

STATE OF DELAWARE



Journal of the House of Representatives

146th General Assembly

Convened
Tuesday, January 11, 2011
Dover, Delaware

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2011-2012

MEMBERS OF THE HOUSE OF REPRESENTATIVES  
146th GENERAL ASSEMBLY

District

**NEW CASTLE COUNTY**

|    |                                                                                                                |
|----|----------------------------------------------------------------------------------------------------------------|
| 1  | Dennis P. Williams, 3414 North Madison Street, Wilmington                                                      |
| 2  | Stephanie T. Bolden, 38 McCaulley Ct., Wilmington                                                              |
| 3  | Helene M. Keeley, 1501 West Fifth Street, Wilmington                                                           |
| 4  | Gerald L. Brady, 1804 Shallcross Avenue, Wilmington                                                            |
| 5  | Melanie George, 12 Calvarese Drive, Bear<br>Melanie George Smith, 12 Calvarese Drive, Bear - November 29, 2011 |
| 6  | Debra J. Heffernan, 113 Blue Rock Road, Wilmington                                                             |
| 7  | Bryon H. Short, 14 Chestnut Street, Wilmington                                                                 |
| 8  | S. Quinton Johnson, IV, 151 Back Creek Drive, Middletown                                                       |
| 9  | Rebecca Walker, 4386 South DuPont Parkway, Townsend                                                            |
| 10 | Dennis E. Williams, 3329 South Rockfield Drive, Wilmington                                                     |
| 11 | Gregory F. Lavelle, 500 Whitby Drive, Wilmington                                                               |
| 12 | Deborah D. Hudson, 1022 Oriente Avenue, Wilmington                                                             |
| 13 | John L. Mitchell, Jr., 1234 Sycamore Avenue, Wilmington                                                        |
| 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 | Michael A. Barbieri, 88 Iroquois Court, New Castle                                                             |
| 19 | Robert F. Gilligan, 2628 Sherwood Drive, Wilmington                                                            |
| 20 | Nick T. Manolakos, 227 Charleston Drive, Wilmington                                                            |
| 21 | Michael J. Ramone, 211 Nathan Court, Newark                                                                    |
| 22 | Joseph E. Miro, 5 Firechase Circle, Newark                                                                     |
| 23 | Teresa L. Schooley, 2 Chapel Hill Drive, Newark                                                                |
| 24 | Edward S. Osienski, 183 Scottfield Drive, Newark                                                               |
| 25 | John A. Kowalko, Jr., 14 Kells Ave., Newark                                                                    |
| 26 | John J. Viola, 9 Orangeburg Court, Newark                                                                      |
| 27 | Earl G. Jaques, Jr., 82 Cann Road, Newark                                                                      |

**KENT COUNTY**

|    |                                                     |
|----|-----------------------------------------------------|
| 28 | William J. Carson, Jr., 680 Lake Drive West, Smyrna |
| 29 | Lincoln D. Willis, 142 Island Lane, Clayton         |
| 30 | William R. Outten, 206 Delaware Avenue, Harrington  |
| 31 | Darryl M. Scott, 102 Cobblestone Lane, Dover        |
| 32 | E. Bradford Bennett, 244 Kentland Avenue, Dover     |
| 33 | Harold J. Peterman, 595 Log Cabin Road, Milford     |
| 34 | Donald A. Blakey, 956 Bison Road, Dover             |

**SUSSEX COUNTY**

|    |                                                         |
|----|---------------------------------------------------------|
| 14 | Peter C. Schwartzkopf, 24 Coventry Road, Rehoboth Beach |
| 35 | David L. Wilson, 17968 Haflinger Road, Lincoln          |
| 36 | Harvey R. Kenton, 3 Quail Ridge Road, Milford           |
| 37 | Ruth Briggs King, 3 Par Court, Georgetown               |
| 38 | Gerald W. Hocker, Sr., 38489 Hickman Road, 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      |

STAFF MEMBERS  
146th GENERAL ASSEMBLY

Richard Puffer - Chief Clerk  
JoAnn Hedrick - Chief Clerk Emeritus  
Alexis Anderson - Majority Legislative Assistant  
Ted Annos - Majority Attorney  
Victoria Bandy - Majority Page  
David Bentz - Majority Legislative Assistant  
Blaine Breeding - Majority Legislative Assistant

Karen Brown - Bill Prep Clerk  
 William Bullock - Majority Page  
 William G. Bush IV - Senior Majority Attorney  
 Cerron Cade - Majority Legislative Assistant  
 Josephine Conaty - Minority Head Page  
 Lauren Cutajar-Wynne - Special Projects Coordinator  
 Meryl Dantz - Majority Page  
 Damian DeStefano - Majority Legislative Assistant  
 Jean Diener - Minority Secretary  
 Janice Durham - Majority Receptionist  
 Sean Finnigan - Deputy Majority Chief of Staff/Majority Chief of Staff  
 Janice Fischbach - Majority Secretary  
 Hilda Flowers - Majority Receptionist  
 Joseph Fulgham - Minority Director of Communications  
 Jerry Grant - Majority Legislative Assistant/Deputy Majority Chief of Staff  
 Lauren Graves - Majority Legislative Assistant  
 Catherine Gregory - Majority Legal Secretary  
 John Hammerer - Majority Page  
 Rylene Harper - Majority Legislative Assistant  
 Nancy Hickman - Majority Legislative Assistant  
 Barbara Holton - Majority Head Page  
 Melissa Hopkins - Majority Legislative Assistant  
 Eleanor Hussey - Majority Page  
 Teresa Hutson - Majority Legal Secretary  
 Alexis Jamison - Minority Legal Secretary  
 Tammie Kanich - Minority Page  
 Karen Lantz - Majority House Attorney  
 Carol Lee - Minority Page  
 Scott Long - Majority Page  
 Stephanie Mantegna - Minority Policy & Communications  
 Edward McTaggart - Sergeant-at-Arms  
 Shauna McVey - Majority Legislative Assistant  
 Dolores Michels - Tributes & Memoriams  
 Michael Migliore - Majority House Attorney  
 Margaret Moore-Dean - Minority Legislative Assistant  
 Karen Nickerson - Recorder  
 Cynthia Oates - Majority Page  
 Judith O'Brien - Secretary - Wilmington Office  
 Matthew Pazoles - Director of Technology & Data  
 Pam Price - Minority Chief of Staff  
 Barbara Reed - Bill Prep Clerk  
 Barbara Rossiter - Bill Prep Clerk  
 Nancy Ruberto - Minority Secretary  
 Ayesha Sammander - Minority Page  
 Leila Sammander - Minority Page  
 Frances Schmidt - Minority Page  
 Erik Schramm - Majority Chief of Staff  
 Jordan Seemans - Assistant to the Speaker  
 Lorraine Sexton - Chief Financial Officer  
 Ron Smith - Senior Minority Attorney  
 Alice Stark - Minority House Attorney  
 Aaron Stewart - Majority House Attorney  
 Samba Tata - Sergeant-at-Arms  
 Sandra Taylor - Recorder  
 Seth Thompson - Majority House Attorney  
 Leroy A. Tice - Majority House Attorney  
 Dana Tracy - Podium Secretary  
 Eli Turkel - Majority Legislative Assistant  
 Douglas VanSant - Reading Clerk  
 Andrew Volturo - Majority Director of Communications  
 Gale Warren - Journal Clerk  
 Molly Warren - Majority Page  
 Kay Wilson - Minority Legislative Assistant  
 Kathryn Wolinski - Majority Legislative Assistant

Sarah Wootten - Majority Legislative Assistant  
Janice Yerkes - Minority Receptionist/Secretary  
Eugene Young - Majority Legislative Assistant  
Ellen Younghans - Bill Prep Clerk

STANDING COMMITTEES  
OF THE  
HOUSE OF REPRESENTATIVES

January 12, 2011

**AGRICULTURE:** Representative John C. Atkins – Chair; Representative S. Quinton Johnson, Vice-chair; Representative William J. Carson, Jr.; Representative Michael P. Mulrooney; Representative Rebecca Walker; Representative Harvey R. Kenton; Representative William R. Outten; Representative Harold J. Peterman; Representative David L. Wilson.

**APPROPRIATIONS:** Representative Dennis P. Williams, Chair; Representative Melanie George; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Ruth Briggs King; Representative Joseph E. Miro.

**CAPITAL INFRASTRUCTURE:** Representative Helene M. Keeley, Chair; Representative Michael P. Mulrooney; Representative Teresa L. Schooley; Representative John J. Viola; Representative Deborah D. Hudson; Representative Clifford G. Lee.

**CORRECTIONS:** Representative James Johnson, Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative Dennis P. Williams; Representative Clifford G. Lee; Representative David L. Wilson.

**ECONOMIC DEVELOPMENT, BANKING, INSURANCE & COMMERCE:** Representative Bryon H. Short, Chair; Representative Dennis E. Williams, Vice-chair; Representative E. Bradford Bennett; Representative Gerald L. Brady; Representative Helene M. Keeley; Representative Michael P. Mulrooney; Representative John J. Viola; Representative Deborah D. Hudson; Representative Harold J. Peterman; Representative Michael Ramone; Representative Daniel B. Short; Representative Lincoln D. Willis.

**EDUCATION:** Representative Teresa L. Schooley, Chair; Representative Darryl M. Scott, Vice-chair; Representative Michael A. Barbieri; Representative Stephanie T. Bolden; Representative Debra J. Heffernan; Representative Earl G. Jaques, Jr.; Representative S. Quinton Johnson, IV; Representative John A. Kowalko; Representative Edward S. Osienski; Representative Donald A. Blakey; Representative Ruth Briggs King; Representative Harvey R. Kenton; Representative Nick T. Manolakos; Representative Joseph E. Miro.

**ENERGY:** Representative John A. Kowalko, Chair; Representative Dennis E. Williams, Vice-chair; Representative Debra J. Heffernan; Representative S. Quinton Johnson, IV; Representative Michael P. Mulrooney; Representative Harvey R. Kenton; Representative Nick T. Manolakos; Representative William R. Outten.

**ETHICS:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Gerald W. Hocker; Representative Gregory F. Lavelle.

**GAMING AND PARI-MUTUELS:** Representative John J. Viola, Chair; Representative Helene M. Keeley, Vice-chair; Representative Michael A. Barbieri; Representative Valerie J. Longhurst; Representative John L. Mitchell, Jr.; Representative Peter C. Schwartzkopf; Representative Darryl M. Scott; Representative Gerald R. Hocker; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative Daniel B. Short.

**HEALTH & HUMAN DEVELOPMENT:** Representative Michael A. Barbieri, Chair; Representative Rebecca Walker, Vice-chair; Representative Stephanie T. Bolden; Representative Earl G. Jaques, Jr.; Representative Earl G. Jaques, Jr.; Representative S. Quinton Johnson IV; Representative John A. Kowalko; Representative Edward S. Osienski; Representative Teresa L. Schooley, Representative Darryl M. Scott; Representative Donald A. Blakey; Representative Ruth Briggs King; Representative Nick T. Manolakos; Representative Joseph E. Miro.

**HOUSE ADMINISTRATION:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Gerald W. Hocker; Representative Gregory F. Lavelle.

**HOUSING & COMMUNITY AFFAIRS:** Representative Gerald L. Brady, Chair; Representative E. Bradford Bennett, Vice-chair; Representative Stephanie T. Bolden; Representative Michael P. Mulrooney; Representative Bryon H. Short; Representative John J. Viola; Representative Dennis E. Williams; Representative Deborah D. Hudson; Representative Harold J. Peterman, Representative Michael Ramone; Representative Daniel B. Short; Representative Lincoln D. Willis.

**\*JUDICIARY:** Representative Melanie L. George, Chair; Representative Rebecca Walker, Vice-chair; Representative William J. Carson; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Dennis P. Williams; Representative Deborah D. Hudson; Representative Harvey R. Kenton; Representative Lincoln D. Willis; Representative David L. Wilson.

**LABOR:** Representative Michael P. Mulrooney, Chair; Representative Gerald L. Brady, Vice-chair; Representative Michael A. Barbieri; Representative Stephanie T. Bolden; Representative Debra J.

Heffernan; Representative Earl G. Jaques, Jr.; Representative James Johnson; Representative Dennis E. Williams; Representative Donald A. Blakey; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

**MANUFACTURED HOUSING:** Representative Valerie J. Longhurst, Chair; Representative William J. Carson, Jr., Vice-chair; Representative John C. Atkins; Representative John A. Kowalko; Representative Gregory F. Lavelle; Representative Lincoln D. Willis.

**NATURAL RESOURCES:** Representative S. Quinton Johnson, IV, Chair; Representative Debra J. Heffernan, Vice-chair; Representative John C. Atkins; Representative William J. Carson; Representative John A. Kowalko; Representative Michael P. Mulrooney; Representative Dennis E. Williams; Representative Harvey R. Kenton; Representative Nick T. Manolakos; Representative William R. Outten; Representative Harold J. Peterman; Representative David L. Wilson.

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/JOINT SUNSET:** Representative John A. Kowalko, Chair; Representative John C. Atkins; Representative E. Bradford Bennett; Representative Michael Ramone; Representative D. Short.

**\*\*\*PUBLIC SAFETY AND HOMELAND SECURITY:** Representative John L. Mitchell, Jr., Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative James Johnson; Representative Edward S. Osienski; Representative Dennis P. Williams; Representative Ruth Briggs King; Representative Clifford G. Lee; Representative William R. Outten; Representative David L. Wilson.

**REVENUE & FINANCE:** Representative John A. Viola, Chair; Representative Helene M. Keeley, Vice-chair; Representative E. Bradford Bennett; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Bryon H. Short; Representative Dennis E. Williams; Representative Deborah D. Hudson; Representative Harold J. Peterman; Representative Michael Ramone; Representative Daniel B. Short; Representative Lincoln D. Willis.

**RULES:** Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Gerald H. Hocker; Representative Gregory F. Lavelle.

**TELECOMMUNICATIONS, INTERNET & TECHNOLOGY:** Representative Darryl M. Scott, Chair; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Teresa L. Schooley; Representative Deborah D. Hudson; Representative Gregory F. Lavelle.

**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative William J. Carson, Jr., Chair; Representative Gerald L. Brady, Vice-chair; Representative Earl G. Jaques, Jr.; Representative Edward S. Osienski; Representative Ruth Briggs King; Representative Gregory F. Lavelle.

**\*\*VETERAN'S AFFAIRS:** Representative Earl G. Jaques, Jr., Chair; Representative Gerald L. Brady, Vice-chair; Representative John C. Atkins; Representative William J. Carson, Jr.; Representative Melanie L. George; Representative Robert F. Gilligan; Representative James Johnson; Representative S. Quinton Johnson, IV; Representative Michael P. Mulrooney; Representative Teresa L. Schooley; Representative Peter C. Schwartzkopf; Representative Bryon H. Short; Representative Rebecca Walker; Representative Donald A. Blakey; Representative Ruth Briggs King; Representative Deborah D. Hudson; Representative Harvey R. Kenton; Representative Clifford G. Lee; Representative William R. Outten; Representative Harold J. Peterman; Representative Michael Ramone; Representative Daniel B. Short; Representative David L. Wilson, Representative Lincoln D. Willis.

\* March 24, 2011 - Judiciary - Representative Clifford G. Lee replaced Representative Harvey R. Kenton

\*\* November 1, 2011 - Veteran's Affairs - Representative E. Bradford Bennett added

\*\*\* March 20, 2012 - Public Safety & Homeland Security - Representative John C. Atkins resigned from committee

**PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE 146th GENERAL ASSEMBLY  
2011-2012  
HOUSE RESOLUTION NUMBER 2**

**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. The passage of an amendment to a bill, resolution, concurrent resolution, or joint resolution shall require an affirmative vote of a majority of the elected members.

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

(1) an amendment which directs a specific House or Senate amendment be stricken; or

(2) 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.

(e) The passage of a bill, resolution, concurrent resolution, or joint resolution shall require an affirmative vote of a majority of the elected members unless otherwise provided in the Delaware Constitution or the United States Constitution.

#### **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) Capital Infrastructure (formerly Bond Bill)
- (4) Corrections
- (5) Economic Development, Banking, Insurance & Commerce
- (6) Education
- (7) Energy

- (8) Ethics
- (9) Gaming & Pari-Mutuels
- (10) Health & Human Development
- (11) House Rules
- (12) Housing & Community Affairs
- (13) Judiciary
- (14) Labor
- (15) Manufactured Housing
- (16) Natural Resources
- (17) Public Safety & Homeland Security
- (18) Revenue & Finance
- (19) Sunset Committee (Policy Analysis & Government Accountability)
- (20) Telecommunication, Internet & Technology
- (21) Transportation, Land Use & Infrastructure
- (22) 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, CHIEF CLERK *EMERITUS* 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. The House may, whenever it deems necessary, elect a Chief Clerk *Emeritus/Emerita* who shall serve at the pleasure of the Speaker with all rights, duties and privileges of the 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.

(b) 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.

## **RULE 63 - FREEDOM OF INFORMATION ACT**

All members and employees of the House of Representatives shall adhere and comply with the requirements of Delaware's Freedom of Information Act, in Chapter 100, Title 29 of the Delaware Code, as it applies to the House of Representatives.

# **RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 146th GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS 2011-1012 HOUSE RESOLUTION NUMBER 4**

## **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 – 146th GENERAL ASSEMBLY – First Session  
January 11, 2011**

Acting Speaker Robert F. Gilligan called the house to order at 2:00 p.m. on January 11, 2011.

Under the direction of Dr. Curtis Powell from Delaware State University, Serenity Edwards sang the National Anthem.

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

Representative-Elect Schwartzkopf moved that Mr. Richard Puffer be made Temporary Chief Clerk until a permanent Chief Clerk is elected. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

A prayer was offered by Reverend Christopher C. Schooley, Pastor of the First Presbyterian Church of Chesapeake City, MD.

Mr. Speaker Gilligan and Oliver Townsend, grandson of Representative-Elect Schwartzkopf, led those present in the pledge of allegiance to the American Flag.

The House observed a moment of silence in memory of the victims of the Tucson shooting incident.

The Temporary Chief Clerk read the names of the members-elect of the House of Representatives of the 146th General Assembly as follows:

Representative District No. 1 - Representative-Elect Dennis P. Williams  
Representative District No. 2 - Representative-Elect Stephanie T. Bolden  
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 L. George  
Representative District No. 6 - Representative-Elect Debra J. Heffernan  
Representative District No. 7 - Representative-Elect Bryon H. Short  
Representative District No. 8 - Representative-Elect S. Quinton Johnson, IV  
Representative District No. 9 - Representative-Elect Rebecca D. Walker  
Representative District No. 10 - Representative-Elect Dennis E. Williams  
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 Michael A. Barbieri  
Representative District No. 19 - Representative-Elect Robert F. Gilligan  
Representative District No. 20 - Representative-Elect Nick T. Manolakos  
Representative District No. 21 - Representative-Elect Michael Ramone  
Representative District No. 22 - Representative-Elect Joseph E. Miro  
Representative District No. 23 - Representative-Elect Teresa L. Schooley  
Representative District No. 24 - Representative-Elect Edward S. Osienski  
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 Earl G. Jaques, Jr.  
Representative District No. 28 - Representative-Elect William J. Carson, Jr.  
Representative District No. 29 - Representative-Elect Lincoln D. Willis  
Representative District No. 30 - Representative-Elect William R. Outten  
Representative District No. 31 - Representative-Elect Darryl M. Scott  
Representative District No. 32 - Representative-Elect E. Bradford Bennett  
Representative District No. 33 - Representative-Elect Harold J. Peterman  
Representative District No. 34 - Representative-Elect Donald A. Blakey  
Representative District No. 35 - Representative-Elect David L. Wilson  
Representative District No. 36 - Representative-Elect Harvey R. Kenton  
Representative District No. 37 - Representative-Elect Ruth Briggs King  
Representative District No. 38 - Representative-Elect Gerald W. Hocker, Sr.  
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 Schwartzkopf 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 Longhurst and adopted by voice vote.

Mr. Temporary Speaker appointed Representative-Elect Michael P. Mulrooney and Representative-Elect Deborah D. Hudson to examine the Certificates of Election of the Members-Elect.

Under the direction of Dr. Curtis Powell from Delaware State University, Ashley Summer sang “Our Delaware.”

Representative-Elect Schwartzkopf made comments.

Representative-Elect Michael P. Mulrooney 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 Ten for New Castle County, according to the Constitution and Laws of the State of Delaware,

Robert F. Gilligan  
was duly elected

Representative – 19th 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 4th day of November, 2010.

James T. Vaughn, Jr. President Judge  
Richard R. Cooch, Resident Judge

Representative-Elect Schwartzkopf moved that the reading of one Certificate of Election constitute the reading of all. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

Representative-Elect Schwartzkopf moved that the Honorable Randy J. Holland administer the oath of office to Representative-Elect Robert F. Gilligan. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote. Representative-Elect Gilligan invited Justice Randy J. Holland and the Gilligan family to join him on the podium. Justice Holland administered the oath of Representative to Representative-elect Gilligan as follows:

I, Robert F. Gilligan, 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.

Robert F. Gilligan  
State Representative

Sworn and subscribed before me on this 9th day of January A.D. 2011.

