, D. SHORT, VALIHURA, BRADY, LONGHURST, PLANT, B. SHORT, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Trusts and Estates and Title 25 of the Delaware Code Relating to Property.

**SB 261** - SIMPSON & REPRESENTATIVE BOOTH - HOUSE ADMINISTRATION - An Act to Amend Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 3, Annexation of Territory, to Clarify Existing Procedures and Provide Express Authority to Enter into Agreements; Section 5, Qualifications for Mayor and City Councilman; Section 6, Method of Making Nominations for Mayor and City Councilman; Section 7, Manner of Holding

Annual Municipal Elections; Section 8, Organization and Annual Meeting of Council; Section 9, Regular and Special Meetings, to Conform with State Law and to Clarify Certain Provisions Contained Therein; Section 29, Enumeration of Powers, Relating to Holding Property and Impact Fees; Section 31, Remedies for Collection of Taxes, Assessments and Other Charges, to Provide for the Monition Procedure as an Alternate Method. (2/3 bill)

**HA 1 to SB 228** - KOWALKO - Placed with the Bill.

**HA 2 to SB 228** - KOWALKO - Placed with the Bill.

**HA 3 to SB 228** - KOWALKO - Placed with the Bill.

**HA 4 to SB 228** - KOWALKO - Placed with the Bill.

The following prefiled legislation was introduced:

June 3, 2008

**HA 1 to HB 382** - VALIHURA - Placed with the Bill.

Representative Outten requested that he be marked present. Representative Maier made comments.

Representative Maier introduced **HB 441**, jointly sponsored by Senator Henry & cosponsored by Representative Thornburg.

**HB 441** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE 2-1-1 COMMUNITY SOCIAL SERVICES HELPLINE.

Representative Maier made comments.

Mr. Speaker Spence assigned **HB 441** to the Health & Human Development Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 235 w/SA 2** and requests the concurrence of the House.

May 19, 2008

#### LEGISLATIVE ADVISORY #22

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/6/08 – **HB 305**; 5/7/08 – **SB 211 aab SA 1**; 5/8/08 – **HB 412**; 5/15/08 – **SS 1/SB 71 aab SA 2, SB 110 aab SA 1 & HA 1, SS 1/SB 168 aab SA 2, HB 89 aab SA 1, HB 209 aab SA 1 & HB 247 aab SA 1.**

May 23, 2008

#### LEGISLATIVE ADVISORY #23

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/15/08 – **SB 265**; 5/22/08 – **SB 197, HB 231 aab SA 1, HB 248 aab SA 1, HB 320, HB 322, HB 323 aab HA 1 & HB 347 aab HA 1.**

Representative Maier made an announcement regarding **HB 441**.

Mr. Speaker Spence reassigned **HB 426** to the Policy Analysis and Government Accountability Committee.

Representative Mulrooney requested that he be marked present.

The Majority Whip moved to recess for caucus at 2:37 p.m.

The House reconvened at 4:21 p.m. with Representative Oberle as Acting Speaker.

Representatives Cathcart & Oberle requested that they be marked present.

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

JUDICIARY: **HB 421** - 5M; **SB 216** - 7M; **SB 242** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HS 1 for HB 416** - 1F,2M; **HB 382** - 1F,2M; **HB 383** - 1F,2M.

Representatives Manolakos & Johnson requested that they be marked present.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 367**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence introduced and brought **HS 1 for HB 367**, jointly sponsored by Representative Brady & Senator Ennis & Representatives Lofink, Manolakos, Miro, Oberle, Thornburg, Johnson, Mulrooney & Viola & Senator Sokola & cosponsored by Senator Copeland, before the House for consideration.

**HB 367** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD.

Representative Spence moved to place **HS 1 for HB 367** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 307**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 307** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSES.

Representative Ewing made comments.

The roll call on **HB 307** was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, **HB 307** was sent to the Senate for concurrence.

Representatives Hudson, Keeley, Longhurst, Marshall, Miro, Mitchell, Plant, Schwartzkopf, Valihura, Viola, Wagner, Williams & Gilligan requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 389**, jointly sponsored by Representative Walls & Senator Venables & Representatives Spence, Lee, Blakey, Carey, Ewing, Hastings, Manolakos, Outten, D. Short, Stone & Mitchell & Senators Bunting & McBride, before the House for consideration.

**HB 389** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RED FOX HUNTING.

Representative Hocker made comments. Representative Hocker brought **HA 1 to HB 389** before the House for consideration. Representative Hocker made a comment. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 389 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, **HB 389 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 390**, jointly sponsored by Representative Walls & Senator McBride & Representatives Spence, Lee, Ewing, Hastings, Lavelle, Manolakos, Outten, D. Short, Stone, Valihura, Kowalko & Mitchell & Senators Bunting & Venables & cosponsored by Senator Copeland, before the House for consideration.

**HB 390** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE USE OF HUNTER ORANGE MATERIAL.

Representative Hocker made comments.

The roll call on **HB 390** was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, **HB 390** was sent to the Senate for concurrence.

Representative Cathcart requested that **HB 410** be stricken.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner introduced and brought **SCR 44**, jointly sponsored by Senator Still on behalf of All Senators & Representative Stone on behalf of All Representatives, before the House for consideration.

**SCR 44** - COMMENDING DOVER AIR FORCE BASE PERSONNEL ON EARNING THE "2008 COMMANDER IN CHIEF'S ANNUAL AWARD FOR INSTALLATION EXCELLENCE".

Representative Wagner made comments.

**SCR 44** was adopted by voice vote and was returned to the Senate.

Representative Wagner introduced guests. Representatives Wagner & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Colonel Steven B. Harrison, Commander, 436th Airlift Wing, Dover Air Force Base. Mr. Acting Speaker made comments.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 401**, jointly sponsored by Representative Carey & Representative Walls & Senator Bunting & Senator Venables, before the House for consideration.

**HB 401** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO USE OF AUTOMATIC-LOADING GUNS.

Representative Hocker made comments.

The roll call on **HB 401** was taken and revealed:

YES: 38.

ABSENT: Representatives Stone, Thornburg & Wagner - 3.

Therefore, having received a constitutional majority, **HB 401** was sent to the Senate for concurrence.

Representative Lofink requested that **HB 415** be stricken.

Mr. Acting Speaker made an announcement.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 392**, jointly sponsored by Senator Bunting & Representatives Spence, Lee, Cathcart, Blakey, Carey, Ewing, Hastings, Hudson, Lavelle, Maier, Miro, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Carson, Hall-Long, Longhurst, McWilliams, Mulrooney, Schooley, B. Short, Viola & Williams & Senator Simpson, before the House for consideration.

**HB 392** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.



Representative Hocker brought **HA 1 to HB 392** before the House for consideration. Representative Hocker made a comment. **HA 1** was adopted by voice vote. Representatives Hocker, Maier, Schwartzkopf & Hocker made comments.

The roll call on **HB 392 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, **HB 392 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **SB 228 w/SA 1**, jointly sponsored by Senator McDowell & Senator Copeland & Representative Hall-Long & Senators Blevins & Simpson & Representative Schooley, before the House for consideration.

**SB 228 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY.**

Representative Thornburg made comments. Representative Kowalko brought **HA 1 to SB 228** before the House for consideration. Representatives Kowalko & Thornburg made comments.

The roll call on **HA 1 to SB 228** was taken and revealed:

YES: Representatives Carson, Gilligan, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schwartzkopf, B. Short, Valihura & Williams - 15.

NO: 24.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Stone - 1.

Therefore, not having received a constitutional majority, **HA 1 to SB 228** was declared defeated.

Representative Kowalko brought **HA 2 to SB 228** before the House for consideration.

Representatives Kowalko & Thornburg made comments. **HA 2** was defeated by voice vote. Representative Kowalko brought **HA 3 to SB 228** before the House for consideration. Representatives Kowalko, Thornburg, Lavelle, Kowalko & Thornburg made comments. **HA 3** was defeated by voice vote. Representative Kowalko requested that **HA 4 to SB 228** be stricken. Mr. Acting Speaker & Representative Kowalko made comments. Representative Kowalko introduced and brought **HA 5 to SB 228** before the House for consideration. Representatives Kowalko & Thornburg made comments. Representative Kowalko requested that **HA 5** be stricken.

The roll call on **SB 228 w/SA 1** was taken and revealed:

YES: 36.

NO: Representatives Kowalko & B. Short - 2.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Plant & Stone - 2.

Therefore, having received a constitutional majority, **SB 228 w/SA 1** was returned to the Senate.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 260, SB 234 w/SA 1 & SB 249** and requests the concurrence of the House and the Senate has passed **SCR 44** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry Spence, do hereby request that my name be removed as a cosponsor of **SB 255**.

Date: June 3, 2008

Signed: Terry R. Spence

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

JUDICIARY: **HB 427** - 1F,6M; **HB 428** - 1F,6M; **HB 429** - 1F,6M.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Maier.

Representative Maier requested that **HB 348 & HS 1/HB 308** be stricken.

Representative Cathcart deferred to Representative Brady.

The House observed a moment of silence in memory of The Honorable William T. McLaughlin, former Mayor of Wilmington, at the request of Representative Brady on behalf of the Wilmington delegation.

Mr. Acting Speaker made comments. Representatives Hudson & Valihura made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:24 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:16 p.m. on June 4, 2008

The Majority Whip moved to adjourn at 2:17 p.m., thereby ending the current legislative day. The House reconvened at 2:18 p.m.

#### **32nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 4, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District. Mr. Speaker Spence led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HA 2 to HB 299** - HUDSON - Placed with the Bill.

**HA 1 to HB 393** - SCHOOLEY - Placed with the Bill.

**HA 1 to HB 399** - LOFINK - Placed with the Bill.

**SB 234 w/SA 1** - MCBRIDE & REPRESENTATIVE VALIHURA; SENATORS DELUCA, AMICK, BONINI; REPRESENTATIVES CATHCART, VIOLA, WAGNER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Professional Engineers Act.

**SB 235 w/SA 2** - BLEVINS & REPRESENTATIVE HALL-LONG & SENATOR SORENSON & SENATOR CLOUTIER; SENATORS ADAMS, CONNOR, ENNIS, HENRY, MCBRIDE, PETERSON, SIMPSON, SOKOLA; REPRESENTATIVES CARSON, EWING, GILLIGAN, HUDSON, KEELEY, KOWALKO, MAIER, MARSHALL, MCWILLIAMS, MITCHELL, MIRO, OBERLE, SCHOOLEY, WAGNER, HASTINGS, SPENCE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Uniform Health Data Reporting.

**SB 249** - MCBRIDE & REPRESENTATIVE HOCKER; SENATORS VENABLES, BUNTING; REPRESENTATIVE WALLS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Use of Nets for Fishing Near Dams or Spillways.

**SB 260** - DELUCA & SENATOR BLEVINS & SENATOR SORENSON & REPRESENTATIVE VALIHURA & REPRESENTATIVE WAGNER & REPRESENTATIVE HUDSON & REPRESENTATIVE MARSHALL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.

The House observed a moment of silence in memory of The Honorable William T. McLaughlin at the request of Mr. Speaker Spence. Representatives Keeley & Viola requested that they be marked present. Mr. Speaker Spence introduced a guest. Representative Lee deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor for Anna N. Galati, Governor, 2008 YMCA Youth in Government, who addressed the House. Representative Hudson made comments and introduced guests. Representative Marshall requested that she be marked present. Mr. Speaker Spence introduced a guest. Representative Lee made comments. Representative Lee deferred to Representative Blakey. Representative Blakey requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence made comments. Representatives Mitchell & Mulrooney requested that they be marked present.

Representative Lee brought the following prefiled **Consent Calendar #22** before the House for consideration.

**HR 61** – WAGNER – Resolution to Encourage the Division of Professional Regulation to Work with Military and Their Families Who are Transferred into the State to Maintain Any Professional credentials, Licenses or Certifications Issued in Their Home State Without Having to be Recertified for that Profession While Stationed in the State of Delaware.

**HCR 57** – CARSON & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE WALLS ON BEHALF OF ALL REPRESENTATIVES & SENATOR COOK & SENATOR ENNIS & SENATOR STILL ON BEHALF OF ALL SENATORS – commending the State of Delaware’s First Responders for Their Courageous Efforts During the Nor’Easter on the 11th and 12th of May, 2008.

**HCR 58** – LOFINK & SENATOR SOKOLA – Extending the Reporting Date of the Delaware Student Assessment System Task Force.

**HCR 59** – MIRO & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR SORENSON ON BEHALF OF ALL SENATORS- A Resolution Proclaiming June 1 -7, 22008 to be CPR-AED Awareness Week in the State of Delaware.

**HCR 60** – SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR COPELAND & SENATOR SORENSON ON BEHALF OF ALL SENATORS – Recognizing June 9 through June 15, 2008 as Paralegal Week.

**HCR 62** – GILLIGAN & REPRESENTATIVE OBERLE ON BEHALF OF ALL REPRESENTATIVES & SENATOR COOK ON BEHALF OF ALL SENATORS – Extending Sincere Thanks and Gratitude of the Delaware General Assembly to H. Nelson Freidly for His Dedication to Career and Technical Education in the State of Delaware.

Representative Lee requested that **HCR 57** be removed from **Consent Calendar #22**. Representative Lee moved to place **HCR 57** on the Speaker's Table. The motion was seconded by Representative Maier and adopted by voice vote.

**Consent Calendar #22** was adopted by voice vote and **HR 61** was declared passed and **HCR 58, HCR 59, HCR 60 & HCR 62** were sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: June 4, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                  | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                   |
|---------------|---------------------------------|-------------|-------------|----------------------------------------------------------------------|
| H144-1639     | Hastings                        | 5/31/2008   | T           | Matthew Tyler Hall - Eagle Scout                                     |
| H144-1640     | Walls                           | 5/14/2008   | T           | Doris Callaway Fry - Induction - Sports Hall of Fame                 |
| H144-1641     | Spence                          | 4/26/2008   | M           | James Lake Oliver                                                    |
| H144-1642     | Marshall                        | 5/14/2008   | T           | Brett Marshall - Civil Engineering Degree                            |
| H144-1643     | Brady                           | 5/14/2008   | T           | Mildred Courtney - 104th Birthday                                    |
| H144-1644     | Brady;<br>Marshall              | 5/10/2008   | M           | Basil S. Cannatelli                                                  |
| H144-1645     | Hudson                          | 5/22/2008   | M           | Elizabeth J. Tigani                                                  |
| H144-1646     | Viola                           | 5/17/2008   | T           | Antoinne Jolly - Meritorious Service to Our Country                  |
| H144-1647     | Hudson;<br>Marshall             | 1/20/2008   | M           | Thomas J. Booth, III                                                 |
| H144-1648     | Miro;<br>Kowalko                | 4/27/2008   | T           | Stephanie Bonner - John Wristor Scholarship Essay Winner             |
| H144-1649     | Walls                           | 5/17/2008   | T           | Wesley Steele - Eagle Scout                                          |
| H144-1650     | Hudson;<br>Schooley             | 1/27/2008   | T           | Edward Koffenberger - Living Legend - All-American Basketball Player |
| H144-1651     | Valihura                        | 5/15/2008   | T           | Elizabeth Roche - Founding President – Winning Women                 |
| H144-1652     | Wagner                          | 5/18/2008   | T           | Regan Hicks-Goldstein - Ph.D. - Education Leadership                 |
| H144-1653     | Wagner                          | 5/18/2008   | T           | Helen Hicks - Retirement - House Staff                               |
| H144-1654     | Lavelle                         | 5/13/2008   | M           | Frank Allen Hulme, Jr.                                               |
| H144-1655     | Stone                           | 5/17/2008   | T           | George & Lynch, Inc. - 85th Anniversary                              |
|               | cosponsor: Rep. Wagner          |             |             |                                                                      |
| H144-1656     | Maier                           | 5/16/2008   | T           | Maribeth Embras - Retirement - Red Clay Schools                      |
| H144-1657     | Hudson                          | 5/15/2008   | M           | Eugene A. Matlusky                                                   |
|               | cosponsors: All Representatives |             |             |                                                                      |
| H144-1658     | Oberle                          | 6/5/2008    | T           | Michael Geller - Graduation - Sterck School                          |
| H144-1659     | Oberle                          | 6/5/2008    | T           | David Kindell - Graduation - Sterck School                           |
| H144-1660     | Oberle                          | 6/5/2008    | T           | Kisma King - Graduation - Sterck School                              |
| H144-1661     | Oberle                          | 6/5/2008    | T           | Marisol Morales - Graduation - Sterck School                         |
| H144-1662     | Oberle                          | 6/5/2008    | T           | Amber Narmore - Graduation - Sterck School                           |
| H144-1663     | Oberle                          | 6/5/2008    | T           | Melanie Ortiz - Graduation - Sterck School                           |
| H144-1664     | Oberle                          | 6/5/2008    | T           | Darlene Perez - Graduation - Sterck School                           |

HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: June 4, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                | <u>Date</u> | <u>Type</u> | <u>Description</u>                                      |
|---------------|-------------------------------|-------------|-------------|---------------------------------------------------------|
| H144-1665     | Oberle                        | 6/5/2008    | T           | Alexander Tebo - Graduation - Sterck School             |
| H144-1666     | Oberle                        | 6/5/2008    | T           | Madonna Waddell - Graduation - Sterck School            |
| H144-1667     | Oberle                        | 6/5/2008    | T           | Kevin Whetstone - Graduation - Sterck School            |
| H144-1668     | Oberle                        | 6/5/2008    | T           | Darnell Woodard - Graduation - Sterck School            |
| H144-1669     | Booth                         | 5/30/2008   | T           | Robert Long - Retirement - Indian River Schools         |
| H144-1670     | D. Short                      | 5/20/2008   | T           | Paul Viehman - 42 Years - Support to Law Enforcement    |
|               | cosponsors: Reps. Ewing & Lee |             |             |                                                         |
| H144-1671     | Marshall                      | 5/20/2008   | T           | Robert Seinsoth - 25 Years - Support to Law Enforcement |
|               | cosponsor: Rep. Mitchell      |             |             |                                                         |
| H144-1672     | Maier                         | 5/15/2008   | M           | Dean Roger Herfindahl, Sr.                              |
| H144-1673     | Outten                        | 5/20/2008   | T           | Adelyn Aker - Retirement - Lake Forest Schools          |
|               | cosponsor: Rep. Hocker        |             |             |                                                         |
| H144-1674     | Outten;<br>Blakey             | 5/20/2008   | T           | Charles Anderson - Retirement - Lake Forest Schools     |
| H144-1675     | Outten; Walls                 | 5/20/2008   | T           | J. Denise Baker - Retirement - Lake Forest Schools      |
| H144-1676     | Outten; Stone                 | 5/20/2008   | T           | Glenda Bowen - Retirement - Lake Forest Schools         |
| H144-1677     | Outten                        | 5/20/2008   | T           | Shirley Conaway - Retirement - Lake Forest Schools      |
| H144-1678     | Outten; Walls                 | 5/20/2008   | T           | Christine Cajthaml - Retirement - Lake Forest Schools   |

|           |               |           |   |                                                     |
|-----------|---------------|-----------|---|-----------------------------------------------------|
| H144-1679 | Outten        | 5/20/2008 | T | Barbara Miller - Retirement - Lake Forest Schools   |
| H144-1680 | Outten; Walls | 5/20/2008 | T | Melody Miller - Retirement - Lake Forest Schools    |
| H144-1681 | Outten        | 5/20/2008 | T | Gale Vogelien - Retirement - Lake Forest Schools    |
| H144-1682 | Outten        | 5/20/2008 | T | Raymond Willetts - Retirement - Lake Forest Schools |
| H144-1683 | Outten; Walls | 5/20/2008 | T | Carolyn Harris - Retirement - Lake Forest Schools   |
| H144-1684 | Outten        | 5/20/2008 | T | Linda Jones - Retirement - Lake Forest Schools      |
| H144-1685 | Outten        | 5/20/2008 | T | Gloria VanNess - Retirement - Lake Forest Schools   |
| H144-1686 | Outten; Walls | 5/20/2008 | T | Jeffrey Roe - Retirement - Lake Forest Schools      |
| H144-1687 | Outten; Walls | 5/20/2008 | T | Susan Adams - Retirement - Lake Forest Schools      |
| H144-1688 | Outten        | 6/22/2008 | T | June Lekites - 80th Birthday                        |

HOUSE TRIBUTE ANNOUNCEMENT #73

DATE: June 4, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                   | Date      | Type | Description                                                              |
|-----------|-------------------------------------------|-----------|------|--------------------------------------------------------------------------|
| H144-1689 | Wagner                                    | 5/7/2008  | M    | Retired Lt. Col. Rex E. Mayhew                                           |
| H144-1690 | Thornburg; Wagner                         | 6/28/2008 | T    | James Overton - Administrative Excellence Award                          |
| H144-1691 | Spence<br>cosponsors: All Representatives | 5/29/2008 | T    | United Water Delaware - 75th Anniversary                                 |
| H144-1692 | Lofink                                    | 6/6/2008  | T    | Jennifer Azevedo - Student Excellence & Leadership Award                 |
| H144-1693 | Spence<br>cosponsors: All Representatives | 5/20/2008 | T    | Victor Battaglia - Thomas Maloney<br>Community Service Award             |
| H144-1694 | Maier                                     | 6/5/2008  | T    | Kristie Rineer - Teacher - Pike Creek Christian School                   |
| H144-1695 | Maier                                     | 6/5/2008  | T    | Chris Champion - Teacher - Pike Creek Christian School                   |
| H144-1696 | Wagner                                    | 3/20/2008 | T    | Gary Patterson - Economic Development Leadership Award                   |
| H144-1697 | Thornburg; Wagner                         | 3/20/2008 | T    | Dover Downs/Dover Motorsports - Economic<br>Development Leadership Award |
| H144-1698 | Booth; Outten                             | 5/23/2008 | T    | Carol Serman - Retirement - Delmarva Power                               |
| H144-1699 | Hocker; Hastings                          | 5/29/2008 | T    | Gary Taylor - Retirement - Selbyville Town Administrator                 |
| H144-1700 | Wagner; Blakey                            | 5/22/2008 | T    | Emory & Rebecca Gordon - Retirement - Ben's<br>Mens & Shoe Store         |
| H144-1701 | B. Short                                  | 5/24/2008 | T    | Sebastiano & Louise Giliberto - 55th Wedding Anniversary                 |
| H144-1702 | Wagner                                    | 5/23/2008 | T    | Ted & Janice Zak - 40th Wedding Anniversary                              |
| H144-1703 | Thornburg; Wagner                         | 5/29/2008 | T    | Nathaniel Gibbs - Retirement - Capital Schools                           |
| H144-1704 | Wagner                                    | 5/29/2008 | T    | Gloria Horn - Retirement - Capital Schools                               |
| H144-1705 | Stone; Wagner                             | 5/29/2008 | T    | Karen MacMurray - Retirement - Capital<br>Schools                        |
| H144-1706 | Blakey; Wagner                            | 5/29/2008 | T    | Irvin Rohe - Retirement - Capital Schools                                |
| H144-1707 | Thornburg; Wagner                         | 5/29/2008 | T    | Dr. Clint Rowland - Retirement - Capital Schools                         |
| H144-1708 | Outten                                    | 5/19/2008 | M    | Mary Rinaldi Wozniak                                                     |
| H144-1709 | Gilligan                                  | 5/8/2008  | T    | Harry & Dorothea Banack - 60th Wedding Anniversary                       |
| H144-1710 | Gilligan                                  | 4/10/2008 | T    | Attilio & Gemma DiGiacobbe - 60th Wedding Anniversary                    |
| H144-1711 | Mitchell                                  | 5/3/2008  | T    | Ciro & Louise Poppiti - 50th Wedding Anniversary                         |
| H144-1712 | Carson                                    | 3/15/2008 | T    | Sam & Ellaine Angelo - 50th Wedding Anniversary                          |
| H144-1713 | Schooley                                  | 6/14/2008 | T    | Julie Zimansky & Timothy Singer - Marriage                               |

T- Tribute

M - Memoriam

Representative Johnson requested that he be marked present.

Representative Lee made an announcement.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:43 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:42 P.M.: Representatives Cathcart, Lavelle, Longhurst, McWilliams, Oberle, Stone, Thornburg, Valihura & Wagner.

Mr. Acting Speaker Oberle called the House to order at 2:20 p.m. on June 5, 2008.

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

AGRICULTURE: **HS 1/HB 216** - 7M.

EDUCATION: **HB 393** - 1F,7M; **HB 391** - 8M; **SB 222** - 1F,7M.

ENERGY AND NATURAL RESOURCES: **HB 269** - 6F,3M; **HB 268** - 3F,6M; **HB 422** - 1F,7M; **SB**

**178 w/SA 1 - 3F,6M.**

HEALTH & HUMAN DEVELOPMENT: **HB 403 - 7M; HB 407 - 7M; HB 408 - 7M; HB 409 - 6M; HB 419 - 7M; HB 438 - 7M; HB 441 - 7M; SB 256 w/SA 1 - 7M.**

HOUSING & COMMUNITY AFFAIRS: **HB 360 - 7M,1U.**

PUBLIC SAFETY & HOMELAND SECURITY: **SB 237 - 6M; SB 248 w/SA 1 & 3 - 6M.**

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 373 - 8M.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 254 w/SA 1, SB 240 & SB 227 w/SA 1** and requests the concurrence of the House.

MEMO

To: Terry R. Spence, Speaker of the House

From: Representative Pamela S. Maier

Date: 6/4/2008

Re: Absence from session

Please be advised I will be absent from session on June 5, 2008.

Representative Cathcart made announcements.

The Majority Leader moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

### **33rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 5, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Maier – 1.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 442 - WAGNER & SENATORS BLEVINS, BONINI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children.**

**HB 443 - LEE & SENATOR ENNIS - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 444 - CATHCART & SENATOR PETERSON; REPRESENTATIVES JOHNSON, MAIER, MANOLAKOS, MIRO - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Equipment and Construction Vehicles.**

**HA 1 to HA 1 to HB 371 - HUDSON - Placed with the Bill.**

**HA 1 to HB 405 - JOHNSON - Placed with the Bill.**

**HA 1 to HB 434 - KEELEY - Placed with the Bill.**

**SB 227 w/SA 1 - ENNIS & REPRESENTATIVE MAIER & SENATOR PETERSON & SENATOR CONNOR; SENATORS VENABLES, BONINI; REPRESENTATIVES SPENCE, BLAKEY, HOCKER, HUDSON, KEELEY, LAVELLE, STONE, VIOLA, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 11 of the Delaware Code Relating to Missing Persons.**

**SB 240 - PETERSON; SENATORS HENRY, SOKOLA, ENNIS; REPRESENTATIVE KOWALKO - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 10 of the Delaware Code Relating to Exemptions.**

**SB 254 w/SA 1 - ENNIS & REPRESENTATIVE EWING; SENATORS CLOUTIER, CONNOR, HENRY, PETERSON, STILL; REPRESENTATIVES CARSON, HALL-LONG, KOWALKO, LEE, MITCHELL, SPENCE, WALLS, WILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Penalties for Off-Highway Vehicle Violations.**

**HA 1 to SB 191 - LONGHURST - Placed with the Bill.**

Representative Cathcart deferred to Representative Hocker. Representative Hocker made comments. Mr. Acting Speaker granted privilege of the floor to Ellen M. Magee representing Magee Farms. Representative Keeley requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf made comments. Representative Cathcart deferred to Representative Brady. Representative Brady made comments and introduced guests. Mr. Acting Speaker made comments. Representative Gilligan requested and was granted personal privilege of the floor to introduce guests. Members of the National Guard announced their names and ranks for the record. Mr. Acting Speaker introduced a guest. Representatives Marshall, Wagner, Booth, Hudson & Viola requested that they be marked present. Representative Cathcart & Mr. Acting Speaker made announcements.

The Majority Leader moved to recess for caucus at 2:38 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:50 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 355 w/HA 2 & SA 1** and is returning same to the House.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura requested that he be marked present.

Representative Valihura brought **SB 219**, sponsored by Senator Ennis & Representative Thornburg & Senator Amick, before the House for consideration.

**SB 219** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ELECTRONIC FILING COSTS IN JUSTICE OF THE PEACE COURT.

Representative Valihura made comments.

The roll call on **SB 219** was taken and revealed:

YES: 36.

ABSENT: Representatives Brady, Carson, Maier, Mulrooney & Plant - 5.

Therefore, having received a constitutional majority, **SB 219** was returned to the Senate.

Representatives Williams & Longhurst requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Walls.

Representative Walls brought **HB 353**, jointly sponsored by Representatives Brady, Carson, Gilligan, Johnson, Keeley, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Outten, Schooley, B. Short, Spence & Williams & Senators Adams, Ennis, Bunting & Sokola, before the House for consideration.

**HB 353** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIQUIFIED PETROLEUM GAS CONTAINERS. (2/3 bill)

Representative Walls made comments. Representative Walls brought **HA 1 to HB 353** before the House for consideration. Representative Walls made a comment. **HA 1** was adopted by voice vote. Representative Walls brought **HA 2 to HB 353** before the House for consideration. Representative Walls made comments. **HA 2** was adopted by voice vote. Representatives Walls, Booth & Wagner made comments. Representative Walls requested and was granted privilege of the floor for Andrew C. Levinson, Vice-President, SchagrinGas Company. Representatives Wagner & Walls made comments.

The roll call on **HB 353 w/HA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Longhurst, Maier, Mulrooney & Schwartzkopf - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 353 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence introduced guests.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HS 1 for HB 374**, jointly sponsored by Senator DeLuca & Representative Mitchell & Senators Adams, Cook, McDowell, Amick, Cloutier & Simpson, before the House for consideration.

**HB 374** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LITIGATION AND COURT PROCEDURE. (F/N)

Representative Valihura made comments.

The roll call on **HS 1 for HB 374** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Mulrooney - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 374** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 378**, jointly sponsored by Representative Maier & Senator Blevins & Senator Henry & Representatives Carson, Ewing, Johnson, Kowalko, Longhurst & McWilliams & Senators Amick, Cloutier, Connor & Sorenson & cosponsored by Representative Manolakos, before the House for consideration.

**HB 378** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS.

Representative Hall-Long brought **HA 1 to HB 378** before the House for consideration.

Representative Hall-Long made comments. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 378 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 378 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 418**, jointly sponsored by Senator McBride & Representatives Cathcart, Lee, Booth, Carey, Ewing, Miro, Outten, D. Short, Thornburg, Valihura, Wagner, Brady, McWilliams, Mulrooney, Viola, Walls & Williams & Senators Venables, Connor & Simpson, before the House for consideration.

**HB 418** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (F/I)

Representative Hocker made comments.

The roll call on **HB 418** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 418** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to lift **HS 1 for HB 367** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HS 1 for HB 367**, jointly sponsored by Representative Brady & Senator Ennis & Representatives Lofink, Manolacos, Miro, Oberle, Thornburg, Johnson, Mulrooney & Viola & Senator Sokola & cosponsored by Senator Copeland, before the House for consideration.

**HB 367** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD.

Representative Spence introduced **HA 1 to HS 1 for HB 367**. Representative Spence requested that **HA 1** be stricken. Representative Spence made comments. Representative Spence introduced and brought **HA 2 to HS 1 for HB 367** before the House for consideration. Representative Spence made comments. **HA 2** was adopted by voice vote. Representatives Spence & Brady made comments.

The roll call on **HS 1 for HB 367 w/HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Mulrooney - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 367 w/HA 2** was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 361**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 361** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH & SAFETY.

Representatives Spence & Wagner made comments. Representative Spence requested and was granted privilege of the floor for Hollis Anglin, President, Dawn Training Centre. Representatives Wagner & Hall-Long made comments.

The roll call on **HB 361** was taken and revealed:

YES: 37.

ABSENT: Representatives Hudson, Maier, Mulrooney & Valihura - 4.

Therefore, having received a constitutional majority, **HB 361** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 217 w/SA 1**, jointly sponsored by Senator Simpson, before the House for consideration.

**SB 217** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO VERIFICATIONS OF SERVICE OF PROCESS.

Representative Valihura made comments.

The roll call on **SB 217 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Mulrooney - 2.

Therefore, having received a constitutional majority, **SB 217 w/SA 1** was returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 218**, jointly sponsored by Senator Adams & Senator DeLuca, before the House for consideration.

**SB 218** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION PROCEDURES IN JUSTICE.

Representative Valihura made comments.

The roll call on **SB 218** was taken and revealed:

YES: 38.

ABSENT: Representatives Ewing, Maier & Mulrooney - 3.

Therefore, having received a constitutional majority, **SB 218** was returned to the Senate.

Representative Cathcart deferred to Representative Thornburg.

Mr. Speaker Spence made an announcement.

Representative Thornburg introduced **HB 452**, jointly sponsored by Representative Carey & Senator Adams & Representatives Booth, Hastings, Hocker, Manolakos, Outten, Carson, Hall-Long, Longhurst, Mulrooney, McWilliams & Walls & Senators Bunting, Cook, Venables, Bonini & Simpson.

**HB - 452 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES.**

Mr. Speaker Spence assigned **HB 452** to the Agriculture Committee.

The Majority Whip moved to recess to the call of the Chair at 5:56 p.m.

Mr. Acting Speaker Lavelle called the House to order at 2:00 p.m. on June 10, 2008.

Representative Lee made an announcement.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

**34th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session  
June 10, 2008**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Williams – 1.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Acting Speaker invited Jesse Taylor, Boys' State Auditor, to join him in leading those present in a pledge of allegiance to the American flag.

The following prefiled legislation was introduced:

**HB 445 - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 1 of Title 26 of the Delaware Code Relating to the Positions of Chair, Vice Chair and Executive Director of the Public Service Commission.**

**HB 446 - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, OBERLE, D. SHORT, KOWALKO; SENATORS VENABLES, SORENSON - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Correctional Healthcare.**

**HB 447 - LEE & SENATOR ENNIS - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to No Limit Texas Hold'em Poker.**

**HB 448 - LEE & SENATOR ENNIS - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to Nonprofit Charitable Gaming.**

**HB 449 - D. SHORT & SENATOR VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Location of Sewer Treatment Plants and Other Sewage Disposal Facilities in Sussex County.**

**HB 450 - WAGNER & SENATOR STILL; REPRESENTATIVES BLAKEY, OUTTEN, D. SHORT, HALL-LONG; SENATORS BUNTING, SOKOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Merit System of Personnel Administration.**

**HB 451 - EWING & SENATOR VENABLES; REPRESENTATIVES LEE, CAREY, HASTINGS, D. SHORT, SCHWARTZKOPF - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Establishing a New Chapter 71 and Chapter 72 Enabling Sussex County to Create Tax Increment Financing Districts and to Utilize Tax Increment Financing to Fund Costs Related to Development and Redevelopment and to Create Special Development Districts and to Utilize Special Development District Financing to Fund Costs Related to Development and Redevelopment.**

**HB 458 - MIRO & SENATOR DELUCA; REPRESENTATIVES HOCKER, HUDSON, MAIER, D. SHORT, STONE, KEELEY, KOWALKO, LONGHURST, B. SHORT, VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Retail and Wholesale Merchants' License Requirements and Taxes. (3/5 bill)**

**HB 459 - CATHCART & SENATOR COPELAND; REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, OBERLE, VALIHURA, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services and Creating the Delaware Psychiatric Center Authority.**

**HA 1 to HB 411 - HALL-LONG - Placed with the Bill.**

**SS 1 for SB 131 w/SA 2 & 4 - SOKOLA & REPRESENTATIVE VALIHURA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Certified Public Accountants.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 131 w/ SA 2 & 4** and the Senate has passed **SCR 43, SCR 45 & SCR 46** and requests the concurrence of the House and the Senate has passed **HCR 58, HCR 59, HCR 60 & HCR 62** and is returning same to the House.

Representative Ewing requested that **HB 311** be stricken.



Representative Brady requested that **HB 384** be stricken.

Representative Cathcart introduced and brought **HCR 61**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative Keeley on behalf of All Representatives & Senator Adams & Senator DeLuca & Senator Blevins & Senator Copeland & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 61 - A RESOLUTION PROCLAIMING JUNE 10, 2008 AS GIRL SCOUT LEGISLATIVE DAY.**

Representatives Cathcart, Longhurst & Hudson made comments.

**HCR 61** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Cathcart requested and was granted privilege of the floor for Brittany Dempsey, Miss Delaware 2007, who addressed the House and presented her official portrait. Representative Cathcart, Mr. Acting Speaker & Representative Schwartzkopf made comments. The Miss Delaware 2008 contestants introduced themselves and stated their titles for the record.

Representatives Viola, Schwartzkopf, Maier & Marshall requested that they be marked present. Representative Cathcart, Mr. Acting Speaker & Representative Gilligan made comments.

Representative Booth requested and was granted privilege of the floor for himself and Representative Hastings to present a House Tribute to the Sussex Central State Champion Girls' Softball Team. Representatives Booth & Hastings made comments. John Wells, Head Coach, addressed the House. Representative Cathcart made comments. The coaches and team members announced their names and positions for the record.

Representative Valihura requested that he be marked present. Representatives D. Short & Valihura made announcements. Representative McWilliams requested that she be marked present. Representative Hocker made an announcement.

Representative Cathcart deferred to Representative Carson.

Representative Carson requested and was granted privilege of the floor to present House Tributes to Sergeant S. Grant Nash III, Sergeant Joshua T. Coulbourne, Lance Corporal Dwayne Newman and 1st Lieutenant Thomas L. Emerson IV on the occasion of their recent return from tours of military duty in the Mideast.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst introduced **HB 453**, jointly sponsored by Representative Thornburg & Senator Ennis & Representatives Carey, Hall-Long, Hocker, Lee & Walls.

**HB 453 - AN ACT TO AMEND TITLES 3 AND 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM.**

Mr. Acting Speaker assigned **HB 453** to the Agriculture Committee.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg made an announcement.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:11 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

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

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HB 417** - 4F, 1M.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey introduced **HB 457**, jointly sponsored by Senator Blevins.

**HB 457 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTING. (2/3 bill)**

Mr. Acting Speaker assigned **HB 457** to the House Administration Committee.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 312**, jointly sponsored by Senator Venables & Representatives Lee, Booth, Ewing, Hastings & Outten, before the House for consideration.

**HB 312 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE CONCERNING THE MANNER OF VOTING UPON SUBURBAN COMMUNITY IMPROVEMENTS.**

Representative D. Short made comments.

The roll call on **HB 312** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 312** was sent to the Senate for concurrence.

Representatives Keeley, Miro, Mulrooney, Spence & Wagner requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 286 w/SA 1**, jointly sponsored by Representative Schooley & Representative Hall-Long & Representative Marshall & Senator Blevins & Senator Sorenson & Representatives Brady, Carey, Carson, Ewing, Johnson, Keeley, Kowalko, Longhurst, McWilliams, Miro, Mitchell, Schwartzkopf, Stone, Viola, Wagner & Walls, before the House for concurrence on **SA 1**.

**HB 286** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE TO ASSIST ENROLLMENT IN THE DELAWARE HEALTHY CHILDREN PROGRAM.

Representative Maier made comments.

The roll call on **HB 286 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 286 w/SA 1** was sent to the Governor.

Representative Brady brought **HB 355 w/HA 2 & SA 1**, jointly sponsored by Representatives Carson, Ewing, Keeley, Kowalko, Longhurst, Manolakos, Mitchell, Outten, Schooley & Williams & Senators Henry, Marshall & McDowell, before the House for concurrence on **SA 1**.

**HB 355** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS.

Representative Brady made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on **HB 355 w/HA 2 & SA 1** was taken and revealed:

YES: 38.

NO: Representatives Hastings & D. Short - 2.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 355 w/HA 2 & SA 1** was sent to the Governor.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 375**, jointly sponsored by Senator Venables & cosponsored by Senator Bonini, before the House for consideration.

**HB 375** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Lee brought **HA 1 to HB 375** before the House for consideration.

Representative Lee made a comment. **HA 1** was adopted by voice vote. Representative Lee made comments.

The roll call on **HB 375 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 375 w/HA 1** was sent to the Senate for concurrence.

Representative Lee made comments.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 364**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 364** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES.

Representative Booth made comments.

The roll call on **HB 364** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 364** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HS 1 for HB 416**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier, Longhurst & Schooley & Senators Bunting, McDowell, Bonini & Connor, before the House for consideration.

**HB 416** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION.

Representative Valihura made comments.

The roll call on **HS 1 for HB 416** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 416** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 396**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 396** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BURGLAR'S TOOLS.

Representative Ewing made comments.

The roll call on **HB 396** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 396** was sent to the Senate for concurrence.

Representative Hudson made an announcement.

Representative Cathcart deferred to Representative B. Short.

Representative B. Short brought **HJR 18**, jointly sponsored by Senator Sokola & Representatives Brady, Carson, Cathcart, Gilligan, Hall-Long, Hastings, Johnson, Keeley, Kowalko, Longhurst, Maier, Manolakos, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, D. Short, Stone, Thornburg, Valihura, Viola, Wagner, Walls & Williams & cosponsored by Senators Bonini, Cloutier & Copeland, before the House for consideration.

**HJR 18** - RELATING TO REPORTS IN ELECTRONIC FORMAT TO THE DELAWARE GENERAL ASSEMBLY.

Representatives B. Short, Maier & Johnson made comments.

The roll call on **HJR 18** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HJR 18** was sent to the Senate for concurrence.

Representative Cathcart brought **SB 195**, jointly sponsored by Senator DeLuca & Senators Blevins, Henry & Sorenson & Representatives Hudson, Kowalko, Lavelle, Mitchell & Schwartzkopf, before the House for consideration.

**SB 195** - AN ACT TO AMEND TITLES 4 AND 15 OF THE DELAWARE CODE RELATING TO ALCOHOL SALES ON ELECTION DAYS.

Representatives Cathcart & Lavelle made comments.

The roll call on **SB 195** was taken and revealed:

YES: 36.

NO: Representatives Carey, Hocker, Keeley & Valihura - 4.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 195** was returned to the Senate.

Representative Cathcart deferred to Representative Outten.

Representative Outten brought **HB 368**, jointly sponsored by Senator Bonini, before the House for consideration.

**HB 368** - AN ACT TO AMEND VOLUME 69 AND VOLUME 74, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF HARRINGTON. (2/3 bill)

Representative Outten made comments.

The roll call on **HB 368** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 368** was sent to the Senate for concurrence.

Representative Spence introduced a guest.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst brought **HB 290**, jointly sponsored by Senator Blevins & Representatives Booth, Brady, Carson, Johnson, Kowalko, Marshall, Mitchell, Mulrooney, Schooley, B. Short, Viola & Williams & Senator Connor, before the House for consideration.

**HB 290** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCALP HAIR PROSTHESIS.

Representative Longhurst brought **HA 1 to HB 290** before the House for consideration.

Representative Longhurst made a comment. **HA 1** was adopted by voice vote. Representative Longhurst made comments.

The roll call on **HB 290 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 290 w/HA 1** was sent to the Senate for concurrence.

Representative Longhurst & Mr. Speaker Spence made comments regarding **HB 290**.

Representative Cathcart deferred to Representative Marshall.

Representative Marshall brought **HS 1 for HB 216**, jointly sponsored by Senator Henry & Representatives Keeley, Maier, McWilliams & Valihura & Senator Connor, before the House for consideration.

**HB 216** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES.

Representatives Marshall & Lavelle made comments.

The roll call on **HS 1 for HB 216** was taken and revealed:

YES: 38.

NO: Representative Carey - 1.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 216** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **HB 388**, jointly sponsored by Representative Walls & Senator McBride & Representatives Spence, Blakey, Carey, Ewing, Manolakos, Miro, Gilligan & Brady & Senators Bunting & Venables, before the House for consideration.

**HB 388** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO AMERICAN LOBSTERS.

Representative Hocker made comments.

The roll call on **HB 388** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 388** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker brought **SB 178 w/SA 1**, jointly sponsored by Senator Bunting & Representative Schwartzkopf, before the House for consideration.

**SB 178** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE BEACH PRESERVATION ACT.

Representative Hocker made comments.

The roll call on **SB 178 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 178 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 371**, jointly sponsored by Representative Williams & Senator Blevins & Representatives Lee, Lavelle, Maier, Miro, D. Short, Stone, Valihura, Brady, Kowalko, B. Short & Viola & Senator Sorenson & cosponsored by Senator Cloutier, before the House for consideration.

**HB 371** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

Representative Hudson brought **HA 1 to HB 371** before the House for consideration.

Representative Hudson brought **HA 1 to HA 1 to HB 371** before the House for consideration.

Representative Hudson made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Hudson made a comment. **HA 1 w/HA 1 to HA 1** was adopted by voice vote.

The roll call on **HB 371 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 371 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **HB 381**, jointly sponsored by Senator Henry & Representatives Blakey, Booth, Manolakos, Miro, Wagner, Hall-Long, Kowalko, McWilliams, Schooley & Walls & Senators Blevins, McDowell, Peterson, Sorenson & Connor, before the House for consideration.

**HB 381** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ADVANCE HEALTH-CARE DIRECTIVES AND HEALTH-CARE INFORMATION.

Representative Maier made comments. Representative Maier introduced and brought **HA 1 to HB 381** before the House for consideration. **HA 1** was adopted by voice vote. Representative Maier made comments.

The roll call on **HB 381 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hall-Long & Williams - 2.

Therefore, having received a constitutional majority, **HB 381 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Cathcart deferred to Representative Lee.

Representative Lee brought **HB 261**, jointly sponsored by Representative Hall-Long & Representative Ennis & Representatives Brady, Ewing, Keeley, Kowalko, Longhurst, McWilliams, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Schooley, Schwartzkopf, Valihura, Viola & Williams & Senators Blevins & Cook, before the House for consideration.

**HB 261** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS.

Representative Mitchell introduced and brought **HA 1 to HB 261** before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representative Lee made comments. Representative Wagner announced that she will not be voting on **HB 261 w/HA 1** because of a possible conflict of interest.

The roll call on **HB 261 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Wagner - 1.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 261 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Brady.

Representative Brady brought **HB 365**, jointly sponsored by Representatives Keeley, Thornburg & Williams & Senators Henry & Marshall & cosponsored by Representative Johnson, before the House for consideration.

**HB 365 - AN ACT TO AMEND TITLES 10 AND 11 OF THE CITY OF WILMINGTON'S HOME RULE CHARTER RELATING TO LIENS FOR UNPAID WATER RENTS AND SEWER SERVICE CHARGES. (2/3 bill)**

Representative Brady made comments.

The roll call on **HB 365** was taken and revealed:

YES: 39.

ABSENT: Representatives Hall-Long & Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 365** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Johnson.

Representative Johnson moved to suspend the rules which interfere with action on **HB 405**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Johnson brought **HB 405**, jointly sponsored by Representatives Cathcart, Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long & Plant, before the House for consideration.

**HB 405 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (F/N)**

Representative Johnson brought **HA 1 to HB 405** before the House for consideration.

Representative Johnson made a comment. **HA 1** was adopted by voice vote. Representative Johnson made comments.

The roll call on **HB 405 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 405 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative McWilliams.

Representative McWilliams made comments.

Representative McWilliams introduced **HB 472**, jointly sponsored by Representative Maier & Representative Schooley & Senator Blevins & Senator Sorenson.

**HB 472 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD DEATH, NEAR DEATH, AND STILLBIRTH COMMISSION AND REVIEW OF MATERNAL DEATHS.**

Mr. Acting Speaker assigned **HB 472** to the Health & Human Development Committee.

Representative Lee deferred to Representative Carey.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representative Carey introduced **HB 470**, jointly sponsored by Senator Simpson & Representatives Lee, Booth, Ewing, Hastings, Hocker, Outten, Thornburg, Carson, Hall-Long, McWilliams & Walls & Senators Adams, Venables & Still.

**HB 470 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO MILK, CREAM, AND OTHER MILK PRODUCTS; CONTAINERS.**

Mr. Acting Speaker assigned **HB 470** to the Agriculture Committee.

Representative Thornburg made an announcement.

Representative Carey made comments regarding **HB 470**.

Representatives Cathcart & Maier made announcements.

Representative Cathcart deferred to Representative Spence.

Representative Spence introduced **HB 468**, jointly sponsored by Senator Bunting & Representatives Blakey, Brady, Carson, Ewing, Hall-Long, Johnson, Keeley, Kowalko, Lofink, Longhurst, Mitchell, Mulrooney, Oberle, Schooley & Viola & Senator Ennis & cosponsored by Senators DeLuca & Peterson.

**HB 468 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION INDUSTRY INDEPENDENT CONTRACTOR ACT.**

Mr. Acting Speaker assigned **HB 468** to the Labor Committee.

Representative Spence made announcements.

Representative Spence introduced **HB 471**, jointly sponsored by Senator Adams & Representatives Lee, Oberle & Schwartzkopf & Senator DeLuca.

**HB 471** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES.

Mr. Acting Speaker assigned **HB 471** to the Public Safety & Homeland Security Committee.

Representative Spence requested that action on **HB 287** be deferred to a Day Certain, Thursday, June 12, 2008.

Representative Spence made an announcement.

Representative Cathcart brought **HB 403**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HB 403** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A MENTAL HEALTH DEATH REVIEW COMMITTEE.

Representative Cathcart brought **HA 1 to HB 403** before the House for consideration.

Representative Cathcart made a comment. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 403 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 403 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart brought **HB 407**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HB 407** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS.

Representative Cathcart brought **HA 1 to HB 407** before the House for consideration.

Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 407 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 407 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart brought **HB 408**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HB 408** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS, NOTIFICATIONS AND FORMS.

Representative Cathcart brought **HA 1 to HB 408** before the House for consideration.

Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 408 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 408 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative B. Short.

Representative B. Short introduced **HB 475**, jointly sponsored by Representative D. Short & Senator Cloutier & Senator Sokola & Representatives Brady, Carey, Keeley, Lavelle, McWilliams, Mitchell, Schwartzkopf, Stone & Valihura & Senators Blevins & McDowell.

**HB 475** - AN ACT TO AMEND CHAPTERS 21 AND 22, TITLE 5 OF THE DELAWARE CODE RELATING TO REVERSE MORTGAGES.

Mr. Acting Speaker assigned **HB 475** to the Economic Development/Banking & Insurance Committee.

Representative B. Short made comments regarding **HB 475**.

Representative Cathcart brought **Consent Agenda B** before the House for consideration.

**HB 404** – CATHCART & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT - An Act to Amend Titles 16 and 29 of the Delaware Code Relating to Nursing Facilities and Similar Facilities.

**HB 409** – CATHCART & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services.

**HB 419** – CATHCART & SENATOR COPELAND & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT - An Act to Amend Title 16 of the Delaware Code Creating a Community Mental Health Treatment Act.

Representative Cathcart requested that **HB 404** be removed from **Consent Agenda B**. Representative Cathcart made a comment. Representative Cathcart moved to place **HB 404** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

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

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 409** & **HB 419** were sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 411**, jointly sponsored by Representatives Cathcart, Booth, Maier, Manolakos, Valihura, Wagner, Johnson & Plant, before the House for consideration.

**HB 411** - AN ACT TO AMEND CHAPTER 51, TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS AND MANDATORY DRUG TESTING.

Representative Hall-Long brought **HA 1 to HB 411** before the House for consideration.

Representatives Hall-Long & Booth made comments. Representative Hall-Long requested and was granted privilege of the floor for Lisa Schieffert, Policy Advisor, Department of Health and Social Services.

Representatives Booth & Hall-Long made comments. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 411 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 411 w/HA 1** was sent to the Senate for concurrence.

Representative Keeley made an announcement.

Mr. Acting Speaker granted privilege of the floor to The Honorable George C. Hering, former Speaker of the House. Representative Cathcart made comments.

Representative Cathcart deferred to Representative Mitchell.

Representative Mitchell introduced **HB 474**, jointly sponsored by Senator Ennis & Representatives Brady, Carson, Gilligan, Hall-Long, Hudson, Johnson, Keeley, Kowalko, Lavelle, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Spence, Viola & Williams & Senators Blevins, DeLuca & McDowell & cosponsored by Senator Connor.

**HB 474** - AN ACT TO AMEND CHAPTERS 1 AND 45, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Representative Cathcart made an announcement.

Mr. Acting Speaker assigned **HB 474** to the Public Safety & Homeland Security Committee.

Representative Mitchell requested that **HB 295** be stricken.

Representative Cathcart moved to lift **HB 404** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HB 404**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HB 404** - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.

Representative Cathcart deferred to Representative Miro. Representative Miro introduced and brought **HA 1 to HB 404** before the House for consideration. Representative Miro made a comment. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 404 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, Viola & Williams - 3.

Therefore, having received a constitutional majority, **HB 404 w/HA 1** was sent to the Senate for concurrence.

Mr. Acting Speaker & Representative Cathcart made comments.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short made comments and introduced a guest.

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

APPROPRIATIONS: **SB 108 w/SA 1 & 3** - 4M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 319** - 7M; **SB 191** - 7M; **SB 247** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 426** - 3M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 61** and is returning same to the House.

The Majority Leader moved to recess to the call of the Chair at 6:44 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:23 p.m. on June 11, 2008.

Mr. Speaker Spence assigned **HB 453** to the Agriculture Committee, **HB 468** to the Labor Committee,

**HB 470** to the Agriculture Committee, **HB 471** & **HB 474** to the Public Safety and Homeland Security Committee and **HB 475** to the Economic Development, Banking & Insurance Committee.

Representative Lee deferred to Representative D. Short.

Representative D. Short introduced **HB 476**, jointly sponsored by Representative Maier & Senator Copeland & Representatives Cathcart, Lee, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Outten, Stone, Thornburg, Valihura, Brady, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Schooley, Viola & Walls & Senators Connor, Simpson, Sorenson & Still & cosponsored by Representative B. Short.

Mr. Speaker Spence introduced guests.

**HB 476** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO ASSIST ENROLLMENTS IN THE DELAWARE HEALTHY CHILDREN PROGRAM.

Mr. Speaker Spence assigned **HB 476** to the Economic Development/Banking & Insurance Committee.

Mr. Speaker Spence made an announcement.

Representative D. Short introduced **HB 477**, jointly sponsored by Senator Copeland & Representatives Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Outten, Stone, Thornburg, Carson & Walls & Senators Sorenson, Connor, Simpson & Still & cosponsored by Representative B. Short.

**HB 477** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INDIVIDUAL HEALTH INSURANCE STANDARDS.

Mr. Speaker Spence assigned **HB 477** to the Economic Development/Banking & Insurance Committee.

Representative D. Short introduced **HB 478**, jointly sponsored by Senator Copeland & Representatives Cathcart, Lee, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Stone, Thornburg, Brady, Carson, Johnson & Walls & Senators Sorenson, Connor, Simpson & Still.

**HB 478** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INSURANCE RISK POOL.

Mr. Speaker Spence assigned **HB 478** to the Economic Development/Banking & Insurance Committee.

Representative Stone introduced **HB 479**, jointly sponsored by Senator Copeland & Representatives Blakey, Booth, Brady, Carey, Cathcart, Ewing, Hastings, Hocker, Hudson, Johnson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Thornburg, Valihura & Walls & Senators Connor & Sorenson & cosponsored by Representative B. Short.

**HB 479** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

Mr. Speaker Spence assigned **HB 479** to the Economic Development/Banking & Insurance Committee.

Representative Stone made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 251, SB 252 w/SA 2, SB 245, SB 203 w/SA 1**

& **SB 276 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 329** & **HB 316** and is returning same to the House.

The Majority Whip moved to adjourn at 2:33 p.m., thereby ending the current legislative day. The House reconvened at 2:34 p.m.

### **35th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 11, 2008**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Manolakos & Williams – 2.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

Mr. Speaker Spence invited Lauren, Katelyn and Morgan Roberts to join him in leading those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HS 1 for HB 339** - HUDSON & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 11 and 13 of the Delaware Code Relating to Marriage Licenses.

**HB 454** - HALL-LONG & REPRESENTATIVE MCWILLIAMS & SENATOR HENRY & SENATOR BLEVINS; REPRESENTATIVES MAIER, MANOLAKOS, MITCHELL, SCHOOLEY; SENATORS MARSHALL, MCDOWELL, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Internet Pharmacies and Internet Sales of Prescription Drugs.

**HB 455** - CARSON & SENATOR ENNIS; REPRESENTATIVE B. SHORT; SENATOR MCDOWELL - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 22 of the Delaware Code Relating to Municipal Zoning Regulations. (2/3 bill)

**HB 456** - SCHWARTZKOPF; REPRESENTATIVES BRADY, CARSON, JOHNSON, KEELEY, LEE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, B. SHORT, WALLS, WILLIAMS; SENATORS BUNTING, ENNIS - POLICY ANALYSIS & GOVERNMENT



ACCOUNTABILITY - An Act to Amend Chapter 13, Title 24 of the Delaware Code Relating to Private Security Agencies.

**HB 460** - HUDSON & REPRESENTATIVE D. SHORT - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Health Insurance.

**HB 461** - BRADY; REPRESENTATIVES LAVELLE, MANOLAKOS, MIRO, VALIHURA; SENATORS AMICK, MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 22 and 25 of the Delaware Code to Authorize the Collection of Liens by Writ of Monition. (2/3 bill)

**HB 462** - HUDSON & SENATOR SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Elections.

**HB 463** - SPENCE & SENATOR MCBRIDE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to County Taxes.

**HB 464** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LONGHURST, MAIER, SCHOOLEY; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Commission for Women.

**HB 465** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Statistics Center.

**HB 466** - MITCHELL & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE EWING & SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Arrest Power and Conviction, Fresh Pursuit.

**HB 467** - VALIHURA & SENATOR VENABLES & SENATOR MCDOWELL; REPRESENTATIVES MAIER, B. SHORT; SENATOR PETERSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Transfer of a Puppy Under Eight Weeks of Age. (2/3 bill)

**HB 469** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 7 of the Delaware Code Relating to the Conservation Districts.

**HB 473** - STONE & SENATOR SOKOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Cancellation or Nonrenewal of an Automobile Insurance Policy.

**HA 1 to HS 1 for HB 376** - HASTINGS - Placed with the Bill.

**HA 1 to HB 417** - HUDSON - Placed with the Bill.

**HA 2 to HB 417** - VALIHURA; REPRESENTATIVES HUDSON, STONE, THORNBURG, JOHNSON - Placed with the Bill.

**HA 3 to HB 417** - HUDSON; REPRESENTATIVES STONE, THORNBURG, JOHNSON - Placed with the Bill.

**HA 1 to HB 426** - VALIHURA - Placed with the Bill.

**HR 63** - SCHWARTZKOPF & REPRESENTATIVE MANOLAKOS & REPRESENTATIVE PLANT - HEALTH & HUMAN DEVELOPMENT - Creating a Task Force to Study and Make Recommendations Regarding Organ Donation in the State of Delaware.

**SB 203 w/SA 1** - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, COOK, SOKOLA, BONINI, STILL; REPRESENTATIVES BRADY, CAREY, HASTINGS, HUDSON, LAVELLE, LONGHURST, PLANT, B. SHORT, D. SHORT, VALIHURA, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Participation in a Multi-State Automated Licensing System. (3/5 bill)

**SB 245** - VENABLES & SENATOR ENNIS & REPRESENTATIVE WILLIAMS & REPRESENTATIVE HASTINGS & REPRESENTATIVE OBERLE; SENATORS BUNTING, COPELAND, MCDOWELL; REPRESENTATIVES BRADY, CAREY, CARSON, CATHCART, EWING, HALL-LONG, HOCKER, JOHNSON, KOWALKO, LAVELLE, LEE, LONGHURST, MAIER, MCWILLIAMS, MIRO, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, D. SHORT, SPENCE, STONE, THORNBURG, WAGNER, WALLS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 10 and 29 of the Delaware Code Relating to Real Property Acquisition and Eminent Domain. (2/3 bill)

**SB 251** - BLEVINS & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 11, Chapter 94 of the Delaware Code Relating to the Victims' Bill of Rights.

**SB 252 w/SA 2** - MARSHALL & REPRESENTATIVE KEELEY; SENATORS MCDOWELL, HENRY, BLEVINS, CONNOR; REPRESENTATIVES MAIER, BRADY, MULROONEY, PLANT, KOWALKO, WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 6 & 29 of the Delaware Code Relating to Foreclosure Protection for Homeowners (2/3 bill)

**SB 276 w/SA 1** - SIMPSON & REPRESENTATIVE THORNBURG; SENATORS BLEVINS, COPELAND, MCDOWELL; REPRESENTATIVES HALL-LONG, SCHOOLEY - ENERGY AND

NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to the Sustainable Energy Utility.

**HA 1 to SB 235** - HASTINGS - Placed with the Bill.

Representative Valihura requested that he be marked present.

Representative Walls made an announcement.

The House observed a moment of silence in memory of staff member Ellen Younghan's aunt at the request of Representative Lee.

Representative Lee requested and was granted privilege of the floor for Richard Carter, Chairman, Delaware Heritage Commission who made a presentation and introduced members of the Commission.

Representative Lee brought the following prefiled **Consent Calendar #23** before the House for consideration.

**HR 62** – VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE – Re-Establishing the Task Force to Review Delaware’s Abandoned Property Administration and Policies.

**HR 64** – LOFINK & REPRESENTATIVE SPENCE & REPRESENTATIVE OBERLE & REPRESENTATIVE MITCHELL & REPRESENTATIVE MULROONEY - Creating a Sex Offender Interfacing Task Force.

**HCR 63** – WAGNER & REPRESENTATIVE STONE & SENATOR STILL – Recognizing June 14, 2008 as Race Unity Day in the City of Dover.

**SCR 43** – CLOUTIER & SENATOR ADAMS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATORS AMICK, BLEVINS, BONINI, BUNTING, CONNOR, COOK, COPELAND, DELUCA, ENNIS, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL & VENABLES – Declaring May 2008 as Melanoma and Skin Cancer Detection and Prevention Month in Delaware.

**SCR 45** – COPELAND & SENATOR ADAMS & SENATOR DELUCA & SENATOR BLEVINS & SENATOR SORENSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE & REPRESENTATIVE CATHCART & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES – Recognizing June 8 through June 14, 2008 as Paralegal Week.

**SCR 46** – MARSHALL ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Recognizing June 12, 2008 as National Network of Career Nursing Assistants’ Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

Representative D. Short introduced **HCR 64**, jointly sponsored by Representative Lavelle & Senator Copeland & Representatives Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Miro, Outten, Stone, Thornburg, Mitchell, Schwartzkopf & Walls & Senators Sorenson & Connor.

**HCR 64** – CALLING FOR DELAWARE’S CONGRESSIONAL DELEGATION TO SUPPORT THE HEALTH CARE CHOICE ACT.

**HCR 64** was added to **Consent Calendar #23** at the request of Representative D. Short.

Representative D. Short introduced **HR 65**, jointly sponsored by Representative Booth & Representative Hastings & Representatives Cathcart, Lee, Blakey, Carey, Ewing, Hocker, Hudson, Lavelle, Maier, Miro, Outten, Stone, Valihura, Gilligan, Carson & Walls.

**HR 65** - CREATING A TASK FORCE TO DEVELOP A PLAN TO PILOT TWO IN-HOSPITAL URGENT CARE FACILITIES IN DELAWARE.

**HR 65** was added to **Consent Calendar #23** at the request of Representative D. Short.

Representative Lee requested that **HCR 64** be removed from **Consent Calendar #23**.

**Consent Calendar #23** was adopted by voice vote and **HR 62, HR 64 & HR 65** were declared passed, **HCR 63** was sent to the Senate for concurrence and **SCR 43, SCR 45 & SCR 46** were returned to the Senate.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: June 11, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number                          | Sponsor             | Date      | Type | Description                                              |
|---------------------------------|---------------------|-----------|------|----------------------------------------------------------|
| H144-1714                       | Carson              | 5/23/2008 | T    | Captain Robert Hutchins - Retirement – DNREC             |
| H144-1715                       | Hastings            | 5/27/2008 | T    | Long Neck Elementary - National Distinguished School     |
| H144-1716                       | Hastings;<br>Hocker | 5/27/2008 | T    | Southern School of the Arts - Superstars in Education    |
| H144-1717                       | Hocker;<br>Booth    | 5/29/2008 | T    | U of D Parallel Program in Georgetown - 40th Anniversary |
| H144-1718                       | Wagner              | 6/14/2008 | T    | Jessica Fedirko & John Maxwell - Marriage                |
| H144-1719                       | Lofink              | 5/13/2008 | T    | Ian Anthony Cotter - Eagle Scout                         |
| H144-1720                       | Spence              | 6/11/2008 | T    | Colonel Rick Gregory - Support - Crime Prevention Watch  |
| cosponsors: All Representatives |                     |           |      |                                                          |

|           |                       |           |   |                                                                      |
|-----------|-----------------------|-----------|---|----------------------------------------------------------------------|
| H144-1721 | Lofink                | 6/9/2008  | T | Terry Mance - Retirement - Howard High                               |
| H144-1722 | Lofink                | 6/9/2008  | T | Valerie Evans - Retirement - Howard High                             |
| H144-1723 | Lofink                | 6/9/2008  | T | Domenic Pedante - Retirement - Howard High                           |
| H144-1724 | Lofink                | 6/9/2008  | T | Terry Ireland - Retirement - Howard High                             |
| H144-1725 | Hudson;<br>Keeley     | 6/10/2008 | T | Carly Gardner - Father James Trainor Scholarship                     |
| H144-1726 | Hudson;<br>Keeley     | 6/10/2008 | T | Fernando Gomez - Father James Trainor Scholarship                    |
| H144-1727 | Johnson;<br>Keeley    | 6/10/2008 | T | Devin Harmon - Father James Trainor Scholarship                      |
| H144-1728 | Maier;<br>Keeley      | 6/10/2008 | T | Maria Malin - Father James Trainor Scholarship                       |
| H144-1729 | Williams;<br>Keeley   | 6/10/2008 | T | Sarah O'Connell - Father James Trainor Scholarship                   |
| H144-1730 | Brady;<br>Keeley      | 6/10/2008 | T | Alexis Ryan - Father James Trainor Scholarship                       |
| H144-1731 | Maier                 | 5/24/2008 | M | George Melvin Dempsey                                                |
| H144-1732 | Hastings              | 5/31/2008 | T | Charles & Eleanor Hudson - 57th Wedding Anniversary                  |
| H144-1733 | Walls;Wagner          | 5/28/2008 | M | Steve Protonentis                                                    |
| H144-1734 | Hall-Long             | 6/4/2008  | T | Carole Oreszczyn - Retirement - Brandywine Schools                   |
| H144-1735 | Spence                | 6/4/2008  | T | Patricia Wilcox - Retirement - Brandywine Schools                    |
| H144-1736 | Manolakos;<br>Kowalko | 6/4/2008  | T | Thomas Koliss - Siemens Award - Advanced Placement                   |
| H144-1737 | Marshall              | 5/25/2008 | M | Malak S. Michael                                                     |
| H144-1738 | Schwartzkopf          | 5/19/2008 | T | Rehoboth Beach Main Street - Small Business<br>Community of the Year |
| H144-1739 | Lofink;<br>Maier      | 7/22/2008 | T | Michael & Kathleen Quirk - 25th Wedding Anniversary                  |

HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: June 11, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                         | Date      | Type | Description                                            |
|-----------|---------------------------------|-----------|------|--------------------------------------------------------|
| H144-1740 | Brady                           | 6/30/2008 | M    | William T. McLaughlin                                  |
|           | cosponsors: All Representatives |           |      |                                                        |
| H144-1741 | Gilligan;<br>Brady              | 5/31/2008 | M    | Gerald P. Doherty, III                                 |
| H144-1742 | Miro; Maier                     | 6/8/2008  | T    | Patricia Ireland - Retirement - Independence School    |
| H144-1743 | Lofink                          | 6/9/2008  | T    | Glasgow High Track Team - Division I Title             |
| H144-1744 | Maier                           | 6/10/2008 | T    | Kathleen Yearick - Retirement - Red Clay Schools       |
| H144-1745 | Cathcart                        | 6/1/2008  | M    | Cynthia A. Hetzell                                     |
| H144-1746 | Wagner                          | 6/14/2008 | T    | Lindsey Freer & Christopher Downer – Marriage          |
| H144-1747 | D. Short; Lee                   | 6/1/2008  | M    | David Burton Webb, Jr.                                 |
| H144-1748 | Lofink                          | 6/9/2008  | T    | Kevin Duong - Division I Track Title                   |
| H144-1749 | Lofink                          | 6/9/2008  | T    | Mackenzie Williams - Division I Track Title            |
| H144-1750 | Lofink                          | 6/9/2008  | T    | Amire Roane - Division I Track Title                   |
| H144-1751 | Lofink                          | 6/9/2008  | T    | Levar Wiggins - Division I Track Title                 |
| H144-1752 | Lofink                          | 6/9/2008  | T    | Xavier Kelly - Division I Track Title                  |
| H144-1753 | Lofink                          | 6/9/2008  | T    | Ryan Carter - Division I Track Title                   |
| H144-1754 | Lofink                          | 6/9/2008  | T    | Malachi Freeman - Division I Track Title               |
| H144-1755 | Lofink                          | 6/9/2008  | T    | Alan Harding - Division I Track Title                  |
| H144-1756 | Lofink                          | 6/9/2008  | T    | Sammy Vaughn - Division I Track Title                  |
| H144-1757 | Lofink                          | 6/9/2008  | T    | A. J. Matthews - Division I Track Title                |
| H144-1758 | Lofink                          | 6/9/2008  | T    | Matt Freeman - Division I Track Title                  |
| H144-1759 | Lofink                          | 6/9/2008  | T    | Cardell Greene - Division I Track Title                |
| H144-1760 | Hastings                        | 6/22/2008 | T    | Tyler Paul Oliphant - Eagle Scout                      |
|           | cosponsor: Rep. Booth           |           |      |                                                        |
| H144-1761 | Johnson                         | 6/8/2008  | T    | Josephine Roy - Outstanding Community Activist         |
| H144-1762 | Spence                          | 6/7/2008  | T    | American Legion Middletown Post 25 – Groundbreaking    |
| H144-1763 | D. Short                        | 6/9/2008  | T    | Dr. William Parmelee - Retirement - Board of Education |
| H144-1764 | Wagner                          | 6/30/2008 | T    | Margaret Neal - Retirement - Capital Schools           |
| H144-1765 | Wagner                          | 6/30/2008 | T    | Jacqueline Perkowski - Retirement - Capital Schools    |
| H144-1766 | Wagner                          | 6/30/2008 | T    | Clealyn Wilson - Retirement - Capital Schools          |

T- Tribute

M - Memoriam

Representative Hall-Long requested that she be marked present.