Randy J. Holland  
Supreme Court Justice

Representative-Elect Schwartzkopf moved that the Honorable Randy J. Holland administer the oath of office to the senior Member-Elect Lee. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote. Representative-Elect Gilligan invited senior Member-Elect Lee and family to the front of the Chamber. Justice Holland administered the oath of Representative to senior Member-Elect Lee as follows:

I, Clifford G. Lee, 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.

Clifford G. Lee  
State Representative

Sworn and subscribed before me on this 9th day of January A.D. 2011.

Randy J. Holland  
Supreme Court Justice

Representative-Elect Schwartzkopf moved that Justice Randy H. Holland administer the Oath of Office to the newly elected Representatives-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

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

Representative Schwartzkopf moved that the Temporary Chief Clerk call the roll of the Members of the House of Representatives of the 146th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The roll call was taken and revealed:

Members Present: 41

Representative Schwartzkopf moved to adopt the roll as just called by the Temporary Chief Clerk as the interim roll of the House of Representatives of the 146th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought **HR 1**, jointly sponsored by, Representatives Longhurst, Lavelle & Hocker, 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 146th General Assembly of the State of Delaware that Robert F. Gilligan is hereby elected to the Office of the Speaker of the House of Representatives for the duration of the 146th General Assembly of the State of Delaware.

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

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

Mr. Temporary Speaker Representative-Elect Gilligan invited Justice Randy J. Holland and the Gilligan family to join him on the podium. Justice Holland administered the oath of Speaker of the House to Representative Gilligan as follows:

I, Robert F. Gilligan, 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.

Robert F. Gilligan

Speaker of the House

Sworn and subscribed before me this 11th day of January, A.D. 2011

Randy J. Holland

Supreme Court Justice

Mr. Speaker Gilligan thanked Justice Holland and made comments.

Representative Dennis P. Williams announced that the Majority Caucus has met and has elected Representative Peter C. Schwartzkopf of the Fourteenth Representative District as Majority Leader and Representative Valerie J. Longhurst of the Fifteenth Representative District as Majority Whip.

Representative Clifford G. Lee announced that the Minority Caucus has met and has elected Representative Gregory F. Lavelle of the Eleventh Representative District as Minority Leader and Representative Gerald W. Hocker of the Thirty-eighth Representative District as Minority Whip.

Representative Schwartzkopf introduced and brought **HR 2**, jointly sponsored by Representatives Gilligan, Longhurst, Lavelle & Hocker, before the House for consideration.

**HR 2 - RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 146TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

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

Representative Schwartzkopf introduced and brought **HR 3** jointly sponsored by Representatives Gilligan, Longhurst, Lavelle & Hocker, before the House for consideration.

**HR 3 - RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES.**

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware that Richard L. Puffer is elected to serve as Chief Clerk of the House of Representatives and Dolores Michels is elected to serve as Assistant Chief Clerk of the House of Representatives.

BE IT FURTHER RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware that JoAnn M. Hedrick is elected Chief Clerk *Emeritus* of the House of Representatives to serve at the pleasure of the Speaker with all the rights, duties and privileges of the Chief Clerk.

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

Representative Schwartzkopf introduced and brought **HR 4** jointly sponsored by Representatives Gilligan, Longhurst, Lavelle & Hocker, before the House for consideration.

**HR 4 – RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 146TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS.**

Representative Schwartzkopf made comments.

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

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

Representative Schwartzkopf introduced and brought **HJR 1**, jointly sponsored by Representatives Gilligan, Longhurst, Lavelle & Hocker, before the House for consideration.

**HJR 1 – RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES.**

BE IT RESOLVED by the House of Representatives and the Senate of the 146th General Assembly of the State of Delaware, with the approval of the Governor, that JoAnn M. Hedrick is elected to serve as Bill Clerk of the House of Representatives at the pleasure of the House of Representatives.

BE IT FURTHER RESOLVED by the House of Representatives and the Senate of the 146th General Assembly of the State of Delaware, with the approval of the Governor, that Dolores Michels is elected to serve as Assistant Bill Clerk of the House of Representatives at the pleasure 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.

Mr. Speaker Gilligan introduced the podium staff.

Representative Schwartzkopf 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 Longhurst and adopted by voice vote.

Mr. Speaker Gilligan appointed Representative John L. Mitchell, Jr. and Representative Clifford G. Lee to notify the Governor that the House is organized and ready for business.

Representative Schwartzkopf 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 Longhurst and adopted by voice vote.

Mr. Speaker Gilligan appointed Representative William J. Carson, Jr. and Representative Joseph E. Miro to notify the Senate that the House is organized and ready for business.

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

Mr. Speaker Gilligan granted privilege of the floor to Senators Joseph W. Booth and David B. McBride. Senator McBride announced that the Senate is organized and ready for business.

Representative John L. Mitchell, Jr. announced that he and Representative Clifford G. Lee have notified the Governor that the House is organized and ready for business.

Representative D.E. Williams introduced Members of Parliament from Portugal. Mr. Speaker Gilligan made announcements.

The following pre-session prefiled legislation was introduced:

January 6, 2011

**HB 1 – SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BENNETT, BOLDEN, GILLIGAN, HEFFERNAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KEELEY, KENTON, KOWALKO, MIRO, MITCHELL, OSIENSKI, OUTTEN, RAMONE, D. SHORT, VIOLA; SENATORS BLEVINS, BUNTING, CONNOR, ENNIS, SIMPSON, SORENSON, VENABLES – EDUCATION – An Act to Amend Title 14 of the Delaware Code Relating to Unit Funding.**

**HB 2 – SCHOOLEY & REPRESENTATIVE KEELEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE GEORGE & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BARBIERI, CARSON, GILLIGAN, JAQUES, SCOTT, BOLDEN, HEFFERNAN, OSIENSKI, RAMONE, WALKER; SENATOR CLOUTIER – HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.**

**HB 3 – KOWALKO & SENATOR SOKOLA; REPRESENTATIVES JAQUES, KEELEY, LONGHURST, MITCHELL, RAMONE, WILLIS – EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Limiting Artificial Trans Fats in Food Available or Served to Students in Public Schools, including Charter Schools.**

**HB 4 – KOWALKO & SENATOR PETERSON & SENATOR BLEVINS; REPRESENTATIVES JAQUES, SCHOOLEY; SENATOR SIMPSON – HOUSE ADMINISTRATION – An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists.**

**HB 5 – BENNETT & SENATOR PETERSON & SENATOR KATZ; REPRESENTATIVES BRIGGS KING, CARSON, HOCKER, JAQUES, KEELEY, KENTON, LAVELLE, LONGHURST, MITCHELL, OUTTEN, SCOTT, D.E. WILLIAMS, KOWALKO, OSIENSKI, WILSON – HOUSE ADMINISTRATION – An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.**

**HB 6 – BENNETT & SENATOR HENRY; REPRESENTATIVES BOLDEN, BRIGGS KING, CARSON, HOCKER, HUDSON, JAQUES, KENTON, MIRO, MITCHELL, OUTTEN, WALKER, D.E. WILLIAMS – JUDICIARY – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 7 – J. JOHNSON & REPRESENTATIVE MULROONEY & SENATOR HENRY & SENATOR CONNOR – HOUSE ADMINISTRATION – An Act to Amend the Laws of Delaware, Volume 27, As Amended, Relating to the Charter of the City of New Castle. (2/3 bill)**

The Majority Leader moved to recess to the call of the Chair at 3:36 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on January 12, 2011.

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.

**2nd LEGISLATIVE DAY – 146th GENERAL ASSEMBLY – First Session  
January 12, 2011**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 1 - SCHOOLEY - Placed with the Bill.**

Representative Kowalko requested that he be marked present. The House observed a moment of silence in memory of Patrick W. Murray at the request of Representative Blakey. The House observed a moment of silence in memory of former Representatives Hazel D. Plant and Gwynne P. Smith at the request of Mr. Speaker Gilligan.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:08 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 13, 2011.

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

EDUCATION: **HB 1 – 14F.**

Mr. Speaker Gilligan assigned **HB 1** to the Appropriations Committee.

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.

**3rd LEGISLATIVE DAY – 146th GENERAL ASSEMBLY – First Session  
January 13, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-second Representative District.

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

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

Representative Schwartzkopf deferred to Sean Finnigan, Deputy Chief of Staff, who introduced the 2011 University of Delaware Legislative Fellows who stated their names and majors for the record. Representatives Schwartzkopf and Lavelle made comments. Representatives Atkins, Brady, Hudson, Keeley & Viola requested that they be marked present. Mr. Speaker Gilligan made announcements. Representatives Briggs King & Lavelle made comments. Representative Longhurst made an announcement. The House observed a moment of silence in memory of Joseph L. Labonte, father of Senator Catherine L. Cloutier, at the request of Mr. Speaker Gilligan.

The Majority Leader moved to recess to the call of the Chair at 2:14 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 18, 2011.

Representative Jaques introduced **HB 11**, jointly sponsored by Senator Blevins & Representatives Lavelle, Outten & Scott & Senator Ennis.

**HB 11 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Mr. Speaker Gilligan assigned **HB 11** to the House Administration Committee.

Representatives Viola & Schwartzkopf made announcements.

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.

**4th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
January 18, 2011**

The Chief Clerk called the roll.

Members Present: 39.

Member Absent: Representatives Atkins & Mitchell - 2.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

The House observed a moment of silence in memory of James A. Lofink, father of former Representative Vincent A. Lofink, at the request of Mr. Speaker Gilligan.

Mr. Speaker Gilligan led those present in the 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 8** - GEORGE & SENATOR BLEVINS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

**HB 9** - KEELEY & REPRESENTATIVE J. JOHNSON & REPRESENTATIVE SCOTT & SENATOR HENRY; REPRESENTATIVES BOLDEN, GEORGE, KOWALKO, MITCHELL, MULROONEY, SCHOOLEY; SENATOR VENABLES - 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 10** - LONGHURST & REPRESENTATIVE VIOLA & SENATOR ENNIS; REPRESENTATIVES BENNETT, BLAKEY, BRIGGS KING, CARSON, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KENTON, KOWALKO, LAVELLE, LEE, MANOLAKOS, MIRO, MITCHELL, MULROONEY, OUTTEN, PETERMAN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, D. SHORT, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILLIS, WILSON, ATKINS, BARBIERI, BOLDEN, BRADY, GEORGE, GILLIGAN, HEFFERNAN, OSIENSKI, B. SHORT; SENATOR CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Manufacturers and Wholesalers.

Representatives Miro & B. Short requested that they be marked present.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques requested and was granted privilege of the floor to present a House Tribute to Robert C. Moyer, Jr., State Captain of the Patriot Guard Riders. Mr. Moyer addressed the House. Representatives Schwartzkopf, D. Short, Wilson, Kenton & Peterman made comments. Members of the Delaware Patriot Guard Riders stated their names and hometowns for the record. Representatives George & Hudson requested that they be marked present. Mr. Speaker Gilligan introduced guests. Representative Longhurst made comments. Mr. Speaker Gilligan made an announcement. Representative D.E. Williams requested that he be marked present. Representative Longhurst made an announcement. Representative Blakey made comments. Mr. Speaker Gilligan & Representative D.P. Williams made announcements.

The Majority Leader moved to recess to the call of the Chair at 2:26 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 19, 2011.

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

The Reading Clerk read the following communication into the record:

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

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

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.

### **5th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session January 19, 2011**

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.

The House observed a moment of silence in memory of Brigadier General William W. Spruance at the request of Representative Jaques.

Mr. Speaker Gilligan led those present in the 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 12** - LAVELLE & SENATOR KATZ; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, MIRO, OUTTEN, RAMONE, BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Pleadings and Practice.

**HB 13** - HUDSON & SENATOR BOOTH; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Personal Income Tax.

**HB 14** - HUDSON & SENATOR SIMPSON & SENATOR LAWSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILSON, BENNETT, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections and Candidate Disclosures. (2/3 bill)

**HB 15** - HUDSON & SENATOR SORENSON; REPRESENTATIVES HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATOR BOOTH - APPROPRIATIONS - An Act Proposing an Amendment to Article VIII of the Delaware Constitution Relating to Spending Increases. (2/3 bill)

**HB 16** - HUDSON & SENATOR BOOTH & SENATOR PETERSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Disclosure of Consultants and Contractors Used by Agencies.

**HB 17** - JAQUES & SENATOR BUNTING; REPRESENTATIVES BENNETT, CARSON, HUDSON, MITCHELL, D. SHORT, PETERMAN, ATKINS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**HB 18** - RAMONE & REPRESENTATIVE HUDSON & SENATOR SIMPSON & SENATOR KATZ; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, OUTTEN, PETERMAN, D. SHORT, WILLIS, WILSON; SENATOR SORENSON - REVENUE & FINANCE - An Act to Amend Titles 3, 12, and 30 of the Delaware Code Relating to the Estate Tax.

Representatives Hocker, Scott & Carson requested that they be marked present.

Representative Schwartzkopf introduced and brought **SCR 1**, jointly sponsored by Senator DeLuca & Senator Blevins & Representative Gilligan, before the House for consideration.

**SCR 1** - PROVIDING FOR A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO BE CONVENED FOR THE PURPOSE OF HEARING AN ADDRESS BY THE HONORABLE JACK A. MARKELL, GOVERNOR OF THE STATE OF DELAWARE.

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

Mr. Speaker Gilligan & Representative Longhurst made announcements. Representative D.E. Williams requested that he be marked present. Representative Miro made an announcement.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:09 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed on January 19, 2011 at 2:09 p.m.: Representatives Brady & D. Short.

Mr. Speaker Gilligan called the House to order at 1:30 p.m. on January 20, 2011.

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

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

HOUSE ADMINISTRATION: **HB 5** - 5F; **HB 7** - 5F; **HB 11** - 5M.

APPROPRIATIONS: **HB 1** - 6F.

REVENUE & FINANCE: **HB 10** - 11M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 6**, **SB 7** & **SB 8** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 1:31 p.m., thereby ending the current legislative day. The House reconvened at 1:32 p.m.

### **6th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session January 20, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan led those present in the 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 10** - LONGHURST - Placed with the Bill.

**SB 6** - SIMPSON & SENATOR BONINI & REPRESENTATIVE KENTON & REPRESENTATIVE PETERMAN - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Milford Relating to Elections. (2/3 bill)

**SB 7** - MARSHALL & REPRESENTATIVE MULROONEY; SENATOR VENABLES; REPRESENTATIVES LAVELLE, B. SHORT, RAMONE, MANOLAKOS, MIRO, HUDSON; D.E. WILLIAMS - LABOR - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

**SB 8** - BUSHWELLER & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Relating to Council and the Mayor. (2/3 bill)

Representative Longhurst & Mr. Speaker Gilligan introduced guests. Representative Keeley requested that she be marked present.

The Majority Leader moved to recess for the Joint Session at 1:36 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 Gilligan and Senator DeLuca 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 1:54 p.m., Senator Blevins moved that the Senate and the House meet in Joint Session for the purpose of hearing an address from the Honorable Jack A. Markell, Governor of the State of Delaware. There was no objection.

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

Senator Blevins 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 Blevins 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 Sokola (Spokesperson), Senator Cloutier, Representative Bolden and Representative Briggs King to escort the Governor to the Senate Chamber.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Markell. The Lieutenant Governor welcomed the Governor.

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

Well, Lt. Governor Denn, President Pro Tem DeLuca, Speaker Gilligan, members of the 146th General Assembly, statewide elected officials, members of the Judiciary, members of the Cabinet, Carla, Molly, Michael, my family, the people of Delaware, and our State Employees:

This is the third time I have had the opportunity to come before you to report on the State of our State. As is common this time of year, we have recently dug ourselves out from a series of blizzards. When such storms occur, we see people across our state out in their driveways, shoveling their way out. Neighbors, helping to clear out their block together. Strangers, who have stopped to help dislodge another's car from a snow bank. And, of course, we see the snow plows at work, and when things are at their worst and most dangerous, we see dedicated state employees and members of the National Guard out when the rest of us are safe and warm inside, a literal and visible example of the famous tag-line, "your tax dollars at work."

But all of this activity – whether individual effort or mutual cooperation, private toil or public service – is never an end in itself: We don't throw ourselves into the task of digging out from a storm just so we can get things back to where we were before the blizzard. We shovel our driveways so our children will be able to get out and go to school. We dig cars out of snow banks and we plow our streets so that all of us can go to work to build more, produce more, and earn more.

Well, for the past two years, we have braved an economic blizzard of historic proportions. The skies may not yet have cleared, but Delawareans have already been hard at work from Day One to dig ourselves out of this mess. And we can finally see the promise slowly emerging from the burdens the storm has left behind. And, on this point, let me be clear: While there are national and international forces beyond our control, Delaware is far stronger than the challenges we face:

- Hundreds of workers are preparing to re-open the refinery in Delaware City. And, representing them today is Esteban Gonzalez, a Smyrna resident who first started working at the refinery way back in 1981. Last year at this time, the facility was closed, and Esteban faced a very uncertain future. But what a difference a year makes. Recently, Esteban was hired by the Delaware City Refinery Company as a Technical Training Supervisor, where he is helping to lead the effort to retrain returning employees. Esteban, welcome.
- Craftsmen at Fisker Automotive will soon make some of the finest cars the world has to offer here in Delaware once again.
- New workers at ILC here in Kent County are making critical components of advanced airships to aid our armed forces overseas.
- Perdue is moving its agribusiness headquarters to Seaford, creating hundreds of jobs in the process, and Mountaire in Millsboro is growing, as well.
- In Dagsboro, hundreds of skilled workers are installing equipment to make the NRG power plant dramatically cleaner.
- We won the national Race to the Top competition for our plan to create stronger schools.
- And our focus on fiscal responsibility has made Delaware one of only eight states with a AAA rating from all three bond rating agencies.

And, I want to thank all of you – the state workers and public education employees who have kept our public services going, the police and fire and military personnel who have kept us safe and secure, the small business owners who have hung on and the new businesses that have moved in, the neighbors who have come together and the solitary Delawareans who have gotten up and gone in to work or who look for



work every day – and I want to thank everyone in this hall today – for all you have done to help keep our state going during these challenging times.

But we haven't done all this simply so we could scrape our way back to where we were. We have worked, we have struggled, we have dug down, and we have pushed back, to clear a new and brighter path to the future – a future where all our citizens can find a job that provides an opportunity to employ the full scope of their abilities.

A future where all our children can learn what they need to compete successfully in a world of challenges.

A future where our families can live together in peace and safety enabling them to fulfill all their dreams.

A future where we all come together to improve our communities and protect the weakest and neediest amongst us – and where we all come together here, in this great house of democracy, to sustain that future without rancor or malice but in common purpose and concerted effort.

Two years ago, I swore an oath to promote those values, and I gave you my promise to help build that future. For the past two years, we have cleared the path to that goal, even as the snow obscured the way. Now, the choices we make this year must further build to that promised future.

That future starts with expanding the size and scope of our economy. We are working every day to help our existing businesses grow and looking for the new businesses and industries that will enrich our future. We've implemented a number of new initiatives. I'm about to propose a few more. But our success at creating jobs demands more than a tax credit here or an incentive there. It's about our culture. We must think like entrepreneurs and others who create jobs. Anyone who can create a decent job, whether they are already here or across the ocean, needs to know we are more responsive, more committed to their success than anybody else, anywhere.

That's why I will again be recommending significant funding for the Delaware Strategic Fund. While other states may write bigger checks, a robust Strategic Fund that offers targeted investments in economic growth makes it clear to those who create jobs: We will be your partner.

We must be prepared to make the infrastructure investments necessary when we see significant opportunities to put Delawareans back to work. I'm proposing a Job Creation Infrastructure Investment Fund that will allow us to seize the best opportunities for investing in the future jobs in ways that our Transportation Trust Fund currently cannot.

And to drive home the message that Delaware is the best place to start and grow a business, we must promote job-creating capital investment. For businesses large or small that are willing to put Delawareans to work in a new or expanded manufacturing facility – whether it be for traditional manufacturing, or for clean energy – we will provide tax credits to support that job growth. We must continue to create a business climate that puts our neighbors back to work and that puts Delaware back at the forefront of making things again.

Historically, Delaware has been defined by what we make – from Dupont's mills in the 19th Century, to the Pontiac and Chrysler plants of the 20th, to, today, at Atlantis Industries in Milton, providing advanced parts design and tooling for customers all over the country, and TA Instruments in New Castle, designing and manufacturing highly sophisticated measurement devices. Manufacturing jobs have provided a ladder to economic independence for countless families and they must remain part of our future.

And, that's why our administration is joining with the Delaware Manufacturing Association, led by Chamber of Commerce President Jim Wolfe. This partnership will build on effective past outreach to local manufacturers on topics ranging from lean manufacturing techniques to energy savings programs. Together, we will work to develop and implement new ways to expand manufacturing jobs.

And, we'll stay focused on the particular issues facing our small businesses. That means continuing our efforts to make permitting more efficient and predictable. It also means recognizing that one of the most important assets of any small business is its workforce. Too often, small business owners have trouble negotiating and paying for healthcare coverage for their workforce, or attracting the best workers when they don't. So, we will implement the new federal health care act in a way that most helps our small businesses.

Now, our determination to help the private sector create jobs has led to significant progress on the issue most critical to our long-term success – working with Delaware's excellent educators to ensure that we have the best possible public schools. Employers want to know that their children will have a great place to learn and that our schools will graduate young people ready to thrive in the work world.

Our students today are graduating into a job environment far different from what their parents faced. They're competing with graduates from around the world for jobs and we are competing with governments around the world to help make those opportunities available.