Mr. Speaker Spence made an announcement.

Representative Lee moved to place **HCR 64** on the Speaker's Table. The motion was seconded by Representative Maier and adopted by voice vote.

Representative Maier made an announcement.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:51 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:51 P.M.: Representatives Cathcart, Lofink, Longhurst, Miro, Mulrooney & Oberle.

Mr. Speaker Spence called the House to order at 2:09 p.m. on June 12, 2008.

Mr. Speaker Spence reassigned **HB 460** to the Economic Development/Banking & Insurance Committee.

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

CORRECTIONS: **HB 434** - 6M; **HB 443** - 6M; **HB 446** - 6M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 23** - 5F, 2M; **SB 240** - 7M; **SB 239 w/SA 1** - 1F, 6M; **SB 246 w/SA 1** - 2F, 5M.

EDUCATION: **HB 397** - 8M.

ENERGY AND NATURAL RESOURCES: **HB 440** - 2F, 5M, 1U; **SB 249** - 1F, 7M.

HEALTH & HUMAN DEVELOPMENT: **HR 53** - 7M; **HR 54** - 8M; **HR 55** - 7M; **HR 56** - 6M; **HR 57** - 7M; **HR 58** - 6M; **HB 442** - 7M; **HB 472** - 6M; **SB 227 w/SA 1** - 6M; **SB 235 w/SA 2** - 6M.

HOUSE ADMINISTRATION: **HB 402** - 4M; **HB 430** - 4M; **HB 435** - 4M; **HB 436** - 4M; **SB 164** - 4M; **SB 231** - 4M; **SB 261** - 4M.

HOUSING & COMMUNITY AFFAIRS: **HB 413** - 1F, 6M; **HB 449** - 1F, 7M, 1U; **HB 451** - 1F, 4M, 2U.

JUDICIARY: **HB 369** - 5M; **HB 424** - 1F, 4M; **HB 431** - 5M; **SB 244** - 5M; **SB 260** - 5M.

LABOR: **HB 468** - 5M; **HB 414** - 6M; **SB 204 w/SA 1** - 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 471** - 6M; **HB 444** - 5M; **HB 398** - 5M; **HB 474** - 5M; **SB 254 w/SA 1** - 5M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **SB 245** - 4F, 3M.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 263**, **SB 45 w/SA 1**, **SB 268**, **SB 269**, **SB 238 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 218 w/HA 1 & SA 1**, **HB 36 w/HA 1 & 2** & **HB 143** and is returning same to the House.

June 11, 2007

LEGISLATIVE ADVISORY #24

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/15/08 – **SB 230**; 5/27/08 – **SB 208 aab SA 1 & HA 1**; 6/3/08 – **SB 213**.

The Majority Whip moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

### **36th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**

**June 12, 2008**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Diana M. McWilliams, Sixth Representative District.

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

The minutes of the previous two legislative days were approved as posted.

The following prefiled legislation was introduced:

**HS 1 for HB 362** - SCHOOLEY & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES EWING, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, KOWALKO, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MCWILLIAMS, MITCHELL, MULROONEY, SCHWARTZKOPF, B. SHORT, D. SHORT, SPENCE, VALIHURA, WALLS; SENATORS CLOUTIER, ENNIS, HENRY, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**HB 480** - CATHCART & SENATOR DELUCA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 17 and Title 29 of the Delaware Code Relating to the Department of Safety and Homeland Security.

**HB 481** - CAREY & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Files and Lists of Voters Maintained by the Commissioner of Elections.

**HA 1 to HB 461** - BRADY - Placed with the Bill.

**HA 1 to HB 470** - CAREY - Placed with the Bill.

**SB 45 w/SA 1** - CONNOR & REPRESENTATIVE THORNBURG; SENATORS AMICK, SORENSON, STILL; REPRESENTATIVE MAIER - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Prohibiting the Advertising and Conducting of Certain Live Musical Performances or Productions.

**SB 238 w/SA 1** - MCBRIDE & REPRESENTATIVE OBERLE & SENATOR SIMPSON; SENATOR CLOUTIER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 29 of the Delaware Code Relating to Solar Photovoltaic Systems.

**SB 263** - MCDOWEL & REPRESENTATIVE THORNBURG; SENATORS BUNTING, VENABLES, COPELAND, SIMPSON; REPRESENTATIVES HOCKER, MCWILLIAMS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to a Regional Greenhouse Gas Initiative and CO2 Emission Trading Program.

**SB 268** - COOK & REPRESENTATIVE LAVELLE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Heritage Commission.

**SB 269** - BUNTING & SENATOR BLEVINS & REPRESENTATIVE SPENCE & REPRESENTATIVE KOWALKO - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance for Medical Negligence.

Representative Cathcart requested that he be marked present.

Representative Cathcart deferred to Representative Schwartzkopf.

Representative Schwartzkopf requested and was granted privilege of the floor for himself, Chiefs of Police and law enforcement officers involved in the Special Olympics Torch Run. John M. Miller, Special Olympics State Director, addressed the House. The Torch Run participants announced their names for the record. Mr. Speaker Spence made comments. Representatives Lavelle & Mitchell requested that they be marked present. Representative Lavelle made comments.

Representatives B. Short, Maier, Viola, Plant, Hall-Long & Miro requested that they be marked present.

Representative Cathcart deferred to Representative Maier. Representative Maier introduced guests and requested and was granted privilege of the floor for certified nursing assistants who announced their names and place of employment for the record. Mr. Speaker Spence made comments. The House observed a moment of silence in memory of four boy scouts who lost their lives during a tornado in Little Sioux, Iowa at the request of Representative Maier. Representative Maier requested and was granted privilege of the floor for Eagle Scouts who announced their names and hometowns for the record. Representative Cathcart deferred to Representative Lofink. Representative Lofink made comments and introduced guests. Representative Lofink requested and was granted privilege of the floor for himself and Representative Longhurst to present House Tributes to Kevin J. Welch, First Place, and Kelly Martinez, Second Place, Keyboard Production, 2008 Business Professionals of America Competition. Mr. Welch and Ms. Martinez addressed the House. Mr. Speaker Spence, Representatives Manolakos & Miro made comments. Representatives Hocker & Outten requested that they be marked present.

Representative Cathcart deferred to Representative Carson.

Representative Carson moved to lift **HCR 57** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Carson brought **HCR 57**, jointly sponsored by Representative Cathcart & Representative Lee & Representative Walls on behalf of All Representatives & Senator Cook & Senator Ennis & Senator Still on behalf of All Senators, before the House for consideration.

**HCR 57** - COMMENDING THE STATE OF DELAWARE'S FIRST RESPONDERS FOR THEIR COURAGEOUS EFFORTS DURING THE NOR'EASTER ON THE 11TH AND 12TH OF MAY, 2008.

Representative Carson requested and was granted privilege of the floor for himself and Representatives Cathcart, Lee, Stone & Walls to present copies of **HCR 57** and Delaware pins to Fire Chiefs who were present who announced their names and Departments for the record.

Representative Carson read **HCR 57** into the record as follows:

WHEREAS, Delaware's First Responders include volunteer fire fighters, police officers, and emergency medical technicians; and

WHEREAS, heavy rain and wind caused by a nor'easter storm on the 11th and 12th of May, 2008, caused significant damage throughout the State; and

WHEREAS, rainfall totals during the storm peaked at 3.5 inches in some parts of the State; and

WHEREAS, wind speed during the storm peaked at 68 miles per hour in some parts of the State; and

WHEREAS, the General Assembly considers the tireless efforts of the many First Responders who worked to assist others and the State during the recent nor'easter to be commendable and worthy of recognition.

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware, the Senate concurring therein, that all of Delaware's First Responders are hereby commended for their service to the residents of this State during the nor'easter of May 11th and 12th, 2008.

BE IT FURTHER RESOLVED that the efforts put forth by Delaware's First Responders highlight their motto of "first in, last out."

Representative Carson made comments.

**HCR 57** was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Valihura, Schooley & Gilligan requested that they be marked present.

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

AGRICULTURE: **HB 452** - 7F,2M.

REVENUE & FINANCE: **HB 458** - 7M.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Representative Thornburg introduced a guest.

Representative Cathcart deferred to Representative Lee.

Representative Lee introduced and brought **HR 66**, jointly sponsored by Representative Cathcart & Representative Spence & Representative Gilligan & Representative Keeley on behalf of All Representatives, before the House for consideration.

**HR 66** - RECOGNIZING THURSDAY, JUNE 12, 2008 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR.

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, legislators would be like big off-shore wind turbines without the wind that makes them work; and

WHEREAS, whether it is running errands for legislators, “volunteering” their weekends, or pretending to be truly sympathetic when legislators regale their tales of woe over unreasonable constituents, our dedicated legislative staff are always willing to go the extra mile for their bosses; and

WHEREAS, whether it be bill stampers and pages that keep them fed, secretaries to give them some semblance of organization, legal staff to tell them what they can and cannot get away with, and full-time staffers to educate the public as to their finest qualities, legislative staffers are a unique cornucopia of personalities that blend to make this very fine institution run; and

WHEREAS, the House staff would collectively like thank the representatives for having the uncanny insight to know that we would much rather have this appreciation day instead of a pay raise, and

WHEREAS, legislative staff is such an integral part of the legislative process that this Resolution would not be possible without them.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that we hereby extol the greatness of our legislative staff and extend from the bottoms of our heart, our deepest, most sincere, almost to the point of tears gratitude for all of their hard work and dedication.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

Representatives Lee, Cathcart, Mr. Speaker Spence & Representative Gilligan made comments.

**HR 66** was adopted by voice vote.

Representative Williams requested that he be marked present.

Representative Lofink introduced guests.

Representative Stone requested that she be marked present.

The Majority Leader moved to recess for caucus at 3:10 p.m.

The House reconvened at 4:32 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

AGRICULTURE: **HB 453** - 4F,3M; **HB 470** - 8F.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 174 w/HA 1 & SA 1 & 2** - 5M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 47** and requests the concurrence of the House.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings brought **SB 245**, jointly sponsored by Senator Venables & Senator Ennis & Representative Williams & Representative Oberle & Senators Bunting, Copeland & McDowell & Representatives Brady, Carey, Carson, Cathcart, Ewing, Hall-Long, Hocker, Johnson, Kowalko, Lavelle, Lee, Longhurst, Maier, McWilliams, Miro, Mulrooney, Outten, Schooley, Schwartzkopf, D. Short, Spence, Stone, Thornburg, Wagner & Walls, before the House for consideration.

**SB 245** - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN.

Representative Hastings moved to place **SB 245** on the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Spence requested and was granted privilege of the floor to present a House Tribute to Victor F. Battaglia who addressed the House.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings moved to lift **SB 245** from the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hastings brought **SB 245**, jointly sponsored by Senator Venables & Senator Ennis & Representative Williams & Representative Oberle & Senators Bunting, Copeland & McDowell & Representatives Brady, Carey, Carson, Cathcart, Ewing, Hall-Long, Hocker, Johnson, Kowalko, Lavelle, Lee, Longhurst, Maier, McWilliams, Miro, Mulrooney, Outten, Schooley, Schwartzkopf, D. Short, Spence, Stone, Thornburg, Wagner & Walls, before the House for consideration.

**SB 245** - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN.

Representative Hastings deferred to Representative Williams. Representative B. Short announced that he will not be voting on **SB 245** because of a possible conflict of interest. Representatives Williams, Hastings, Valihura, Williams & Wagner made comments. Representative Williams requested and was granted privilege of the floor for Michael Migliore, House Attorney. Representatives Wagner & Marshall made comments.

The roll call on **SB 245** was taken and revealed:

YES: 38.

NOT VOTING: Representative B. Short - 1.

ABSENT: Representatives Stone & Valihura - 2.

Therefore, having received a constitutional majority, **SB 245** was returned to the Senate.

Representatives Hudson & Mulrooney requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 417**, jointly sponsored by Representative Cathcart & Senator Adams & Senator DeLuca, before the House for consideration.

**HB 417** - AN ACT TO AMEND SUBCHAPTER VII-A OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE TELECOMMUNICATIONS TECHNOLOGY INVESTMENT ACT.

Representative Hudson brought **HA 1 to HB 417** before the House for consideration.

Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson brought **HA 2 to HB 417**, jointly sponsored by Representatives Valihura, Stone, Thornburg & Johnson, before the House for consideration. Representative Hudson made comments. **HA 2** was adopted by voice vote.

Representative Hudson brought **HA 3 to HB 417**, jointly sponsored by Representatives Stone, Thornburg & Johnson, before the House for consideration. Representative Hudson made comments. **HA 3** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 417 w/HA 1, 2 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 417 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Cathcart brought **Consent Agenda C** before the House for consideration.

**HB 427** – VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA & REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON & MITCHELL & SENATORS ADAMS, COOK, MCDOWELL, AMICK & SIMPSON - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships.

**HB 428** – VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA & REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON & MITCHELL & SENATORS ADAMS, COOK, MCDOWELL, AMICK & SIMPSON - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulations, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships.

**HB 429** – VALIHURA & REPRESENTATIVE MARSHALL & SENATOR DELUCA & REPRESENTATIVES HUDSON, LAVELLE, STONE, WAGNER, JOHNSON & MITCHELL & SENATORS ADAMS, COOK, MCDOWELL, AMICK & SIMPSON - An Act to Amend Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

**HB 360** – LAVELLE & SENATOR COPELAND & REPRESENTATIVES HUDSON, MIRO & KEELEY – An Act to Amend Title 22 of the Delaware Code Relating to Municipalities.

**HR 53** - HALL-LONG & REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON & PLANT - Urging the Delaware Psychiatric Center's Performance Improvement Unit and the Department of Health and Social Services Staff Training Program to Facilitate a Culture of Cooperation, Staff Accountability and Address Interpersonal Conflicts Within One Year.

**HR 54** - HALL-LONG & REPRESENTATIVES CATHCART, BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, JOHNSON & PLANT - Urging the Delaware Psychiatric Center to Develop a Comprehensive System to Monitor and Track Patient Assessments, Treatment Plans, Therapy Sessions and Discharge Documentation.

**HR 55** – CATHCART & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT - Urging the Joint Finance Committee to Give Great Weight to Allocating Additional Funding Directly to the Delaware Psychiatric Center to Fund Necessary Improvements to the Facility.

**HR 56** – CATHCART & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, OBERLE, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT – Urging the Joint Finance Committee to Review the Delaware Psychiatric Center’s Overtime Appropriations.

**HR 57** – CATHCART & REPRESENTATIVES BOOTH, MAIER, MANOLAKOS, OBERLE, VALIHURA, WAGNER, HALL-LONG, JOHNSON & PLANT – Directing the Department of Health and Social Services and the Delaware State Police to Develop a Memorandum of Understanding Relating to When the Police Will be Contacted to Investigate Alleged Criminal Actions at the Delaware Psychiatric Center.

Representative Cathcart requested that **HB 360, HR 56 & HR 57** be removed from **Consent**

#### **Agenda C.**

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

YES: 41.

Therefore, having received a constitutional majority, **HB 427, HB 428 & HB 429** were sent to the Senate for concurrence and **HR 53, HR 54 & HR 55** were declared passed.

Representative Cathcart brought **Consent Agenda D**, which requires a two-thirds vote, before the House for consideration.

**HB 317** – BLAKEY & SENATOR STILL - An Act to Amend the Municipal Charter of the Town of Wyoming (43 Del. Laws 189) to Amend the Designation of the Boundaries of the Town of Wyoming; Bring the Act Into Compliance with Chapter 75 of Title 15 of the Delaware Code; Permit Taxation and Borrowing by the Town of Wyoming in a Manner Consistent with the Growth of the Town through Annexation; and Make Other Minor Changes to Make the Act Consistent with the Practices of the Town of Wyoming. (2/3 bill)

**HB 402** – HOCKER & SENATOR BUNTING - An Act to Amend the Charter of the Town of Fenwick Island, Delaware, Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Fenwick Island, Delaware", to Amend Section 6, Elections, Section 7, Nominations and Section 9, Qualifications of Voters, to Conform with State Law and Clarify Certain Provisions Contained Therein. (2/3 bill)

**SB 261** – SIMPSON & REPRESENTATIVE BOOTH - An Act to Amend Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 3, Annexation of Territory, to Clarify Existing Procedures and Provide Express Authority to Enter into Agreements; Section 5, Qualifications for Mayor and City Councilman; Section 6, Method of Making Nominations for Mayor and City Councilman; Section 7, Manner of Holding Annual Municipal Elections; Section 8 Organization and Annual Meeting of Council; Section 9, Regular and Special Meetings, to Conform with State Law and to Clarify Certain Provisions Contained Therein; Section 29, Enumeration of Powers, Relating to Holding Property and Impact Fees; Section 31, Remedies for Collection of Taxes, Assessments and Other Charges, to Provide for the Monition Procedure as an Alternate Method. (2/3 bill)

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 317 & HB 402** were sent to the Senate for concurrence & **SB 261** was returned to the Senate.

Mr. Acting Speaker made an announcement.

Representative Cathcart moved to place **HB 360, HR 56 & HR 57** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 398**, jointly sponsored by Senator McBride & Representatives Hudson, McWilliams & Mitchell & cosponsored by Representatives Lavelle & Oberle, before the House for consideration.

**HB 398** - AN ACT TO AMEND TITLES 4 AND 21 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUOR, PERSONS UNDER THE AGE OF 21 YEARS, AND THE SUSPENSION OF DRIVING PRIVILEGES. (F/N)

Representative Spence introduced **HA 1 to HB 398**. Representative Spence requested that **HA 1** be stricken. Representative Spence introduced and brought **HA 2 to HB 398** before the House for consideration. Representative Spence made comments. **HA 2** was adopted by voice vote. Representatives Spence, Viola, Spence & Ewing made comments.

The roll call on **HB 398 w/HA 2** was taken and revealed:

YES: 34.

NO: Representatives Johnson, Kowalko, Marshall, Mulrooney, Schwartzkopf, Viola & Williams - 7.

Therefore, having received a constitutional majority, **HB 398 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Spence.



Representative Spence brought **HB 287**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 287** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANT OF AN ADMINISTRATIVE DIMENSIONAL VARIANCE.

Representatives Spence & Booth made comments.

The roll call on **HB 287** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 287** was sent to the Senate for concurrence.

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

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst requested that action on **SB 191** be deferred to a Day Certain, Tuesday, June 17, 2008.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 299** - 2F,5M; **HB 460** - 1F,6M; **HB 476** - 7M; **HB 477** - 7M; **HB 479** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 439** - 3M; **SS 1** for **SB 131** w/**SA 2**, **SA 4** - 3M; **SB 234** w/**SA 1** - 3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 272**, **SB 277**, **SB 286**, **SB 289** & **SB 281** and requests the concurrence of the House and the Senate has passed **HB 377** w/**HA 1** & **SA 1** and is returning same to the House.

Representative Hall-Long requested that **HB 270** be stricken.

Representative Valihura & Mr. Acting Speaker made comments.

Representative Keeley requested that **HB 379** be stricken.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson introduced and brought **HR 67**, jointly sponsored by Representative Maier & Representative Stone & Representative Thornburg & Representative Wagner & Representative Keeley & Representative Hall-Long & Representative Longhurst & Representative Marshall & Representative McWilliams & Representative Plant & Representative Schooley, before the House for consideration.

**HR 67** - RECOGNIZING SUNDAY, JUNE 15, 2008 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES.

Representative Hudson made comments.

**HR 67** was adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 5:41 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:09 p.m. on June 17, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 258** w/**SA 1** & **SJR 11** w/**SA 1** and requests the concurrence of the House.

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

### **37th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 17, 2008**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District. The House observed a moment of silence in memory of Betty J. Hall and Stephanie L. Callaway who passed away in an ambulance accident in Sussex County and a moment of silent prayer for Brice H. Hickman and Michael E. Wissman who were injured in the accident at the request of Representative Schwartzkopf.

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HB 482** - BRADY; REPRESENTATIVES LAVELLE, MANOLAKOS, MIRO, VALIHURA; SENATORS AMICK, MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 22 and 25 of the Delaware Code to Authorize the Collection of Liens by Writ of Monition. (2/3 bill)

**HB 483** - HUDSON & SENATOR BONINI; REPRESENTATIVES CAREY, HOCKER, LAVELLE, D. SHORT, VALIHURA; SENATORS COPELAND, SORENSON, CLOUTIER, CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Personal Income Tax.

**HB 484** - HOCKER & SENATOR BONINI; REPRESENTATIVES STONE, THORNBURG - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 10, 22 and 31 of the Delaware Code Relating to Redevelopment and Eminent Domain.

**HB 485** - SPENCE & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Registration of Sexual Offenders.

**HB 487** - OUTTEN & SENATOR BONINI - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Volume 76, Chapter 65 of the Laws of Delaware Relating to the Transfer of Certain Real Property in the City of Harrington, Kent County, Delaware.

**HB 488** - BOOTH & REPRESENTATIVE OBERLE & SENATOR SIMPSON - JUDICIARY - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Employment of Private Attorneys.

**HB 489** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER - JUDICIARY - An Act to Amend Title 6, Title 25 and Title 29 of the Delaware Code Relating to Consumer Protection.

**HA 1 to HS 1 for HB 339** - HUDSON - Placed with the Bill.

**HA 1 to HB 458** - MIRO - Placed with the Bill.

**HA 1 to HB 482** - BRADY - Placed with the Bill.

**SB 258 w/SA 1** - BONINI; SENATORS AMICK, CLOUTIER, PETERSON, SIMPSON, STILL; REPRESENTATIVE WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Animal Fighting and Baiting.

**SB 272** - MCDOWELL & SENATOR DELUCA & REPRESENTATIVE BRADY & REPRESENTATIVE WILLIAMS; SENATORS HENRY, MARSHALL, ENNIS, CONNOR, COPELAND, & REPRESENTATIVES SPENCE, KEELEY, MITCHELL, JOHNSON, PLANT - HOUSE ADMINISTRATION - An Act to Rename the Delaware Emergency Management Operations Center in Smyrna in Honor of the Late Director of Emergency Management and Former Chief of the Wilmington Fire Department, John P. Mulhern, Jr.

**SB 277** - SORENSON & REPRESENTATIVE SCHOOLEY; SENATORS AMICK, PETERSON, SOKOLA; REPRESENTATIVES KOWALKO, MAIER, MIRO - HOUSE ADMINISTRATION - An Act Amending the Newark City Charter, Being Chapter 152 of Volume 48, Laws of Delaware, as Amended, Relating to the City's Ability to Borrow Money for Current Expenses, Unfunded Liabilities, Tax Increment Financing, and the City's Power to Incur Bonded Indebtedness. (2/3 bill)

**SB 281** - BLEVINS & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to the Determination of Jurisdiction in Proceedings for Guardianship and Conservatorships for Incapacitated Adults. (3/5 bill)

**SB 286** - ENNIS & REPRESENTATIVE LEE; SENATORS AMICK, BUNTING, CLOUTIER, CONNOR, COPELAND, HENRY, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL, VENABLES; REPRESENTATIVES THORNBURG, WILLIAMS - CORRECTIONS - An Act to Amend Subchapter V of Title 11 of the Delaware Code Relating to the Department of Correction.

**SB 289** - ADAMS & REPRESENTATIVE SCHWARTZKOPF; SENATORS BUNTING, VENABLES, BONINI, SIMPSON, COOK; REPRESENTATIVES WALLS, CAREY, EWING, HASTINGS, HOCKER, LEE, OUTTEN, D. SHORT - JUDICIARY - An Act to Name the Sussex County Family Court Building in Honor of the Late Former Chief Judge of the Family Court of the State of Delaware, Robert D. Thompson, Jr.

**SJR 11 w/SA 1** - BLEVINS & SENATOR ADAMS & SENATOR DELUCA & REPRESENTATIVE CATHCART & REPRESENTATIVE SPENCE & REPRESENTATIVE LOFINK & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KEELEY; SENATOR ENNIS - EDUCATION - Instituting a One-Year Moratorium for New Charter School Applications.

**HA 2 to SB 191** - LONGHURST - Placed with the Bill.

**HA 3 to SB 191** - LONGHURST; REPRESENTATIVES BLAKEY, BOOTH, CAREY, CATHCART, EWING, HASTINGS, HOCKER, HUDSON, LAVELLE, LEE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, SPENCE, STONE, THORNBURG, VALIHURA, WAGNER, D. SHORT - Placed with the Bill.

Representatives Booth & Hastings requested and were granted personal privilege of the floor to introduce guests.

Representatives Wagner, Schooley, Plant, McWilliams & Lee requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:19 p.m.

The House reconvened at 4:47 p.m.

The Reading Clerk read the following communications into the record:

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, F. Gary Simpson, do hereby request that my name be removed as cosponsor of **HB 159 aab HA 1, 3 & 5**.

Date: June 17, 2008

Signed: F. Gary Simpson

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Karen E. Peterson, do hereby request that my name be removed as cosponsor of **HB 159 aab HA 1, 3 & 5**.

Date: June 17, 2008

Signed: Karen E. Peterson

Representatives Carey, Manolakos, D. Short, B. Short, Mulrooney, Valihura, Lavelle, Outten, Hall-Long, Stone, Oberle & Thornburg requested that they be marked present.

Representative Cathcart deferred to Representative Maier.

Representative Williams requested that he be marked present.

Representative Maier made comments regarding **SB 222**.

Representative Maier brought **SB 222**, jointly sponsored by Senator Blevins & Senator Sorenson & Senator Connor & Representative Schooley & Senators Amick, Copeland & Sokola & Representatives Hall-Long, Johnson, Kowalko, Lavelle, Marshall & McWilliams & cosponsored by Representative Walls, before the House for consideration.

**SB 222** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EARLY CHILDHOOD EDUCATION PROGRAM AND THE ESTABLISHMENT OF A QUALITY RATING AND IMPROVEMENT PROGRAM.

The roll call on **SB 222** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 222** was returned to the Senate.

Representative Viola requested that he be marked present during the roll call.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 108 w/SA 1 & 3**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 108** - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO RADIATION CONTROL. (3/5 bill) (F/I) (F/N)

Representative Valihura made comments.

The roll call on **SB 108 w/SA 1 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 108 w/SA 1 & 3** was returned to the Senate.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Ewing requested and was granted personal privilege of the floor to make an announcement and introduce a guest. Mr. Acting Speaker made comments. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representatives Williams, Lavelle, Hall-Long & Mr. Acting Speaker made comments.

Representative Lee deferred to Representative Spence.

Representative Spence brought **HB 471**, jointly sponsored by Senator Adams & Representatives Lee, Oberle & Schwartzkopf & Senator DeLuca, before the House for consideration.

**HB 471** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES.

Representative Spence made comments.

The roll call on **HB 471** was taken and revealed:

YES: 39.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 471** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Stone. Representative Stone deferred to Representative Longhurst.

Representative Longhurst brought **SB 191**, jointly sponsored by Senator Sokola & Senators Blevins, Cook & Peterson & Representatives Gilligan, Schooley, Kowalko, Mitchell, Viola, Mulrooney, Plant, Williams, Carson, Hall-Long, Johnson, Walls, Keeley, Marshall, Schwartzkopf, Brady, McWilliams & B. Short & cosponsored by Representative Booth, before the House for consideration.

**SB 191** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE.

Representative Longhurst brought **HA 1 to SB 191** before the House for consideration.

Representative Longhurst requested that **HA 1** be stricken. Representative Longhurst requested that **HA 2 to SB 191** be stricken. Representative Longhurst brought **HA 3 to SB 191**, jointly sponsored by Representatives Blakey, Booth, Carey, Cathcart, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Lofink, Maier, Manolakos, Miro, Oberle, Outten, Spence, Stone, Thornburg, Valihura, Wagner & D. Short, before the House for consideration. Representative Longhurst made a comment. **HA 3** was adopted by voice vote. Representatives Longhurst & Valihura made comments.

The roll call on **SB 191 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 191 w/HA 3** was returned to the Senate for concurrence on **HA 3**.

Representative Lee deferred to Representative Mitchell.

Representative Mitchell requested that action on **HB 474** be deferred to a Day Certain, Thursday, June 19, 2008.

Representative Lee deferred to Representative Blakey.

Representative Blakey brought **HB 114**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 114** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CLEAR ZONES WITHIN STATE RIGHTS-OF-WAY.

Representative Blakey made comments. Representative Blakey brought **HA 1 to HB 114** before the House for consideration. **HA 1** was adopted by voice vote. Representative Blakey made comments.

The roll call on **HB 114 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 114 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Ewing.

Representative Ewing brought **SB 237**, jointly sponsored by Senator Henry & Representative Walls, before the House for consideration.

**SB 237** - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE OFFENSES SUBJECT TO VOLUNTARY ASSESSMENT AND PROBATION BEFORE JUDGMENT.

Representative Ewing made a comment.

The roll call on **SB 237** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 237** was returned to the Senate.

Representative Lee deferred to Representative Maier.

Representative Maier brought **SB 227 w/SA 1**, jointly sponsored by Senator Ennis & Senator Peterson & Senator Connor & Senators Venables & Bonini & Representatives Spence, Blakey, Hocker, Hudson, Keeley, Lavelle, Stone, Viola & Wagner, before the House for consideration.

**SB 227** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MISSING PERSONS.

Representative Maier made comments.

The roll call on **SB 227 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 227 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Stone.

Representative Stone brought **SB 247**, jointly sponsored by Senator DeLuca & Senators Bunting, Cook, Sokola, Bonini & Still & Representatives Lavelle, Carey, Hocker, Hudson, D. Short, Valihura, Brady, Longhurst, Plant, B. Short & Viola, before the House for consideration.

**SB 247** - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS AND ESTATES AND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY

Representative Stone made comments.

The roll call on **SB 247** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 247** was returned to the Senate.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 216**, jointly sponsored by Senator DeLuca & Senator Adams, before the House for consideration.

**SB 216** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE JUSTICE OF THE PEACE COURT IN SUMMARY POSSESSION ACTIONS.

Representative Valihura made comments.

The roll call on **SB 216** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 216** was returned to the Senate.

Representative Lee deferred to Representative Keeley.

Representative Keeley brought **HB 431**, jointly sponsored by Representative Wagner & Representative Marshall & Representative Thornburg & Representative Booth & Representative Valihura & Senator Simpson & Senator Connor & Senator Blevins & Senator Sorenson & Representatives Carson, Hocker, Longhurst, Maier, Manolakos, D. Short, Stone, Viola & Walls & Senators Ennis, Henry & Sokola, before the House for consideration.

**HB 431 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDICIAL BRANCH EMERGENCIES.**

Representative Keeley made comments.

The roll call on **HB 431** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 431** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Longhurst.

Representative Longhurst requested that action on **HB 453** be deferred to a Day Certain, Thursday, June 19, 2008.

Representative Lee brought **HB 443**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 443 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Lee made comments.

The roll call on **HB 443** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 443** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Miro.

Representative Miro brought **HB 458**, jointly sponsored by Senator DeLuca & Representatives Hocker, Hudson, Maier, D. Short, Stone, Keeley, Kowalko & Longhurst & cosponsored by Representatives B. Short & Viola, before the House for consideration.

**HB 458 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES. (3/5 bill) (F/I)**

Representative Miro brought **HA 1 to HB 458** before the House for consideration. Representative Miro made a comment. **HA 1** was adopted by voice vote. Representatives Miro & Williams made comments. Representatives Hocker & Booth announced that they will not be voting on **HB 458** because of a possible conflict of interest.

The roll call on **HB 458 w/HA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representatives Booth & Hocker - 2.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 458 w/HA 1** was sent to the Senate for concurrence.

Representative Lofink, Mr. Acting Speaker & Representative Maier made announcements.

Representative Hudson requested that **HS 1 for HB 339** be stricken.

Representative Lee deferred to Representative Thornburg.

Representative Thornburg brought **HB 452**, jointly sponsored by Representative Carey & Senator Adams & Representatives Booth, Hastings, Hocker, Manolakos, Outten, Carson, Hall-Long, Longhurst, McWilliams, Mulrooney & Walls & Senators Bunting, Cook, Venables, Bonini & Simpson, before the House for consideration.

**HB 452 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES.**

Representative Thornburg introduced and brought **HA 1 to HB 452** before the House for consideration. Representative Thornburg made comments. **HA 1** was adopted by voice vote. Representative Thornburg made comments and introduced guests. Representative Hastings announced that he will not be voting on **HB 452 w/HA 1** because of a possible conflict of interest.

The roll call on **HB 452 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Hastings - 1.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 452 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **SB 246 w/SA 1**, jointly sponsored by Senator DeLuca & Senator Bunting & Senators Ennis, Sorenson, Venables & Cloutier & Representatives Carson, Johnson, Lavelle, Maier, B. Short, Stone, Viola & Wagner, before the House for consideration.

**SB 246 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. (3/5 bill)**

Mr. Speaker Spence resumed the Chair.

Representative Hudson made comments.

The roll call on **SB 246 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 246 w/SA 1** was returned to the Senate.

Mr. Speaker Spence introduced a guest. Representative Brady made comments.

Representative Lee deferred to Representative Carey.

Representative Carey brought **HB 470**, jointly sponsored by Senator Simpson & Representatives Lee, Booth, Ewing, Hastings, Hocker, Outten, Thornburg, Carson, Hall-Long, McWilliams & Walls & Senators Adams, Venables & Still, before the House for consideration.

**HB 470 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO MILK, CREAM, AND OTHER MILK PRODUCTS; CONTAINERS.**

Representative Carey brought **HA 1 to HB 470** before the House for consideration. Representative Carey made a comment. **HA 1** was adopted by voice vote. Representative Carey introduced and brought **HA 2 to HB 470** before the House for consideration. Representative Carey made comments. **HA 2** was adopted by voice vote. Representative Carey made comments.

The roll call on **HB 470 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Marshall, Oberle & Plant - 3.

Therefore, having received a constitutional majority, **HB 470 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier deferred to Representative Hall-Long.

Representative Hall-Long brought **SB 235 w/SA 2**, jointly sponsored by Senator Blevins & Senator Sorenson & Senator Cloutier & Senators Adams, Connor, Ennis, Henry, McBride, Peterson, Simpson & Sokola & Representatives Carson, Ewing, Gilligan, Hudson, Keeley, Kowalko, Maier, Marshall, McWilliams, Mitchell, Miro, Oberle, Schooley & Wagner & cosponsored by Representatives Hastings & Spence, before the House for consideration.

**SB 235 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA REPORTING.**

Representative Hastings brought **HA 1 to SB 235** before the House for consideration. Representative Hastings made a comment. **HA 1** was adopted by voice vote. Representatives Hall-Long, Gilligan, Lavelle, Hall-Long, Cathcart, Oberle, Johnson, Thornburg & Oberle made comments.

The roll call on **SB 235 w/SA 2 & HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Marshall & Plant - 2.

Therefore, having received a constitutional majority, **SB 235 w/SA 2 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee brought **Consent Agenda E**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate amendments.

**HB 218 w/HA 1 & SA 1 – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HOCKER, HUDSON, LAVELLE & VIOLA & SENATORS DELUCA, PETERSON & CLOUTIER – An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Brokers, Salespersons and Appraisers.**

**HB 377 w/HA 1 & SA 1 – MAIER & SENATOR HENRY & REPRESENTATIVES SPENCE, HUDSON, LAVELLE, WAGNER & KOWALKO & SENATORS COPELAND & SIMPSON – An Act to Amend Title 24 of the Delaware Code Relating to the Acupuncture Advisory Council and Licensing of Acupuncture. (2/3 bill)**

**SB 23 – STILL & REPRESENTATIVE STONE & SENATORS CONNOR, COPELAND, HENRY, SORENSON & ENNIS & REPRESENTATIVES KEELEY, SMITH, SPENCE, BRADY & WAGNER – An Act to Amend Title 18 of the Delaware Code Relating to Military Deployment.**

**SB 249 – MCBRIDE & REPRESENTATIVE HOCKER & SENATORS VENABLES & BUNTING & REPRESENTATIVE WALLS – An Act to Amend Title 7 of the Delaware Code Relating to Use of Nets for Fishing Near Dams or Spillways.**

The Roll call on **Consent Agenda E** was taken and revealed:

YES: 39.

ABSENT: Representatives Marshall & Plant – 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 218 w/HA 1 & SA 1 & HB 377 w/HA 1 & SA 1** were sent to the Governor & **SB 23 & SB 249** were returned to the Senate.

Representative Cathcart made an announcement.

Representative Maier introduced a guest.

Representative Brady requested that **HB 461** be stricken.

Representative Valihura made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 274 w/SA 1 & SB 292 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 423 & HJR 21** and is returning same to the House.

The Senate wishes to inform the House that it has passed **SB 293 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 307** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 253 w/SA 1** and requests the concurrence of the House.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 267** - 7M; **HB 473** - 7M; **HB 478** - 7M; **SB 203 w/SA 1** - 7M; **SB 269** - 7M.

HOUSE ADMINISTRATION: **HB 432** - 1F,4M; **SB 277** - 5M.

Mr. Speaker Spence assigned **HB 440** to the Energy and Natural Resources Committee.

The Majority Leader moved to recess to the call of the Chair at 6:35 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 6:35 P.M.: Representative Marshall.

Mr. Speaker Spence called the House to order at 2:07 p.m. on June 18, 2008.

Mr. Speaker Spence introduced guests.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 304**, **SB 283**, **SB 282** & **SB 284** and requests the concurrence of the House and the Senate has passed **HB 370 w/SA 1**, **HB 276 w/HA 1** & **HB 174 w/HA 1** and is returning same to the House.

#### Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
CC: JoAnn Hedrick  
Chief Clerk of the House  
FROM: Rep. Melanie George Marshall  
DATE: June 17, 2008  
RE: Absence from Session

I will be unable to attend session on Tuesday, June 17, 2008 due to personal reasons.

Thank you for your consideration of this matter.

Mr. Speaker Spence reassigned **HB 485** to the Labor Committee.

Representative Cathcart deferred to Representative Miro.

Representative Miro introduced **HA 1 to SJR 11**. **HA 1** was placed with the resolution.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

#### 38th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 18, 2008

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Marshall – 1.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HB 486** - HUDSON & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 11 and 16 of the Delaware Code Relating to Marriage Licenses.

**HB 490** - WALLS & REPRESENTATIVE KEELEY & REPRESENTATIVE HUDSON & SENATOR HENRY & REPRESENTATIVE MANOLAKOS & SENATORS ENNIS, SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Graffiti and Possession of Graffiti Implements. (2/3 bill)

**HB 491** - VALIHURA & SENATOR COPELAND - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Occupational Licenses and Fees. (3/5 bill)

**HA 1 to HB 440** - LONGHURST - Placed with the Bill.

**HA 1 to HB 445** - HOCKER - Placed with the Bill.

**HA 2 to HB 445** - HOCKER - Placed with the Bill.

**HA 1 to HB 460** - HUDSON - Placed with the Bill.

**HA 1 to HB 486** - HUDSON - Placed with the Bill.

**SB 253 w/SA 1** - BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON & REPRESENTATIVE OBERLE; SENATORS CONNOR, ENNIS, HENRY, PETERSON; REPRESENTATIVES EWING, HALL-LONG, KEELEY, LAVELLE, MCWILLIAMS, MITCHELL, MULROONEY, D. SHORT, SPENCE, MANOLAKOS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Harassment and Stalking.

**SB 274 w/SA 1** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Operation of Motor Vehicles.

**SB 282** - COOK & REPRESENTATIVE OBERLE - APPROPRIATIONS - An Act to Amend Chapter 83, Title 29 of the Delaware Code Regarding the Authority of the Board of Pension Trustees to Levy Interest Penalties and Late Payment Assessments.

**SB 283** - COOK & SENATOR DELUCA & REPRESENTATIVE OBERLE - APPROPRIATIONS - An Act to Amend Chapter 52 of Title 29 of the Delaware Code Relating to the Public Officers and Employees Disability Insurance Program.

**SB 284** - COOK & REPRESENTATIVE OBERLE - APPROPRIATIONS - An Act to Amend Titles 11, 16, and 29 of the Delaware Code Making Technical Changes to Statutes of the Pension Plans Administered by the Delaware Public Employees Retirement System Pursuant to Internal Revenue Code Provisions Governing Governmental Pension Plans.

**SB 292 w/SA 1** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver Licenses.

**SB 293 w/SA 2** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Collisions and Traffic Management.

**SB 304** - COOK & REPRESENTATIVE OBERLE; SENATORS ADAMS, DELUCA, ENNIS; REPRESENTATIVES EWING, LEE, MITCHELL, SCHWARTZKOPF - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Disability Insurance Program.

**HA 1 to SB 263** - KOWALKO - Placed with the Bill.

Representative Cathcart deferred to Representative D. Short.

Mr. Speaker Spence reassigned **SB 283**, **SB 284** & **SB 304** to the Labor Committee.

Representative D. Short introduced and brought **HCR 65**, sponsored on behalf of All Representatives & jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**HCR 65** - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2008 SESSION OF DELAWARE'S GIRLS' STATE.

Representative D. Short made comments.

**HCR 65** was adopted by voice vote and was sent to the Senate for concurrence.

Representative D. Short requested and was granted privilege of the floor for himself and Representatives Hall-Long, Thornburg and Outten to present a House Tribute to Mary Tucker, Director, Girls' State on the occasion of her retirement. Ms. Tucker addressed the House. Participants of Girls State 2008 announced their names and schools for the record.

Representative Cathcart deferred to Representative Miro.

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

ENERGY AND NATURAL RESOURCES: **SB 263** - 8M; **SB 276 w/SA 1** - 8M.

EDUCATION: **SJR 11 w/SA 1** - 9M.

HEALTH & HUMAN DEVELOPMENT: **HS 1/HB 362** - 6M; **HB 387** - 6M; **HB 454** - 6M; **HR 63** - 6M.

Representative Miro brought **HB 397**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier & Manolakos, before the House for consideration.

**HB 397** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LOCAL SCHOOL TAXES.

Representative Cathcart made an announcement.

Representative Miro introduced and brought **HA 1 to HB 397** before the House for consideration. Representatives Miro & Wagner made comments. **HA 1** was adopted by voice vote. Representative Miro made comments.

The roll call on **HB 397 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Marshall & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 397 w/HA 1** was sent to the Senate for concurrence.

Representatives Hudson, Oberle, Plant, Valihura & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Lavelle.

Representative Lavelle moved to lift **HB 360** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lavelle brought **HB 360**, jointly sponsored by Senator Copeland & Representatives Hudson, Miro & Keeley, before the House for consideration.

**HB 360** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES.

Representative Lavelle introduced and brought **HA 1 to HB 360** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives D. Short, Booth & Lavelle made comments.

The roll call on **HB 360 w/HA 1** was taken and revealed:



YES: 25.

NO: Representatives Booth, Carson, Hall-Long, Hastings, Hocker, Mulrooney, Outten, Plant, D. Short, Stone, Thornburg, Viola, Wagner & Williams - 14.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 360 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 424**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 424 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING VOLUNTARY AND MANDATORY TESTING OF OFFENDERS CONVICTED OF CERTAIN SEX CRIMES.**

Representatives Hudson, Williams, Oberle, Williams, Wagner, Hudson, Viola, Williams & Kowalko made comments. Representative Hudson moved to place **HB 424** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart moved to lift **HR 56** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HR 56**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HR 56 - URGING THE JOINT FINANCE COMMITTEE TO REVIEW THE DELAWARE PSYCHIATRIC CENTER'S OVERTIME APPROPRIATIONS.**

Representative Cathcart made comments.

**HR 56** was adopted by voice vote.

Representative Cathcart moved to lift **HR 57** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HR 57**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HR 57 - DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DELAWARE STATE POLICE TO DEVELOP A MEMORANDUM OF UNDERSTANDING RELATING TO WHEN THE POLICE WILL BE CONTACTED TO INVESTIGATE ALLEGED CRIMINAL ACTIONS AT THE DELAWARE PSYCHIATRIC CENTER.**

Representatives Cathcart & Schwartzkopf made comments.

**HR 57** was adopted by voice vote.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to lift **HB 424** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson brought **HB 424**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 424 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING VOLUNTARY AND MANDATORY TESTING OF OFFENDERS CONVICTED OF CERTAIN SEX CRIMES.**

Representative Hudson requested and was granted privilege of the floor for Patrick Vanderslice, House Attorney. Representatives Hudson, Viola, Schwartzkopf & Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Elizabeth Olsen, Deputy Secretary, Department of Safety and Homeland Security. Representatives Schwartzkopf & Hudson made comments. Representative Hudson moved to place **HB 424** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 382**, jointly sponsored by Senator Sokola & Representatives Hudson, Longhurst, Maier & Schooley & Senators Bunting, Connor & McDowell, before the House for consideration.

**HB 382 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION.**

Representative Valihura brought **HA 1 to HB 382** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 382 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 382 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 413**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 413** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SELLER FINANCED SALES OF RESIDENTIAL REAL ESTATE AND CONDITIONAL SALES AGREEMENTS INVOLVING REAL ESTATE.

Representative Valihura made comments.

The roll call on **HB 413** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 413** was sent to the Senate for concurrence.

Representative Cathcart brought the following prefiled **Consent Calendar #24** before the House for consideration.

**HR 68** – BOOTH – Requesting the Delaware Sentencing Accountability Commission Suggest Improvements to the Probation Level System of Offender Monitoring Within the Department of Correction.

**SCR 47** – SORENSON & REPRESENTATIVE MAIER & SENATOR DELUCA & REPRESENTATIVE GILLIGAN & SENATORS ADAMS, AMICK, BLEVINS, BONINI, CLOUITER, CONNOR, COPELAND, ENNIS, PETERSON, SOKOLA, STILL & VENABLES ON BEHALF OF ALL SENATORS & REPRESENTATIVES BLAKEY, BOOTH, BRADY, CAREY, CATHCART, HASTINGS, HUDSON, KOWALKO, LAVELLE, LOFINK, LONGHURST, MANOLAKOS, MCWILLIAMS, MITCHELL, OBERLE, OUTTEN, SCHOOLEY, SCHWARTZKOPF, D. SHORT & SPENCE ON BEHALF OF ALL REPRESENTATIVES – Commending the Class of 2007-2008 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boys Scouts of America.

**Consent Calendar #24** was adopted by voice vote and **HR 68** was declared passed and **SCR 47** was returned to the Senate.

Representative Cathcart made an announcement.

The Majority Leader moved to recess for caucus at 3:18 p.m.

The House reconvened at 4:40 p.m. with Representative Lavelle as Acting Speaker.

The Reading Clerk read the following communications into the record:

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Melanie George Marshall  
DATE: June 18, 2008  
RE: Absence from Session

I will be absent from session on Wednesday, June 18, 2008 because of personal reasons.

Thank you for your consideration of this matter.

Memo

To: Terry R. Spence, Speaker of the House  
From: Representative Pamela S. Maier  
Date: 6/18/2008  
Re: Absence from session

Please be advised I will be absent from session on June 19, 2008 due to an out of state commitment. Thank you.

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

JUDICIARY: **SB 45 w/SA 1** - 5M; **SB 251** - 5M; **SB 281** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 445** - 3M; **HB 464** - 3M; **HB 465** - 3M; **HB 469** - 3M.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings brought **HB 430**, jointly sponsored by Senator Peterson, before the House for consideration.

**HB 430** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representatives Hastings & Gilligan made comments.

The roll call on **HB 430** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 430** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 234 w/SA 1**, jointly sponsored by Senator McBride & Senators DeLuca, Amick & Bonini & Representatives Cathcart, Viola & Wagner, before the House for consideration.

**SB 234** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT.

Representative Valihura made comments.

The roll call on **SB 234 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 234 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Plant.

Representative Plant introduced a guest.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 299**, jointly sponsored by Representative Marshall & Senator DeLuca & Senator Simpson, before the House for consideration.

**HB 299 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO BAIL AND BAIL AGENTS. (3/5 bill)**

Representative Hudson requested that **HA 1 to HB 299** be stricken. Representative Hudson made a comment. Representative Hudson brought **HA 2 to HB 299** before the House for consideration.

Representative Hudson made a comment. **HA 2** was adopted by voice vote. Representative Hudson introduced and brought **HA 3 to HB 299** before the House for consideration. Representative Hudson made a comment. **HA 3** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 299 w/HA 2 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 299 w/HA 2 & 3** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 244**, jointly sponsored by Senator DeLuca & Representative Marshall & Senators Adams, Cook, McDowell, Amick & Simpson & Representatives Hudson, Lavelle, Stone, Wagner, Johnson & Mitchell, before the House for consideration.

**SB 244 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)**

Representative Valihura made comments.

The roll call on **SB 244** was taken and revealed:

YES: 38.

ABSENT: Representatives Longhurst, Manolakos & Marshall - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 244** was returned to the Senate.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to **lift HB 424** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Hudson brought **HB 424**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 424 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING VOLUNTARY AND MANDATORY TESTING OF OFFENDERS CONVICTED OF CERTAIN SEX CRIMES.**

Representative Hudson introduced and brought **HA 1 to HB 424** before the House for consideration. Representatives Hudson & Schwartzkopf made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 424 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 424 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 221 w/SA 1**, sponsored by Senator Adams & Representative Wagner, before the House for consideration.

**SB 221 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO NONPAYMENT OF JUDGEMENTS INVOLVING MOTOR VEHICLE SAFETY.**

Representative Ewing made comments.

The roll call on **SB 221 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **SB 221 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short moved to suspend the rules which interfere with lifting **HCR 64** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative D. Short brought **HCR 64**, jointly sponsored by Representative Lavelle & Senator Copeland & Representatives Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Miro, Outten, Stone, Thornburg, Mitchell, Schwartzkopf & Walls & Senators Sorenson & Connor, before the House for consideration.

**HCR 64 - CALLING FOR DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT THE HEALTH CARE CHOICE ACT.**

Representatives D. Short & Keeley made comments.

Representative D. Short moved to place **HCR 64** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

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

LABOR: **HB 450** - 5M; **HB 485** - 5M.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley introduced **HS 1 for HB 434**, jointly sponsored by Senator Ennis & Representatives Johnson, Longhurst, Maier, Mitchell, Mulrooney, Schooley, Schwartzkopf, B. Short & Williams & Senators Blevins, Henry & Peterson.

**HB 434 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CONTINUOUS REMOTE ALCOHOL MONITORING PILOT PROGRAM.**

Representative Keeley made comments.

Mr. Acting Speaker assigned **HS 1 for HB 434** to the Corrections Committee.

Representative Spence made an announcement. Representative Cathcart made a comment.

Representative Cathcart deferred to Representative Hudson.

Representative Valihura made an announcement.

Representative Hudson introduced **HB 494**, jointly sponsored by Senator Bunting & Representatives Hastings, Lavelle & Valihura.

**HB 494 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE VIDEO LOTTERY. (3/5 bill)**

Mr. Acting Speaker assigned **HB 494** to the Revenue & Finance Committee.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 319**, jointly sponsored by Representative Oberle & Senator Peterson & Senator McDowell & Representatives Cathcart, Booth, Carey, Hudson, Lofink, Maier, Miro, Outten, Wagner, Gilligan, Keeley, Brady, Carson, Hall-Long, Kowalko, McWilliams, Mitchell, Schooley & B. Short & Senators Blevins, Bunting, Connor & Ennis, before the House for consideration.

**HB 319 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COLORECTAL CANCER SCREENING.**

Representative Spence made comments. Representative Spence requested that **HA 1 to HB 319** be stricken. Representative Spence introduced and brought **HA 2 to HB 319** before the House for consideration. Representative Spence made comments. Representative Spence moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Spence moved to place **HB 319** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart moved to restore **HR 57** and to rescind the voice vote on **HR 57**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HR 57**, jointly sponsored by Representatives Booth, Maier, Manolakos, Valihura, Wagner, Hall-Long, Johnson & Plant, before the House for consideration.

**HR 57 - DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DELAWARE STATE POLICE TO DEVELOP A MEMORANDUM OF UNDERSTANDING RELATING TO WHEN THE POLICE WILL BE CONTACTED TO INVESTIGATE ALLEGED CRIMINAL ACTIONS AT THE DELAWARE PSYCHIATRIC CENTER.**

Representative Cathcart made comments. Representative Cathcart introduced and brought **HA 1 to HR 57** before the House for consideration. **HA 1** was adopted by voice vote.

**HR 57 w/HA 1** was adopted by voice vote.

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

CORRECTIONS: **HS 1 for HB 434** - 5M.

Representative Thornburg introduced **HB 492**, jointly sponsored by Senator Cook.

**HB 492 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION.**

Mr. Acting Speaker assigned **HB 492** to the Labor Committee.

The Majority Leader moved to recess to the call of the Chair at 5:36 p.m.

Mr. Acting Speaker Lavelle called the House to order at 2:11 p.m. on June 19, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 280, SB 279, SB 267 & SB 226** and requests the concurrence of the House and the Senate has passed **HB 281, HB 208 w/HA 1, HB 363, HB 343 w/HA 2 & HA 1 to HA 2 & HCR 65** and is returning same to the House.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:14 p.m.

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Maier – 1.

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

Mr. Acting Speaker led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HS 1 for HB 421** - EWING & REPRESENTATIVE LEE & REPRESENTATIVE SCHWARTZKOPF & SENATOR BLEVINS; REPRESENTATIVES SPENCE, CATHCART, BLAKEY, BOOTH, CAREY, HASTINGS, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MANOLAKOS, MIRO, OBERLE, OUTTEN, D. SHORT, STONE, THORNBURG, VALIHURA, WAGNER, BRADY, CARSON, HALL-LONG, KOWALKO, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY, B. SHORT, WALLS, WILLIAMS; SENATORS BUNTING, HENRY, MARSHALL, PETERSON, SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 493** - HOCKER & REPRESENTATIVE WALLS & SENATOR VENABLES; REPRESENTATIVE CAREY - JUDICIARY - An Act to Amend Title 11 Relating to Crimes and Criminal Procedures.

**HB 495** - BRADY; REPRESENTATIVES KOWALKO, LONGHURST, PLANT; SENATOR MCDOWELL - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Exceptions to the Requirements for a Fishing License.

**HB 496** - VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE & REPRESENTATIVE JOHNSON & SENATOR ADAMS & SENATOR DELUCA & SENATOR CLOUTIER & SENATOR SIMPSON; REPRESENTATIVES CARSON, KEELEY, PLANT, WALLS - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Records of Arrest and Prosecution.

**HA 1 to HB 333** - MARSHALL - Placed with the Bill.

**HA 1 to HB 369** - MCWILLIAMS - Placed with the Bill.

**HA 1 to HB 441** - MAIER - Placed with the Bill.

**HA 2 to HB 486** - HUDSON - Placed with the Bill.

**SB 226** - STILL & REPRESENTATIVE BLAKEY - HOUSE ADMINISTRATION - An Act to Amend the Camden Town Charter Relating to Elected Official Qualifications and to the Police Force. (2/3 bill)

**SB 267** - COOK & REPRESENTATIVE GILLIGAN; SENATORS SOKOLA, AMICK; REPRESENTATIVE VALIHURA - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article III of the Delaware Constitution of 1897, as Amended, Relating to Confirmation of Officers Appointed by the Governor. (2/3 bill)

**SB 279** - ENNIS & REPRESENTATIVE LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Examiners of Private Investigators and Private Security Agencies.

**HA 1 to SCR 24** - MAIER - Placed with the Bill.

Representative Cathcart deferred to Representative McWilliams.

Representative Ewing requested that he be marked present.

Representative McWilliams requested and was granted personal privilege of the floor to present a House Tribute to members of the National Association of Women Business Owners. Devona Williams, President, NAWBO, Delaware Chapter, addressed the House. Members of the National Association of Women Business Owners, Delaware Chapter, announced their names and companies for the record.

Representative Hastings requested and was granted privilege of the floor to make comments regarding **HR 44** and to present a House Commendation to Kevin E. Charles, member of the Student Athlete Steroid Testing Task Force, who addressed the House. Representative Manolakos made comments.

Representatives Brady & Gilligan requested that they be marked present.

Representative Cathcart made an announcement.

Representative Hocker requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 4:35 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 466** - 6M; **HB 480** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 266**, **SB 295**, **SB 316**, **SB 278 w/SA 1**, **SS 1/SB 262 w/SA 1**, **SB 298**, **SB 299 w/SA 2**, **SB 288** & **SB 313** and requests the concurrence of the House and the Senate has passed **SCR 48** and requests the concurrence of the House and the Senate has passed **HS 1/HB 259** & **HS 1/HB 416** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Steven H. Amick, do hereby request that my name be removed as cosponsor of **HB 494**.

Date: June 19, 2008

Signed: Steven H. Amick

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Catherine Cloutier, do hereby request that my name be removed as cosponsor of **HB 494**.

Date: June 19, 2008

Signed: Catherine Cloutier

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Gregory F. Lavelle, do hereby request that my name be removed as cosponsor of **HB 484**.

Date: June 19, 2008

Signed: Gregory F. Lavelle

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Dorinda Connor, do hereby request that my name be removed as cosponsor of **HB 494**.

Date: June 19, 2008

Signed: Dorinda Ann Connor

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Liane Sorenson, do hereby request that my name be removed as cosponsor of **HB 494**.

Date: June 19, 2008

Signed: Liane Sorenson

Mr. Acting Speaker made an announcement.

Representative Wagner requested that she be marked present.

Representative Wagner requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner made comments.

Representative Wagner introduced and brought **SCR 48**, jointly sponsored by Senator Henry & Representative Williams, before the House for consideration.

**SCR 48** - HONORING ALPHA KAPPA ALPHA SORORITY FOR ITS 100 YEARS OF SERVICE TO THE COMMUNITY AS DELAWARE MEMBERS GATHER AT LEGISLATIVE HALL IN COMMEMORATION OF THE CENTENNIAL OF ITS FOUNDING ON 15, JANUARY 1908.

**SCR 48** was adopted by voice vote and was returned to the Senate.

Representative Wagner made comments.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short moved to lift **HCR 64** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative D. Short brought **HCR 64**, jointly sponsored by Representative Lavelle & Senator Copeland & Representatives Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Miro, Outten, Stone, Thornburg, Mitchell, Schwartzkopf & Walls & Senators Sorenson & Connor, before the House for consideration.

**HCR 64** - CALLING FOR DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT THE HEALTH CARE CHOICE ACT.

Representatives D. Short, Keeley, D. Short, Keeley, Kowalko & D. Short made comments.

The roll call on **HCR 64** was taken and revealed:

YES: 21.

NO: Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams - 19.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **HCR 64** was sent to the Senate for concurrence.

Representatives Booth, Longhurst, Miro, Plant, Schwartzkopf, Spence, Stone, Valihura, Viola & Williams requested that they be marked present during the roll call.

Representative Keeley made comments.

Representative Cathcart deferred to Representative Longhurst. Representative Longhurst introduced guests.

Representative Longhurst requested that action on **HB 453** be deferred to a Day Certain, Tuesday, June 24, 2008.

Representative Cathcart deferred to Representative Carson.

Representative Carson brought **HB 373**, jointly sponsored by Representatives Cathcart, Keeley, Maier, McWilliams & Mulrooney & Senators Cook & Ennis & cosponsored by Representative Blakey, before the House for consideration.

**HB 373** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION.

Representatives Carson, Thornburg, Lavelle, Carson & Hocker made comments.

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

Representative Hastings announced that he will not be voting on **HB 373** because of a possible conflict of interest.

The roll call on **HB 373** was taken and revealed:

YES: 39.

NOT VOTING: Representative Hastings - 1.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **HB 373** was sent to the Senate for concurrence. Representative Cathcart deferred to Representative Spence.

Representative Spence moved to lift **HB 319** from the Speaker's Table. The motion was seconded by Representative Miro and adopted by voice vote.

Representative Spence brought **HB 319**, jointly sponsored by Representative Oberle & Senator Peterson & Senator McDowell & Representatives Cathcart, Booth, Carey, Hudson, Lofink, Maier, Miro, Outten, Wagner, Gilligan, Keeley, Brady, Carson, Hall-Long, Kowalko, McWilliams, Mitchell, Schooley & B. Short & Senators Blevins, Bunting, Connor & Ennis, before the House for consideration.

**HB 319 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COLORECTAL CANCER SCREENING.**

Representative Spence requested that **HA 2 to HB 319** be stricken. Representative Spence introduced and brought **HA 3 to HB 319** before the House for consideration. Representative Spence made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 319 w/HA 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Maier - 2.

Therefore, having received a constitutional majority, **HB 319 w/HA 3** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hall-Long.

Representative Hall-Long brought **HR 58**, jointly sponsored by Representatives Cathcart, Booth, Maier, Manolakos, Valihura, Wagner, Johnson & Plant, before the House for consideration.

**HR 58 - CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF A CERTIFICATION AND LICENSURE PROCESS FOR MENTAL HEALTH ATTENDANTS.**

Representative Hall-Long made comments.

**HR 58** was adopted by voice vote.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 260**, jointly sponsored by Senator DeLuca & Senator Blevins & Senator Sorenson & Representative Wagner & Representative Hudson & Representative Marshall, before the House for consideration.

**SB 260 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT.**

Representative Valihura made a comment.

The roll call on **SB 260** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Maier - 2.

Therefore, having received a constitutional majority, **SB 260** was returned to the Senate.

Representative Lee deferred to Representative Stone.

Representative Stone brought **SB 203 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Bunting, Cook, Sokola, Bonini & Still & Representatives Brady, Carey, Hastings, Hudson, Lavelle, Longhurst, Plant, B. Short, D. Short, Valihura & Viola & cosponsored by Senator Adams, before the House for consideration.

**SB 203 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PARTICIPATION IN A MULTI-STATE AUTOMATED LICENSING SYSTEM. (3/5 bill)**

Representative Stone made comments.

The roll call on **SB 203 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Maier - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 203 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Stone.

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

Representative Stone brought **HB 473**, jointly sponsored by Senator Sokola & cosponsored by Senator Connor, before the House for consideration.

**HB 473 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY.**

Representative Stone made comments.

Mr. Acting Speaker appointed Representative Lavelle as Acting Speaker.

The roll call on **HB 473** was taken and revealed:

YES: 40.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **HB 473** was sent to the Senate for concurrence. Representatives Hudson, Lofink & Blakey made announcements.

Representative Manolakos introduced **HB 500**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier & Miro.

**HB 500** - AN ACT AUTHORIZING FAMILY COURT TO GRANT EXTENDED JURISDICTION OVER MELISSA SAMANTHA RUDOLPH AND RENE ANDRE RUDOLPH.

Mr. Acting Speaker assigned **HB 500** to the Judiciary Committee.

Representative Spence introduced **HB 498**, jointly sponsored by Representative Schwartzkopf & Senator Sokola & Representatives Hocker, Miro & D. Short & Senator Bunting.

**HB 498** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A WEAPON IN A SAFE RECREATION ZONE.

Mr. Acting Speaker assigned **HB 498** to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf requested that **HB 456** be stricken.

Representative Lee made an announcement.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 475** - 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 486** - 8M,1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 375 w/HA 1**, **HB 390 w/SA 1**, **HB 418** & **HJR 18** and is returning same to the House. The Senate wishes to inform the House that it has passed **HB 417 w/HA 1, 2 & 3**, **HB 388**, **HB 389 w/HA 1**, **HB 401** & **HB 471** and is returning same to the House. The Senate wishes to inform the House that it has passed **HCR 57** & **HCR 63** and is returning same to the House.

Representative Valihura introduced and brought **HB 504**, jointly sponsored by Representative Stone & Representative Longhurst & Senator Bunting & Senator Simpson & Representative Schwartzkopf & Representatives Blakey, Booth, Brady, Carey, Carson, Cathcart, Ewing, Gilligan, Hall-Long, Hastings, Hudson, Johnson, Keeley, Kowalko, Lavelle, Lee, Lofink, Maier, Manolakos, Marshall, McWilliams, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Schooley, B. Short, D. Short, Spence, Thornburg, Viola, Wagner, Walls & Williams & Senators Amick, Cloutier, Connor, Copeland, Ennis, Henry, McDowell & Sorenson, before the House for consideration.

**HB 504** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Representative Valihura moved to place **HB 504** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Mr. Acting Speaker made an announcement.

The Majority Whip moved to recess to the call of the Chair at 5:45 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 1:58 p.m. on June 24, 2008.

The Reading Clerk read the following communications into the record:

June 19, 2008

Legislative Advisory #25

Governor Ruth Ann Minner signed the following legislation on the date indicated:

6/17/08 - **SB 228 aab SA 1**; 6/18/08 - **SB 178 aab SA 1**, **SB 195**, **SB 217 aab SA 1**, **SB 218**, **SB 219**, **HB 286 aab SA 1**, **HB 316**, **HB 329**, **HB 355 aab HA 2 & SA 1**.

The Majority Leader moved to adjourn at 2:00 p.m., thereby ending the current legislative day. The House reconvened at 2:01 p.m.

#### **40th LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session**

**June 24, 2008**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HB 499** - SPENCE & REPRESENTATIVE SCHWARTZKOPF & SENATOR SOKOLA; REPRESENTATIVES HOCKER, MIRO, D. SHORT; SENATOR BUNTING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Possession or Dealing with a Deadly Weapon or Dangerous Instrument in a Safe School Zone.

**HB 501** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVE HUDSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 11, 28 and 29 of the Delaware Code Relating to Boxing. (2/3 bill)

**HB 502** - VALIHURA & SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections.

**HB 503** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES MAIER, LONGHURST, SCHOOLEY; SENATORS MCDOWELL, BONINI - POLICY ANALYSIS & GOVERNMENT



ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code to Grant the Public Service Commission Authority to Enforce Federal Pipeline Safety Regulations as it Pertains to Natural Gas.

**HA 2 to HB 441** - MAIER - Placed with the Bill.

**HA 1 to HB 480** - CATHCART - Placed with the Bill.

**SS 1 for SB 262 w/SA 1** - SORENSON & SENATOR BLEVINS & REPRESENTATIVE MAIER & REPRESENTATIVE MARSHALL & REPRESENTATIVE SCHOOLEY; SENATORS AMICK, CONNOR, SIMPSON; REPRESENTATIVES LAVELLE, MCWILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**SB 266** - BLEVINS & REPRESENTATIVE LEE & REPRESENTATIVE HUDSON - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Clemency.