Just think about some of Delaware's most important employers. Astra Zeneca and Barclays are based in the United Kingdom. ING's parent company is based in the Netherlands. Evraz, which operates the steel plant in Claymont, is based in Russia. Bilcare, with dozens of employees in Delaware City, is based in India. These are global companies with facilities around the world. And, they regularly ask themselves, "Where should we invest our next dollar of capital and create the next job?" We, all of us, must do whatever we can to make the answer "Delaware."

That's why we recently proposed, and the State Board of Education, led by Teri Quinn Gray adopted, the final regulation making Delaware one of a handful of states to require completion of a world language in order to graduate.

Let me explain why it is so important that our kids be multi-lingual. The international insurance firm Cigna employs 500 people in North Wilmington. They service workers all over the world. Cigna has support centers in many different countries, and they have found that their employees are most productive when they speak multiple languages. Their employees in Belgium speak an average of three languages. We helped Cigna stay in Delaware, but if we want companies like them to grow, they need workers here ready to meet the challenge of communicating around the world.

Now, that is why, during my recent trip to China, I signed an agreement with the Hanban Institute to bring several teachers from China to Delaware, offering Chinese language courses to our students at virtually no cost to our State. We will leverage this opportunity by offering a new, high-quality online Chinese language course developed with federal grant funding and the best national experts. We need to be China's trade partner, not just a customer or debtor, and together these innovations will help give Delaware's students the language skills that they've needed to do that.

Now, I also just came, about an hour and a half ago, from Buena Vista in New Castle, where our team, together with a number of Delaware businesses, hosted an introductory session for Chinese investors interested in our State. We need to look far beyond our traditional ways of doing business to strengthen our competitiveness and put Delawareans to work.

The language that underpins most of the innovation that drives global growth is science, technology, engineering and math. It's called "STEM." We've created a STEM Council, to be led by Jud Wagner of the Brandywine School District and Senator Ted Kaufman – himself an engineer and someone who is passionate about helping Delaware students develop critical STEM skills. The Council will ensure that Delaware schools have the high quality programs and partnerships necessary so that students gain the critical skills and knowledge that they need for high-quality jobs. We're funding a new STEM Teacher Residency Program to attract individuals with experience in the STEM areas to the teaching profession. And, this year, we'll be bringing to our classrooms a former senior scientist with Astra-Zeneca and a Master's-level physicist with prior experience at NASA.

We need our kids to compete and win on a global level. So, our state board of education recently adopted new, clearer and higher "common core standards." But new standards alone are not enough. We must assess more accurately how proficient our students are at meeting them. So, last year, Education Secretary Lowery convened a group of 150 stakeholders to consider our standards and our students' performance on national and international assessments. They concluded that we need to face facts in a new way.

And, here's an analogy. It's as though kids in Delaware and across the country have essentially been practicing basketball on an 8-foot high rim. But kids around the world have been practicing on a hoop that's 10 feet high. Our kids may be good at hitting those 8-foot shots – but the game is played at a higher level. So when we tell our kids they're proficient based on an assessment that is used only within our borders, but then they have to compete with students outside of our borders who are used to making the harder shot, then we're not being very honest with them.

Now, of course, it's one thing to raise the goal. We also need to ensure that we are also lifting our kids' game. And, that is exactly what we are doing.

With the help of teachers, DSEA, administrators, the business community, parents, and others across the state, Secretary Lowery developed a plan that was ranked #1 in the country in the Race to the Top Competition. And we're working together with our state's educators to make that plan a reality – and here's what it means for our kids:

- A better assessment system, measuring student growth during the year and providing real-time feedback so teachers can adjust and improve student learning on-the-spot.
- Measuring student growth in every subject area so we can link teacher evaluations with how much their students learn in their classroom, identify what works, and raise the quality of instruction across the state.
- Teachers asked us for more time for collaboration with their colleagues and to work with data coaches in interpreting student data and developing strategies to address identified needs, and we're providing that.
- We're meeting parents' requests for more Advanced Placement courses.
- And we have incentive pay to attract highly effective teachers to high-needs schools.

And we launched the Partnership Zone effort to provide more focus on our lowest-achieving schools. The schools selected are required to implement significant and difficult changes – and many doubted whether our local school boards, charter schools and local unions would reach agreement to meet this challenge. I am proud to say that all four of the Partnership Zone schools have done so. We've received bold plans including leadership and staffing changes, hiring flexibility, the creation of focused academies, and the implementation of longer school days and school years.

And, we also know that as critically important as our K-12 initiatives are, it is also essential to ensure that children arrive at kindergarten ready to learn. And, building on recommendations from a task

force co-chaired by Lt. Governor Denn and Connie Bond Stuart, President of PNC Bank, Delaware, and from our Early Childhood Council, led by Dan Rich, we are increasing the focus on this issue within state government, improving assessment and the use of data, and better coordinating and integrating funding.

And the last two years, Delaware established itself as the First State when it comes to education reforms. Now, we're working to make Delaware the First State when it comes to education results.

If our kids are going to learn to the best of their abilities, they need to be safe. Schools can be the site of terrible violence. And, the plans currently compiled by each of our public schools, in terms of how they react to emergencies, they vary widely, from fairly complete in some schools, to virtually non-existent in others. We must do better.

And, that's why I have asked Safety and Homeland Security Secretary Schiliro, with his experience leading the FBI's office in New York City, to oversee creation of model comprehensive school safety plans for the 26 public schools with a State Police School Resource Officer. This effort will include coordination with local emergency responders and will be available to schools throughout the state to help them develop their own plans – which we will soon require for every public school, so they are ready should the unthinkable ever occur.

And, we can't afford to focus only on their safety in school. Whether in the City of Wilmington, or Manchester Square here in Dover, parents should not fear their children will be hit by stray bullets. And borrowing an idea from the Delaware State Troopers Association, we will make those who violate our laws fund efforts to reduce the incidence of gun violence. To this end, I have directed Secretary Schiliro and Col. Coupe to work with local law enforcement professionals across our state to focus these new resources, including additional state troopers, on reducing gun crimes, beginning in the City of Wilmington. With the pledged cooperation and leadership of Attorney General Biden, Mayor Baker, and Councilman Jea Street and others, we will work together to reduce this tragic gun violence.

And as we work to end gun violence in our streets, we need to make our streets safer to travel. Too many families have lost loved ones to the senseless and preventable crime of drunk driving – including my own cousin, killed by a drunk driver. We have stepped up enforcement over the last few years, with more than 5,000 arrests last year alone, but too many return to the road. Working with Senator Blevins, Representative Keeley, Attorney General Biden and others, we will propose revamping the DUI laws, improving our monitoring technologies, and imposing more aggressive substance abuse treatments, to better target our resources and make our roads safer.

In fact, we need to more effectively target our limited criminal justice resources, generally, to maximize public safety. That is why we're launching the Justice Reinvestment Initiative, supported by Senator Sorenson, Chief Justice Steele and others, to partner with both the U.S. Department of Justice and our own front-line criminal justice personnel to identify and adopt new policies that will reduce crime, reduce recidivism and reduce prison populations, as states like Kansas and Indiana have done successfully.

Maximizing the return on every public dollar we spend must be a central goal during these difficult times. Over the past two years, we have made tough cuts, we have implemented stringent efficiencies. We've reduced the size of our state work force. These efforts will continue.

I'd like to thank our state and public education employees for the shared sacrifice they have exhibited and for responding to the noble call of public service. Our state and public education employees have families, children, and parents for whom they provide care. They have bills to pay just like all Delawareans. We thank them for their dedicated service and hard work.

But the financial pressures that we confront as a state government demand that we take a hard look at the costs of our employee health insurance and pensions. Between them, they account for \$453 million of our budget. Taxpayer contributions for state employee pensions increased by 594% over the last 11 years, and for healthcare by 257%. While this escalation is not sustainable, we value our state employees and they value the benefits they receive. So the proper course is to work together with our state and public education employees to find the best and fairest ways to achieve near- and long-term savings.

We have begun a dialogue with representatives of the major state and public education union leadership teams and leaders from within the General Assembly. I am open to any and all good ideas. But we must secure the necessary savings during this session of the General Assembly, because the cost of delay is just unacceptable.

Health care costs also affect our budget in the form of Medicaid, which grew 143% over the last 11 years to \$600 million of taxpayer money annually. These are important benefits but we need to instill some common-sense reforms to make Medicaid more efficient, and Secretary Landgraf and Director Visalli will propose ways to modify our Medicaid program to better control these costs.

Meanwhile, many other areas of our budget will not be able to receive funding at their prior levels because of these other costs. This will include programs that I strongly support. But we cannot spend money we don't have – and we do not, and will not, have money to spend on some badly needed initiatives unless and until we get our major cost-drivers under better control.

Now, we're not just looking at the largest areas for savings, however. In the past year, we forged new partnerships between the Division of Historic and Cultural Affairs and non-profits like the Biggs Museum, Rehoboth Art League, and Preservation Delaware. These partnerships expanded public access to the arts and history, without increasing government spending. And, this year, you're going to see more of

this kind of innovative thinking. For example, next month Secretary of State Bullock will launch a first-ever arts marketing campaign using significant private and foundation dollars to help make arts organizations more self-sufficient.

Greater efficiency is crucial to our success, but we cannot leave vulnerable Delawareans behind. For those in our state hospital, we have made improvements and we have more to make, but we should be treating fewer people in institutions and more in the community. Working with advocates, Secretary Landgraf has developed a plan to make the transition to more community placements and my budget will reflect that plan.

Similarly, we need to make sure that children aging out of foster care are given the opportunities they need to succeed – this is something that former Governor Minner remains passionate about. That’s why Secretary Rapposelli of the Kids Department and Director Ben Addi of the Delaware State Housing Authority are launching a partnership that will provide safe and affordable housing for these youth while they move toward independence.

And, some of our fellow citizens also have cognitive and other disabilities that would challenge the strongest amongst us, yet they have a fierce desire to contribute and to participate in our society. The Sheltered Workshop and Employment Program allows them to do just that. The program partners with businesses to find opportunities for these brave citizens to contribute and to feel the pride of a productive day’s work. We need to expand these opportunities.

Now, across our state, we see a renewed spirit of service. We see it in those who serve our country through the National Guard and at the Dover Air Force Base. Like Karen Berry, who is both a teacher at Sussex Central High School and an officer in the Delaware National Guard. And her husband Mike, a State Trooper who recently returned home from serving our country in Afghanistan. Mike and Karen: thank you.

We see it reflected in the countless hours of service performed by Delawareans. My wife Carla is doing a great job in helping to lead an effort to make the First State first in volunteerism, and so many have responded. We see this spirit in our schools, where teachers, their unions, parents, and administrators have all come together to forge the innovative education solutions I have detailed today. Other states have seen pitched battles where teachers and politicians demonize each other, but that is not our approach in Delaware.

And, we see that spirit here in Dover, where elected officials are working together – unlike elsewhere in this country – thanks to the leadership of President Pro Tem DeLuca and Senate Minority Leader Simpson, and Speaker Gilligan and House Minority Leader Lavelle. Thank you.

And perhaps we have seen that spirit best in two great leaders who may no longer be serving in elected positions but who exemplify the leadership required to move our State forward. Both deserve our thanks and praise. One served in Dover and Washington and in both places, earned a reputation as effective, determined and always willing to work across the aisle. The other balanced her unmatched knowledge of state finances with her belief in compromise, her humor and her unwavering dedication to serving her neighbors. They are of different parties but each has added immeasurably to our state for the last several decades. Let us recognize and live up to the standards set for us by Mike Castle and Nancy Cook.

And, we can see that same spirit of service every day. In the Samaritans who rescue strangers in a storm, in our neighbors who band together to dig out from under a snowfall. We see it in those small business owners keeping their doors open so that long-time employees can keep a pay-check coming. We see it in the parents who get up early every day to work an extra shift and stay up late every night to help with homework, all to ensure a brighter tomorrow for their children.

And, they are all telling us something: They are telling us that we can dig our way out – but we do it best together. We can create new jobs and industries, but we do it best together. We educate our children to face the world’s challenges, but we do it best together. We can make our schools and communities safer, and help those in need, but we do it best together.

And we can make state government more efficient and effective. But we can only do that if we do it . . . together.

God bless you. God bless America. And God bless the great State of Delaware.

Lieutenant Governor Matt Denn thanked the Governor and requested that the duly appointed committee reassemble to escort the Governor back to his Executive Office.

Senator Blevins 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 Blevins moved that the Joint Session be adjourned at 2:45 p.m. and that two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 4:27 p.m.

Representatives D.E. Williams & Outten requested that they be marked present.

The Reading Clerk read the following communication into the record:

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

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 1**, jointly sponsored by Senator Sokola & Representatives Bennett, Bolden, Gilligan, Heffernan, Hocker, Hudson, Jaques, Q. Johnson, Keeley, Kenton, Kowalko, Miro, Mitchell, Osienski, Outten, D. Short, Viola & Ramone & Senators Blevins, Bunting, Connor, Ennis, Simpson, Sorenson & Venables, before the House for consideration.

**HB 1 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT FUNDING. (F/N)**

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

Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley made comments. Representative Schooley requested and was granted privilege of the floor for Russell Larson, Controller General. Representatives Miro, Lavelle, Schooley & Lavelle made comments.

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

YES: 41.

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

Representative Brady requested that he be marked present during the roll call. Representative Schooley made comments. Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins introduced a guest.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 10**, jointly sponsored by Representative Viola on behalf of All Representatives & Senator Ennis & Senator Connor, before the House for consideration.

**HB 10 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS AND WHOLESALERS.**

Representative Longhurst brought **HA 1 to HB 10** before the House for consideration.

Representative Longhurst made comments. **HA 1** was adopted by voice vote. Representatives Longhurst & Lavelle made comments.

The roll call on **HB 10 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 10 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley made an announcement.

Representative George introduced **HB 19**, jointly sponsored by Senator Blevins & Senator McDowell & Senator Sorenson & Representatives Blakey, Bolden, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lavelle, Manolakos, Miro, Mitchell, Mulrooney, Ramone, Schooley, Scott, B. Short & Walker & Senators DeLuca, Hall-Long, Peterson & Venables.

**HB 19 - AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG-INVOLVED OFFENSES**

Representative George made comments. Mr. Speaker Gilligan assigned **HB 19** to the Judiciary Committee. Representative George made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 25, 2011.

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.

### **7th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session January 25, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Mulrooney - 1.

A prayer was offered by Representative Darryl M. Scott, Forty-first Representative District.

Mr. Speaker Gilligan invited members of the Delaware State University "Flying Hornets" Flight Team to join him in leading those present in the 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 20 - LAVELLE & REPRESENTATIVE MIRO & REPRESENTATIVE KEELEY & REPRESENTATIVE BRADY & SENATOR SIMPSON; REPRESENTATIVES MANOLAKOS, D. SHORT, GEORGE, MITCHELL; SENATORS BONINI, SORENSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.**

**HB 21 - LAVELLE & REPRESENTATIVE MIRO & REPRESENTATIVE KEELEY & SENATOR SIMPSON; REPRESENTATIVES MANOLAKOS, D. SHORT, BRADY, GEORGE, MITCHELL; SENATORS BONINI, SORENSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.**

**HB 22** - GEORGE & SENATOR ENNIS & SENATOR HENRY; REPRESENTATIVES WALKER, WILSON, J. JOHNSON, KENTON; SENATORS HALL-LONG; VENABLES - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to Abandoned Property.

**HB 23** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, Q. JOHNSON, SCOTT, WALKER; SENATORS BOOTH, HENRY, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Truancy.

**HB 24** - HUDSON & SENATOR SIMPSON; REPRESENTATIVES BLAKEY, LEE, MANOLAKOS, MIRO, RAMONE; SENATORS BOOTH, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists. (2/3 bill)

**HB 26** - WILLIS & REPRESENTATIVE LAVELLE & REPRESENTATIVE HUDSON & SENATOR KATZ & SENATOR LAWSON & SENATOR SIMPSON; REPRESENTATIVES RAMONE, WILSON, KOWALKO, MANOLAKOS, WALKER; SENATORS PETERSON, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State Board of Education.

**HB 27** - SCOTT & REPRESENTATIVE KOWALKO; REPRESENTATIVES ATKINS, BENNETT, BRIGGS KING, CARSON, HOCKER, HUDSON, Q. JOHNSON, KENTON, LAVELLE, LEE, LONGHURST, MITCHELL, OUTTEN, PETERMAN, RAMONE, SCHWARTZKOPF, B. SHORT, D. SHORT, D.E. WILLIAMS, WILSON; SENATORS BONINI, BOOTH, BUNTING, BUSHWELLER, ENNIS, LAWSON, SIMPSON - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Renewable Energy Portfolio Standards.

The Reading Clerk read the following communication into the record:

January 25, 2011

The Honorable Robert F. Gilligan  
Speaker of the House  
House of Representatives  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

I will be unable to attend Legislative Session today, due to illness.

Thank you.

Sincerely,  
Michael P. Mulrooney  
State Representative  
17<sup>th</sup> District

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced television personality Montel Williams who addressed the House.  
Representative Keeley made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced and brought **HCR 2**, jointly sponsored by Senator Sokola & Representatives Bolden, Brady, Briggs King, Jaques, Lavelle, Manolakos, Miro, Mulrooney, Osienski, Ramone, Schooley & Wilson & Senators Bushweller, Ennis & Sorenson, before the House for consideration.

**HCR 2** - RECOGNIZING THE WEEK OF JANUARY 23-29, 2011 AS "NATIONAL SCHOOL CHOICE WEEK."

Representative Scott made comments. **HCR 2** was adopted by voice vote. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representatives Atkins & Hudson requested that they be marked present.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey introduced and brought **HCR 1**, jointly sponsored by Senator Bonini & Senator Bushweller & Senator Henry & Representatives Lavelle, Hocker, Briggs King, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis, Wilson, Gilligan, Schwartzkopf, Barbieri, Bennett, Bolden, George, Heffernan, Jaques, Q. Johnson, Keeley, Kowalko, Mitchell, Osienski, Schooley, Scott, B. Short, Viola, Walker & D.P. Williams & Senators Booth, Bunting, Hall-Long, Peterson, Simpson, Sorenson & Venables, before the House for consideration.

**HCR 1** - PROCLAIMING THE MONTH OF FEBRUARY 2011 AS AFRICAN AMERICAN HISTORY MONTH AND REQUESTING THE GOVERNOR ISSUE A PROCLAMATION FOR AFRICAN AMERICAN HISTORY MONTH.

Representative Blakey made comments. **HCR 1** was adopted by voice vote.

Representative Blakey made comments. Representative Blakey requested and was granted personal privilege of the floor to introduce Dr. Daniel E. Coons, Founder of the Aviation Program and retired Professor at Delaware State University, who addressed the House. Dr. Coons introduced Captain Steven Speed, Director, Delaware State University Aviation Program, who addressed the House and introduced members and instructors of the Flight Team. Representative Blakey requested that Representative Bolden & Representative Carson join him at the podium to present a House Tribute to the "Flying Hornets" Flight

Team. Representatives Bolden and Carson made comments. Representatives Brady & D.E. Williams requested that they be marked present. Representative Kowalko made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:37 p.m.

The House reconvened at 4:10 p.m.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 5**, jointly sponsored by Senator Peterson & Senator Katz & Representatives Briggs King, Carson, Hocker, Jaques, Keeley, Kenton, Kowalko, Lavelle, Longhurst, Mitchell, Outten, Scott, D.E. Williams & Wilson, 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 Bennett made comments.

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

YES: 40.

ABSENT: Representative Mulrooney - 1.

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

Representative Kowalko made comments.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 7**, jointly sponsored by Representative Mulrooney & Senator Henry & Senator Connor, before the House for consideration.

**HB 7 - AN ACT TO AMEND THE LAWS OF DELAWARE, VOLUME 27, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF NEW CASTLE. (2/3 bill)**

Representative J. Johnson made comments.

The roll call on **HB 7** was taken and revealed:

YES: 40.

ABSENT: Representative Mulrooney - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 7** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:18 p.m.

The House reconvened at 4:22 p.m.

Representative Jaques brought **HB 11**, jointly sponsored by Senator Blevins & Representatives Lavelle, Outten & Scott & Senator Ennis, before the House for consideration.

**HB 11 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representative Jaques introduced and brought **HA 1 to HB 11** before the House for consideration. Representatives Jaques, Kowalko & Lavelle made comments. **HA 1** was adopted by voice vote.

Representatives Jaques & Kowalko made comments.

The roll call on **HB 11 w/HA 1** was taken and revealed:

YES: 37.

NO: Representatives Kowalko & D.E. Williams - 2.

ABSENT: Representatives Mulrooney & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 11 w/HA 1** was sent to the Senate for concurrence.

Representatives Jaques, Keeley, Carson, B. Short & Jaques made comments.

The Majority Leader moved to recess to the call of the Chair at 4:32 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 26, 2011.

The Reading Clerk read the following communication into the record:

TO : The Honorable Robert Gilligan  
Speaker of the House  
FROM : Representative David L. Wilson  
SUBJECT : Absence from Session  
DATE : January 25, 2011

It is necessary for me to be absent from session on Thursday, January 27, 2011 due to personal business.

David L. Wilson

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.

**8th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
January 26, 2011**

The Chief Clerk called the roll:

Members Present: 34.

Members Absent: Representatives Hudson, Keeley, Manolakos, Miro, Mulrooney, Schooley & D.P. Williams - 7.

A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.

Mr. Speaker Gilligan led those present in the 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** - D. SHORT & REPRESENTATIVE B. SHORT & REPRESENTATIVE BENNETT & SENATOR CLOUTIER; REPRESENTATIVES HOCKER, HUDSON, KENTON, PETERMAN, WILSON; SENATORS BOOTH, BUNTING, ENNIS, SOKOLA, VENABLES - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Small Employee Health Insurance.

**HB 29** - D. SHORT & REPRESENTATIVE LAVELLE & REPRESENTATIVE WILSON & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, HUDSON, MANOLAKOS, OUTTEN, WILLIS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Transparency of Information on Recycling Waste Services Billings.

**HB 30** - BRIGGS KING & SENATOR PETERSON; REPRESENTATIVES LAVELLE, HOCKER, HUDSON, KENTON, D. SHORT, WILSON, BENNETT, BOLDEN, JACQUES, MITCHELL; SENATORS BOOTH, BUNTING, KATZ - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Synthetic Cannabinoids.

**HA 1 to HB 3** - KOWALKO - Placed with the Bill.

**HA 1 to HB 22** - GEORGE - Placed with the Bill.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Richard L. Puffer  
FROM: Rep. Teresa Schooley  
DATE: January 26, 2011  
RE: Absence from session

I will be unable to attend today's session due to personal reasons.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten introduced and brought **SCR 2**, jointly sponsored by Senator Bonini & Senators Bunting, Connor, Lawson & Venables & Representatives Hocker & Hudson, before the House for consideration.

**SCR 2** - DESIGNATING FEBRUARY 6, 2011 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE.

Representative Outten made comments. **SCR 2** was adopted by voice vote and was returned to the Senate. Representative Schwartzkopf deferred to Representative Kenton. Representative Lavelle made comments.

Representative Kenton moved to suspend the rules which interfere with action on **SB 6**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Kenton brought **SB 6**, jointly sponsored by Senator Simpson & Senator Bonini & Representative Peterman, before the House for consideration.

**SB 6** - AN ACT TO AMEND THE CHARTER OF THE CITY OF MILFORD RELATING TO ELECTIONS. (2/3 bill)

Representatives Kenton, Lavelle, Schwartzkopf, Atkins, Jacques, Kowalko, Brady, Lavelle & B. Short made comments.

The roll call on **SB 6** was taken and revealed:

YES: 34.

ABSENT: Representatives Hudson, Keeley, Manolakos, Miro, Mulrooney, Schooley & D.P. Williams - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 6** was returned to the Senate.

Representative B. Short requested that he be marked present during the roll call. Representatives Lavelle & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 7**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative B. Short brought **SB 7**, jointly sponsored by Senator Marshall & Representative Mulrooney & Senator Venables & Representatives Lavelle, B. Short, Ramone, Manolakos, Miro, Hudson & D.E. Williams, before the House for consideration.

**SB 7** - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.

Representative B. Short made comments.

The roll call on **SB 7** was taken and revealed:



YES: 34.

ABSENT: Representatives Hudson, Keeley, Manolakos, Miro, Mulrooney, Schooley & D.P. Williams - 7.

Therefore, having received a constitutional majority, **SB 7** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **SB 8**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Scott brought **SB 8**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 8 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATING TO COUNCIL AND THE MAYOR. (2/3 bill)**

Representatives Scott & Lee made comments.

The roll call on **SB 8** was taken and revealed:

YES: 34.

ABSENT: Representatives Hudson, Keeley, Manolakos, Miro, Mulrooney, Schooley & D.P. Williams - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 8** was returned to the Senate.

Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representatives Schwartzkopf, Atkins & Willis made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:32 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 15, 2011.

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

JUDICIARY: **HB 6** - 1F,6M; **HB 19** - 3F,3M.

The Reading Clerk read the following communications into the record:

February 22, 2011

#### LEGISLATIVE ADVISORY #1

Governor Jack A. Markell signed the following legislation on the date indicated: 1/28/2011 - **HB 10 aab HA 1**; 2/11/2011 - **HJR 1 & SB 8**; 2/15/2011 - **SB 6 & SB 7**; 2/17/2011 - **HB 1 aab HA 1**.

The Senate wishes to inform the House that it has passed **SCR 3 & SCR 4** and requests the concurrence of the House and the Senate has passed **HB 1 w/HA 1, HB 10 w/HA 1, HCR 1 & HCR 2** and is returning the same to the House.

Representatives Hudson, Manolakos & D.P. Williams requested that they be marked present for the current Legislative Day. Representative Schwartzkopf deferred to Representative Scott. Representative Scott made an announcement. Representative Schwartzkopf deferred to Representative George. Representative George introduced guests.

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.

### **9th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session March 15, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representatives Heffernan -1.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan led those present in the 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:

January 28, 2011

**HB 25 - GILLIGAN & SENATOR DELUCA; REPRESENTATIVES SCHWARTZKOPF LONGHURST, D.P. WILLIAMS; SENATORS BLEVINS, HENRY, MCDOWELL - APPROPRIATIONS - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 2012; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.**

February 24, 2011

**HS 1 for HB 4 - KOWALKO & SENATOR PETERSON & SENATOR BLEVINS; REPRESENTATIVES JAQUES, SCHOOLEY; SENATORS KATZ, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists.**

**HB 31 - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, BRADY, BRIGGS KING, GILLIGAN, HOCKER, LEE,**

**D. SHORT; SENATORS VENABLES, BOOTH, SIMPSON, BUSHWELLER, HALL-LONG, MCBRIDE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Collection of Taxes.**

**HB 32** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES CARSON, MITCHELL, SCHWARTZKOPF; SENATORS ENNIS, SOKOLA - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Home Communities and the Delaware Manufactured Home Relocation Trust Fund.

**HB 33** - JAQUES & SENATOR KATZ - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**HB 34** - B. SHORT & REPRESENTATIVE BENNETT & SENATOR KATZ; REPRESENTATIVES BARBIERI, CARSON, GEORGE, GILLIGAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOWALKO, MITCHELL, D. SHORT, WILLIS; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 29 of the Delaware Code Relating to the Regulatory Flexibility Act and the Administrative Procedures Act.

**HB 35** - B. SHORT & SENATOR KATZ; REPRESENTATIVES BRADY, BRIGGS KING, GEORGE, HUDSON, JAQUES, Q. JOHNSON, LAVELLE, LONGHURST, MULROONEY, SCHOOLEY, SCHWARTZKOPF, SCOTT, VIOLA, D.E. WILLIAMS, D.P. WILLIAMS; SENATORS BOOTH, BUSHWELLER, MCBRIDE, SIMPSON, SORENSON - CORRECTIONS - An Act to Amend Titles 1, 11, 16 and 29 of the Delaware Code Relating to the Dissolution of the Board of Parole and Transfer of the Board's Responsibilities.

March 10, 2011

**HB 36** - MITCHELL & SENATOR MARSHALL & REPRESENTATIVE CARSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Related to Driver License.

**HB 37** - MITCHELL & SENATOR MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

**HB 38** - MITCHELL & SENATOR MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 2 of the Delaware Code Relating to Charter Bus Activities.

**HB 39** - MITCHELL & SENATOR MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 27 of Title 21 of the Delaware Code Related to School Bus Endorsement Holder Criminal Background Checks.

**HB 40** - SCHWARTZKOPF & REPRESENTATIVE HUDSON & SENATOR HENRY; REPRESENTATIVES ATKINS, BARBIERI, BOLDEN, BRADY, GEORGE, J. JOHNSON, LONGHURST, MITCHELL, OSIENSKI, B. SHORT, D.E. WILLIAMS, D.P. WILLIAMS - GAMING & PARI-MUTUELS - An Act to Amend Titles 3 and 29 of the Delaware Code Relating to the Licensing of Video Lottery Casinos and Harness Racing Days.

**HB 41** - BRADY & SENATOR HENRY & SENATOR MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Exemptions from Real Property Taxation for Certain Organizations.

**HB 42** - SCOTT & REPRESENTATIVE BARBIERI & SENATOR HALL-LONG; REPRESENTATIVES BRADY, KEELEY, MIRO, MITCHELL; SENATOR ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Powers and Duties of the Department of Education.

**HB 43** - LONGHURST & SENATOR ENNIS; REPRESENTATIVES GILLIGAN, KOWALKO, MITCHELL - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Housing and Rental of a Manufactured Home Lot.

**HB 44** - SCHOOLEY & SENATOR SORENSON; REPRESENTATIVES BARBIERI, BRADY, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, MITCHELL, OSIENSKI, RAMONE; SENATORS HALL-LONG, HENRY, PETERSON, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 46** - D.P. WILLIAMS & SENATOR HENRY; REPRESENTATIVES BARBIERI, BOLDEN, HEFFERNAN, JAQUES, KEELEY, LONGHURST, MIRO, MITCHELL, OSIENSKI, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D.E. WILLIAMS; SENATORS MARSHALL, PETERSON, SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Disposition of Validly Seized Weapons and Ammunition.

**HB 47** - B. SHORT & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BARBIERI, GILLIGAN, HEFFERNAN, HOCKER, HUDSON, KEELEY, LONGHURST, MITCHELL, OSIENSKI, SCHOOLEY, SCOTT, D. SHORT; SENATORS BLEVINS, BUSHWELLER, HENRY, SOKOLA, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16 and 24 of the Delaware Code Relating to the Regulation, Investigation and Inspection of Unsanitary or Unsafe Conditions in Facilities Where Invasive Medical Procedures are Performed.

**HB 48** - LONGHURST & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, BOLDEN, HEFFERNAN, JAQUES, KEELEY, MIRO, MITCHELL, OSIENSKI, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D.E. WILLIAMS, D.P. WILLIAMS; SENATORS HENRY, MARSHALL, MCDOWELL, PETERSON, SORENSON - JUDICIARY - An Act to Amend Titles 11, 16 and 29 of the

Delaware Code Relating to Reporting Persons Prohibited from Possessing Firearms and the National Criminal Instant Background Check System (“NICS”).

**HB 49** - B. SHORT & SENATOR KATZ; REPRESENTATIVES BARBIERI, GILLIGAN, HEFFERNAN, JAQUES, Q. JOHNSON, KOWALKO, MITCHELL, SCHOOLEY, VIOLA; SENATOR CLOUTIER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Home Solicitations and Door to Door Sales.

The following prefiled legislation was introduced:

**HB 50** - KEELEY & SENATOR HENRY; REPRESENTATIVES BENNETT, GILLIGAN, HEFFERNAN, HUDSON, JAQUES, J. JOHNSON, MIRO, MITCHELL, RAMONE; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Consumer Protection.

Representative Schwartzkopf deferred to Representative Lavelle.

The House observed a moment of silence in memory of Russell W. Peterson, former Governor of Delaware and Irene Outten, mother of Representative William R. Outten, at the request of Representative Lavelle.

The Reading Clerk read the following communications into the record:

Fellow Representatives

Your flowers & thoughtfulness are greatly appreciated.

Thank you so much

Rep. Bobby Outten

Your kind expression of sympathy is deeply appreciated and gratefully acknowledged.

The family of

Irene Outten

Bill, Sylvia, Bobby and families

March 15, 2011

Dear Speaker Gilligan:

I regret to inform you that due to a personal reason I will not be present today, March 15, 2011.

Thank you for your understanding.

Sincerely,

Debra Heffernan

State Representative

6<sup>th</sup> District

Mr. Speaker Gilligan welcomed the return of JoAnn Hedrick, Chief Clerk Emeritus/Bill Clerk, to the House of Representatives and thanked her for her service. Representative Kowalko requested that he be marked present. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Kenton to present a House Tribute to Kayla Martell, Miss Delaware 2010, who addressed the House. Representative Hocker made comments.

The Majority Leader moved to recess to the call of the Chair at 2:20 p.m.

The House reconvened at 4:25 p.m.

Representatives Miro, Mulrooney & Keeley requested that they be marked present. Representatives Lavelle & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 19**, jointly sponsored by Senator Blevins & Senator McDowell & Senator Sorenson & Representatives Blakey, Bolden, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lavelle, Manolakos, Miro, Mitchell, Mulrooney, Ramone, Schooley, Scott, B. Short & Walker & Senators DeLuca, Hall-Long, Peterson & Venables, before the House for consideration.

**HB 19** - AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG-INVOLVED OFFENSES

Representatives George & Willis made comments. Representative Willis introduced and brought **HA 1 to HB 19** before the House for consideration. Representatives Willis, George & Q. Johnson made comments. Representative Q. Johnson requested and was granted privilege of the floor for Charles Butler, representing the Office of the Attorney General. Representatives Q. Johnson, J. Johnson, Scott, Jaques, Ramone, Keeley & Lavelle made comments. Representatives Barbieri, Willis & Carson made comments.

The roll call on **HA 1 to HB 19** was taken and revealed:

YES: 21.

NO: Representatives Barbieri, Bolden, Gilligan, J. Johnson, Q. Johnson, Keeley, Kowalko, Longhurst, Mitchell, Mulrooney, Osienski, Schooley, Scott, B. Short, Viola, Walker & D.E. Williams - 17.

NOT VOTING: Representative George - 1.

ABSENT: Representatives Heffernan & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HA 1 to HB 19** was declared passed.

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

The roll call on **HB 19 w/HA 1** was taken and revealed:

YES: 39.

NO: Representative Atkins - 1.

ABSENT: Representative Heffernan - 1.

Therefore, having received a constitutional majority, **HB 19 w/HA 1** was sent to the Senate for concurrence.

Representative George made a comment. Mr. Speaker Gilligan made announcements. Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short requested that **HB 34** be stricken.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP

I, Rebecca D. Walker, do hereby request that my name be removed as co-sponsor of **HB 40**.

Date: 3/15/11

Signed: Rebecca D. Walker

The Majority Leader moved to recess for caucus and to the call of the Chair at 4:54 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 16, 2011.

Representative B. Short introduced **HA 1 to HB 47**. **HA 1** was placed with the bill. Representative B. Short made an announcement.

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 - 146th GENERAL ASSEMBLY - First Session**

**March 16, 2011**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Heffernan, Lavelle, Mitchell & D. Short - 4.

A prayer was offered by Representative Lincoln Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan led those present in the 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 26** - WILLIS - Placed with the Bill.

**HCR 4** - HUDSON & SENATOR CLOUTIER; REPRESENTATIVES LAVELLE, HOCKER, PETERMAN, RAMONE, D. SHORT; SENATORS BOOTH, BONINI, SORENSON - HOUSE ADMINISTRATION - Recognizing that the Members of the Delaware Federation of Republican Women are Urging the Passage of Legislation that Requires Voters to Show Government-Issued Photo Identification Before Voting.

**HCR 5** - HUDSON & SENATOR SORENSON; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, PETERMAN, RAMONE, D. SHORT, WILLIS; SENATOR BONINI - HOUSE ADMINISTRATION - Recognizing that the Members of the Delaware Federation of Republican Women are Urging the Passage of Legislation that Moves the Delaware Election Primaries to an Earlier Date to Ensure the Timely Issuance and Receipt of Military Absentee Ballots.

The House observed a moment of silence in memory of Agnes Pennella at the request of Representative George. The House observed a moment of silence in memory of Muriel Gilman at the request of Representative B. Short.

The Reading Clerk read the following communication into the record:

March 16, 2011

Dear Speaker Gilligan:

I regret to inform you that due to a personal reason I will not be present today, March 16, 2011.

Thank you for your understanding.

Sincerely,

Debra Heffernan

State Representative

6<sup>th</sup> District

Representative Longhurst requested that she be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #1

DATE: March 16, 2011

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                                                                |
|--------|-----------------------------------|------------|------|----------------------------------------------------------------------------|
| H146-1 | Lee                               | 11/14/2010 | T    | Sailors Bethel United Methodist Church - 200 Years                         |
| H146-2 | Outten                            | 11/7/2010  | T    | Felton United Methodist Church - 150 Years                                 |
| H146-3 | D.P. Williams                     | 11/6/2010  | T    | Abdullah R. Muhammad - Author - "The Making of Delaware One Day At A Time" |
| H146-4 | Gilligan<br>cosponsor: Rep. Brady | 11/13/2010 | T    | Nancy Rush - 80th Birthday                                                 |
| H146-5 | Atkins                            | 11/6/2010  | T    | Zachary Allen Veasey - Eagle Scout                                         |

|         |                                                                          |            |   |                                                      |
|---------|--------------------------------------------------------------------------|------------|---|------------------------------------------------------|
| H146-6  | Wilson                                                                   | 11/7/2010  | T | Joseph Wheatley - World War II Hero                  |
| H146-7  | Scott                                                                    | 12/9/2010  | T | Catherine Everett - 100th Birthday                   |
| H146-8  | Gilligan                                                                 | 11/1/2010  | T | Alzheimer's Association DE Valley                    |
|         | cosponsor: Reps. Carson & Scott                                          |            |   | Chapter - Nov. - National Alzheimer's Month          |
| H146-9  | Carson                                                                   | 11/18/2010 | T | Jennings and Lisa Hastings - 2010 Two Bays           |
|         | cosponsor: Rep. Scott                                                    |            |   | Distinguished Citizens                               |
| H146-10 | Q. Johnson                                                               | 11/5/2010  | M | George B. Schreppler, Jr.                            |
| H146-11 | Carson                                                                   | 11/7/2010  | T | Citizens' Hose Company #1 Ladies Auxiliary -         |
|         |                                                                          |            |   | 60 Years                                             |
| H146-12 | Outten                                                                   | 11/3/2010  | M | Eloise Price Shaffer Lank                            |
| H146-13 | Gilligan                                                                 | 11/13/2010 | T | Adam Osienski - Eagle Scout                          |
|         | cosponsor: Rep. Osienski                                                 |            |   |                                                      |
| H146-14 | Brady                                                                    | 11/6/2010  | M | Edward J. Reardon                                    |
| H146-15 | Carson                                                                   | 11/9/2010  | M | Myrtle Givens                                        |
| H146-16 | Carson                                                                   | 11/9/2010  | M | Eleanor King Roe                                     |
| H146-17 | George;                                                                  | 11/7/2010  | M | Archie W. Bethard III                                |
|         | Q. Johnson                                                               |            |   |                                                      |
| H146-18 | Kowalko                                                                  | 12/5/2010  | T | Serguel Akiti - Eagle Scout                          |
| H146-19 | Outten;                                                                  | 11/22/2010 | T | Willard Agri-Service - 2010 National Environmental   |
|         | Wilson                                                                   |            |   | Respect Award                                        |
| H146-20 | Carson                                                                   | 11/17/2010 | T | James L. Cubbage, Jr. - Retirement - Exec. Secretary |
|         | cosponsors: Reps. Q. Johnson, Scott, - Kent Co. Vol. Firefighters Assoc. |            |   |                                                      |
|         | Bennett, Blakey, Outten, Willis & Peterman                               |            |   |                                                      |
| H146-21 | Lee                                                                      | 11/17/2010 | T | Tim Smith - 2010 Laurel Business Person of the Year  |

#### HOUSE TRIBUTE ANNOUNCEMENT #2

DATE: March 16, 2011

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                                          |
|---------|-----------------------------------------|------------|------|------------------------------------------------------|
| H146-22 | Lee                                     | 11/29/2010 | T    | Pam Schell - 2010 Delmar Citizen of the Year         |
| H146-23 | Mitchell                                | 12/4/2010  | T    | Dorothy Mae Scarborough - 90th Birthday              |
| H146-24 | Schwartzkopf                            | 12/11/2010 | T    | Southern DE Choral Society - 25 Years                |
| H146-25 | Mitchell                                | 11/16/2010 | T    | Michael and Dorothy Ciabattoni - 50th Wedding        |
|         |                                         |            |      | Anniversary                                          |
| H146-26 | Mitchell                                | 11/23/2010 | T    | Robert and Delores Spears - 55th Wedding Anniversary |
| H146-27 | Osienski                                | 11/23/2010 | T    | William and Eunice Clark - 60th Wedding Anniversary  |
| H146-28 | Gilligan                                | 11/13/2010 | T    | Charles and Georgeanna Pragg - 50th Wedding          |
|         |                                         |            |      | Anniversary                                          |
| H146-29 | Gilligan                                | 11/23/2010 | T    | Louis and Veronica Dorso - 50th Wedding Anniversary  |
| H146-30 | Keeley                                  | 11/23/2010 | T    | James and Anne Blackburn - 60th Wedding              |
|         |                                         |            |      | Anniversary                                          |
| H146-31 | B. Short                                | 11/23/2010 | T    | Jack and Janice Hegenbarth - 50th Wedding            |
|         |                                         |            |      | Anniversary                                          |
| H146-32 | Brady                                   | 11/23/2010 | T    | Peter and Bambina Angelini - 65th Wedding            |
|         |                                         |            |      | Anniversary                                          |
| H146-33 | Walker                                  | 11/17/2010 | T    | Appoquinimink Ed. Support Professionals Assoc. -     |
|         | cosponsors: Reps. Longhurst,            |            |      | National Education Support Professional Day          |
|         | Q. Johnson & Jaques                     |            |      |                                                      |
| H146-34 | Peterman                                | 12/16/2010 | T    | Herbert and Doris Semans - 60th Wedding Anniversary  |
| H146-35 | Lee                                     | 11/17/2010 | T    | Alan Cole - 2010 Laurel Business Person of the Year  |
| H146-36 | Q. Johnson;                             | 11/15/2010 | M    | Sylvia H. Vaughn                                     |
|         | Carson, cosponsors: All Representatives |            |      |                                                      |
| H146-37 | Bolden;                                 | 11/18/2010 | T    | Frauline M. Trotter - 33rd Annual Seniors Luncheon - |
|         | Keeley                                  |            |      | William Hicks Anderson Community Center              |
| H146-38 | Walker;                                 | 11/14/2010 | M    | Orazio P. DeBenedictis                               |
|         | Outten                                  |            |      |                                                      |
| H146-39 | D. Short                                | 11/14/2010 | M    | Warren L. Allen, Sr.                                 |
| H146-40 | Outten                                  | 11/30/2010 | T    | Franklin W. Hendricks - Retirement                   |
| H146-41 | Ramone                                  | 11/30/2010 | T    | Joseph Masiello - 2011 Delaware Teacher of the Year  |
|         | cosponsors: All Representatives         |            |      |                                                      |
| H146-42 | Ramone                                  | 12/10/2010 | T    | Michael J. Collier - Eagle Scout                     |
| H146-43 | Mulrooney                               | 12/5/2010  | T    | Paul J. Freebery, Jr. - Eagle Scout                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #3