**SB 278 w/SA 1** - BUNTING & REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Henlopen Acres" to Bring Sections 5, 8, 9 and 10 of the Charter of the Town into Compliance with Title 15, Chapter 75 of the Delaware Code; and to Amend Section 16 of the Charter to Require the Treasurer to be a Resident of the Town. (2/3 bill)

**SB 280** - PETERSON; SENATORS MARSHALL, MCDOWELL, CONNOR; REPRESENTATIVE MCWILLIAMS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Minimum Wage.

**SB 288** - MCBRIDE & REPRESENTATIVE BRADY - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 26 of the Delaware Code Relating to Expansion of Facilities and Services of Water Companies.

**SB 295** - ADAMS & REPRESENTATIVE EWING & REPRESENTATIVE KEELEY; SENATORS COPELAND, MARSHALL; REPRESENTATIVES BRADY, HUDSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers.

**SB 298** - VENABLES & REPRESENTATIVE D. SHORT - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Striped Bass Commercial Gill Net Fishing in the Nanticoke River and Its Tributaries. (2/3 bill)

**SB 299 w/SA 2** - ENNIS & REPRESENTATIVE LEE; SENATOR BONINI; REPRESENTATIVES CARSON, EWING, HALL-LONG, MITCHELL, SCHWARTZKOPF, SPENCE, THORNBURG, WILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Concealed Firearms Carried by Qualified Active and Retired Law Enforcement Officers.

**SB 313** - BLEVINS & REPRESENTATIVE HUDSON - CORRECTIONS - An Act to Amend Titles 11 and 16 of the Delaware Code Relating to the Criminally Mentally Ill.

**SB 316** - COOK & REPRESENTATIVE OBERLE; SENATOR ENNIS; REPRESENTATIVES SPENCE, LEE - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Earned Good Time.

**SB 321 w/SA 1** - ADAMS & SENATOR DELUCA & SENATOR ENNIS; REPRESENTATIVES LEE, EWING - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Manufactured Prescription Drugs.

**HA 2 to SJR 11** - HUDSON & REPRESENTATIVE LAVELLE - Placed with the Bill.

**HA 3 to SJR 11** - HUDSON & REPRESENTATIVE LAVELLE - Placed with the Bill.

Representative Ewing requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced a guest. Representatives Oberle, Blakey, Hall-Long, Manolakos, McWilliams & Valihura requested that they be marked present.

Representative Cathcart requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations. Ms. Price addressed the House. Representative Maier requested that she be marked present. Representative Maier made comments and presented a House Tribute to William Rivers. Representative Hudson made comments. Representatives Hudson, Stone & B. Short presented a House Tribute to Mark Stevens. Representative Ewing made comments and presented a House Tribute to Brittney Russell. Representatives Thornburg & Lee made comments. Ms. Russell and Mr. Rivers addressed the House. Representative Lofink requested that he be marked present. Representative Lofink presented a House Tribute to Kiersten Joesten and made comments. Ms. Joesten addressed the House. Representative Valihura made comments and presented a House Tribute to Megan Lehman. Representative Blakey made comments. Ms. Lehman addressed the House. Representative Thornburg made comments and presented a House Tribute to Kelly Wolfe. Representatives Hocker & Cathcart made comments. Ms. Wolfe addressed the House. Richard Puffer, Deputy Minority Chief of Staff, addressed the House and presented House Tributes to Jared Bass, Timothy Soper and Victor Santos who addressed the House.

Representatives Hudson, Keeley, B. Short, Schooley, McWilliams & Gilligan made comments.

Representatives Lee, Gilligan, Keeley & Longhurst requested that they be marked present.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst made a comment regarding **HB 453**.

Representative Cathcart deferred to Representative Mitchell.

Representative Mitchell brought **HB 474**, jointly sponsored by Senator Ennis & Representatives Brady, Carson, Gilligan, Hall-Long, Hudson, Johnson, Keeley, Kowalko, Lavelle, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Spence, Viola & Williams & Senators Blevins, DeLuca & McDowell & cosponsored by Senator Connor, before the House for consideration.

**HB 474 - AN ACT TO AMEND CHAPTERS 1 AND 45, TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Representative Mitchell introduced and brought **HA 1 to HB 474**, jointly sponsored by Representatives Brady, Carson, Gilligan, Hall-Long, Hudson, Johnson, Keeley, Kowalko, Lavelle, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Spence, Viola & Williams, before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representatives Mitchell & Ewing made comments. Representative Gilligan rose on a point of order. Mr. Speaker concurred.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representatives Stone & Mitchell made comments.

The roll call on **HB 474 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Wagner, Williams & Spence - 3.

Therefore, having received a constitutional majority, **HB 474 w/HA 1** was sent to the Senate for concurrence.

Representatives Miro & Plant requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura made comments regarding **HB 383**.

Representative Cathcart deferred to Representative Schooley.

Representative Schooley brought **HB 393**, jointly sponsored by Representatives Brady, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Maier, Manolakos, McWilliams, Mulrooney, B. Short & Stone & Senators Amick, Blevins, Cook, Henry & Sorenson & cosponsored by Senator Cloutier, before the House for consideration.

**HB 393 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO MAXIMUM STUDENT INSTRUCTOR RATIO REQUIREMENTS.**

Representative Schooley brought **HA 1 to HB 393** before the House for consideration.

Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 393 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority, **HB 393 w/HA 1** was sent to the Senate for concurrence.

Representative Wagner requested that she be marked present during the roll call.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg brought **SB 263**, jointly sponsored by Senator McDowell & Senators Bunting, Venables, Copeland & Simpson & Representatives Hocker & McWilliams, before the House for consideration.

**SB 263 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A REGIONAL GREENHOUSE GAS INITIATIVE AND CO2 EMISSION TRADING PROGRAM. (F/N)**

Representative Kowalko brought **HA 1 to SB 263** before the House for consideration.

Representative Kowalko made comments. Representative Kowalko requested that **HA 1** be stricken.

Representatives Valihura & Kowalko made comments. Representative Cathcart rose on a point of order.

Mr. Acting Speaker concurred. Representatives Kowalko & Thornburg made comments.

The roll call on **SB 263** was taken and revealed:

YES: 39.

NO: Representative Kowalko - 1.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 263** was returned to the Senate.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 438**, jointly sponsored by Senator Blevins & Representatives Cathcart, Lee, Blakey, Carey, Ewing, Hocker, Lofink, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Gilligan, Keeley, Brady, Carson, Johnson, Kowalko, Longhurst, McWilliams, Mitchell, Mulrooney, Plant, B. Short, Viola & Walls & Senators DeLuca, Ennis, Sorenson, Cloutier & Connor, before the House for consideration.

**HB 438 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.**

Representatives Spence, Lee, Hocker, Oberle, Maier, Spence, Maier, Oberle, Mr. Acting Speaker & Representative Spence made comments.

The roll call on **HB 438** was taken and revealed:

YES: 28.

NO: Representatives Booth, Hastings, Hocker, Lee, Maier, Outten, D. Short & Thornburg - 8.

NOT VOTING: Representatives Carey & Ewing - 2.

ABSENT: Representatives Cathcart, Valihura & Williams - 3.

Therefore, having received a constitutional majority, **HB 438** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Spence.

Representative Spence brought **HB 446**, jointly sponsored by Senator McBride & Representatives Hudson, Oberle, D. Short & Kowalko & Senators Venables & Sorenson, before the House for consideration.

**HB 446** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CORRECTIONAL HEALTHCARE.

Representatives Spence & Wagner made comments.

The roll call on **HB 446** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 446** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Brady.

Representative Brady introduced a guest and made comments. Mr. Acting Speaker introduced a guest.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 432**, jointly sponsored by Representative Marshall & Representative Thornburg & Representative Wagner & Representative Booth & Representative Valihura & Senator Connor & Senator Simpson & Senator Sorenson & cosponsored by Representatives Carson, Hall-Long, Longhurst, Maier & Stone & Senators Blevins, Ennis, Henry, Marshall & Sokola, before the House for consideration.

**HB 432** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII, SECTION 1 OF THE CONSTITUTION OF DELAWARE RELATING TO CONTINUITY OF GOVERNMENT OPERATIONS. (2/3 bill)

Representative Keeley made comments.

The roll call on **HB 432** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 432** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HS 1 for HB 434**, jointly sponsored by Senator Ennis & Representatives Johnson, Longhurst, Maier, Mitchell, Mulrooney, Schooley, Schwartzkopf, B. Short & Williams & Senators Blevins, Henry & Peterson, before the House for consideration.

**HB 434** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CONTINUOUS REMOTE ALCOHOL MONITORING PILOT PROGRAM.

Representatives Keeley & McWilliams made comments.

The roll call on **HS 1 for HB 434** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 434** was sent to the Senate for concurrence.

Representative Brady requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 436**, jointly sponsored by Representative Schwartzkopf & Representative Lavelle & Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, B. Short, Viola, Walls, Williams, Hocker, Miro, D. Short, Stone & Wagner & Senators Bunting, Connor, Marshall, Peterson & Sokola, before the House for consideration.

**HB 436** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES.

Representative Keeley made comments.

The roll call on **HB 436** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Oberle & Williams - 3.

Therefore, having received a constitutional majority, **HB 436** was sent to the Senate for concurrence.

Representative Spence made an announcement.

Representative Lee deferred to Representative B. Short.

Representative D. Short introduced and brought **HCR 69**, jointly sponsored by Senator Bunting & cosponsored by Representatives Booth, Lee, Hastings, Keeley, Outten, Thornburg, Blakey & Schwartzkopf, before the House for consideration.

**HCR 69** - URGING THE DELAWARE STATE FIRE COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS DEAL WITH THE PHYSICAL AND EMOTIONAL ISSUES ARISING FROM SUCH INJURIES.

Representative D. Short made comments.

**HCR 69** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Hocker requested that **HCR 40** be stricken.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 45 w/SA 1**, sponsored by Senator Connor & Representative Thornburg & Senators Amick, Sorenson & Still & Representative Maier, before the House for consideration.

**SB 45** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITING THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS.

Representatives Valihura, Stone, Spence, Oberle, Stone & Valihura made comments.

The roll call on **SB 45 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 45 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 454**, jointly sponsored by Representative McWilliams & Senator Henry & Senator Blevins & Representatives Maier, Manolakos, Mitchell & Schooley & Senators Marshall, McDowell & Sokola, before the House for consideration.

**HB 454** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INTERNET PHARMACIES AND INTERNET SALES OF PRESCRIPTION DRUGS.

Representative Mitchell introduced and brought **HA 1 to HB 454** before the House for consideration. Representative Mitchell deferred to Representative Hall-Long.

Representative Hall-Long made a comment. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 454 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 454 w/HA 1** was sent to the Senate for concurrence.

Representative Hall-Long & Mr. Acting Speaker introduced guests.

Representative Maier requested that **HB 441** be stricken.

Representative Cathcart deferred to Representative Miro.

Representative Miro brought **SB 277**, jointly sponsored by Senator Sorenson & Representative Schooley & Senators Amick, Peterson & Sokola & Representatives Kowalko, Maier & Miro, before the House for consideration.

**SB 277** - AN ACT AMENDING THE NEWARK CITY CHARTER, BEING CHAPTER 152 OF VOLUME 48, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY'S ABILITY TO BORROW MONEY FOR CURRENT EXPENSES, UNFUNDED LIABILITIES, TAX INCREMENT FINANCING, AND THE CITY'S POWER TO INCUR BONDED INDEBTEDNESS. (2/3 bill)

Representative Miro made comments.

The roll call on **SB 277** was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, Spence & Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 277** was returned to the Senate.

Representative Lee deferred to Representative Thornburg.

Representative Thornburg brought **SB 276 w/SA 1**, jointly sponsored by Senator Simpson & Senators Blevins, Copeland & McDowell & Representatives Hall-Long & Schooley, before the House for consideration.

**SB 276** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY.

Representative Thornburg made comments.

The roll call on **SB 276 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, **SB 276 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 442**, jointly sponsored by Senator Blevins & cosponsored by Senator Bonini, before the House for consideration.

**HB 442** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN.

Representative Wagner made comments.

The roll call on **HB 442** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority, **HB 442** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 445**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier, Longhurst & Schooley & Senators Bunting, McDowell, Bonini & Connor, before the House for consideration.

**HB 445** - AN ACT TO AMEND CHAPTER 1 OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE POSITIONS OF CHAIR, VICE CHAIR AND EXECUTIVE DIRECTOR OF THE PUBLIC SERVICE COMMISSION.

Representative Valihura deferred to Representative Hocker. Representative Hocker requested that **HA 1 to HB 445** and **HA 2 to HB 445** be stricken. Representative Hocker introduced and brought **HA 3 to HB 445** before the House for consideration. Representatives Hocker & Valihura made comments. **HA 3** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 445 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 445 w/HA 3** was sent to the Senate for concurrence.

Representative Williams requested that he be marked present during the roll call.

Representative Cathcart deferred to Representative Schooley.

Representative Schooley brought **HS 1 for HB 362**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Ewing, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Maier, Manolakos, Marshall, McWilliams, Mitchell, Mulrooney, Schwartzkopf, B. Short, D. Short, Spence, Valihura & Walls & Senators Cloutier, Ennis, Henry & Sokola, before the House for consideration.

**HB 362** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.

Representatives Schooley, Keeley & Wagner made comments. Representative Schooley moved to place **HS 1 for HB 362** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

The Majority Leader moved to recess for caucus at 4:18 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 6:35 p.m.

Representative Cathcart brought the following **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate amendments.

**HB 464** – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HUDSON, LONGHURST, MAIER & SCHOOLEY & SENATORS BONINI, BUNTING, CONNOR & MCDOWELL – An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Commission for Women.

**HB 465** – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HUDSON, MAIER, LONGHURST & SCHOOLEY & SENATORS BUNTING, MCDOWELL, BONINI & CONNOR - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Statistics Center.

**HB 469** – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HUDSON, MAIER, LONGHURST & SCHOOLEY & SENATORS BUNTING, MCDOWELL, BONINI & CONNOR - An Act to Amend Title 7 of the Delaware Code Relating to the Conservation Districts.

**HB 370 w/SA 1** – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY & MANOLAKOS & SENATORS MCDOWELL, BONINI, CONNOR - An Act to Amend Title 13 of the Delaware Code Relating to the Division of Child Support Enforcement.

**HB 277** – SCHWARTZKOPF & SENATOR BUNTING - An Act to Amend Title 11 of the Delaware Code Relating to Possession of a Weapon in a Safe School and Recreation Zone.

**SB 248 w/SA 1 & 3** – ENNIS & REPRESENTATIVE HALL-LONG & SENATORS AMICK, CLOUTIER, CONNOR, MCDOWELL, SIMPSON, SOKOLA, SORENSON & STILL & REPRESENTATIVES CARSON, EWING, KEELEY, KOWALKO, LEE, LONGHURST, MITCHELL, OBERLE, PLANT, SPENCE & WALLS - An Act to Amend Title 21 of the Delaware Code Relating to a Level 1 Learner's Permit. (2/3 bill)

**SB 254 w/SA 1** – ENNIS & REPRESENTATIVE EWING & SENATORS CLOUTIER, CONNOR, HENRY, PETERSON & STILL & REPRESENTATIVES CARSON, HALL-LONG, KOWALKO, LEE, MITCHELL, SPENCE, WALLS & WILLIAMS - An Act to Amend Title 21 of the Delaware Code Relating to Penalties for Off-Highway Vehicle Violations.

**HB 390 w/SA 1 – HOCKER & REPRESENTATIVE WALLS & SENATOR MCBRIDE & REPRESENTATIVES SPENCE, LEE, EWING, HASTINGS, LAVELLE, MANOLAKOS, OUTTEN, D. SHORT, STONE, VALIHURA, KOWALKO & MITCHELL & SENATORS BUNTING, VENABLES & COPELAND - An Act to Amend Title 7 of the Delaware Code Relating to the Use of Hunter Orange Material.**

The roll call on **Consent Agenda F** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **B 464, HB 465, HB 469 & HB 277** were sent to the Senate for concurrence, **HB 370 w/SA 1 & HB 390 w/SA 1** were sent to the Governor and **SB 248 w/SA 1 & 3 & SB 254 w/SA 1** were returned to the Senate.

Representatives Valihura, Hudson, Blakey & Cathcart made announcements.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with lifting **HB 504** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Valihura brought **HB 504**, jointly sponsored by Representative Stone & Representative Longhurst & Senator Bunting & Senator Simpson & Representative Schwartzkopf & Representatives Blakey, Booth, Brady, Carey, Carson, Cathcart, Ewing, Gilligan, Hall-Long, Hastings, Hudson, Johnson, Keeley, Kowalko, Lavelle, Lee, Lofink, Maier, Manolakos, Marshall, McWilliams, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Schooley, B. Short, D. Short, Spence, Thornburg, Viola, Wagner, Walls & Williams & Senators Amick, Cloutier, Connor, Copeland, Ennis, Henry, McDowell & Sorenson, before the House for consideration.

**HB 504 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**

Representative Valihura, Mr. Speaker Spence, Representatives Kowalko, Longhurst, Schwartzkopf & Valihura made comments.

The roll call on **HB 504** was taken and revealed:

YES: 40.

ABSENT: Representative Hocker - 1.

Therefore, having received a constitutional majority, **HB 504** was sent to the Senate for concurrence.

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

Representative Cathcart brought **SJR 11 w/SA 1**, jointly sponsored by Senator Blevins & Senator Adams & Senator DeLuca & Representative Spence & Representative Lofink & Representative Oberle & Representative Gilligan & Representative Keeley & Senator Ennis, before the House for consideration.

**SJR 11 - INSTITUTING A ONE-YEAR MORATORIUM FOR NEW CHARTER SCHOOL APPLICATIONS.**

Representative Cathcart brought **HA 1 to SJR 11**, sponsored by Representative Miro, before the House for consideration. Representative Miro made comments. **HA 1** was adopted by voice vote. Representative Hudson brought **HA 2 to SJR 11**, jointly sponsored by Representative Lavelle, before the House for consideration. Representative Hudson made comments. **HA 2** was adopted by voice vote. Representative Hudson requested that **HA 3 to SJR 11** be stricken. Representatives Cathcart, Lavelle, Keeley, Manolakos, McWilliams, Hudson, Miro, Stone, Cathcart & Gilligan made comments. Representative Cathcart requested and was granted privilege of the floor for Nancy Wilson, Deputy Secretary, Department of Education. Representatives Stone, Maier & Wagner made comments.

The roll call on **SJR 11 w/SA 1 & HA 1 & 2** was taken and revealed:

YES: 33.

NO: Representatives Booth, Hocker, Hudson, Lavelle, Maier, Manolakos & Miro - 7.

ABSENT: Representative Ewing - 1.

Therefore, having received a constitutional majority, **SJR 11 w/SA 1 & HA 1 & 2** was returned to the Senate for concurrence on **HA 1 & 2**.

Representative Lee deferred to Representative Valihura.

Representative Valihura deferred to Representative Hudson.

Representative Hudson brought **SB 251**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 251 - AN ACT TO AMEND TITLE 11, CHAPTER 94 OF THE DELAWARE CODE RELATING TO THE VICTIMS' BILL OF RIGHTS.**

Representative Hudson made comments.

The roll call on **SB 251** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Hall-Long - 2.

Therefore, having received a constitutional majority, **SB 251** was returned to the Senate.

Representative Lee deferred to Representative D. Short.

Representative D. Short brought **HB 476**, jointly sponsored by Representative Maier & Senator Copeland & Representatives Cathcart, Lee, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Outten, Stone, Thornburg, Valihura, Brady, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Schooley,

Viola & Walls & Senators Connor, Simpson, Sorenson & Still & cosponsored by Representative B. Short, before the House for consideration.

**HB 476** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE TO ASSIST ENROLLMENTS IN THE DELAWARE HEALTHY CHILDREN PROGRAM. (F/N)

Representative D. Short made comments.

The roll call on **HB 476** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 476** was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 477**, jointly sponsored by Senator Copeland & Representatives Cathcart, Lee, Blakey, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Outten, Stone, Thornburg, Carson & Walls & Senators Sorenson, Connor, Simpson & Still & cosponsored by Representative B. Short, before the House for consideration.

**HB 477** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INDIVIDUAL HEALTH INSURANCE STANDARDS.

Representatives D. Short, Kowalko, Johnson & D. Short made comments.

The roll call on **HB 477** was taken and revealed:

YES: 33.

NO: Representatives Johnson, Keeley, Kowalko, McWilliams, Plant, Schooley, Schwartzkopf & Viola - 8.

Therefore, having received a constitutional majority, **HB 477** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short brought **HB 478**, jointly sponsored by Senator Copeland & Representatives Cathcart, Lee, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Stone, Thornburg, Brady, Carson, Johnson & Walls & Senators Sorenson, Connor, Simpson & Still, before the House for consideration.

**HB 478** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INSURANCE RISK POOL. (F/N)

Representative D. Short made comments. Representative D. Short requested that **HB 478** be stricken.

Representative Cathcart deferred to Representative Stone.

Representative Stone brought **HB 479**, jointly sponsored by Senator Copeland & Representatives Blakey, Booth, Brady, Carey, Cathcart, Ewing, Hastings, Hocker, Hudson, Johnson, Lavelle, Lee, Maier, Manolakos, Miro, Outten, D. Short, Thornburg, Valihura & Walls & Senators Connor & Sorenson & cosponsored by Representative B. Short, before the House for consideration.

**HB 479** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

Representative Stone made comments. Representative Oberle announced that he will not be voting on **HB 479** because of a possible conflict of interest.

The roll call on **HB 479** was taken and revealed:

YES: 40.

NOT VOTING: Representative Oberle - 1.

Therefore, having received a constitutional majority, **HB 479** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HB 486**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 486** - AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO MARRIAGE LICENSES. (F/I) (3/5 bill)

Representative Hudson requested that **HA 1 to HB 486** be stricken. Representative Hudson brought **HA 2 to HB 486** before the House for consideration. Representative Hudson made a comment. **HA 2** was adopted by voice vote. Representatives Hudson & Kowalko made comments. Representative Hudson introduced and brought **HA 3 to HB 486** before the House for consideration. Mr. Speaker Spence introduced guests. Representative Hudson made comments. **HA 3** was adopted by voice vote. Representative Booth introduced and brought **HA 4 to HB 486** before the House for consideration. Representatives Booth & Hudson made comments. **HA 4** was adopted by voice vote.

The roll call on **HB 486 w/HA 2, 3 & 4** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 486 w/HA 2, 3 & 4** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst brought **HB 453**, jointly sponsored by Representative Thornburg & Senator Ennis & Representatives Carey, Hall-Long, Hocker, Lee & Walls, before the House for consideration.

**HB 453** - AN ACT TO AMEND TITLES 3 AND 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM.

Representative Longhurst introduced and brought **HA 1 to HB 453** before the House for consideration. Representative Cathcart rose on a point of order. Mr. Speaker Spence concurred. Representative Longhurst

introduced and brought **HA 1 to HA 1 to HB 453** before the House for consideration. Representatives Cathcart & Longhurst made comments. Representative Longhurst requested that **HA 1 to HA 1** be stricken. Representative Longhurst requested that **HA 1 to HB 453** be stricken. Representative Longhurst introduced and brought **HA 2 to HB 453** before the House for consideration. Representatives Longhurst & Valihura made comments. Representative Valihura requested and was granted privilege of the floor for Hal Godwin, Deputy Administrator, Sussex County. Representatives Valihura & Longhurst made comments. Representative Longhurst moved to place **HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Longhurst moved to place **HB 453** on the Speaker's Table. The motion was seconded by Representative Johnson and adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle made an announcement. Representatives Cathcart, Lavelle & Mr. Speaker Spence made comments.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **SB 174 w/HA 1 & SA 1 & 2**, jointly sponsored by Senator Henry & Representative Spence, before the House for concurrence on **SA 1 & 2**.

**SB 174 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS.**

Representative Ewing made a comment.

The roll call on **SB 174 w/HA 1 & SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 174 w/HA 1 & SA 1 & 2** was returned to the Senate.

Representative Cathcart deferred to Representative Maier.

Representative Maier made an announcement.

Representative Cathcart brought **HB 444**, jointly sponsored by Senator Peterson & Representative Johnson & cosponsored by Representatives Maier, Manolakos & Miro, before the House for consideration.

**HB 444 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION VEHICLES.**

Representative Cathcart deferred to Representative D. Short. Representative D. Short introduced and brought **HA 1 to HB 444**, jointly sponsored by Representatives Lee, Outten & Carson, before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 444 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 444 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart brought **HB 480**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 480 - AN ACT TO AMEND TITLE 17 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY.**

Representative Cathcart made a comment. Representative Cathcart brought **HA 1 to HB 480** before the House for consideration. Representative Cathcart made a comment. **HA 1** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **HB 480 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 480 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **HB 485**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 485 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEXUAL OFFENDERS.**

Representatives Spence & Wagner made comments. Representative Spence requested and was granted privilege of the floor for Elizabeth Olsen, Deputy Secretary, Department of Public Safety and Homeland Security. Representative Wagner made comments.

The roll call on **HB 485** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 485** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 8:42 p.m.



The House reconvened at 8:55 p.m. with Representative Booth as Acting Speaker.

Representative Cathcart deferred to Representative Oberle.

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

**HJR 22**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle introduced and brought **HJR 22**, jointly sponsored by Senator Cook & Representatives Spence, Cathcart, Lee, Blakey, Booth, Carey, Hastings, Hocker, Hudson, Lavelle, Lofink, Maier, Manolakos, Miro, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Kowalko, Longhurst, McWilliams, Mitchell, Plant & Schooley & Senators Adams, Blevins, Sokola, Copeland, Sorenson & Still, before the House for consideration.

**HJR 22** - A RESOLUTION DIRECTING THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, THE SECRETARY OF FINANCE, THE SECRETARY OF EDUCATION AND THE CONTROLLER GENERAL TO DEVELOP RECOMMENDATIONS FOR THE STATEWIDE UNIFORM REASSESSMENT OF REAL PROPERTY FOR THE PURPOSE OF AD VALOREM TAXATION BY COUNTY GOVERNMENTS AND SCHOOL DISTRICTS IN SUCH A MANNER AS TO HAVE NO FINANCIAL IMPACT ON THE STATE'S GENERAL FUND.

Representative Oberle made comments.

The roll call on **HJR 22** was taken and revealed:

YES: 36.

NO: Representatives Gilligan, Johnson, Schwartzkopf & Williams - 4.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HJR 22** was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Cathcart deferred to Representative Mitchell.

Representative Mitchell brought **HB 466**, jointly sponsored by Representative Schwartzkopf & Representative Ewing & Senator Ennis, before the House for consideration.

**HB 466** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST POWER AND CONVICTION, FRESH PURSUIT.

Representative Mitchell made comments. Representatives Wagner & Cathcart announced that they will not be voting on **HB 466** because of a possible conflict of interest. Representatives Maier & Mitchell made comments. Representative Blakey announced that he will not be voting on **HB 466** because of a possible conflict of interest.

The roll call on **HB 466** was taken and revealed:

YES: 37.

NOT VOTING: Representatives Blakey, Cathcart & Wagner - 3.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 466** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 272**, jointly sponsored by & Representative Hudson & Representative Stone & Senator Cloutier & Representatives Blakey, Maier, Thornburg, Wagner, Ennis, Hall-Long, Keeley, Kowalko, Longhurst, McWilliams, Mulrooney, Plant, Schooley & Williams & Senator Connor & Sokola, before the House for consideration.

**HB 272** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY. (2/3 bill)

Representatives Valihura & Lavelle made comments.

The roll call on **HB 272** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 272** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 439**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier & Schooley, before the House for consideration.

**HB 439** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (3/5 bill)

Representative Valihura made comments.

The roll call on **HB 439** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 439** was sent to the Senate for concurrence.

Representative Wagner requested that **HB 13**, **HB 301** & **HB 52** be stricken.

Representative Wagner introduced **HS 1 for HB 450** jointly sponsored by Senator Still & Representatives Blakey, Outten, D. Short & Hall-Long & Senators Bunting & Sokola.

Representative Cathcart made an announcement.

**HB 450** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MERIT SYSTEM OF PERSONNEL ADMINISTRATION.

Mr. Acting Speaker assigned **HS 1 for HB 450** to the Labor Committee.

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

CORRECTIONS: **SB 266** - 6M; **SB 286** - 6M; **SB 313** - 6M; **SB 316** - 6M.

ENERGY AND NATURAL RESOURCES: **HB 433** - 1F, 9M; **SB 288** - 8M; **SB 298** - 8M.

GAMING & PARIMUTUELS: **HB 447** - 6M; **HB 448** - 6M.

HOUSE ADMINISTRATION: **HB 481** - 4M; **SB 268** - 4M.

JUDICIARY: **HS 1 for HB 421** - 6M; **HB 488** - 1F,4M; **HB 490** - 6M; **HB 496** - 2F,4M; **SB 258 w/SA 1** - 5M,1U; **SB 289** - 1F,5M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 274 w/SA 1** - 6M; **SB 292 w/SA 1** - 6M; **SB 293 w/SA 2** - 6M.

REVENUE & FINANCE: **HB 483** - 5F,2M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 487** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HS 1/HB 216** and the Senate has passed **HB 396** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 321 w/SA1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 310, SB 271, SB 270 w/SA 1, SB 301 w/SA 1, SB 297 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 309 w/SA 1 & 2** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 378 w/HA 1, HB 381 w/HA 1, HB 361, HB 290 w/HA 1 & HB 392 w/HA 1** and is returning same to the House.

June 24, 2008

#### LEGISLATIVE ADVISORY #26

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/19/08 – **HB 36 aab HA 1 & 2 & HB 143**.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley introduced **HB 507**, jointly sponsored by Senator DeLuca, & Senator Simpson & Representatives Booth, Longhurst, Mulrooney, D. Short & Walls & Senators Connor, Henry, Marshall & McDowell & cosponsored by Representative Stone.

**HB 507** - AN ACT TO AMEND CHAPTER 21, TITLE 5 OF THE DELAWARE CODE RELATING TO MORTGAGE LOAN BROKERS.

Mr. Speaker Spence assigned **HB 507** to the Economic Development/Banking & Insurance Committee.

Representative Keeley introduced **HB 508**, jointly sponsored by Senator DeLuca & Senator Simpson & Representatives Booth, Hocker, Longhurst, Mulrooney, D. Short & Walls & Senators Connor, Henry, Marshall & McDowell & cosponsored by Representative Stone.

**HB 508** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO MORTGAGE LOAN ORIGINATORS.

Mr. Acting Speaker assigned **HB 508** to the Economic Development/Banking & Insurance Committee.

The Majority Leader moved to recess to the call of the Chair at 9:17 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:14 p.m. on June 25, 2008.

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

JUDICIARY: **SB 253 w/SA 1** - 2F,4M.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

#### 41st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session

June 25, 2008

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HB 310** - VALIHURA & SENATOR DELUCA - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 and Title 29 of the Delaware Code Relating to the Powers and Duties of the Delaware Open Space Council, the Parks and Recreation Council and the Delaware Council on Greenways and Trails.

**HS 1 for HB 383** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, LONGHURST, SCHOOLEY; SENATORS BUNTING, MCDOWELL, BONINI, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code and 76 Delaware Laws, Chapter 79, Section 56 Relating to the Council on Development Finance.

**HS 1 for HB 463** - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES BRADY, CARSON, GILLIGAN, HALL-LONG, HUDSON, JOHNSON, KEELEY, KOWALKO, LAVELLE, LONGHURST, MAIER, MANOLAKOS, MCWILLIAMS, MITCHELL, PLANT, SCHOOLEY, B. SHORT, VALIHURA, VIOLA, WAGNER, WALLS, WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to County Taxes.

**HB 497** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Clarify Certain Non-Recourse Provisions of Section 31(a)(45) of the Charter Relating to Municipal Tax Increment and Municipal Special Development Districts Financings. (2/3 bill)

**HB 505** - MAIER & REPRESENTATIVE VALIHURA & SENATOR HENRY; REPRESENTATIVE SCHOOLEY; SENATORS SORENSON, CONNOR - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 31 of the Delaware Code Relating to Delaware State Housing Authority.

**HB 506** - LAVELLE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Superior Court.

**HA 3 to HB 267** - PLANT - Placed with the Bill.

**HA 1 to HB 451** - VALIHURA - Placed with the Bill.

**HA 1 to HS 1 for HB 463** - SPENCE - Placed with the Bill.

**HA 1 to HB 489** - VALIHURA - Placed with the Bill.

**HR 70** - MCWILLIAMS & REPRESENTATIVE GILLIGAN; REPRESENTATIVES BOOTH, BRADY, CAREY, CARSON, CATHCART, EWING, HALL-LONG, HOCKER, JOHNSON, KEELEY, KOWALKO, LAVELLE, LOFINK, LONGHURST, MAIER, MANOLAKOS, MARSHALL, MIRO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, STONE, THORNBURG, VIOLA, WAGNER, WALLS, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - Creating a Task Force to Study and Make Recommendations Regarding the Medicaid Program in the State of Delaware.

**SB 270 w/SA 1** - MCDOWELL & SENATOR HENRY & REPRESENTATIVE PLANT & REPRESENTATIVE JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware State University Board of Trustees.

**SB 271** - MCDOWELL & SENATOR HENRY & REPRESENTATIVE PLANT & REPRESENTATIVE JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware State University Board of Trustees.

**SB 297 w/SA 1** - DELUCA & REPRESENTATIVE STONE; SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Trust Companies. (2/3 bill)

**SB 301 w/SA 1** - ENNIS & REPRESENTATIVE CARSON; SENATOR COOK; REPRESENTATIVES HALL-LONG, THORNBURG - HOUSE ADMINISTRATION - An Act to Amend Chapter 176, Volume 74, Laws of Delaware, as Amended, Relating to the Municipal Charter of the Town of Smyrna Granting the Town the Powers to Implement Municipal Tax Increment Financing and Special Development Districts as Permitted by Chapters 17 and 18 of Title 22 of the Delaware Code. (2/3 bill)

**SB 309 w/SA 1 & 2** - MCBRIDE & REPRESENTATIVE HASTINGS; SENATORS CONNOR, SIMPSON; REPRESENTATIVES BOOTH, HALL-LONG, KOWALKO, LONGHURST, WALLS - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Related to Certain Criminal Penalties. (2/3 bill)

**SB 310** - SOKOLA; SENATORS ENNIS, HENRY; REPRESENTATIVES BRADY, KEELEY, SCHOOLEY, B. SHORT, VIOLA, LAVELLE, VALIHURA, OBERLE, WAGNER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code to Establish the Delaware Interagency Council on Homelessness.

**HA 2 to SB 109** - HUDSON - Placed with the Bill.

Representatives Gilligan, Miro & Mitchell requested that they be marked present.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 242**, jointly sponsored by Senator Adams & Senator DeLuca & Representatives Spence & Wagner, before the House for consideration.

**SB 242** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (2/3 bill)

Representative Valihura made comments.

The roll call on **SB 242** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 242** was returned to the Senate.

Representatives Wagner & Williams requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HS 1 for HB 383**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier, Longhurst & Schooley & Senators Bunting, McDowell, Bonini & Connor, before the House for consideration.

**HB 383** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AND 76 DELAWARE LAWS, CHAPTER 79, SECTION 56 RELATING TO THE COUNCIL ON DEVELOPMENT FINANCE.

Representative Valihura moved to suspend the rules which interfere with action on **HS 1 for HB 383**. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Valihura made comments.

The roll call on **HS 1 for HB 383** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 383** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Maier.

Representative Maier brought **SB 256 w/SA 1**, sponsored by Senator Henry & Senators Ennis, McDowell, Peterson, Sorenson & Connor & Representatives Keeley & Johnson, before the House for consideration.

**SB 256** - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DEATH CERTIFICATES, AND CEMETERIES. (3/5 bill) (F/I)

Representative Maier made comments. Representative Booth announced that he will not be voting on **SB 256 w/SA 1** because of a possible conflict of interest. Representatives Johnson, Maier & Valihura made comments.

The roll call on **SB 256 w/SA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representatives Booth & Carey - 2.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 256 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative B. Short.

Representative B. Short brought **HB 475**, jointly sponsored by Representative D. Short & Senator Cloutier & Senator Sokola & Representatives Brady, Carey, Keeley, Lavelle, McWilliams, Mitchell, Schwartzkopf, Stone & Valihura & Senators Blevins & McDowell, before the House for consideration.

**HB 475** - AN ACT TO AMEND CHAPTERS 21 AND 22, TITLE 5 OF THE DELAWARE CODE RELATING TO REVERSE MORTGAGES.

Representatives B. Short, Valihura & Keeley made comments.

The roll call on **HB 475** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 475** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence brought **SB 269**, jointly sponsored by Senator Bunting & Senator Blevins & Representatives Kowalko, before the House for consideration.

**SB 269** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FOR MEDICAL NEGLIGENCE.

Representative Spence deferred to Representative Stone. Representative Stone introduced and brought **HA 1 to SB 269** before the House for consideration. Representatives Stone, Oberle, Stone & Wagner made comments. Representative Spence requested and was granted privilege of the floor for Matt Denn, Insurance Commissioner. Representatives Spence, Oberle, Wagner, Kowalko & Spence made comments. Representative Stone requested that **HA 1** be stricken. Representatives Spence & Stone made comments.

The roll call on **SB 269** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 269** was returned to the Senate.

Representative Plant requested that she be marked present during the roll call.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: June 25, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor           | Date      | Type | Description                                                    |
|-----------|-------------------|-----------|------|----------------------------------------------------------------|
| H144-1767 | Wagner            | 6/30/2008 | T    | Anne Ellen Woollens - Retirement - Capital Schools             |
| H144-1768 | Stone; Wagner     | 6/30/2008 | T    | Patricia Angstadt - Retirement - Capital Schools               |
| H144-1769 | Stone; Wagner     | 6/30/2008 | T    | Juanita Carney - Retirement - Capital Schools                  |
| H144-1770 | Stone; Wagner     | 6/30/2008 | T    | Linda Hackett - Retirement - Capital Schools                   |
| H144-1771 | Wagner            | 2/28/2008 | T    | Billy & Luise Combs - 50th Wedding Anniversary                 |
| H144-1772 | Walls; Carey      | 6/10/2008 | T    | Jerome Watson - KSI Employee of the Second Quarter             |
| H144-1773 | Walls; Carey      | 6/10/2008 | T    | Thomas Shaffer - KSI Employee of the Third Quarter             |
| H144-1774 | Walls; Carey      | 6/10/2008 | T    | William Lofland - KSI Employee of the Fourth Quarter           |
| H144-1775 | Walls; Carey      | 6/10/2008 | T    | Krista Moyer - KSI Employee of the First Quarter               |
| H144-1776 | Walls; Carey      | 6/10/2008 | T    | Matthew Veraldo - KSI Employee of the Year                     |
| H144-1777 | Walls; Carey      | 6/10/2008 | T    | Linda Hitchens - KSI Champion                                  |
| H144-1778 | Walls; Carey      | 6/10/2008 | T    | Thomas Spiezio - KSI Champion                                  |
| H144-1779 | Lee               | 6/30/2008 | T    | Carol Lowe - Retirement - Laurel Schools                       |
| H144-1780 | Lee               | 6/30/2008 | T    | Virginia Snead - Retirement - Laurel Schools                   |
| H144-1781 | Lee               | 6/30/2008 | T    | Connie Massey - Retirement - Laurel Schools                    |
| H144-1782 | Lofink            | 6/9/2008  | T    | Alan Duncan - Division I Track Title                           |
| H144-1783 | Ewing             | 6/10/2008 | T    | Dr. Kevin Carson - Superintendent of the Year                  |
| H144-1784 | Carson; Thornburg | 6/10/2008 | T    | Sgt. S. Grant Nash, III - Meritorious Service to Country       |
| H144-1785 | Carson; Thornburg | 6/10/2008 | T    | Sgt. Joshua T. Coulbourne - Meritorious Service to Country     |
| H144-1786 | Carson; Thornburg | 6/10/2008 | T    | Lance Corporal Dwayne Newman – Meritorious Service to Country  |
| H144-1787 | Carson; Thornburg | 6/10/2008 | T    | 1st Lt. Thomas L. Emerson, IV – Meritorious Service to Country |
| H144-1788 | Wagner            | 6/14/2008 | T    | Stephanie Rogers & Steven Canter – Marriage                    |
| H144-1789 | Wagner            | 5/29/2008 | T    | Walter & Virginia Speakman - 60th Wedding Anniversary          |
| H144-1790 | Booth; Hastings   | 6/10/2008 | T    | Sussex Central Girls Softball Team – Championship              |
| H144-1791 | Lofink            | 6/12/2008 | T    | Kevin Welch - Keyboarding Production – First Place             |
| H144-1792 | Longhurst         | 6/12/2008 | T    | Kelly Martinez - Keyboarding Production – Second Place         |

HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: June 25, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                  | Date      | Type | Description                                                               |
|-----------|--------------------------|-----------|------|---------------------------------------------------------------------------|
| H144-1793 | Oberle                   | 6/12/2008 | T    | Sharon Zimmer - Superior Teaching Skills                                  |
| H144-1794 | Spence                   | 6/12/2008 | T    | David Pepper - Eagle Scout                                                |
| H144-1795 | Wagner; Thornburg; Stone | 6/6/2008  | M    | Dr. Harold Halpern                                                        |
| H144-1796 | Carey                    | 6/12/2008 | T    | Daniel Beebe - Eagle Scout                                                |
| H144-1797 | Plant                    | 6/14/2008 | T    | Lee Jarmon - Father of the Year - Father's Day Gala                       |
| H144-1798 | Maier                    | 6/12/2008 | T    | Robert McConkie - Eagle Scout                                             |
| H144-1799 | Maier                    | 6/12/2008 | T    | Anthony McGuire - Eagle Scout                                             |
| H144-1800 | Marshall                 | 6/16/2008 | T    | Sheryl Arnold - Dedication & Commitment to Children                       |
| H144-1801 | Marshall                 | 6/16/2008 | T    | Lauren Arnold - Dedication & Commitment to Children                       |
| H144-1802 | Longhurst                | 6/16/2008 | T    | Juanita McCormac - Dedication & Commitment to Children                    |
| H144-1803 | Schooley                 | 6/16/2008 | T    | Mark Manno - Dedication & Commitment to Children                          |
| H144-1804 | Kowalko                  | 6/16/2008 | T    | Corporal Clarence Purse - Dedication & Commitment to Children             |
| H144-1805 | Cathcart                 | 6/16/2008 | T    | Officer First Class Reginald Laster – Dedication & Commitment to Children |
| H144-1806 | Carson                   | 6/16/2008 | T    | Officer First Class Peter Stewart – Dedication & Commitment to Children   |
| H144-1807 | Lofink                   | 6/16/2008 | T    | Earline Vann - Commitment - Sparrow Run Families                          |

|           |                                 |            |   |                                                                   |
|-----------|---------------------------------|------------|---|-------------------------------------------------------------------|
|           | cosponsor: Rep. Marshall        |            |   |                                                                   |
| H144-1808 | Marshall                        | 6/16/2008  | T | Donna Johnson - Commitment - Lexington Green Families             |
| H144-1809 | Hocker                          | 6/17/2008  | T | Cleo McCann - 90th Birthday                                       |
| H144-1810 | Maier                           | 6/11/2008  | M | Arthur H. Amick, III                                              |
|           | cosponsors: All Representatives |            |   |                                                                   |
| H144-1811 | Maier                           | 6/14/2008  | M | Deacon Albert F. Rose, Sr.                                        |
| H144-1812 | Hudson                          | 3/7/2008   | T | William Cressman - Eagle Scout                                    |
| H144-1813 | Wagner                          | 12/12/2007 | T | Justin Zaback - Eagle Scout                                       |
| H144-1814 | Hudson;<br>Schooley             | 6/17/2008  | T | Cari DeSantis - Retirement – Secretary - Children's<br>Department |
|           | cosponsors: All Representatives |            |   |                                                                   |

T- Tribute

M – Memoriam

The Majority Leader moved to recess for caucus at 3:10 p.m.

The House reconvened at 5:28 p.m. with Representative Oberle as Acting Speaker.

Representative Cathcart brought the following prefiled **Consent Calendar #25** before the House for consideration.

**HR 69** – SPENCE & REPRESENTATIVES EWING, HOCKER, LOFINK, D. SHORT, STONE & JOHNSON – SPENCE – Establishing a Safe Schools Task Force to Review Educational and Security Issues.

**HR 71** – VALIHURA – Extending the Reporting Date of the Abandoned Property Administration and Policies Task Force.

**HR 72** – WALLS & REPRESENTATIVE CAREY ON BEHALF OF ALL REPRESENTATIVES – Commending the Milford Police Department, the Delaware State Police Explosive Ordinance Disposal Unit and All Other Assisting Police, Fire and Emergency Response Agencies for Their Outstanding Work in Assuring the Safety of the Residents of Milford and the Children Attending Benneker Elementary School During the Recent Pipe Bomb Incident.

**HR 73** – MANOLAKOS & REPRESENTATIVES BOOTH, HUDSON, MAIER, STONE, GILLIGAN & KEELEY – A Resolution Creating a Recycling Task Force to Identify Best Management Practices for a Comprehensive and Viable Statewide Recycling Program.

**HCR 66** – SPENCE & REPRESENTATIVE KOWALKO & SENATOR PETERSON & REPRESENTATIVES LAVELLE, BRADY, HALL-LONG, JOHNSON, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, PLANT, SCHOOLEY & WILLIAMS & SENATORS BLEVINS, ENNIS, HENRY, VENABLES & AMICK – Establishing the Delaware Interstate Job Cooperative Task Force.

**HCR 67** – HASTINGS & SENATOR VENABLES & REPRESENTATIVES CAREY & THORNBURG – A Resolution Creating the Irrigation Preservation Task Force.

**HCR 68** – HASTINGS & REPRESENTATIVE OBERLE & SENATOR BUNTING – A Resolution Urging the Department of Natural Resources and Environmental Control to Require All Facilities that Operate in Delaware Estuary Waters and Utilize Cooling Water Intake Structures to Implement “Closed-Cycle” Cooling Systems, and Urging the Department of Natural Resources and Environmental Control to Declare that “Closed Cycle” Cooling Systems Constitute the Best Technology Available for Water Intake Structures.

**HCR 70** – HASTINGS & REPRESENTATIVE OBERLE & SENATORS BUNTING & SIMPSON – Urging the Owners of the NRG Indian River Power Plant and the Department of Natural Resources and Environmental Control to Establish and Air Monitoring Program Intended to Determine the Possible Impact the Plant’s Operations on the Health of Sussex County Residents.

**HCR 72** – LOFINK & SENATOR SOKOLA – Leadership for Education Achievement in Delaware (LEAD) Committee Continuation Resolution.

Representative Cathcart requested that **HR 72** & **HCR 67** be removed from **Consent Calendar #25**.

**Consent Calendar # 25** was adopted by voice vote and **HR 69**, **HR 71** & **HR 73** were declared passed and **HCR 66**, **HCR 68**, **HCR 70** & **HCR 72** were sent to the Senate for concurrence.

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

HEALTH & HUMAN DEVELOPMENT: **HB 459** - 7M; **SB 321 w/SA 1** - 7M.

HOUSE ADMINISTRATION: **HB 457** - 4M.

LABOR: **SB 283** - 6M; **SB 284** - 6M; **SB 304** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 501** - 3M; **HB 503** - 3M; **SB 279** - 3M; **SB 295** - 3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 306 w/SA 1**, **SS 1/SB 107 w/SA 1** & **SB 296** and requests the concurrence of the House and the Senate has passed **HB 365** and is returning same to the House.

Representative Cathcart moved to place **HR 72** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart moved to place **HCR 67** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Walls.

Representative Walls moved to lift **HR 72** from the Speaker's Table. The motion was seconded by Representative B. Short and adopted by voice vote. Representative Walls made a comment. Representative Walls moved to place **HR 72** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings moved to lift **HCR 67** from the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hastings made an announcement.

Representative Hastings brought **HCR 67**, jointly sponsored by Senator Venables & Representatives Carey & Thornburg, before the House for consideration.

**HCR 67 - A RESOLUTION CREATING THE IRRIGATION PRESERVATION TASK FORCE.**

Representative Walls announced that he will not be voting on **HCR 67** because of a possible conflict of interest.

**HCR 67** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Cathcart brought **Consent Agenda G**, which requires a three-fifths vote, before the House for consideration

**HB 449 – D. SHORT & SENATOR VENABLES – An Act to Amend Title 9 of the Delaware Code Relating to the Location of Sewer Treatment Plants and Other Sewage Disposal Facilities in Sussex County.**

**SB 231 – BLEVINS & REPRESENTATIVE BLAKEY & SENATORS HENRY, MCDOWELL & VENABLES & REPRESENTATIVE MITCHELL – An Act to Amend Title 15 of the Delaware Code Relating to Election Reports.**

**HB 487 – OUTTEN & SENATOR BONINI – An Act to Amend Volume 76, Chapter 65 of the Laws of Delaware Relating to the Transfer of Certain Real Property in the City of Harrington, Kent County, Delaware. (3/5 bill)**

**SB 268 – COOK & REPRESENTATIVE LAVALLE – An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Heritage Commission.**

**SB 289 – ADAMS & REPRESENTATIVE SCHWARTZKOPF & SENATORS BUNTING, VENABLES, BONINI, SIMPSON & COOK & REPRESENTATIVES WALLS, CAREY, EWING, HASTINGS, HOCKER, LEE, OUTTEN & D. SHORT – An Act to Name the Sussex County Family Court Building in Honor of the Late Former Chief Judge of the Family Court of the State of Delaware, Robert D. Thompson, Jr.**

**SB 281 – BLEVINS & REPRESENTATIVE VALIHURA – An Act to Amend Title 12 of the Delaware Code Relating to the Determination of Jurisdiction in Proceedings for Guardianship and Conservatorships for Incapacitated Adults. (3/5 bill)**

The roll call on **Consent Agenda G** was taken and revealed:

YES: 41.

Mr. Speaker Spence resumed the Chair.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 449 & HB 487** were sent to the Senate for concurrence and **SB 231, SB 268, SB 289 & SB 281** were returned to the Senate.

Representative Blakey made an announcement. Representative Gilligan requested and was granted personal privilege of the floor to introduce guests. Representative Cathcart deferred to Representative Oberle.

Mr. Speaker Spence reassigned **SB 297** to the Judiciary Committee.

Representative Oberle moved to suspend the rules which interfere with action on **SB 316**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **SB 316**, jointly sponsored by Senator Cook & Senator Ennis & Representatives Spence & Lee, before the House for consideration.

**SB 316 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO EARNED GOOD TIME.**

Representative Oberle made comments.

The roll call on **SB 316** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 316** was returned to the Senate.

Mr. Speaker Spence requested that **HB 499** be stricken.

Representative Maier requested that **HB 505** be stricken.

Representative Valihura requested that **HB 426** be stricken.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **SB 313**. The motion was properly seconded and adopted by voice vote.

Representative Hudson brought **SB 313**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 313 - AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO THE CRIMINALLY MENTALLY ILL.**

Representatives Hudson & B. Short made comments. Representative Hudson requested and was granted privilege of the floor for Carl Danberg, Commissioner, Department of Corrections. Representative B. Short made comments.

The roll call on **SB 313** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 313** was returned to the Senate.

Representative B. Short made comments.

Representative Lee deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **HS 1 for HB 421**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Ewing brought **HS 1 for HB 421**, jointly sponsored by Representative Lee & Representative Schwartzkopf & Senator Blevins & Representatives Spence, Cathcart, Blakey, Booth, Carey, Hastings, Hocker, Hudson, Lavelle, Lofink, Maier, Manolakos, Miro, Oberle, Outten, D. Short, Stone, Thornburg, Valihura, Wagner, Brady, Carson, Hall-Long, Kowalko, McWilliams, Mitchell, Mulrooney, Plant, Schooley, B. Short, Walls & Williams & Senators Bunting, Henry, Marshall, Peterson & Sokola, before the House for consideration.

**HB 421 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)**

Representative Ewing made comments.

The roll call on **HS 1 for HB 421** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Oberle - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 421** was sent to the Senate for concurrence.

Representative Schwartzkopf made comments regarding **HS 1 for HB 421**.

Mr. Speaker Spence requested that **HB 498** be stricken.

Representative Lee deferred to Representative Booth.

Representative Booth introduced brought **HCR 73**, jointly sponsored by Representative Lee & Senator Bunting & Representatives Hastings & D. Short, before the House for consideration.

**HCR 73 - A TASK FORCE TO REVIEW BORROW PIT RULES AND REGULATIONS IN THE STATE OF DELAWARE.**

**HCR 73** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Lee deferred to Representative Lavelle.

Representative Lavelle introduced and brought **HCR 71**, jointly sponsored by Senator Bonini & Representatives Lee, Booth, Carey, Ewing, Hastings, Hocker, Hudson, Manolakos, Outten, D. Short, Stone, Thornburg, Brady, Carson, Hall-Long & Walls & Senators Adams, Ennis, Venables, Amick & Cloutier, before the House for consideration.

**HCR 71 - A RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO STUDY THEIR STATUTORY AUTHORITY IN LIGHT OF RECENT LEGAL OPINIONS.**

Representatives Lavelle & Schwartzkopf made comments.

**HCR 71** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 496**, jointly sponsored by Representative Hudson & Representative Stone & Representative Johnson & Senator Adams & Senator DeLuca & Senator Cloutier & Senator Simpson & cosponsored by Representatives Carson, Keeley, Plant & Walls, before the House for consideration.

**HB 496 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (F/I)**

Representative Valihura made comments.

The roll call on **HB 496** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 496** was sent to the Senate for concurrence.

Representatives Keeley & Valihura made comments regarding **HB 496**.

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

HOUSE ADMINISTRATION: **HB 497** - 4M.

LABOR: **HS 1 for HB 450** - 7M.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with introduction of and action on **SB 328**. The motion was seconded by Representative Lee and adopted by voice vote.



Representative Valihura brought **SB 328**, jointly sponsored by All Representatives & Senator DeLuca & All Senators, before the House for consideration.

**SB 328** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO OFFSHORE WIND POWER INSTALLATIONS.

Representatives Valihura, Kowalko, Cathcart & Mr. Speaker Spence made comments.

The roll call on **SB 328** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 328** was returned to the Senate.

Representative Cathcart brought **SB 164**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 164** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO WRITE-IN CANDIDATES

Representatives Cathcart & Kowalko made comments.

The roll call on **SB 164** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 164** was returned to the Senate.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing brought **HB 451**, jointly sponsored by Senator Venables & Representatives Lee, Carey, Hastings, D. Short & Schwartzkopf, before the House for consideration.

**HB 451** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE ESTABLISHING A NEW CHAPTER 71 AND CHAPTER 72 ENABLING SUSSEX COUNTY TO CREATE TAX INCREMENT FINANCING DISTRICTS AND TO UTILIZE TAX INCREMENT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT AND TO CREATE SPECIAL DEVELOPMENT DISTRICTS AND TO UTILIZE SPECIAL DEVELOPMENT DISTRICT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT.

Representative Ewing brought **HA 1 to HB 451**, sponsored by Representative Valihura, before the House for consideration. Representative Ewing deferred to Representative Valihura. Representatives Valihura & Ewing made comments.

The roll call on **HA 1 to HB 451** was taken and revealed:

YES: Representatives Miro & Valihura - 2.

NO: 36.

NOT VOTING: Representatives Cathcart & Viola - 2.

ABSENT: Representative Lee - 1.

Therefore, not having received a constitutional majority, **HA 1 to HB 451** was declared defeated.

Representatives Valihura & Ewing made comments.

The roll call on **HB 451** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 451** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Schooley.

Representative Schooley moved to suspend the rules which interfere with lifting **HS 1 for HB 362** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Schooley brought **HS 1 for HB 362**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Ewing, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Maier, Manolakos, Marshall, McWilliams, Mitchell, Mulrooney, Schwartzkopf, B. Short, D. Short, Spence, Valihura & Walls & Senators Cloutier, Ennis, Henry & Sokola, before the House for consideration.

**HB 362** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.

Representative Schooley made comments.

The roll call on **HS 1 for HB 362** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 362** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst moved to lift **HB 453** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Longhurst moved to lift **HA 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Longhurst brought **HB 453**, jointly sponsored by Representative Thornburg & Senator Ennis & Representatives Carey, Hall-Long, Hocker, Lee & Walls, before the House for consideration.

**HB 453** - AN ACT TO AMEND TITLES 3 AND 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM.

Representative Longhurst moved to lift **HA 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Longhurst brought **HA 2 to HB 453** before the House for consideration. Representatives Ewing & Longhurst made comments. Representative

Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Wagner & Longhurst made comments. Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representative Valihura made a comment. Representative Valihura introduced and brought **HA 1 to HA 2 to HB 453** before the House for consideration. Representative Valihura requested that **HA 1 to HA 2** be stricken. Representative Ewing introduced and brought **HA 2 to HA 2 to HB 453** before the House for consideration. **HA 2 to HA 2** was adopted by voice vote. Representatives Wagner, Longhurst & Cathcart made comments. **HA 2 w/HA 2** was adopted by voice vote.

The roll call on **HB 453 w/HA 2 & HA 2 to HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Oberle & Williams - 2.

Therefore, having received a constitutional majority, **HB 453 w/HA 2 & HA 2 to HA 2** was sent to the Senate for concurrence.

Representatives Longhurst & Valihura made comments.

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

HOUSE ADMINISTRATION: **SB 226** - 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 314, SB 311 & SJR 13** and requests the concurrence of the House and the Senate has passed **HS 1/HB 236 w/SA 2** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 328 & SJR 12** and requests the concurrence of the House and the Senate has passed **HB 368 w/SA 1** and is returning same to the House.

Representative Marshall introduced **HB 510**, jointly sponsored by Representative Blakey & Representative Maier & Senator Henry & Senator McDowell.

**HB 510 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS.**

Mr. Speaker Spence assigned **HB 510** to the Public Safety & Homeland Security Committee.

The Majority Leader moved to recess to the call of the Chair at 7:01 p.m.

Mr. Acting Speaker Booth called the House to order at 2:03 p.m. on June 26, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 364, HB 261 w/HA 1, HB 413 & HS 1/HB 374** and is returning same to the House.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

#### **42nd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 26, 2008**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gregory A. Hastings, Forty-First Representative District.

Mr. Acting Speaker led those present in a pledge of allegiance to the American flag.

The following prefiled legislation was introduced:

**HB 509 - SPENCE & SENATOR MCBRIDE & SENATOR SIMPSON; REPRESENTATIVES EWING, LOFINK - LABOR - An Act to Amend Title 6 of the Delaware Code Relating to Building Construction Payments.**

**HB 511 - VALIHURA & SENATOR CLOUTIER & SENATOR COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.**

**HB 512 - GILLIGAN & SENATOR STILL; REPRESENTATIVES KEELEY, OBERLE; SENATORS DELUCA, COOK, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 16 and 30 of the Delaware Code Relating to Hospitals. (3/5 bill)**

**HB 513 - OBERLE & SENATOR DELUCA; REPRESENTATIVES CATHCART, GILLIGAN, KEELEY, SPENCE, WAGNER; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Gross Receipts Taxes. (3/5 bill)**

**HB 514 - KEELEY & SENATOR DELUCA; REPRESENTATIVES CATHCART, CAREY, HUDSON, LOFINK, MANOLAKOS, VALIHURA; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Chapter 48, Title 29 of the Delaware Code Relating to the Delaware Lottery.**

**HB 515 - OBERLE & SENATOR DELUCA; REPRESENTATIVES CATHCART, GILLIGAN, KEELEY, SPENCE, LEE, CAREY, EWING, HUDSON, MAIER, MANOLAKOS, MIRO, OUTTEN, D. SHORT, WAGNER; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Chapter 82 of Title 3 of the Delaware Code Pertaining to the Veterinarian Services Tax and Other Matters. (3/5 bill)**

**HB 516 - GILLIGAN & SENATOR DELUCA; REPRESENTATIVES KEELEY, OBERLE, CATHCART, HUDSON, MAIER, MIRO, WAGNER; SENATORS COOK, SORENSON, STILL,**

ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to Fees Paid to the City of Wilmington.

**HB 517** - KEELEY & SENATOR DELUCA; REPRESENTATIVES GILLIGAN, OBERLE, CATHCART; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 4 of the Delaware Code Relating to Licensing Fees. (3/5 bill)

**HB 518** - OBERLE & SENATOR DELUCA; REPRESENTATIVES CATHCART, GILLIGAN, KEELEY; SENATORS COOK, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Chapter 5, Title 4 of the Delaware Code Relating to Taxes on Alcoholic Beverages. (3/5 bill)

**HB 519** - OBERLE & SENATOR DELUCA; REPRESENTATIVES CATHCART, GILLIGAN, KEELEY, BLAKEY, CAREY, EWING, LEE, MIRO, SPENCE, WAGNER; SENATOR COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**HB 520** - OBERLE & SENATOR DELUCA; REPRESENTATIVES CATHCART, GILLIGAN, KEELEY, CAREY, LEE, SPENCE, WAGNER; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to the Uniform Partnership Act, Limited Partnerships, and the Limited Liability Company Act and Taxes Collected by the Secretary of State. (3/5 bill)

**HA 1 to HB 420** - LOFINK - Placed with the Bill.

**HA 1 to HR 72** - WALLS - Placed with the Bill.

**SS 1 for SB 107 w/SA 1** - BLEVINS & REPRESENTATIVE STONE; SENATOR HENRY; REPRESENTATIVE MAIER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Colorectal Cancer Screening.

**SB 296** - BLEVINS; REPRESENTATIVES VALIHURA, MARSHALL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes Against Children.

**SB 306 w/SA 1** - DELUCA & REPRESENTATIVE CATHCART - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to 911-Enhanced Emergency Number Service.

**SB 311** - ADAMS & REPRESENTATIVE EWING - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to Banking, Voter Eligibility, the Power to Raise Revenue and the Ten Years Exemption for Plants and Businesses Brought Within the Boundaries of the Town by Reason of Future Extensions of the Town's Boundaries and Relating to the Alderman. (2/3 bill)

**SB 314** - MCDOWELL & REPRESENTATIVE HOCKER - ENERGY AND NATURAL RESOURCES - An Act to Amend Title 16 of the Delaware Code Relating to Energy Conservation.

**SJR 12** - VENABLES & SENATOR AMICK & REPRESENTATIVE LEE & REPRESENTATIVE HALL-LONG - HEALTH & HUMAN DEVELOPMENT - Creating a Physician Licensure Task Force.

**SJR 13** - HENRY; SENATORS MCDOWELL, SOKOLA; REPRESENTATIVES JOHNSON, MIRO, LOFINK - EDUCATION - Accepting the Findings and Recommendations of the Wilmington Education Task Force.

Representative Cathcart deferred to Representative Walls.

Representative Walls requested and was granted privilege of the floor for himself and Representative Carey to introduce guests and to make comments regarding **HR 72**. Representative Carey & Mr. Acting Speaker made comments.

Representative Walls moved to lift **HR 72** from the Speaker's Table. The motion was seconded by Representative Johnson and adopted by voice vote.

Representative Walls brought **HR 72**, jointly sponsored by Representative Carey on behalf of All Representatives, before the House for consideration.

**HR 72** - COMMENDING THE MILFORD POLICE DEPARTMENT, THE DELAWARE STATE POLICE EXPLOSIVE ORDNANCE DISPOSAL UNIT AND ALL OTHER ASSISTING POLICE, FIRE AND EMERGENCY RESPONSE AGENCIES FOR THEIR OUTSTANDING WORK IN ASSURING THE SAFETY OF THE RESIDENTS OF MILFORD AND THE CHILDREN ATTENDING BANNEKER ELEMENTARY SCHOOL DURING THE RECENT PIPE BOMB INCIDENT.

Representative Walls made a comment. Representative Walls brought **HA 1 to HR 72** before the House for consideration. **HA 1** was adopted by voice vote.

**HR 72 w/HA 1** was adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle requested and was granted privilege of the floor to present a House Tribute to The Honorable Wayne R. Hanby, Justice of the Peace, on the occasion of his retirement.

The Reading Clerk read the following into the record at the request of Representative Oberle:

I have asked Judge Wayne Hanby – now retired – to be with us today to suitably honor his years of service to his county and to his state.

Wayne and I have been joined together in friendship for more years than we both care to remember.

All the memories are good ones. They started on the ball fields of northern Delaware and continued during his return from Viet Nam where he served with the 81st Mortar, 2nd Battalion, 3rd Marine Division

and throughout his years of distinguished service on the bench, where he rightfully was cited as a fair and extremely competent judge by his peers and those in the legal community who appeared before him.

Wayne was the first director, and founder, of the *Viet Nam Veterans Leadership Program* in 1981 here in Delaware, an achievement for which he was honored by President Ronald Reagan in 1984.

He has been, and continues to be, an inspiration to all – through his good works and by example.

When it came time for me to choose who I wanted to deliver the oath of office to newly elected Members of this House – there was only one name that came to mind – Judge Wayne Hanby. I could think of no one better qualified to utter those words that you would repeat, and that “oath” has been administered by Wayne to six General Assemblies. He has honored all of us by agreeing to do so, and as a result, Wayne has become a part of your life, just as he did so many years ago become a part of mine. My only regret is that he has chosen to leave the bench – but I have a strong sense that we have not heard the last from Wayne Hanby – it simply is not part of his DNA.

Wayne is joined today by his lovely wife, Veronica, his cousin, Judge James Hanby, Judge Tom Kenney and Chief Magistrate, Alan Davis, by Patricia Miller, his daughter; Ken Miller, son-in-law, Shane Miller, grandson and Candy Pike, daughter.

I should also note that we have ordered a silver tray, noting Wayne’s accomplishments, among those being the aforementioned swearing in of six General Assemblies; unfortunately, the engraver was a little slow on the draw and the tray will be presented at a later date.

If you will indulge me, I would now like to read the following tribute:

STATE OF DELAWARE  
HOUSE OF REPRESENTATIVES

Tribute

Be it hereby known to all that  
the House of Representatives recognizes  
**THE HONORABLE WAYNE R. HANBY**

On the Occasion of His Retirement

We commend this exceptional judge for his almost twenty years  
as a Justice of the Peace following his meritorious service in  
the United States Marine Corps and with the Veterans Administration.

It has been an honor to have Judge Hanby administer the oath of office to the  
Members of the House of Representatives on the opening day of six General Assemblies.

Best wishes for an enjoyable retirement.

The House of Representatives extends its sincere  
congratulations and directs this tribute be presented on  
this 26th day of June 2008.

Terry R. Spence, Speaker of the House  
JoAnn M. Hedrick, Chief Clerk of the House  
Representative William A. Oberle, Sponsor

Judge Hanby addressed the House. Mr. Acting Speaker, Representatives Cathcart & Gilligan made comments.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg requested and was granted privilege of the floor for John C. Sigler, National President, National Rifle Association, to present the Defender of Freedom Award and Mr. John J. Thompson, President, Delaware State Sportsmen’s Association, to present the Delaware Patriot Award to Representative Ewing. Representative Ewing made comments.

Representative Cathcart deferred to Representative Hall-Long.

Representative Hall-Long requested that she be marked present and requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative McWilliams.

Representative McWilliams brought **HB 472**, jointly sponsored by Representative Maier & Representative Schooley & Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 472 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD DEATH, NEAR DEATH, AND STILLBIRTH COMMISSION AND REVIEW OF MATERNAL DEATHS.**

Representative McWilliams made comments.

The roll call on **HB 472** was taken and revealed:

YES: 38.

ABSENT: Representatives Gilligan, Plant & Williams - 3.

Therefore, having received a constitutional majority, **HB 472** was sent to the Senate for concurrence. Representatives Schwartzkopf, Viola, Miro & Spence requested that they be marked present during the roll call.

Representative Cathcart deferred to Representative Maier.

Representative Maier introduced a guest.

Representative Cathcart deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **HS 1 for HB 463**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HS 1 for HB 463**, jointly sponsored by Senator McBride & Representatives Brady, Carson, Gilligan, Hall-Long, Hudson, Johnson, Keeley, Kowalko, Lavelle, Longhurst, Maier, Manolakos, McWilliams, Mitchell, Plant, Schooley, B. Short, Valihura, Viola, Wagner, Walls & Williams, before the House for consideration.

**HB 463** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY TAXES. (F/N)

Representative Spence brought **HA 1 to HS 1 for HB 463** before the House for consideration. Representatives Spence & Hocker made comments. **HA 1** was adopted by voice vote. Representatives Spence, Cathcart, Kowalko, Oberle, Cathcart, Spence & Viola made comments. Representative Williams requested that he be marked present. Representatives Williams & Spence made comments.

The roll call on **HS 1 for HB 463 w/HA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Cathcart, Mulrooney, Oberle & Stone - 4.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 463 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **HJR 23**, sponsored on behalf of All Representatives & jointly sponsored by Senator Blevins on behalf of All Senators, before the House for consideration.

**HJR 23** - DESIGNATING SEPTEMBER 11 OF EACH YEAR AS "DELAWARE EMERGENCY RESPONDERS' DAY".

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HJR 23**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Hudson moved to place **HJR 23** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Hudson withdrew the motion.

Representative Hudson made comments.

The roll call on **HJR 23** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HJR 23** was sent to the Senate for concurrence.

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

ENERGY AND NATURAL RESOURCES: **SB 309 w/SA 1 & 2** - 8M.

HOUSE ADMINISTRATION: **SB 272** - 4M; **SB 301 w/SA 1** - 4M; **SB 311** - 4M.

JUDICIARY: **HB 493** - 5M; **HB 506** - 5M; **SB 296** - 5M; **SB 297 w/SA 1** - 5M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 299 w/SA 2** - 5M.

Representative Cathcart deferred to Representative B. Short.

Representatives Cathcart, Oberle, Valihura & Lofink made announcements.

Representative B. Short introduced **HCR 75**, jointly sponsored by Representative Longhurst & Representative McWilliams & Representative Cathcart & Representative Hall-Long & Representative Lofink & Representative Maier & Representative Marshall, & Representative Mulrooney & Representative Valihura & Senator Blevins & cosponsored by Representatives Kowalko & Schooley & Senator Cloutier.

**HCR 75** - DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MAINTAIN THE YARD WASTE SITES IN NEW CASTLE COUNTY AND CONTINUE OPERATION OF THE SITES UNTIL OTHERWISE DIRECTED BY THE GENERAL ASSEMBLY.

Mr. Acting Speaker assigned **HCR 75** to the Energy and Natural Resources Committee.

Representative Plant requested that she be marked present.

The Majority Leader moved to recess for caucus at 3:09 p.m.

The House reconvened at 4:23 p.m.

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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 455** - 7M; **HB 484** - 7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 285**, **SB 287** & **SB 294** and requests the concurrence of the House.

June 26, 2008

JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
Legislative Hall  
Dover, DE 19901  
Dear Chief Clerk Hedrick:

Please note I was not present on the House floor for the vote on **HB 504** due to a conflict of interest. I apologize for not making my intentions known, to the Chamber, at the time of the vote. I would appreciate if you would adjust your records accordingly.

Sincerely,  
Gerald W. Hocker  
State Representative  
38th District

Representative Wagner brought **HS 1 for HB 450**, jointly sponsored by Senator Still & Representatives Blakey, Outten, D. Short & Hall-Long & Senators Bunting & Sokola, before the House for consideration.

**HB 450** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (F/N)

Representative Wagner made comments.

The roll call on **HS 1 for HB 450** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 450** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Spence.

Representative Spence requested and was granted privilege of the floor to present House Tributes to Joshua A. Spence and Zachary W. Spence.

Representative Oberle moved to suspend the rules which interfere with action on **HB 518**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle brought **HB 518**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan & Keeley & Senators Cook, Still, Adams & Blevins, before the House for consideration.

**HB 518** - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)

Representatives Oberle & Hudson made comments. Representative Oberle moved to place **HB 518** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 514**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Keeley brought **HB 514**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Carey, Hudson, Lofink, Manolakos & Valihura & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 514** - AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.

Representatives Oberle & Gilligan announced that they will not be participating in the debate or voting on **HB 514** because of a possible conflict of interest.

Representatives Keeley, Thornburg & Valihura made comments.

The roll call on **HB 514** was taken and revealed:

YES: 33.

NO: Representatives Hocker, Outten, Stone, Thornburg & Wagner - 5.

NOT VOTING: Representatives Blakey, Gilligan & Oberle - 3.

Therefore, having received a constitutional majority, **HB 514** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **HB 515**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 515**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan, Keeley, Spence, Lee, Carey, Ewing, Hudson, Maier, Manolakos, Miro, Outten, D. Short & Wagner & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 515** - AN ACT TO AMEND CHAPTER 82 OF TITLE 3 OF THE DELAWARE CODE PERTAINING TO THE VETERINARIAN SERVICES TAX AND OTHER MATTERS. (3/5 bill)

Representatives Oberle & Stone made comments.

The roll call on **HB 515** was taken and revealed:

YES: 40.

NO: Representative Stone - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 515** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to lift **HB 518** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 518**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan & Keeley & Senators Cook, Still, Adams & Blevins, before the House for consideration.

**HB 518 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)**

Representative Oberle made a comment. Representative Oberle deferred to Representative Hudson. Representative Hudson introduced and brought **HA 1 to HB 518**, jointly sponsored by Representatives Hastings, Maier, Manolakos, Miro, D. Short, Valihura & Wagner, before the House for consideration. Representatives Hudson, Oberle, D. Short & Cathcart made comments.

The roll call on **HA 1 to HB 518** was taken and revealed:

YES: Representatives Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Maier, Manolakos, Marshall, Miro, D. Short, Spence, Stone, Thornburg, Valihura, Wagner & Booth - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 1 to HB 518** was declared defeated.

The roll call on **HB 518** was taken and revealed:

YES: 25.

NO: Representatives Carey, Carson, Ewing, Hastings, Hocker, Hudson, Lavelle, Manolakos, Miro, Outten, D. Short, Stone, Thornburg, Valihura, Wagner & Walls - 16.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 518** was sent to the Senate for concurrence.

Representative Oberle moved to suspend the rules which interfere with action on **HB 513**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 513**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan, Keeley, Spence & Wagner & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 513 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (3/5 bill)**

Representatives Oberle & Kowalko made comments.

The roll call on **HB 513** was taken and revealed:

YES: 33.

NO: Representatives Hudson, Lavelle, D. Short, Stone & Valihura - 5.

NOT VOTING: Representatives Hastings, Hocker & Booth - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 513** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **HB 516**. The motion was seconded by Representative Johnson and adopted by voice vote.

Representative Gilligan brought **HB 516**, jointly sponsored by Senator DeLuca & Representatives Keeley, Oberle, Cathcart, Hudson, Maier, Miro & Wagner & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 516 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FEES PAID TO THE CITY OF WILMINGTON.**

Representatives Gilligan & Keeley made comments.

The roll call on **HB 516** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 516** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 517**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Keeley brought **HB 517**, jointly sponsored by Senator DeLuca & Representatives Gilligan, Oberle & Cathcart & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 517 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)**

Representative Keeley made comments. Representative Hudson introduced and brought **HA 1 to HB 517**, jointly sponsored by Representatives Hastings, Maier, Manolakos, Miro, D. Short, Valihura & Wagner, before the House for consideration. Representatives Hudson, Keeley, Oberle & Hudson made comments.

The roll call on **HA 1 to HB 517** was taken and revealed:

YES: Representatives Blakey, Carey, Ewing, Hastings, Hocker, Hudson, Lavelle, Lee, Maier, Manolakos, Miro, D. Short, Spence, Stone, Thornburg, Valihura, Wagner & Booth - 18.

NO: 23.

Therefore, not having received a constitutional majority, **HA 1 to HB 517** was declared defeated.

Representatives Ewing & Valihura made comments.

The roll call on **HB 517** was taken and revealed:

YES: 31.

NO: Representatives Hastings, Hocker, Lavelle, Lee, Outten, D. Short, Stone, Thornburg & Booth - 9.

NOT VOTING: Representative Hudson - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 517** was sent to the Senate for concurrence.

The Majority Leader moved to recess for dinner at 5:43 p.m.

The House reconvened at 7:11 p.m.

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

PUBLIC SAFETY & HOMELAND SECURITY: **SS 1/SB 262 w/SA 1** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 317, SB 326 w/SA 1, SB 333, SB 291, SB 334, SB 336, SB 335 & SJR 14** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 323, SB 318 w/SA 1, SB 337 & SB 319 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 470 w/HA 1 & 2** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Vince Lofink, do hereby request that my name be removed as cosponsor of **SB 326**.

Date: June 26, 2008

Signed: Vince Lofink

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

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

HOUSE ADMINISTRATION: **SB 278 w/SA 1** - 4M.

Representative Cathcart deferred to Representative Hastings.

Representative Hastings moved to suspend the rules which interfere with introduction of and action on **SB 326 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hastings introduced and brought **SB 326 w/SA 1**, jointly sponsored by Senator Venables & Senators Bunting, Blevins, Simpson & Still & Representatives Stone, Carey, Hastings, Marshall, Lavelle, Mulrooney & Viola, before the House for consideration.

**SB 326** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TRANSPORTATION AND TRANSPORTATION PROJECTS.

Representative Lofink made a comment. Representative Hastings moved to place **SB 326 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **HB 519**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle brought **HB 519**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan, Keeley, Blakey, Carey, Ewing, Lee, Miro, Spence & Wagner & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 519** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representatives Oberle, Hudson, Blakey & Oberle made comments. Representative Hudson introduced and brought **HA 1 to HB 519**, jointly sponsored by Representatives Hastings, Maier, Manolakos, Miro, D. Short, Valihura & Wagner, before the House for consideration. Representatives Hudson & Oberle made comments.

The roll call on **HA 1 to HB 519** was taken and revealed:

YES: Representatives Carey, Ewing, Hastings, Hocker, Hudson, Maier, Manolakos, Miro, Outten, D. Short, Spence, Stone, Thornburg, Valihura, Wagner & Mr. Acting Speaker Booth - 16.

NO: 25.

Therefore, not having received a constitutional majority, **HA 1 to HB 519** was declared defeated.

The roll call on **HB 519** was taken and revealed:

YES: 34.

NO: Representatives Hastings, Hocker, Hudson, Lavelle, D. Short, Stone & Valihura - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 519** was sent to the Senate for concurrence.

Representative Hastings moved to lift **SB 326 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hastings brought **SB 326 w/SA 1**, jointly sponsored by Senator Venables & Senators Bunting, Blevins, Simpson & Still & Representatives Stone, Carey, Hastings, Marshall, Lavelle, Mulrooney & Viola, before the House for consideration.

**SB 326** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TRANSPORTATION AND TRANSPORTATION PROJECTS.

Representative Lofink introduced and brought **HA 1 to SB 326** before the House for consideration. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Cathcart, Lofink, Gilligan, Williams, Lofink, Valihura, Williams, Wagner, Hastings, Lofink, Kowalko, Viola, Williams, Wagner & Cathcart made comments. **HA 1** was defeated by voice vote. Representatives Valihura, Williams, Stone, Mulrooney & Hastings made comments.

The roll call on **SB 326 w/SA 1** was taken and revealed:



YES: 35.

NO: Representative Mulrooney - 1.

NOT VOTING: Representatives Hall-Long, Keeley, Lofink & Viola - 4.

ABSENT: Representative Maier - 1.

Therefore, having received a constitutional majority, **SB 326 w/SA 1** was returned to the Senate.

Representative Oberle moved to suspend the rules which interfere with action on **HB 520**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 520**, jointly sponsored by Senator DeLuca & Representatives Cathcart, Gilligan, Keeley, Carey, Lee, Spence & Wagner & Senators Cook, Sorenson, Still, Adams & Blevins, before the House for consideration.

**HB 520** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM PARTNERSHIP ACT, LIMITED PARTNERSHIPS, AND THE LIMITED LIABILITY COMPANY ACT AND TAXES COLLECTED BY THE SECRETARY OF STATE. (3/5 bill)

Representatives Oberle, Marshall & Gilligan made comments. Representative Hudson introduced and brought **HA 1 to HB 520**, jointly sponsored by Representatives Hastings, Maier, Manolakos, Miro, D. Short, Valihura & Wagner, before the House for consideration. Representatives Hudson, Oberle, Kowalko & Valihura made comments.

The roll call on **HA 1 to HB 520** was taken and revealed:

YES: Representatives Carey, Hastings, Hocker, Hudson, Maier, Manolakos, Miro, D. Short, Spence, Stone, Thornburg, Valihura & Booth - 13.

NO: 28.

Therefore, not having received a constitutional majority, **HA 1 to HB 520** was declared defeated.

Representative Oberle made comments.

The roll call on **HB 520** was taken and revealed:

YES: 34.

NO: Representatives Hastings, Hocker, Hudson, Lavelle, D. Short, Stone & Valihura - 7.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 520** was sent to the Senate for concurrence.

Representative Manolakos moved to suspend the rules which interfere with action on **HB 500**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Manolakos brought **HB 500**, jointly sponsored by Senator Sokola & Representatives Hudson, Maier & Miro, before the House for consideration.

**HB 500** - AN ACT AUTHORIZING FAMILY COURT TO GRANT EXTENDED JURISDICTION OVER MELISSA SAMANTHA RUDOLPH AND RENE ANDRE RUDOLPH.

Representatives Manolakos & Wagner made comments. Representative Manolakos introduced a guest.

The roll call on **HB 500** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 500** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **SB 297 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone brought **SB 297 w/SA 1**, jointly sponsored by Senator DeLuca & cosponsored by Senator Ennis, before the House for consideration.

**SB 297** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUST COMPANIES. (2/3 bill)

Representative Stone made comments. Representative Stone deferred to Representative Marshall. Representative Marshall introduced and brought **HA 1 to SB 297** before the House for consideration.

Representatives Marshall & Stone made comments. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **SB 297 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 297 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Spence requested that **HB 94** be stricken.

Representative Cathcart deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with action on **HB 493**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hocker brought **HB 493**, jointly sponsored by Representative Walls & Senator Venables & cosponsored by Representative Carey, before the House for consideration.

**HB 493** - AN ACT TO AMEND TITLE 11 RELATING TO CRIMES AND CRIMINAL PROCEDURES.

Representative Hocker made comments.

The roll call on **HB 493** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 493** was sent to the Senate for concurrence. Representative Cathcart brought **Consent Agenda H** before the House for consideration.

**HB 483** – HUDSON & REPRESENTATIVE STONE & SENATOR BONINI & REPRESENTATIVES BLAKEY, CARTY, HOCKER, LAVELLE, D. SHORT & VALIHURA & SENATORS COPELAND, SORENSON, CLOUTIER & CONNOR – An Act to Amend Title 30 of the Delaware Code Relating to State Personal Income Tax. (F/N)

**SB 240** – PETERSON & SENATORS HENRY, SOKOLA & ENNIS & REPRESENTATIVE KOWALKO – An Act to Amend Title 10 of the Delaware Code Relating to Exemptions.

**SB 288** – MCBRIDE & REPRESENTATIVE BRADY – An Act to Amend Title 26 of the Delaware Code Relating to Expansion of Facilities and Services of Water Companies.

**SB 279** – ENNIS & REPRESENTATIVE LEE – An Act to Amend Title 24 of the Delaware Code Relating to the Board of Examiners of Private Investigators and Private Security Agencies.

**SB 295** – ADAMS & REPRESENTATIVE EWING & REPRESENTATIVE KEELEY & SENATORS COPELAND & MARSHALL & REPRESENTATIVES BRADY & HUDSON – An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers.

**SB 304** – COOK & REPRESENTATIVE OBERLE & SENATORS ADAMS, DELUCA & ENNIS & REPRESENTATIVES EWING, LEE, MITCHELL & SCHWARTZKOPF – An Act to Amend Title 29 of the Delaware Code Relating to the Disability Insurance Program. (F/N)

**SB 321 w/SA 1** – ADAMS & SENATORS DELUCA & ENNIS & REPRESENTATIVES LEE & EWING – An Act to Amend Title 16 of the Delaware Code Relating to Manufactured Prescription Drugs.

**SB 274 w/SA 1** – HENRY & REPRESENTATIVE EWING – An Act to Amend Title 21 of the Delaware Code Relating to Operation of Motor Vehicles.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 41

Therefore, having received a constitutional majority, **HB 483** was sent to the Senate for concurrence and **SB 240, SB 288, SB 279, SB 295, SB 304, SB 321 w/SA 1 & SB 274 w/SA 1** were returned to the Senate.

Representative Cathcart brought **Consent Agenda I**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate amendments.

**HS 1/HB 236 w/SA 1** – WAGNER & SENATOR HENRY & REPRESENTATIVES LOFINK, MAIER & OBERLE & SENATOR ENNIS – An Act to Amend Title 24 of the Delaware Code Relating to Medical Practice Act.

**HB 368 w/SA 1** – OUTTEN & SENATOR BONINI – An Act to Amend Volume 69 and Volume 74, Laws of Delaware, as Amended, Relating to the Charter of the City of Harrington. (2/3 bill)

**SB 292 w/SA 1** – HENRY & REPRESENTATIVE EWING – An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver Licenses.

**SB 293 w/SA 2** – HENRY & REPRESENTATIVE EWING – An Act to Amend Title 21 of the Delaware Code Relating to Collisions and Traffic Management.

**SB 284** – COOK & REPRESENTATIVE OBERLE – An Act to Amend Titles 11, 16 and 29 of the Delaware Code Relating Making Technical Changes to Statutes of the Pension Plans Administered by the Delaware Public Employees Retirement System Pursuant to Internal Revenue Code Provisions Governing Governmental Pension Plans.

**SB 298** – VENABLES & REPRESENTATIVE D. SHORT – An Act to Amend Title of the Delaware Code Relating to Striped Bass Commercial Gill Net Fishing in the Nanticoke River and Its Tributaries. (2/3 bill)

**HB 490** - WALLS & REPRESENTATIVE KEELEY & REPRESENTATIVE HUDSON & SENATOR HENRY & REPRESENTATIVE MANOLAKOS & SENATORS ENNIS & SOKOLA – An Act to Amend Title 11 of the Delaware Code Relating to Graffiti and Possession of Graffiti Implements. (2/3 bill)

The roll call on **Consent Agenda I** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1/HB 236 w/SA 2 & HB 368 w/SA 1** were sent to the Governor, **HB 490** was sent to the Senate for concurrence and **SB 292 w/SA 1, SB 293 w/SA 2, SB 284 & SB 298** were returned to the Senate.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on **HB 521**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ewing introduced and brought **HB 521**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 521** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT.

Representatives Ewing, Oberle, Blakey & Hall-Long made comments.

The roll call on **HB 521** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 521** was sent to the Senate for concurrence.

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

Representative Cathcart deferred to Representative Hocker.

Representative Cathcart made an announcement.

Representative Hocker introduced **HJR 24**, jointly sponsored by & Senator Venables &

Representative Booth & Representative Hastings & Representative Ewing & Representative D. Short & Representative Carey.

**HJR 24** - REQUESTING FURTHER REVIEW ON PROPOSED BUFFER REGULATIONS BEFORE FINAL ENACTMENT BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Mr. Acting Speaker assigned **HJR 24** to the Energy and Natural Resources Committee.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SS 1 for SB 131 w/SA 2 & 4**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 131** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO CERTIFIED PUBLIC ACCOUNTANTS.

Representatives Valihura & Marshall made comments.

The roll call on **SS 1 for SB 131 w/SA 2 & 4** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 131 w/SA 2 & 4** was returned to the Senate.

Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart deferred to Representative Lofink. Representative Lofink requested that **HB 293** be stricken. Representative Lofink made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 393 w/HA 1, HB 466, HB 277, HB 40 & HB 474 w/HA 1** and the Senate has passed **HJR 22** and is returning same to the House.

The Majority Leader moved to recess to the call of the Chair at 9:00 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 4:09 p.m. on June 30, 2008.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 371 w/HA 1 & HA 1 to HA 1, HB 442, HB 516, HB 373, HB 297, HB 515, HB 514, HB 475 & HB 438** and is returning the same to the House.

Representative Cathcart made an announcement.

The Majority Leader moved to adjourn at 4:10 p.m., thereby ending the current legislative day. The House reconvened at 4:11 p.m.

### **43rd LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – Second Session June 30, 2008**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HA 1 to HB 459** - CATHCART - Placed with the Bill.

**HR 75** - EWING; REPRESENTATIVES HOCKER, OUTTEN - HEALTH & HUMAN DEVELOPMENT - Establishing Protections for Persons with Severe Brain Injury, Impaired Consciousness, or Who are Otherwise Mentally Disabled.

**SB 285** - ENNIS & REPRESENTATIVE LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Bounty Hunters and Bail Enforcement Agents.

**SB 287** - ENNIS & REPRESENTATIVE LEE; SENATORS BUNTING, CLOUTIER, CONNOR, HENRY, PETERSON, SIMPSON, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES THORNBURG, WILLIAMS - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to House Arrest.

**SB 291** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Civil Enforcement of Outstanding Toll Violations.

**SB 294** - ENNIS & REPRESENTATIVE WALLS; SENATORS ADAMS, AMICK, BLEVINS, BUNTING, CONNOR, STILL; REPRESENTATIVES CARSON, HALL-LONG, MITCHELL, SPENCE,

WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Line-of-Duty Death Benefits.

**SB 317** - SOKOLA & REPRESENTATIVE VALIHURA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Dietitians and Nutritionists.

**SB 318 w/SA 1** - SOKOLA; REPRESENTATIVES VALIHURA, B. SHORT, HALL-LONG; SENATORS BONINI, BUNTING, CONNOR, MCDOWELL; REPRESENTATIVES HUDSON, LONGHURST, MAIER, SCHOOLEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Confidentiality of Personal Health Information.

**SB 319 w/SA 1** - PETERSON & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 10, Chapter 76 Relating to the Courts and Sexual Abuse.

**SB 323** - BLEVINS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Chapter 23 of Title 18 of the Delaware Code Relating to the Unfair Trade Practices Act.

**SB 333** - COOK & REPRESENTATIVE CATHCART; SENATORS DELUCA, SORENSON, STILL, ADAMS, BLEVINS, COPELAND; REPRESENTATIVES OBERLE, GILLIGAN, KEELEY, LEE, LOFINK, MANOLAKOS, MIRO, WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Chapter 7, Title 18 of the Delaware Code Relating to Taxes on Insurance Premiums.

**SB 334** - DELUCA & REPRESENTATIVE CATHCART; SENATORS COOK, SORENSON, STILL, ADAMS, BLEVINS, COPELAND; REPRESENTATIVES OBERLE, GILLIGAN, KEELEY, MAIER, MANOLAKOS, MIRO, WAGNER - REVENUE & FINANCE - An Act to Amend Title 12 of the Delaware Code Relating to Escheats.

**SB 335** - DELUCA & REPRESENTATIVE CATHCART; SENATORS COOK, STILL, ADAMS, BLEVINS; REPRESENTATIVES KEELEY, CAREY, HUDSON, LAVELLE, LOFINK, MANOLAKOS, MIRO, D. SHORT, VALIHURA, WAGNER - REVENUE & FINANCE - An Act to Amend Titles 3 and 12 of the Delaware Code Relating to Escheats.

**SB 336** - DELUCA & REPRESENTATIVE CATHCART; SENATORS COOK, STILL, ADAMS, BLEVINS; REPRESENTATIVES OBERLE, GILLIGAN, KEELEY, WAGNER - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Gross Receipts Taxes.

**SB 337** - COOK & SENATOR DELUCA & REPRESENTATIVE OBERLE - APPROPRIATIONS – An Act to Amend Chapters 52A and 55 of Title 29 of the Delaware Code Relating to the Public Officers and Employees Disability Insurance Program.

**HA 1 to SB 165** - HUDSON - Placed with the Bill.

**SJR 14** - COOK & REPRESENTATIVE CATHCART; SENATORS DELUCA, SORENSON, STILL, ADAMS, BLEVINS, COPELAND; REPRESENTATIVES OBERLE, GILLIGAN, KEELEY, HUDSON, MIRO, OUTTEN, D. SHORT, STONE - APPROPRIATIONS - Directing the Controller General, Secretary of Finance and Director of the Office of Management and Budget to Review and Make Recommendations Regarding Delaware General Obligation Debt Authorization Statutes.

Representative Cathcart moved to suspend the rules which interfere with action on **SB 333**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 333**, jointly sponsored by Senator Cook & Senators DeLuca, Sorenson, Still, Adams, Blevins & Copeland & Representatives Oberle, Gilligan, Keeley, Lee, Lofink, Manolakos, Miro & Wagner, before the House for consideration.

**SB 333** - AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE RELATING TO TAXES ON INSURANCE PREMIUMS.

Representative Cathcart made comments.

Representatives Hall-Long, Lavelle, Marshall, Miro, Viola, Williams & Stone requested that they be marked present.

The roll call on **SB 333** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 333** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **SB 334**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 334**, jointly sponsored by Senator DeLuca & Senators Cook, Sorenson, Still, Adams, Blevins & Copeland & Representatives Oberle, Gilligan, Keeley, Maier, Manolakos, Miro & Wagner, before the House for consideration.

**SB 334** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.

Representatives Cathcart & Valihura made comments.

The roll call on **SB 334** was taken and revealed:

YES: 36.

NO: Representatives Hudson, Lavelle, Stone & Valihura - 4.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 334** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **SB 335**.

Representative Valihura rose on a point of order. Mr. Speaker concurred. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 335**, jointly sponsored by Senator DeLuca & Senators Cook, Still, Adams & Blevins & Representatives Keeley, Carey, Hudson, Lavelle, Lofink, Manolakos, Miro, D. Short, Valihura & Wagner, before the House for consideration.

**SB 335** - AN ACT TO AMEND TITLES 3 AND 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.

Representative Cathcart made comments. Representative Gilligan announced that he will not be voting on **SB 335** because of a possible conflict of interest. Representative Valihura made comments. Representative Oberle announced that he will not be voting on **SB 335** because of a possible conflict of interest.

The roll call on **SB 335** was taken and revealed:

YES: 38.

NOT VOTING: Representatives Gilligan & Oberle - 2.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 335** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **SB 336**. The motion was seconded by Representative Johnson and adopted by voice vote.

Representative Cathcart brought **SB 336**, jointly sponsored by Senator DeLuca & Senators Cook, Still, Adams & Blevins & Representatives Oberle, Gilligan, Keeley & Wagner, before the House for consideration.

**SB 336** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.

Representatives Cathcart, Valihura, Hocker & Cathcart made comments.

The roll call on **SB 336** was taken and revealed:

YES: 39.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 336** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with action on **SJR 14**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SJR 14**, jointly sponsored by Senator Cook & Senators DeLuca, Sorenson, Still, Adams, Blevins & Copeland & Representatives Oberle, Gilligan, Keeley, Hudson, Miro, Outten, D. Short & Stone, before the House for consideration.

**SJR 14** - DIRECTING THE CONTROLLER GENERAL, SECRETARY OF FINANCE AND DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET TO REVIEW AND MAKE RECOMMENDATIONS REGARDING DELAWARE GENERAL OBLIGATION DEBT AUTHORIZATION STATUTES.

Representative Cathcart made comments.

The roll call on **SJR 14** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SJR 14** was returned to the Senate.

Representative Cathcart deferred to Representative McWilliams.

Representative McWilliams brought **HB 369**, jointly sponsored by Representatives Cathcart, Ewing, Keeley, Marshall, Schooley, Schwartzkopf, B. Short & Williams & Senators Blevins, Cloutier, Connor, Henry & Still & cosponsored by Representatives Carson, Kowalko, Maier, Manolakos, Mitchell, Oberle, Thornburg & Wagner, before the House for consideration.

**HB 369** - AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.

Representative McWilliams made comments. Representative McWilliams brought **HA 1 to HB 369** before the House for consideration. Representatives McWilliams & Valihura made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 369 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 369 w/HA 1** was sent to the Senate for concurrence.

Representative McWilliams made comments.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson brought **SB 253 w/SA 1**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative Oberle & Senators Connor, Ennis, Henry & Peterson & Representatives Ewing, Hall-Long, Keeley, Lavelle, McWilliams, Mitchell, Mulrooney, D. Short & Spence & cosponsored by Representative Manolakos, before the House for consideration.

**SB 253** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HARASSMENT AND STALKING.

Representative Hudson made comments.

The roll call on **SB 253 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 253 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **SB 179 w/SA 1**, jointly sponsored by Senator Sokola & Senators Bunting, Connor & McDowell & Representatives Hudson, Longhurst, Maier & Viola, before the House for consideration.

**SB 179** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISAL.

Representative Valihura made comments.

The roll call on **SB 179 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 179 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 503**, jointly sponsored by Senator Sokola & Representatives Maier, Longhurst & Schooley & Senators McDowell & Bonini, before the House for consideration.

**HB 503** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT THE PUBLIC SERVICE COMMISSION AUTHORITY TO ENFORCE FEDERAL PIPELINE SAFETY REGULATIONS AS IT PERTAINS TO NATURAL GAS.

Representative Valihura made comments.

The roll call on **HB 503** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 503** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Wagner.

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

HEALTH & HUMAN DEVELOPMENT: **HR 75** - 8M.

Representative Ewing requested and was granted personal privilege of the floor to introduce a guest.

Representative Wagner introduced **HR 76**.

**HR 76** - CREATING A TASK FORCE TO REVIEW DELAWARE'S HEALTH INFORMATION NETWORK.

Mr. Speaker Spence assigned **HR 76** to the Health & Human Development Committee.

Representative Cathcart & Mr. Speaker Spence made announcements. Representative Cathcart made a comment.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 317** - 3M; **SB 318 w/SA 1** - 3M; **SB 310** - 3M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 507** - 7M; **HB 508** - 7M.

The Majority Leader moved to recess for caucus and dinner at 5:05 p.m.

The House reconvened at 8:05 p.m. with Representative Booth as Acting Speaker.

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

HEALTH & HUMAN DEVELOPMENT: **HR 76** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 513** and is returning the same to the House.

June 27, 2008

LEGISLATIVE ADVISORY #27

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/20/08 – **HS 1/HB 416**; 6/25/08 – **SB 328**; 6/26/08 – **SB 108 aab SA 1 & 3**, **SB 216**, **SB 237**, **SB 244**, **SB 246 aab SA 1**, **SB 247**, **SB 249**, **SB 261**, **HB 174 aab HA 1**, **HB 218 aab HA 1 & SA 1**, **HB 276 aab HA 1**, **HB 307 & HJR 21**.

June 30, 2008

LEGISLATIVE ADVISORY #28

Governor Ruth Ann Minner vetoed the following legislation on the date indicated: 6/28/08 –

**SB 245.**

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: June 30, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                                   | <u>Date</u> | <u>Type</u> | <u>Description</u>                                       |
|---------------|--------------------------------------------------|-------------|-------------|----------------------------------------------------------|
| H144-1815     | D. Short                                         | 6/19/2008   | T           | John Peirce - Retirement - Emergency Response Commission |
| H144-1816     | Walls                                            | 6/20/2008   | T           | Ronald & Barbara Sherman - 50th Wedding Anniversary      |
| H144-1817     | Walls                                            | 6/29/2008   | T           | Delbert & Joan Mills - 50th Wedding Anniversary          |
| H144-1818     | Miro                                             | 6/22/2008   | T           | Desi & Rosa Carmina - Retirement – Caruso's Shoe Repair  |
| H144-1819     | Carey                                            | 12/28/2007  | T           | Jonathan Masten - Eagle Scout                            |
| H144-1820     | B. Short                                         | 5/30/2008   | T           | Marguerite Annone - Cooperating Teacher of the Year      |
| H144-1821     | Spence                                           | 6/13/2008   | M           | Gladys Bell Hewes                                        |
|               | cosponsors: All Representatives                  |             |             |                                                          |
| H144-1822     | Outten;                                          | 6/18/2008   | T           | Mary Tucker - Dedication American Legion                 |
|               | D. Short                                         |             |             | Auxiliary Girls' State                                   |
| H144-1823     | McWilliams                                       | 6/19/2008   | T           | National Association of Women Business Owners            |
| H144-1824     | Hastings                                         | 6/21/2008   | T           | Charles Hudson - 75th Birthday                           |
| H144-1825     | Hall-Long                                        | 7/5/2008    | T           | Rollin Carey - Eagle Scout                               |
| H144-1826     | Blakey                                           | 6/14/2008   | T           | Galen Giaccone - Miss Delaware                           |
| H144-1827     | Hudson                                           | 6/28/2008   | T           | Cam Yorkston - Rotary Governor                           |
| H144-1828     | Schwartzkopf                                     | 6/17/2008   | M           | Stephanie Lynn Callaway                                  |
| H144-1829     | Hudson                                           | 6/13/2008   | M           | Martin L. Liprie                                         |
| H144-1830     | Wagner                                           | 6/5/2008    | T           | Violet Ludzieski - 90th Birthday                         |
| H144-1831     | Wagner                                           | 6/29/2008   | T           | Mary Elizabeth Schink - 90th Birthday                    |
| H144-1832     | Maier                                            | 3/24/2008   | M           | Lenetta Bryant                                           |
| H144-1833     | Hastings                                         | 7/10/2008   | T           | Gary Layfield - 60th Birthday                            |
| H144-1834     | Valihura                                         | 6/21/2008   | T           | Claymont Fire Company - New Fire House Dedication        |
|               | cosponsors: Reps. Lavelle, McWilliams & B. Short |             |             |                                                          |
| H144-1835     | Carson                                           | 6/17/2008   | M           | George Eugene Bryson, II                                 |
| H144-1836     | Viola;                                           | 6/17/2008   | M           | John Michael Whiteside                                   |
|               | Longhurst                                        |             |             | cosponsor: Rep. Lofink                                   |
| H144-1837     | Valihura                                         | 7/19/2008   | T           | Jann Stransky - 50th Birthday                            |
| H144-1838     | Hastings                                         | 6/29/2008   | T           | Reverend Rob Townsend - 5 Years – Grace United Methodist |
| H144-1839     | Carey                                            | 6/29/2008   | T           | Pastor John Ranney - Retirement – Reformation Lutheran   |

HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: June 30, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                                                                                                                                                                                 | <u>Date</u> | <u>Type</u> | <u>Description</u>                                      |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------|---------------------------------------------------------|
| H144-1840     | Wagner                                                                                                                                                                                         | 5/11/2008   | T           | Wendy Roberts & Jack Pickett - Marriage                 |
| H144-1841     | Wagner                                                                                                                                                                                         | 6/1/2008    | T           | Gloria Gardner - Retirement - Delaware State University |
| H144-1842     | Wagner                                                                                                                                                                                         | 6/1/2008    | T           | James Kurtz - Retirement - Delaware State University    |
| H144-1843     | Wagner                                                                                                                                                                                         | 6/1/2008    | T           | Edna Clay - Retirement - Delaware State University      |
| H144-1844     | B. Short                                                                                                                                                                                       | 6/19/2008   | T           | George & Sabina Hebbel - 60th Wedding Anniversary       |
| H144-1845     | Schwartzkopf                                                                                                                                                                                   | 6/19/2008   | T           | John & Josephine Fiorentino - 60th Wedding Anniversary  |
| H144-1846     | Mitchell                                                                                                                                                                                       | 6/26/2008   | T           | Mark & Kay Cole - 60th Wedding Anniversary              |
| H144-1847     | Schooley                                                                                                                                                                                       | 5/3/2008    | T           | Robert & Arlene Wisniewski - 50th Wedding Anniversary   |
| H144-1848     | Longhurst                                                                                                                                                                                      | 6/7/2008    | T           | Edwin & Betty Munson - 50th Wedding Anniversary         |
| H144-1849     | Gilligan                                                                                                                                                                                       | 5/28/2008   | T           | Curtis & Sally Fuddy - 70th Wedding Anniversary         |
| H144-1850     | Thornburg                                                                                                                                                                                      | 6/30/2008   | T           | Honorable Terngu Tsegba - Nigeria - Visit to Delaware   |
| H144-1851     | Hudson                                                                                                                                                                                         | 6/19/2008   | M           | James Garrett Smith, III                                |
|               | cosponsor: Rep. Valihura                                                                                                                                                                       |             |             |                                                         |
| H144-1852     | Hudson                                                                                                                                                                                         | 6/24/2008   | T           | Mark Stevens - Outstanding Legislative Fellow           |
|               | cosponsors: Reps. Blakey, Booth, Brady, Carey, Hastings, Hocker, Lavelle, Longhurst, Plant, Schwartzkopf, B. Short, D. Short, Stone, Thornburg, Valihura, Viola & Wagner                       |             |             |                                                         |
| H144-1853     | Maier                                                                                                                                                                                          | 6/24/2008   | T           | William Rivers - Outstanding Legislative Fellow         |
|               | cosponsors: Reps. Blakey, Booth, Gilligan, Hall-Long, Hastings, Hudson, Johnson, Kowalko, Lofink, Manolakos, Marshall, McWilliams, Miro, Mulrooney, Schooley, Stone, Thornburg, Wagner & Walls |             |             |                                                         |

HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: June 30, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor              | Date      | Type | Description                                                                                                                                                                                                                                                                                                        |
|-----------|----------------------|-----------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H144-1854 | Thornburg            | 6/24/2008 | T    | Kelly Wolfe - Outstanding Legislative Fellow<br>cosponsors: Reps. Booth, Brady, Carey, Carson, Cathcart, Gilligan, Hall-Long, Hastings, Hocker, Johnson, Keeley, Kowalko, Lee, Lofink, Longhurst, Manolakos, McWilliams, Mulrooney, Oberle, Outten, Schwartzkopf, B. Short, D. Short, Spence, Stone, Viola & Walls |
| H144-1855 | Lofink               | 6/24/2008 | T    | Kiersten Joesten - Outstanding Legislative Fellow<br>cosponsors: Reps. Booth, Carson, Hudson, Johnson, Keeley, Lee, Maier, Manolakos, Miro, Mulrooney, Oberle, Outten, Plant, Schwartzkopf, Spence, Viola, Wagner & Williams                                                                                       |
| H144-1856 | Valihura             | 6/24/2008 | T    | Megan Lehman - Outstanding Legislative Fellow<br>cosponsors: Reps. Blakey, Brady, Carson, Hastings, Hocker, Hudson, Kowalko, Lavelle, Longhurst, Maier, Manolakos, Outten, Schooley, Schwartzkopf, D. Short, Stone, Thornburg & Walls                                                                              |
| H144-1857 | Ewing                | 6/24/2008 | T    | Brittney Russell - Outstanding Legislative Fellow<br>cosponsors: Reps. Hudson, Johnson, Lavelle, Lee, Marshall, Mitchell, Outten, Spence, Stone, Thornburg, Valihura, Wagner & Williams                                                                                                                            |
| H144-1858 | Gilligan;            | 6/24/2008 | T    | Victor Santos - Outstanding Legislative Fellow<br>Keeley; cosponsors: Brady, Carson, Hall-Long, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams                                                                           |
| H144-1859 | Gilligan;            | 6/24/2008 | T    | Timothy Soper - Outstanding Legislative Fellow<br>Keeley; cosponsors: Reps. Brady, Carson, Hall-Long, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams                                                                     |
| H144-1860 | Gilligan;            | 6/24/2008 | T    | Jared Bass - Outstanding Legislative Fellow<br>Keeley; cosponsors: Reps. Brady, Carson, Hall-Long, Johnson, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams                                                                        |
| H144-1861 | Wagner               | 7/5/2008  | T    | Christine Malkiewicz & Ryan Bates – Marriage                                                                                                                                                                                                                                                                       |
| H144-1862 | Wagner               | 6/28/2008 | T    | Nicole Carroll & Corey Pennypacker – Marriage                                                                                                                                                                                                                                                                      |
| H144-1863 | Thornburg;<br>Wagner | 6/28/2008 | T    | Barbara Book & Matthew Lewis - Marriage                                                                                                                                                                                                                                                                            |
| H144-1864 | Kowalko              | 6/30/2008 | T    | Jacob Szrama - Eagle Scout                                                                                                                                                                                                                                                                                         |
| H144-1865 | Spence               | 6/25/2008 | T    | Zachary Spence - 1st Place - Wrestling<br>cosponsors: All Representatives                                                                                                                                                                                                                                          |
| H144-1866 | Spence               | 6/25/2008 | T    | Newport Plaza Family Restaurant - 25th Anniversary<br>cosponsors: All Representatives                                                                                                                                                                                                                              |

T- Tribute

M - Memoriam

Representative Cathcart deferred to Representative Blakey.

Representative Blakey brought **HB 457**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 457** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTING. (2/3 bill)

Representatives Blakey & Marshall made comments. Representative Blakey requested and was granted privilege of the floor for Elaine Manlove, Commissioner of Elections. Representatives Marshall & Wagner made comments.

The roll call on **HB 457** was taken and revealed:

YES: 32.

NO: Representatives Hastings, Manolakos, Plant & D. Short - 4.

NOT VOTING: Representatives Keeley, Marshall, Mitchell, Mulrooney & Schooley - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 457** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative Cathcart deferred to Representative Thornburg.

Representative Thornburg requested and was granted privilege of the floor for to present a House Tribute to Dallas Mastin, Eagle Scout, who addressed the House.

Representative Oberle requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart deferred to Representative Maier. Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representatives B. Short, Longhurst, Manolakos, Carey, Schooley & Ewing introduced guests.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 387**, jointly sponsored by Representatives Brady, Carson, Hall-Long, Johnson, Kowalko, Lofink, Longhurst, Maier, Marshall, McWilliams, Mitchell, Mulrooney, Outten,



Schooley, Schwartzkopf, B. Short, Spence, Stone, Thornburg, Valihura, Viola, Walls & Williams & Senators Blevins, Connor & Sorenson, before the House for consideration.

**HB 387** - AN ACT TO AMEND CHAPTER 26A, TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEARING AID LOAN BANK.

Representative Keeley brought **HA 1 to HB 387** before the House for consideration. Representative Keeley made a comment. **HA 1** was adopted by voice vote. Representative Keeley made comments.

The roll call on **HB 387 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 387 w/HA 1** was sent to the Senate for concurrence.

Representative Cathcart moved to suspend the rules which would interfere with action on **Consent Agenda K**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **Consent Agenda K** before the House for consideration.

**HB 433** – WALLS & REPRESENTATIVES BRADY, CAREY, CARSON, EWING, HALL-LONG, HOCKER, KEELEY, LEE, LONGHURST, MCWILLIAMS, MITCHELL, MULROONEY, OUTTEN, PLANT, B. SHORT, THORNBURG, VALIHURA, VIOLA & WILLIAMS & SENATORS ADAMS, COOK, SIMPSON & VENABLES - An Act to Amend Title 7 of the Delaware Code Relating to Protected Wildlife.

**HB 447** – LEE & SENATOR ENNIS - An Act to Amend Title 28 of the Delaware Code Relating to No Limit Texas Hold'em Poker.

**HB 448** – LEE & SENATOR ENNIS - An Act to Amend Title 28 of the Delaware Code Relating to Nonprofit Charitable Gaming.

**SB 212** – BLEVINS & SENATOR AMICK & REPRESENTATIVES KEELEY & MITCHELL - An Act to Amend Title 13 of the Delaware Code Relating to Custody Proceedings.

**SB 299 w/SA 2** – ENNIS & REPRESENTATIVE LEE; SENATOR BONINI & REPRESENTATIVES CARSON, EWING, HALL-LONG, MITCHELL, SCHWARTZKOPF, SPENCE, THORNBURG & WILLIAMS - An Act to Amend Title 11 of the Delaware Code Relating to Concealed Firearms Carried by Qualified Active and Retired Law Enforcement Officers.

**HB 481** – CAREY & SENATOR ADAMS - An Act to Amend Title 15 of the Delaware Code Relating to Files and Lists of Voters Maintained by the Commissioner of Elections.

**SS 1/SB 262 w/SA 1** – SORENSON & SENATOR BLEVINS & REPRESENTATIVES MAIER, MARSHALL & SCHOOLEY & SENATORS AMICK, CONNOR & SIMPSON & REPRESENTATIVES LAVELLE & MCWILLIAMS - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 435** – KEELEY & REPRESENTATIVES BRADY, CAREY, HOCKER, HUDSON, KOWALKO, LONGHURST, MAIER, MCWILLIAMS, MIRO, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, STONE, VALIHURA & WAGNER & SENATORS BUNTING, CONNOR, MARSHALL, SIMPSON & SOKOLA - An Act to Amend Chapter 58, Title 29 of the Delaware Code Relating to Reporting by Elected Public Officers.

**SB 317** – SOKOLA & REPRESENTATIVE VALIHURA - An Act to Amend Title 24 of the Delaware Code Relating to Dietitians and Nutritionists.

**SB 318 w/SA 1** – SOKOLA & REPRESENTATIVES VALIHURA, B. SHORT & HALL-LONG & SENATORS BONINI, BUNTING, CONNOR & MCDOWELL & REPRESENTATIVES HUDSON, LONGHURST, MAIER & SCHOOLEY - An Act to Amend Title 16 of the Delaware Code Relating to Confidentiality of Personal Health Information.

Representative Cathcart requested that **SB 212, SB 299 w/SA 2, HB 481, SS 1/SB 262 w/SA 1 & SB 318 w/SA 1** be removed from **Consent Agenda K**.

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41

Therefore, having received a constitutional majority, **HB 433, HB 447, HB 448, & HB 435** were sent to the Senate for concurrence and **SB 317** was returned to the Senate.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **SB 299 w/SA 2**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ewing brought **SB 299 w/SA 2**, jointly sponsored by Senator Ennis & Representative Lee & Senator Bonini & Representatives Carson, Hall-Long, Mitchell, Schwartzkopf, Spence, Thornburg & Williams, before the House for consideration.

**SB 299** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CONCEALED FIREARMS CARRIED BY QUALIFIED ACTIVE AND RETIRED LAW ENFORCEMENT OFFICERS.

Representative Ewing made comments.

The roll call on **SB 299 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 299 w/SA 2** was returned to the Senate.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura brought **HB 501**, jointly sponsored by Senator Sokola & Representative Hudson, before the House for consideration.

**HB 501** - AN ACT TO AMEND TITLES 11, 28 AND 29 OF THE DELAWARE CODE RELATING TO BOXING. (2/3 bill)

Mr. Speaker Spence resumed the Chair. Representative Valihura made comments. Representative Valihura deferred to Representative Oberle. Representative Oberle introduced and brought **HA 1 to HB 501**, jointly sponsored by Representative Miro, before the House for consideration. Representative Oberle made comments. Representative Oberle moved to place **HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Valihura moved to place **HB 501** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Cathcart introduced a guest.

Representative Cathcart deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **SS 1 for SB 262 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier brought **SS 1 for SB 262**, jointly sponsored by Senator Sorenson & Senator Blevins & Representative Marshall & Representative Schooley & Senators Amick, Connor & Simpson & Representatives Lavelle & McWilliams, before the House for consideration.

**SB 262** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Representative Maier made comments.

The roll call on **SS 1 for SB 262 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 262 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Carey.

Representative Carey brought **HB 481**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 481** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO FILES AND LISTS OF VOTERS MAINTAINED BY THE COMMISSIONER OF ELECTIONS.

Representative Carey made comments.

The roll call on **HB 481** was taken and revealed:

YES: 36.

NO: Representatives Hudson & Lavelle - 2.

NOT VOTING: Representative Valihura - 1.

ABSENT: Representatives Longhurst & McWilliams - 2.

Therefore, having received a constitutional majority, **HB 481** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Cathcart deferred to Representative Hastings.

Representatives Hastings & Williams made comments regarding **SB 245**.

Mr. Speaker Spence appointed Representative Lavelle as Acting Speaker.

Representative Cathcart deferred to Representative Spence.

Representative Spence introduced and brought **HR 82**, jointly sponsored by Representative Cathcart & Representative Lee & Representative Gilligan & Representative Keeley on behalf of All Representatives, before the House for consideration.

**HR 82** - HONORING OUR COLLEAGUE AND FRIEND, J. BENJAMIN EWING, AS HE RETIRES FROM THE DELAWARE GENERAL ASSEMBLY AFTER 21 YEARS OF DEDICATED PUBLIC SERVICE AS THE STATE REPRESENTATIVE FROM THE 35TH DISTRICT.

WHEREAS, J. Benjamin Ewing began a life of public service by joining the military and serving with the 1st Marine Division for three years, including fourteen months in Korea before the end of hostilities there; and

WHEREAS, after being honorably discharged from the military, Benjamin Ewing began a distinguished twenty-year career with the Delaware State Police, including achieving the second-highest rank, that of Lieutenant Colonel, with the Department; and

WHEREAS, State Representative J. Benjamin Ewing was elected to public office by winning a special election to replace the late Brad Barnes in 1987; and

WHEREAS, Representative Benjamin Ewing has earned a reputation for being a deliberative and cautious legislator, believing that citizens can make the best decisions for their family and communities, and working to protect the liberties and freedoms of every Delawarean; and

WHEREAS, Representative Benjamin Ewing's years of service were marked with excellence in constituent service for the residents of the 35th District; and

WHEREAS, Representative Benjamin Ewing engineered the state's purchase and renovation of the former Bridgeville Visitors Center, which now serves the community by hosting State Police Troop 5, a new paramedic unit and provides information to travelers; and

WHEREAS, Representative Ewing has been a role model to many as a dedicated and loving husband to his late wife, Patricia, father of two sons and one daughter, and grandfather of nine; and

WHEREAS, this Chamber will sorely miss the friendship, wisdom, integrity, warmth, sense of humor and huge smile of a wonderful colleague and faithful friend; and

WHEREAS, we wish Representative Benjamin Ewing happiness and well wishes as he retires from a lifetime of public service and enjoys every day to the fullest with his friends and families in Sussex County.

Representatives Spence, Ewing, Cathcart, Gilligan, Wagner, Thornburg, Keeley & Spence made comments.

**HR 82** was adopted by voice vote.

Mr. Acting Speaker made a comment.

Representative Cathcart deferred to Representative Gilligan.

Representative Gilligan introduced and brought **HR 78**, jointly sponsored by Representative Keeley & Representative Cathcart & Representative Lee & Representative Spence on behalf of All Representatives, before the House for consideration.

**HR 78 - HONORING REPRESENTATIVE BETHANY A. HALL-LONG, REPRESENTATIVE OF THE 8TH DISTRICT, UPON HER RETIREMENT FROM THE DELAWARE HOUSE OF REPRESENTATIVES.**

WHEREAS, Representative Bethany A. Hall-Long has announced her retirement from the House of Representatives after serving as a Representative for six years; and

WHEREAS, Representative Hall-Long was born in Bethany Beach, a descendent of Colonel David Hall, a judge, lawyer and 15th Governor of the State of Delaware (1802-1805); and

WHEREAS, Representative Hall-Long's great-grandfather, David C. Hall, served as a member of the Delaware House of Representatives from 1916 to 1920; and

WHEREAS, after graduating from Indian River High School, Representative Hall-Long attended Thomas Jefferson University and was awarded her Bachelor's Degree in Nursing in 1986; and

WHEREAS, Representative Hall-Long went on to attend the Medical University of South Carolina where she earned a Master's Degree in Public Health Nursing in 1988; and

WHEREAS, Representative Hall-Long completed her education at George Mason University where she was awarded a Ph.D. in Nursing and Public Policy in 1993; and

WHEREAS, in 1993 Representative Hall-Long joined the faculty of the University of Delaware as an associate instructor in the College of Health and Nursing; and

WHEREAS, on May 19, 2008, Representative Hall-Long was promoted to the rank of full professor with tenure; and

WHEREAS, Representative Hall-Long has been recognized nationally for her research and community service work with at-risk groups such as pregnant teens, diabetics, the homeless and the mentally ill; and

WHEREAS, since being elected to the House of Representatives in 2002, Representative Hall-Long has worked tirelessly on behalf of her constituents from Middletown and the 8th district; and

WHEREAS, Representative Hall-Long has sponsored and supported legislation to improve healthcare, education, open space preservation and open government; and

WHEREAS, Representative Hall-Long's many accomplishments have been achieved with a style of openness, honesty and integrity that has been the essence of her service to the people of the State of Delaware; and

WHEREAS, Representative Hall-Long is the proud mother of Brock and through the years has had the love and support of her husband Dana; and

WHEREAS, the House of Representatives is truly fortunate to have had such an exceptional person serve in this legislative body and wishes to honor Representative Hall-Long for her professionalism, dedication and service as a member of the House of Representatives.

NOW THEREFORE:

BE IT RESOLVED that the House of Representatives of the 144th General Assembly of the State of Delaware hereby honors Bethany A. Hall-Long for her six years as a member of the Delaware House of Representatives and wishes her well in all of her future endeavors.

BE IT FURTHER RESOLVED that upon passage a suitably prepared and duly authenticated copy of this Resolution be presented to Representative Bethany A. Hall-Long.

Representatives Gilligan, Mr. Acting Speaker, Representatives Keeley, Marshall, Maier, Spence, Ewing, Hocker & Hall-Long made comments.

**HR 78** was adopted by voice vote.

Representative Cathcart deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Rodney Brittingham, House Task Force Administrator. Representatives Cathcart, Oberle, Spence, Lee, Gilligan, Schooley, Johnson & Hall-Long made comments. Mr. Brittingham addressed the House. Mr. Acting Speaker made comments.

Representative Cathcart introduced and brought **HR 81**, sponsored by on behalf of All Representatives, before the House for consideration.

**HR 81 - A RESOLUTION COMMENDING JOHN F. BRADY, ESQUIRE, FOR HIS SERVICE AS MAJORITY HOUSE ATTORNEY FROM 1997 THROUGH 2008.**

WHEREAS, John F. Brady, a member of the Delaware Bar and a partner in the law firm of Brady, Beauregard & Chasanov in Georgetown, Delaware, has served with distinction as a Majority House Attorney since 1997; and

WHEREAS, John lives in the Lewes area of Sussex County, where he is active in many community activities, and from where he makes the daily commute to his seventeen (17) jobs; and

WHEREAS, John, a graduate of the University of Richmond and the Widener University School of Law, has labored to the floor with surprising quickness whenever the call came for a House Attorney; and

WHEREAS, John has served the State with distinction first as the Sussex County Register of Chancery from 2001-2003 and then as the Sussex County Recorder of Deeds from 2003 to present; and

WHEREAS, in the 2006 election John received 41,942 votes to reelect him as the Recorder of Deeds; and

WHEREAS, John is still the reigning Miss Gumboro; and

WHEREAS, due to "The Big Guy" pursuing his eighteenth job as the next State of Delaware Insurance Commissioner, today will be his last June 30th with the House; and

WHEREAS, it is the intent of the House of Representatives to thank John F. Brady, Esq., for his hard work and dedication over the years as a Majority House Attorney.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 144th General Assembly of the State of Delaware that we hereby express our heartfelt thanks to John for all his hard work.

BE IT FURTHER RESOLVED, that we extend him our best wishes and wish him the best of luck in his future endeavors.

BE IT FURTHER RESOLVED, that a suitably prepared copy of this Resolution be presented to John F. Brady on this his last day by the Chief Clerk of the House of Representatives.

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

Representatives Cathcart, Wagner, Gilligan, Lee, Lofink, Spence, Mr. Acting Speaker, Representatives Gilligan & Schwartzkopf made comments. Mr. Brady addressed the House. Representative Cathcart deferred to Representative Booth. Representative Booth made comments.

**HR 81** was adopted by voice vote.

Representative Ewing moved to suspend the rules which interfere with action on **HR 75**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ewing brought **HR 75**, jointly sponsored by Representatives Hocker & Outten, before the House for consideration.

**HR 75 - ESTABLISHING PROTECTIONS FOR PERSONS WITH SEVERE BRAIN INJURY, IMPAIRED CONSCIOUSNESS, OR WHO ARE OTHERWISE MENTALLY DISABLED.**

Representative Ewing made comments.

**HR 75** was adopted by voice vote.

Representative Lee deferred to Representative Valihura.

Representative Valihura moved to lift **HB 501** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **HB 501**, jointly sponsored by Senator Sokola & Representative Hudson, before the House for consideration.

**HB 501 - AN ACT TO AMEND TITLES 11, 28 AND 29 OF THE DELAWARE CODE RELATING TO BOXING. (2/3 bill)**

Representative Valihura deferred to Representative Oberle. Representative Oberle moved to lift **HA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HA 1 to HB 501**, jointly sponsored by Representative Miro, before the House for consideration. Representative Oberle introduced and brought **HA 1 to HA 1 to HB 501**, jointly sponsored by Representative Miro, before the House for consideration. Representative Oberle made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Oberle made comments. **HA 1 w/HA 1** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 501 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 501 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Wagner requested and was granted personal privilege of the floor to introduce guests.

Representative Cathcart deferred to Representative Blakey.

Representative Blakey brought **HR 83**, before the House for consideration.

**HR 83 - EXTENDING THE REPORTING DATE FOR THE DELAWARE FILM PRODUCTION TASK FORCE.**

Representative Blakey made comments.

**HR 83** was adopted by voice vote.

Representative Cathcart deferred to Representative Valihura.

Representative Valihura introduced and brought **HR 80**, cosponsored by Representative Johnson, before the House for consideration.

**HR 80 - CREATING A TASK FORCE TO EXAMINE THE LAWS AND PROCEDURES PERTAINING TO THE EXPUNGEMENT OF JUVENILE CRIMINAL RECORDS AND TO RECOMMEND APPROPRIATE CHANGES THERETO.**

Representative Valihura made comments.

**HR 80** was adopted by voice vote.

Representative Cathcart brought **Consent Agenda J**, which requires a two-thirds vote, before the House for consideration,

**SB 226 – STILL & REPRESENTATIVE BLAKEY - An Act to Amend the Camden Town Charter Relating to Elected Official Qualifications and to the Police Force. (2/3 bill)**

**HB 455 – CARSON & SENATOR ENNIS & REPRESENTATIVE B. SHORT & SENATOR MCDOWELL - An Act to Amend Title 22 of the Delaware Code Relating to Municipal Zoning Regulations. (2/3 bill)**

**HB 497 – HOCKER & SENATOR BUNTING -An Act to Amend Chapter 278, Volume 72, Laws Delaware, as Amended, the Charter of the Town of Millville, to Clarify Certain Non-Recourse Provisions of Section 31(a)(45) of the Charter Relating to Municipal Tax Increment and Municipal Special Development Districts Financings. (2/3 bill)**

**SB 301 w/SA 1 – ENNIS & REPRESENTATIVE CARSON & SENATOR COOK & REPRESENTATIVES HALL-LONG & THORNBURG - An Act to Amend Chapter 176, Volume 74, Laws of Delaware, as Amended, Relating to the Municipal Charter of the Town of Smyrna Granting the Town the Powers to Implement Municipal Tax Increment Financing and Special Development Districts as Permitted by Chapters 17 and 18 of Title 22 of the Delaware Code. (2/3 bill)**

**SB 311 – ADAMS & REPRESENTATIVE EWING - An Act to Amend Chapter 237, Volume 51, Entitled “An Act to Reincorporate the Town of Bridgeville” Relating to Banking, Voter Eligibility, the Power to Raise Revenue and the Ten Years Exemption for Plants and Businesses Brought Within the Boundaries of the Town by Reason of Future Extensions of the Town’s Boundaries and Relating to the Alderman. (2/3 bill)**

**SB 278 w/SA 1 – BUNTING & REPRESENTATIVE SCHWARTZKOPF - An Act to Amend Chapter 504, Volume 57, Laws of Delaware, as Amended, Entitled “An Act to Incorporate the Town of Henlopen Acres” to Bring Sections 5, 8, 9 and 10 of the Charter of the Town into Compliance with Title 15, Chapter 75 of the Delaware Code; and to Amend Section 16 of the Charter to Require the Treasurer to be a Resident of the Town. (2/3 bill)**

**SB 309 w/SA 1 & 2 – MCBRIDE & REPRESENTATIVE HASTINGS & SENATORS CONNOR & SIMPSON & REPRESENTATIVES BOOTH, HALL-LONG, KOWALKO, LONGHURST & WALLS - An Act to Amend Title 7 of the Delaware Code Related to Certain Criminal Penalties. (2/3 bill)**

The roll call on **Consent Agenda J** was taken and revealed:

YES: 40.

ABSENT: Representative Spence – 1.

Therefore having received a constitutional majority of at least two-thirds Members of the House, **HB 455 & HB 497** were sent to the Senate for concurrence and **SB 226, SB 301 W/SA 1, SB 311, SB 278 w/SA 1 & SB 309 w/SA 1 & 2** were returned to the Senate.

The Majority Leader moved to recess for caucus at 10:29 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 11:53 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 330 & SB 332** and requests the concurrence of the House. The Senate has passed **HB 353 w/HA 1 & 2, HB 480 w/HA 1 & HB 504** and is returning the same to the House.

Representative Cathcart deferred to Representative Thornburg.

Representatives Thornburg & Cathcart made comments.

The Majority Leader moved to adjourn the Second Session of the 144th General Assembly at 11:58 p.m.

Mr. Speaker Spence called the House to order at 12:00 a.m. on July 1, 2008.

The Reading Clerk read the following communication into the record:

TO: The Members of the 144th 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, 2008

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 144th General Assembly of the State of Delaware in Special Session.

John C. Carney, Jr., Lieutenant Governor  
and President of the Senate

Terry R. Spence  
Speaker of the House of Representatives

**1st LEGISLATIVE DAY – 144th GENERAL ASSEMBLY – First Special Session  
July 1, 2008**

The Chief Clerk called the roll:

Members Present: 41.

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

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

Mr. Speaker Spence announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Representative Valihura made comments.

The Majority Leader moved to recess for caucus at 12:03 a.m.

The House reconvened at 1:47 a.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 519, HB 520, HB 485, HB 452 w/HA 1, HS 1/HB 421, HB 424 w/HA 1, HS 1/HB 362, HB 299 w/HA 2 & 3, HB 464, HB 453 w/HA 2 & HA 2 to HA 2 & SA 1** and is returning the same to the House.

Representative Cathcart deferred to Representative Booth.

Representative Booth brought **HB 488**, jointly sponsored by Representative Oberle & Senator Simpson, before the House for consideration.

**HB 488 - AN ACT TO AMEND CHAPTER 25, TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PRIVATE ATTORNEYS.**

Representatives Booth, Schwartzkopf, Oberle, Marshall & Booth made comments.

The roll call on **HB 488** was taken and revealed:

YES: 22.

NO: Representatives Brady, Carson, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Plant, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams - 19.

Therefore, having received a constitutional majority, **HB 488** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **SB 291**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ewing brought **SB 291**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 291 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL ENFORCEMENT OF OUTSTANDING TOLL VIOLATIONS.**

Representatives Ewing & Williams made comments.

The roll call on **SB 291** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 291** was returned to the Senate.

Representative Cathcart moved to suspend the rules which would interfere with action on **Consent Agenda L**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **Consent Agenda L** before the House for consideration.

**SB 266 – BLEVINS & REPRESENTATIVE LEE & REPRESENTATIVE HUDSON - An Act to Amend Title 11 of the Delaware Code Relating to Clemency.**

**SB 286 – ENNIS & REPRESENTATIVE LEE & SENATORS AMICK, BUNTING, CLOUTIER, CONNOR, COPELAND, HENRY, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL & VENABLES & REPRESENTATIVES THORNBURG & WILLIAMS - An Act to Amend Subchapter V of Title 11 of the Delaware Code Relating to the Department of Correction.**

**SB 114 – COPELAND & REPRESENTATIVE BRADY - An Act to Amend Title 21 of the Delaware Code Relating to Display of License Plates.**

**SB 323 – BLEVINS & REPRESENTATIVE STONE - An Act to Amend Chapter 23 of Title 18 of the Delaware Code Relating to the Unfair Trade Practices Act.**

**SB 337 – COOK & SENATOR DELUCA & REPRESENTATIVE OBERLE - An Act to Amend Chapters 52A and 55 of Title 29 of the Delaware Code Relating to the Public Officers and Employees Disability Insurance Program. (F/N)**

**SB 285 – ENNIS & REPRESENTATIVE LEE - An Act to Amend Title 24 of the Delaware Code Relating to the Bounty Hunters and Bail Enforcement Agents.**

**SB 287** – ENNIS & REPRESENTATIVE LEE & SENATORS BUNTING, CLOUTIER, CONNOR, HENRY, PETERSON, SIMPSON, SOKOLA, SORENSON & VENABLES & REPRESENTATIVES THORNBURG & WILLIAMS - An Act to Amend Title 11 of the Delaware Code Relating to House Arrest. (F/N)

**SB 294** – ENNIS & REPRESENTATIVE WALLS & SENATORS ADAMS, AMICK, BLEVINS, BUNTING, CONNOR & STILL & REPRESENTATIVES CARSON, HALL-LONG, MITCHELL, SPENCE & WAGNER - An Act to Amend Title 18 of the Delaware Code Relating to Line-of-Duty Death Benefits.

Representative Cathcart requested that **SB 266, SB 286 & SB 323** be removed from **Consent Agenda L**.

The roll call was on Consent **Agenda L** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 114, SB 337, SB 285, SB 287 & SB 294** were returned to the Senate.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 507**, jointly sponsored by Senator DeLuca & Senator Simpson & Representatives Booth, Longhurst, Mulrooney, D. Short, Stone & Walls & Senators Connor, Henry, Marshall & McDowell & cosponsored by Representative Stone, before the House for consideration.

**HB 507** - AN ACT TO AMEND CHAPTER 21, TITLE 5 OF THE DELAWARE CODE RELATING TO MORTGAGE LOAN BROKERS. (F/I)

Representative Keeley made comments.

The roll call on **HB 507** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 507** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Keeley.

Representative Keeley brought **HB 508**, jointly sponsored by Senator DeLuca & Senator Simpson & Representatives Booth, Hocker, Longhurst, Mulrooney, D. Short, Stone & Walls & Senators Connor, Henry, Marshall & McDowell & cosponsored by Representative Stone, before the House for consideration.

**HB 508** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO MORTGAGE LOAN ORIGINATORS.

Representatives Keeley, Hocker, Wagner & Keeley made comments.

The roll call on **HB 508** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 508** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Plant.

Representative Plant brought **HB 267**, jointly sponsored by Senator Blevins & Representatives Brady, Ennis, Gilligan, Hall-Long, Johnson, Keeley, Kowalko, Longhurst, Marshall, McWilliams, Mitchell, Mulrooney, Schooley, Schwartzkopf, B. Short, Viola, Walls & Williams, before the House for consideration.

**HB 267** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE WITH RESPECT TO MEDICARE SUPPLEMENT INSURANCE.

Representative Plant requested that **HA 1 to HB 267, HA 2 to HB 267 & HA 3 to HB 267** be stricken. Representative Plant introduced **HA 4 to HB 267**. Representative Plant requested that **HA 4** be stricken. Representative Stone introduced and brought **HA 5 to HB 267**, jointly sponsored by Representative Plant, before the House for consideration. Representative Stone made comments. **HA 5** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 267 w/HA 5** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 267 w/HA 5** was sent to the Senate for concurrence.

Representative Cathcart deferred to Representative Longhurst.

Representative Longhurst made comments.

Representative Longhurst brought **HB 453 w/HA 2 & HA 2 to HA 2 & SA 2**, jointly sponsored by Representative Thornburg & Senator Ennis & Representatives Carey, Hall-Long, Hocker, Lee & Walls, before the House for concurrence on **SA 2**.

**HB 453** - AN ACT TO AMEND TITLES 3 AND 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM.

The roll call on **HB 453 w/HA 2 & HA 2 to HA 2 & SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 453 w/HA 2 & HA 2 to HA 2 & SA 2** was sent to the Governor.

Representative Cathcart brought **Consent Agenda M**, before the House for consideration.

**HB 326** – JOHNSON & REPRESENTATIVES BLAKEY, BRADY, EWING, HALL-LONG, HUDSON, KOWALKO, LONGHURST, MANOLAKOS, MULROONEY, PLANT, SCHOOLEY, B. SHORT, SPENCE, WALLS & WILLIAMS & SENATORS HENRY & MCBRIDE - An Act to Amend Title 14 of the Delaware Code Relating to School Discipline.

**SB 239 w/SA 1** – BLEVINS & SENATOR ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE CARSON & SENATORS CLOUTIER, CONNOR & STILL - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Practices in the Insurance Industry.