DATE: March 16, 2011

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                                                                                               |
|---------|--------------------|------------|------|-----------------------------------------------------------------------------------------------------------|
| H146-44 | Mulrooney          | 12/5/2010  | T    | Matthew Indellini - Eagle Scout                                                                           |
| H146-45 | Barbieri;<br>Viola | 11/16/2010 | T    | Gallaher Elem. School - Blue Ribbon School of Excellence 2010                                             |
| H146-46 | Outten;<br>Wilson  | 11/16/2010 | T    | Woodbridge Elementary School - Blue Ribbon School of Excellence                                           |
| H146-47 | Schooley           | 11/16/2010 | T    | Newark Charter School - Blue Ribbon School of cosponsors: Reps. Kowalko, Jaques, Excellence Miro & Ramone |
| H146-48 | Jaques             | 11/16/2010 | T    | Christ the Teacher School - Blue Ribbon School of Excellence                                              |
| H146-49 | Outten             | 11/18/2010 | M    | Marguerite G. Salmons                                                                                     |
| H146-50 | Atkins; Lee        | 11/24/2010 | T    | John Simmons - Retirement - Laurel Police Dept.                                                           |
| H146-51 | Bennett            | 11/24/2010 | T    | Dr. Thomas Warren Mercer - Ordination - Sacred Order of Priests                                           |
| H146-52 | Miro               | 12/1/2010  | T    | Diamond State Reading Assoc. - Delaware Reads cosponsors: All Representatives Locally Day                 |
| H146-53 | Outten             | 12/14/2010 | T    | Sandra Daniel - Retirement - DelDOT                                                                       |
| H146-54 | Carson             | 11/7/2010  | T    | Rosemary Mast - 50th Birthday                                                                             |
| H146-55 | Carson             | 11/11/2010 | M    | Douglas James "DJ" Marshall                                                                               |
| H146-56 | Gilligan           | 11/18/2010 | T    | Mary Ann McLane - 2010 DE Professor of the Year                                                           |
| H146-57 | Kenton             | 12/2/2010  | T    | Allen Chorman - 2010 Distinguished Service to Agriculture Award cosponsor: Rep. Outten                    |
| H146-58 | Willis             | 12/2/2010  | T    | Rebecca Ginger Urian - 2011 DE Farm Bureau Youth Ambassador cosponsor: Rep. Outten                        |
| H146-59 | Heffernan          | 11/24/2010 | M    | Dorothy P. "Ann" Frampton                                                                                 |
| H146-60 | Carson             | 11/29/2010 | T    | Ken and Grace Gray - 50th Wedding Anniversary                                                             |
| H146-61 | Carson             | 11/28/2010 | T    | Curtis Heath - 50th Birthday                                                                              |
| H146-62 | Bennett            | 11/22/2010 | M    | Lyle Rich Dabson                                                                                          |
| H146-63 | Bolden             | 12/2/2010  | M    | The Honorable Hazel D. Plant cosponsors: Reps. D.P. Williams, Keeley, Brady & J. Johnson                  |
| H146-64 | Bolden             | 12/2/2010  | M    | Rickey L. Sanders                                                                                         |

HOUSE TRIBUTE ANNOUNCEMENT #4

DATE: March 16, 2011

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                                                                                                         |
|---------|----------------|------------|------|---------------------------------------------------------------------------------------------------------------------|
| H146-65 | Atkins; Jaques | 12/3/2010  | M    | Joseph Ironside                                                                                                     |
| H146-66 | B. Short       | 12/16/2010 | T    | Benjamin Litwin - Eagle Scout                                                                                       |
| H146-67 | Kowalko        | 12/2/2010  | M    | Michael K. Ingram II                                                                                                |
| H146-68 | Bennett        | 11/28/2010 | M    | Mary Vivian Kozak                                                                                                   |
| H146-69 | Bolden         | 11/29/2010 | M    | Carolyn Jefferson cosponsor: Rep. Brady                                                                             |
| H146-70 | George         | 12/08/2010 | T    | Amos B. Mcluney, Jr. - Retirement - UAW Local 1183 - Chair - Retiree Chapter cosponsors: Reps. Kowalko & J. Johnson |
| H146-71 | Lee            | 12/11/2010 | T    | The Insurance Market - 110 Years                                                                                    |
| H146-72 | Lee            | 12/8/2010  | T    | Joanne Gum - 2010 DSBA Distinguished Service Award                                                                  |
| H146-73 | Gilligan       | 1/13/2011  | T    | Robert Travis - Retirement - Blood Bank of Delmarva                                                                 |
| H146-74 | D. Short       | 1/17/2011  | T    | Derek & Monica Sheets - 2011 Dr. Martin Luther King, Jr. Community Recognition Award                                |
| H146-75 | Carson         | 12/4/2010  | M    | Robert Lee Moore, Sr.                                                                                               |
| H146-76 | Briggs King    | 12/9/2010  | T    | David Mangler - Retirement - DE Board of Nursing cosponsor: Rep. Walker                                             |
| H146-77 | Gilligan       | 12/15/2010 | T    | Lawrence H. Miller - Retirement - Stanton/Wilmington Campus - DTCC                                                  |
| H146-78 | Kenton         | 12/4/2010  | M    | Madeline Tebbens cosponsor: Rep. Peterman                                                                           |
| H146-79 | Briggs King    | 12/6/2010  | M    | Irene Marie Hudson                                                                                                  |
| H146-80 | Outten         | 12/8/2010  | M    | Madalyn Satterfield                                                                                                 |
| H146-81 | Brady          | 12/31/2010 | T    | Joseph and Miriam Harris - 50th Wedding Anniversary                                                                 |

|         |                 |            |   |                                                     |
|---------|-----------------|------------|---|-----------------------------------------------------|
| H146-82 | Jaques;         | 12/6/2010  | M | Bruce Allen Mutter III                              |
|         | Kowalko; Ramone |            |   |                                                     |
| H146-83 | Lavelle;        | 12/2/2010  | M | The Honorable Gwynne P. Smith                       |
|         | B. Short        |            |   |                                                     |
| H146-84 | D.P. Williams;  | 12/3/2010  | M | Robert H. Martin III                                |
|         | Bolden          |            |   |                                                     |
| H146-85 | Scott           | 12/17/2010 | T | Mitten & Winters, LLP - 25th Anniversary            |
| H146-86 | Kenton;         | 12/11/2010 | T | Richard and Barbara Sapp - 50th Wedding Anniversary |
|         | Wilson; Outten  |            |   |                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #5

DATE: March 16, 2011

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                                       |
|----------|------------------------------------|------------|------|---------------------------------------------------|
| H146-87  | Bolden                             | 12/16/2010 | M    | Ruth Chappelle Wade                               |
| H146-88  | Bennett                            | 12/10/2010 | M    | Winfield Schwartz                                 |
| H146-89  | Bennett                            | 12/13/2010 | M    | Ralph Emerson Mills, Jr.                          |
| H146-90  | Gilligan                           | 12/24/2010 | T    | The Hon. William J. Carson, Jr. - 60th Birthday   |
|          | cosponsors: All Representatives    |            |      |                                                   |
| H146-91  | Schwartzkopf                       | 12/26/2010 | T    | Arzella Stewart - 80th Birthday                   |
| H146-92  | Schwartzkopf                       | 12/25/2010 | T    | Winfield Stewart - 80th Birthday                  |
| H146-93  | Lavelle                            | 12/21/2010 | T    | G. Arthur Padmore - Retirement - Public Advocate  |
|          | cosponsor: Rep. Kowalko            |            |      |                                                   |
| H146-94  | Carson                             | 12/27/2010 | T    | Lynda Donovan - 60th Birthday                     |
| H146-95  | Outten                             | 12/19/2010 | M    | Lindsey Renee Rothermel                           |
| H146-96  | Outten                             | 12/18/2010 | M    | Ralph David Tucker, Sr.                           |
| H146-97  | Outten                             | 12/21/2010 | T    | Norman & Kathryn Wix - 70th Wedding Anniversary   |
| H146-98  | B. Short;                          | 12/24/2010 | M    | Melvin H. Smith                                   |
|          | Wilson                             |            |      |                                                   |
| H146-99  | Outten                             | 12/27/2010 | M    | Dorothea R. Coverdale                             |
| H146-100 | Kenton                             | 12/25/2010 | M    | Jackie C. Betts                                   |
|          | cosponsor: Rep. Wilson             |            |      |                                                   |
| H146-101 | D. Short                           | 12/24/2010 | M    | Chester H. Porches, Sr.                           |
| H146-102 | Schwartzkopf                       | 12/26/2010 | M    | Bob McGowan                                       |
| H146-103 | Scott                              | 1/3/2011   | T    | Tom Kennedy - 2010 President - Dover Fire Dept.   |
| H146-104 | Scott                              | 1/3/2011   | T    | Sean Christiansen - Fire Chief - Dover Fire Dept. |
| H146-105 | Carson; Willis                     | 12/30/2010 | M    | Carlton C. Moran                                  |
| H146-106 | George                             | 12/25/2010 | M    | George William Hollis, Sr.                        |
| H146-107 | Miro; Bolden                       | 1/23/2011  | T    | Michael P. Walsh - Sheriff - NCC - 1981-2010      |
| H146-108 | Brady;                             | 1/23/2011  | T    | Loretta Walsh - Chief Deputy Sheriff - NCC        |
|          | Bolden                             |            |      | 1981-2010                                         |
| H146-109 | Keeley                             | 12/25/2010 | M    | Olivia L. Dorsey                                  |
| H146-110 | Briggs King                        | 1/9/2011   | T    | Henry C. McCann - Promotion to Major General -    |
|          | cosponsors: Reps. Atkins, Brady,   |            |      | DE National Guard                                 |
|          | Jaques, Kowalko, Outten & Peterman |            |      |                                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #6

DATE: March 16, 2011

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                                   |
|----------|-----------------------------------------------------------|------------|------|-----------------------------------------------|
| H146-111 | Outten                                                    | 1/2/2011   | M    | Roger E. Bullock, Sr.                         |
| H146-112 | Walker                                                    | 12/30/2010 | M    | PFC Kenneth Wayne Poplos II, USMC             |
| H146-113 | Gilligan                                                  | 1/4/2011   | T    | Kathryn "Kitty" Tillotson - 97th Birthday     |
| H146-114 | Bolden                                                    | 12/30/2010 | M    | Lamar Johnson                                 |
| H146-115 | Wilson                                                    | 1/3/2011   | M    | Richard I. Lewis                              |
| H146-116 | Hocker                                                    | 1/11/2011  | T    | Sgt. Douglas Hudson - Retirement - DSP        |
|          | cosponsors: Reps. Briggs King, Lee, Schwartzkopf & Atkins |            |      |                                               |
| H146-117 | Heffernan                                                 | 1/19/2011  | T    | Bill Hartman - Eagle Scout                    |
| H146-118 | Schooley                                                  | 1/11/2011  | M    | William W. Mee III                            |
| H146-119 | Wilson                                                    | 1/15/2011  | T    | Ensign Branden Reed - Graduate - Embry-Riddle |
|          | cosponsors: Reps. Kenton,                                 |            |      | Aeronautical University & Commissioned Naval  |
|          | Schwartzkopf & Briggs King                                |            |      | Officer                                       |
| H146-120 | Gilligan                                                  | 1/16/2011  | T    | Anna Mae Hedrick - 95th Birthday              |
| H146-121 | Kenton                                                    | 1/7/2011   | M    | Ruth A. Rust                                  |

|          |                                                  |            |   |                                                                      |
|----------|--------------------------------------------------|------------|---|----------------------------------------------------------------------|
|          | cosponsor: Rep. Wilson                           |            |   |                                                                      |
| H146-122 | Wilson                                           | 1/15/2011  | T | Bridgeville Fire Co. Ladies Auxiliary - 75 Years                     |
| H146-123 | Carson                                           | 1/20/2011  | T | John P. O'Connell, Jr. - Retirement - DE Statistical Analysis Center |
| H146-124 | Ramone                                           | 1/10/2011  | T | Etta J. Wilson Elem. School - 2010 Blue Ribbon School of Excellence  |
| H146-125 | Jaques                                           | 1/18/2011  | T | Delaware Patriot Guard Riders                                        |
| H146-126 | Blakey; Outten                                   | 1/9/2011   | M | Walter W. Moore                                                      |
| H146-127 | Peterman                                         | 1/10/2011  | M | Herschel N. Poore                                                    |
|          | cosponsors: Reps. Kenton & Wilson                |            |   |                                                                      |
| H146-128 | Willis                                           | 1/10/2011  | M | Patrick W. Murray                                                    |
| H146-129 | Schooley                                         | 1/12/2011  | T | Newark Charter School - 10 Years                                     |
|          | cosponsors: Reps. Kowalko, Miro, Jaques & Ramone |            |   |                                                                      |
| H146-130 | Hudson                                           | 1/17/2011  | T | Robert Ruggerio - 70th Birthday                                      |
| H146-131 | Osienski                                         | 11/23/2010 | T | Joshua Simmons - Eagle Scout                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #7

DATE: March 16, 2011

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>                                           |
|---------------|-----------------------------------------|-------------|-------------|--------------------------------------------------------------|
| H146-132      | Hudson                                  | 1/11/2011   | M           | Edward L. Ivy, Jr.                                           |
| H146-133      | Atkins                                  | 1/15/2011   | T           | Jean Moore - 40 Years - Indian River Vol. Fire Co. Auxiliary |
|               | cosponsors: Reps. Hocker & Schwartzkopf |             |             |                                                              |
| H146-134      | Lee                                     | 1/11/2011   | T           | Mr. and Mrs. James L. Tobat, Jr.                             |
|               | cosponsor: Rep. Wilson                  |             |             |                                                              |
| H146-135      | Barbieri                                | 1/11/2011   | M           | Robin A. Blansfield                                          |
|               | cosponsor: Rep. Osienski                |             |             |                                                              |
| H146-136      | Outten                                  | 1/13/2011   | M           | Lillie Mae Brown                                             |
| H146-137      | Wilson                                  | 1/23/2011   | M           | Raymond N. Sherman, Sr.                                      |
|               | cosponsors: Reps. Kenton & Lee          |             |             |                                                              |
| H146-138      | Brady                                   | 1/11/2011   | T           | Joseph and Mary Fortunato - 70th Wedding Anniversary         |
| H146-139      | Mulrooney                               | 1/11/2011   | T           | Frank and Carolyn Archer - 60th Wedding Anniversary          |
| H146-140      | D.E. Williams                           | 1/21/2011   | T           | Senior Sgt. Paul E. Neill - Retirement - NCCPD               |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-141      | George                                  | 1/21/2011   | T           | Senior Sgt. Bruce S. Pinkett - Retirement - NCCPD            |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-142      | Osienski                                | 1/21/2011   | T           | Senior Cpl. Kevin R. Murphy - Retirement - NCCPD             |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-143      | Q. Johnson                              | 1/21/2011   | T           | Senior Cpl. William J. Lenhart - Retirement - NCCPD          |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-144      | Q. Johnson                              | 1/21/2011   | T           | Senior Cpl. Vaughn R. Harrigan - Retirement - NCCPD          |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-145      | Osienski                                | 1/21/2011   | T           | Senior Sgt. Michael E. Walsh - Retirement - NCCPD            |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-146      | Mitchell                                | 1/21/2011   | T           | Senior Cpl. Stephen J. Duncan - Retirement - NCCPD           |
| H146-147      | Q. Johnson                              | 1/21/2011   | T           | Senior Cpl. David G. Burns - Retirement - NCCPD              |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |
| H146-148      | Walker                                  | 1/21/2011   | T           | Senior Cpl. Andrew S. Ryan - Retirement - NCCPD              |
|               | cosponsor: Rep. Mitchell                |             |             |                                                              |

#### HOUSE TRIBUTE ANNOUNCEMENT #8

DATE: March 16, 2011

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>                                       |
|---------------|--------------------------|-------------|-------------|----------------------------------------------------------|
| H146-149      | Walker                   | 1/21/2011   | T           | Senior Lt. Robert E. Schreiber, Jr. - Retirement - NCCPD |
|               | cosponsor: Rep. Mitchell |             |             |                                                          |
| H146-150      | Miro                     | 1/21/2011   | T           | Senior Cpl. Arthur R. Lee - Retirement - NCCPD           |
|               | cosponsor: Rep. Mitchell |             |             |                                                          |
| H146-151      | Mitchell                 | 1/21/2011   | T           | Senior Cpl. Alfonzo Dowe, Sr. - Retirement - NCCPD       |
| H146-152      | Miro                     | 1/21/2011   | T           | Senior Cpl. Thomas F. Mason - Retirement - NCCPD         |



|          |                                                 |           |   |                                                     |
|----------|-------------------------------------------------|-----------|---|-----------------------------------------------------|
|          | cosponsor: Rep. Mitchell                        |           |   |                                                     |
| H146-153 | Jaques                                          | 1/21/2011 | T | Senior Cpl. Kimberly A. Watson - Retirement - NCCPD |
|          | cosponsor: Rep. Mitchell                        |           |   |                                                     |
| H146-154 | Mitchell                                        | 1/21/2011 | T | Senior Sgt. William W. Clarke - Retirement - NCCPD  |
| H146-155 | Longhurst                                       | 1/21/2011 | T | Senior Cpl. Trinidad Navarro - Retirement - NCCPD   |
|          | cosponsor: Rep. Mitchell                        |           |   |                                                     |
| H146-156 | Mitchell                                        | 1/21/2011 | T | Senior Cpl. Steven M. Wright - Retirement - NCCPD   |
| H146-157 | Mitchell                                        | 1/21/2011 | T | Senior Cpl. John M. Fisher - Retirement - NCCPD     |
| H146-158 | Outten                                          | 1/16/2011 | M | John L. Spence, Jr.                                 |
| H146-159 | Outten                                          | 1/21/2011 | M | Willis Darwin Kates                                 |
| H146-160 | Outten                                          | 1/14/2011 | M | Francis J. Winkler                                  |
| H146-161 | Hudson;                                         | 1/8/2011  | M | David A. Lubin                                      |
|          | B. Short                                        |           |   |                                                     |
| H146-162 | D.P. Williams                                   | 1/17/2011 | M | James A. Lofink                                     |
|          | cosponsors: Reps. Manolakos & Miro              |           |   |                                                     |
| H146-163 | Hudson                                          | 1/14/2011 | M | Dorothy B. Krespan                                  |
| H146-164 | Heffernan                                       | 3/12/2011 | T | Kevin Liam Neff - Eagle Scout                       |
| H146-165 | Longhurst;                                      | 1/15/2011 | M | Judith A. Mitchell                                  |
|          | Mulrooney                                       |           |   |                                                     |
| H146-166 | Blakey                                          | 1/22/2011 | T | Kappa Alpha Psi Fraternity, Inc. - 100 Years        |
|          | cosponsors: All Representatives                 |           |   |                                                     |
| H146-167 | Atkins                                          | 1/15/2011 | M | William Edward "Bill" Norwood                       |
|          | cosponsor: Rep. D. Short                        |           |   |                                                     |
| H146-168 | Briggs King                                     | 1/22/2011 | T | Norman Spicer - Lifetime Fireman                    |
|          | cosponsors: Reps. Wilson D. Short, Kenton & Lee |           |   | of the Year - Georgetown Fire Dept., Inc.           |