**SB 310** – SOKOLA & REPRESENTATIVE D. SHORT - An Act to Amend Title 31 of the Delaware Code to Establish the Delaware Interagency Council on Homelessness.

**HR 74** – MAIER & REPRESENTATIVE HOCKER - Urging the Awareness of the Various Effects and Impact of Alzheimer's and Dementia on the Residents of the State of Delaware and Urging an Awareness of the Dementia Care Training Offered by the Division of Substance Abuse and Mental Health.

**HR 76** – WAGNER - Creating a Task Force to Review Delaware's Health Information Network.

**HR 77** – HASTINGS - Extending the Work of the Delaware Student Athlete Steroid Testing Task Force.

**HR 79** – MAIER & REPRESENTATIVE HUDSON & REPRESENTATIVE MIRO - Urging State of Delaware High Schools to Require that All Students in Delaware Take Courses Relating to Statistical Analysis and Financial Planning.

**HCR 76** - LOFINK & SENATOR VENABLES - Expressing the Desire That Delaware Technical & Community College Remain an Open Admission Institution and Directing the Co-Chairs of the Joint Bond Bill Committee to Work with the Office of the Controller General and the College to Identify a Stable Funding Source to Finance the College's Need for Major and Minor Capital Improvements and Deferred Maintenance.

The roll call on **Consent Agenda M** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 326** & **HCR 76** were sent to the Senate for concurrence, **SB 239 w/SA 1** & **SB 310** were returned to the Senate & **HR 74**, **HR 76**, **HR 77** & **HR 79** were declared passed.

Representative Cathcart moved to suspend the rules which interfere with action on **SB 306 w/SA 1**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Cathcart brought **SB 306 w/SA 1**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 306** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO 911-ENHANCED EMERGENCY NUMBER SERVICE.

Representative Cathcart made comments.

The roll call on **SB 306 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 306 w/SA 1** was returned to the Senate.

Mr. Speaker Spence introduced a guest. Representatives Oberle, Gilligan & Mr. Speaker Spence made comments and introduced guests.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SJR 15**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **SJR 15**, jointly sponsored by Senator Cook & Senators Amick, Cloutier, Ennis, Henry & McBride & Representatives Booth, Miro, Schwartzkopf, Wagner & Williams, before the House for consideration.

**SJR 15** - THE OFFICIAL GENERAL FUND REVENUE FOR FISCAL YEAR 2008.

Representative Oberle made comments.

The roll call on **SJR 15** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 15** was returned to the Senate.

Representative Cathcart requested and was granted privilege of the floor to present a gift to Senator John C. Still, III. Senator Still addressed the House.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SJR 16**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **SJR 16**, jointly sponsored by Senator Cook & Senators Amick, Cloutier, Ennis, Henry & McBride & Representatives Booth, Miro, Schwartzkopf, Wagner & Williams, before the House for consideration.

**SJR 16** - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2009.

Representative Oberle made comments.

The roll call on **SJR 16** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 16** was returned to the Senate.



Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SB 300**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **SB 300**, jointly sponsored by Senator Cook & Senators Ennis, Henry, McBride, Amick & Cloutier & Representatives Booth, Miro, Wagner, Schwartzkopf & Williams, before the House for consideration.

**SB 300 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2009; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representative Oberle & Mr. Speaker Spence made comments. Representative Wagner announced that she will not be voting on **SB 300** because of a possible conflict of interest. Representative Gilligan made comments.

The roll call on **SB 300** was taken and revealed:

YES: 33.

NO: Representatives Ewing, Hastings, Hocker, Hudson, Outten, Stone & Valihura - 7.

NOT VOTING: Representative Wagner - 1.

Therefore, having received a constitutional majority, **SB 300** was returned to the Senate.

Mr. Speaker Spence introduced a guest.

Representative Longhurst requested and was granted personal privilege of the floor to make comments. Representatives Maier, Oberle, Lofink, Gilligan, Kowalko, Hall-Long, Cathcart & Marshall made comments.

Representative Cathcart deferred to Representative Marshall.

Representative Marshall moved to suspend the rules which interfere with introduction of and action on **SB 273**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Marshall introduced and brought **SB 273**, jointly sponsored by Senator Amick & Senator Sokola & Representative Valihura & Representative D. Short & cosponsored by Senator Peterson, before the House for consideration.

**SB 273 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY; AND PROVIDING FOR A DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT.**

Representatives Marshall, Valihura & D. Short made comments.

The roll call on **SB 273** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Hudson, Lavelle, Manolakos, B. Short & Stone - 5.

Therefore, having received a constitutional majority, **SB 273** was returned to the Senate.

Representative Cathcart deferred to Representative Lofink.

Representative Lofink made comments.

Representative Lofink moved to suspend the rules which interfere with introduction of and action on **HB 525**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lofink introduced and brought **HB 525**, jointly sponsored by Senator Venables & Representatives Carey, Lavelle, Stone, Mulrooney & Viola & Senators Blevins, Cook, McDowell, Simpson & Still, before the House for consideration.

**HB 525 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)**

The Reading Clerk read the following into the record:

**DEBT LIMIT STATEMENT FOR FISCAL YEAR 2009**

This Debt Limit Statement is to be attached to the Fiscal Year 2009 Bond and Capital Improvement Act as required by §7422, Title 29, Delaware Code.

- (1) **Estimated Net General Fund revenue** for the fiscal year ending June 30, 2009 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. \$ 3,450.6 million
- (2) Multiply by 5% X \_\_\_\_\_ .05
- (3) Maximum aggregate principal amount of tax-

- supported obligations which may be authorized  
by the State in the fiscal year ending June 30, 2009. \$ 172.5 million
- (4) Less: Aggregate principal amount of previously  
authorized tax-supported obligations subject to debt limit. \$ 0 million
- (5) **AVAILABLE DEBT LIMIT** prior to appended legislation  
(Line 3 minus Line 4). \$ 172.5 million
- (6) Less: Aggregate principal amount of new tax-  
supported obligations subject to debt limit  
to be authorized pursuant to appended legislation. \$ 0 million
- (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 172.5 million
- Richard S. Cordrey  
June 30, 2008

Representative Lofink & Mr. Speaker Spence made comments.

The roll call on **HB 525** was taken and revealed:

YES: 39.

NO: Representative Hastings - 1.

NOT VOTING: Representative Booth - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House,  
**HB 525** was sent to the Senate for concurrence.

Representative Lavelle made a comment.

The Majority Leader moved to recess at 3:37 a.m.

The House reconvened at 3:52 a.m.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SB 282**. The  
motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Oberle brought **SB 282**, jointly sponsored by Senator Cook, before the House for  
consideration.

**SB 282** - AN ACT TO AMEND CHAPTER 83, TITLE 29 OF THE DELAWARE CODE  
REGARDING THE AUTHORITY OF THE BOARD OF PENSION TRUSTEES TO LEVY INTEREST  
PENALTIES AND LATE PAYMENT ASSESSMENTS.

Representative Oberle made comments.

The roll call on **SB 282** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Walls - 2.

Therefore, having received a constitutional majority, **SB 282** was returned to the Senate.

Representative Cathcart made an announcement.

Representative Cathcart deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with action on **SB 266**. The motion  
was seconded by Representative Ewing and adopted by voice vote.

Representative Lee brought **SB 266**, jointly sponsored by Senator Blevins & Representative Hudson,  
before the House for consideration.

**SB 266** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO  
CLEMENCY.

Representative Lee made comments.

The roll call on **SB 266** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 266** was returned to the Senate.

Representative Cathcart deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with action on **SJR 12**. The motion  
was seconded by Representative Lavelle and adopted by voice vote.

Representative Lee brought **SJR 12**, jointly sponsored by Senator Venables & Senator Amick &  
Representative Hall-Long, before the House for consideration.

**SJR 12** - CREATING A PHYSICIAN LICENSURE TASK FORCE.

Representative Lee made comments.

The roll call on **SJR 12** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 12** was returned to the Senate.

Representative Cathcart deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on  
**SB 320**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle introduced and brought **SB 320**, jointly sponsored by Senator Cook & Senators Ennis, Henry, McBride, Amick & Cloutier & Representatives Booth, Miro, Wagner, Schwartzkopf & Williams, before the House for consideration.

**SB 320** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2009; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2009 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)

Representatives Oberle, Schwartzkopf & Booth made comments.

The roll call on **SB 320** was taken and revealed:

YES: 40.

NO: Representative Hudson - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 320** was returned to the Senate.

Representative Cathcart deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SB 272**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Brady brought **SB 272**, jointly sponsored by Senator McDowell & Senator DeLuca & Representative Williams & Senators Henry, Marshall, Ennis, Connor & Copeland & Representatives Spence, Keeley, Mitchell, Johnson & Plant, before the House for consideration.

**SB 272** - AN ACT TO RENAME THE DELAWARE EMERGENCY MANAGEMENT OPERATIONS CENTER IN SMYRNA IN HONOR OF THE LATE DIRECTOR OF EMERGENCY MANAGEMENT AND FORMER CHIEF OF THE WILMINGTON FIRE DEPARTMENT, JOHN P. MULHERN, JR.

Representative Brady made comments.

The roll call on **SB 272** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 272** was returned to the Senate.

Representative Cathcart deferred to Representative D. Short.

Representative D. Short moved to suspend the rules which interfere with action on **SB 252 w/SA 2**. The motion was properly seconded and adopted by voice vote.

Representative D. Short brought **SB 252 w/SA 2**, jointly sponsored by Senator Marshall & Representative Keeley & Senators McDowell, Henry, Blevins & Connor & Representatives Maier, Brady, Mulrooney, Plant, Kowalko & Williams, before the House for consideration.

**SB 252** - AN ACT TO AMEND TITLE 6 & 29 OF THE DELAWARE CODE RELATING TO FORECLOSURE PROTECTION FOR HOMEOWNERS. (2/3 bill)

Representative D. Short made comments.

The roll call on **SB 252 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 252 w/SA 2** was returned to the Senate.

Representative Cathcart deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **SS 1 for SB 107 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone brought **SS 1 for SB 107**, jointly sponsored by Senator Blevins & Senator Henry & Representative Maier, before the House for consideration.

**SB 107** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COLORECTAL CANCER SCREENING.

Representative Stone made comments.

The roll call on **SS 1 for SB 107 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 107 w/SA 1** was returned to the Senate.

Representative Cathcart deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **SB 319 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson brought **SB 319 w/SA 1**, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 319** - AN ACT TO AMEND TITLE 10, CHAPTER 76 RELATING TO THE COURTS AND SEXUAL ABUSE.

Representatives Hudson, Schwartzkopf, Valihura, Marshall & Hudson made comments.

Representative Hudson requested and was granted privilege of the floor for Patrick Vanderslice, House Attorney. Representatives Marshall, Schwartzkopf, Kowalko & Hudson made comments.

The roll call on **SB 319 w/SA 1** was taken and revealed:

YES: 24.

NO: Representatives Kowalko, Longhurst, Marshall, Mulrooney, Schwartzkopf & Williams - 6.

NOT VOTING: Representatives Blakey, Lavelle, McWilliams, Oberle, Outten, Schooley, Viola, Wagner & Walls - 9.

ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, **SB 319 w/SA 1** was returned to the Senate.

Mr. Speaker Spence introduced a guest.

Representative Cathcart brought **SB 286**, sponsored by Senator Ennis & Representative Lee & Senators Amick, Bunting, Cloutier, Connor, Copeland, Henry, Peterson, Simpson, Sokola, Sorenson, Still & Venables & Representatives Thornburg & Williams, before the House for consideration.

**SB 286** - AN ACT TO AMEND SUBCHAPTER V OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION.

Representative Cathcart moved to place **SB 286** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 323**, sponsored by Senator Blevins & Representative Stone, before the House for consideration.

**SB 323** - AN ACT TO AMEND CHAPTER 23 OF TITLE 18 OF THE DELAWARE CODE RELATING TO THE UNFAIR TRADE PRACTICES ACT.

Representative Cathcart moved to place **SB 323** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura introduced **HR 84**.

**HR 84** - DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO TAKE ALL ACTION NECESSARY TO TERMINATE THE TWO GROUP HOME CONTRACTS WITH RHD AND TO USE THE MONEY SAVED TO COVER COSTS OF HOUSING THE RESIDENTS IN SUITABLE ALTERNATIVE LIVING ARRANGEMENTS.

Mr. Speaker Spence assigned **HR 84** to the Health & Human Development Committee.

Representative Hudson introduced **HB 522**, jointly sponsored by Representative Valihura & Representatives Hastings, Hocker, Maier, D. Short & Stone.

**HB 522** - AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO SPENDING INCREASES. (2/3 bill)

Mr. Speaker Spence assigned **HB 522** to the Appropriations Committee.

Representative Hastings introduced **HB 523**, jointly sponsored by Representative D. Short & Representatives Lavelle & Maier.

**HB 523** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Spence assigned **HB 523** to the Manufactured Housing Subcommittee.

Representative Hastings introduced **HB 524**, jointly sponsored by Representative D. Short & Representative s Lavelle & Maier.

**HB 524** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Spence assigned **HB 524** to the Manufactured Housing Subcommittee.

Representative Hastings introduced **HB 526**, jointly sponsored by Representative D. Short & Representatives Lavelle & Maier.

**HB 526** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE AND MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Spence assigned **HB 526** to the Manufactured Housing Subcommittee.

Representative Hastings made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 312, HB 449, HB 444, HB 525, HCR 69 & HCR 67** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 273** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 300, SB 320, SJR 15 & SJR 16** and requests the concurrence of the House and the Senate has passed **HB 521, HB 472, HB 496, HS 1/HB 383, HB 454 w/HA 1, HB 487 & HJR 23** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 307** and requests the concurrence of the House.

Representative Cathcart brought **SB 212**, sponsored by Senator Blevins & Senator Amick & Representative Keeley & Representative Mitchell, before the House for consideration.

**SB 212** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS.

Representative Cathcart moved to place **SB 212** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 318 w/SA 1**, sponsored by Senator Sokola & Representatives Valihura, B. Short & Hall-Long & Senators Bonini, Bunting, Connor & McDowell & Representatives Hudson, Longhurst, Maier & Schooley, before the House for consideration.

**SB 318 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONFIDENTIALITY OF PERSONAL HEALTH INFORMATION.**

Representative Cathcart moved to place **SB 318 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence made an announcement.

Representatives Cathcart & Gilligan made comments.

The Majority Leader moved to recess to the call of the Chair at 4:59 a.m.

#### COMMUNICATIONS RECEIVED AFTER JULY 1, 2008

July 1, 2008

##### LEGISLATIVE ADVISORY #29

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/27/08 – **HB 377 aab HA 1 & SA 1; 6/30/08 – SB 263, SB 23, SB 203 aab SA 1, SB 221 aab SA 1, SB 260, HB 208 aab HA 1, HS 1/HB 259, HB 281, HB 343 aab HA 2 aab HA 1 to HA 2, HB 375 aab HA 1, HB 417 aab HA 1, 2 & 3, HB 423, HB 471 & HJR 18.**

July 1, 2008

##### LEGISLATIVE ADVISORY #30

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/08 – **SB 333, SB 334, SB 335 & SB 336; 7/1/08 – SB 284, SB 300, SB 320, HB 513, HB 514, HB 515, HB 516, HB 519, HB 520, HB 525, SJR 14, SJR 15 & SJR 16.**

The Senate wishes to inform the House that it has passed **HS 1/HB 434, HB 267 w/HA 1, HB 287, HB 317, HB 319, HB 326, HB 387 w/HA 1, HB 402, HB 427, HB 429, HB 443, HS 1/HB 450, HB 455, HB 508, HB 458 w/HA 1, HB 446, HB 486 w/HA 2, 3 & 4, HB 490, HB 493, HB 500, HB 501 w/HA 1 & HA 1 to HA 1, HB 503, HB 507, HCR 71 & HCR 73** and is returning same to the House. The Senate wishes to inform the House that it has defeated **HB 159 w/HA 1, 3 & 5, HB 517, HB 518, HB 66 w/HA 1 & 2, HB 118 w/HA 1, 2, 3 & 4 & HCR 28** and is returning same to the House.

July 8, 2008

##### LEGISLATIVE ADVISORY #31

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/3/08 – **SB 174 aab HA 1 & SA 1 & 2, SB 191 aab HA 3, SB 234 aab SA 1, SB 235 aab SA 2 & HA 1, SB 248 aab SA 1 & 3, SB 251, SB 254 aab SA 1, SB 276 aab SA 1, HS 1/HB 216, HB 370 aab SA 1, HB 378 aab HA 1, HB 388, HB 390 aab SA 1 & HB 401.**

July 8, 2008

##### LEGISLATIVE ADVISORY #32

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/3/08 – **HB 261 aab HA 1, HB 361, HB 364, HB 365, HB 381 aab HA 1, HB 389 aab HA 1, HB 392 aab HA 1, HB 396, HB 413 & HB 418.**

July 15, 2008

##### LEGISLATIVE ADVISORY #33

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/8/08 – **SB 222 & HB 290 aab HA 1; 7/9/08 – SB 164, SB 231, SB 256 aab SA 1, SB 268, SB 277, SB 299 aab SA 2, SB 304, SB 313, SB 317, SB 337, HB 40, HB 277, HB 297, HB 373, HS 1/HB 374, HB 438, HB 442, HB 466, HB 470 aab HA 1 & 2, HB 474 aab HA 1, HB 475 & HB 504; 7/10/08 – SB 45 aab SA 1; 7/9/08 – SJR 11 aab SA 1 & HA 1 & 2.**

July 16, 2008

##### LEGISLATIVE ADVISORY #34

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/16/08 – **SS 1/SB 107 aab SA 1, SB 114, SB 179 aab SA 1, SB 226, SB 240, SB 253 aab SA 1, SB 266, SB 274 aab SA 1, SB 278 aab SA 1, SB 279, SB 292 aab SA 1, SB 295, SB 311, SB 316 & SB 321 aab SA 1.**

July 16, 2008

##### LEGISLATIVE ADVISORY #35

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/16/08 – **HS 1/HB 236 aab SA 2, HB 267 aab HA 5, HB 312, HB 317, HB 353 aab HA 1 & 2, HS 1/HB 362, HB 368 aab SA 1, HB 371 aab HA 1 aab HA 1 to HA 1, HS 1/HB 383, HB 393 aab HA 1, HB 402, HS 1/HB 421, HB 424 aab HA 1, HS 1/HB 434, HB 443, HB 444 aab HA 1, HB 449, HS 1/HB 450, HB 455, HB 464, HB 472, HB 485, HB 486 aab HA 2, 3 & 4, HB 487, HB 490 & HB 521.**

July 17, 2008

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 144TH GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 287 by returning it to the Delaware House of Representatives without my signature for reconsideration.

The intent of House Bill No. 287 as provided in the "Synopsis" of the bill is to permit the New Castle County Department of Land Use too administratively grant a variance which consists of the greater of 15% or 1 foot of the required dimensional restrictions. Unfortunately, the language of House Bill No. 287 does not accomplish the intent of the bill.

House Bill No. 287 amends 9 *Del. C.* § 1313 (f) by adding the following sentence at the end of the subsection: "The language that permits the Department of Land Use to administratively grant a variance of 15% or one (1) foot, whichever is greater, of the required dimensional restrictions shall be repealed within twelve (12) months after the effective date unless continued, extended or reenacted by act of the General Assembly." The problem is that no language was added to permit a variance of 15% or 1 foot, whichever is greater. The language added only provides for the sunset of a clause that does not exist.

In light of the problem with House Bill No. 287, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,  
Ruth Ann Minner  
Governor

July 18, 2008

LEGISLATIVE ADVISORY #36

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/17/08 – **SB 227 aab SA 1, SB 281, SB 288, SB 289, SB 297 aab SA 1 & HA 1, SB 306 aab SA 1, HB 363, HB 427, HB 429, HB 446, HB 452 aab HA 1, HB 458 aab HA 1, HB 480 aab HA 1, HB 496, HB 503 & HJR 23.**

Governor Ruth Ann Minner vetoed the following legislation on the date indicated: 7/17/08 – **SB 326 aab SA 1 & HB 287.**

July 22, 2008

LEGISLATIVE ADVISORY #37

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/19/08 – **HB 299 aab HA 2 & 3; 7/21/08 – SB 239 aab SA 1, SB 272, SB 282, SB 285, SB 287, SB 291, SB 293 aab SA 2, SB 294, SB 309 aab SA 1 & 2, SB 310, SB 301 aab SA 1, HB 319 aab HA 3, HB 326, HB 387 aab HA 1, HB 453 aab HA 2 aab HA 2 to HA 2 & SA 2, HB 454 aab HA 1, HB 493, HB 500, HB 501 aab HA 1 aab HA 1 to HA 1 & SJR 12.**

July 29, 2008

JoAnn Hedrick

Chief Clerk of the Delaware House of Representatives

Legislative Hall, Room H-129

411 Legislative Ave.

Dover, DE 19901

Dear Chief Clerk Hedrick:

The Illinois House of Representatives has adopted House Resolution 1325. Pursuant to the requirements of the resolution, I am providing for your review the enclosed copy.

Any questions concerning the content or interpretation of this resolution should be directed to the sponsor of the resolution, Representative Ron Stephens, 632 Capitol Building, Springfield, IL 62706.

Additional copies of this resolution may be obtained by contacting the Office of the Clerk, Room 402 State House, Springfield, Illinois 62706, or by calling 217-782-8223.

Respectfully,

Mark Mahoney

Chief Clerk

Illinois House of Representatives

STATE OF ILLINOIS  
NINETY-FIFTH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES

House Resolution No. 1325

Offered by Representatives Ron Stephens – Jim Watson – Donald L. Moffitt – Kevin A. McCarthy – Linda Chapa LaVia, Ed Sullivan, Jr., Michael Tryon, Dave Winters, Jim Durkin, Patricia R. Bellock, JoAnn D. Osmond, Suzanne Bassi, Joe Dunn, Sidney H. Mathias, William B. Black, Raymond Poe, Rich Brauer, Michael P. McAuliffe, Bob Biggins, Richard P. Myers, Jil Tracy, Timothy L. Schmitz, Sandy Cole, Mark H. Beaubien, Jr., Robert W. Pritchard, Harry R. Ramey, Jr., David Reis, Ronald A. Wait, Elizabeth Coulson, Ruth Munson, Rosemary Mulligan, Franco Coladipietro, Carolyn H. Krause, Angelo Saviano, Aaron Schock, Renée Kosel, Sandra M. Pihos, Mike Fortner, Roger L. Eddy, Dan Brady, Chapin Rose, Dennis M. Reboletti, Jim Sacia, Tom Cross, Mike Bost,

Jerry L. Mitchell and All Other Members of the House

**WHEREAS**, In accordance with House Resolution 510, offered by Representative Ron Stephens during the 94th General Assembly, it has been fitting that each year in observance of Memorial Day that the Illinois House of Representatives has continued the established memorial tradition of honoring our fallen brethren by reading an annual list of all of the names of those American soldiers, sailors, airman, and marines from the State of Illinois that have given the ultimate sacrifice in the preceding year since the previous tribute; therefore, be it

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS**, that on May 29th 2008, the Illinois House of Representatives shall read the names of all of the soldiers, sailors, airman, and marines from each of the branches of the United States and Illinois military reserve and guard units, who have been killed in the line of duty during the year since the last tribute; and be it further

**RESOLVED**, That the list of fallen heroes is to be obtained by the Clerk of the House of Representatives no later than May 23rd, 2008, and that the clerk may enlist the help of the United States Department of Defense or the Illinois Department of Military Affairs so that the most accurate account of fallen soldiers, sailors, airman, and marines may be honored by the Illinois House of Representatives as well as the State of Illinois; and be it further

**RESOLVED**, That the Clerk of the House shall, as has become tradition, preface the tributary reading of names of those fallen heroes with the reciting of a quote from President Abraham Lincoln's Gettysburg Address: "The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom, and the government of the people, by the people, for the people, shall not perish from the earth."; and be it further

**RESOLVED**, That a copy of this resolution and a copy of the ceremonial honor roll and program of the May 29, 2008 reading be presented to the families of those fallen heroes; and be it further

**RESOLVED**, That copies of this resolution be presented to each of the state legislatures throughout the United States and its territories to encourage their annual participation in this tribute to those Americans who have made the ultimate sacrifice to guarantee our freedom.

Adopted by the House of Representatives on May 29, 2008.

Michael J. Madigan, Speaker of the House

Mark Mahoney, Clerk of the House

August 4, 2008

#### LEGISLATIVE ADVISORY #38

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/21/08 – **SB 319 aab SA1**; 7/31/08 – **SS 1/SB 262 aab SA 1**.

The following is a constitutional amendment and does not require signature by the Governor: 6/25/08 – **SB 242**.

August 25, 2008

#### LEGISLATIVE ADVISORY #39

Governor Ruth Ann Minner signed the following legislation on the date indicated: 8/1/08 – **SB 269**; 8/4/08 – **SS 1/SB 131 aab SA 2 & 4**; 8/21/08 – **SB 252 aab SA 2, HB 507 & HB 508**.

August 28, 2008

#### LEGISLATIVE ADVISORY #40

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/1/08 – **HJR 22**.

October 1, 2008

#### LEGISLATIVE ADVISORY #41

Governor Ruth Ann Minner signed the following legislation on the date indicated: 9/25/08 – **SB 298**.

COMMUNICATIONS RECEIVED AFTER JULY 1, 2008

July 1, 2008

LEGISLATIVE ADVISORY #29

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/27/08 – **HB 377 aab HA 1 & SA 1**; 6/30/08 – **SB 263, SB 23, SB 203 aab SA 1, SB 221 aab SA 1, SB 260, HB 208 aab HA 1, HS 1/HB 259, HB 281, HB 343 aab HA 2 aab HA 1 to HA 2, HB 375 aab HA 1, HB 417 aab HA 1, 2 & 3, HB 423, HB 471 & HJR 18.**

July 1, 2008

LEGISLATIVE ADVISORY #30

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/08 – **SB 333, SB 334, SB 335 & SB 336**; 7/1/08 – **SB 284, SB 300, SB 320, HB 513, HB 514, HB 515, HB 516, HB 519, HB 520, HB 525, SJR 14, SJR 15 & SJR 16.**

The Senate wishes to inform the House that it has passed **HS 1/HB 434, HB 267 w/HA 1, HB 287, HB 317, HB 319, HB 326, HB 387 w/HA 1, HB 402, HB 427, HB 429, HB 443, HS 1/HB 450, HB 455, HB 508, HB 458 w/HA 1, HB 446, HB 486 w/HA 2, 3 & 4, HB 490, HB 493, HB 500, HB 501 w/HA 1 & HA 1 to HA 1, HB 503, HB 507, HCR 71 & HCR 73** and is returning same to the House. The Senate wishes to inform the House that it has defeated **HB 159 w/HA 1, 3 & 5, HB 517, HB 518, HB 66 w/HA 1 & 2, HB 118 w/HA 1, 2, 3 & 4 & HCR 28** and is returning same to the House.

July 8, 2008

LEGISLATIVE ADVISORY #31

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/3/08 – **SB 174 aab HA 1 & SA 1 & 2, SB 191 aab HA 3, SB 234 aab SA 1, SB 235 aab SA 2 & HA 1, SB 248 aab SA 1 & 3, SB 251, SB 254 aab SA 1, SB 276 aab SA 1, HS 1/HB 216, HB 370 aab SA 1, HB 378 aab HA 1, HB 388, HB 390 aab SA 1 & HB 401.**

July 8, 2008

LEGISLATIVE ADVISORY #32

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/3/08 – **HB 261 aab HA 1, HB 361, HB 364, HB 365, HB 381 aab HA 1, HB 389 aab HA 1, HB 392 aab HA 1, HB 396, HB 413 & HB 418.**

July 15, 2008

LEGISLATIVE ADVISORY #33

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/8/08 – **SB 222 & HB 290 aab HA 1**; 7/9/08 – **SB 164, SB 231, SB 256 aab SA 1, SB 268, SB 277, SB 299 aab SA 2, SB 304, SB 313, SB 317, SB 337, HB 40, HB 277, HB 297, HB 373, HS 1/HB 374, HB 438, HB 442, HB 466, HB 470 aab HA 1 & 2, HB 474 aab HA 1, HB 475 & HB 504**; 7/10/08 – **SB 45 aab SA 1**; 7/9/08 – **SJR 11 aab SA 1 & HA 1 & 2.**

July 16, 2008

LEGISLATIVE ADVISORY #34

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/16/08 – **SS 1/SB 107 aab SA 1, SB 114, SB 179 aab SA 1, SB 226, SB 240, SB 253 aab SA 1, SB 266, SB 274 aab SA 1, SB 278 aab SA 1, SB 279, SB 292 aab SA 1, SB 295, SB 311, SB 316 & SB 321 aab SA 1.**

July 16, 2008

LEGISLATIVE ADVISORY #35

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/16/08 – **HS 1/HB 236 aab SA 2, HB 267 aab HA 5, HB 312, HB 317, HB 353 aab HA 1 & 2, HS 1/HB 362, HB 368 aab SA 1, HB 371 aab HA 1 aab HA 1 to HA 1, HS 1/HB 383, HB 393 aab HA 1, HB 402, HS 1/HB 421, HB 424 aab HA 1, HS 1/HB 434, HB 443, HB 444 aab HA 1, HB 449, HS 1/HB 450, HB 455, HB 464, HB 472, HB 485, HB 486 aab HA 2, 3 & 4, HB 487, HB 490 & HB 521.**

July 17, 2008

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 144TH GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 287 by returning it to the Delaware House of Representatives without my signature for reconsideration.

The intent of House Bill No. 287 as provided in the “Synopsis” of the bill is to permit the New Castle County Department of Land Use too administratively grant a variance which consists of the greater of 15% or 1 foot of the required dimensional restrictions. Unfortunately, the language of House Bill No. 287 does not accomplish the intent of the bill.

House Bill No. 287 amends 9 *Del. C.* § 1313 (f) by adding the following sentence at the end of the subsection: “The language that permits the Department of Land Use to administratively grant a variance of 15% or one (1) foot, whichever is greater, of the required dimensional restrictions shall be repealed within twelve (12) months after the effective date unless continued, extended or reenacted by act of the General Assembly.” The problem is that no language was added to permit a variance of 15% or 1 foot, whichever is greater. The language added only provides for the sunset of a clause that does not exist.

In light of the problem with House Bill No. 287, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,  
Ruth Ann Minner  
Governor  
July 18, 2008

LEGISLATIVE ADVISORY #36



Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/17/08 – **SB 227 aab SA 1, SB 281, SB 288, SB 289, SB 297 aab SA 1 & HA 1, SB 306 aab SA 1, HB 363, HB 427, HB 429, HB 446, HB 452 aab HA 1, HB 458 aab HA 1, HB 480 aab HA 1, HB 496, HB 503 & HJR 23.**

Governor Ruth Ann Minner vetoed the following legislation on the date indicated:  
7/17/08 – **SB 326 aab SA 1 & HB 287.**

July 22, 2008

LEGISLATIVE ADVISORY #37

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/19/08 – **HB 299 aab HA 2 & 3; 7/21/08 – SB 239 aab SA 1, SB 272, SB 282, SB 285, SB 287, SB 291, SB 293 aab SA 2, SB 294, SB 309 aab SA 1 & 2, SB 310, SB 301 aab SA 1, HB 319 aab HA 3, HB 326, HB 387 aab HA 1, HB 453 aab HA 2 aab HA 2 to HA 2 & SA 2, HB 454 aab HA 1, HB 493, HB 500, HB 501 aab HA 1 aab HA 1 to HA 1 & SJR 12.**

July 29, 2008

JoAnn Hedrick

Chief Clerk of the Delaware House of Representatives

Legislative Hall, Room H-129

411 Legislative Ave.

Dover, DE 19901

Dear Chief Clerk Hedrick:

The Illinois House of Representatives has adopted House Resolution 1325. Pursuant to the requirements of the resolution, I am providing for your review the enclosed copy.

Any questions concerning the content or interpretation of this resolution should be directed to the sponsor of the resolution, Representative Ron Stephens, 632 Capitol Building, Springfield, IL 62706.

Additional copies of this resolution may be obtained by contacting the Office of the Clerk, Room 402 State House, Springfield, Illinois 62706, or by calling 217-782-8223.

Respectfully,

Mark Mahoney

Chief Clerk

Illinois House of Representatives

STATE OF ILLINOIS  
NINETY-FIFTH GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES

House Resolution No. 1325

Offered by Representatives Ron Stephens – Jim Watson – Donald L. Moffitt – Kevin A. McCarthy – Linda Chapa LaVia, Ed Sullivan, Jr., Michael Tryon, Dave Winters, Jim Durkin, Patricia R. Bellock, JoAnn D. Osmond, Suzanne Bassi, Joe Dunn, Sidney H. Mathias, William B. Black, Raymond Poe, Rich Brauer, Michael P. McAuliffe, Bob Biggins, Richard P. Myers, Jil Tracy, Timothy L. Schmitz, Sandy Cole, Mark H. Beaubien, Jr., Robert W. Pritchard, Harry R. Ramey, Jr., David Reis, Ronald A. Wait, Elizabeth Coulson, Ruth Munson, Rosemary Mulligan, Franco Coladipietro, Carolyn H. Krause, Angelo Saviano, Aaron Schock, Renée Kosel, Sandra M. Pihos, Mike Fortner, Roger L. Eddy, Dan Brady, Chapin Rose, Dennis M. Reboletti, Jim Sacia, Tom Cross, Mike Bost,

Jerry L. Mitchell and All Other Members of the House

**WHEREAS**, In accordance with House Resolution 510, offered by Representative Ron Stephens during the 94th General Assembly, it has been fitting that each year in observance of Memorial Day that the Illinois House of Representatives has continued the established memorial tradition of honoring our fallen brethren by reading an annual list of all of the names of those American soldiers, sailors, airman, and marines from the State of Illinois that have given the ultimate sacrifice in the preceding year since the previous tribute; therefore, be it

**RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS**, that on May 29th 2008, the Illinois House of Representatives shall read the names of all of the soldiers, sailors, airman, and marines from each of the branches of the United States and Illinois military reserve and guard units, who have been killed in the line of duty during the year since the last tribute; and be it further

**RESOLVED**, That the list of fallen heroes is to be obtained by the Clerk of the House of Representatives no later than May 23rd, 2008, and that the clerk may enlist the help of the United States Department of Defense or the Illinois Department of Military Affairs so that the most accurate account of fallen soldiers, sailors, airman, and marines may be honored by the Illinois House of Representatives as well as the State of Illinois; and be it further

**RESOLVED**, That the Clerk of the House shall, as has become tradition, preface the tributary reading of names of those fallen heroes with the reciting of a quote from President Abraham Lincoln's Gettysburg Address: "The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this nation, under God, shall have a new birth of freedom, and the government of the people, by the people, for the people, shall not perish from the earth."; and be it further

**RESOLVED**, That a copy of this resolution and a copy of the ceremonial honor roll and program of the May 29, 2008 reading be presented to the families of those fallen heroes; and be it further

**RESOLVED**, That copies of this resolution be presented to each of the state legislatures throughout the United States and its territories to encourage their annual participation in this tribute to those Americans who have made the ultimate sacrifice to guarantee our freedom.

Adopted by the House of Representatives on May 29, 2008.

Michael J. Madigan, Speaker of the House  
Mark Mahoney, Clerk of the House

August 4, 2008

LEGISLATIVE ADVISORY #38

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/21/08 – **SB 319 aab SA1**; 7/31/08 – **SS 1/SB 262 aab SA 1**.

The following is a constitutional amendment and does not require signature by the Governor: 6/25/08 – **SB 242**.

August 25, 2008

LEGISLATIVE ADVISORY #39

Governor Ruth Ann Minner signed the following legislation on the date indicated: 8/1/08 – **SB 269**; 8/4/08 – **SS 1/SB 131 aab SA 2 & 4**; 8/21/08 – **SB 252 aab SA 2, HB 507 & HB 508**.

August 28, 2008

LEGISLATIVE ADVISORY #40

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/1/08 – **HJR 22**.  
October 1, 2008

LEGISLATIVE ADVISORY #41

Governor Ruth Ann Minner signed the following legislation on the date indicated: 9/25/08 – **SB 298**.

LEGISLATIVE ADVISORY #42

Governor Ruth Ann Minner signed the following legislation on the date indicated: 10/31/08 – **SB 273**.

HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor           | Date      | Type | Description                                                                    |
|-----------|-------------------|-----------|------|--------------------------------------------------------------------------------|
| H144-1867 | Maier             | 6/23/2008 | M    | Joanna B. Spence                                                               |
| H144-1868 | Hocker            | 6/27/2008 | T    | Diana Erney - Retirement - DelTech                                             |
| H144-1869 | Oberle            | 6/26/2008 | T    | Honorable Wayne Hanby - Retirement - JP Court                                  |
| H144-1870 | Booth             | 6/27/2008 | T    | Major Paul Eckrich - Retirement - State Police                                 |
| H144-1871 | Maier             | 6/24/2008 | M    | Shirley M. Rose                                                                |
| H144-1872 | Spence            | 6/26/2008 | T    | Joshua Spence - Little League - First Year                                     |
| H144-1873 | Thornburg; Wagner | 6/30/2008 | T    | Dorothy Shelton - Retirement - Capital Schools                                 |
| H144-1874 | Thornburg; Wagner | 6/30/2008 | T    | L. Gail Ulp - Retirement - Capital Schools                                     |
| H144-1875 | Thornburg         | 6/30/2008 | T    | Clifford Hudson - Retirement - Department of Agriculture                       |
| H144-1876 | Outten            | 8/27/2008 | T    | Lynn Harrison - Retirement - Department of Agriculture                         |
| H144-1877 | Lavelle           | 6/25/2008 | T    | Jack Lavelle - Birthday                                                        |
| H144-1878 | Wagner            | 6/30/2008 | T    | Rodney Brittingham – House Staff -Outstanding Service                          |
| H144-1879 | Stone             | 6/17/2008 | M    | Francis Lamont Scholfield                                                      |
| H144-1880 | Stone             | 6/18/2008 | M    | Virginia Leone                                                                 |
| H144-1881 | Kowalko           | 7/1/2008  | T    | Dr. Kenneth Haas - Teaching Awards - U of D                                    |
| H144-1882 | Brady             | 6/30/2008 | T    | Ed Oliver Golf Club - Participation - First Tee Delaware                       |
| H144-1883 | Brady             | 6/25/2008 | M    | Lee R. Davis, Jr.                                                              |
| H144-1884 | D. Short          | 6/27/2008 | M    | Lillian F. Tune                                                                |
| H144-1885 | Spence            | 6/30/2008 | T    | Alana Spence - Midway Girls Softball Tigers                                    |
| H144-1886 | Hocker            | 6/17/2008 | M    | Albert Sheridan Hahn                                                           |
| H144-1887 | Carey; Walls      | 7/9/2008  | T    | Mayor Joseph Rogers, Milford - Longest Serving Mayor                           |
| H144-1888 | Lofink            | 7/11/2008 | T    | Community Reinvestment Action Council - Grand Opening - Economic Impact Center |
| H144-1889 | Spence            | 6/30/2008 | T    | Kevin Coyle - Retirement - House Staff                                         |

HOUSE TRIBUTE ANNOUNCEMENT #82

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor         | Date      | Type | Description                                       |
|-----------|-----------------|-----------|------|---------------------------------------------------|
| H144-1890 | Walls; Wagner   | 7/12/2008 | T    | Marianne Jarrell & Francis Agnes - Marriage       |
| H144-1891 | Outten          | 7/4/2008  | M    | Hall Barton Torbert, Sr.                          |
| H144-1892 | Marshall        | 5/21/2008 | T    | Paul Smith, Jr. - Eagle Scout                     |
| H144-1893 | Cathcart        | 3/4/2008  | T    | James Viscount - Eagle Scout                      |
| H144-1894 | Mitchell; Brady | 7/4/2008  | M    | William C. Dickson                                |
| H144-1895 | Outten          | 7/6/2008  | M    | Mystle Brittingham                                |
| H144-1896 | Oberle          | 6/30/2008 | T    | Cynthia Ciamaricone - Outstanding Heroism         |
| H144-1897 | Outten; Carey   | 7/12/2008 | T    | Dennis Hazzard - Retirement –Manager - State Fair |

|           |                                     |           |   |                                                         |
|-----------|-------------------------------------|-----------|---|---------------------------------------------------------|
| H144-1898 | Wagner; Outten                      | 7/9/2008  | T | Wendy Nerad - Executive Director - Westminster Village  |
| H144-1899 | Kowalko                             | 6/30/2008 | T | Honorable Steven H. Amick - 22 Years - General Assembly |
| H144-1900 | Maier                               | 7/12/2008 | T | Betty Fasick - 75th Birthday                            |
| H144-1901 | Stone                               | 7/9/2008  | M | Ruth E. Haggerty                                        |
| H144-1902 | Wagner                              | 7/12/2008 | T | Naimah Daye & Felix Cruz, III - Marriage                |
| H144-1903 | Hudson                              | 7/6/2008  | M | Diane S. Levin                                          |
| H144-1904 | Hudson                              | 6/12/2008 | T | William & Edna Carver - 60th Wedding Anniversary        |
| H144-1905 | Hudson                              | 10/4/2008 | T | Harry & Joan Kline - 50th Wedding Anniversary           |
| H144-1906 | Carson                              | 7/17/2008 | T | Dan & Joanne Fletcher - 25th Wedding Anniversary        |
| H144-1907 | Thornburg                           | 7/7/2008  | T | Yoon's Martial Arts School - New Dojang Opening         |
| H144-1908 | Stone                               | 7/14/2008 | M | Myrtle V. Voshell                                       |
| H144-1909 | Lavelle                             | 7/4/2008  | T | Jocelyn Bowman - Saved Life - Drowning Woman            |
| H144-1910 | Outten                              | 7/17/2008 | M | S. Faye Lyons                                           |
| H144-1911 | Outten                              | 7/17/2008 | M | Donald C. Jester                                        |
| H144-1912 | Hudson; Wagner                      | 7/19/2008 | T | Elizabeth Metrisko - 90th Birthday                      |
| H144-1913 | Wagner                              | 7/16/2008 | M | George J. Tugend                                        |
|           | cosponsors: Reps. Cathcart & Hudson |           |   |                                                         |
| H144-1914 | Wagner                              | 6/28/2008 | T | Andrea Emmons & James Evers - Marriage                  |
| H144-1915 | Wagner                              | 7/16/2008 | T | Diane Nickerson & Dan Alvarez - Marriage                |
| H144-1916 | Miro                                | 7/26/2008 | T | Salvatore Spada - 50th Anniversary of Citizenship       |

HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                         | Date      | Type | Description                                         |
|-----------|---------------------------------|-----------|------|-----------------------------------------------------|
| H144-1917 | Outten                          | 7/25/2008 | T    | Gwendolyn Scott-Jones - Clinical Psychology Degree  |
| H144-1918 | Wagner                          | 7/22/2008 | T    | Dale Donaway - Coach - Three Decades                |
| H144-1919 | Lofink                          | 7/16/2008 | M    | Ellen Jane Moore                                    |
| H144-1920 | Ewing                           | 7/26/2008 | T    | John & Violet Ray - 50th Wedding Anniversary        |
| H144-1921 | Carey; Outten                   | 7/20/2008 | M    | Major General Albert W. Adams                       |
| H144-1922 | Mulrooney                       | 6/14/2008 | T    | William & Barbara Jordan - 50th Wedding Anniversary |
| H144-1923 | Wagner                          | 7/26/2008 | T    | Lauren Novello & Steven Mercer - Marriage           |
| H144-1924 | Wagner                          | 8/2/2008  | T    | Patricia Stevenson & Ryan Hogate - Marriage         |
| H144-1925 | Wagner; Blakey                  | 6/10/2008 | T    | Allan & Becky Jensen - 50th Wedding Anniversary     |
| H144-1926 | Ewing                           | 8/17/2008 | T    | David Marvel - Eagle Scout                          |
| H144-1927 | Hudson                          | 7/20/2008 | M    | Richard Joseph Kokoszka                             |
| H144-1928 | Hudson                          | 7/20/2008 | M    | Grover Cleveland Long                               |
| H144-1929 | Schwartzkopf; Hudson            | 7/24/2008 | M    | Linda Ann Stadler                                   |
| H144-1930 | Blakey                          | 7/31/2008 | T    | Randall Grunden - Retirement - DelDOT               |
| H144-1931 | Johnson                         | 8/31/2008 | T    | David Ford - Retirement - DelDOT                    |
| H144-1932 | Brady                           | 7/25/2008 | M    | Jacquelynn M. McSorley                              |
| H144-1933 | Spence                          | 7/13/2008 | M    | Dr. James R. Campbell                               |
|           | cosponsors: All Representatives |           |      |                                                     |
| H144-1934 | Wagner                          | 7/26/2008 | M    | David W. Brown                                      |
| H144-1935 | D. Short; Schwartzkopf          | 7/27/2008 | M    | Ronald F. Bowden                                    |
| H144-1936 | D. Short                        | 7/28/2008 | M    | Carroll E. Harrison                                 |
| H144-1937 | D. Short                        | 8/9/2008  | M    | Paul M. Viehman                                     |
| H144-1938 | Hall-Long                       | 7/28/2008 | M    | Hazel Connors Reynolds                              |
| H144-1939 | Spence                          | 8/7/2008  | T    | Steve Williams - Heroism - Assisted Elderly Woman   |
|           | cosponsors: All Representatives |           |      |                                                     |
| H144-1940 | Stone                           | 8/2/2008  | T    | Nate Gibbs - Retirement - Capital Schools           |
| H144-1941 | Booth; Lee                      | 9/13/2008 | T    | Kimberly Betts & Anthony Wise - Marriage            |
| H144-1942 | Lee                             | 7/3/2008  | T    | Dale & Dottie Dukes - 50th Wedding Anniversary      |

HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor    | Date      | Type | Description                                             |
|-----------|------------|-----------|------|---------------------------------------------------------|
| H144-1943 | Johnson    | 7/19/2008 | T    | Philip & Patricia McMonagle - 50th Wedding Anniversary  |
| H144-1944 | McWilliams | 6/27/2008 | T    | Lawrence & Arlene MacLaren - 50th Wedding Anniversary   |
| H144-1945 | Stone      | 7/19/2008 | M    | James A. Franceschini, Sr.                              |
| H144-1946 | Mitchell   | 5/31/2008 | T    | Leonard & Georgine Stanitski - 50th Wedding Anniversary |
| H144-1947 | Mitchell   | 5/3/2008  | T    | Michael & Carol Majewski - 50th Wedding Anniversary     |

|           |                                   |           |   |                                                         |
|-----------|-----------------------------------|-----------|---|---------------------------------------------------------|
| H144-1948 | Spence                            | 9/25/2008 | T | Sergeant Edward Gott - Meritorious Service to Country   |
| H144-1949 | Wagner                            | 7/29/2008 | M | Ward T. Hitch                                           |
| H144-1950 | Wagner                            | 4/12/2008 | T | William & Margaret Moor - 50th Wedding Anniversary      |
| H144-1951 | Blakey; Wagner                    | 8/28/2008 | T | Warren & Pearl Emery - 60th Wedding Anniversary         |
| H144-1952 | Kowalko                           | 8/9/2008  | T | John & Janet Snader - 50th Wedding Anniversary          |
| H144-1953 | Johnson                           | 8/2/2008  | T | William & Annie Mae Hunter - 50th Wedding Anniversary   |
| H144-1954 | Wagner                            | 8/1/2008  | T | Barbara Long - Retirement - DelDOT                      |
| H144-1955 | Schooley                          | 8/1/2008  | M | Joseph Magnus                                           |
| H144-1956 | Wagner                            | 8/1/2008  | M | Charles L. Hall, Sr.                                    |
| H144-1957 | Wagner                            | 8/10/2008 | T | Jocelyn Jones & Brandon Terranova - Marriage            |
| H144-1958 | Maier                             | 8/30/2008 | T | William & Rita Bergkamp - 50th Wedding Anniversary      |
| H144-1959 | Maier                             | 8/28/2008 | T | Joan Rossi - Retirement - Division of Social Services   |
| H144-1960 | Mitchell                          | 8/6/2008  | T | DefensTech International - Donation - Elsmere Police    |
| H144-1961 | Mulrooney                         | 8/8/2008  | T | Reverend Dr. Maurice Moyer - 90th Birthday              |
|           | cosponsors: Reps. Johnson & Plant |           |   |                                                         |
| H144-1962 | Wagner                            | 8/23/2008 | T | Jonathan Ebaugh - Eagle Scout                           |
| H144-1963 | Thornburg; Wagner                 | 8/23/2008 | T | Phillip Giaccone - Eagle Scout                          |
| H144-1964 | Wagner                            | 8/23/2008 | T | Alexis Richardson & Sean Lynn - Marriage                |
| H144-1965 | Wagner                            | 8/11/2008 | M | Donald G. Jesse, Sr.                                    |
| H144-1966 | Spence                            | 8/14/2008 | T | Jaushieh Joseph Wu - Strengthening Ties - Taiwan & U.S. |
|           | cosponsors: All Representatives   |           |   |                                                         |
| H144-1967 | Outten                            | 9/6/2008  | T | M. Carroll McKnatt - 75th Birthday                      |

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                         | Date      | Type | Description                                                    |
|-----------|---------------------------------|-----------|------|----------------------------------------------------------------|
| H144-1968 | Manolakos; Hudson               | 5/31/2008 | T    | Linda Felicetti - Realtor of the Year                          |
| H144-1969 | Spence                          | 9/27/2008 | T    | Our Lady of Fatima Catholic Church - 60th Anniversary          |
|           | cosponsors: All Representatives |           |      |                                                                |
| H144-1970 | Wagner                          | 7/28/2008 | M    | George Edward Schenck                                          |
| H144-1971 | Maier                           | 8/8/2008  | M    | Dolores Catherine Tirrell, R.N.                                |
| H144-1972 | Thornburg                       | 8/12/2008 | T    | Ashley Wilson - Volunteer - Clayton Fire Company               |
| H144-1973 | Booth; Carey; Schwartzkopf      | 8/12/2008 | T    | Cape Henlopen Boys Lacrosse - State Champs                     |
| H144-1974 | Booth                           | 8/13/2008 | T    | Georgetown Police Chief William Topping - Response to Accident |
| H144-1975 | Booth                           | 9/13/2008 | T    | Georgetown Police Captain Ralph Holm - Response to Accident    |
| H144-1976 | Booth                           | 8/13/2008 | T    | Town of Georgetown - Source Water Protection Award             |
| H144-1977 | Maier                           | 11/8/2008 | T    | Ann Davis - 90th Birthday                                      |
| H144-1978 | Mitchell                        | 6/26/2008 | T    | Paul & Pauline DiNetta - 60th Wedding Anniversary              |
| H144-1979 | Keeley                          | 8/7/2008  | T    | Joseph & Florence Schneider - 65th Wedding Anniversary         |
| H144-1980 | Gilligan                        | 8/14/2008 | T    | George & Jennie Cotton - 65th Wedding Anniversary              |
| H144-1981 | Gilligan                        | 8/23/2008 | T    | Paul & Cassie Cathell - 50th Wedding Anniversary               |
| H144-1982 | Gilligan                        | 7/19/2008 | T    | Frank & Margaret Vari - 50th Wedding Anniversary               |
| H144-1983 | Gilligan                        | 8/20/2008 | T    | Edward & Helen Eckles - 60th Wedding Anniversary               |
| H144-1984 | Schwartzkopf; Booth; Carey      | 8/18/2008 | T    | Dean Belt - Retirement - Sussex Conservation District          |
| H144-1985 | Carey; Maier                    | 8/10/2008 | M    | Henry O. Wirtschafter                                          |
| H144-1986 | Hudson                          | 8/11/2008 | M    | Betty Burkey Seemans                                           |
| H144-1987 | Stone                           | 8/16/2008 | T    | Harry & Frances Hettinger - 50th Wedding Anniversary           |
| H144-1988 | Stone                           | 8/14/2008 | T    | Reverend Jack & Wandalee Beck - 60th Wedding Anniversary       |
| H144-1989 | Blakey                          | 8/18/2008 | T    | M. F. Chase Unity Memorial Church - Community Day              |
| H144-1990 | Booth                           | 8/20/2008 | T    | Bill & Mary Pritchett - 60th Wedding Anniversary               |
| H144-1991 | Hastings                        | 8/17/2008 | T    | Annetta Betton - 80th Birthday                                 |
| H144-1992 | Spence                          | 9/15/2008 | T    | Frank Romanelli - Outstanding Volunteerism                     |
|           | cosponsors: All Representatives |           |      |                                                                |

HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor | Date      | Type | Description                                         |
|-----------|---------|-----------|------|-----------------------------------------------------|
| H144-1993 | Wagner  | 8/31/2008 | T    | Jennifer Hoddick & Christopher Parks - Marriage     |
| H144-1994 | Outten  | 8/23/2008 | T    | Wilbert & Edith Puschert - 65th Wedding Anniversary |

|           |                                             |           |   |                                                                                  |
|-----------|---------------------------------------------|-----------|---|----------------------------------------------------------------------------------|
| H144-1995 | Carson                                      | 9/20/2008 | T | John & Eileen Clark - 50th Wedding Anniversary                                   |
| H144-1996 | Lee                                         | 7/18/2008 | T | Linda Wells - Service to Delmar Community -                                      |
| H144-1997 | Wagner                                      | 7/26/2008 | T | Shelly Reali & Justin Puchalsky - Marriage                                       |
| H144-1998 | Wagner                                      | 9/8/2008  | T | Esther Hynson - 100th Birthday                                                   |
| H144-1999 | Hocker                                      | 8/27/2008 | T | George Steele - VFW - All American State Commander                               |
| H144-2000 | Ewing                                       | 8/26/2008 | T | Lifecare at Lofland Park - Expert Care to Residents                              |
| H144-2001 | Wagner                                      | 9/6/2008  | T | Margo Orlando - Retirement - Court of Common Pleas                               |
| H144-2002 | Ewing                                       | 8/26/2008 | T | Dr. Ron Rodriquez - Skilled Surgeon                                              |
| H144-2003 | D. Short                                    | 9/14/2008 | T | Ronald Marvel - President - Volunteer Firemen                                    |
| H144-2004 | D. Short                                    | 9/14/2008 | T | Debra Marvel - President - Ladies Auxiliary -<br>Volunteer Firemen's Association |
| H144-2005 | Ewing                                       | 9/21/2008 | T | Nancy Aydelotte - 60th Birthday                                                  |
| H144-2006 | Spence                                      | 8/25/2008 | T | Barbara B. Porter                                                                |
| H144-2007 | Stone                                       | 8/21/2008 | M | Jean C. Row                                                                      |
| H144-2008 | Blakey                                      | 8/23/2008 | T | Barbara Wolfensberger                                                            |
|           | cosponsors: Reps. Stone, Thornburg & Wagner |           |   |                                                                                  |
| H144-2009 | Hastings                                    | 8/20/2008 | T | Dawn Talley - 40th Birthday                                                      |
| H144-2010 | Miro; Keeley                                | 9/5/2008  | T | Latin American Community - Hispanic Heritage Month                               |
| H144-2011 | Walls                                       | 8/26/2008 | M | David Scott Luke                                                                 |
|           | cosponsor: Rep. Wagner                      |           |   |                                                                                  |
| H144-2012 | Wagner                                      | 9/13/2008 | T | Catherine Lajoie & Troy Larson - Marriage                                        |
| H144-2013 | Miro                                        | 9/13/2008 | T | Joseph Brake - Community Service Award                                           |
| H144-2014 | Hastings                                    | 6/18/2008 | T | Frank & Jane Mahoney - 25th Wedding Anniversary                                  |
| H144-2015 | Spence                                      | 9/5/2008  | T | William Johnson - Retirement - Pension Administration                            |
| H144-2016 | Carson                                      | 8/29/2008 | T | Edna Willis - 90th Birthday                                                      |
| H144-2017 | Outten                                      | 8/29/2008 | M | Joan D. McKnatt                                                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                                      | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                    |
|---------------|-----------------------------------------------------|-------------|-------------|-----------------------------------------------------------------------|
| H144-2018     | Johnson                                             | 8/21/2008   | T           | ING Direct Employees - Community Rejuvenation                         |
| H144-2019     | Stone                                               | 8/28/2008   | M           | Frances Berman Ollweiler                                              |
| H144-2020     | Brady                                               | 10/14/2008  | T           | Henry Topel - Service -Wilmington Convention Bureau                   |
| H144-2021     | Carey                                               | 9/12/2008   | T           | Shawnee Country Club - 50th Anniversary                               |
|               | cosponsor: Rep. Walls                               |             |             |                                                                       |
| H144-2022     | Schwartzkopf                                        | 9/11/2008   | T           | Edna Woodhall - Excellence in Healthcare Award                        |
|               | cosponsor: Rep. Booth                               |             |             |                                                                       |
| H144-2023     | Booth                                               | 9/11/2008   | T           | Beebe Medical Center Auxiliary - Healthcare<br>Philanthropy Award     |
|               | cosponsors: Reps. Carey, Hastings<br>& Schwartzkopf |             |             |                                                                       |
| H144-2024     | Booth                                               | 9/11/2008   | T           | Srihari Peri, M.D. - Service to Beebe Medical Center                  |
| H144-2025     | Stone                                               | 9/6/2008    | T           | Air Force Reserve - 60th Anniversary                                  |
| H144-2026     | McWilliams                                          | 9/29/2008   | T           | Alexander O'Neill - Eagle Scout                                       |
| H144-2027     | Wagner                                              | 8/6/2008    | T           | Kim Terrell-Kearney - Women's Open Bowling Champion                   |
| H144-2028     | Booth                                               | 9/17/2008   | T           | Harbour Health Care - 20th Anniversary                                |
| H144-2029     | Hocker                                              | 8/18/2008   | T           | Bethany Beach Police - National Accreditation Award                   |
| H144-2030     | Carey                                               | 9/21/2008   | T           | Milford Elks Lodge - 40th Anniversary                                 |
|               | cosponsor: Rep. Walls                               |             |             |                                                                       |
| H144-2031     | Ewing                                               | 9/9/2008    | T           | Kenneth & Doris McIlvain - 60th Wedding Anniversary                   |
| H144-2032     | Walls; Carey                                        | 9/12/2008   | T           | Clarence Bailey - Milford High Football Hall of Fame                  |
| H144-2033     | Walls; Carey                                        | 9/12/2008   | T           | Bernard Briggs - Milford High Football Hall of Fame                   |
| H144-2034     | Walls; Carey                                        | 9/12/2008   | T           | George Hicks - Milford High Football Hall of Fame                     |
| H144-2035     | Walls; Carey                                        | 9/12/2008   | T           | Frank Huey - Milford High Football Hall of Fame                       |
| H144-2036     | Wagner                                              | 9/17/2008   | T           | James & Ann Hoover - 60th Wedding Anniversary                         |
| H144-2037     | Hastings                                            | 10/12/2008  | T           | Linda Dukes - Organist - Goshen United Methodist<br>Church - 20 Years |
| H144-2038     | Outten                                              | 9/12/2008   | M           | Frank Joseph Hrupsa                                                   |
| H144-2039     | Wagner                                              | 9/19/2008   | T           | Delaware CASA Program - 25th Anniversary                              |

#### HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                                                                    | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                           |
|---------------|-----------------------------------------------------------------------------------|-------------|-------------|------------------------------------------------------------------------------|
| H144-2040     | Booth                                                                             | 9/10/2008   | T           | Sussex Emergency Medical Services - 3rd Place –<br>International Competition |
|               | cosponsors: Reps. Carey, Ewing,<br>Hastings, Hocker, Lee, Schwartzkopf & D. Short |             |             |                                                                              |

|           |                                                       |            |   |                                                       |
|-----------|-------------------------------------------------------|------------|---|-------------------------------------------------------|
| H144-2041 | Hudson                                                | 10/2/2008  | T | Eugene & Virginia Crawford - 60th Wedding Anniversary |
| H144-2042 | Hocker                                                | 10/3/2008  | T | Mobile Surf-Fishermen, Inc. - 50th Anniversary        |
| H144-2043 | Hocker                                                | 7/11/2008  | T | Fenwick Island Beach Patrol - Rescue of 6 Children    |
| H144-2044 | Ewing                                                 | 9/24/2008  | T | Cathy Gorman - Sussex County's Sweet Songbird         |
| H144-2045 | Wagner                                                | 8/30/2008  | T | Tracey Taylor & Lt. James O'Brien - Marriage          |
| H144-2046 | Wagner                                                | 9/18/2008  | M | Dorathy Wells                                         |
| H144-2047 | Spence                                                | 9/28/2008  | T | Old Fort U.A.M.E. Church - Historical Marker          |
|           | cosponsors: All Representatives Placement             |            |   |                                                       |
| H144-2048 | Hudson                                                | 9/13/2008  | M | Diane Marvin Grant                                    |
| H144-2049 | Hudson                                                | 8/22/2008  | M | Katharine Lewars duPont Weymouth                      |
| H144-2050 | Hudson                                                | 9/21/2008  | M | Bernice Zeldin Schacter                               |
| H144-2051 | Booth                                                 | 10/11/2008 | T | Ed & Margie Pettit - 50th Wedding Anniversary         |
| H144-2052 | Carey                                                 | 9/30/2008  | T | Charles Clendaniel, Sr. - Retirement - DelDOT         |
| H144-2053 | Lavelle                                               | 9/11/2008  | M | Nickolas N. Bunitsky                                  |
|           | cosponsors: All Representatives                       |            |   |                                                       |
| H144-2054 | Carson                                                | 9/23/2008  | T | Robert Pierce - 70th Birthday                         |
| H144-2055 | Outten                                                | 9/20/2008  | M | Mary T. Tucker                                        |
|           | cosponsors: All Representatives                       |            |   |                                                       |
| H144-2056 | Wagner; Stone                                         | 9/18/2008  | M | Bishop Lieutenant Thomas Blackshear                   |
|           | cosponsor: Rep. Blakey                                |            |   |                                                       |
| H144-2057 | Booth                                                 | 9/26/2008  | T | Cathey Betts - National Pocahontas                    |
| H144-2058 | Spence; Miro                                          | 10/11/2008 | T | Joseph & Lynne Ambrosino - 50th Wedding Anniversary   |
| H144-2059 | Spence                                                | 9/25/2008  | T | Honorable Pamela S. Maier - 14 Years –                |
|           | cosponsors: All Representatives Distinguished Service |            |   |                                                       |
| H144-2060 | Wagner                                                | 9/21/2008  | M | Rebecca Scull Richardson                              |

#### HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                         | Date       | Type | Description                                                         |
|-----------|---------------------------------|------------|------|---------------------------------------------------------------------|
| H144-2061 | Keeley                          | 9/21/2008  | T    | Roslyn Ponzo - 50th Birthday                                        |
| H144-2062 | Carey                           | 9/11/2008  | T    | Paul & Nellie Brashears - 60th Wedding Anniversary                  |
| H144-2063 | Johnson                         | 9/26/2008  | T    | Shirley Hodgson - Retirement - UAW Union 435                        |
| H144-2064 | Outten                          | 9/29/2008  | T    | Whitney Betts - Youth Ambassador - Farm Bureau                      |
| H144-2065 | Walls                           | 6/1/2008   | M    | Carolyn Sue Kline                                                   |
| H144-2066 | Hocker                          | 10/4/2008  | T    | Harold & Jean Marvel - 50th Wedding Anniversary                     |
| H144-2067 | Manolakos; Maier                | 9/21/2008  | M    | Phyllis R. Peavy                                                    |
| H144-2068 | Maier                           | 9/17/2008  | M    | Patrick T. Tobin, Jr.                                               |
| H144-2069 | Schooley                        | 10/2/2008  | T    | Anne Biddle - School Nurse of the Year                              |
|           | cosponsor: Rep. Hall-Long       |            |      |                                                                     |
| H144-2070 | Thornburg                       | 9/29/2008  | T    | Ted Bobola, Jr. - Distinguished Service to Agriculture              |
| H144-2071 | Hocker                          | 10/5/2008  | T    | Mary Talley - 100th Birthday                                        |
| H144-2072 | Keeley                          | 10/1/2008  | T    | Paul Calistro, Jr. - Wilmington Award Recipient - Community Service |
| H144-2073 | Keeley                          | 10/1/2008  | T    | Carmen Aponte - Wilmington Award Recipient - Senior Category        |
| H144-2074 | Keeley                          | 10/1/2008  | T    | William Curry - Wilmington Award Recipient - Senior Category        |
| H144-2075 | Keeley                          | 10/1/2008  | T    | Demetrio Ortega - Wilmington Award Recipient - Public Service       |
| H144-2076 | Plant                           | 10/1/2008  | T    | EDIS Company - Wilmington Award Recipient – Business Category       |
|           | cosponsor: Rep. Keeley          |            |      |                                                                     |
| H144-2077 | Outten                          | 10/3/2008  | T    | The Felton Bank - 100th Anniversary                                 |
| H144-2078 | Wagner                          | 10/4/2008  | T    | Kelly Supers & Adam Ring - Marriage                                 |
|           | cosponsor: Rep. Outten          |            |      |                                                                     |
| H144-2079 | Wagner; Blakey                  | 10/17/2008 | T    | Amy Rigby & Matthew Metz - Marriage                                 |
| H144-2080 | Wagner                          | 8/9/2008   | T    | Morgan Brown & David Holden - Marriage                              |
| H144-2081 | Viola                           | 10/4/2008  | T    | B. W. Harris Episcopal Class of 1978 - 30th Reunion                 |
| H144-2082 | Spence                          | 10/8/2008  | T    | 2008 National Day of Republic of China                              |
|           | cosponsors: All Representatives |            |      |                                                                     |
| H144-2083 | Booth; Wagner                   | 9/23/2008  | M    | Dr. Michael Andrew Kubico, Sr.                                      |
| H144-2084 | Booth                           | 9/29/2008  | M    | Dorothy Clarke Watson                                               |

#### HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                               | Date       | Type | Description                                                        |
|-----------|---------------------------------------|------------|------|--------------------------------------------------------------------|
| H144-2085 | Lee                                   | 10/18/2008 | T    | Oscar Porter - 50 Years - Delmar Fire Department                   |
| H144-2086 | Lee                                   | 10/18/2008 | T    | James Banks - 50 Years - Delmar Fire Department                    |
| H144-2087 | Walls                                 | 10/4/2008  | T    | Brett Wyatt - Eagle Scout                                          |
| H144-2088 | Ewing                                 | 10/4/2008  | T    | The Carey Family - Farm Family of the Year                         |
| H144-2089 | Thornburg                             | 10/4/2008  | T    | Honorable J. Benjamin Ewing - Distinguished Service to Agriculture |
| H144-2090 | McWilliams                            | 6/14/2008  | T    | Martin & Norah Mulhern - 50th Wedding Anniversary                  |
| H144-2091 | Mulrooney                             | 8/25/2008  | T    | Ray & Alice Christian - 60th Wedding Anniversary                   |
| H144-2092 | Hall-Long                             | 9/13/2008  | T    | Richard & Shirley Towner - 50th Wedding Anniversary                |
| H144-2093 | Wagner                                | 9/30/2008  | M    | George A. Meredith, Jr.                                            |
| H144-2094 | Wagner                                | 9/27/2008  | T    | Susan Keller & David Ulp - Marriage                                |
| H144-2095 | Outten                                | 10/11/2008 | T    | Dick Andrews - Milford Volunteer of the Year                       |
| H144-2096 | cosponsor: Rep. Walls<br>Outten       | 10/15/2008 | T    | Linda Chick - Addressing Critical Needs of Women                   |
| H144-2097 | cosponsor: Rep. Walls<br>Walls; Carey | 10/15/2008 | T    | Wal-Mart - Supported Employment Award - KSI                        |
| H144-2098 | Walls; Carey                          | 10/15/2008 | T    | Veterans Home - Supported Employment Award – KSI                   |
| H144-2099 | Walls; Carey                          | 10/15/2008 | T    | Metro Food - Supported Employment Award - KSI                      |
| H144-2100 | Walls; Carey                          | 10/15/2008 | T    | Intervet/Schering Plough Animal Health - Award – KSI               |
| H144-2101 | Walls; Carey                          | 10/15/2008 | T    | Kraft Foods Global - Industrial Work Crew Award - KSI              |
| H144-2102 | Walls; Carey                          | 10/15/2008 | T    | Energizer Personal Care - Industrial Work Crew Award               |
| H144-2103 | Walls; Carey                          | 10/15/2008 | T    | LabCorp - KSI Cartridge Service Award                              |
| H144-2104 | Walls; Carey                          | 10/15/2008 | T    | Sussex County Council - KSI Cartridge Service Award                |
| H144-2105 | Walls; Carey                          | 10/15/2008 | T    | State Printing & Publishing - Subcontract Award – KSI              |
| H144-2106 | Walls; Carey                          | 10/15/2008 | T    | Del-One - Subcontract Award - KSI                                  |
| H144-2107 | Walls; Carey                          | 10/15/2008 | T    | Fastenal Company - Subcontract Award - KSI                         |
| H144-2108 | Walls; Carey                          | 10/15/2008 | T    | Perdue Farms, Inc. - Subcontract Award - KSI                       |
| H144-2109 | Walls; Carey                          | 10/15/2008 | T    | Dentsply/Caulk - Subcontract Award - KSI                           |

HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| Number    | Sponsor                                              | Date       | Type | Description                                                  |
|-----------|------------------------------------------------------|------------|------|--------------------------------------------------------------|
| H144-2110 | Walls; Carey                                         | 10/15/2008 | T    | Procter & Gamble - Partnership Award - KSI                   |
| H144-2111 | Spence                                               | 10/28/2008 | T    | Gerald M. Lemole, M.D. - Lifetime Achievement Award          |
| H144-2112 | cosponsors: All Representatives<br>D. Short          | 10/9/2008  | T    | Margaret Harris - Retirement - Shipley Service Center        |
| H144-2113 | Longhurst                                            | 10/13/2008 | T    | Proud Family - Farm Family of the Year                       |
| H144-2114 | Hall-Long                                            | 10/25/2008 | T    | Clayton Century Club - 85th Anniversary                      |
| H144-2115 | Outten                                               | 10/14/2008 | T    | Breeding Farm - Century Farm Award                           |
| H144-2116 | Thornburg                                            | 10/14/2008 | T    | Attix-Meyer Farm - Century Farm Award                        |
| H144-2117 | Blakey                                               | 10/14/2008 | T    | Fibelkorn Farm - Century Farm & Historic Structures Awards   |
| H144-2118 | Lofink                                               | 10/4/2008  | M    | Dorothy Laws                                                 |
| H144-2119 | Wagner                                               | 10/5/2008  | M    | Grace W. Pierce-Beck                                         |
| H144-2120 | cosponsors: All Representatives<br>Lee               | 10/8/2008  | M    | Edward H. Ralph                                              |
| H144-2121 | Hudson                                               | 10/30/2008 | T    | Verino Pettinaro - 70th Birthday                             |
| H144-2122 | Carson                                               | 8/23/2008  | T    | Larry & Carol Graf - 50th Wedding Anniversary                |
| H144-2123 | Lavelle                                              | 10/25/2008 | T    | Brandywine High School - 50th Anniversary                    |
| H144-2124 | cosponsors: Reps. Hudson, Marshall & Oberle<br>Stone | 10/12/2008 | M    | Jeanette M. Cullen                                           |
| H144-2125 | Wagner                                               | 10/10/2008 | M    | Edward W. Clevenger                                          |
| H144-2126 | Wagner                                               | 10/29/2008 | T    | Ian Robert Walsh - Eagle Scout                               |
| H144-2127 | Hastings                                             | 11/2/2008  | T    | Estelle Olsen - 102nd Birthday                               |
| H144-2128 | Booth                                                | 11/1/2008  | T    | Virginia Sherman - 80th Birthday                             |
| H144-2129 | Keeley                                               | 10/12/2008 | M    | Adlene Clark                                                 |
| H144-2130 | Carson                                               | 10/17/2008 | T    | Laura Willis - Passed Bar Exam                               |
| H144-2131 | Blakey;<br>Wagner                                    | 10/25/2008 | T    | Dr. Bradley Skelcher - African American History Preservation |
| H144-2132 | Carson                                               | 10/19/2008 | T    | Asbury United Methodist Church - 230th Anniversary           |
| H144-2133 | Wagner                                               | 11/2/2008  | T    | Donald & Sylvia Crews - 50th Wedding Anniversary             |
| H144-2134 | Wagner                                               | 8/6/2008   | T    | Wallace & Dawn Seams - 25th Wedding Anniversary              |

HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u>                               | <u>Date</u> | <u>Type</u> | <u>Description</u>                                                         |
|---------------|----------------------------------------------|-------------|-------------|----------------------------------------------------------------------------|
| H144-2135     | Ewing                                        | 10/16/2008  | T           | Rosalie Walls - Return Day Coordinator                                     |
| H144-2136     | Wagner;<br>Blakey                            | 10/25/2008  | T           | Hattie Mishoe - Honored at Freedom Fund<br>Banquet                         |
| H144-2137     | Wagner; Stone                                | 10/25/2008  | T           | Holy Trinity Church of Living God - Dedication                             |
| H144-2138     | Stone                                        | 10/15/2008  | M           | George Charles Eilers, Sr.                                                 |
| H144-2139     | cosponsors: Reps. Outten & Wagner<br>Keeley  | 10/24/2008  | T           | Councilman Jea Street - 25 Years - Hilltop<br>Lutheran Neighborhood Center |
| H144-2140     | cosponsor: Rep. Johnson<br>Brady;<br>Johnson | 10/25/2008  | M           | Theophilus R. Nix                                                          |
| H144-2141     | Lee                                          | 9/27/2008   | T           | Willard & Rita Marvel - 50th Wedding Anniversary                           |
| H144-2142     | Oberle                                       | 9/21/2008   | T           | April Hayden - 1st Place - Duathlon                                        |
| H144-2143     | Outten                                       | 10/19/2008  | M           | Wallace E. Ryan                                                            |
| H144-2144     | Spence                                       | 10/20/2008  | M           | Honorable William I. Houghton                                              |
|               | cosponsors: All Representatives              |             |             |                                                                            |
| H144-2145     | Kowalko                                      | 10/20/2008  | M           | Goodwin Keener Cobb, III                                                   |
| H144-2146     | Hastings                                     | 10/25/2008  | T           | Indian River Volunteer Fire Company - 55th<br>Anniversary                  |
|               | cosponsors: Reps. Lee &<br>Schwartzkopf      |             |             |                                                                            |
| H144-2147     | Outten                                       | 10/21/2008  | M           | James L. Webb                                                              |
| H144-2148     | Wagner;<br>Blakey                            | 10/25/2008  | T           | Dr. Warren Rhodes - Honored at Freedom Fund<br>Banquet                     |
| H144-2149     | Mulrooney                                    | 10/24/2008  | T           | Howard Weston Senior Center - 30th Anniversary                             |
| H144-2150     | B. Short                                     | 10/22/2008  | M           | David A. McClintock                                                        |
| H144-2151     | Booth                                        | 8/9/2008    | T           | Kruger Trailers, Inc. - 50 Years of Service                                |
| H144-2152     | Plant; Keeley                                | 6/10/2008   | T           | Anthony El - Father Trainor Scholarship                                    |
| H144-2153     | Maier                                        | 10/8/2008   | M           | George L. Pearson, Jr.                                                     |
| H144-2154     | Hastings                                     | 11/1/2008   | T           | Frankford Volunteer Fire Company - 75th<br>Anniversary                     |
|               | cosponsors: Reps. Hocker & Lee               |             |             |                                                                            |
| H144-2155     | Wagner                                       | 10/21/2008  | M           | Dr. Charles Samuel Smith, Jr.                                              |
| H144-2156     | Wagner;<br>Blakey                            | 10/25/2008  | T           | Clealyn V. B. Wilson - Honored at Freedom Fund<br>Banquet                  |
| H144-2157     | Valihura                                     | 10/23/2008  | M           | Joseph J. Bussian                                                          |
| H144-2158     | Outten                                       | 10/31/2008  | T           | Joan Wutka - Retirement - House Staff                                      |

HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: November 13, 2008

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

| <u>Number</u> | <u>Sponsor</u> | <u>Date</u> | <u>Type</u> | <u>Description</u>                                |
|---------------|----------------|-------------|-------------|---------------------------------------------------|
| H144-2159     | Wagner; Stone  | 11/2/2008   | T           | Wesley United Methodist - 230th Anniversary       |
| H144-2160     | Carey          | 10/25/2008  | T           | Robert & Joyce Voshell - 50th Wedding Anniversary |
| H144-2161     | Ewing          | 11/3/2008   | M           | Pauline H. Chaffinch                              |
| H144-2162     | Carey          | 10/25/2008  | T           | William & Joan Knapp - 50th Wedding Anniversary   |
| H144-2163     | Hastings       | 11/3/2008   | T           | Gregory Lee Emerson, Jr. - Eagle Scout            |
| H144-2164     | Booth          | 10/9/2008   | T           | Wallace & Kay Kopple - 70th Wedding Anniversary   |
| H144-2165     | B. Short       | 9/22/2008   | T           | Sean C. Naughton - Eagle Scout                    |

T- Tribute

M - Memoriam



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HB 7 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE SCHOOL BULLYING PREVENTION ACT. (Signed by the Governor 6/9/07) p. 7, 9, 16-17, 65, 69-70, 102.