#### HOUSE TRIBUTE ANNOUNCEMENT #9

DATE: March 16, 2011

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>                                         |
|---------------|----------------------------------------------------------------------------------------------------|-------------|-------------|------------------------------------------------------------|
| H146-169      | Briggs King                                                                                        | 1/22/2011   | T           | Stevie Stevenson - Fireman of the Year - Georgetown        |
|               | cosponsors: Reps. Wilson, D. Short, Fire Dept., Inc. Kenton & Lee                                  |             |             |                                                            |
| H146-170      | Peterman                                                                                           | 1/23/2011   | T           | Milford Church of the Nazarene - Mortgage Burning Ceremony |
| H146-171      | Outten                                                                                             | 1/15/2011   | M           | Lewis W. "Dickie" Everett, Jr.                             |
| H146-172      | Blakey;                                                                                            | 1/25/2011   | T           | Delaware State University Flying                           |
|               | Scott                                                                                              |             |             | Hornets Flight Team - Region VII                           |
| H146-173      | Peterman                                                                                           | 2/12/2011   | T           | Richard H. "Dick" Caldwell - 2010 Fireman of the Year      |
|               | cosponsors: Reps. Atkins, Briggs King, Hocker, Kenton, Lee, Outten, Schwartzkopf, B. Short, Wilson |             |             | - Sussex County Volunteer Firefighter's Assoc.             |
| H146-174      | Kenton                                                                                             | 1/30/2011   | T           | Constance Bushey - Master's - Nursing - Wilmington         |
|               | cosponsor: Rep. Wilson                                                                             |             |             | University                                                 |
| H146-175      | Hudson;                                                                                            | 1/16/2011   | M           | William L. Nichols, Sr.                                    |
|               | J. Johnson                                                                                         |             |             |                                                            |
| H146-176      | D.E. Williams;                                                                                     | 1/18/2011   | M           | Ruby May Stanley                                           |
|               | Brady                                                                                              |             |             |                                                            |
| H146-177      | Outten                                                                                             | 1/19/2011   | M           | Sarah S. Hobbs                                             |
| H146-178      | Outten                                                                                             | 1/19/2011   | M           | Joan Bush Wilson                                           |
| H146-179      | Wilson                                                                                             | 1/25/2011   | T           | Woodbridge School Dist. - 2010 Woodbridge Food             |
|               | cosponsor: Rep. Outten                                                                             |             |             | Cup Challenge                                              |
| H146-180      | Kenton;                                                                                            | 1/27/2011   | T           | Kayla Martell - Top 10 Finalist - 2011 Miss America        |
|               | Longhurst                                                                                          |             |             | Pageant                                                    |
| H146-181      | Willis                                                                                             | 1/21/2011   | M           | Kelly Ulp Haught                                           |
| H146-182      | Schwartzkopf                                                                                       | 1/31/2011   | T           | Edward H. Joyner III - Retirement - DE State Courts        |
|               | cosponsor: Rep. Atkins                                                                             |             |             |                                                            |
| H146-183      | Bennett                                                                                            | 1/29/2011   | M           | Michael H. Casson, Sr.                                     |
| H146-184      | Peterman;                                                                                          | 1/29/2011   | T           | Gary Hilderbrand - 60th Birthday                           |
|               | Carson                                                                                             |             |             |                                                            |
| H146-185      | Heffernan;                                                                                         | 1/30/2011   | T           | Evelyn Marie Zeller Finnigan - 90th Birthday               |
|               | Brady                                                                                              |             |             |                                                            |
| H146-186      | Keeley                                                                                             | 1/30/2011   | T           | Mya Jordan Oliveras - Psycholgy Degree - Wilmington        |
|               |                                                                                                    |             |             | University                                                 |

|          |               |           |   |                         |
|----------|---------------|-----------|---|-------------------------|
| H146-187 | D.P. Williams | 1/25/2011 | M | Alfred "Al" Turner, Jr. |
| H146-188 | D.P. Williams | 1/25/2011 | M | Clifton E. Wilson       |
| H146-189 | George;       | 1/21/2011 | M | Anthony F. Ruggiero     |
|          | Manolakos     |           |   |                         |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced and brought **HCR 6**, jointly sponsored by Senator Henry & Representatives Barbieri, Bennett, Bolden, Briggs King, Heffernan, Hocker, Hudson, Jaques, Q. Johnson, Kenton, Kowalko, Longhurst, Mitchell, Outten, Peterman, Ramone, Schooley, D. Short & Willis & Senators Connor, Ennis, Hall-Long, Lawson & Sorenson, before the House for consideration.

**HCR 6 - DECLARING MARCH 16, 2011 AS "COMMUNITIES IN SCHOOLS OF DELAWARE DAY."**

Representative Scott made comments. **HCR 6** was adopted by voice vote and was sent to the Senate for concurrence. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Jim Purcell, President, Communities In Schools, addressed the House.

Representative Schwartzkopf deferred to Representative Brady. Representative Brady addressed the House and introduced Pam Sapko, Executive Director, Delaware Center for Horticulture, who addressed the House. Representative D.P. Williams requested that he be marked present. Representative Keeley introduced a guest.

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

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 17, 2011.

Representatives Mitchell & Lavelle requested that they be marked present for the current Legislative Day.

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

**HR 5 - LONGHURST & REPRESENTATIVE LAVELLE & REPRESENTATIVE SCHWARTZKOPF** - Proclaiming the 30th Anniversary of the CAI/Easter Seals Volleyball Challenge.

**HCR 3 - LONGHURST & SENATOR HALL-LONG** - Proclaiming the Week of February 13-19, 2011 as "Children of Alcoholics Week" and Requesting the Governor to Issue a Proclamation for "Children of Alcoholics Week."

**SCR 3 - ENNIS & REPRESENTATIVE GILLIGAN & REPRESENTATIVE D. SHORT; SENATORS HALL-LONG, BONINI, PETERSON, BUNTING; REPRESENTATIVES CARSON, KEELEY, OUTTEN, ATKINS, JAQUES, LEE, MITCHELL** - Reorganizing the Motorcycle Rider Education Advisory Committee.

**SCR 4 - BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON ON BEHALF OF ALL REPRESENTATIVES** - Designating February 2011 as "Teen Dating Violence Prevention and Awareness Month in the State of Delaware".

Representative Longhurst made comments regarding **HCR 3**.

**Consent Calendar #1** was adopted by voice vote and **HR 5** was declared passed, **HCR 3** was sent to the Senate for concurrence and **SCR 3 & SCR 4** were returned to the Senate.

Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Longhurst made comments regarding **HR 5**.

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

JUDICIARY: **HB 22** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 36** - 1F,5M; **HB 37** - 8M; **HB 38** - 8M; **HB 39** - 7M.

EDUCATION: **HB 3** - 2F,9M; **HB 26** - 5F,6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 28** - 3F,6M; **HB 49** - 5F,3M.

HOUSING & COMMUNITY AFFAIRS: **HB 31** - 5F,3M; **HB 41** - 4F,4M.

HEALTH & HUMAN DEVELOPMENT: **HB 30** - 8F,3M; **HB 47** - 5F,3M,1U.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 16 w/SA 1** and requests the concurrence of the House and the Senate has passed **HCR 6** and is returning the same to 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.

## 11th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session

March 17, 2011

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Heffernan & Hudson - 2.

A prayer was offered by Mr. Speaker Gilligan.

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

The following prefiled legislation was introduced:

**HB 51** - BENNETT & SENATOR HENRY; REPRESENTATIVES BARBIERI, BOLDEN, BRADY, BRIGGS KING, CARSON, JAQUES, Q. JOHNSON, KENTON, KOWALKO, LONGHURST, MITCHELL, OSIENSKI, SCOTT, D. SHORT, VIOLA, D.P. WILLIAMS, WILSON - TRANSPORTATION/ LAND USE & INFRASTRUCTURE - An Act to Amend Title 11 of the Delaware Code Relating to the Gold Alert Program for Certain Missing Persons.

**SB 16 w/SA 1** - SOKOLA & REPRESENTATIVE HEFFERNAN & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE JAQUES & REPRESENTATIVE SCOTT; SENATORS BLEVINS, BUNTING, BUSHWELLER, ENNIS, KATZ, SORENSON, VENABLES, BONINI, HALL-LONG; REPRESENTATIVES B. SHORT, Q. JOHNSON, BENNETT, HUDSON, KOWALKO, MIRO, MITCHELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public Education.

The Reading Clerk read the following communication into the record:

March 17, 2011

Dear Speaker Gilligan:

I regret to inform you that due to a personal reason I will not be present today, March 17, 2011.

Thank you for your understanding.

Sincerely,

Debra Heffernan

State Representative

6<sup>th</sup> District

Representative Peterman requested and was granted privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton requested and was granted privilege of the floor to present a House Tribute to Geneva Academy. James Dundas, Headmaster, addressed the House. Representative Briggs King made a comment. Pat Dundas, Principal, addressed the House. Students stated their names and grades for the record.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor for himself and Representatives Barbieri & D.E. Williams to present a House Tribute to the Delaware Chapter of the Multiple Sclerosis Society. Alex Eldreth, Programs Director, addressed the House. Officers stated their names and offices for the record. Representative Longhurst made comments. Representative D.P. Williams requested that he be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:29 p.m.

The House reconvened at 3:37 p.m.

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

Representative Schwartzkopf brought **HB 31**, jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Brady, Briggs King, Gilligan, Hocker, Lee & D. Short & Senators Venables, Booth, Simpson, Bushweller, Hall-Long & McBride, before the House for consideration.

**HB 31** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COLLECTION OF TAXES.

Representative Schwartzkopf made comments.

The roll call on **HB 31** was taken and revealed:

YES: 37.

ABSENT: Representatives Briggs King, Carson, Heffernan & Hudson - 4.

Therefore, having received a constitutional majority, **HB 31** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 3**, jointly sponsored by Senator Sokola & Representatives Jaques, Keeley, Longhurst, Mitchell, Ramone & Willis, before the House for consideration.

**HB 3** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LIMITING ARTIFICIAL TRANS FATS IN FOOD AVAILABLE OR SERVED TO STUDENTS IN PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS.

Representative Kowalko brought **HA 1 to HB 3** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Kowalko & Lavelle made comments.

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

YES: 30.

NO: Representatives Atkins, Hocker, Kenton, Lee, Outten, Peterman & Wilson - 7.

ABSENT: Representatives Briggs King, Heffernan, Hudson & Keeley - 4.

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

Representative Kowalko made comments.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 36**, jointly sponsored by Senator Marshall and cosponsored by Representative Carson, before the House for consideration.

**HB 36** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATED TO DRIVER LICENSE. (3/5 bill)

Representative Mitchell introduced and brought **HA 1 to HB 36**, which adds a three-fifths voting requirement, before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representatives Mitchell & Miro made comments.

The roll call on **HB 36 w/HA 1** was taken and revealed:

YES: 37.

NO: Representative Peterman - 1.

ABSENT: Representatives Briggs King, Heffernan & Hudson - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 36 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 37**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 37** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.

Representative Mitchell made comments.

The roll call on **HB 37** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Heffernan & Hudson - 3.

Therefore, having received a constitutional majority, **HB 37** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 38**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 38** - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO CHARTER BUS ACTIVITIES.

Representative Mitchell made comments.

The roll call on **HB 38** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Heffernan & Hudson - 3.

Therefore, having received a constitutional majority, **HB 38** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 39**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 39** - AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATED TO SCHOOL BUS ENDORSEMENT HOLDER CRIMINAL BACKGROUND CHECKS.

Representative Mitchell made comments.

The roll call on **HB 39** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Heffernan & Hudson - 3.

Therefore, having received a constitutional majority, **HB 39** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:06 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 22, 2011.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk for the current Legislative Day: Representative Hudson.

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.

## **12th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session March 22, 2011**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Bolden & Heffernan - 2.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 45** - WALKER & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, GILLIGAN, HUDSON, Q. JOHNSON, KEELEY, LAVELLE, LONGHURST, MITCHELL, SCHOOLEY; SENATORS BLEVINS, BUSHWELLER, SOKOLA, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.

**HB 52** - BARBIERI & SENATOR BLEVINS; REPRESENTATIVES BENNETT, BRIGGS KING, GILLIGAN, HEFFERNAN, KEELEY, RAMONE, SCHWARTZKOPF, B. SHORT, WALKER, D.E. WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Licensure of Mental Health and Chemical Dependency Professionals.

**HB 53** - BARBIERI & SENATOR BLEVINS; REPRESENTATIVES BENNETT, BRIGGS KING, GILLIGAN, HEFFERNAN, KEELEY, RAMONE, SCHWARTZKOPF, B. SHORT, WALKER, D.E. WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Licensure of Clinical Social Workers.

**HB 54** - B. SHORT & REPRESENTATIVE BENNETT & SENATOR KATZ; REPRESENTATIVES CARSON, GEORGE, GILLIGAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KOWALKO, MITCHELL, D. SHORT, WILLIS; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 29 of the Delaware Code Relating to the Regulatory Flexibility Act and the Administrative Procedures Act.

**HA 1 to HB 6** - BENNETT - Placed with the Bill.

**HA 2 to HB 26** - Q. JOHNSON - Placed with the Bill.

**HA 1 to HA 1 to HB 47** - B. SHORT - Placed with the Bill.

**HA 2 to HB 47** - LAVELLE - Placed with the Bill.

**HA 3 to HB 47** - LAVELLE - Placed with the Bill.

**HA 1 to HB 49** - B. SHORT - Placed with the Bill.

**SB 9 w/SA 1** - BLEVINS & REPRESENTATIVE GILLIGAN & REPRESENTATIVE HUDSON - TRANSPORTATION/LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Roads within Communities Restricted to Residents Who Are 55 Years of Age or Older.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 9 w/SA 1** and requests the concurrence of the House.

#### MEMORANDUM

**TO:** ROBERT F. GILLIGAN, SPEAKER OF THE HOUSE

**FROM:** STEPHANIE T. BOLDEN, REPRESENTATIVE

**CC:** RICHARD L. PUFFER, CHIEF CLERK

ERIK SCHRAMM, CHIEF OF STAFF

**SUBJECT:** ABSENCE FROM SESSION

**DATE:** MARCH 22, 2011

It is with great regret that I am unable to attend session today. I am currently being hospitalized with pneumonia. It is my intention to return to the Legislature upon my discharge.

March 22, 2011

Dear Speaker Gilligan:

I regret to inform you that due to a personal reason I will not be present for this week, March 22, 2011 -- March 24, 2011.

Thank you for your understanding.

Sincerely,

Debra Heffernan

State Representative

6<sup>th</sup> District

Memorandum

**To:** Speaker Gilligan

**CC:** Richard Puffer

**From:** Representative Heffernan

**Date:** 3/22/2011

**Re:** Removal of Co-Sponsorship

Speaker Gilligan,

I Representative Debra Heffernan, do hereby request that my name be removed as a co-sponsor of House Bill 40.

Thank you,

Debra J. Heffernan

State Representative

6<sup>th</sup> District

The House observed a moment of silence in memory of Mary Eva Sexton, mother of Lorraine Sexton, House Financial Officer, at the request of Mr. Speaker Gilligan. Representatives Manolakas & Outten requested that they be marked present. Representative Schwartzkopf introduced a guest. Representative Schwartzkopf deferred to Representative George. Representative George introduced guests.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested and was granted privilege of the floor to present a House Tribute to Karl Gude, District Governor, District 22-D, Lions Club International, who addressed the House and introduced officers. Representatives Jaques & Peterman made comments. Representative B. Short requested that he be marked present.

Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko requested and was granted privilege of the floor to present a House Tribute to Yvonne Johnson, First Vice President, Delaware Parent Teacher Association. Representative Kowalko introduced the State Officers. Yvonne Johnson addressed the House. Representatives Schooley & Jaques made comments. Representatives Schwartzkopf, Lavelle, Mulrooney, Kowalko, Ramone & Longhurst made comments.

The Majority Leader moved to recess to the call of the Chair at 2:36 p.m.

The House reconvened at 4:03 p.m.

The Reading Clerk read the following communications into the record:

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

### MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Representative Joseph Miro  
DATE: March 22, 2011  
SUBJECT: Absence from Session

Please be advised that I will be absent from session on Thursday, March 24, 2011, due to personal business.

Representatives Viola, Miro, D. Short, Keeley & Lee requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 6**, jointly sponsored by Senator Henry & Representatives Bolden, Briggs King, Carson, Hocker, Hudson, Jaques, Kenton, Miro, Mitchell, Outten, Walker & D.E. Williams, before the House for consideration.

**HB 6 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Bennett brought **HA 1 to HB 6** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Blakey, Bennett, Hudson & Lee made comments.

The Majority Leader moved to recess to the call of the Chair at 4:17 p.m.

The House reconvened at 4:18 p.m.

Representative Bennett requested and was granted privilege of the floor for Evelyn Nestlerode, representing the Office of the Controller General. Representatives Lee, Blakey, Peterman, Bennett, J. Johnson, D.P. Williams, Lavelle, D.P. Williams, Lavelle & Bennett made comments.

The roll call on **HB 6 w/HA 1** was taken and revealed:

YES: 22.

NO: Representatives Barbieri, Blakey, J. Johnson, Q. Johnson, Lavelle, Lee, Manolakos, Miro, Mulrooney, Peterman, Ramone, Schooley, Scott, B. Short, D. Short & D.E. Williams - 16.

NOT VOTING: Representative Kowalko - 1.

ABSENT: Representatives Bolden & Heffernan - 2.

Therefore, having received a constitutional majority, **HB 6 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George moved to suspend the rules which interfere with introduction of and action on **SJR 3**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George brought **SJR 3**, jointly sponsored on behalf of All Representatives and by Senator McBride on behalf of All Senators, before the House for consideration.

**SJR 3 - MOURNING THOSE LOST IN THE RECENT EARTHQUAKE AND RELATED DISASTERS THAT HAVE BEFALLEN JAPAN, AND EXPRESSING THE THOUGHTS AND PRAYERS OF ALL DELAWAREANS FOR THE CITIZENS OF OUR SISTER STATE OF MIYAGI PREFECTURE DURING THESE DIFFICULT TIMES.**

Representative George made comments.

The roll call on **SJR 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Heffernan - 2.

Therefore, having received a constitutional majority, **SJR 3** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 49**, jointly sponsored by Senator Katz & Representatives Barbieri, Gilligan, Heffernan, Jaques, Q. Johnson, Kowalko, Mitchell, Schooley & Viola & Senator Cloutier, before the House for consideration.

**HB 49 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATIONS AND DOOR TO DOOR SALES.**

Representative B. Short brought **HA 1 to HB 49**, jointly sponsored by Representative Hudson, before the House for consideration. Representatives Hudson, Miro, B. Short, Miro & B. Short made comments. **HA 1** was adopted by voice vote. Representatives Ramone, B. Short, Lavelle & B. Short made comments.

The roll call on **HB 49 w/HA 1** was taken and revealed:

YES: 28.

NO: Representatives Blakey, Briggs King, Hocker, Kenton, Lee, Manolakos, Outten, Peterman, Ramone, Willis & Wilson - 11.

ABSENT: Representatives Bolden & Heffernan - 2.

Therefore, having received a constitutional majority, **HB 49 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 47**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Barbieri, Gilligan, Heffernan, Hocker, Hudson, Keeley, Longhurst, Mitchell, Osienski, Schooley, Scott & D. Short & Senators Blevins, Bushweller, Henry, Sokola & Sorenson, before the House for consideration.

**HB 47 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REGULATION, INVESTIGATION AND INSPECTION OF UNSANITARY OR UNSAFE CONDITIONS IN FACILITIES WHERE INVASIVE MEDICAL PROCEDURES ARE PERFORMED.**

Representative B. Short brought **HA 1 to HB 47** before the House for consideration. Representative B. Short brought **HA 1 to HA 1 to HB 47** before the House for consideration. Representative B. Short made comments. **HA 1 to HA 1** was adopted by voice vote. Representative B. Short introduced and brought **HA 2 to HA 1 to HB 47** before the House for consideration. Representative B. Short made comments. **HA 2 to HA 1** was adopted by voice vote. Representative Jaques introduced and brought **HA 3 to HA 1 to HB 47** before the House for consideration. Representatives Hudson & Jaques made comments. Representative Jaques requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representatives Hudson, Kowalko, Miro, Barbieri & Jaques made comments. Representative Jaques requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives B. Short & Lavelle made comments. **HA 3 to HA 1** was defeated by voice vote. **HA 1 to HB 47** was adopted by voice vote. Representative Lavelle brought **HA 2 to HB 47** before the House for consideration. Representatives Lavelle, B. Short & Ramone made comments. Representative B. Short requested and was granted privilege of the floor for Dr. Karyl T. Rattay, Director, Division of Public Health. Representatives Lavelle, Ramone, Barbieri, D.E. Williams, Brady, Lavelle & B. Short made comments.

The roll call on **HA 2 to HB 47** was taken and revealed:

YES: Representatives Atkins, Blakey, Brady, Briggs King, Hocker, Hudson, Jaques, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 18.

NO: 20.

ABSENT: Representatives Bolden, Heffernan & Walker - 3.

Therefore, not having received a constitutional majority, **HA 2 to HB 47** was declared defeated.

Representative Lavelle brought **HA 3 to HB 47** before the House for consideration. Representative Lavelle introduced and brought **HA 1 to HA 3 to HB 47** before the House for consideration. Representative Lavelle made comments.

The roll call on **HA 1 to HA 3 to HB 47** was taken and revealed:

YES: 22.

NO: Representatives Barbieri, Brady, George, Jaques, J. Johnson, Q. Johnson, Kowalko, Mulrooney, Osienski, Schooley, Schwartzkopf, B. Short, Viola, Walker, D.E. Williams & D.P. Williams - 16.

NOT VOTING: Representative Atkins - 1.

ABSENT: Representatives Bolden & Heffernan - 2.

Therefore, having received a constitutional majority, **HA 1 to HA 3 to HB 47** was declared passed.

Representatives Lavelle, B. Short, Lavelle, B. Short & Carson made comments. **HA 3** was defeated by voice vote.

Representative Hudson introduced and brought **HA 4 to HB 47** before the House for consideration. Representatives Hudson & B. Short made comments. Representative Hudson requested and was granted privilege of the floor for Dr. Karyl T. Rattay, Director, Division of Public Health. Representatives D.P. Williams, Ramone, Carson, Hudson & B. Short made comments.

The roll call on **HA 4 to HB 47** was taken and revealed:

YES: Representatives Atkins, Bennett, Blakey, Bolden, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 18.

NO: 22.

ABSENT: Representative Heffernan - 1.

Therefore, not having received a constitutional majority, **HA 4 to HB 47** was declared defeated.

Representative Jaques introduced and brought **HA 5 to HB 47** before the House for consideration. Representatives Jaques & Lavelle made comments. **HA 5** was defeated by voice vote. Representatives B. Short & Miro made comments.

The roll call on **HB 47 w/HA 1, HA 1 to HA 1 & HA 2 to HA 1** was taken and revealed:

YES: 27.

NO: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone & Wilson - 12.

ABSENT: Representatives Bolden & Heffernan - 2.

Therefore, having received a constitutional majority, **HB 47 w/HA 1, HA 1 to HA 1 & HA 2 to HA 1** was sent to the Senate for concurrence.

Representatives Carson, Blakey & Jaques made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:18 p.m.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.

Mr. Acting Speaker D.P. Williams called the House to order at 2:02 p.m. on March 23, 2011.

The Majority Whip moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

**13th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session**  
**March 23, 2011**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Bolden, Heffernan, Manolakos & D.E. Williams - 4.

A prayer was offered by Representative Harold J. Peterman, Thirty-third Representative District.

Mr. Acting Speaker D.P. Williams led those present in the 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 55** - D.E. WILLIAMS & SENATOR HENRY; REPRESENTATIVES GEORGE, KOWALKO; SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to the Agreement Among the States to Elect the President by National Popular Vote.

**HB 56** - GEORGE & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Unemployment Compensation.

**HB 57** - KOWALKO & REPRESENTATIVE KEELEY & REPRESENTATIVE GILLIGAN & REPRESENTATIVE RAMONE & REPRESENTATIVE BRIGGS KING & SENATOR HENRY & SENATOR HALL-LONG; REPRESENTATIVES BLAKEY, BOLDEN, BRADY, HEFFERNAN, HOCKER, JAQUES, KENTON, MIRO, MITCHELL, MULROONEY, SCHOOLEY, B. SHORT, WILSON; SENATORS BOOTH, ENNIS, MCDOWELL, SOKOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Foreclosures. (3/5 bill)

**HB 58** - KEELEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE GILLIGAN & REPRESENTATIVE RAMONE & REPRESENTATIVE BRIGGS KING & SENATOR HALL-LONG; REPRESENTATIVES BLAKEY, BOLDEN, BRADY, HEFFERNAN, HOCKER, JAQUES, KENTON, LONGHURST, MIRO, MITCHELL, MULROONEY, PETERMAN, SCHOOLEY, B. SHORT, D. SHORT, WILSON; SENATORS BOOTH, ENNIS, MCDOWELL, SOKOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Foreclosures Including a Foreclosure Mediation Program for Homeowners. (3/5 bill)

**HB 59** - KEELEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE GILLIGAN & REPRESENTATIVE RAMONE & REPRESENTATIVE BRIGGS KING & SENATOR HALL-LONG; REPRESENTATIVES BLAKEY, BOLDEN, BRADY, HEFFERNAN, JAQUES, KENTON, LONGHURST, MIRO, MITCHELL, MULROONEY, PETERMAN, D. SHORT, WILSON; SENATORS BLEVINS, MCDOWELL - JUDICIARY - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Consumer Protection. (3/5 bill)

Representatives Keeley & Kowalko requested that they be marked present. Representative Longhurst deferred to Representative Barbieri. Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representative Longhurst deferred to Representative George. Representative George requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #10

DATE: March 23, 2011

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                                                     |
|----------|---------------|-----------|------|-----------------------------------------------------------------|
| H146-190 | D. Short; Lee | 1/21/2011 | M    | Herbert W. Dayton                                               |
| H146-191 | Outten        | 1/24/2011 | M    | Patricia Bonniwell Wroten                                       |
| H146-192 | Mitchell      | 2/5/2011  | T    | John Maloney, Jr., 50 Years - Five Points Fire Co.              |
| H146-193 | Kowalko       | 2/5/2011  | T    | James Chambers - 2010 Member of the Year - Five Points Fire Co. |
| H146-194 | George        | 1/25/2011 | T    | Chef Dana Herbert - Winner - "Next Great Baker"                 |
| H146-195 | Scott; Wilson | 1/22/2011 | M    | LeRoy B. Legar                                                  |
| H146-196 | Schwartzkopf  | 1/26/2011 | M    | John E. Redefer, Jr.                                            |
| H146-197 | Scott         | 1/28/2011 | T    | Dr. Wilma Mishoe - Retirement - DTCC - Terry Campus             |
| H146-198 | Bennett       | 1/21/2011 | M    | Yalixa Millet                                                   |



|          |                                           |           |   |                                                               |
|----------|-------------------------------------------|-----------|---|---------------------------------------------------------------|
| H146-199 | Peterman                                  | 2/28/2011 | T | James Minner - Retirement - DelDOT                            |
| H146-200 | Outten                                    | 2/13/2011 | T | Katherine Reynolds - 102nd Birthday                           |
| H146-201 | Willis                                    | 1/26/2011 | M | Ronald A. Noronowicz                                          |
| H146-202 | Outten                                    | 2/5/2011  | T | David Ryan - 80th Birthday                                    |
| H146-203 | Briggs King; Hocker                       | 2/27/2011 | T | Matthew Skidmore - Eagle Scout                                |
| H146-204 | Jaques<br>cosponsors: All Representatives | 3/16/2011 | T | DE Chapter National MS Society - MS Awareness Week            |
| H146-205 | Heffernan                                 | 1/27/2011 | M | Denise M. McFadden                                            |
| H146-206 | Briggs King                               | 1/27/2011 | T | James Baxter, Jr. - Secretary's Award - Distinguished Service |
| H146-207 | D. Short                                  | 1/31/2011 | M | Samuel Clifford Harris                                        |
| H146-208 | Kowalko                                   | 1/22/2011 | T | Ronald & Dorothy Phipps - 60th Wedding Anniversary            |
| H146-209 | Heffernan                                 | 2/2/2011  | T | Allen & Joan Greenberg - 60th Wedding Anniversary             |
| H146-210 | Mitchell                                  | 2/3/2011  | T | Evor & Irene Olson - 60th Wedding Anniversary                 |
| H146-211 | Barbieri                                  | 1/28/2011 | T | Lou & Mary Lou Semanski - 50th Wedding Anniversary            |
| H146-212 | Bennett                                   | 1/26/2011 | M | Claude W. Hall                                                |
| H146-213 | Hudson                                    | 2/8/2011  | T | Frances Williams - Retirement                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #11

DATE: March 23, 2011

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>                                                    |
|---------------|----------------------------------------------------|-------------|-------------|-----------------------------------------------------------------------|
| H146-214      | Peterman<br>cosponsor: Reps. Kenton & Wilson       | 2/4/2011    | M           | John H. McWilliams, Jr.                                               |
| H146-215      | Blakey                                             | 3/5/2011    | T           | Marc Garduno, Jr. - Eagle Scout                                       |
| H146-216      | Lavelle                                            | 4/07/2011   | T           | Matthew James Coyle - Eagle Scout                                     |
| H146-217      | Kenton<br>cosponsor: Reps. Outten, Atkins & Wilson | 2/6/2011    | M           | Hilda S. Walls                                                        |
| H146-218      | Lavelle                                            | 2/4/2011    | M           | William D. "Bill" Phillips                                            |
| H146-219      | Outten<br>cosponsor: Rep. Kenton                   | 2/1/2011    | M           | Lillian M. Shank                                                      |
| H146-220      | Willis; Carson                                     | 2/9/2011    | T           | Wilbert Ryan Bordley - Promotion                                      |
| H146-221      | Walker; George                                     | 2/6/2011    | M           | Ryan Robert Walter Zehnder                                            |
| H146-222      | Kenton                                             | 2/6/2011    | M           | Gladys A. Bennett                                                     |
| H146-223      | Kenton<br>cosponsor: Rep. Wilson                   | 1/28/2011   | M           | John L. Ney                                                           |
| H146-224      | Outten                                             | 2/9/2011    | T           | Carolyn Porter - Retirement                                           |
| H146-225      | Outten                                             | 2/12/2011   | T           | Robert Messick - Treasurer - 44 Years - Farmington Volunteer Fire Co. |
| H146-226      | Bennett                                            | 2/6/2011    | M           | Dallas A. Lawter                                                      |
| H146-227      | Carson                                             | 2/6/2011    | M           | Lavina Ann Messick                                                    |
| H146-228      | Carson                                             | 2/3/2011    | M           | William C. "Bill" Withrow                                             |
| H146-229      | Kowalko                                            | 3/6/2011    | T           | Daniel Maynard - Eagle Scout                                          |
| H146-230      | Briggs King<br>cosponsor: Reps. Atkins & Hocker    | 2/9/2011    | M           | D. Patricia Beigler                                                   |
| H146-231      | Briggs King                                        | 2/11/2011   | T           | Bob & Joan Hitchins - 50th Wedding Anniversary                        |
| H146-232      | Atkins; Briggs King                                | 2/20/2011   | T           | Zoar Methodist Church - 100 Years - Sanctuary                         |
| H146-233      | Kenton                                             | 2/12/2011   | T           | Patricia May Clayville Ament - 75th Birthday                          |
| H146-234      | Carson                                             | 2/9/2011    | M           | James M. Cullen, Sr.                                                  |
| H146-235      | Hudson; D.E. Williams                              | 2/10/2011   | M           | Catherine M. Smith                                                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #12

DATE: March 23, 2011

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>                      |
|---------------|----------------|-------------|-------------|-----------------------------------------|
| H146-236      | Hudson; Brady  | 2/8/2011    | M           | Rita C. Crifasi                         |
| H146-237      | Bennett        | 2/9/2011    | M           | Samuel Moore, Jr.                       |
| H146-238      | Bennett        | 1/23/2011   | T           | Kent Raymond - Deputy Warden - Kent Co. |

|          |                                                                                                                                           |           |   |                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------|---|-------------------------------------------------------|
|          |                                                                                                                                           |           |   | Community Corrections                                 |
| H146-239 | Kowalko                                                                                                                                   | 3/2/2011  | T | David Aber - Innovators in EMS - 2010 Award           |
|          | cosponsor: Reps. Walker & Jaques                                                                                                          |           |   |                                                       |
| H146-240 | Schwartzkopf                                                                                                                              | 2/18/2011 | T | Billie & Sylvia Westergard - 50th Wedding Anniversary |
| H146-241 | Mulrooney                                                                                                                                 | 2/11/2011 | T | Robert & Shelia Rambo - 50th Wedding Anniversary      |
| H146-242 | Barbieri                                                                                                                                  | 2/12/2011 | T | Edward & Annmarie Kokoska - 50th Wedding Anniversary  |
| H146-243 | Outten                                                                                                                                    | 1/31/2011 | T | William McDaniel, II - Retirement - DNREC             |
| H146-244 | Bennett                                                                                                                                   | 3/25/2011 | T | Alan Machtinger - Retirement - Dept. of Correction    |
|          | cosponsor: Rep. Carson                                                                                                                    |           |   |                                                       |
| H146-245 | Peterman                                                                                                                                  | 2/26/2011 | T | Marvin Hitch - 2010 Fireman of the Year - KCVFA       |
|          | cosponsors: Reps. Kenton Outten, Blakey, Bennett, Scott, Willis & Carson                                                                  |           |   |                                                       |
| H146-246 | Bolden;                                                                                                                                   | 2/20/2011 | T | Patricia Allen-Gibson - 50th Birthday                 |
|          | George                                                                                                                                    |           |   |                                                       |
| H146-247 | D.E. Williams                                                                                                                             | 2/12/2011 | M | Richard J. Nolan                                      |
|          | cosponsor: Rep. Heffernan                                                                                                                 |           |   |                                                       |
| H146-248 | Q. Johnson                                                                                                                                | 3/14/2011 | T | Town of Middletown - 150 Years of Incorporation       |
|          | cosponsors: Reps. Carson & Walker                                                                                                         |           |   |                                                       |
| H146-249 | Blakey                                                                                                                                    | 2/25/2011 | T | Franklin Morris - Retirement - DelDOT                 |
| H146-250 | Brady;                                                                                                                                    | 2/7/2011  | M | Catherine R. Winner                                   |
|          | Hudson                                                                                                                                    |           |   |                                                       |
| H146-251 | Q. Johnson                                                                                                                                | 3/5/2011  | T | Nick Insley - Eagle Scout                             |
| H146-252 | Bennett                                                                                                                                   | 2/12/2011 | M | Elizabeth Ann Maugle                                  |
| H146-253 | Carson                                                                                                                                    | 2/14/2011 | M | Joel W. Ridley II                                     |
| H146-254 | Outten                                                                                                                                    | 2/17/2011 | T | Lee & Margaret Dean - 10th Wedding Anniversary        |
|          | cosponsors: Reps. Lee, Kenton, Briggs King, Hocker, Wilson, Peterman, Willis, Blakey, Ramone, Lavelle, D. Short, Manolakos, Hudson & Miro |           |   |                                                       |

T- Tribute

M - Memoriam

Representative Longhurst deferred to Representative Briggs King. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests. Representative Longhurst deferred to Representative Hocker. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Representative Wilson introduced a guest.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:11 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed on March 23, 2011 at 2:11 p.m.:

Representatives Gilligan & Mulrooney.

Mr. Speaker Gilligan resumed the Chair.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 24, 2011.

Representative D.E. Williams requested that he be marked present for the current Legislative Day.

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

MANUFACTURED HOUSING: **HB 43** - 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 51** - 5F.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 50** - 1F,6M.

EDUCATION: **SB 16 w/SA 1** - 8F.

CORRECTIONS: **HB 35** - 5M.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

**TO:** ROBERT F. GILLIGAN, SPEAKER OF THE HOUSE

**FROM:** STEPHANIE T. BOLDEN, REPRESENTATIVE

**CC:** RICHARD L. PUFFER, CHIEF CLERK

ERIK SCHRAMM, CHIEF OF STAFF

**SUBJECT:** ABSENCE FROM SESSION

**DATE:** MARCH 23, 2011

I will be absent on both March 23<sup>rd</sup> and March 24<sup>th</sup> due to illness.

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.

### 14th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session

March 24, 2011

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Bolden, Heffernan, Manolakos & Miro - 4.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District. Mr. Speaker Gilligan led those present in the 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 23** - GEORGE & REPRESENTATIVE MIRO & REPRESENTATIVE J. JOHNSON & SENATOR BOOTH; REPRESENTATIVES BARBIERI, Q. JOHNSON, SCOTT, WALKER; SENATORS HENRY, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Truancy.

**HB 60** - JAQUES & REPRESENTATIVE GEORGE & SENATOR BLEVINS & SENATOR PETERSON; REPRESENTATIVES BRADY, MIRO - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Dogs.

**HA 1 to HB 51** - BENNETT - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **HCR 7**, jointly sponsored on behalf of All Representatives & Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 7** - COMMENDING JOSEPH P. MASIELLO FOR HIS SELECTION AS DELAWARE'S STATE TEACHER OF THE YEAR FOR 2011 AND COMMENDING EACH SCHOOL DISTRICT'S SELECTED TEACHER OF THE YEAR.

WHEREAS, nearly 8,218 teachers work each day with approximately 129,403 children who attend 205 Delaware public schools in 19 school districts and charter schools; and

WHEREAS, teachers strive for excellence in their profession when they know that the community supports them and appreciates their efforts on behalf of our children; and

WHEREAS, the Teacher of the Year program identifies school and district representatives who embody the best qualities of all Delaware teachers; and

WHEREAS, the Delaware State Teacher of the Year is chosen for possessing a superior ability to inspire and nurture students with a love of learning and for having won the admiration of fellow teachers, school administrators, and the parents of students; and

WHEREAS, Joseph P. Masiello of the Cab Calloway School of the Arts in the Red Clay Consolidated School District has been named as the Delaware State Teacher of the Year for 2011 as part of the National Teacher of the Year program, the oldest and most prestigious award program that focuses public attention on excellent [sic] in teaching; and

WHEREAS, each of the other eighteen school districts have chosen a 2011 District Teacher of the Year, namely:

Appoquinimink School District: Abby Shubert  
Brandywine School District: Barbara Stein Rosen  
Caesar Rodney School District: Catherine DiBenedetto  
Cape Henlopen School District: Catherine DelCampo  
Capital School District: Melissa White  
Christina School District: Joyce Nerlinger  
Colonial School District: Beth Greenstein  
Delmar School District: Lorrie Sonnier  
Indian River School District: Marjorie Worrell  
Lake Forest School District: Pamela Sheldon  
Laurel School District: Christina Gallo  
Milford School District: Amanda Parisi  
New Castle County Vocational Technical School District: Kelly M. Bench  
POLYTECH School District: Edward F. Bittner  
Seaford School District: Courtney White  
Smyrna School District: Amanda D. Wilson  
Sussex Technical School District: Sandra W. Furbush  
Woodbridge School District: Mikki K. Madden:

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that the members do hereby commend Joseph P. Masiello for the well-deserved designation as the 2011 Delaware State Teacher of the Year.

BE IT FURTHER RESOLVED that the entire membership of the Delaware General Assembly does hereby extend heartfelt thanks to Joseph P. Masiello, Delaware State Teacher of the Year, and to each district's Teacher of the Year for 2011, for their many contributions to the betterment of education in Delaware.

BE IT FURTHER RESOLVED that, upon passage, suitable prepared copies of this House Concurrent Resolution be presented to Joseph Masiello and each district's Teacher of the Year.

Representative Schooley made comments and introduced guests. **HCR 7** was adopted by voice vote and was sent to the Senate for concurrence. The Teachers of the Year announced their names, school districts, and subjects for the record. Joseph P. Masiello, 2011 Delaware State Teacher of the Year,

addressed the House. Representative Ramone requested privilege of the floor for himself; Dr. Lillian Lowery, Secretary of Education; and Representatives Schooley; Lavelle & Schwartzkopf to present a House Tribute to Joseph P. Masiello. Representatives Kowalko, Osienski & Blakey made comments. Representative Blakey introduced guests. Representative Schooley made comments. Representative D.P. Williams, Mitchell, Lavelle, Mulrooney, Keeley, George, Hudson & Ramone requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:28 p.m.

The House reconvened at 3:38 p.m.

Representative Hocker introduced a guest.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 43**, jointly sponsored by Senator Ennis & Representatives Gilligan, Kowalko & Mitchell, before the House for consideration.

**HB 43** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING AND RENTAL OF A MANUFACTURED HOME LOT.

Representative Longhurst made comments. Representative Hocker announced that he will not be voting on **HB 43** because of a possible conflict of interest.

The roll call on **HB 43** was taken and revealed:

YES: 35.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Bolden, Heffernan, Manolakos, Miro & Viola - 5.

Therefore, having received a constitutional majority, **HB 43** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 28**, jointly sponsored by Representative B. Short & Representative Bennett & Senator. Cloutier & Representatives Hocker, Hudson, Kenton, Peterman & Wilson & Senators Booth, Bunting, Ennis, Sokola & Venables, before the House for consideration.

**HB 28** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

Representative D. Short made comments.

The roll call on **HB 28** was taken and revealed:

YES: 37.

ABSENT: Representatives Bolden, Heffernan, Manolakos & Miro - 4.

Therefore, having received a constitutional majority, **HB 28** was sent to the Senate for concurrence.

Mr. Speaker Gilligan reassigned **HB 57** & **HB 59** to the Economic Development/ Banking/Insurance & Commerce Committee.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 22**, jointly sponsored by Senator Ennis & Senator Henry & Representatives Walker & Wilson & Senators Hall-Long & Venables and cosponsored by Representatives J. Johnson & Kenton, before the House for consideration.

**HB 22** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PROPERTY

Representative George brought **HA 1** to **HB 22** before the House for consideration. Representative George made comments. **HA 1** was adopted by voice vote. Representative George made comments.

The roll call on **HB 22 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Bolden, Heffernan, Manolakos & Miro - 4.

Therefore, having received a constitutional majority, **HB 22 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 50**, jointly sponsored by Representative Keeley & Senator Henry & Representatives Bennett, Gilligan, Heffernan, Hudson, Jaques, J. Johnson, Keeley, Miro, Mitchell & Ramone & Senator Sokola, before the House for consideration.

**HB 50** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION.

Representative B. Short made comments.

The roll call on **HB 50** was taken and revealed:

YES: 37.

ABSENT: Representatives Bolden, Heffernan, Manolakos, Miro - 4.

Therefore, having received a constitutional majority, **HB 50** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 51**, jointly sponsored by Senator Henry & Representatives Barbieri, Bolden, Brady, Briggs King, Carson, Jaques, Q. Johnson, Kenton, Kowalko, Longhurst, Mitchell, Osienski, Scott, D. Short, Viola, D.P. Williams & Wilson, before the House for consideration.

**HB 51** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE GOLD ALERT PROGRAM FOR CERTAIN MISSING PERSONS.

Representative Bennett brought **HA 1** to **HB 51** before the House for consideration. Representative Bennett made comments. **HA 1** was adopted by voice vote. Representatives Bennett, Hudson, Lavelle, Schwartzkopf & Mitchell made comments.