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HB 42 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. (Senate Executive Committee) p. 28, 68, 194-195.

HB 43 AN ACT TO AMEND VOLUME 43, CHAPTER 184, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT CHANGING THE NAME OF THE TOWN OF SEAFORD TO THE CITY OF SEAFORD AND ESTABLISHING A CHARTER THEREFORE", RELATING TO TAXES, DEBTS, CONTRACTS AND FINANCING. (Stricken 3/29/07) p. 28, 43, 51.

HB 44 w/HA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Senate Insurance & Elections Committee) p. 28, 43, 95-96.

HB 45 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A STATEWIDE MANDATORY CURBSIDE RECYCLING PROGRAM FOR SEPARATED RECYCLABLE MATERIALS. (Stricken 3/29/07) p. 28, 52.

HB 46 AN ACT TO AMEND CHAPTER 23, TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD. (Signed by the Governor 7/5/07) p. 28, 35, 37, 154, 171.

HS 1/HB 47 w/HA 1 & 2 AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO REPORTING AND DISCLOSURE OF INFECTIONS. (Signed by the Governor 7/12/07) p. 28, 35, 61, 111, 144, 170, 172.

HB 48 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CERTAIN SPECIFIC REQUESTED RELIEF IN DIVORCE ACTIONS. (Signed by the Governor 7/5/07) p. 28, 35, 47, 154, 171.

HB 49 AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (Stricken 6/26/07) p. 25, 136.

HB 50 AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO TAXES AND FEES SUPPORTING THE TRANSPORTATION TRUST FUND. (Stricken 6/5/07) p. 25, 103.

HB 51 AN ACT TO AMEND 75 DELAWARE LAWS, CHAPTER 353, RELATING TO THE FY 2007 BOND BILL. (House Capital Infrastructure Committee) p. 28, 37.

HS 1/HB 52 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO GIFT CERTIFICATES AND GIFT CARDS. (Stricken 6/24/08) p. 28, 111, 125, 318.

HB 53 AN ACT CONCURRING IN A PROPOSED AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, DELETING REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. (Enacted without signature) p. 28, 35, 37, 61, 70.

HB 54 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEARCH AND SEIZURE. (Senate Public Safety Committee) p. 28, 43, 49, 57.

HB 55 AN ACT TO AMEND TITLE 20, DELAWARE CODE RELATING TO BURIAL IN A DELAWARE VETERANS CEMETERY. (Signed by the Governor 6/28/07) p. 28, 43, 51, 121, 154.

HB 56 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY COURT JURISDICTION AND PROCEEDINGS IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 5/15/07) p. 28, 35, 45-46, 82, 102.

HB 57 w/HA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE 2-1-1 INFORMATION HELPLINE. (Signed by the Governor 8/1/07) p. 28, 41, 43-44, 70-71, 77, 170, 172.

HB 58 AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO THE BUDGET. (Signed by the Governor 5/10/07) p. 28, 43, 51, 79, 102.

HB 59 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES. (Stricken 6/21/07) p. 28, 43, 128.

HS 1/HB 60 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO OPEN LEGISLATIVE COMMITTEE MEETINGS. (Senate Executive Committee) p. 28, 162-163.

HB 61 AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTIONS AND CANDIDATE DISCLOSURES. (Senate Finance Committee) p. 29, 37, 129.

HB 62 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WITNESS INTIMIDATION PENALTIES. (House Judiciary Committee) p. 29.

HB 63 AN ACT TO AMEND CHAPTER 90 OF TITLE 11 OF THE DELAWARE CODE PERTAINING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (House Judiciary Committee) p. 29, 97.

HB 64 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SURVIVOR'S ELIGIBILITY FOR PENSION BENEFITS. (House Appropriations Committee) p. 29, 75.

HB 65 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LIMITING ARTIFICIAL TRANS FATS IN FOOD AVAILABLE TO OR SERVED TO STUDENTS IN PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS. (House Ready List) p. 29, 75, 171, 186.

HB 66 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING FOR SCHOOL BUSES. (Defeated in the Senate 6/30/07) p. 29, 35, 44-46, 354.

HB 67 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Defeated in the House 5/8/07) p. 29, 43, 81.

HB 68 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYISTS. (House Ready List) p. 29, 75, 82.

HB 69 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITED HUNTING AND TRAPPING DEVICES AND METHODS. (Signed by the Governor 6/13/07) p. 29, 43, 72, 106, 119.

HB 70 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 29.

HB 71 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG OFFENSES. (Senate Executive Committee) p. 29-30, 41, 45, 52-55.

HB 72 w/SA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING. (Signed by the Governor 7/10/07) p. 29, 43, 58, 136, 161, 172.

HB 73 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES. (Stricken 3/20/07) p. 30, 40.

HB 74 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE SALE OR RENT OF MANUFACTURED HOME COMMUNITIES. (Stricken 3/20/07) p. 30, 40.

HB 75 w/SA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 5/23/07) p. 30, 43, 51, 90, 96, 102.

HB 76 AN ACT TO PROHIBIT HUMAN AND HUMAN/NON-HUMAN CLONING IN DELAWARE. (House Health & Human Development Committee) p. 29, 40, 45, 73.

HB 77 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIDEO GAMES AND OBSCENITY. (House Judiciary Committee) p. 30.

HB 78 w/HA 1 & 4 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Defeated in the House 5/10/07) p. 30, 48-49, 70, 78, 82, 85, 87-88.

HB 79 AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK, 48 DEL. LAWS, CHAPTER 152, AS AMENDED. (Stricken 3/27/07) p. 35, 43, 47.

HB 80 AN ACT AWARDED SPECIAL PENSION BENEFITS TO DOROTHY L. FRANKLIN AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. (House Appropriations Committee) p. 35, 43-44.

HB 81 w/HA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF LAUREL, CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, TO ADD A NEW SECTION 36A, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE IN SECTION 15 FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (Signed by the Governor 5/10/07) p. 35, 38, 43, 57, 79, 102.

HB 82 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (Senate Finance Committee) p. 38, 68, 127, 160.

HB 83 w/HA 1 AN ACT TO AMEND CHAPTER 29, TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL SALES OF MOTOR FUEL. (Signed by the Governor 6/21/07) p. 38, 48, 66, 82, 91-92, 111, 137.

HB 84 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE DETECTIVES AND SPECIAL INVESTIGATORS OF THE DEPARTMENT OF JUSTICE. (Signed by the Governor 6/18/07) p. 38, 48, 77, 81, 108, 119.

HB 85 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SOCIAL SERVICES. (Stricken 5/3/07) p. 38, 48, 77.

HB 86 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DUTIES OF AN OFFICER HAVING A CHILD IN CUSTODY. (Senate Public Safety Committee) p. 41, 100, 103.

HB 87 w/SA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/28/07) p. 41, 48, 56, 119, 127, 154.

HB 88 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT AND DUTIES OF A HEALTHCARE INSPECTOR GENERAL IN THE DIVISION OF PUBLIC HEALTH. (House Health & Human Development Committee) p. 41.

HB 89 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE SUNSET ACT. (Signed by the Governor 5/15/08) p. 41, 54, 69, 238, 250, 268.

HB 90 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CHILD PROTECTION ACCOUNTABILITY COMMISSION. (Signed by the Governor 7/5/07) p. 43, 48, 57-58, 154, 171.

HB 91 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Senate Veterans Affairs Committee) p. 43, 48, 103, 114-115.

HB 92 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE AN ARBITRATION PROCEDURE FOR DISPUTES BETWEEN INSURANCE CARRIERS AND HEALTH CARE PROVIDERS. (Signed by the Governor 6/28/07) p. 43, 68, 96, 113, 127, 154.

HB 93 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO VACANCIES ON NEW CASTLE COUNTY COUNCIL. (House Housing & Community Affairs Committee) p. 43.

HB 94 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ADULT CORRECTION HEALTHCARE REVIEW COMMITTEE. (Stricken 6/26/08) p. 43, 75, 334.

HB 95 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CONFINEMENT OF CAGED EGG-LAYING HENS. (House Agriculture Committee) p. 44-45, 60.

HB 96 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF HARRINGTON, KENT COUNTY, TO THE CITY OF HARRINGTON (Signed by the Governor 6/28/07) p. 45, 48, 51, 75, 89-90, 128, 154.

HB 97 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. (House Appropriations Committee) p. 62, 75.

HB 98 w/HA 1 AN ACT TO AMEND VOLUME 53, CHAPTER 42, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD" RELATING TO TAXES, DEBTS, CONTRACTS AND FINANCING. (Signed by the Governor 6/18/07) p. 45, 48, 68, 88, 117, 119.

HB 99 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGES. (Signed by the Governor 5/15/07) p. 45, 61, 69, 90, 102.

HB 100 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (Signed by the Governor 7/12/07) p. 48, 71, 75, 103, 170, 172.

HB 101 w/HA 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE. (Signed by the Governor 2/4/08) p. 49, 68, 122, 142, 199, 203.

HB 102 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Stricken 3/29/07) p. 49, 52.

HB 103 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA AND REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS AND ADOPTIONS. (Signed by the Governor 3/20/08) p. 49, 61, 185, 213, 222.

HB 104 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICE SYSTEMS. (House Health & Human Development Committee) p. 49.

HB 105 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND PHARMACY BENEFIT MANAGER PRACTICES. (House Economic Development/Banking & Insurance Committee) p. 49, 104.

HS 1/HB 106 AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO MIDWIVES. (House Health & Human Development Committee) p. 49, 54, 56, 72-73, 76, 85, 122.

HB 107 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE RELATING TO FISHING. (Signed by the Governor 6/30/07) p. 49, 56, 61, 71, 75, 145-146, 154, 170.

HB 108 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES. (Signed by the Governor 6/30/07) p. 49, 61, 75, 125, 146, 154, 170.

HB 109 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Signed by the Governor 7/12/07) p. 49, 61, 65, 170, 172.

HB 110 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP AND BLANKET HEALTH INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 53.

HS 1/HB 111 AN ACT TO AMEND TITLES 9, 22 AND 30 RELATING TO LAND USE AND THE APPLICABILITY OF LOCAL GOVERNMENTS' REALTY TRANSFER TAXES. (House Transportation/Land Use and Infrastructure Committee) p. 53, 66, 100.

HB 112 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Stricken 6/26/07) p. 53, 61, 131.

HB 113 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSES AND TAXES. (Senate Ready List) p. 53, 68, 75, 82, 92.

HB 114 w/HA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO CLEAR ZONES WITHIN STATE RIGHTS-OF-WAY. (Senate Judiciary Committee) p. 53, 66, 75, 297.

HB 115 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REGULATION OF OUTDOOR ADVERTISING. (Signed by the Governor 7/17/07) p. 55, 125, 130, 143-144, 171-172.

HS 1/HB 116 AN ACT RELATING TO CRIMINAL CONSEQUENCES OF CONDUCT THAT INVOLVES CERTAIN TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE. (Signed by the Governor 7/12/07) p. 55, 84, 90, 113, 125, 143, 170, 172.

HB 117 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT. (House Ready List) p. 56, 68.

HB 118 w/HA 1, 2, 3 & 4 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF SUSSEX COUNTY. (Defeated in the Senate 6/30/07) p. 56, 73, 106, 111, 125, 128, 132, 170, 354.

HB 119 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK, 48 DEL. LAWS, CHAPTER 152, AS AMENDED, RELATING TO VACANCY IN ELECTIVE OFFICE. (Signed by the Governor 5/17/07) p. 56, 68, 70, 79, 87, 102.

HB 120 w/HA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING IN MUNICIPAL ELECTIONS OTHER THAN THE CITY OF WILMINGTON. (Signed by the Governor 6/26/07) p. 56, 70, 75, 78, 117, 154.

HB 121 w/HA 3 & SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/5/07) p. 59, 73, 75, 93, 97, 136, 152, 171.

HB 122 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES. (Senate Veterans Affairs Committee) p. 56, 68, 116.

HB 123 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO URGENT AND PREVENTATIVE DENTAL CARE FOR PREGNANT MEDICAID RECIPIENTS. (House Appropriations Committee) p. 59, 68, 85.

HB 124 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN. (House Ready List) p. 59, 68.

HB 125 AN ACT TO AMEND CHAPTER 109, VOLUME 74 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO THE ESTABLISHMENT OF A HEARING AID LOAN BANK" TO ELIMINATE THE SUNSET PROVISION RELATING TO THE HEARING AID LOAN BANK. (Stricken 5/15/07) p. 59, 68, 92.

HB 126 AN ACT TO AMEND CHAPTER 30, TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION. (Signed by the Governor 6/28/07) p. 59, 75, 92-94, 121, 154.

HB 127 w/HA 1 AN ACT TO AMEND CHAPTER 152, VOLUME 48 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT CHANGING THE NAME OF THE 'TOWN OF NEWARK' TO THE 'CITY OF NEWARK' AND ESTABLISHING A CHARTER THEREFOR", RELATING TO THE REGISTRATION OF VOTERS. (Signed by the Governor 6/21/07) p. 59, 68, 76, 113, 137.

HB 128 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (House Ready List) p. 62, 108.

HB 129 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF HEALTH. (Senate Children; Youth & Families Committee) p. 62, 75, 79, 82.

HB 130 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND SEXUAL OFFENSES. (Signed by the Governor 6/28/07) p. 62, 68, 75, 78, 136, 154.

HB 131 AN ACT TO AMEND AN ACT ENTITLED: "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE" TO SIMPLIFY THE PROCESS FOR ANNEXATION OF LANDS INTO THE TOWN WHERE THE OWNER OF SUCH LANDS PETITIONS ANNEXATION AND, IN ALL OTHER SITUATIONS, TO REQUIRE A FAVORABLE ELECTION OF THE RESIDENTS AND PROPERTY OWNERS OF THE LANDS TO BE ANNEXED AS A CONDITION PRECEDENT TO ANNEXATION. (Stricken 4/26/07) p. 62, 65, 71.

HB 132 AN ACT TO AMEND CHAPTER 55, TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE BALLOTS. (Signed by the Governor 6/28/07) p. 62, 100, 112-113, 136, 154.

HB 133 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSING MOTORCYCLE OPERATORS. (Signed by the Governor 6/14/07) p. 62, 68, 76, 101, 105, 119.

HB 134 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/28/07) p. 62, 68, 88, 128, 154.

HB 135 AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES". (Signed by the Governor 6/18/07) p. 62, 84, 88-89, 113, 119.

HB 136 AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (House Appropriations Committee) p. 62, 75.

HB 137 w/HA 1 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PRENEED FUNERAL CONTRACTS. (Signed by the Governor 5/23/07) p. 62, 75, 85, 88, 100, 102.

HB 138 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (House Appropriations Committee) p. 62, 68, 84.

HB 139 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO WARNING SIRENS ON THE PREMISES OF PUBLIC AND PRIVATE POST-SECONDARY EDUCATIONAL INSTITUTIONS. (House Public Safety & Homeland Security Committee) p. 65.

HB 140 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES. (House Energy and Natural Resources Committee) p. 66, 109.

HB 141 AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH. (Signed by the Governor 5/10/07) p. 65, 70, 72, 79, 102.

HB 142 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES AND SEARCH AND SEIZURE. (Signed by the Governor 7/5/07) p. 71, 84, 95, 154, 171.

HB 143 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (Signed by the Governor 6/19/08) p. 71, 84, 95, 289, 319.

HB 144 AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 6/18/07) p. 71, 90, 94, 117, 119.

HB 145 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO REGULATORY PROVISIONS. (House Administration Committee) p. 71.

HS 1/HB 146 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RESIDENTIAL CURBSIDE RECYCLING. (Defeated 6/28/07) p. 73, 100-101, 122, 136, 151.

HB 147 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE AND IDENTIFICATION CARD EXPIRATION DATES. (Signed by the Governor 7/12/07) p. 73, 84, 127, 146, 170, 172.

HB 148 w/HA 1 AN ACT TO AMEND CHAPTER 48, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (Signed by the Governor 5/10/07) p. 71, 75-76, 84, 102.

HS 1/HB 149 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REDUCED IGNITION PROPENSITY CIGARETTES AND FIRE SAFETY. (Signed by the Governor 7/5/07) p. 73, 84, 96, 136, 171.

HB 150 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ARREST AND COMMITMENT; FRESH PURSUIT. (Signed by the Governor 7/18/07) p. 73, 125, 147, 171-172.

HB 151 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (House Judiciary Committee) p. 73, 130.

HB 152 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (House Judiciary Committee) p. 73.

HB 153 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE PENSION PLAN. (Signed by the Governor 5/1/08) p. 73, 100, 130, 132, 226, 233-234, 248.

HB 154 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. (Signed by the Governor 7/10/07) p. 73, 84, 132, 170, 172.

HB 155 w/HA 1, 2, 3 & 4 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE ESTABLISHING THE OFFICE OF THE STATE INSPECTOR GENERAL. (Senate Finance Committee) p. 73, 90, 125, 129.

HB 156 w/HA 1 AN ACT TO AMEND CHAPTER 2, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON'S LAST REMAINS. (Signed by the Governor 7/10/07) p. 79, 111-112, 132, 170, 172.

HB 157 w/SA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE. (Signed by the Governor 7/12/07) p. 79, 100, 112, 154, 161, 172.

HB 158 AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CREATION AND CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CRIMES, VIOLATIONS OR CIVIL INFRACTIONS AND THE JURISDICTION AND PROCEDURES THEREFORE. (Stricken 6/30/07) p. 78, 111, 162.

HB 159 w/HA 1, 3 & 5 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE TO PROVIDE ASSISTANCE FOR THE ESTABLISHMENT OF PUBLIC AND PRIVATE PROGRAMS TO INCREASE THE LEVEL OF VOLUNTARY RECYCLING AND BENEFICIAL USE OF SOLID WASTE MATERIALS IN DELAWARE. (Defeated in the Senate 6/17/08) p. 79, 100, 105, 168, 222, 230, 242, 254, 295, 354.

HB 160 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 7/17/07) p. 79, 100, 116, 170, 172.

HB 161 AN ACT TO AMEND ARTICLE V, CHAPTER 4 OF THE CITY OF WILMINGTON'S HOME CHARTER RELATING TO THE DEPARTMENT OF PUBLIC WORKS AND PROPERTY OWNER'S RESPONSIBILITIES. (Stricken 6/6/07) p. 79, 100, 102, 105.

HB 162 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PREDATORY MORTGAGE LENDING. (House Economic Development/Banking & Insurance Committee) p. 82.

HB 163 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF A FIREARM BY PERSONS PREVIOUSLY CONVICTED OF A VIOLENT FELONY. (Signed by the Governor 7/5/07) p. 82, 84, 100, 112, 115-116, 148, 171.

HB 164 AN ACT TO AMEND CHAPTER 24A, TITLE 6 OF THE DELAWARE CODE RELATING TO DEBT MANAGEMENT SERVICES. (Signed by the Governor 7/17/07) p. 82, 124, 144, 170, 172.

HB 165 w/HA 1 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. (Signed by the Governor 7/10/07) p. 84, 108, 112-113, 170, 172.

HB 166 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERTAINING TO LINE-OF-DUTY DISABILITY BENEFITS TO COVERED FIREFIGHTERS. (House Ready List) p. 84, 117.

HB 167 AN ACT TO AMEND CHAPTER 10, TITLE 16 OF THE DELAWARE CODE RELATING TO POLICIES OF HOSPITALS AND OTHER FACILITIES. (House Ready List) p. 84, 111, 122.

B 168 AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS. (Signed by the Governor 7/10/07) p. 85, 108, 134-135, 170, 172.

HB 169 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITAL QUALITY REPORT CARD. (House Health & Human Development Committee) p. 90, 122, 126, 130, 155.

HB 170 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM AND STATE COLLEGE AND UNIVERSITY POLICE DEPARTMENTS. (Stricken 3/20/08) p. 90, 108, 217.

HB 171 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEDICAL PRACTICE ACT. (Stricken 6/19/07) p. 90, 121.

HB 172 w/HA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Signed by the Governor 7/12/07) p. 90, 111, 118, 149, 152-153, 171-172.

HB 173 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (House Public Safety & Homeland Security Committee) p. 93.

HB 174 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ELECTRONIC POSTMARKS AND THE UNIFORM ELECTRONIC TRANSACTIONS ACT. (Signed by the Governor 6/26/08) p. 93, 108, 130, 142-143, 300, 339.

HB 175 w/SA 1 AN ACT TO AMEND SUBCHAPTER III OF CHAPTER 31 OF TITLE 20 OF THE DELAWARE CODE PERTAINING TO THE EXERCISE OF EMERGENCY POWERS. (Signed by the Governor 6/28/07) p. 97, 100, 105, 117, 131, 154.

HB 176 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE AND 73 DELAWARE LAWS, CHAPTER 6, RELATING TO THE HISTORIC PRESERVATION TAX CREDIT'S SUNSET DATE. (Senate Revenue & Taxation Committee) p. 97, 100, 119.

HB 177 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CANDIDATES. (Defeated in the House 6/30/07) p. 97, 108, 161.

HB 178 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE RE-ESTABLISHMENT OF A HEARING AID LOAN BANK. (Signed by the Governor 7/12/07) p. 97, 108, 112, 142, 170, 172.

HB 179 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE SECRETARY OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Signed by the Governor 7/12/07) p. 101, 108, 135, 170, 172.

HB 180 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SELLING STOLEN PROPERTY. (Signed by the Governor 7/17/07) p. 101, 125, 135-136, 170, 172.

HB 181 AN ACT TO AMEND CHAPTER 19 OF TITLE 14 RELATING TO COLLECTION AND DEPOSIT OF SCHOOL TAXES. (House Ready List) p. 101, 111.

HB 182 AN ACT TO AMEND CHAPTER 7, TITLE 7 OF THE DELAWARE CODE RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH. (Signed by the Governor 7/17/07) p. 101, 111, 135, 170, 172.

HB 183 AN ACT TO AMEND CHAPTER 9, TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (Signed by the Governor 3/20/08) p. 101, 111, 151-152, 203, 222.

HB 184 AN ACT TO AMEND TITLE 10 AND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE COLLEGE INVESTMENT PLAN. (Signed by the Governor 7/17/07) p. 101, 111, 116-117, 135, 170, 172.

HB 185 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENTS' ESTATES. (Signed by the Governor 7/17/07) p. 101, 108, 119, 170, 172.

HB 186 AN ACT TO AMEND TITLES 9 AND 22 RELATING TO LAND USE AND THE ABILITY OF LOCAL GOVERNMENTS TO PERMIT SUBDIVISION OF PROPERTY. (House Transportation/Land Use and Infrastructure Committee) p. 104, 110, 117, 151.

HB 187 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (Signed by the Governor 6/30/07) p. 104, 111, 141-142, 154, 170.

HB 188 AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. (House Ready List) p. 106, 125.

HB 189 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES. (Senate Finance Committee) p. 106, 111, 117, 138, 150.

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HB 191 w/HA 2 AN ACT TO AMEND VOLUME 70, CHAPTER 91, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF FELTON. (Signed by the Governor 7/12/07) p. 109, 125, 130, 145, 170, 172.

HB 192 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LIFE INSURANCE. (Signed by the Governor 4/18/08) p. 109, 153, 158, 165-166, 223, 248.

HB 193 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MOSQUITO CONTROL. (Signed by the Governor 7/17/07) p. 109, 125, 136, 170, 172.

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HB 195 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. (Senate Public Safety Committee) p. 111, 125, 136.

HB 196 w/HA 2 & 3 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOBBYISTS. (Senate Executive Committee) p. 109, 125, 219-220.



HS 1/HB 197 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE ENABLING NEW CASTLE COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO REDEVELOPMENT. (Signed by the Governor 2/1/08) p. 111, 113, 125, 138, 143, 194, 196, 203.

HB 198 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION. (House Manufactured Housing Subcommittee) p. 112.

HB 199 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS IN THE FAMILY COURT. (Stricken 6/21/07) p. 112, 128.

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HB 202 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE READY RESERVE. (Signed by the Governor 7/17/07) p. 112, 125, 148, 170, 172.

HB 203 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CONTRACT. (Senate Insurance & Elections Committee) p. 112, 188, 204.

HB 204 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' RETIREE PENSION PLAN. (House Economic Development/Banking & Insurance Committee) p. 113.

HB 205 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RELEASE OF PERSONS ACCUSED OF CRIMES. (House Judiciary Committee) p. 114, 122.

HS 1/HB 206 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 4/24/08) p. 114, 125, 172, 203, 219, 227, 248.

HB 207 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES AND COUNTERFEIT OR TAINTED CONTROLLED SUBSTANCES. (Senate Judiciary Committee) p. 114, 125, 164.

HB 208 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BURGLARY. (Signed by the Governor 6/30/08) p. 114, 125, 138, 149, 305, 354.

HB 209 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD. (Signed by the Governor 5/15/08) p. 114, 125, 183, 241, 250, 268.

HB 210 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PREDATORY REFUND ANTICIPATION LENDING. (House Economic Development/Banking & Insurance Committee) p. 117.

HB 211 AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND FINANCING, AND TO PROVIDE FOR SPECIAL DEVELOPMENT DISTRICT FINANCING FOR ELIGIBLE PROJECTS WHETHER OWNED BY THE TOWN OF MILLVILLE OR ANY STATE AND/OR LOCAL GOVERNMENTAL ENTITY OR AGENCY, AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF A SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH SUCH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (Signed by the Governor 2/1/08) p. 118, 128, 185, 195, 203.

HB 212 w/HA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE PROTECTION OF CHILDREN. (Senate Judiciary Committee) p. 118, 144, 157.

HB 213 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (Signed by the Governor 7/12/07) p. 117, 125, 136, 170, 172.

HB 214 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES. (Signed by the Governor 7/18/07) p. 116, 124, 136, 170, 172.

HB 215 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION. (Senate Ready List) p. 117, 125, 136.

HS 1/HB 216 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITED TRADE PRACTICES. (Signed by the Governor 7/3/08) p. 116, 258, 273, 280-281, 319, 354.

HB 217 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 117, 138.

HB 218 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS, SALESPERSONS AND APPRAISERS. (Signed by the Governor 6/26/08) p. 118, 125, 130, 145, 289, 299, 339.

HB 219 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON DEVELOPMENT FINANCE. (Stricken 6/30/07) p. 118, 121, 125, 149, 162.

HB 220 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CONTINUOUS REMOTE ALCOHOL MONITORING PILOT PROGRAM. (Signed by the Governor 7/12/07) p. 118, 136, 138, 152, 170, 172.

HB 221 AN ACT TO AMEND VOLUME 69, CHAPTER 115, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF HARRINGTON. (Signed by the Governor 1/24/08) p. 118, 135-136, 194, 203.

HB 222 AN ACT TO AMEND CHAPTER 184, VOLUME 43, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT CHANGING THE NAME OF THE TOWN OF SEAFORD TO THE CITY OF SEAFORD AND ESTABLISHING A CHARTER THEREFORE". (Signed by the Governor 7/17/07) p. 118, 135-136, 171-172.

HB 223 AN ACT TO AMEND TITLES 10, 11, 21 AND 29 OF THE DELAWARE CODE RELATING TO FINES, COSTS AND ASSESSMENTS FOR TRAFFIC VIOLATIONS. (House Ready List) p. 122, 125.

HS 1/HB 224 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FALSE ALARMS AND SECURITY SYSTEMS. (Signed by the Governor 8/2/07) p. 119, 125, 144, 170, 172.

HB 225 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF GREENWOOD CHAPTER (109 LAWS OF DELAWARE, VOLUME 68, AS AMENDED) TO DELEGATE TO THE TOWN TAX COLLECTOR THE SAME COLLECTION POWERS, INCLUDING MONITION PROCEEDINGS, AS CONFERRED UPON THE RECEIVER OF TAXES OF SUSSEX COUNTY. (Signed by the Governor 7/17/07) p. 122, 135-136, 170, 172.

HB 226 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION AND CRITERIA FOR GRANTING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO WASTEWATER UTILITIES. (Signed by the Governor 7/18/07) p. 122, 125, 142, 170, 172.

HB 227 AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE TO PERMIT QUALIFIED ENGINEERS TO TESTIFY AS EXPERTS IN THE DELAWARE COURTS. (Signed by the Governor 7/17/07) p. 121, 125, 135-136, 170, 172.

HB 228 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. (Signed by the Governor 7/18/07) p. 122, 125, 135-136, 170, 172.

HB 229 AN ACT TO AMEND TITLE 24, CHAPTER 15 OF THE DELAWARE CODE RELATING TO HOTELS, RESTAURANTS AND PLACES OF ENTERTAINMENT. (House Policy Analysis & Government Accountability Committee) p. 121.

HB 230 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS. (Stricken 6/20/07) p. 122, 124.

HB 231 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE REGULATIONS GOVERNING THE DESIGN AND OPERATION OF SCHOOL BUSES. (Signed by the Governor 5/22/08) p. 121, 194, 219, 257, 259, 268.

HB 232 AN ACT TO AMEND CHAPTER 5, TITLE 19 OF THE DELAWARE CODE RELATING TO CHILD LABOR. (Senate Executive Committee) p. 121, 151-152.

HB 233 AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING AND EDUCATION. (House Transportation/Land Use and Infrastructure Committee) p. 122.

HB 234 w/HA 1 AN ACT TO AMEND CHAPTER 91, TITLE 7 OF THE DELAWARE CODE PERTAINING TO GROSS RECEIPTS INCLUDED IN THE TAX ASSESSMENT FOR THE HAZARDOUS SUBSTANCE CLEANUP FUND. (Signed by the Governor 7/12/07) p. 122, 136, 147, 171-172.

HB 235 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADING AND PRACTICE. (Stricken 1/8/08) p. 121, 136, 171.

HS 1/HB 236 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEDICAL PRACTICE ACT. (Signed by the Governor 7/16/08) p. 121, 138, 198, 215, 218, 327, 335, 354.

HB 237 w/HA 1 AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO AN ACCRUAL OF ADDITIONAL LEAVE PRIOR TO A LEAVE OF ABSENCE FOR MILITARY SERVICE. (Senate Finance Committee) p. 125, 144, 147, 151, 162.

HB 238 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (Signed by the Governor 7/17/07) p. 126-127, 147, 170, 172

HB 239 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GROWTH MANAGEMENT, PUBLIC SERVICES, FACILITIES AND INFRASTRUCTURE. (House Transportation/Land Use and Infrastructure Committee) p. 125.

HB 240 w/HA 3 AN ACT TO AMEND TITLES 10, 11, 18, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CREATION AND CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CRIMES, VIOLATIONS OR CIVIL INFRACTIONS AND THE JURISDICTION, PROCEDURES AND RELATED PROVISIONS THEREFROM. (Senate Judiciary Committee) p. 125, 136, 138, 156-157.

HB 241 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS. (House Ready List) p. 124-125, 150-151.

HB 242 w/HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE. (Senate Executive Committee) p. 128, 133.

HB 243 AN ACT TO AMEND TITLES 10, 11, 14, 16, 29 AND 31 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE FAMILY COURT, RELATING TO OFFENSES RELATING TO CHILDREN, RELATING TO SYSTEM OF FREE PUBLIC SCHOOLS, RELATING TO ABUSE OF CHILDREN, RELATING TO CHILD WELFARE, RELATING TO THE OFFICE OF THE CHILD ADVOCATE AND RELATING TO THE COURT-APPOINTED SPECIAL ADVOCATE. (Stricken 1/8/08) p. 130, 144, 171.

HB 244 AN ACT TO AMEND TITLES 9, 22 AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF DEVELOPMENT RIGHTS AND THE CREATION OF SPECIAL DEVELOPMENT DISTRICTS. (House Ready List) p. 130, 153, 155.

HB 245 AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (Signed by the Governor 6/30/07) p. 128, 154, 158, 170.

HB 246 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO GARBAGE DISPOSAL. (House Housing & Community Affairs Committee) p. 130.

HB 247 AN ACT TO AMEND TITLES 10 AND 18 OF THE DELAWARE CODE RELATING TO PROPERTY INSURANCE CONTRACTS AND STATUTES OF LIMITATIONS. (Signed by the Governor 5/15/08) p. 130, 153, 158, 166, 241, 250, 268.

HB 248 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION AND MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Signed by the Governor 5/22/08) p. 130, 210, 222, 257, 259-260, 268.

HB 249 w/HA 1 AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (Signed by the Governor 6/30/07) p. 133-134, 137, 148, 170.

HB 250 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 08; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/07) p. 133, 161, 170-171.

HB 251 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO VOLUNTEER FIREFIGHTERS. (Signed by the Governor 7/17/07) p. 131, 136, 149, 170, 172.

HB 252 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS WASTE MANAGEMENT. (House Energy and Natural Resources Committee) p. 137.

HB 253 AN ACT TO AMEND TITLES 21 AND 30 OF THE DELAWARE CODE RELATING TO TAXES AND FEES SUPPORTING THE TRANSPORTATION TRUST FUND. (Signed by the Governor 6/30/07) p. 133-134, 148, 170.

HB 254 AN ACT TO AMEND TITLE 7, SUBCHAPTER VI, RELATING TO THE RESTRICTIONS ON TAKING GAME. (Signed by the Governor 7/26/07) p. 133, 148, 151-152, 170, 172.

HB 255 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PENSION BENEFITS OF 911 COMMUNICATIONS WORKERS IN THE STATE EMPLOYEES' PENSION PLAN. (House Ready List) p. 137, 162.

HB 256 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO STATE ELECTION COMMISSIONER AND REGISTRATION RECORDS. (Signed by the Governor 7/10/07) p. 137, 151, 153-154, 170, 172.

HB 257 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TAXES. (House Ready List) p. 137, 145, 155, 260.

HB 258 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MOBILE HOME LOTS AND LEASES ACT. (Stricken 1/10/08) p. 137, 182.

HS 1/HB 259 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DENIAL, SUSPENSION, REVOCATION AND LIMITATION OF EDUCATOR LICENSES AND CERTIFICATES. (Signed by the Governor 6/30/08) p. 137, 213-214, 217, 236, 306, 354.

HB 260 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PHARMACY ACCESS ACT. (House Economic Development/Banking & Insurance Committee) p. 202.

HB 261 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS. (Signed by the Governor 7/3/08) p. 138, 264, 281-282, 327, 354.

HB 262 AN ACT TO AMEND CHAPTER 31 OF TITLE 20 OF THE DELAWARE CODE RELATING TO PRICE INCREASES DURING EMERGENCIES AND NATURAL DISASTERS. (House Judiciary Committee) p. 148.

HB 263 AN ACT TO AMEND CHAPTER 29 OF TITLE 30 OF THE DELAWARE CODE PERTAINING TO RETAIL AND WHOLESALE LICENSE REQUIREMENTS AND TAXES. (Senate Revenue & Taxation Committee) p. 145, 161-162.

HB 264 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (Signed by the Governor 6/30/07) p. 146-147, 154, 170.

HB 265 AN ACT TO AMEND TITLES 14 AND 19 OF THE DELAWARE CODE RELATING TO THE RIGHT TO WORK. (House Labor Committee) p. 148.

HB 266 AN ACT TO AMEND TITLES 10, 11, 13, 14, 16, 29 AND 31 OF THE DELAWARE CODE RELATING TO DEFINITIONS OF CHILD ABUSE, DEPENDENCY AND NEGLECT. (Signed by the Governor 7/12/07) p. 149, 153, 170, 172.

HB 267 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE WITH RESPECT TO MEDICARE SUPPLEMENT INSURANCE. (Signed by the Governor 7/16/08) p. 155, 184, 235, 300, 320, 348, 354.

HB 268 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE NATURAL AREAS PRESERVATION SYSTEM. (House Ready List) p. 155, 273.

HB 269 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE RESOURCES AREAS. (House Ready List) p. 155, 273.

HB 270 AN ACT TO AMEND TITLES 6, 16 AND 24 OF THE DELAWARE CODE RELATING TO INTERNET PHARMACIES AND INTERNET SALES OF PRESCRIPTION DRUGS. (Stricken 6/12/08) p. 155, 294.

HB 271 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 08; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 08 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/07) p. 164, 171.

HB 272 AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY. (Passed in the House 6/24/08) p. 163, 226, 318.

HB 273 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ATTORNEY GENERAL'S AND THE PUBLIC DEFENDER'S COMPENSATION. (Stricken 4/22/08) p. 168, 236.

HB 274 AN ACT TO AMEND CHAPTER 60 OF TITLE 7 OF THE DELAWARE CODE RELATING TO LAND. (House Energy and Natural Resources Committee) p. 168.

HB 275 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES. (Signed by the Governor 2/1/08) p. 168, 182-183, 201, 203.

HB 276 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/26/08) p. 168, 198, 209-211, 300, 339.

HB 277 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A WEAPON IN A SAFE SCHOOL AND RECREATION ZONE. (Signed by the Governor 7/9/08) p. 168, 230, 314-315, 336, 354.

HB 278 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL. (House Energy and Natural Resources Committee) p. 168.

HB 279 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES, ANIMALS AND PENALTIES. (House Ready List) p. 168, 199, 213, 225.

HB 280 AN ACT TO AMEND TITLES 9 AND 17 OF THE DELAWARE CODE RELATING TO DESIGN AND CONSTRUCTION STANDARDS FOR ROADS AND STREETS IN SUSSEX COUNTY AND THROUGHOUT THE STATE. (House Ready List) p. 168, 198.

HB 281 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE BURIAL OF WAR VETERANS. (Signed by the Governor 6/30/08) p. 168, 188, 210, 305, 354.

HB 282 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (House Labor Committee) p. 168.

HB 283 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT. (Signed by the Governor 3/20/08) p. 172, 183, 186, 189, 195-196, 213, 222.

HB 284 AN ACT TO AMEND CHAPTER 5 OF TITLE 17 OF THE DELAWARE CODE PERTAINING TO SNOW AND ICE REMOVAL IN NONMUNICIPAL RESIDENTIAL COMMUNITIES. (House Transportation/Land Use and Infrastructure Committee) p. 185.

HB 285 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS AND SAME-GENDER EDUCATION. (Signed by the Governor 4/1/08) p. 184, 194, 196-197, 217, 248.

HB 286 AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE TO ASSIST ENROLLMENT IN THE DELAWARE HEALTHY CHILDREN PROGRAM. (Signed by the Governor 6/18/08) p. 185, 198, 211, 266, 278-279, 309.

HB 287 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANT OF AN ADMINISTRATIVE DIMENSIONAL VARIANCE. (Vetoed 7/17/08) p. 186, 241, 283, 294, 354-355.

HB 288 w/HA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OPENING AND CLOSING HOURS FOR SCHOOL ELECTIONS. (Senate Insurance & Elections Committee) p. 188, 194, 197.

HB 289 AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (House Transportation/Land Use and Infrastructure Committee) p. 185.

HB 290 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCALP HAIR PROSTHESIS. (Signed by the Governor 7/8/08) p. 201, 242, 245, 280, 319, 354.

HB 291 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (House Public Safety & Homeland Security Committee) p. 188, 209.

HB 292 AN ACT TO AMEND THE FISCAL YEAR 08 BOND AND CAPITAL IMPROVEMENTS ACT AND AMENDING THE LAWS OF DELAWARE. (House Capital Infrastructure Committee) p. 188.

HB 293 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE COMMUNITY COLLEGE INFRASTRUCTURE FUND FOR DELAWARE TECHNICAL & COMMUNITY COLLEGE. (Stricken 6/26/08) p. 188, 336.

HB 294 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN. (Senate Children; Youth & Families Committee) p. 188, 198, 220.

HB 295 AN ACT TO AMEND CHAPTER 1 OF TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Stricken 6/10/08) p. 189, 284.

HB 296 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MOBILE HOME LOTS AND LEASES. (House Manufactured Housing Subcommittee) p. 199-200.

HB 297 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF EDUCATION. (Signed by the Governor 7/9/08) p. 194, 217, 222-223, 336, 354.

HB 298 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Stricken 4/10/08) p. 197, 227.

HB 299 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO BAIL AND BAIL AGENTS. (Signed by the Governor 7/19/08) p. 198, 242, 271, 294, 304, 347, 355.

HB 300 AN ACT TO AMEND THE FISCAL YEAR 08 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 1/24/08) p. 194-195, 201, 203.

HB 301 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. (Stricken 6/24/08) p. 198, 217, 222, 318.

HB 302 AN ACT TO AMEND CHAPTER 27 OF TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND STUDIES. (House Health & Human Development Committee) p. 198.

HB 303 AN ACT TO AMEND CHAPTER 85, TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON APPRENTICESHIP AND TRAINING. (Signed by the Governor 4/1/08) p. 199, 210, 214, 217, 248.

HB 304 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO LICENSES TO CONDUCT RACING MEETS. (House Ready List) p. 199, 209.

HB 305 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES. (Signed by the Governor 5/6/08) p. 199, 218-219, 241, 268.

HB 306 AN ACT TO AMEND TITLES 9 AND 22 RELATING TO LAND USE, REQUIRED NOTICE FOR COUNTY ZONING CHANGES, AND THE ABILITY OF LOCAL GOVERNMENTS TO CREATE OVERLAY DISTRICTS. (House Transportation/Land Use and Infrastructure Committee) p. 199.

HB 307 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSES. (Signed by the Governor 6/26/08) p. 199, 209, 268-269, 300, 339.

HS 1/HB 308 AN ACT TO AMEND TITLE 24, DELAWARE CODE RELATING TO THE ACUPUNCTURE ADVISORY COUNCIL AND LICENSING OF ACUPUNCTURE. (Stricken 6/3/08) p. 201, 212-213, 270.

HS 1/HB 309 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTION. (Senate Judiciary Committee) p. 201, 209, 212, 214.

HB 310 AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DELAWARE OPEN SPACE COUNCIL, THE PARKS AND RECREATION COUNCIL AND THE DELAWARE COUNCIL ON GREENWAYS AND TRAILS. (House Energy and Natural Resources Committee) p. 319.

HB 311 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A NEW CHAPTER 71 AND CHAPTER 72 ENABLING SUSSEX COUNTY TO CREATE TAX INCREMENT FINANCING DISTRICTS AND TO UTILIZE TAX INCREMENT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT AND TO CREATE SPECIAL DEVELOPMENT DISTRICTS AND TO UTILIZE SPECIAL DEVELOPMENT DISTRICT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT. (Stricken 6/10/08) p. 201, 223, 225, 277.

HB 312 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE CONCERNING THE MANNER OF VOTING UPON SUBURBAN COMMUNITY IMPROVEMENTS. (Signed by the Governor 7/16/08) p. 202, 225, 278, 353-354.

HB 313 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (House Labor Committee) p. 202.

HB 314 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING. (House Ready List) p. 202, 260.

HB 315 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES. (Stricken 3/11/08) p. 202, 204.

HB 316 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE ADJUTANT GENERAL. (Signed by the Governor 6/18/08) p. 202, 241, 249, 285, 309.

HB 317 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF WYOMING (43 DEL. LAWS 189) TO AMEND THE DESIGNATION OF THE BOUNDARIES OF THE TOWN OF WYOMING; BRING THE ACT INTO COMPLIANCE WITH CHAPTER 75 OF TITLE 15 OF THE DELAWARE CODE; PERMIT TAXATION AND BORROWING BY THE TOWN OF WYOMING IN A MANNER CONSISTENT WITH THE GROWTH OF THE TOWN THROUGH ANNEXATION; AND MAKE OTHER MINOR CHANGES TO MAKE THE ACT CONSISTENT WITH THE PRACTICES OF THE TOWN OF WYOMING. (Signed by the Governor 7/16/08) p. 202, 226, 293, 354.

HB 318 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS, THE UNIVERSITY OF DELAWARE, DELAWARE STATE UNIVERSITY AND DELAWARE TECHNICAL AND COMMUNITY COLLEGE. (Stricken 3/13/08) p. 202, 212.

HB 319 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COLORECTAL CANCER SCREENING. (Signed by the Governor 7/21/08) p. 202, 239, 284, 305, 308, 354-355.

HB 320 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Signed by the Governor 5/22/08) p. 202, 209, 211, 266, 268.

HB 321 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION AND AN ACCEPTABLE USE POLICY. (Stricken 3/11/08) p. 202, 204.

HB 322 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS CONTAINING MERCURY. (Signed by the Governor 5/22/08) p. 202, 209, 222, 268.

HB 323 AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN. (Signed by the Governor 5/22/08) p. 202, 232, 235, 237-238, 266, 268.

HB 324 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PURPOSE AND MEANING OF LAWS. (Signed by the Governor 3/20/08) p. 204, 209, 211-212, 217, 222.

HB 325 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (House Capital Infrastructure Committee) p. 201.

HB 326 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL DISCIPLINE. (Signed by the Governor 7/21/08) p. 209, 217, 349, 354-355.

HB 327 AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO THE DOCTRINE OF EMPLOYMENT AT WILL AND PROTECTION FROM WRONGFUL TERMINATION. (House Labor Committee) p. 209.

HB 328 w/HA 2 & 3 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE. (Senate Finance Committee) p. 209, 216, 218.

HB 329 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (Signed by the Governor 6/18/08) p. 209, 216, 226, 229, 285, 309.

HB 330 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SEED PROGRAM. (House Education Committee) p. 212.

HB 331 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STRATEGIC FUND. (House Economic Development/Banking & Insurance Committee) p. 212.

HB 332 w/HA 1 AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO VOTING ON THE BUDGET AND BOND BILLS. (Senate Executive Committee) p. 212, 241, 253-254.

HB 333 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT. (House Ready List) p. 215, 260, 306.

HB 334 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CREATING A SEARCHABLE BUDGET DATABASE FOR STATE SPENDING. (House Ready List) p. 212, 241.

HB 335 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL SUITS BASED UPON CHILD SEXUAL ABUSE BY AN ADULT. (Senate Judiciary Committee) p. 212, 225, 229.

HB 336 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF CHECKING ACCOUNT ACTIVITY AND PAY AND BENEFITS OF STATE AGENCIES. (House Ready List) p. 212, 241.

HB 337 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF CHECKING ACCOUNT ACTIVITY AND PAY AND BENEFITS OF SCHOOL DISTRICTS AND CHARTER SCHOOLS. (House Ready List) p. 212, 241.

HB 338 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A SEARCHABLE ARCHIVE OF ALL CONTRACTS ENTERED INTO BY SCHOOL DISTRICTS AND CHARTER SCHOOLS. (House Ready List) p. 213, 241.

HS 1/HB 339 AN ACT TO AMEND TITLES 11 AND 13 OF THE DELAWARE CODE RELATING TO MARRIAGE LICENSES. (Stricken 6/17/08) p. 213, 232, 285, 295, 298.

HS 1/HB 340 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. (Senate Ready List) p. 213, 225, 229.

HB 341 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TORT LIABILITY OF PROPERTY OWNERS. (House Housing & Community Affairs Committee) p. 228.

HB 342 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES. (Senate Public Safety Committee) p. 215, 225, 234.

HB 343 w/HA 2 & HA 1 to HA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GENERAL PROVISIONS CONCERNING OFFENSES AND SPECIFIC OFFENSES. (Signed by the Governor 6/30/08) p. 212, 215, 230, 234-235, 305, 354.

HS 1/HB 344 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO WIND ENERGY SYSTEMS. (House Energy and Natural Resources Committee) p. 215, 221, 226, 251.

HB 345 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING. (Stricken 4/22/08) p. 217, 225, 234, 238.

HB 346 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LEGISLATIVE CONFLICTS OF INTEREST. (Senate Executive Committee) p. 217, 232, 235, 242-243.

HB 347 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE DELAWARE POLICE ACCREDITATION COMMISSION. (Signed by the Governor 5/22/08) p. 220, 225, 228, 236-237, 257, 268.

HB 348 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. (Stricken 6/3/08) p. 220, 225, 270.

HB 349 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (Senate Executive Committee) p. 220, 232, 235, 243-244.

HB 350 w/HA 1 AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATED TO THE AUDITOR OF ACCOUNTS. (Senate Executive Committee) p. 220, 223, 232, 237.

HB 351 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO THE AUDITOR OF ACCOUNTS. (Senate Executive Committee) p. 220, 232-233, 237.

HB 352 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (House Appropriations Committee) p. 220, 225-226.

HB 353 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LIQUIFIED PETROLEUM GAS CONTAINERS. (Signed by the Governor 7/16/08) p. 221, 225, 228, 242, 275, 346, 354.

HB 354 w/HA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (Senate Executive Committee) p. 221, 232, 235-236, 243-244.

HB 355 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS. (Signed by the Governor 6/18/08) p. 221, 241, 260, 275, 279, 309.

HB 356 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS. (Senate Insurance & Elections Committee) p. 223, 241, 254-255.

HB 357 AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE; REVERTING CERTAIN FUNDS OF THE STATE ; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF SUCH FUNDS. (Signed by the Governor 4/16/08) p. 221, 224, 226, 230, 248.

HB 358 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ELECTIONS. (House Education Committee) p. 223.

HB 359 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO PREVENTATIVE AND URGENT DENTAL CARE FOR MEDICAID RECIPIENTS. (House Ready List) p. 223, 232.

HB 360 w/HA 1 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALITIES. (Senate Energy & Transit Committee) p. 226, 274, 292-293, 301-302.

HB 361 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH & SAFETY. (Signed by the Governor 7/3/08) p. 228, 241, 276, 319, 354.

HS 1/HB 362 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (Signed by the Governor 7/16/08) p. 228, 289, 301, 314, 326, 347, 354.

HB 363 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MISSING CHILDREN. (Signed by the Governor 7/17/08) p. 228, 232, 241, 249, 305, 355.

HB 364 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES. (Signed by the Governor 7/3/08) p. 228, 241, 279, 327, 354.

HB 365 AN ACT TO AMEND TITLES 10 AND 11 OF THE CITY OF WILMINGTON'S HOME RULE CHARTER RELATING TO LIENS FOR UNPAID WATER RENTS AND SEWER SERVICE CHARGES. (Signed by the Governor 7/3/08) p. 230, 260, 282, 323, 354.

HB 366 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO HIGHWAYS. (House Transportation/Land Use and Infrastructure Committee) p. 233.

HS 1/HB 367 w/HA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (Senate Finance Committee) p. 233, 241, 255, 268, 276.

HB 368 AN ACT TO AMEND VOLUME 69 AND VOLUME 74, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF HARRINGTON. (Signed by the Governor 7/16/08) p. 235, 260, 280, 327, 335, 354.

HB 369 w/HA 1 AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. (Passed in the House 6/30/08) p. 234, 289, 306, 338.

HB 370 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT. (Signed by the Governor 7/3/08) p. 235, 257, 260, 300, 314-315, 354.

HB 371 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (Signed by the Governor 7/16/08) p. 238, 258, 260, 274, 281, 336, 354.

HB 372 AN ACT TO AMEND CHAPTER 59, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "ENUMERATION OF POWERS" TO ADD TO THE PROVISIONS OF SECTION 23 (13) THE POWER AND AUTHORITY TO CONDUCT REFERENDUM SPECIAL ELECTIONS ON CERTAIN ORDINANCES ADOPTED BY TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH. (Stricken 5/14/08) p. 236, 241, 247, 263.

HB 373 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO JURISDICTION, POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION. (Signed by the Governor 7/9/08) p. 239, 274, 307-308, 336, 354.

HS 1/HB 374 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LITIGATION AND COURT PROCEDURE. (Signed by the Governor 7/9/08) p. 239, 258, 260, 275, 327, 354.

HB 375 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/30/08) p. 239, 255, 279, 309, 354.

HS 1/HB 376 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO DELAWARE AGRICULTURAL LANDS PROTECTION. (House Agriculture Committee) p. 239, 246, 286.

HB 377 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ACUPUNCTURE ADVISORY COUNCIL AND LICENSING OF ACUPUNCTURE. (Signed by the Governor 6/27/08) p. 239, 255, 259, 294, 299, 354.

HB 378 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS. (Signed by the Governor 7/3/08) p. 239, 257-258, 275, 319, 354.

HB 379 AN ACT TO AMEND CHAPTER 26A, TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEARING AND LOAN BANK. (Stricken 6/12/08) p. 239, 257, 294.

HB 380 AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS. (House Administration Committee) p. 239.

HB 381 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ADVANCE HEALTH-CARE DIRECTIVES AND HEALTH-CARE INFORMATION. (Signed by the Governor 7/3/08) p. 239, 257, 281, 319, 354.

HB 382 w/HA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION. (Senate Ready List) p. 241, 268, 302.



HS 1/HB 383 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AND 76 DELAWARE LAWS, CHAPTER 79, SECTION 56 RELATING TO THE COUNCIL ON DEVELOPMENT FINANCE. (Signed by the Governor 7/16/08) p. 241, 268, 311, 320-321, 353-354.

HB 384 AN ACT TO AMEND CHAPTER 2, TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON'S LAST REMAINS. (Stricken 6/10/08) p. 242, 257, 278.

HB 385 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO MAXIMUM STUDENT-INSTRUTOR RATIO REQUIREMENTS. (Stricken 4/24/08) p. 242-243.

HB 386 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (House Policy Analysis & Government Accountability Committee) p. 242, 261.

HB 387 AN ACT TO AMEND CHAPTER 26A, TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEARING AID LOAN BANK. (Signed by the Governor 7/21/08) p. 242, 255, 301, 341-342, 354-355.

HB 388 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO AMERICAN LOBSTERS. (Signed by the Governor 7/3/08) p. 246, 257, 281, 309, 354.

HB 389 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO RED FOX HUNTING. (Signed by the Governor 7/3/08) p. 246, 257, 267, 269, 309, 354.

HB 390 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE USE OF HUNTER ORANGE MATERIAL. (Signed by the Governor 7/3/08) p. 246, 257, 269, 309, 315, 354.

HB 391 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF THE LENGTH OF THE SCHOOL YEAR. (House Ready List) p. 246, 273.

HB 392 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (Signed by the Governor 7/3/08) p. 246, 258, 264, 267, 269-270, 319, 354.

HB 393 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO MAXIMUM STUDENT INSTRUCTOR RATIO REQUIREMENTS. (Signed by the Governor 7/16/08) p. 246, 271, 273, 311, 336, 354.

HB 394 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Labor Committee) p. 246.

HB 395 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE VICTIMS' BILL OF RIGHTS. (Stricken 5/13/08) p. 246, 260.

HB 396 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BURGLAR'S TOOLS. (Signed by the Governor 7/3/08) p. 246, 260, 279-280, 319, 354.

HB 397 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LOCAL SCHOOL TAXES. (Senate Finance Committee) p. 246, 289, 301.

HB 398 w/HA 2 AN ACT TO AMEND TITLES 4 AND 21 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUOR, PERSONS UNDER THE AGE OF 21 YEARS, AND THE SUSPENSION OF DRIVING PRIVILEGES. (Senate Finance Committee) p. 246, 289, 293.

HB 399 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE. (House Public Safety & Homeland Security Committee) p. 246, 271.

HB 400 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PHYSICIAN'S LIABILITY INSURANCE, DESIGNATING ANY PHYSICIAN PROVIDING MEDICAL CLINIC SERVICE WITHOUT COMPENSATION AND WHO IS OTHERWISE NOT IMMUNE FROM SUIT A STATE EMPLOYEE ENTITLED TO BE INDEMNIFIED BY THE STATE, AND PROVIDING LEGAL REPRESENTATION FOR SUCH PHYSICIANS. (House Judiciary Committee) p. 246.

HB 401 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO USE OF AUTOMATIC-LOADING GUNS. (Signed by the Governor 7/3/08) p. 246, 269, 309, 354.

HB 402 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK ISLAND, DELAWARE, CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", TO AMEND SECTION 6, ELECTIONS, SECTION 7, NOMINATIONS AND SECTION 9, QUALIFICATIONS OF VOTERS, TO CONFORM WITH STATE LAW AND CLARIFY CERTAIN PROVISIONS CONTAINED THEREIN. (Signed by the Governor 7/16/08) p. 246, 289, 293, 354.

HB 403 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A MENTAL HEALTH DEATH REVIEW COMMITTEE. (Senate Health & Social Services Committee) p. 247, 251, 261, 274, 283.

HB 404 w/HA 1 AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES. (Senate Health & Social Services Committee) p. 247, 251, 264, 283-284.

HB 405 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Senate Health & Social Services Committee) p. 247, 251, 264, 274, 282.

HB 406 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE PSYCHIATRIC CENTER. (House Appropriations Committee) p. 247, 251, 264.

HB 407 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS. (Senate Health & Social Services Committee) p. 247, 251, 267, 274, 283.

HB 408 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS, NOTIFICATIONS AND FORMS. (Senate Health & Social Services Committee) p. 247, 251, 267, 274, 283.

HB 409 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Senate Health & Social Services Committee) p. 247, 251, 274, 283-284.



HB 410 AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES. (Stricken 6/3/08) p. 247, 251, 261, 269.

HB 411 w/HA 1 AN ACT TO AMEND CHAPTER 51, TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS AND MANDATORY DRUG TESTING. (Senate Judiciary Committee) p. 247, 250, 264, 277, 284.

HB 412 AN ACT DEAUTHORIZING CERTAIN PROJECT BALANCES TO THE GENERAL FUND AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND. (Signed by the Governor 5/8/08) p. 250, 253, 257, 268.

HB 413 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SELLER FINANCED SALES OF RESIDENTIAL REAL ESTATE AND CONDITIONAL SALES AGREEMENTS INVOLVING REAL ESTATE. (Signed by the Governor 7/3/08) p. 251, 289, 303, 327, 354.

HB 414 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING. (House Ready List) p. 251, 289.

HB 415 AN ACT TO AMEND TITLES 14, 29 AND 30 OF THE DELAWARE CODE TO ESTABLISH A COMMUNITY COLLEGE INFRASTRUCTURE FUND FOR THE BENEFIT OF DELAWARE TECHNICAL & COMMUNITY COLLEGE AND TO DESIGNATE A REVENUE SOURCE THEREFORE. (Stricken 6/3/08) p. 251, 269.

HS 1/HB 416 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION. (Signed by the Governor 6/20/08) p. 251, 266, 268, 279, 306, 339.

HB 417 AN ACT TO AMEND SUBCHAPTER VII-A OF TITLE 26 OF THE DELAWARE CODE RELATING TO THE TELECOMMUNICATIONS TECHNOLOGY INVESTMENT ACT. (Signed by the Governor 6/30/08) p. 255, 278, 286, 292, 309, 354.

HB 418 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (Signed by the Governor 7/3/08) p. 258, 266, 276, 309, 354.

HB 419 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING A COMMUNITY MENTAL HEALTH TREATMENT ACT. (Senate Finance Committee) p. 258, 274, 283-284.

HB 420 AN ACT TO ESTABLISH A COMMUNITY COLLEGE INFRASTRUCTURE FUND FOR THE BENEFIT OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE AND TO DESIGNATE A REVENUE SOURCE THEREFOR. (House Education Committee) p. 258, 328.

HS 1/HB 421 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/16/08) p. 258, 268, 306, 319, 325, 347, 354.

HB 422 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PROTECTED WILDLIFE. (House Ready List) p. 261, 273.

HB 423 AN ACT TO AMEND CHAPTER 59, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF DEWEY BEACH, DELAWARE, TO ADD TO THE PROVISIONS OF SECTION 23 (13) THE POWER AND AUTHORITY TO CONDUCT REFERENDUM SPECIAL ELECTIONS ON CERTAIN ORDINANCES ADOPTED BY TOWN COMMISSIONERS OF THE TOWN OF DEWEY BEACH, TO AMEND SECTION 5(b) BY DESIGNATING NOT LESS THAN TWO (2) OF THE TOWN COMMISSIONERS AS RESIDENT COMMISSIONERS, TO AMEND SECTION 22(a) BY DESIGNATING THE TOWN'S FISCAL YEAR AS APRIL 1 THROUGH MARCH 31, AND BY ADDING A NEW SECTION 33 TO PROHIBIT GAMBLING WITHIN THE TOWN LIMITS. (Signed by the Governor 6/30/08) p. 263, 265, 299, 354.

HB 424 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE REGARDING VOLUNTARY AND MANDATORY TESTING OF OFFENDERS CONVICTED OF CERTAIN SEX CRIMES. (Signed by the Governor 7/16/08) p. 264, 289, 302, 304, 347, 354.

HB 425 AN ACT TO AMEND TITLE 17 AND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CROSSING OF ROADWAYS BY PEDESTRIANS. (House Transportation/Land Use and Infrastructure Committee) p. 264.

HB 426 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT THE PUBLIC SERVICE COMMISSION AUTHORITY TO ENFORCE FEDERAL PIPELINE SAFETY REGULATIONS. (Stricken 6/25/08) p. 266, 268, 284, 286, 324.

HB 427 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Signed by the Governor 7/17/08) p. 266, 270, 292-293, 354-355.

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HB 429 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Signed by the Governor 7/17/08) p. 266, 270, 292-293, 354-355.

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**HB 439** AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (Passed in the House 6/24/08) p. 267, 294, 318.

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**HB 444** AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION VEHICLES. (Signed by the Governor 7/16/08) p. 274, 289, 317, 353-354.

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**HB 446** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CORRECTIONAL HEALTHCARE. (Signed by the Governor 7/17/08) p. 277, 289, 312, 354-355.

**HB 447** AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NO LIMIT TEXAS HOLD'EM POKER. (Passed in the House 6/30/08) p. 277, 319, 342.

**HB 448** AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING. (Passed in the House 6/30/08) p. 277, 319, 342.

**HB 449** AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE LOCATION OF SEWER TREATMENT PLANTS AND OTHER SEWAGE DISPOSAL FACILITIES IN SUSSEX COUNTY. (Signed by the Governor 7/16/08) p. 277, 289, 324, 353-354.

**HS 1/HB 450** AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Signed by the Governor 7/16/08) p. 277, 305, 319, 325, 331, 354.

**HB 451** AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE ESTABLISHING A NEW CHAPTER 71 AND CHAPTER 72 ENABLING SUSSEX COUNTY TO CREATE TAX INCREMENT FINANCING DISTRICTS AND TO UTILIZE TAX INCREMENT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT AND TO CREATE SPECIAL DEVELOPMENT DISTRICTS AND TO UTILIZE SPECIAL DEVELOPMENT DISTRICT FINANCING TO FUND COSTS RELATED TO DEVELOPMENT AND REDEVELOPMENT. (Passed in the House 6/25/08) p. 277, 289, 320, 326.

**HB 452** AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TAX DITCHES. (Signed by the Governor 7/17/08) p. 277, 291, 298, 347, 355.

**HB 453** AN ACT TO AMEND TITLES 3 AND 9 OF THE DELAWARE CODE RELATING TO AGRITOURISM. (Signed by the Governor 7/21/08) p. 278, 284, 291, 298, 307, 310, 316-317, 326-327, 347-348, 355.

**HB 454** AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INTERNET PHARMACIES AND INTERNET SALES OF PRESCRIPTION DRUGS. (Signed by the Governor 7/21/08) p. 285, 301, 313, 353, 355.

**HB 455** AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL ZONING REGULATIONS. (Signed by the Governor 7/16/08) p. 285, 330, 346, 354.

**HB 456** AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE SECURITY AGENCIES. (Stricken 6/19/08) p. 285, 309.

**HB 457** AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTING. (Passed 6/30/08) p. 278, 323, 341.

**HB 458** AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO RETAIL AND WHOLESALE MERCHANTS' LICENSE REQUIREMENTS AND TAXES. (Signed by the Governor 7/17/08) p. 277, 291, 295, 298, 354-355.

HB 459 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND CREATING THE DELAWARE PSYCHIATRIC CENTER AUTHORITY. (House Ready List) p. 277, 323, 336.

HB 460 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (House Ready List) p. 286, 289, 294, 300.

HB 461 AN ACT TO AMEND TITLES 22 AND 25 OF THE DELAWARE CODE TO AUTHORIZE THE COLLECTION OF LIENS BY WRIT OF MONITION. (Stricken 6/17/08) p. 286, 289, 299.

HB 462 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ELECTIONS. (House Education Committee) p. 286.

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HB 467 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF A PUPPY UNDER EIGHT WEEKS OF AGE. (House Judiciary Committee) p. 286.

HB 468 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION INDUSTRY INDEPENDENT CONTRACTOR ACT. (House Ready List) p. 282, 284, 289.

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HB 470 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO MILK, CREAM, AND OTHER MILK PRODUCTS; CONTAINERS. (Signed by the Governor 7/9/08) p. 282, 285, 289, 291, 299, 333, 354.

HB 471 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. (Signed by the Governor 6/30/08) p. 283, 285, 289, 296, 309, 354.

HB 472 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD DEATH, NEAR DEATH, AND STILLBIRTH COMMISSION AND REVIEW OF MATERNAL DEATHS. (Signed by the Governor 7/16/08) p. 282, 289, 329, 353-354.

HB 473 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY. (Passed in the House 6/19/08) p. 286, 300, 308.

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HB 477 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INDIVIDUAL HEALTH INSURANCE STANDARDS. (Passed in the House 6/24/08) p. 285, 294, 316.

HB 478 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INSURANCE RISK POOL. (Stricken 6/24/08) p. 285, 300, 316.

HB 479 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE. (Passed in the House 6/24/08) p. 285, 294, 316.

HB 480 AN ACT TO AMEND TITLE 17 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. (Signed by the Governor 7/17/08) p. 289, 306, 310, 317, 346, 355.

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HB 482 AN ACT TO AMEND TITLES 22 AND 25 OF THE DELAWARE CODE TO AUTHORIZE THE COLLECTION OF LIENS BY WRIT OF MONITION. (House Housing & Community Affairs Committee) p. 294-295.

HB 483 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE PERSONAL INCOME TAX. (Passed in the House 6/26/08) p. 294, 319, 335.

HB 484 AN ACT TO AMEND TITLES 10, 22 AND 31 OF THE DELAWARE CODE RELATING TO REDEVELOPMENT AND EMINENT DOMAIN. (House Ready List) p. 294, 307, 330.

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HB 487 AN ACT TO AMEND VOLUME 76, CHAPTER 65 OF THE LAWS OF DELAWARE RELATING TO THE TRANSFER OF CERTAIN REAL PROPERTY IN THE CITY OF HARRINGTON, KENT COUNTY, DELAWARE. (Signed by the Governor 7/16/08) p. 295, 319, 324, 353-354.

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**HB 491** AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (House Revenue & Finance Committee) p. 300.

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**HB 496** AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (Signed by the Governor 7/17/08) p. 306, 319, 325, 353, 355.

**HB 497** AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO CLARIFY CERTAIN NON-RECOURSE PROVISIONS OF SECTION 31(a)(45) OF THE CHARTER RELATING TO MUNICIPAL TAX INCREMENT AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS FINANCINGS. (Passed in the House 6/30/08) p. 320, 325, 346.

**HB 498** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A WEAPON IN A SAFE RECREATION ZONE. (Stricken 6/25/08) p. 309, 325.

**HB 499** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OR DEALING WITH A DEADLY WEAPON OR DANGEROUS INSTRUMENT IN A SAFE SCHOOL ZONE. (Stricken 6/25/08) p. 309, 324.

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**HB 501** AN ACT TO AMEND TITLES 11, 28 AND 29 OF THE DELAWARE CODE RELATING TO BOXING. (Signed by the Governor 7/21/08) p. 309, 323, 343, 345, 354-355.

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**HB 503** AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE TO GRANT THE PUBLIC SERVICE COMMISSION AUTHORITY TO ENFORCE FEDERAL PIPELINE SAFETY REGULATIONS AS IT PERTAINS TO NATURAL GAS. (Signed by the Governor 7/17/08) p. 309, 323, 339, 354-355.

**HB 504** AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (Signed by the Governor 7/9/08) p. 309, 315, 331, 346, 354.

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**HB 515** AN ACT TO AMEND CHAPTER 82 OF TITLE 3 OF THE DELAWARE CODE PERTAINING TO THE VETERINARIAN SERVICES TAX AND OTHER MATTERS. (Signed by the Governor 7/1/08) p. 327, 331, 336, 354.

**HB 516** AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FEES PAID TO THE CITY OF WILMINGTON (Signed by the Governor 7/1/08) p. 327, 332, 336, 354.

**HB 517** AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES (Defeated in the Senate 6/26/08) p. 328, 332-333, 354.

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**HB 519** AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 7/1/08) p. 328, 333, 347, 354.

HB 520 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE UNIFORM PARTNERSHIP ACT, LIMITED PARTNERSHIPS, AND THE LIMITED LIABILITY COMPANY ACT AND TAXES COLLECTED BY THE SECRETARY OF STATE. (Signed by the Governor 7/1/08) p. 328, 334, 347, 354.

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HB 524 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES. (House Manufactured Housing Subcommittee) p. 353.

HB 525 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2009; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/08) p. 350-351, 353-354.

HB 526 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE AND MANUFACTURED HOME COMMUNITIES. (House Manufactured Housing Subcommittee) p. 353.

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HR 12 A RESOLUTION RECOGNIZING MARCH 25, 2007 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE. (Passed) p. 44.

HR 13 CENSURING REPRESENTATIVE JOHN C. ATKINS FOR A VIOLATION OF A RULE OF LEGISLATIVE CONDUCT ARISING FROM HIS CONDUCT ON OCTOBER 29, 2006 AND LATER CONDUCT PERTAINING THERETO, AND SANCTIONING HIM BY REQUIRING HIM TO FOREGO USE OF HIS LEGISLATIVE IDENTIFICATION CARD AND LEGISLATIVE LICENSE PLATE, BE REMOVED AS CHAIRMAN OF ANY HOUSE COMMITTEE, PAY A FINE, COMPLY WITH COURT-ORDERED COUNSELING AND RECEIVE AN ALCOHOL EVALUATION. (Stricken) p. 44-45.

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HR 27 RECOGNIZING WEDNESDAY, JUNE 20, 2007 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR. (Passed) p. 123.

HR 28 ESTABLISHING A DELAWARE BROWN SIGN TASK FORCE. (Passed) p. 123.

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HR 32 DIRECTING THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO STUDY THE COSTS AND IMPACT OF UNDOCUMENTED IMMIGRATION ON THE STATE OF DELAWARE. (Passed) p. 140-141.

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HR 35 TO CONGRATULATE DEBORAH PORTER, INTERIM DIRECTOR; DEBBIE MESSINA, PRINT SHOP SUPERVISOR AND RUTH ANN MELSON, LEGISLATIVE LIBRARIAN, ALL OF THE DIVISION OF RESEARCH, FOR COMPLETING 30 YEARS OF STATE SERVICE IN 2007. (Passed) p. 158.

HR 36 ESTABLISHING A TASK FORCE TO STUDY THE ECONOMIC AND TOURISM BENEFITS OF ENHANCING FILM PRODUCTION IN DELAWARE. (Passed) p. 156.

HR 37 ESTABLISHING THE GROCERY STORE BEER SALES TASK FORCE TO STUDY THE FEASIBILITY OF BEER SALES IN GROCERY STORES. (Stricken 1/10/08) p. 167, 182.

HR 38 CREATING THE HEALTH INSURANCE POOLS TASK FORCE. (Passed) p. 167.

HR 39 COMMEMORATING JANUARY 7-12, 2008 AS DELAWARE AGRICULTURE WEEK. (Passed) p. 182-183.

HR 40 RECOGNIZING THE WEEK OF JANUARY 20, 2008, THROUGH JANUARY 26, 2008, AS NURSE ANESTHETISTS WEEK. (Passed) p. 198.

HR 41 REQUESTING THE DELAWARE SOLID WASTE AUTHORITY REPORT ON THE INITIATIVES TO RECYCLE E-WASTE. (Passed) p. 198.

HR 42 CELEBRATING JANUARY 28TH THROUGH FEBRUARY 1ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE. (Passed) p. 199.

HR 43 REQUESTING THE DEPARTMENT OF TECHNOLOGY AND INFORMATION (DTI) CONDUCT A STUDY ESTIMATING THE COST OF OPTIONS FOR WEBCASTING AUDIO/VIDEO OF THE DELAWARE GENERAL ASSEMBLY. (Passed) p. 205.

HR 44 CREATING A TASK FORCE TO STUDY THE COST AND ISSUES RELATING TO STEROID TESTING PROGRAMS AND REVIEW EDUCATION AND PREVENTION EFFORTS FOR STUDENT ATHLETES IN DELAWARE. (Passed) p. 201, 306.

HR 45 URGING THE USE OF GREEN OR ENVIRONMENTALLY PREFERABLE PRODUCTS IN STATE BUILDINGS. (Passed) p. 205.

HR 46 PROCLAIMING APRIL 21 THROUGH APRIL 25, 2008 AS SMALL BUSINESS WEEK. (Passed) p. 231.

HR 47 A RESOLUTION RECOGNIZING MARCH 25, 2008 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE. (Passed) p. 217.

HR 48 A RESOLUTION TO AMEND HOUSE RESOLUTION NO. 3 OF THE 144TH GENERAL ASSEMBLY RELATING TO HOUSE RULES. (Passed) p. 217, 241, 245.

HR 49 URGING THE GOVERNOR, IN THE WAKE OF SEVERE BUDGET SHORTFALLS, TO AUTHORIZE EVERY DEPARTMENT OR AGENCY TO IMPLEMENT THE USE OF A FOUR-DAY

COMPRESSED WORK SCHEDULE FOR NONESSENTIAL STATE EMPLOYEES, AS WELL AS OTHER FLEXIBLE WORK OPTIONS. (House Labor Committee) p. 219, 221, 223.

HR 50 PROCLAIMING MAY 9, 2008 AS MILITARY SPOUSE APPRECIATION DAY. (Passed) p. 224.

HR 51 RECOGNIZING APRIL 28, 2008 AS WORKERS MEMORIAL DAY. (Passed) p. 242.

HR 52 PROCLAIMING APRIL AS FINANCIAL EDUCATION MONTH FOR WOMEN IN DELAWARE. (Passed) p. 245.

HR 53 URGING THE DELAWARE PSYCHIATRIC CENTER'S PERFORMANCE IMPROVEMENT UNIT AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES STAFF TRAINING PROGRAM TO FACILITATE A CULTURE OF COOPERATION, STAFF ACCOUNTABILITY AND ADDRESS INTERPERSONAL CONFLICTS WITHIN ONE YEAR. (Passed) p. 247, 250, 289, 292.

HR 54 URGING THE DELAWARE PSYCHIATRIC CENTER TO DEVELOP A COMPREHENSIVE SYSTEM TO MONITOR AND TRACK PATIENT ASSESSMENTS, TREATMENT PLANS, THERAPY SESSIONS AND DISCHARGE DOCUMENTATION. (Passed) p. 247, 250, 289, 292.

HR 55 URGING THE JOINT FINANCE COMMITTEE TO GIVE GREAT WEIGHT TO ALLOCATING ADDITIONAL FUNDING DIRECTLY TO THE DELAWARE PSYCHIATRIC CENTER TO FUND NECESSARY IMPROVEMENTS TO THE FACILITY. (Passed) p. 247, 250, 289, 293.

HR 56 URGING THE JOINT FINANCE COMMITTEE TO REVIEW THE DELAWARE PSYCHIATRIC CENTER'S OVERTIME APPROPRIATIONS. (Passed) p. 247, 250, 289, 293, 302.

HR 57 w/HA 1 DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DELAWARE STATE POLICE TO DEVELOP A MEMORANDUM OF UNDERSTANDING RELATING TO WHEN THE POLICE WILL BE CONTACTED TO INVESTIGATE ALLEGED CRIMINAL ACTIONS AT THE DELAWARE PSYCHIATRIC CENTER. (Passed) p. 247, 250, 289, 293, 302, 305.

HR 58 CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE ESTABLISHMENT OF A CERTIFICATION AND LICENSURE PROCESS FOR MENTAL HEALTH ATTENDANTS. (Passed) p. 247, 250, 289, 308.

HR 59 PROCLAIMING TUESDAY, MAY 6, 2008 AS NATIONAL TEACHER DAY. (Passed) p. 250.

HR 60 RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 11, 2008, MOTHER'S DAY. (Passed) p. 256.

HR 61 RESOLUTION TO ENCOURAGE THE DIVISION OF PROFESSIONAL REGULATION TO WORK WITH MILITARY AND THEIR FAMILIES WHO ARE TRANSFERRED INTO THE STATE TO MAINTAIN ANY PROFESSIONAL CREDENTIALS, LICENSES OR CERTIFICATIONS ISSUED IN THEIR HOME STATE WITHOUT HAVING TO BE RECERTIFIED FOR THAT PROFESSION WHILE STATIONED IN THE STATE OF DELAWARE. (Passed) p. 271-272.

HR 62 RE-ESTABLISHING THE TASK FORCE TO REVIEW DELAWARE'S ABANDONED PROPERTY ADMINISTRATION AND POLICIES. (Passed) p. 287.

HR 63 CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING ORGAN DONATION IN THE STATE OF DELAWARE. (House Ready List) p. 286, 301.

HR 64 CREATING A SEX OFFENDER INTERFACING TASK FORCE. (Passed) p. 287.

HR 65 CREATING A TASK FORCE TO DEVELOP A PLAN TO PILOT TWO IN-HOSPITAL URGENT CARE FACILITIES IN DELAWARE. (Passed) p. 287.

HR 66 RECOGNIZING THURSDAY, JUNE 12, 2008 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES, THE MOST IMPORTANT DAY OF THE YEAR. (Passed) p. 291.

HR 67 RECOGNIZING SUNDAY, JUNE 15, 2008 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES. (Passed) p. 294.

HR 68 REQUESTING THE DELAWARE SENTENCING ACCOUNTABILITY COMMISSION SUGGEST IMPROVEMENTS TO THE PROBATION LEVEL SYSTEM OF OFFENDER MONITORING WITHIN THE DEPARTMENT OF CORRECTION. (Passed) p. 303.

HR 69 ESTABLISHING A SAFE SCHOOLS TASK FORCE TO REVIEW EDUCATIONAL AND SECURITY ISSUES. (Passed) p. 323.

HR 70 CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE MEDICAID PROGRAM IN THE STATE OF DELAWARE. (House Economic Development/Banking & Insurance Committee) p. 320.

HR 71 EXTENDING THE REPORTING DATE OF THE ABANDONED PROPERTY ADMINISTRATION AND POLICIES TASK FORCE. (Passed) p. 323.

HR 72 w/HA 1 COMMENDING THE MILFORD POLICE DEPARTMENT, THE DELAWARE STATE POLICE EXPLOSIVE ORDNANCE DISPOSAL UNIT AND ALL OTHER ASSISTING POLICE, FIRE AND EMERGENCY RESPONSE AGENCIES FOR THEIR OUTSTANDING WORK IN ASSURING THE SAFETY OF THE RESIDENTS OF MILFORD AND THE CHILDREN ATTENDING BANNEKER ELEMENTARY SCHOOL DURING THE RECENT PIPE BOMB INCIDENT. (Passed) p. 323-324, 328.

HR 73 A RESOLUTION CREATING A RECYCLING TASK FORCE TO IDENTIFY BEST MANAGEMENT PRACTICES FOR A COMPREHENSIVE AND VIABLE STATEWIDE RECYCLING PROGRAM. (Passed) p. 323.

HR 74 URGING THE AWARENESS OF THE VARIOUS EFFECTS AND IMPACT OF ALZHEIMER'S AND DEMENTIA ON THE RESIDENTS OF THE STATE OF DELAWARE AND URGING AN AWARENESS OF THE DEMENTIA CARE TRAINING OFFERED BY THE DIVISION OF SUBSTANCE ABUSE AND MENTAL HEALTH. (Passed) p. 349.

HR 75 ESTABLISHING PROTECTIONS FOR PERSONS WITH SEVERE BRAIN INJURY, IMPAIRED CONSCIOUSNESS, OR WHO ARE OTHERWISE MENTALLY DISABLED. (Passed) p. 336, 339, 345.

HR 76 CREATING A TASK FORCE TO REVIEW DELAWARE'S HEALTH INFORMATION NETWORK. (Passed) p. 339, 349.



HR 77 EXTENDING THE WORK OF THE DELAWARE STUDENT ATHLETE STEROID TESTING TASK FORCE. (Passed) p. 349.

HR 78 HONORING REPRESENTATIVE BETHANY A. HALL-LONG, REPRESENTATIVE OF THE 8TH DISTRICT, UPON HER RETIREMENT FROM THE DELAWARE HOUSE OF REPRESENTATIVES. (Passed) p. 344.

HR 79 URGING STATE OF DELAWARE HIGH SCHOOLS TO REQUIRE THAT ALL STUDENTS IN DELAWARE TAKE COURSES RELATING TO STATISTICAL ANALYSIS AND FINANCIAL PLANNING. (Passed) p. 349.

HR 80 CREATING A TASK FORCE TO EXAMINE THE LAWS AND PROCEDURES PERTAINING TO THE EXPUNGEMENT OF JUVENILE CRIMINAL RECORDS AND TO RECOMMEND APPROPRIATE CHANGES THERETO. (Passed) p. 346.

HR 81 A RESOLUTION COMMENDING JOHN F BRADY, ESQUIRE, FOR HIS SERVICE AS MAJORITY HOUSE ATTORNEY FROM 1997 THROUGH 2008. (Passed) p. 345.

HR 82 HONORING OUR COLLEAGUE AND FRIEND, J. BENJAMIN EWING, AS HE RETIRES FROM THE DELAWARE GENERAL ASSEMBLY AFTER 21 YEARS OF DEDICATED PUBLIC SERVICE AS THE STATE REPRESENTATIVE FROM THE 35TH DISTRICT. (Passed) p. 343-344.

HR 83 EXTENDING THE REPORTING DATE FOR THE DELAWARE FILM PRODUCTION TASK FORCE. (Passed) p. 345-346.

HR 84 DIRECTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO TAKE ALL ACTION NECESSARY TO TERMINATE THE TWO GROUP HOME CONTRACTS WITH RHD AND TO USE THE MONEY SAVED TO COVER COSTS OF HOUSING THE RESIDENTS IN SUITABLE ALTERNATIVE LIVING ARRANGEMENTS. (House Health & Human Development Committee) p. 353.

#### HOUSE CONCURRENT RESOLUTIONS

HCR 1 COMMENDING CARIDAD ALONSO FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2007 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 7, 9.

HCR 2 URGING DELAWARE'S CONGRESSIONAL DELEGATION TO REAUTHORIZE THE STATE CHILDREN HEALTH INSURANCE PROGRAM (SCHIP) TO ASSURE FEDERAL FUNDING FOR DELAWARE'S SCHIP PROGRAM. (Passed) p. 18, 21.

HCR 3 A RESOLUTION THANKING JERRY MARTIN FOR HIS MANY YEARS OF SERVICE TO THE COUNCIL OF CIVIC ASSOCIATIONS OF BRANDYWINE HUNDRED. (Passed) p. 22, 30.

HCR 4 A RESOLUTION REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) AND THE DELAWARE SOLID WASTE AUTHORITY (DSWA) TO DELAY ENFORCEMENT OF THE YARD WASTE BAN AT CHERRY ISLAND LANDFILL UNTIL JUNE 1, 2007, TO CONTINUE TO WORK TOWARD DEVELOPMENT OF A PROGRAM THAT WILL SIMPLIFY AND ECONOMIZE YARD WASTE RECYCLING AND REQUESTING THAT DNREC EXAMINE THE POSSIBILITY OF REQUIRING THAT LICENSED SOLID WASTE HAULERS DISPOSING OF ANY WASTE AT THE CHERRY ISLAND LANDFILL PROVIDE YARD WASTE COLLECTION SERVICE FOR ALL CUSTOMERS. (House Ready List)  
p. 30-31, 43, 45.

HCR 5 REQUESTING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION ENACT AN ADMINISTRATIVE REGULATION OR POLICY REGARDING LITTERING. (Laid on the Table in the Senate 6/30/07) p. 30-31.

HCR 6 A CONCURRENT RESOLUTION ENDORSING THE NATIONAL HEALTH INSURANCE ACT. (House Economic Development/Banking & Insurance Committee) p. 31, 37, 45.

HCR 7 PROCLAIMING THE WEEK OF APRIL 22 THROUGH APRIL 28, 2007 AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 31, 44.

HCR 8 URGING THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO INITIATE A TRAINING PROGRAM FOR DELAWARE TRUCK DRIVERS TO DETECT TERRORIST ACTIVITY. (Passed) p. 41, 44.

HCR 9 A RESOLUTION ENCOURAGING THE DELAWARE MEDICAL SOCIETY TO INFORM ITS MEMBERS ABOUT OFFERING TO OB-GYN PATIENTS INFORMATION ON POST-PARTUM DEPRESSION AND SCREENING TESTS. (Passed) p. 41, 44.

HCR 10 CONGRATULATING NAAMANS LITTLE LEAGUE ON ITS 50TH ANNIVERSARY. (Passed) p. 41, 44.

HCR 11 PROCLAIMING THE MONTH OF MARCH AS "AMERICAN RED CROSS MONTH". (Passed) p. 41, 43.

HCR 12 EXPRESSING THE SINCERE GRATITUDE OF THE MEMBERS OF THE DELAWARE HOUSE OF REPRESENTATIVES FOR THE DISTINGUISHED SERVICE OF THE BUFFALO SOLDIERS. (Passed) p. 48, 194.

HCR 13 CONGRATULATING THE 2006-2007 DELAWARE STATE UNIVERSITY WOMEN'S BASKETBALL TEAM FOR THEIR FIRST NATIONAL TOURNAMENT CONTEST FOR A FEMALE TEAM IN DELAWARE STATE UNIVERSITY HISTORY. (Passed) p. 49-50.

HCR 14 CONGRATULATING THE 2006-2007 UNIVERSITY OF DELAWARE FIGHTIN' BLUE HENS WOMEN'S BASKETBALL TEAM FOR THEIR OUTSTANDING SEASON AND THEIR SECOND APPEARANCE IN THE NCAA TOURNAMENT. (Passed) p. 54-55.



HCR 15 RECOGNIZING JUNE 14, 2007 AS NATIONAL NURSING ASSISTANTS' DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 61, 65.

HCR 16 ESTABLISHING THE CHILD POVERTY TASK FORCE. (House Ready List) p. 56, 62, 68.

HCR 17 TO RECOGNIZE MAY 2007 AS POPPY MONTH IN THE STATE OF DELAWARE. (Passed) p. 61, 65.

HCR 18 EXPRESSING THE SINCERE GRATITUDE OF THE GENERAL ASSEMBLY FOR THE DISTINGUISHED SERVICE OF THE BUFFALO SOLDIERS. (Passed) p. 66, 71.

HCR 19 COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2007 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 66, 71.

HCR 20 RECOGNIZING JUNE 9, 2007 AS RACE UNITY DAY IN THE CITY OF DOVER. (Passed) p. 66, 71.

HCR 21 ENCOURAGING DELAWARE EMPLOYERS TO GIVE EQUAL PAY FOR EQUAL WORK. (Passed) p. 65, 71.

HCR 22 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2007. (Passed) p. 66, 71.

HCR 23 RECOGNIZING JUNE 3 THROUGH JUNE 9, 2007 AS PARALEGAL WEEK. (Passed) p. 74, 91.

HCR 24 PROCLAIMING THE MONTH OF MAY 2007 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME. (Passed) p. 83, 91.

HCR 25 PROCLAIMING MAY 16, 2007 "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 83, 97.

HCR 26 ESTABLISHING THE DELAWARE INTERSTATE JOB COOPERATIVE TASK FORCE. (House Ready List) p. 85, 125.

HCR 27 EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. (Passed) p. 99-100.

HCR 28 ENCOURAGING COLLEGES AND UNIVERSITIES IN THE STATE TO REVIEW THEIR EMERGENCY PROCEDURES, WITH PARTICULAR CONSIDERATION TO THE NEED FOR ARMED RESPONSE CAPABILITY. (Defeated in the Senate 6/14/07) p. 99, 354.

HCR 29 RECOGNIZING JUNE 12, 2007 AS GIRL SCOUT LEGISLATIVE DAY. (Passed) p. 110-111.

HCR 30 RECOGNIZING JUNE 15, 2007 AS THE DELAWARE ELDER ABUSE AWARENESS DAY. (Passed) p. 114, 117.

HCR 31 RECOGNIZING SUNDAY, JUNE 17TH, 2007 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES. (Passed) p. 115, 117.

HCR 32 CREATING AN ECONOMICAL AND EFFICIENT STATEWIDE STUDENT ASSESSMENT SYSTEM AND ESTABLISHING A TASK FORCE. (Passed) p. 122, 124, 150, 170.

HCR 33 CREATING AN AVIATION ADVISORY TASK FORCE TO REPORT ON AVIATION ISSUES WITHIN THE STATE. (Passed in the House 6/27/07) p. 140-141.

HCR 34 A RESOLUTION HONORING THE CENTENNIAL OF UNITED PARCEL SERVICE OF AMERICA, INC, (UPS) AND RECOGNIZING THE CONTRIBUTIONS OF THE COMPANY TO THE CITIZENS OF DELAWARE. (Passed) p. 140-141, 170.

HCR 35 COMMENDING COURTNEY FOX FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2008 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 184-185.

HCR 36 DESIGNATING THE MONTH OF FEBRUARY 2008 AS "DELAWARE'S TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH". (Passed) p. 187, 199.

HCR 37 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. (Passed) p. 187, 194.

HCR 38 w/HA 1 RECOMMENDING THE CONTROLLER GENERAL VOTE TO APPROVE THE POWER PURCHASE AGREEMENT BETWEEN BLUEWATER WIND AND DELMARVA POWER AND REQUESTING THE PUBLIC SERVICE COMMISSION DETERMINE IF THE COSTS SHOULD BE DISTRIBUTED AMONG ALL DELMARVA POWER CUSTOMERS. (Senate Executive Committee) p. 194, 209, 226-227, 230.

HCR 39 A RESOLUTION PROCLAIMING FRIDAY, FEBRUARY 1, 2008 TO BE DELAWARE GO RED FOR WOMEN AND WEAR RED DAY. (Passed) p. 199, 201.

HCR 40 REQUESTING THE DELAWARE ENERGY OFFICE TO SUBMIT TO THE GENERAL ASSEMBLY LEGISLATION TO SPREAD THE COSTS OF ELECTRICITY PRODUCED BY OFFSHORE WIND GENERATION AMONG ALL DELAWARE ELECTRICITY USERS. (Stricken 6/24/08) p. 202, 209, 313.

HCR 41 PROCLAIMING THE WEEK OF APRIL 20 THROUGH APRIL 26, 2008 AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 224, 235.

HCR 42 REQUESTING THE DELAWARE ENERGY OFFICE STUDY THE NEW JERSEY APPROACH TO OFFSHORE WIND DEVELOPMENT AND SUBMIT RECOMMENDATIONS TO ENCOURAGE THE DEVELOPMENT OF THE BLUEWATER WIND OFFSHORE WIND FARM WITHOUT THE REQUIREMENT OF FORCED CONTRACTS. (House Energy and Natural Resources Committee) p. 215.

HCR 43 REQUESTING ASSISTANCE OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES (NCSL) TO REVIEW HOUSE AND SENATE RULES AND PROCEDURES WITH REGARD TO PROFESSIONAL CONDUCT. (Senate Permanent Rules Committee) p. 221, 232, 249.

HCR 44 DESIGNATING SATURDAY, MAY 3, 2008 "BRAIN TUMOR AWARENESS DAY" IN THE STATE OF DELAWARE. (Passed) p. 224, 235.

HCR 45 A RESOLUTION RECOGNIZING JUNE 14, 2008 AS THE 10TH ANNUAL SAFE SUMMER DAY AND APPLAUDING THE SAFE SUMMER DAY COMMITTEE FOR THEIR CONTINUED EFFORTS IN PROTECTING THE HEALTH AND WELL-BEING OF THE CHILDREN OF KENT COUNTY. (Passed) p. 256-257.

HCR 46 COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2008 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 224, 235.

HCR 47 RECOGNIZING THE COMMITMENT OF GRANDPARENTS AND OTHER RELATIVE CARE GIVERS RAISING CHILDREN WHOSE PARENTS ARE UNABLE TO DO SO. (Passed) p. 222, 226.

HCR 48 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2008. (Passed) p. 231, 235.

HCR 49 ESTABLISHING A TASK FORCE TO REVIEW COORDINATION OF HEALTH CARE, SOCIAL AND LEGAL SERVICES FOR DELAWAREANS WITH DISABILITIES. (Passed) p. 240-241, 248.

HCR 50 RECOMMENDING THE PUBLIC SERVICE COMMISSION DENY ANY REQUEST BY DELMARVA POWER TO RECOUP FROM, OR PASS-THROUGH TO, ITS RATEPAYERS THE COSTS IT HAS INCURRED OPPOSING THE POWER PURCHASE AGREEMENT NEGOTIATED BETWEEN DELMARVA POWER AND BLUEWATER WIND PURSUANT TO THE CRITERIA ESTABLISHED IN HOUSE BILL NO. 6. (House Energy and Natural Resources Committee) p. 239, 264.

HCR 51 DECLARING MAY 1, 2008 AS DIRECT SUPPORT PROFESSIONALS DAY IN DELAWARE. (Passed) p. 240-241, 248.

HCR 52 TO RECOGNIZE MAY 2008 AS POPPY MONTH IN THE STATE OF DELAWARE. (Passed) p. 252, 257.

HCR 53 EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. (Passed) p. 248, 250.

HCR 54 WELCOMING THE TAIWAN REPRESENTATIVE TO THE U.S., DR. JAUSHIEH JOSEPH WU, TO DELAWARE AND LOOKING FORWARD TO CONTINUED TRADE AND CULTURAL EXCHANGES WITH TAIWAN. (Passed) p. 258, 260.

HCR 55 REQUIRING THE DEPARTMENT OF EDUCATION TO DEVELOP COST SAVING ESTIMATES AND IMPLEMENTATION TIMELINE FOR THE DELAWARE STUDENT TESTING PROGRAM FOR 2009 AND 2010. (Senate Finance Committee) p. 263.

HCR 56 THANKING THE PARENT TEACHER ASSOCIATION (THE "PTA") FOR ITS 111 YEARS OF SERVICE AND DEDICATION TO OUR CHILDREN, OUR SCHOOLS AND OUR COMMUNITIES. (Passed) p. 263-264.

HCR 57 COMMENDING THE STATE OF DELAWARE'S FIRST RESPONDERS FOR THEIR COURAGEOUS EFFORTS DURING THE NOR'EASTER ON THE 11TH AND 12TH OF MAY, 2008. (Passed) p. 271, 290-291, 309.

HCR 58 EXTENDING THE REPORTING DATE OF THE DELAWARE STUDENT ASSESSMENT SYSTEM TASK FORCE. (Passed) p. 271-272, 277.

HCR 59 A RESOLUTION PROCLAIMING JUNE 1-7, 2008 TO BE CPR-AED AWARENESS WEEK IN THE STATE OF DELAWARE. (Passed) p. 271-272, 277.

HCR 60 RECOGNIZING JUNE 9 THROUGH JUNE 15, 2008 AS PARALEGAL WEEK. (Passed) p. 271-272, 277.

HCR 61 A RESOLUTION PROCLAIMING JUNE 10, 2008 AS GIRL SCOUT LEGISLATIVE DAY. (Passed) p. 278, 284.

HCR 62 EXTENDING THE SINCERE THANKS AND GRATITUDE OF THE DELAWARE GENERAL ASSEMBLY TO H. NELSON FREIDLY FOR HIS DEDICATION TO CAREER AND TECHNICAL EDUCATION IN THE STATE OF DELAWARE. (Passed) p. 271-272, 277.

HCR 63 RECOGNIZING JUNE 14, 2008 AS RACE UNITY DAY IN THE CITY OF DOVER. (Passed) p. 287, 309.

HCR 64 CALLING FOR DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT THE HEALTH CARE CHOICE ACT. (Passed in the House 6/19/08) p. 287, 289, 304-305, 307.

HCR 65 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2008 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 301, 305.

HCR 66 ESTABLISHING THE DELAWARE INTERSTATE JOB COOPERATIVE TASK FORCE. (Passed in the House 6/25/08) p. 323.

HCR 67 A RESOLUTION CREATING THE IRRIGATION PRESERVATION TASK FORCE. (Passed) p. 323-324, 353.

HCR 68 A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN THE DELAWARE ESTUARY WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES. (Senate Insurance & Elections Committee) p. 323.

HCR 69 URGING THE DELAWARE STATE FIRE COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS DEAL WITH THE PHYSICAL AND EMOTIONAL ISSUES ARISING FROM SUCH INJURIES. (Passed) p. 312-313, 353.

HCR 70 URGING THE OWNERS OF THE NRG INDIAN RIVER POWER PLANT AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ESTABLISH AN AIR MONITORING PROGRAM INTENDED TO DETERMINE THE POSSIBLE IMPACT OF THE PLANT'S OPERATIONS ON THE HEALTH OF SUSSEX COUNTY RESIDENTS. (Senate Insurance & Elections Committee) p. 323.

HCR 71 A RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO STUDY THEIR STATUTORY AUTHORITY IN LIGHT OF RECENT LEGAL OPINIONS. (Passed) p. 325, 354.

HCR 72 LEADERSHIP FOR EDUCATION ACHIEVEMENT IN DELAWARE (LEAD) COMMITTEE CONTINUATION RESOLUTION. (Passed in the House 6/25/08) p. 323.

HCR 73 A TASK FORCE TO REVIEW BORROW PIT RULES AND REGULATIONS IN THE STATE OF DELAWARE. (Passed) p. 325, 354.

HCR 74 A Concurrent Resolution with this number was not introduced.

HCR 75 DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MAINTAIN THE YARD WASTE SITES IN NEW CASTLE COUNTY AND CONTINUE OPERATION OF THE SITES UNTIL OTHERWISE DIRECTED BY THE GENERAL ASSEMBLY. (House Energy and Natural Resources Committee) p. 330.

HCR 76 EXPRESSING THE DESIRE THAT DELAWARE TECHNICAL & COMMUNITY COLLEGE REMAIN AN OPEN ADMISSION INSTITUTION AND DIRECTING THE CO-CHAIRS OF THE JOINT BOND BILL COMMITTEE TO WORK WITH THE OFFICE OF THE CONTROLLER GENERAL AND THE COLLEGE TO IDENTIFY A STABLE FUNDING SOURCE TO FINANCE THE COLLEGE'S NEED FOR MAJOR AND MINOR CAPITAL IMPROVEMENTS AND DEFERRED MAINTENANCE. (Passed in the House 7/1/08) p. 349.

#### HOUSE JOINT RESOLUTIONS

HJR 1 RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES. (Signed by the Governor 1/17/07) p. 3, 7, 30.

HJR 2 w/SA 1 URGING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION CALLING FOR FEDERAL APPROVAL OF EXTENSION OF THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL. (Signed by the Governor 5/23/07) p. 4, 20, 24, 97, 99-100, 102.

HJR 3 DIRECTING THE MERIT EMPLOYEE RELATIONS BOARD ESTABLISH A PAGE ON THE STATE WEBSITE FOR INFORMATION DISSEMINATION FOR USE BY STATE EMPLOYEES AND STATE EMPLOYEES CAN DISCUSS THESE MATTERS WITH THEIR LEGISLATORS WITHOUT FEAR OF REPRISAL. (Senate Labor & Industrial Relations Committee) p. 21, 43, 47.

HJR 4 URGES THE CONGRESS OF THE UNITED STATES OF AMERICA TO SWIFTLY PASS AND THE PRESIDENT TO SIGN INTO LAW S.513 AND HR 869. (Signed by the Governor 6/14/07) p. 44, 61, 80-81, 108, 119.

HJR 5 ESTABLISHING A TOLL-FREE NUMBER FOR STATE EMPLOYEES TO HAVE A CONFIDENTIAL AVENUE TO DISCUSS PERSONNEL-RELATED ISSUES. (Senate Executive Committee) p. 73, 100, 141.

HJR 6 REQUIRING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO UPDATE AND RE-BASE MEDICAID INPATIENT REIMBURSEMENT RATES. (House Appropriations Committee) p. 104.

HJR 7 CREATING A TASK FORCE REGARDING STATE AGENCY RECYCLING. (House Ready List) p. 118, 136, 148, 186.

HJR 8 DESIGNATING AND NAMING INTERSTATE 95 (I-95) THROUGH DELAWARE CONNECTING PENNSYLVANIA AND MARYLAND AS THE "PURPLE HEART TRAIL". (Stricken 5/7/08) p. 130, 188, 252.

HJR 9 CONCERNING THE HUMAN RIGHTS CRISIS AND THE DIVESTMENT OF DELAWARE'S HOLDINGS IN THE DARFUR REGION OF SUDAN. (Senate Finance Committee) p. 125, 136, 153-154.

HJR 10 DIRECTING THE SECRETARY OF FINANCE, THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO CONDUCT A COMPREHENSIVE STUDY REGARDING SPORTS BETTING IN DELAWARE. (Signed by the Governor 6/30/07) p. 130, 136, 141, 154, 170.

HJR 11 CREATING A TASK FORCE TO DEVELOP SPECIFIC RECOMMENDATIONS AIMED AT IMPROVING THE EQUITABLE DISTRIBUTION OF RESOURCES ACROSS DELAWARE PUBLIC SCHOOL DISTRICTS. (Passed in the House 6/28/08) p. 153.

HJR 12 REQUESTING THAT THE U.S. FISH AND WILDLIFE SERVICE ISSUE THE FINAL RULING FOR CONSERVATION MANAGEMENT OF THE GREATER SNOW GOOSE. (Signed by the Governor 5/1/0) p. 157-158, 242, 248.

HJR 13 THE OFFICIAL GENERAL FUND REVENUE FOR FISCAL YEAR 2007 (Signed by the Governor 7/1/07) p. 157, 170, 171.

HJR 14 DIRECTING A STRATEGY TO CONSTRUCT FISCAL YEAR 2009 STATE GOVERNMENT APPROPRIATIONS. (Signed by the Governor 4/24/08) p. 244-245, 248.

HJR 15 DIRECTING THE SECRETARY OF THE DELAWARE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO PERFORM A FISCAL IMPACT ANALYSIS TO DETERMINE HOW MUCH REVENUE DELAWARE PHARMACIES ARE EXPECTED TO LOSE BECAUSE OF MEDICAID'S NEW FORMULA THAT DETERMINES MAXIMUM REIMBURSEMENT FOR MULTIPLE-SOURCE DRUGS, AND

DIRECTING THE DIRECTOR OF THE DIVISION OF SOCIAL SERVICES TO ADOPT EMERGENCY AND FINAL REGULATIONS THAT INCREASE THE AMOUNT OF REIMBURSEMENT. (Senate Finance Committee) p. 158-159.

HJR 16 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2008 (Signed by the Governor 7/1/07) p. 158, 170, 171.

HJR 17 RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES. (Signed by the Governor 1/24/08) p. 171, 182, 203.

HJR 18 RELATING TO REPORTS IN ELECTRONIC FORMAT TO THE DELAWARE GENERAL ASSEMBLY. (Signed by the Governor 6/30/08) p. 221, 241, 280, 309, 354.

HJR 19 DIRECTING THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY TO ASCERTAIN THE COST AND ASSOCIATED ISSUES TO ACHIEVE A MAXIMUM CLASS SIZE OF 15 STUDENTS IN PUBLIC SCHOOLS. (House Education Committee) p. 242.

HJR 20 A Joint Resolution with this number was not introduced.

HJR 21 ESTABLISHING A TRAIL PARALLEL TO INTERSTATE 95 (I-95) THROUGH DELAWARE CONNECTING PENNSYLVANIA AND MARYLAND TO BE KNOWN AS "PURPLE HEART TRAIL". (Signed by the Governor 6/26/08) p. 251, 253-254, 299, 339.

HJR 22 A RESOLUTION DIRECTING THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, THE SECRETARY OF FINANCE, THE SECRETARY OF EDUCATION AND THE CONTROLLER GENERAL TO DEVELOP RECOMMENDATIONS FOR THE STATEWIDE UNIFORM REASSESSMENT OF REAL PROPERTY FOR THE PURPOSE OF AD VALOREM TAXATION BY COUNTY GOVERNMENTS AND SCHOOL DISTRICTS IN SUCH A MANNER AS TO HAVE NO FINANCIAL IMPACT ON THE STATE'S GENERAL FUND. (Signed by the Governor 7/1/08) p. 318, 336, 356.

HJR 23 DESIGNATING SEPTEMBER 11 OF EACH YEAR AS "DELAWARE EMERGENCY RESPONDERS' DAY". (Signed by the Governor 7/17/08) p. 330, 353, 355.

HJR 24 REQUESTING FURTHER REVIEW ON PROPOSED BUFFER REGULATIONS BEFORE FINAL ENACTMENT BY THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (House Energy and Natural Resources Committee) p. 336.

#### SENATE BILLS

SB 1 AN ACT TO AMEND TITLES 18 AND 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Signed by the Governor 1/17/07) p. 9-10, 30.

SB 3 AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES. (Signed by the Governor 3/28/07) p. 43-44, 46-47, 70.

SB 5 w/SA 4 & HA 1, HA 2, HA 3 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, RECOGNIZING THE IMPORTANCE OF STEM CELL RESEARCH, INCLUDING ADULT, UMBILICAL CORD BLOOD, AMNIOTIC AND EMBRYONIC, AND ESTABLISHING A FRAMEWORK FOR THE ETHICAL CONDUCT OF EMBRYONIC STEM CELL RESEARCH. (Defeated in the House 6/30/07) p. 53-54, 75, 159.

SB 6 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE CREATING A DELAWARE HEALTH INSURANCE POOL. (House Economic Development/Banking & Insurance Committee) p. 63, 65, 71, 138, 149, 155.

SS 1/SB 8 w/SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (Signed by the Governor 7/24/07) p. 124-125, 144, 166, 172.

SB 11 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PRESCRIPTION DRUG PAYMENT ASSISTANCE PROGRAM. (Signed by the Governor 4/5/07) p. 40-41, 48, 58, 70.

SB 17 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LOW-SPEED VEHICLES. (Signed by the Governor 4/14/07) p. 35, 43, 52, 56-57, 70.

SS 1/SB 18 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO CREATE A SUSTAINABLE ENERGY UTILITY IN THE STATE OF DELAWARE. (Signed by the Governor 6/28/07) p. 90-91, 111, 127, 154.

SB 19 w/HA 1 AN ACT TO AMEND THE DELAWARE CODE TO INCREASE THE RENEWABLE ENERGY PORTFOLIO STANDARD. (Signed by the Governor 7/24/07) p. 108-109, 125, 166, 172.

SB 22 AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES, CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE COLLECTION OF ANNUAL TAXES. (Signed by the Governor 4/5/07) p. 20-21, 48, 58, 70.

SB 23 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MILITARY DEPLOYMENT. (Signed by the Governor 6/30/08) p. 226, 228, 289, 299, 354.

SB 24 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PROMOTION OF COOPERATION, PARTNERSHIPS, AND THE EXCHANGE OF INFORMATION ACROSS THE MID-ATLANTIC REGION (House Economic Development/Banking & Insurance Committee) p. 63, 65.

SB 25 w/SA 1 & HA 1 AN ACT TO AMEND THE LAWS OF DELAWARE SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS AND TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN COMMITTEE APPOINTMENTS. (Signed by the Governor 1/31/07) p. 20-23, 30.

SB 26 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY COURT PROCEEDINGS AND CONTEMPT OF COURT. (Signed by the Governor 5/8/07) p. 44-45, 61, 72, 102.

SB 27 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TRANSFERRING THE DELAWARE COMMISSION FOR WOMEN TO THE DEPARTMENT OF STATE. (Signed by the Governor 3/22/07) p. 21, 24, 35-36, 70.

SB 29 w/HA 3 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE BY REMOVING THE STATUTE OF LIMITATIONS FOR CIVIL SUITS RELATING TO CHILD SEXUAL ABUSE AND ADDING RELATED PROVISIONS REGARDING SUCH SUITS. (Signed by the Governor 7/10/07) p. 61, 63, 65-66, 108, 110-111, 114, 120-121, 172.

SB 30 w/SA 1 AN ACT TO AMEND CHAPTER 95 OF TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL PROCEDURES OF THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 5/23/07) p. 63, 65, 75, 89, 102.

SS 1/SB 31 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF CREDIT. (Signed by the Governor 8/1/07) p. 84-85, 113, 119, 172.

SB 32 AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLSBORO, CHAPTER 212, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AMEND AN ACT BEING CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED 'AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO' TO INCREASE THE AMOUNT PERMITTED TO BE RAISED FROM THE TAXATION OF REAL ESTATE AND TO PERMIT QUARTERLY ASSESSMENTS OF REAL ESTATE"; AND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO" RELATING TO THE REMOVAL OF THE LIMITATION OF THE AMOUNT OF TAXES WHICH MAY BE RAISED FROM THE TAXATION OF REAL ESTATE. (Signed by the Governor 5/8/07) p. 47-48, 70-72, 102.

SB 35 w/SA 2 AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND. (Signed by the Governor 7/24/07) p. 124-125, 144, 164-165, 172.

SB 36 w/SA 1, SA 2 AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING. (Signed by the Governor 8/2/07) p. 117-118, 125, 136, 138, 154, 172.

SB 37 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO RATES AND RATING ORGANIZATIONS. (House Economic Development/Banking & Insurance Committee) p. 102, 104.

SB 39 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO JURISDICTION OF OFFENSES. (Signed by the Governor 5/23/07) p. 44-45, 68, 95, 102.

SB 42 AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO THE CONTINGENCY FUND. (Signed by the Governor 7/5/07) p. 41, 43, 48, 148, 171.

SB 43 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES (Signed by the Governor 7/17/07) p. 63, 65, 75, 160, 172.

SB 44 w/SA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ELECTIONS. (Signed by the Governor 7/17/07) p. 84-85, 108, 160, 172.

SB 45 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITING THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS. (Signed by the Governor 7/10/08) p. 289-290, 303, 313, 354.

SS 1/SB 47 AN ACT TO REINCORPORATE THE TOWN OF CAMDEN. (Signed by the Governor 7/17/07) p. 154-155, 160, 172.

SB 50 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT JURISDICTION OVER MOTOR VEHICLE VIOLATIONS (Signed by the Governor 6/6/07) p. 63, 65, 75, 105, 111.

SB 52 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE CRITERIA TO BE USED BY THE PUBLIC SERVICE COMMISSION FOR GRANTING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO WATER UTILITIES. (Signed by the Governor 6/28/07) p. 63, 65, 111-112, 116, 154.

SB 53 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER VOICE OVER INTERNET PROTOCOL COMMUNICATIONS SERVICE. (Signed by the Governor 5/23/07) p. 66, 81, 89, 102.

SB 54 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/21/07) p. 69, 71, 84, 92, 94, 137.

SB 57 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT. (Signed by the Governor 6/20/07) p. 81, 83, 100, 104, 137.

SB 58 w/SA 1 & 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. (House Ready List) p. 71, 104, 117, 171-172, 183, 198.

SB 59 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE CITY OF NEWARK RELATING TO THE ELIMINATION OF THE HOUSE SERGEANT POSITION. (Signed by the Governor 5/23/07) p. 63, 65, 75, 92, 102.

SB 60 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO REGISTRATION OF SEX OFFENDERS AND COMMUNITY NOTIFICATION OF SEX OFFENDERS ON PROBATION, PAROLE, CONDITIONAL RELEASE OR RELEASE FROM CONFINEMENT. (Signed by the Governor 5/17/07) p. 73-75, 77-78, 102.

SB 61 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE CITY OF NEWARK RELATING TO THE POSITIONS OF ALDERMAN AND DEPUTY ALDERMAN. (Signed by the Governor 5/23/07) p. 63, 65, 75, 92, 102.

SB 62 AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (Enacted without signature) p. 63, 65, 75, 77, 102.

SB 63 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER INVESTMENTS IN FOREIGN COUNTRIES. (Signed by the Governor 5/30/07) p. 68, 75, 92, 94, 119.

SB 64 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE WITH RESPECT TO CHAPTER 12A., UNIFORM ELECTRONIC TRANSACTIONS ACT (Signed by the Governor 7/5/07) p. 93-94, 111, 141, 171.

SS 1/SB 67 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERIES AND MICROBREWERIES. (Signed by the Governor 5/23/07) p. 68, 84, 92, 102.

SS 1/SB 68 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Signed by the Governor 5/23/07) p. 79, 90, 94-95, 102.

SB 69 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ARBITRATION. (Signed by the Governor 5/23/07) p. 63, 65, 75, 89, 102.

SB 70 AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO ADRIFT OR ABANDONED VESSELS AND CERTAIN PROPERTY RELATING TO VESSELS. (Signed by the Governor 7/5/07) p. 90-91, 111, 145, 171.

SS 1/SB 71 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN. (Signed by the Governor 5/15/08) p. 226, 228, 241, 249, 268.

SS 1/SB 75 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT SECURITY ASSESSMENTS. (Signed by the Governor 7/5/07) p. 128, 130, 136, 147, 171.

SB 76 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE USE LAW (Signed by the Governor 6/28/07) p. 90, 108, 118, 154.

SB 77 w/SA 2 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING MUNICIPALITIES PROVIDING WASTEWATER SERVICE OUTSIDE THEIR MUNICIPAL BOUNDARIES AND THE CRITERIA TO BE USED BY THE PUBLIC SERVICE COMMISSION FOR GRANTING CERTIFICATES FOR PUBLIC CONVENIENCE AND NECESSITY TO WASTEWATER UTILITIES. (Signed by the Governor 6/28/07) p. 101, 111-112, 115, 154.

SB 78 w/HA 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE AND NEWBORN SCREENING. (Signed by the Governor 8/1/07) p. 101, 114, 117, 122, 142, 172.

SB 79 w/SA 3 AN ACT TO AMEND TITLES 9 AND 22 RELATING TO EMERGENCY COMMUNICATION SYSTEMS. (Signed by the Governor 8/28/07) p. 128, 130, 136, 159-160, 172.

SB 80 w/SA 2 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO NUISANCE ABATEMENT. (Signed by the Governor 7/18/07) p. 108, 110, 136, 148, 172.

SB 81 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE SALE OF CHECKS AND TRANSMISSION OF MONEY. (Signed by the Governor 7/5/07) p. 84-85, 108, 116, 171.

SB 82 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL VEHICLES. (Signed by the Governor 7/12/07) p. 90-91, 108, 159-160, 172.

SB 84 w/SA 1 & 4 AN ACT TO AMEND CHAPTER 25, TITLE 24 OF THE DELAWARE CODE BY STRIKING CHAPTER 25 IN ITS ENTIRETY AND BY SUBSTITUTING THE FOLLOWING THEREOF. (Signed by the Governor 7/24/07) p. 154-155, 158, 165-166, 172.

SB 86 w/SA 1 & HA 2 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON HOUSING AND HOUSING. (Signed by the Governor 2/6/08) p. 101, 125, 183-184, 186, 196, 203.

SB 87 ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD. (Signed by the Governor 7/5/07) p. 104, 111, 132, 171.

SB 89 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GEOSPATIAL DATA. (Signed by the Governor 7/10/07) p. 101, 111, 159-160, 172.

SB 90 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND ESTABLISHING A SEX OFFENDER MANAGEMENT BOARD. (Signed by the Governor 7/5/07) p. 106, 125, 136, 171.

SB 91 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CARGO. (House Ready List) p. 90-91, 113.

SB 93 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING. (Signed by the Governor 6/28/07) p. 90-91, 111, 134, 154.

SB 94 w/SA 1 AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOME ADMINISTRATORS. (Signed by the Governor 7/5/07) p. 104, 111, 134, 171.

SB 95 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Signed by the Governor 7/10/07) p. 91, 93, 113, 148, 172.

SB 96 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Signed by the Governor 7/10/07) p. 91, 93, 113, 148, 172.

SB 97 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE FALSE CLAIMS AND REPORTING ACT. (House Economic Development/Banking & Insurance Committee) p. 113-114.

SB 98 AN ACT TO AMEND 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. (Signed by the Governor 7/10/07) p. 91, 93, 111, 148, 172.

SB 99 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE, RELATING TO THE STATE EMPLOYEE'S PENSION PLAN. (House Ready List) p. 154-155, 183.

SB 100 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING. (House Ready List) p. 101, 125, 171, 183.

SB 104 AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE, RELATING TO DIVORCE AND ANNULMENT. (Signed by the Governor 6/28/07) p. 101, 111, 134, 154.

SB 105 AN ACT TO AMEND CHAPTER 15, TITLE 13 OF THE DELAWARE CODE, RELATING TO DIVORCE AND ANNULMENT. (Signed by the Governor 7/10/07) p. 101, 111, 160, 172.

SS 1/SB 107 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COLORECTAL CANCER SCREENING. (Signed by the Governor 7/16/08) p. 323, 328, 352, 354.

SB 108 AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO RADIATION CONTROL. (Signed by the Governor 6/26/08) p. 199, 203, 214, 284, 296, 339.

SB 109 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (House Ready List) p. 117-118, 261, 264, 320.

SB 110 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RETALIATORY ACTS. (Signed by the Governor 5/15/08) p. 128, 130, 230, 253, 268.

SB 111 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL CONTEMPT OF A DOMESTIC VIOLENCE PROTECTIVE ORDER. (Signed by the Governor 7/12/07) p. 129-130, 144, 160, 172.

SB 112 AN ACT TO AMEND THE DELAWARE CODE RELATING TO PUBLIC HEALTH EMERGENCIES. (Signed by the Governor 7/24/07) p. 119, 122, 136, 165-166, 172.

SB 113 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Signed by the Governor 7/24/07) p. 165, 170, 172.

SB 114 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DISPLAY OF LICENSE PLATES. (Signed by the Governor 7/16/08) p. 128, 131, 182, 347-348, 354.

SB 117 w/SA 1 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS, ESTATES, AND TRUSTS. (Signed by the Governor 7/5/07) p. 117-118, 124, 136, 171.

SB 118 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC WORKS CONTRACTING. (Signed by the Governor 1/24/08) p. 136, 138, 144, 165-166, 198-201, 203.

SB 119 AN ACT TO AMEND CHAPTER 26, TITLE 14 OF THE DELAWARE CODE, RELATING TO THE POWER OF COUNTY VOCATIONAL HIGH SCHOOL DISTRICTS AND COUNTY VOCATIONAL-TECHNICAL SCHOOL DISTRICTS TO LEVY TAXES FOR SCHOOL PURPOSES. (Signed by the Governor 7/5/07) p. 124-125, 136, 150, 171.

SB 120 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (Signed by the Governor 7/5/07) p. 117-118, 124, 136, 171.

SB 121 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTIONS SYSTEM SAFETY ACT. (Signed by the Governor 6/28/07) p. 119, 122, 125, 141, 154.

SB 122 w/SA 1, SA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING COMMUNITY CLOSURES AND RESIDENT OWNERSHIP OF MANUFACTURED HOUSING COMMUNITIES. (House Manufactured Housing Subcommittee) p. 148-149, 154, 202.

SB 123 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MEMBERSHIP OF THE PROFESSIONAL STANDARDS BOARD. (Signed by the Governor 7/5/07) p. 121-122, 136, 150, 171.

SB 125 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SUPERVISION OF OFFENDERS ON CONDITIONAL RELEASE. (House Corrections Committee) p. 119, 122.

SB 126 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF CERTAIN MANDATORY DRUG FINES (Signed by the Governor 7/10/07) p. 119, 122, 136, 150, 172.

SB 127 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REVOCATION OF DRIVERS LICENSES. (Signed by the Governor 7/5/07) p. 119, 122, 125, 128, 131, 171.

SB 128 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE HOUSE OF PRIDE, INC. (Signed by the Governor 7/12/07) p. 154-155, 162, 172.

SS 1/SB 131 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO CERTIFIED PUBLIC ACCOUNTANTS. (Signed by the Governor 8/4/08) p. 277, 294, 336, 356.

SB 132 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (House Ready List) p. 168, 170, 183.

SB 133 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN. (Signed by the Governor 7/31/07) p. 137-138, 152, 172.

SB 136 w/SA 2 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE, RELATING TO THE ESTABLISHMENT OF AN OTHER POST-EMPLOYMENT BENEFITS FUND. (Signed by the Governor 6/28/07) p. 128, 131, 146, 154.

SB 137 w/SA 1 AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE AS AMENDED, RELATING TO THE CITY OF REHOBOTH BEACH. (Signed by the Governor 6/28/07) p. 124, 126, 135-136, 154.



SB 138 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENHANCED 911 EMERGENCY NUMBER SERVICE AND REPORTING SYSTEM FUND. (Signed by the Governor 1/24/08) p. 154-155, 182, 185, 203.

SB 139 w/SA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO MANAGEMENT OF INSTITUTIONAL FUNDS. (Signed by the Governor 7/18/07) p. 124, 126, 153, 158, 165-166, 172.

SB 140 AN ACT TO REINCORPORATE THE TOWN OF FREDERICA. (Signed by the Governor 7/17/07) p. 137-138, 166, 172.

SB 142 w/SA 1 & 2 AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATED TO PROCUREMENT. (House Ready List) p. 158, 168, 183.

SB 144 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN DEFENSES TO CRIMINAL LIABILITY. (Signed by the Governor 7/17/07) p. 137-138, 158, 165-166, 172.

SB 145 w/SA 1 AN ACT TO AMEND CHAPTER 27 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 7/24/07) p. 136, 138, 158, 166, 172.

SB 146 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER BEING CHAPTER 175, VOLUME 75 OF THE LAWS OF DELAWARE, AS AMENDED, REGARDING BOND ISSUING AUTHORITY. (Signed by the Governor 7/12/07) p. 154-155, 160, 172.

SB 147 AN ACT TO AMEND CHAPTER 148, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE CITY OF MILFORD, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH SUCH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO INCREASE THE CONTRACT AMOUNT NOT SUBJECT TO COMPETITIVE BIDDING. (Signed by the Governor 3/25/08) p. 189, 194, 209, 211, 222.

SB 148 AN ACT TO AMEND VOLUME 75, CHAPTER 353 OF THE LAWS OF DELAWARE RELATING TO DESIGN-BUILD PROCUREMENT. (House Capital Infrastructure Committee) p. 148-149.

SB 149 w/SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX CREDITS. (Signed by the Governor 6/30/07) p. 136, 138, 144, 160, 171.

SB 150 w/SA 1 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING EMERGENCY OR DISASTER RELIEF OPERATIONS. (Signed by the Governor 8/7/07) p. 136, 138, 144, 163, 172.

SB 151 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES AND PARKING PERMITS FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THEIR ABILITY TO WALK. (Signed by the Governor 5/1/08) p. 168, 170, 182, 202, 234, 248.

SB 153 AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE" TO UPDATE THE PROCEDURES FOR ANNEXATION OF LANDS INTO THE TOWN, SIMPLIFYING THE PROCESS FOR PARCELS OF TWO CONTIGUOUS ACRES OR LESS WHERE THE OWNER REQUESTS ANNEXATION; AND, IN ALL OTHER SITUATIONS, REQUIRING A FAVORABLE ELECTION OF THE RESIDENTS AND PROPERTY OWNERS OF THE EXISTING TOWN AND OF THE LANDS TO BE ANNEXED AS A CONDITION PRECEDENT TO ANNEXATION (Signed by the Governor 7/12/07) p. 136, 138, 160, 172.

SB 154 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING SCHOOL DISTRICT BOUNDARIES. (Signed by the Governor 7/17/07) p. 137-138, 153, 162, 172.

SB 155 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2008; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/07) p. 164, 170-171.

SB 157 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES AND TOBACCO PRODUCTS. (Signed by the Governor 7/24/07) p. 154-155, 165, 172.

SB 158 w/SA 1 AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRADE OR EXCHANGE CERTAIN REAL PROPERTY IN SUSSEX COUNTY, DELAWARE. (Signed by the Governor 7/12/07) p. 154-155, 162, 172.

SB 159 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE DEPARTMENT OF AGRICULTURE TO ADOPT REGULATIONS FOR THE INSPECTION OF EGG, MEAT, AND POULTRY PRODUCTS AND THE HUMANE SLAUGHTER OF LIVESTOCK. (Signed by the Governor 7/10/07) p. 137-138, 144, 160, 172.

SB 160 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION. (Signed by the Governor 7/17/07) p. 148-149, 160-161, 172.



SB 161 AN ACT TO AMEND TITLE 24, CHAPTER 18 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION EXAMINERS. (Signed by the Governor 3/20/08) p. 168, 170, 186, 196, 204, 222.

SB 163 AN ACT TO AMEND TITLES 5 AND 29 OF THE DELAWARE CODE RELATING TO FORECLOSURE PROTECTION FOR HOMEOWNERS. (House Housing & Community Affairs Committee) p. 168, 170, 202.

SB 164 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO WRITE-IN CANDIDATES (Signed by the Governor 7/9/08) p. 250-251, 289, 326, 354.

SB 165 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS. (House Revenue & Finance Committee) p. 168, 170, 337.

SB 166 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "SWEARS FALSELY". (Signed by the Governor 3/20/08) p. 168, 170, 196, 204, 222.

SS 1/SB 168 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRANSFER OR CLOSURE OF CHEMICAL OR HAZARDOUS SUBSTANCE ESTABLISHMENTS AND TO ESTABLISH A CONTRACTOR CERTIFICATION PROGRAM FOR HAZARDOUS SUBSTANCE CLEANUP SITES. (Signed by the Governor 5/15/08) p. 226, 228, 232, 249, 268.

SB 169 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE NEIGHBORHOOD ASSISTANCE TAX CREDIT. (Signed by the Governor 7/24/07) p. 166-167, 170, 172.

SB 171 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLACEMENT OF NEGLECTED AND DELINQUENT CHILDREN. (Signed by the Governor 3/22/08) p. 169-170, 204, 222.

SB 174 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS. (Signed by the Governor 7/3/08) p. 219, 221, 225, 243, 266-267, 291, 317, 354.

SB 178 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE BEACH PRESERVATION ACT. (Signed by the Governor 6/18/08) p. 250-251, 273, 281, 309.

SB 179 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISAL. (Signed by the Governor 7/16/08) p. 194, 214, 339, 354.

SB 189 AN ACT TO AMEND CHAPTER 121 OF VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO THE TIMING OF A PUBLIC HEARING. (Signed by the Governor 1/15/08) p. 182, 184, 203.

SB 191 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE. (Signed by the Governor 7/3/08) p. 210, 213, 274, 284, 294-296, 354.

SS 1/SB 192 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed by the Governor 5/1/08) p. 203, 205, 216, 228-230, 248.

SB 193 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING FOR COOPERATIVES. (Signed by the Governor 3/25/08) p. 201-202, 209, 214, 222.

SB 194 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN. (House Transportation/Land Use and Infrastructure Committee) p. 194, 197-198.

SB 195 AN ACT TO AMEND TITLES 4 AND 15 OF THE DELAWARE CODE RELATING TO ALCOHOL SALES ON ELECTION DAYS. (Signed by the Governor 6/18/08) p. 241-242, 260, 280, 309.

SB 196 AN ACT TO REINCORPORATE THE TOWN OF MILTON. (Signed by the Governor 3/26/08) p. 201-202, 209-211, 248.

SB 197 AN ACT TO AMEND VOLUME 68, CHAPTER 3, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF ELSMERE" RELATING TO THE COLLECTION OF DELINQUENT PROPERTY TAXES. (Signed by the Governor 5/22/08) p. 199, 241, 259, 268.

SB 198 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (Signed by the Governor 5/1/08) p. 203, 205, 230, 237, 248.

SB 199 AN ACT TO AMEND TITLES 7, 9, 10, 15, 29 AND 31 OF THE DELAWARE CODE RELATING TO REFERENCES TO ASSOCIATE JUDGES. (Signed by the Governor 5/1/08) p. 217, 225, 237, 248.

SB 201 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 4/10/08) p. 213, 216, 219, 226, 248.

SB 203 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PARTICIPATION IN A MULTI-STATE AUTOMATED LICENSING SYSTEM. (Signed by the Governor 6/30/08) p. 285-286, 300, 308, 354.

SB 204 w/SA 1 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE (House Ready List) p. 217, 221, 224, 289.

SB 207 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO CERTIFICATION REQUIREMENTS TO PRACTICE MEDICINE. (House Policy Analysis & Government Accountability Committee) p. 226, 228.

SB 208 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 5/27/08) p. 213, 225, 242, 259, 289.

SB 211 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING BOUNDARIES. (Signed by the Governor 5/7/08) p. 209, 217, 244-245, 268.

SB 212 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS. (House Ready List) p. 232-233, 255, 342, 353.

SB 213 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE BANK FRANCHISE TAX AND TITLE 30 OF THE DELAWARE CODE PERTAINING TO THE DELAWARE CORPORATION INCOME TAX. (Signed by the Governor 6/3/08) p. 214-215, 217-218, 289.

SB 214 w/SA 1 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS. (House Housing & Community Affairs Committee) p. 257-258.

SB 216 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE JUSTICE OF THE PEACE COURT IN SUMMARY POSSESSION ACTIONS. (Signed by the Governor 6/26/08) p. 250, 252, 268, 297, 339.

SB 217 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO VERIFICATIONS OF SERVICE OF PROCESS. (Signed by the Governor 6/18/08) p. 242, 247, 260, 276, 309.

SB 218 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION PROCEDURES IN JUSTICE. (Signed by the Governor 6/18/08) p. 226, 228, 255, 276, 309.

SB 219 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ELECTRONIC FILING COSTS IN JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/18/08) p. 242, 247, 260, 275, 309.

SB 221 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO NONPAYMENT OF JUDGEMENTS INVOLVING MOTOR VEHICLE SAFETY. (Signed by the Governor 6/30/08) p. 209, 217, 244-245, 268.

SB 222 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EARLY CHILDHOOD EDUCATION PROGRAM AND THE ESTABLISHMENT OF A QUALITY RATING AND IMPROVEMENT PROGRAM. (Signed by the Governor 7/8/08) p. 250, 252, 273, 296, 354.

SB 225 AN ACT AUTHORIZING FAMILY COURT TO ALLOW RAMATOULAYE BAH TO ADOPT HER NIECE RAGHIATOU BAH. (Signed by the Governor 4/24/08) p. 223-224, 232-233, 248.

SB 226 AN ACT TO AMEND THE CAMDEN TOWN CHARTER RELATING TO ELECTED OFFICIAL QUALIFICATIONS AND TO THE POLICE FORCE. (Signed by the Governor 7/16/08) p. 305-306, 327, 346, 354.

SB 227 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MISSING PERSONS. (Signed by the Governor 7/17/08) p. 274, 289, 297, 355.

SB 228 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY. (Signed by the Governor 6/17/08) p. 241-242, 245, 266, 268, 270, 309.

SB 230 AN ACT TO RENAME THE DELAWARE CORRECTIONAL CENTER NEAR SMYRNA IN HONOR OF THE LATE DELAWARE COMMISSIONER OF CORRECTION AND DELAWARE STATE SENATOR, JAMES T. VAUGHN. (Signed by the Governor 5/15/08) p. 226, 228, 236, 249, 252-253, 289.

SB 231 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTION REPORTS. (Signed by the Governor 7/9/08) p. 235-236, 238, 289, 324, 354.

SB 234 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT. (Signed by the Governor 7/3/08) p. 270-271, 294, 303-304, 354.

SB 235 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA REPORTING. (Signed by the Governor 7/3/08) p. 268, 271, 287, 289, 299, 354.

SB 236 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (Signed by the Governor 4/25/08) p. 235, 238, 241, 245, 248.

SB 237 AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE OFFENSES SUBJECT TO VOLUNTARY ASSESSMENT AND PROBATION BEFORE JUDGMENT. (Signed by the Governor 6/26/08) p. 257-258, 274, 297, 339.

SB 238 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS. (House Energy and Natural Resources Committee) p. 289-290.

SB 239 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR PRACTICES IN THE INSURANCE INDUSTRY. (Signed by the Governor 7/21/08) p. 266-267, 289, 349, 355.

SB 240 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS. (Signed by the Governor 7/16/08) p. 274, 289, 335, 354.

SB 242 AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (Enacted without signature) p. 257-258, 268, 320-321, 356.

SB 244 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 6/26/08) p. 266-267, 289, 304, 339.

SB 245 AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (Vetoed 6/28/08) p. 285-286, 289, 291-292, 340, 343.

SB 246 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC. (Signed by the Governor 6/26/08) p. 266-267, 289, 298-299, 339.

SB 247 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS AND ESTATES AND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY (Signed by the Governor 6/26/08) p. 266-267, 284, 297, 339.

SB 248 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO A LEVEL 1 LEARNER'S PERMIT. (Signed by the Governor 7/3/08) p. 264, 274, 314-315, 354.

SB 249 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO USE OF NETS FOR FISHING NEAR DAMS OR SPILLWAYS. (Signed by the Governor 6/26/08) p. 270-271, 289, 299, 339.

SB 251 AN ACT TO AMEND TITLE 11, CHAPTER 94 OF THE DELAWARE CODE RELATING TO THE VICTIMS' BILL OF RIGHTS. (Signed by the Governor 7/3/08) p. 285-286, 303, 315, 354.

SB 252 AN ACT TO AMEND TITLE 6 & 29 OF THE DELAWARE CODE RELATING TO FORECLOSURE PROTECTION FOR HOMEOWNERS (Signed by the Governor 8/21/08) p. 285-286, 352, 356.

SB 253 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HARASSMENT AND STALKING. (Signed by the Governor 7/16/08) p. 300, 319, 339, 354.

SB 254 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR OFF-HIGHWAY VEHICLE VIOLATIONS. (Signed by the Governor 7/3/08) p. 274, 289, 314-315, 354.

SB 255 AN ACT TO AMEND TITLES 9, 22, AND 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF DEVELOPMENT RIGHTS AND THE CREATION OF SPECIAL DEVELOPMENT DISTRICTS. (Laid on the Table in the Senate 5/15/08) p. 270.

SB 256 AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DEATH CERTIFICATES, AND CEMETERIES. (Signed by the Governor 7/9/08) p. 264, 274, 321, 354.

SB 258 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ANIMAL FIGHTING AND BAITING. (House Ready List) p. 294-295, 319.

SB 260 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (Signed by the Governor 6/30/08) p. 270-271, 289, 308, 354.

SB 261 AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO AMEND SECTION 3, ANNEXATION OF TERRITORY, TO CLARIFY EXISTING PROCEDURES AND PROVIDE EXPRESS AUTHORITY TO ENTER INTO AGREEMENTS; SECTION 5, QUALIFICATIONS FOR MAYOR AND CITY COUNCILMAN; SECTION 6, METHOD OF MAKING NOMINATIONS FOR MAYOR AND CITY COUNCILMAN; SECTION 7, MANNER OF HOLDING ANNUAL MUNICIPAL ELECTIONS; SECTION 8 ORGANIZATION AND ANNUAL MEETING OF COUNCIL; SECTION 9, REGULAR AND SPECIAL MEETINGS, TO CONFORM WITH STATE LAW AND TO CLARIFY CERTAIN PROVISIONS CONTAINED THEREIN; SECTION 29, ENUMERATION OF POWERS, RELATING TO HOLDING PROPERTY AND IMPACT FEES; SECTION 31, REMEDIES FOR COLLECTION OF TAXES, ASSESSMENTS AND OTHER CHARGES, TO PROVIDE FOR THE MONITION PROCEDURE AS AN ALTERNATE METHOD. (Signed by the Governor 6/26/08) p. 266-267, 289, 339.

SS 1/SB 262 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 7/31/08) p. 306, 310, 333, 342-343, 356.

SB 263 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A REGIONAL GREENHOUSE GAS INITIATIVE AND CO2 EMISSION TRADING PROGRAM. (Signed by the Governor 6/30/08) p. 289-290, 293, 301, 311, 354.

SB 265 AN ACT DEAUTHORIZING CERTAIN PROJECT BALANCES TO THE GENERAL FUND AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND. (Signed by the Governor 5/15/08) p. 260-261, 264-265, 268.

SB 266 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CLEMENCY. (Signed by the Governor 7/16/08) p. 306, 310, 319, 347-348, 351, 354.

SB 267 AN ACT PROPOSING AN AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (House Administration Committee) p. 305-306.

SB 268 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE HERITAGE COMMISSION. (Signed by the Governor 7/9/08) p. 289-290, 319, 324, 354.

SB 269 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE FOR MEDICAL NEGLIGENCE. (Signed by the Governor 8/1/08) p. 289-290, 300, 321, 356.

SB 270 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE UNIVERSITY BOARD OF TRUSTEES (House Education Committee) p. 319-320.

SB 271 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE UNIVERSITY BOARD OF TRUSTEES (House Education Committee) p. 319-320.

SB 272 AN ACT TO RENAME THE DELAWARE EMERGENCY MANAGEMENT OPERATIONS CENTER IN SMYRNA IN HONOR OF THE LATE DIRECTOR OF EMERGENCY MANAGEMENT AND FORMER CHIEF OF THE WILMINGTON FIRE DEPARTMENT, JOHN P. MULHERN, JR. (Signed by the Governor 7/21/08) p. 294-295, 330, 352, 355.

SB 273 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY; AND PROVIDING FOR A DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT. (Signed by the Governor 10/31/08) p. 350, 353, 356.

SB 274 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OPERATION OF MOTOR VEHICLES. (Signed by the Governor 7/16/08) p. 299-300, 319, 335, 354.

SB 276 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY. (Signed by the Governor 7/3/08) p. 285-286, 301, 313, 354.

SB 277 AN ACT AMENDING THE NEWARK CITY CHARTER, BEING CHAPTER 152 OF VOLUME 48, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CITY'S ABILITY TO BORROW MONEY FOR CURRENT EXPENSES, UNFUNDED LIABILITIES, TAX INCREMENT FINANCING, AND THE CITY'S POWER TO INCUR BONDED INDEBTEDNESS. (Signed by the Governor 7/9/08) p. 294-295, 300, 313, 354.

SB 278 AN ACT TO AMEND CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO BRING SECTIONS 5, 8, 9 AND 10 OF THE CHARTER OF THE TOWN INTO COMPLIANCE WITH TITLE 15, CHAPTER 75 OF THE DELAWARE CODE; AND TO AMEND SECTION 16 OF THE CHARTER TO REQUIRE THE TREASURER TO BE A RESIDENT OF THE TOWN. (Signed by the Governor 7/16/08) p. 306, 310, 333, 346, 354.

**SB 279** AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS OF PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. (Signed by the Governor 7/16/08) p. 305-306, 323, 335, 354.

**SB 280** AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. (House Labor Committee) p. 305, 310.

**SB 281** AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE DETERMINATION OF JURISDICTION IN PROCEEDINGS FOR GUARDIANSHIP AND CONSERVATORSHIPS FOR INCAPACITATED ADULTS. (Signed by the Governor 7/17/08) p. 294-295, 303, 324, 355.

**SB 282** AN ACT TO AMEND CHAPTER 83, TITLE 29 OF THE DELAWARE CODE REGARDING THE AUTHORITY OF THE BOARD OF PENSION TRUSTEES TO LEVY INTEREST PENALTIES AND LATE PAYMENT ASSESSMENTS. (Signed by the Governor 7/21/08) p. 300-301, 351, 355.

**SB 283** AN ACT TO AMEND CHAPTER 52 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES DISABILITY INSURANCE PROGRAM. (House Ready List) p. 300-301, 323.

**SB 284** AN ACT TO AMEND TITLES 11, 16, AND 29 OF THE DELAWARE CODE MAKING TECHNICAL CHANGES TO STATUTES OF THE PENSION PLANS ADMINISTERED BY THE DELAWARE PUBLIC EMPLOYEES RETIREMENT SYSTEM PURSUANT TO INTERNAL REVENUE CODE PROVISIONS GOVERNING GOVERNMENTAL PENSION PLANS. (Signed by the Governor 7/1/08) p. 300-301, 323, 335, 354.

**SB 285** AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOUNTY HUNTERS AND BAIL ENFORCEMENT AGENTS. (Signed by the Governor 7/21/08) p. 330, 336, 347-348, 355.

**SB 286** AN ACT TO AMEND SUBCHAPTER V OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION. (House Ready List) p. 294-295, 319, 347-348, 353.

**SB 287** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HOUSE ARREST. (Signed by the Governor 7/21/08) p. 330, 336, 348, 355.

**SB 288** AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO EXPANSION OF FACILITIES AND SERVICES OF WATER COMPANIES. (Signed by the Governor 7/17/08) p. 306, 310, 319, 335, 356.

**SB 289** AN ACT TO NAME THE SUSSEX COUNTY FAMILY COURT BUILDING IN HONOR OF THE LATE FORMER CHIEF JUDGE OF THE FAMILY COURT OF THE STATE OF DELAWARE, ROBERT D. THOMPSON, JR. (Signed by the Governor 7/17/08) p. 294-295, 319, 324, 355.

**SB 291** AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL ENFORCEMENT OF OUTSTANDING TOLL VIOLATIONS. (Signed by the Governor 7/21/08) p. 333, 336, 347, 355.

**SB 292** AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER LICENSES. (Signed by the Governor 7/16/08) p. 299, 301, 319, 335, 354.

**SB 293** AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COLLISIONS AND TRAFFIC MANAGEMENT. (Signed by the Governor 7/21/08) p. 300-301, 319, 335, 355.

**SB 294** AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. (Signed by the Governor 7/21/08) p. 330, 336, 348, 355.

**SB 295** AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (Signed by the Governor 7/16/08) p. 306, 310, 323, 335, 354.

**SB 296** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN. (House Ready List) p. 323, 328, 330.

**SB 297** AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUST COMPANIES. (Signed by the Governor 7/17/08) p. 319-320, 324, 330, 334, 355.

**SB 298** AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STRIPED BASS COMMERCIAL GILL NET FISHING IN THE NANTICOKE RIVER AND ITS TRIBUTARIES. (Passed 6/26/08) p. 306, 310, 319, 335, 356.

**SB 299** AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CONCEALED FIREARMS CARRIED BY QUALIFIED ACTIVE AND RETIRED LAW ENFORCEMENT OFFICERS. (Signed by the Governor 7/9/08) p. 306, 310, 330, 342, 354.

**SB 300** AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2009; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/08) p. 350, 353-354.

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SB 328 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO OFFSHORE WIND POWER INSTALLATIONS. (Signed by the Governor 6/25/08) p. 325-327, 339.

SB 333 AN ACT TO AMEND CHAPTER 7, TITLE 18 OF THE DELAWARE CODE RELATING TO TAXES ON INSURANCE PREMIUMS. (Signed by the Governor 6/30/08) p. 333, 337, 354.

SB 334 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. (Signed by the Governor 6/30/08) p. 333, 337-338, 354.

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SB 337 AN ACT TO AMEND CHAPTERS 52A AND 55 OF TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES DISABILITY INSURANCE PROGRAM. (Signed by the Governor 7/9/08) p. 333, 337, 347-348, 354.

#### SENATE CONCURRENT RESOLUTIONS

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SCR 2 ESTABLISHING THE MONTH OF FEBRUARY 2007 AS NATIONAL PARENT LEADERSHIP MONTH IN DELAWARE. (Passed) p. 11, 18.

SCR 3 DESIGNATING THE MONTH OF FEBRUARY 2007 AS TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN DELAWARE. (Passed) p. 11, 18.

SCR 4 COMMENDING THE REVEREND DERRICK JOHNSON OF WILMINGTON AND MR. BILL COSBY FOR THEIR EFFORTS TO BRING A MESSAGE OF NONVIOLENCE TO CRIME-PRONE AREAS OF OUR CITIES, CONGRATULATING REV. JOHNSON UPON BEING CHOSEN AS NATIONAL SPOKESMAN FOR THE PRISON OUTREACH PROGRAM, "LIFE PROJECT," AND URGING HIM TO BRING HIS MESSAGE INTO DELAWARE'S PRISONS. (Passed) p. 21, 23.

SCR 5 CONGRATULATING MASSMUTUAL FOR ITS LIFEBRIDGE FREE LIFE INSURANCE PROGRAM AND ENCOURAGING ELIGIBLE DELAWAREANS TO TAKE ADVANTAGE OF THAT PROGRAM. (Passed) p. 24, 31.

SCR 6 EXTENDING THE REPORTING DATE OF THE SUSTAINABLE ENERGY UTILITY TASK FORCE (Passed) p. 24-25.

SCR 7 RELATING TO THE PROMOTION OF BETTER AWARENESS OF THE FOOD AND DRUG ADMINISTRATION APPROVED VACCINATION AGAINST THE HUMAN PAPILLOMA VIRUS AND CERVICAL CANCER. (Passed) p. 43, 48.

SCR 8 REQUESTING THE GOVERNOR TO PROCLAIM THE MONTH OF MAY AS LYME DISEASE AWARENESS MONTH. (Passed) p. 65-66.

SCR 9 COMMENDING THE EFFORTS OF CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS. (Passed) p. 79, 83.

SCR 10 DECLARING MAY 2007 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH IN DELAWARE (Passed) p. 97, 99.

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SCR 14 COMMENDING THE CLASS OF 2006-2007 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA (Passed) p. 114, 117.

SCR 15 URGING THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL AND THE NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS TO PURSUE AND ENFORCE SERVICE QUALITY AND CONSUMER PROTECTION STANDARDS FOR ALL WIRELESS CARRIERS. (House Telecommunication Internet & Technology Committee) p. 128, 136.

SCR 16 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2007 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 124, 140-141.

SCR 17 EXTENDING DEEPEST CONDOLENCES TO THE FAMILIES AND LOVED ONES OF THE NINE FIREFIGHTERS WHOSE LIVES WERE LOST IN A TRAGIC FIRE IN THE CITY OF CHARLESTON, SOUTH CAROLINA, AND TO THEIR FELLOW MEMBERS OF THE CHARLESTON FIRE DEPARTMENT. (Passed) p. 127-128.

SCR 19 A RESOLUTION URGING THE UNITED STATES CONGRESS TO END THE PRACTICE OF "SMOKESTACK CHASING". (Passed) p. 128, 140-141.

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SCR 22 EXPRESSING THE DESIRE THAT DELAWARE TECHNICAL & COMMUNITY COLLEGE REMAIN AN OPEN ADMISSION INSTITUTION AND DIRECTING THE CO-CHAIRS OF THE JOINT BOND BILL COMMITTEE TO WORK WITH THE OFFICE OF THE CONTROLLER GENERAL AND THE COLLEGE TO IDENTIFY A STABLE FUNDING SOURCE TO FINANCE THE COLLEGE'S NEED FOR MAJOR AND MINOR CAPITAL IMPROVEMENTS AND DEFERRED MAINTENANCE. (Passed) p. 154, 156.

SCR 24 ESTABLISHING A TASK FORCE TO CONSIDER THE NEED FOR ADJUSTMENTS TO AND/OR REVISIONS OF EAGLE'S LAW, ENACTED IN 2000 TO ESTABLISH MINIMUM STAFFING LEVELS FOR RESIDENTIAL HEALTH FACILITIES. (House Policy Analysis & Government Accountability Committee) p. 167, 170, 306.

SCR 25 ENCOURAGING DART TO DEVELOP A SEVEN DAY A WEEK STATEWIDE TRANSIT SERVICE PLAN IN DELAWARE: (Passed) p. 167, 170.

SCR 26 REQUESTING THE DELAWARE STATE HOUSING AUTHORITY PROPERLY DEMOLISH COURTYARD APARTMENTS. (House Housing & Community Affairs Committee) p. 167, 170.

SCR 27 ESTABLISHING THE TAX DITCH RIGHT-OF-WAY TASK FORCE. (Passed) p. 163, 170.

SCR 28 REQUESTING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO CONVENE A STAKEHOLDERS WORKGROUP TO CONSIDER THE REGIONAL GREENHOUSE GAS INITIATIVE AND THE DISPOSITION OF REVENUES FROM THE SALE OF CARBON DIOXIDE ALLOWANCES. (Passed) p. 167, 170.

SCR 29 HONORING DELAWARE WILDLIFE ARTIST RICHARD CLIFTON AND CONGRATULATING HIM UPON HIS RECENT ACCOMPLISHMENT IN WINNING THE 2006 FEDERAL DUCK STAMP ART CONTEST. (Passed) p. 167, 170.

SCR 31 COMMENDING ALL THOSE WHO HAVE HELPED TO MAKE DELAWARE'S E-GOVERNMENT RESOURCES AND SERVICES THE BEST IN THE NATION. (Passed) p. 187.

SCR 32 DESIGNATING FEBRUARY 6, 2008 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE. (Passed) p. 194, 198.

SCR 33 MARKING THE OBSERVANCE OF THE ONE HUNDREDTH ANNIVERSARY OF THE ESTABLISHMENT OF SAINT ELIZABETH PARISH AND SAINT ELIZABETH ELEMENTARY SCHOOL IN THE CITY OF WILMINGTON IN 1908. (Passed) p. 201, 205.

SCR 34 REORGANIZING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE. (Passed) p. 201, 205.

SCR 35 PROCLAIMING THE MONTH OF MAY 2008 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION FOR "MOTORCYCLE AWARENESS MONTH." (Passed) p. 201, 205.

SCR 36 COMMEMORATING THE 100TH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE AND THEIR SERVICE TO OUR COUNTRY. (Passed) p. 229-230.

SCR 37 DESIGNATING THE MONTH OF APRIL 2008 AS DELAWARE'S SEXUAL ASSAULT AWARENESS MONTH. (Passed) p. 214, 216.

SCR 38 ESTABLISHING A TASK FORCE TO CONSIDER THE NEED FOR A BURN CAMP IN DELAWARE. (Passed) p. 219.

SCR 39 PROCLAIMING APRIL 9, 2008 "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 222, 224.

SCR 43 DECLARING MAY 2008 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH IN DELAWARE (Passed) p. 277, 287.

SCR 44 COMMENDING DOVER AIR FORCE BASE PERSONNEL ON EARNING THE "2008 COMMANDER IN CHIEF'S ANNUAL AWARD FOR INSTALLATION EXCELLENCE". (Passed) p. 269-270.

SCR 45 RECOGNIZING JUNE 8 THROUGH JUNE 14, 2008 AS PARALEGAL WEEK. (Passed) p. 277, 287.

SCR 46 RECOGNIZING JUNE 12, 2008 AS NATIONAL NETWORK OF CAREER NURSING ASSISTANTS' DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 277, 287.

SCR 47 COMMENDING THE CLASS OF 2007-2008 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA (Passed) p. 291, 303.

SCR 48 HONORING ALPHA KAPPA ALPHA SORORITY FOR ITS 100 YEARS OF SERVICE TO THE COMMUNITY AS DELAWARE MEMBERS GATHER AT LEGISLATIVE HALL IN COMMEMORATION OF THE CENTENNIAL OF ITS FOUNDING ON 15, JANUARY 1908. (Passed) p. 306-307.

#### SENATE JOINT RESOLUTIONS

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SJR 2 w/SA 1 A RESOLUTION REQUIRING THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE SOLID WASTE AUTHORITY TO DELAY THE ENFORCEMENT OF THE YARD WASTE BAN FOR CHERRY ISLAND LANDFILL UNTIL JANUARY 15, 2008 AND TO UNDERTAKE A NUMBER OF ACTIVITIES THAT WILL RESULT IN A SUITABLE YARD WASTE RECYCLING PROGRAM FOR NORTHERN NEW CASTLE COUNTY. (Signed by the Governor 5/23/07) p. 79, 84, 96-97, 102.

SJR 3 CREATING A TASK FORCE TO REVIEW THE FUTURE OF CITY OF WILMINGTON STUDENTS IN PUBLIC SCHOOLS. (Signed by the Governor 7/5/07) p. 113-114, 129, 149-150, 171.

SJR 5 DIRECTING THE DIRECTOR OF THE OFFICE OF MANGEMENT AND BUDGET, THE SECRETARY OF FINANCE AND THE CONTROLLER GENERAL TO ANALYZE EXISTING REVENUES AND MAKE RECOMMENDATIONS TO ENSURE A STABLE LONG TERM REVENUE BASE. (Signed by the Governor 6/30/07) p. 148-149, 159.

SJR 6 HONORING OLIVER W. CROPPER OF FENWICK ISLAND FOR HIS MANY YEARS OF PUBLIC SERVICE BY DESIGNATING AN UNNAMED POINT EXTENDING INTO LITTLE ASSAWOMAN BAY IN HIS HONOR, AND URGING THE PROPER AUTHORITIES TO ACCEPT HIS NAME OFFICIALLY WHEN SUCH ACTION MAY BE CARRIED OUT UNDER THE APPLICABLE REGULATIONS. (Signed by the Governor 2/4/08) p. 182, 188, 196, 203.

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| <b><u>CORRECTIONS, DEPARTMENT OF</u></b>                |              |        |     |
| Healthcare Review Committee/Establish                   | Spence       | HB     | 94  |
|                                                         | Spence       | HB     | 446 |
| <b><u>COUNTIES</u></b>                                  |              |        |     |
| Impact Fees/Remove Prohibition                          | Ennis        | HB     | 31  |
| Land Use/School Impact Fee                              | Cathcart     | HB     | 233 |
| Municipal Zoning/Variations                             | Carson       | HB     | 455 |
| New Castle                                              |              |        |     |
| Council Vacancy                                         | Lavelle      | HB     | 93  |

**COUNTIES** New Castle (Continued)

|                                   |              |        |     |
|-----------------------------------|--------------|--------|-----|
| Development Districts             | Valihura     | HB     | 244 |
| Land Use/Variances                | Spence       | HB     | 287 |
| Lodging Tax                       | Marshall     | HB     | 257 |
| Tax Increment Financing           | Valihura     | HS1/HB | 197 |
| Trash and Recycling Districts     | Maier        | HB     | 246 |
| New Subdivisions/Prohibited Areas | Ennis        | HB     | 186 |
| Suburban Community Improvements   | D. Short     | HB     | 312 |
| Sussex                            |              |        |     |
| Building Permit Surcharge         | Ewing        | HB     | 118 |
| Council/Add Members               | Booth        | HB     | 42  |
| Planning/Zoning/Add Members       | Booth        | HB     | 39  |
| Roads/Meet State Standards        | Schwartzkopf | HB     | 280 |
| Sewage Treatment/Location         | D. Short     | HB     | 449 |
| Tax Increment Financing           | Ewing        | HB     | 311 |
|                                   | Ewing        | HB     | 451 |
| Taxes                             |              |        |     |
| Exemption/ Swimming Pool          | Spence       | HS1/HB | 463 |
| Realty Transfer/Rural Areas       | Ennis        | HS1/HB | 111 |
| Zoning/Overlay Zones              | Cathcart     | HB     | 306 |

**COURTS**

|                                           |              |        |     |
|-------------------------------------------|--------------|--------|-----|
| Civil Suit/Child Sex Abuse/State          | Lavelle      | HB     | 335 |
| Family                                    |              |        |     |
| Divorce/Separate Filings/Relief           | Hudson       | HB     | 48  |
| Domestic Violence/Pets                    | McWilliams   | HB     | 369 |
| Guardianship/Child/Publication            | Valihura     | HB     | 46  |
| Protection from Abuse Order               | Schwartzkopf | HB     | 199 |
| Firearms                                  | Spence       | HB     | 151 |
| Seize Firearms                            | Hudson       | HB     | 183 |
| Healthcare Provider/Production of Records | Wagner       | HB     | 235 |
| Justice of the Peace/Truancy              | Maier        | HB     | 56  |
| Operations in Emergency                   | Keeley       | HB     | 431 |
| Service of Process/Nonresident            | Valihura     | HS1/HB | 374 |
| Superior/Speedy Trial/Prejudice           | Lavelle      | HB     | 506 |

**CREDIT SERVICE ORGANIZATION**

|                           |        |    |     |
|---------------------------|--------|----|-----|
| Criminal Background Check | Keeley | HB | 164 |
|---------------------------|--------|----|-----|

**CRIMES**

|                                            |              |         |     |
|--------------------------------------------|--------------|---------|-----|
| Animal Fighting/Penalties                  | Wagner       | HB      | 276 |
|                                            | Miro         | HB      | 279 |
| Assessments/\$1.00 Surcharge               | Booth        | HB      | 213 |
| Burglar's Tools/Bump Key                   | Ewing        | HB      | 396 |
| Burglary/Remain in Premises                | Lee          | HB      | 208 |
| Child Pornography                          |              |         |     |
| Computer Serviceperson/Report              | Spence       | HB      | 54  |
| Penalty/Increase                           | Schwartzkopf | HS1/HB  | 421 |
| Drugs/Mandatory Sentence/Remove            | Spence       | HB      | 11  |
|                                            | Spence       | HB      | 32  |
|                                            | Spence       | HB      | 71  |
| Egg-laying Hens/ Confinement/Prohibit      | Maier        | HB      | 95  |
| Electronic Control Device/Definition/Taser | Booth        | HB      | 343 |
| Firearm/Violent Felon                      | Keeley       | HB      | 163 |
| Graffiti Implement/Possession              | Walls        | HB      | 490 |
| Human Trafficking/Combat                   | Maier        | HS 1/HB | 116 |
| Identity Theft/Purchase Narcotics          | Ewing        | HB      | 117 |
| Impersonation/Firefighter/Unlawful         | D. Short     | HB      | 134 |
| Money Laundering                           | Lee          | HB      | 375 |
| Online Predator Act                        | Spence       | HB      | 152 |
| Organized Retail Crime                     | Miro         | HB      | 121 |
| Price Gouging during Emergency             | Keeley       | HB      | 262 |
| Puppy Sale/Under 8 Weeks                   | Valihura     | HB      | 467 |
| School Zone/Deadly Weapon                  | Spence       | HB      | 499 |
| Selling Stolen Property/Penalties          | Miro         | HB      | 180 |
| Sex Crime                                  |              |         |     |
| Defendant/HIV Test                         | Hudson       | HB      | 424 |
| Child Prostitution                         | Schwartzkopf | HB      | 130 |
| Sex Offender                               |              |         |     |
| GPS Tracking                               | Wagner       | HB      | 100 |
| Notification                               | Booth        | HB      | 345 |
| Out of State/Register                      | Spence       | HB      | 485 |
| Penalty                                    | Schwartzkopf | HB      | 59  |

**CRIMES** Sex Offender (Continued)

|                                         |          |        |       |
|-----------------------------------------|----------|--------|-------|
| Register/Release on Bond                | Valihura | HB     | 205   |
| Renew Driver's License                  | Lofink   | HB     | 399   |
| Shoplifting/Recovery                    | Hocker   | HS1/HB | 309   |
| Taser Use/Felony                        | Booth    | HB     | 298   |
| Victim's Bill of Rights                 |          |        |       |
| Compensation                            | Williams | HB     | 63    |
| Defendant/HIV Testing                   | Hudson   | HB     | ..395 |
| Restitution                             | Hudson   | HB     | 138   |
| Sexual Assault /Compensation            | Hudson   | HB     | 371   |
| Witness Intimidation/Mandatory Sentence | Williams | HB     | 62    |
| Criminal Records/Expungement/Adults     | Valihura | HB     | 496   |

**D**

|                                              |          |        |     |
|----------------------------------------------|----------|--------|-----|
| Death/Disposition of Remains                 | Brady    | HB     | 156 |
|                                              | Brady    | HB     | 384 |
| Development Finance Council/Statutory Change | Valihura | HB     | 219 |
|                                              | Valihura | HS1/HB | 383 |
| Digital Outdoor Advertising                  | Spence   | HB     | 115 |
| Divorce/Relief/Separate Filings              | Hudson   | HB     | 48  |

**E**

|                                       |          |        |   |
|---------------------------------------|----------|--------|---|
| Elected Officials/Official Misconduct | Valihura | HS1/HB | 9 |
|---------------------------------------|----------|--------|---|

**ELECTIONS**

|                                      |           |    |     |
|--------------------------------------|-----------|----|-----|
| Absentee/Non-resident/Wilmington     | Lavelle   | HB | 120 |
| Candidate Death/Close Out Committee  | Hastings  | HB | 430 |
| Candidate Disclosure Statement       | Hudson    | HB | 61  |
| Cash Contributions/Disclose          | Hudson    | HB | 356 |
| Commissioner/Serve on National Board | Manolakos | HB | 256 |
| County Offices/Filing Deadlines      | Blakey    | HB | 324 |
| Filing Fee/Good Funds                | Blakey    | HB | 44  |
| Fusion Candidates                    | Gilligan  | HB | 177 |
| Primary/Independents Vote            | Valihura  | HB | 502 |
| Voter Lists/Privacy Protection       | Carey     | HB | 481 |

**ELECTRICITY**

|                                         |         |        |     |
|-----------------------------------------|---------|--------|-----|
| Ethanol/Fund Station Conversion         | Spence  | HB     | 34  |
| Provider/Shut-off Notice                | Lavelle | HB     | 360 |
| Eminent Domain – also see “State”       | Hocker  | HB     | 484 |
| Energy/Wind/Ban Restrictions            | Oberle  | HS1/HB | 344 |
| Estates/Elective Share/Surviving Spouse | Stone   | HB     | 185 |

**F**

|                                     |           |        |     |
|-------------------------------------|-----------|--------|-----|
| False Alarms/Security Systems       | Thornburg | HS1/HB | 224 |
| Family Support Coordinating Council | Maier     | HB     | 129 |

**FIREFIGHTERS**

|                                              |           |    |     |
|----------------------------------------------|-----------|----|-----|
| Audit Volunteer Companies                    | Lee       | HB | 329 |
| Designated Crimes/Prohibit Service           | Ennis     | HB | 251 |
| Impersonation/Unlawful                       | D. Short  | HB | 134 |
| Line-of-Duty Disability                      | Ennis     | HB | 166 |
| Fire Marshall/Deputy/Law Enforcement Officer | Hall-Long | HB | 261 |
| Fire Prevention /Sprinkler Inspection        | Spence    | HB | 438 |

Fishing – see “Natural Resources and Environmental Control, Department of”

**FREEDOM OF INFORMATION**

|                                         |          |        |     |
|-----------------------------------------|----------|--------|-----|
| Legislative Committee Meetings Included | Valihura | HS1/HB | 60  |
| Reports Public/Public Financing         | Wagner   | HB     | 5   |
| Funeral/Preneed Contract/Bond           | Stone    | HB     | 137 |
| Fur-containing Apparel/Requirements     | Marshall | HS1/HB | 216 |

**G****GAMING** – also see “Lottery”

|                                    |       |    |     |
|------------------------------------|-------|----|-----|
| Charitable/Increase Prize Amount   | Lee   | HB | 448 |
| Poker/No Limit Texas Hold'em       | Lee   | HB | 447 |
| Gasoline Station/Pump for Disabled | Viola | HB | 83  |

**GENERAL ASSEMBLY**

|                                         |          |        |     |
|-----------------------------------------|----------|--------|-----|
| Committee Meetings/Open to Public       | Valihura | HS1/HB | 60  |
|                                         | Gilligan | HB     | 70  |
| Conflict of Interest/Relative/Employ    | Cathcart | HB     | 346 |
| Former Legislator/Lobbyist/One Year     | Kowalko  | HB     | 68  |
|                                         | Hudson   | HB     | 196 |
| Kids Caucus/Official                    | Marshall | HB     | 333 |
| Legislators/Staff/Ethics Training       | Hastings | HB     | 349 |
| Sunset /Streamline Committee Operations | Valihura | HB     | 89  |

|                                        |        |        |     |
|----------------------------------------|--------|--------|-----|
| General Fund Deposits/Project Balances | Lofink | HB     | 412 |
| Gift Cards/Prohibit Fee against Value  | Wagner | HS1/HB | 52  |
| Grants-in-Aid/FY'08                    | Oberle | HB     | 271 |

## **H**

|                            |        |    |     |
|----------------------------|--------|----|-----|
| Harrington/Armory/Transfer | Outten | HB | 96  |
|                            | Outten | HB | 487 |

## **HEALTH**

|                                   |              |    |     |
|-----------------------------------|--------------|----|-----|
| Advance Directive/Guardian Access | Maier        | HB | 381 |
| Organ Donation/Opt-out Program    | Schwartzkopf | HB | 302 |
| Restaurant License/Pass Stickers  | Thornburg    | HB | 85  |
| Health Care Commission/Membership | Maier        | HB | 348 |

## **HEALTH & SOCIAL SERVICES, DEPARTMENT OF**

|                                          |           |    |     |
|------------------------------------------|-----------|----|-----|
| Community Mental Health Treatment Act    | Cathcart  | HB | 419 |
| Division of Public Health/Update Code    | Maier     | HB | 103 |
| Health Statistics Center/Sunset Review   | Valihura  | HB | 465 |
| Heart Disease & Stroke Prevention Office | Hall-Long | HB | 352 |
| Inspector General/Prison Health Care     | Smith     | HB | 35  |
|                                          | Spence    | HB | 88  |

### **Mental Health Bill of Rights**

|                       |          |    |     |
|-----------------------|----------|----|-----|
| Grievance System      | Cathcart | HB | 407 |
| Incident Notification | Cathcart | HB | 408 |

|                                      |          |    |     |
|--------------------------------------|----------|----|-----|
| Mental Health Death Review Committee | Cathcart | HB | 403 |
| Nursing Facilities/Protection Agency | Cathcart | HB | 404 |

### **Psychiatric Center**

|                             |           |    |     |
|-----------------------------|-----------|----|-----|
| Abuse Report Protection     | Cathcart  | HB | 410 |
| Authority/Create            | Cathcart  | HB | 459 |
| Complaints/Retaliation      | Cathcart  | HB | 409 |
| Director/Board Certified    | Cathcart  | HB | 406 |
| Employees/Background Checks | Hall-Long | HB | 411 |
| Uniform Policy/Implement    | Johnson   | HB | 405 |

## **HEARING AID LOAN BANK**

|                                       |        |    |     |
|---------------------------------------|--------|----|-----|
| Children                              | Keeley | HB | 387 |
| Continue                              | Keeley | HB | 125 |
| Eligibility                           | Keeley | HB | 379 |
| Establish                             | Keeley | HB | 178 |
| Horse Racing/Thoroughbred/Racing Days | Oberle | HB | 304 |

## **HOSPITALS**

|                                                                        |            |         |     |
|------------------------------------------------------------------------|------------|---------|-----|
| Acute Care/Stroke Centers                                              | Hall-Long  | HB      | 378 |
| Infection Advisory Board                                               | Hudson     | HS 1/HB | 340 |
| Infections Disclosure                                                  | Hudson     | HS 1/HB | 47  |
| Quality Report Card                                                    | Wagner     | HB      | 169 |
| Visitation Policy                                                      | McWilliams | HB      | 167 |
| Hotels/Prohibit Hourly Room Rates                                      | Johnson    | HB      | 229 |
| Housing/Affordable/Design Requirements                                 | Maier      | HB      | 505 |
| Hunting – see “Natural Resources & Environment Control, Department of” |            |         |     |

## **I**

## **IMMUNIZATIONS**

|                                   |        |         |     |
|-----------------------------------|--------|---------|-----|
| Use of Mercury Containing Vaccine | Maier  | HS 1/HB | 194 |
| Vaccine/Mercury/Under Age 8       | Maier  | HB      | 322 |
| Inspector General Act             | Oberle | HB      | 155 |

## **INSURANCE**

|                                       |        |    |     |
|---------------------------------------|--------|----|-----|
| Auto/Transfer Between Insurers/Notify | Stone  | HB | 473 |
| Bail Bond Agents/Licensing            | Hudson | HB | 299 |
| Captive/Revise Statute                | Stone  | HB | 214 |
| Casualty/Statute of Limitations       | Wagner | HB | 200 |
| Claims/Statute of Limitations         | Wagner | HB | 201 |
| Contracts/Annual Statement            | Ewing  | HB | 203 |

### **Health**

|                                 |           |    |     |
|---------------------------------|-----------|----|-----|
| Children/Low Income             | Schooley  | HB | 128 |
| Colorectal Cancer Screening     | Spence    | HB | 319 |
| Hearing Aid Coverage            | Brady     | HB | 355 |
| Infertility Treatment/Cover     | Miro      | HB | 110 |
| Offer Minimum Coverage          | D. Short  | HB | 477 |
| Medicaid/Third Party Coverage   | Maier     | HB | 101 |
| Medicare/Supplement Eligibility | Plant     | HB | 267 |
| Pharmacy Benefit Manager Act    | Maier     | HB | 105 |
| Provider Arbitration            | Hudson    | HB | 92  |
| Risk Pool/Establish             | D. Short  | HB | 478 |
| Scalp Hair Prosthesis/Cover     | Longhurst | HB | 290 |

|                                                           |              |        |     |
|-----------------------------------------------------------|--------------|--------|-----|
| <b><u>INSURANCE</u></b> Health (Continued)                |              |        |     |
| Small Employer/Rating Rules                               | Stone        | HB     | 479 |
| Life                                                      |              |        |     |
| Military/Line of Duty Death                               | Lofink       | HB     | 15  |
| Volunteer Firefighters/Maximum                            | Ennis        | HB     | 192 |
| Pharmacy Access/Electronic Claims/Payment                 | Wagner       | HB     | 260 |
| Property/Claims                                           | Wagner       | HB     | 247 |
| Internet Pharmacy Consumer Protection Act                 | Hall-Long    | HB     | 270 |
|                                                           |              | HB     | 454 |
| <b><u>J</u></b>                                           |              |        |     |
| Judicial Emergency Act                                    | Keeley       | HB     | 431 |
| <b><u>JUSTICE, DEPARTMENT OF</u></b>                      |              |        |     |
| Line of Duty Death Benefit                                | Mulrooney    | HB     | 82  |
| Special Investigators/Authority                           | Oberle       | HB     | 84  |
| Justice Information System Fund                           | Booth        | HB     | 213 |
| <b><u>K</u></b>                                           |              |        |     |
| Kids Caucus/Official/General Assembly                     | Marshall     | HB     | 333 |
| <b><u>L</u></b>                                           |              |        |     |
| Labor/Wrongful Termination/Protection                     | Plant        | HB     | 327 |
| <b><u>LIMITED LIABILITY COMPANY/PARTNERSHIP</u></b>       |              |        |     |
| Annual Tax/Increase                                       | Oberle       | HB     | 520 |
| Partnerships/Revisions                                    | Valihura     | HB     | 428 |
| Partnerships/Revisions                                    | Valihura     | HB     | 427 |
| Statutory Revisions                                       | Valihura     | HB     | 429 |
| Littering/Penalty                                         | Booth        | HB     | 40  |
| <b><u>LOBBYISTS</u></b>                                   |              |        |     |
| Disclosure                                                | Keeley       | HB     | 380 |
| One Year/Cooling Off Period                               | Kowalko      | HB     | 68  |
|                                                           | Hudson       | HB     | 196 |
| <b><u>LOTTERY</u></b> – also see “Video Lottery”          |              |        |     |
| Advertise on Machines                                     | Wagner       | HB     | 23  |
| Breeder’s Fund Surcharge                                  | Keeley       | HB     | 514 |
| Equalize State Share                                      | Hudson       | HB     | 494 |
| Sports Betting/Allow                                      | Lofink       | HS1/HB | 190 |
| Video/Adjacent Hotel                                      | Spence       | HB     | 238 |
| <b><u>M</u></b>                                           |              |        |     |
| <b><u>MANUFACTURED HOMES</u></b>                          |              |        |     |
| Approval Decal/Inspections                                | Valihura     | HB     | 198 |
|                                                           | Valihura     | HB     | 215 |
| Consumer Protection/Department of Justice                 | Hastings     | HB     | 526 |
| Fair Rent Adjustment                                      | Blakey       | HB     | 258 |
| Landlord Provide Info/Prospective Tenant                  | Hastings     | HB     | 524 |
| Lot Rental Assistance/Expand                              | Hastings     | HB     | 523 |
| Rent Increase                                             |              |        |     |
| Justification                                             | Schwartzkopf | HB     | 73  |
| Moratorium                                                | Spence       | HB     | 296 |
| Right of First Offer/Owner’s Association                  | Valihura     | HB     | 504 |
| Sale of Community/Notification                            | Schwartzkopf | HB     | 74  |
| <b><u>MARRIAGE</u></b>                                    |              |        |     |
| Former Clerk of Peace/Out of State Judge                  | Johnson      | HB     | 99  |
| License Fee/Increase                                      | Hudson       | HB     | 339 |
|                                                           | Hudson       | HB     | 486 |
| Minors/Family Court Order Required                        | Valihura     | HB     | 75  |
| Nonresidents/No Waiting/License                           | Booth        | HB     | 87  |
| <b><u>MEDICAID/DENTAL CARE</u></b> - also see “Insurance” |              |        |     |
| During Pregnancy                                          | Hall-Long    | HB     | 123 |
| Urgent/Cover                                              | Hall-Long    | HB     | 359 |
| Medicare – see “Insurance”                                |              |        |     |
| <b><u>MORTGAGE</u></b>                                    |              |        |     |
| Loan Broker/License Fee/Increase                          | Keeley       | HB     | 507 |
| Loan Originator/License                                   | Keeley       | HB     | 508 |
| Predatory Lending Prevention Act                          | Schooley     | HB     | 162 |
| Reverse/Counsel Borrowers                                 | B. Short     | HB     | 475 |
| <b><u>MOTOR VEHICLES</u></b>                              |              |        |     |
| Axle Load Limits                                          | Booth        | HB     | 364 |
| Cell phone                                                |              |        |     |
| Hands Free                                                | Miro         | HB     | 78  |
| Restrict Use                                              | Hudson       | HB     | 291 |

**MOTOR VEHICLES** (Continued)

|                                     |          |    |     |
|-------------------------------------|----------|----|-----|
| Driver's License                    |          |    |     |
| Foreign National/Expiration         | Ennis    | HB | 147 |
| Sponsor/Minor                       | Ewing    | HB | 307 |
| DUI/Increase Penalties              | Oberle   | HB | 173 |
| Fees/Document/Registration/Increase | Gilligan | HB | 50  |
| Fines/50% Surcharge                 | Lavelle  | HB | 264 |
| Insurance/Cancellation/Notify DMV   | Ewing    | HB | 172 |
| Jake Brakes/Emergency Use Only      | Cathcart | HB | 444 |
| Motorcycle/Definition/Three Wheels  | Ennis    | HB | 133 |
| Open Container/Alcohol/Prohibit     | Wagner   | HB | 20  |
| Oversized Vehicle Parking           | Mitchell | HB | 474 |
| Residence District/Parking/Define   | Mitchell | HB | 295 |
| Special Plates                      |          |    |     |
| Buffalo Soldiers Club               | Wagner   | HB | 91  |
| 100th Anniversary                   | Spence   | HB | 471 |
| Paramedics                          | Booth    | HB | 342 |
| Veterans/Iraqi-Freedom              | Carey    | HB | 122 |
| Street Rods/Registration Fees       | Oberle   | HB | 206 |
| Traffic Offenses/Civil Penalties    | Valihura | HB | 158 |
|                                     | Valihura | HB | 240 |
| Increase Fines                      | Lavelle  | HB | 223 |

**N**  
**NATIONAL GUARD**

|                                |          |         |     |
|--------------------------------|----------|---------|-----|
| Adjutant General/Rank          | Gilligan | HB      | 316 |
| Higher Education/Reimbursement | Spence   | HS 1/HB | 367 |
| Line of Duty Death Benefit     | Lofink   | HB      | 15  |
| Veterans Cemetery/Allow        | Brady    | HB      | 55  |

**NATURAL RESOURCES & ENVIRONMENT CONTROL, DEPARTMENT OF**

|                                     |           |         |     |
|-------------------------------------|-----------|---------|-----|
| Air Emissions/Permit Fees/Increase  | Hocker    | HB      | 187 |
| Cats, Feral/Spay/Neuter             | Spence    | HB      | 328 |
| Clean Air Act/Fees                  | Hocker    | HB      | 418 |
| Conservation Districts/Sussex       | Valihura  | HB      | 469 |
| Eagle's Nest Destruction/Penalty    | Atkins    | HB      | 33  |
| Fishing License                     |           |         |     |
| Homeless/Exemption                  | Brady     | HB      | 495 |
| Requirements                        | Booth     | HB      | 107 |
| Hazardous Waste/Disposal            | Kowalko   | HB      | 252 |
| Hunting                             |           |         |     |
| Blinds                              |           |         |     |
| Site Fee/Annual                     | Hocker    | HB      | 275 |
| Blinds/Hunter Orange/Post           | Hocker    | HB      | 390 |
| Junior License                      | Booth     | HB      | 108 |
| Red Fox                             |           |         |     |
| Hunt During Deer Season             | Walls     | HB      | 182 |
| Illegal to Sell Hides               | Cathcart  | HB      | 254 |
| Sell Hides                          | Hocker    | HB      | 389 |
| Remote/Ban                          | Marshall  | HB      | 69  |
| Unplugged Shotguns/Geese            | Hocker    | HB      | 401 |
| Wild Turkeys/Penalty                | Walls     | HB      | 422 |
|                                     | Walls     | HB      | 433 |
| Land Protection Act                 | Carey     | HB      | 269 |
| Landfills/Yard Waste/Allow          | Smith     | HB      | 1   |
| Raise Elevation                     | Lavelle   | HB      | 278 |
| Littering Penalty/Community Service | Booth     | HB      | 40  |
| Lobsters/Maximum Size               | Hocker    | HB      | 388 |
| Mosquito Control                    | Hocker    | HB      | 193 |
| Natural Areas/Not Subject to Zoning | Carey     | HB      | 268 |
| Recycling                           |           |         |     |
| Curbside/Mandatory                  | Maier     | HB      | 45  |
|                                     |           | HS 1/HB | 146 |
| Incentives/Voluntary                | Valihura  | HB      | 159 |
| Plastic Bags Rather than Paper      | Longhurst | HB      | 440 |
| Tax Ditches                         |           |         |     |
| Modify                              | Carey     | HB      | 140 |
| Right-of-Way                        | Thornburg | HB      | 452 |
| Terminate Easements                 | Thornburg | HB      | 189 |
| Wastewater Disposal                 | Cathcart  | HB      | 30  |
| Well/Placement/Approval             | Hall-Long | HB      | 274 |
| Wildlife Biologist/Use Silencer     | Hocker    | HB      | 493 |

|                                                 |              |         |     |
|-------------------------------------------------|--------------|---------|-----|
| Nurses/Certified Assistants/Training            | Spence       | HB      | 361 |
| <b><u>Q</u></b>                                 |              |         |     |
| Operation Safe Streets/Officers/Armed           | Williams     | HB      | 179 |
| Organ Donation/Opt-out Program                  | Schwartzkopf | HB      | 302 |
| <b><u>P</u></b>                                 |              |         |     |
| Paramedics/Professional Practice Standards      | Maier        | HB      | 104 |
| Pharmacy – see “Insurance”                      |              |         |     |
| Physicians/Volunteer/Liability                  | Lavelle      | HB      | 400 |
| Plumbing/Permit Fee                             | Schwartzkopf | HB      | 72  |
| <b><u>POLICE</u></b>                            |              |         |     |
| Accreditation Commission                        | Spence       | HB      | 347 |
| Definition/Eliminate Sheriff                    | Schwartzkopf | HB      | 17  |
| Delaware State University Police/Authority      | Mitchell     | HB      | 466 |
| Family Services/Statewide Authority             | Marshall     | HB      | 510 |
| Jurisdiction/Dispatched Outside/Arrest State    | Spence       | HB      | 150 |
| Statewide Authority                             | Schwartzkopf | HB      | 16  |
| Jurisdiction/Powers and Duties                  | Spence       | HB      | 154 |
| Pension/Vesting                                 | Spence       | HB      | 153 |
| Ready Reserve/Internal Policies                 | Lee          | HB      | 202 |
| Sex Offender Task Force                         | Ewing        | HB      | 228 |
| Training                                        |              |         |     |
| Decertification Hearings                        | Lee          | HB      | 195 |
| Officer Certification                           | Oberle       | HB      | 414 |
| University Police/Handgun                       | Spence       | HB      | 170 |
| Prescription Drugs/Internet Sales               | Hall-Long    | HB      | 270 |
|                                                 | Hall-Long    | HB      | 454 |
| <b><u>PRISONS</u></b>                           |              |         |     |
| Contraband/Cell phones                          | Lee          | HB      | 443 |
| Education Program/Drug Test                     | Wagner       | HB      | 27  |
| Healthcare Inspector General                    | Smith        | HB      | 35  |
|                                                 | Spence       | HB      | 88  |
| <b><u>PRIVATE BILLS</u></b>                     |              |         |     |
| Foster Care/Rudolph                             | Manolakos    | HB      | 500 |
| Franklin, Dorothy/Pension                       | Wagner       | HB      | 80  |
| Professional Licensing/Unauthorized Practice    | Valihura     | HB      | 36  |
| Propane Gas Containers                          | Walls        | HB      | 353 |
| <b><u>PROPERTY, REAL</u></b>                    |              |         |     |
| Amenities Fees/Construction Complete            | Cathcart     | HB      | 305 |
| Collection of Liens/Real Estate                 | Brady        | HB      | 461 |
|                                                 | Brady        | HB      | 482 |
| Electricity Provider/Shut-off Notice            | Lavelle      | HB      | 360 |
| Hunting Injury/Liability                        | Carson       | HB      | 341 |
| <b><u>PUBLIC SERVICE COMMISSION</u></b>         |              |         |     |
| Chair/Full-time                                 | Valihura     | HB      | 445 |
| Pipeline Safety/Federal/Enforce                 | Valihura     | HB      | 426 |
|                                                 | Valihura     | HB      | 503 |
| Proceedings/Public Advocate Bill Utilities      | Valihura     | HB      | 382 |
| Wastewater Utilities/Certificate                | Hocker       | HB      | 226 |
| <b><u>R</u></b>                                 |              |         |     |
| <b><u>REAL ESTATE</u></b> – also see “Property” |              |         |     |
| Collection of Liens/Writ of Monition            | Brady        | HB      | 461 |
|                                                 | Brady        | HB      | 482 |
| Conditional Sales Agreements                    | Valihura     | HB      | 413 |
| <b><u>RECYCLING</u></b>                         |              |         |     |
| Curbside/Mandatory                              | Maier        | HB      | 45  |
|                                                 | Maier        | HS 1/HB | 146 |
| Voluntary                                       | Valihura     | HB      | 159 |
| Restaurant/Health License/Pass Stickers         | Thornburg    | HB      | 85  |
| Restroom Access Act                             | Booth        | HB      | 3   |
| Right to Work Act                               | Hocker       | HB      | 265 |
| <b><u>S</u></b>                                 |              |         |     |
| <b><u>SCHOOLS</u></b>                           |              |         |     |
| Accounting/Standardized Format                  | Wagner       | HB      | 21  |
| Bullying Prevention Act                         | Spence       | HB      | 7   |
| Bus Drivers                                     |              |         |     |
| Annual Physical                                 | Ewing        | HB      | 41  |



**SCHOOLS** Bus Drivers (Continued)

|                                              |              |         |     |
|----------------------------------------------|--------------|---------|-----|
| Health Insurance/Group                       | Booth        | HB      | 217 |
| Buses                                        |              |         |     |
| Design and Operation                         | B. Short     | HB      | 231 |
| Flashing Lights/Stop 100 Feet                | Ennis        | HB      | 66  |
| Business or Trade/Private/Surety Bond        | Hall-Long    | HB      | 168 |
| Charter/Same Gender/Allow                    | Hudson       | HB      | 285 |
| Checking Account Activity Public             | Lavelle      | HB      | 337 |
| Class Size/Maximum                           | Schooley     | HB      | 385 |
|                                              | Schooley     | HB      | 393 |
| College Investment Plan/Allow Trust          | Stone        | HB      | 184 |
| Community College Infrastructure Fund        | Lofink       | HB      | 293 |
|                                              | Lofink       | HB      | 415 |
|                                              | Lofink       | HB      | 420 |
| Contracts/Publish on Web                     | Lavelle      | HB      | 338 |
| Early Childhood Council/Codify               | Marshall     | HB      | 126 |
| Educator License/Denial and Suspension       | Miro         | HS1/HB  | 259 |
| Elections                                    |              |         |     |
| Hours/Extend                                 | Miro         | HB      | 288 |
| Registered Voters Only                       | Hudson       | HB      | 462 |
| Residents/Own Property                       | Hudson       | HB      | 358 |
| Employees/ Binding Arbitration               | Spence       | HB      | 283 |
| Food Served/Limit Trans Fat                  | Kowalko      | HB      | 65  |
| High School Diploma Requirements             | Wagner       | HS1/HB  | 18  |
| Higher Education                             |              |         |     |
| Grants/Foster Children                       | Wagner       | HB      | 301 |
| National Guard                               | Spence       | HS1/HB  | 367 |
| Warning Sirens                               | Miro         | HB      | 139 |
| Holidays/Veterans Day                        | Cathcart     | HB      | 165 |
| Impact Fee Program/Statewide                 | Cathcart     | HB      | 233 |
| Interscholastic Athletic Assn./Stagger Terms | Valihura     | HS 1/HB | 416 |
| Interstate Compact/Children/Military         | Wagner       | HB      | 297 |
| Military Considered State Resident/Benefits  | Wagner       | HB      | 318 |
| New Building/Capital Lease                   | Wagner       | HB      | 28  |
| Reduced Price Meal Program                   | Maier        | HB      | 286 |
| Safe Zones/Authorized Weapons                | Schwartzkopf | HB      | 277 |
| SEED/Medical Program/Work in State           | Hudson       | HB      | 330 |
| Special Ed./Notify Parents/12 Months         | Wagner       | HB      | 391 |
| Students/Expelled/Alternative Program        | Johnson      | HB      | 326 |
| Taxes                                        |              |         |     |
| Exemptions/Brandywine                        | McWilliams   | HB      | 181 |
| Kindergarten Funding                         | Miro         | HB      | 397 |
| Scrap Tire Management Fund                   | Outten       | HB      | 263 |
| Sex Offender – see “Crimes”                  |              |         |     |
| Sheriff/Definition/Law Enforcement           | Schwartzkopf | HB      | 17  |
| Social Services/211 Helpline/Establish       | Maier        | HB      | 57  |
| Funding                                      | Maier        | HB      | 441 |

**STATE**

|                                        |          |    |     |
|----------------------------------------|----------|----|-----|
| Agencies                               |          |    |     |
| Checking Account Activity Public       | Lavelle  | HB | 336 |
| Open Space Council                     | Valihura | HB | 310 |
| Private Attorneys Prohibited           | Booth    | HB | 488 |
| Commission for Women                   | Valihura | HB | 464 |
| Eminent Domain/Public Use              | Williams | HB | 289 |
| Employees                              |          |    |     |
| Apply/Permanent Position/20 Points     | Wagner   | HB | 24  |
| Competitive Recruitment/Referral Lists | Wagner   | HB | 109 |
| E-Mail/Random Monitoring               | Wagner   | HB | 14  |
|                                        | Wagner   | HB | 248 |
| Merit/Military Injury/Sick Leave       | Wagner   | HB | 450 |
| Military Service/Accrual of Leave      | Brady    | HB | 237 |
| Ombudsman/Create Office                | Wagner   | HB | 6   |
| Pensions                               |          |    |     |
| Legislative Per Diem Staff             | Cathcart | HB | 230 |
|                                        | Cathcart | HB | 241 |
| 911 Workers/Include                    | Oberle   | HB | 255 |
| Overtime Compensation                  | Lavelle  | HB | 282 |
| Surviving Spouse                       | Outten   | HB | 64  |
| Veteran/Service Credit                 | Spence   | HB | 136 |
| Personnel Management Training          | Wagner   | HB | 22  |

**STATE** Employees (Continued)

|                                         |          |    |     |
|-----------------------------------------|----------|----|-----|
| Public Defender/Exempt/Merit            | Spence   | HB | 188 |
| Fiscal Transparency                     | Lavelle  | HB | 334 |
| Growth Management/Infrastructure        | Spence   | HB | 239 |
| Procurement                             |          |    |     |
| Housing Contract                        | Valihura | HB | 511 |
| Prevailing Wage Qualifier               | D. Short | HB | 394 |
| Property/Prohibit Application of Sludge | Cathcart | HB | 30  |
| Public Officers                         |          |    |     |
| Disclose Board Memberships              | Keeley   | HB | 435 |
| Disclose Family Employees               | Lavelle  | HB | 354 |
|                                         | Keeley   | HB | 436 |
| Safety & Homeland Security, Dept. of    | Cathcart | HB | 480 |
| Sovereign Immunity/Child Sex Abuse      | Lavelle  | HB | 242 |
| Strategic Fund/Distributions Public     | Lavelle  | HB | 331 |
| Technology/Acceptable Use/Email         | Wagner   | HB | 321 |

**T**

Tax Ditches – see “Natural Resources &amp; Environment Control, Department Of”

**TAXES**

|                                          |          |    |     |
|------------------------------------------|----------|----|-----|
| Gasoline/Increase                        | Gilligan | HB | 50  |
| Gross Receipts                           |          |    |     |
| Auto Manufacturer/Eliminate              | Hudson   | HB | 12  |
| Increase Rate                            | Oberle   | HB | 513 |
| Petroleum Products                       | Hudson   | HB | 234 |
| Hospital Tax/Annual                      | Gilligan | HB | 512 |
| Income                                   |          |    |     |
| Active Military Pay/Deduction            | Hudson   | HB | 483 |
| Credits                                  |          |    |     |
| Business/Defibrillator                   | Wagner   | HB | 26  |
| Health Insurance/Business                | Hudson   | HB | 460 |
| Historic Preservation/Sunset             | Hudson   | HB | 176 |
| Teachers/School Supplies                 | Wagner   | HB | 13  |
| Deduction/College Investment             | Oberle   | HB | 8   |
| Exemption/Military Pension               | Hocker   | HB | 97  |
| Occupational License/Direct Care         | Valihura | HB | 491 |
| Realty Transfer/Community College Fund   | Lofink   | HB | 293 |
| Refund Loans/Unfair Practices            | Keeley   | HB | 210 |
| Retail Crime/Retail License Fee          | Miro     | HB | 458 |
| Tobacco                                  |          |    |     |
| Increase                                 | Keeley   | HB | 249 |
| Healthy Life Fund                        | Keeley   | HB | 49  |
| Smokeless Cigarettes                     | Cathcart | HB | 245 |
| Telecommunications Technology Investment | Hudson   | HB | 417 |

**TOBACCO** – also see “Taxes”

|                                        |     |        |     |
|----------------------------------------|-----|--------|-----|
| Reduced Ignition Propensity Cigarettes | Lee | HS1/HB | 149 |
|----------------------------------------|-----|--------|-----|

**TRANSPORTATION, DEPARTMENT OF**

|                                              |          |    |     |
|----------------------------------------------|----------|----|-----|
| Clear Zones/Signage/Non-Official             | Blakey   | HB | 114 |
| Crosswalks/Marked                            | Oberle   | HB | 425 |
| Overpasses/Add Lights                        | Hudson   | HB | 366 |
| Permit Digital Outdoor Advertising           | Spence   | HB | 115 |
| Snow Removal/Community Reimbursement         | D. Short | HB | 284 |
| Subdivision Roads/Maintenance                | Carson   | HB | 373 |
| Transportation Trust Fund/Motor Vehicle Fees | Cathcart | HB | 253 |

**U**

|                                        |        |    |     |
|----------------------------------------|--------|----|-----|
| Unemployment Compensation/Taxable Base | Oberle | HB | 144 |
|----------------------------------------|--------|----|-----|

**UNIFORM ACTS**

|                                          |        |    |     |
|------------------------------------------|--------|----|-----|
| Controlled Substances/Mandatory Sentence | Spence | HB | 32  |
| Electronic Postmark/Legal Requirements   | Stone  | HB | 174 |

**V****VETERANS**

|                                          |          |    |     |
|------------------------------------------|----------|----|-----|
| Burial/Funding                           | Brady    | HB | 281 |
| Cemetery/National Guard Service in State | Brady    | HB | 55  |
| Veterans Home/Shift Differential Pay     | Cathcart | HB | 10  |

Victim – see “Crimes”

|                                    |        |    |    |
|------------------------------------|--------|----|----|
| Video Games/Clearly Display Rating | Keeley | HB | 77 |
|------------------------------------|--------|----|----|

**VIDEO LOTTERY** – also see “Lottery”

|                                      |        |    |     |
|--------------------------------------|--------|----|-----|
| Adjacent Hotel/Expand                | Spence | HB | 238 |
| Equalize State Share                 | Hudson | HB | 494 |
| Promotional Credits/Eliminate Sunset | Lofink | HB | 148 |

|                                        |           |    |     |
|----------------------------------------|-----------|----|-----|
| Voting/Absentee/Overseas/Electronic    | Brady     | HB | 132 |
| <b><u>W</u></b>                        |           |    |     |
| <b><u>WEAPONS</u></b>                  |           |    |     |
| Safe Zone/Recreation                   | Spence    | HB | 498 |
| Validly Seized/Disposal                | Lee       | HB | 142 |
| <b><u>WILMINGTON</u></b>               |           |    |     |
| Retired Police & Firefighters/Pensions | Spence    | HB | 204 |
| Uniform Commercial Code Revenues       | Gilligan  | HB | 516 |
| Voting Absentee/Municipal Elections    | Lavelle   | HB | 120 |
| <b><u>WORKERS' COMPENSATION</u></b>    |           |    |     |
| Exemption/Amish                        | Thornburg | HB | 492 |
| Post Traumatic Stress Disorder/Cover   | Wagner    | HB | 313 |

**HOUSE SESSION DATES**  
**2007**

**JANUARY**

1st Day        9th  
2nd Day       10th  
3rd Day       16th  
4th Day       17th  
5th Day       18th  
6th Day       23rd  
7th Day       24th  
8th Day       25th

**MARCH**

9th Day        13th  
10th Day       14th  
11th Day       15th  
12th Day       20th  
13th Day       21st  
14th Day       22nd  
15th Day       27th  
16th Day       28th  
17th Day       29th

**APRIL**

18th Day       3rd  
19th Day       4th  
20th Day       5th  
21st Day       24th  
22nd Day       25th  
23rd Day       26th

**MAY**

24th Day       1st  
25th Day       2nd  
26th Day       3rd  
27th Day       8th  
28th Day       9th  
29th Day       10th  
30th Day       15th  
31st Day       16th  
32nd Day       17th

**JUNE**

33rd Day       5th  
34th Day       6th  
35th Day       7th  
36th Day       12th  
37th Day       13th  
38th Day       14th  
39th Day       19th  
40th Day       20th  
41st Day       21st  
42nd Day       26th  
43rd Day       27th  
44th Day       28th  
45th Day       30th

**1st SPECIAL SESSION**  
**JULY**

1st Day        1st

**HOUSE SESSION DATES**  
**2008**

**JANUARY**

1st Day        8th  
2nd Day       9th  
3rd Day       10th  
4th Day       15th  
5th Day       16th  
6th Day       17th  
7th Day       22nd  
8th Day       23rd  
9th Day       24th

**MARCH**

10th Day       11th  
11th Day       12th  
12th Day       13th  
13th Day       18th  
14th Day       19th  
15th Day       20th

**APRIL**

16th Day       8th  
17th Day       9th  
18th Day       10th  
19th Day       15th  
20th Day       16th  
21st Day       17th  
22nd Day       22nd  
23rd Day       23rd  
24th Day       24th

**MAY**

25th Day       6th  
26th Day       7th  
27th Day       8th  
28th Day       13th  
29th Day       14th  
30th Day       15th

**JUNE**

31st Day       3rd  
32nd Day       4th  
33rd Day       5th  
34th Day       10th  
35th Day       11th  
36th Day       12th  
37th Day       17th  
38th Day       18th  
39th Day       19th  
40th Day       24th  
41st Day       25th  
42nd Day       26th  
43rd Day       30th

**1st SPECIAL SESSION**  
**JULY**

1st Day        1st