The roll call on **HB 51 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Bolden, Heffernan, Manolakos & Miro - 4.

Therefore, having received a constitutional majority, **HB 51 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf introduced guests. Representative J. Johnson made an announcement.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced **HB 62**, jointly sponsored by Senator Ennis & Representatives Carson, J. Johnson, Mitchell & Mulrooney.

**HB 62** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING.

Mr. Speaker Gilligan assigned **HB 62** to the Manufactured Housing Committee.

Representative Lavelle made a comment. Representative Longhurst made an announcement. Representatives Kowalko & Lavelle made comments.

The Majority Leader moved to recess to the call of the Chair at 4:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 29, 2011.

Representatives Manolakos, Miro & Heffernan requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 36** and requests the concurrence of the House and it has passed **HCR 7** and is returning the 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.

### **15th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session March 29, 2011**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Bolden, B. Short & D. Short - 3.

A prayer was offered by Representative D.E. Williams, Tenth Representative District.

Mr. Speaker Gilligan led those present in the 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 61** - JAQUES & REPRESENTATIVE BRIGGS KING & SENATOR ENNIS; REPRESENTATIVES BARBIERI, BENNETT, BRADY, CARSON, GEORGE, HOCKER, HUDSON, Q. JOHNSON, KENTON, MIRO, MITCHELL, VIOLA, WILLIS, OSIENSKI, OUTTEN, PETERMAN, RAMONE, SCOTT, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

**HB 63** - BARBIERI & REPRESENTATIVE GEORGE & REPRESENTATIVE WALKER & SENATOR HALL-LONG & SENATOR HENRY; REPRESENTATIVES Q. JOHNSON, SCOTT, BOLDEN, HEFFERNAN, HUDSON, JAQUES, J. JOHNSON, KENTON, MIRO, PETERMAN, RAMONE, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Sexual Abuse of Patients in Facilities.

**HB 64** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES J. JOHNSON; WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Judicial Law Clerks.

**HB 65** - HOCKER & REPRESENTATIVE LAVELLE & REPRESENTATIVE HUDSON & SENATOR BUNTING & SENATOR PETERSON; REPRESENTATIVES BRIGGS KING, KENTON, MANOLAKOS, OUTTEN, PETERMAN, D. SHORT, WILLIS, WILSON; SENATORS KATZ, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Related to State Government and the General Assembly.

**HB 66** - BRADY & REPRESENTATIVE BENNETT & SENATOR ENNIS; REPRESENTATIVES BOLDEN, MITCHELL, B. SHORT, D.P. WILLIAMS; SENATORS CLOUTIER, MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles Speed and Video Monitoring Systems.

**HB 67** - Q. JOHNSON & REPRESENTATIVE SCOTT & SENATOR BLEVINS; REPRESENTATIVES BENNETT, BOLDEN, BRIGGS KING, GILLIGAN, HEFFERNAN, HUDSON, JAQUES, J. JOHNSON, KEELEY, KENTON, MIRO, PETERMAN, RAMONE, SCHWARTZKOPF,

B. SHORT, WALKER, D.E. WILLIAMS, WILSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Licensure of Mental Health and Chemical Dependency Professionals.

**HB 68** - SCOTT & REPRESENTATIVE Q. JOHNSON & SENATOR BLEVINS; REPRESENTATIVES BENNETT, BRIGGS KING, GILLIGAN, HEFFERNAN, KEELEY, RAMONE, SCHWARTZKOPF, B. SHORT, WALKER, D.E. WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Licensure of Clinical Social Workers.

**HB 69** - D. SHORT & REPRESENTATIVE B. SHORT & SENATOR BOOTH; REPRESENTATIVES LAVELLE, HOCKER, HUDSON, PETERMAN, RAMONE, Q. JOHNSON; SENATORS BONINI, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Fiscal Projections.

**HA 1 to SB 16** - HEFFERNAN - Placed with the Bill.

**SB 36** - BUSHWELLER & REPRESENTATIVE BLAKEY & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Freedom of Information.

Representative George requested that **HB 8** be stricken. Representative Barbieri requested that **HB 52** & **HB 53** be stricken. Representative Schwartzkopf made an announcement.

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

MANUFACTURED HOUSING: **HB 62** - 1F,5M.

The Reading Clerk read the following communications into the record:

**Memorandum**

TO: Speaker Robert Gilligan  
FROM: Rep. Daniel B. Short  
DATE: March 29, 2011  
SUBJECT: Absence from Session

Please be advised that I will be absent from session on Tuesday, March 29, 2011, due to personal business.

**MEMORANDUM**

**TO:** ROBERT F. GILLIGAN, SPEAKER OF THE HOUSE  
**FROM:** STEPHANIE T. BOLDEN, REPRESENTATIVE  
**CC:** RICHARD L. PUFFER, CHIEF CLERK  
ERIK SCHRAMM, CHIEF OF STAFF  
**SUBJECT:** ABSENCE FROM SESSION  
**DATE:** MARCH 29, 2011

I will be absent March 29<sup>th</sup> through March 31<sup>st</sup> due to illness.

Representative Viola introduced guests. Representative Lee requested and was granted personal privilege of the floor to introduce a guest. Representative Ramone requested and was granted personal privilege of the floor to introduce a guest. Representative D.P. Williams requested that he be marked present. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor to present a House Tribute to the Lions Club Eye Bank of Delaware Valley. Jim Quirk, Executive Vice President, addressed the House. Representative Schwartzkopf made comments. Representatives Brady & Outten requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:15 p.m.

The House reconvened at 4:20 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 23** and requests the concurrence of the House.

Mr. Speaker Gilligan reassigned **HB 60** to the Agriculture Committee. Representative Barbieri made an announcement. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King brought **HB 30**, jointly sponsored by Senator Peterson & Representatives Lavelle, Hocker, Hudson, D. Short, Wilson, Bennett, Bolden, Jaques, Mitchell, Kenton & Senators Booth, Bunting & Katz, before the House for consideration.

**HB 30** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SYNTHETIC CANNABINOIDS.

Representative Briggs King & Kowalko made comments.

The roll call on **HB 30** was taken and revealed:

YES: 36.

NO: Representative Kowalko - 1.

ABSENT: Representatives Bolden, Peterman, B. Short & D. Short - 4.

Therefore, having received a constitutional majority, **HB 30** was sent to the Senate for concurrence.

Representatives Mulrooney & Keeley requested that they be marked present during the roll call. The

House observed a moment of silence in memory of Dee King, former House Page, at the request of Representative Lavelle.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **SB 16 w/SA 1**, jointly sponsored by Senator Sokola & Representative Schooley & Representative Jaques & Representative Scott & Senators Blevins, Bunting, Bushweller, Ennis, Katz, Sorenson, Venables, Bonini & Hall-Long & Representatives B. Short, Q. Johnson, Bennett, Hudson, Kowalko, Miro & Mitchell, before the House for consideration.

**SB 16** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. (F/N)

Representative Heffernan brought **HA 1 to SB 16** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Heffernan & Lavelle made comments.

The roll call on **SB 16 w/SA 1 & HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Bolden, Peterman, B. Short & D. Short - 4.

Therefore, having received a constitutional majority, **SB 16 w/SA 1 & HA 1** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 4:43 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 30, 2011.

The Reading Clerk read the following communications into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Rep. Schwartzkopf, do hereby request that my name be removed as co-sponsor of House Bill #65.

Date: 3/29/11

Signed: Pete Schwartzkopf

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Robert F. Gilligan, do hereby request that my name be removed as co-sponsor of House Bill 65.

Date: 2/29/11

Signed: Robert F. Gilligan

Representative Schwartzkopf introduced **HB 75**, jointly sponsored by Representative Hocker & Senator Bunting & Representatives Gilligan, Bennett, Carson, Hudson, Q. Johnson, Scott & B. Short.

**HB 75** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE GENERAL ASSEMBLY.

Mr. Speaker Gilligan assigned **HB 75** to the House Administration Committee.

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.

**16th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
March 30, 2011**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Bolden, Briggs King & Heffernan - 3.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 70** - BARBIERI & SENATOR PETERSON; REPRESENTATIVE BRIGGS KING; SENATOR HENRY - JUDICIARY - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, Offenses Concerning Certain Persons and the Creation of a Civil Cause of Action for Injuries Caused by Certain Persons.

**HB 71** - ATKINS & SENATOR ENNIS; REPRESENTATIVES CARSON, HOCKER, KENTON, PETERMAN, WALKER, WILSON; SENATOR BOOTH - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Commercial Shooting Preserves.

**HB 72** - KEELEY & SENATOR MARSHALL; REPRESENTATIVES BRADY, HEFFERNAN, MITCHELL, SCHOOLEY, B. SHORT, VIOLA; SENATORS BONINI, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Debt Management Services.

**HB 73** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES HOCKER, JAQUES, KEELEY, LONGHURST, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates. (3/5 bill)

**HB 74** - SCHWARTZKOPF & SENATOR ENNIS; REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, BOLDEN, CARSON, GEORGE, GILLIGAN, JAQUES, KENTON, MITCHELL, OSIENSKI, OUTTEN, D. SHORT, WILLIS, WILSON; SENATORS BOOTH, BUNTING, CONNOR, SORENSON, LAWSON, SOKOLA - 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 23** - BUNTING & REPRESENTATIVE ATKINS & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Relating to the Town of Frankford's Charter. (2/3 bill)

Representative Jaques made comments. The House observed a moment of silence in memory of Veterans of the Vietnam War at the request of Mr. Speaker Gilligan. Representative J. Johnson requested that he be marked present.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #2** before the House for consideration.

**HR 7** - Q. JOHNSON & REPRESENTATIVE HEFFERNAN & REPRESENTATIVE J. JOHNSON ON BEHALF OF ALL REPRESENTATIVES - Declaring April, 2011 as "Autism Awareness Month" in Delaware.

**SCR 6** - MCBRIDE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE KOWALKO - Commending the Delaware State Dental Society on the Achievements of its Eighth Annual Give Kids a Smile Program, and Recognizing its Continuing Efforts.

**SCR 7** - CLOUTIER & REPRESENTATIVE BARBIERI & SENATORS BLEVINS, BONINI, BOOTH, BUSHWELLER, CONNOR, ENNIS, HALL-LONG, HENRY, LAWSON, SIMPSON, SORENSON & REPRESENTATIVES BENNETT, BRIGGS KING, CARSON, GEORGE, HEFFERNAN, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, LAVELLE, MIRO, MITCHELL, OSIENSKI, PETERMAN, SCHOOLEY, D. SHORT, VIOLA, WALKER & WILLIS - Recognizing April 2011 as Child Abuse Prevention Month in Delaware

**Consent Calendar #2** was adopted by voice vote and **SCR 6** & **SCR 7** were returned to the Senate and **HR 7** was declared passed.

Representative Q. Johnson requested and was granted privilege of the floor to address the House regarding **HR 7**. Representative Q. Johnson introduced Rob Gilsdorf, Board President, Autism Delaware, who addressed the House and introduced guests. Representatives Longhurst & J. Johnson made comments. Representative Brady requested and was granted personal privilege of the floor to introduce a guest. Representatives D.E. Williams, Carson, Walker, D.P. Williams, Mitchell, Hudson, Willis, Lee, Wilson & George requested that they be marked present. Representative Longhurst requested and was granted personal privilege of the floor to introduce a guest.

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 Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed on March 30, 2011 at 2:22 p.m.: Representative B. Short.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 31, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 6** & **SCR 7** and requests the concurrence of the House and it has passed **HCR 3** and is returning the same to the House.

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

JUDICIARY: **HB 46** - 1F,5M; **HB 48** - 9M.

EDUCATION: **HS 1 for HB 23** - 3F,7M; **HB 42** - 7F,3M.

HOUSE ADMINISTRATION: **HB 14** - 4F,1U; **HB 16** - 4F,1M; **HB 55** - 3M.

HEALTH & HUMAN DEVELOPMENT: **HB 45** - 2F,9M; **HB 67** - 5F,4M; **HB 68** - 8F,3M.

REVENUE & FINANCE: **HB 44** - 3F,5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 54** - 6F,1M.

Representatives B. Short & Heffernan requested that they be marked present for the current Legislative Day. Representative George requested that **HB 56** be stricken.

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.

### **17th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session March 31, 2011**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Bolden & Lavelle - 2.

A prayer was offered by Representative Harvey R. Kenton, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the 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 76** - BRADY & REPRESENTATIVE KEELEY & REPRESENTATIVE HEFFERNAN & SENATOR MCDOWELL; REPRESENTATIVES BENNETT, CARSON, HUDSON, MANOLAKOS, SCHOOLEY, D.P. WILLIAMS; SENATORS BLEVINS, HALL-LONG, HENRY, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts and Group and Blanket Health Insurance.

**HA 3 to HB 26** - WILLIS - Placed with the Bill.

**HA 1 to HB 48** - LONGHURST - Placed with the Bill.

**HA 1 to HB 62** - LONGHURST - Placed with the Bill.



Representative Keeley requested and was granted personal privilege of the floor to introduce a guest.  
The Reading Clerk read the following communication into the record:

March 31, 2011

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, today March 31, 2011, due to a personal family matter.

Thank you for your understanding.

Sincerely,  
Gregory F. Lavelle  
State Representative  
11<sup>th</sup> District

Representative Longhurst requested that she be marked present. Representative Schwartzkopf deferred to Representative Carson. Representative Carson made comments and introduced Dr. Harry L. Williams, President, Delaware State University. Representative Carson deferred to Representative Blakey. Representative Blakey introduced Dr. Curtis E. Powell, Choir Director, Delaware State University, and the Delaware State University Choir. The Choir performed two selections. Choir members stated their names, majors, and hometowns for the record. Dr. Williams addressed the House and introduced guests. Representative George made comments. Representative Brady requested that he be marked present. Representative Kenton made comments. Representatives Briggs King & Manolakos requested that they be marked present. Representative Manolakos requested and was granted personal privilege of the floor to make a comment and introduce guests. Representative Briggs King requested and was granted personal privilege of the floor to make comments. Representatives Keeley & Schwartzkopf made comments.

Representative Schwartzkopf introduced and brought **HR 8**, jointly sponsored by Representative Gilligan & Representative Hocker & Representative Lavelle & Representative Longhurst, before the House for consideration.

**HR 8 - A RESOLUTION REQUESTING ALL DELAWARE HIGH SCHOOLS TO PROVIDE THE HOUSE OF REPRESENTATIVES WITH INFORMATION ABOUT GRADUATING SENIORS.**

**HR 8** was adopted by voice vote.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:35 p.m.

The House reconvened at 4:31 p.m.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 54**, jointly sponsored by Representative Bennett & Senator Katz & Representatives Carson, George, Gilligan, Hocker, Hudson, Jaques, Q. Johnson, Kowalko, Mitchell, D. Short & Willis & Senator Sokola, before the House for consideration.

**HB 54 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATORY FLEXIBILITY ACT AND THE ADMINISTRATIVE PROCEDURES ACT. (F/N)**

Representatives B. Short, Kowalko & D. Short made comments.

The roll call on **HB 54** was taken and revealed:

YES: 35.

NOT VOTING: Representative Viola - 1.

ABSENT: Representatives Bolden, Brady, Lavelle, Longhurst & D.P. Williams - 5.

Therefore, having received a constitutional majority, **HB 54** was sent to the Senate for concurrence.

Representatives Hudson, Mulrooney, Viola, Atkins & Jaques requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 35**, jointly sponsored by Senator Katz & Representatives Brady, Briggs King, George, Hudson, Jaques, Q. Johnson, Lavelle, Longhurst, Mulrooney, Schooley, Schwartzkopf, Scott, Viola, D.E. Williams & D.P. Williams & Senators Booth, Bushweller, McBride, Simpson & Sorenson, before the House for consideration.

**HB 35 - AN ACT TO AMEND TITLES 1, 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DISSOLUTION OF THE BOARD OF PAROLE AND TRANSFER OF THE BOARD'S RESPONSIBILITIES.**

Representative B. Short introduced and brought **HA 1 to HB 35** before the House for consideration. Representative B. Short made comments. Representative B. Short requested and was granted privilege of the floor for Carl C. Danberg, Commissioner, Department of Correction. Representatives Ramone, Manolakos, Hocker, B. Short, Manolakos, B. Short, Kowalko & B. Short made comments. Representative B. Short moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative B. Short moved to place **HB 35** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Hudson made comments. Representative D.P. Williams requested that he be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 62**, jointly sponsored by Senator Ennis & Representatives Carson, J. Johnson, Mitchell & Mulrooney, before the House for consideration.

**HB 62 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING.**

Representative Longhurst brought **HA 1 to HB 62** before the House for consideration.

Representative Longhurst made comments. **HA 1** was adopted by voice vote. Representative Longhurst made comments. Representative Hocker announced that he will not be voting on **HB 62 w/HA 1** because of a possible conflict of interest. Representative Briggs King made comments.

The roll call on **HB 62 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Bolden, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 62 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George deferred to Representative Miro.

Representative Miro brought **HS 1 for HB 23**, jointly sponsored by Representative George & Representative J. Johnson & Senator Blevins & Senator Booth & Representatives Barbieri, Q. Johnson, Scott & Walker & Senators Henry & Sokola, before the House for consideration.

**HS 1 FOR HB 23 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY.**

Representatives Miro & Q. Johnson made comments. Representative Miro requested and was granted privilege of the floor for James A. Tull, Judge, Justice of the Peace Court.

The roll call on **HS 1 for HB 23** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Lavelle - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 23** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Willis.

Representative Willis brought **HB 26**, jointly sponsored by Representative Lavelle & Representative Hudson & Senator Katz & Senator Lawson & Senator Simpson & Representatives Ramone, Wilson & Kowalko & Senators Peterson & Sorenson and cosponsored by Representatives Manolakos & Walker, before the House for consideration.

**HB 26 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EDUCATION.**

Representative Heffernan announced that she will not be voting on **HB 26** because of a possible conflict of interest. Representative Willis requested that **HA 1 to HB 26** be stricken. Representative Q. Johnson made comments. Representative Q. Johnson requested that **HA 2 to HB 26** be stricken. Representative Willis brought **HA 3 to HB 26** before the House for consideration. Representative Willis made comments. **HA 3** was adopted by voice vote. Representatives Willis, Jaques, Kowalko, Viola, Keeley, J. Johnson, D.E. Williams, Schwartzkopf, Scott & Kowalko made comments. Representative Carson introduced a guest and made comments. Representatives Briggs King, Hocker, Schwartzkopf, Hudson, D.E. Williams, Atkins, Manolakos, George, Kowalko, Hocker, Mulrooney, Hocker, Schwartzkopf, Schooley, Peterman, Briggs King, J. Johnson, Atkins, Schwartzkopf, Hocker & Schwartzkopf made comments.

The roll call on **HB 26 w/HA 3** was taken and revealed:

YES: 38.

NOT VOTING: Representative Heffernan - 1.

ABSENT: Representatives Bolden & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 26 w/HA 3** was sent to the Senate for concurrence.

Representative Keeley made an announcement. Representatives Kowalko & D.P. Williams made comments.

Representative Longhurst introduced **HB 81**, jointly sponsored by Senator Blevins & Representative Hudson & Senator Bonini & cosponsored by Representatives Barbieri, Jaques, J. Johnson, Keeley, Mitchell, Schooley, Schwartzkopf & B. Short & Senators Bushweller, Ennis, Henry, Sokola & Sorenson.

**HB 81 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES HEALTH CARE INSURANCE PROGRAM AND STATE EMPLOYEES PENSION PLAN.**

Mr. Speaker Gilligan assigned **HB 81** to the House Administration Committee. Representatives Hudson & Schwartzkopf made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 17 w/SA 3 & 4** and requests the

concurrence of the House and the Senate has passed **HB 7** and is returning the same to the House.

The Majority Leader moved to recess to the call of the Chair at 5:54 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 5, 2011.

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.

**18th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
April 5, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 77** - GEORGE & REPRESENTATIVE J. JOHNSON & REPRESENTATIVE WALKER & SENATOR BLEVINS; REPRESENTATIVES CARSON, HOCKER, HUDSON, WILLIS; SENATORS ENNIS, HENRY - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to Liens of Garage Owners, Livery and Stable Keepers, and Actions in Replevin or Detinue by Owner.

**HB 78** - HUDSON & SENATOR SORENSON & SENATOR SOKOLA; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, WILSON, LONGHURST; SENATORS BONINI, BOOTH, BUSHWELLER, ENNIS, HENRY, SIMPSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Beverage Control Licenses and Taxes, and Direct Purchasing and Shipment of Wine. (2/3 bill)

**HB 79** - HUDSON & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, LEE, MIRO, D. SHORT; SENATOR CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety Duties of the Attorney General.

**HB 80** - LAVELLE & REPRESENTATIVE MIRO & REPRESENTATIVE BRADY & SENATOR BONINI & SENATOR VENABLES; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON, ATKINS; SENATORS BOOTH, BUNTING - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Parental Consent for Abortion.

**HB 83** - Q. JOHNSON & SENATOR VENABLES; REPRESENTATIVES CARSON, HOCKER, KEELEY, MITCHELL, MULROONEY, WILLIS; SENATORS BUSHWELLER, ENNIS, MCBRIDE - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

**HA 1 to HB 42** - SCOTT - Placed with the Bill.

**HR 9** - HUDSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MIRO, RAMONE, D. SHORT, WILLIS, WILSON - HOUSE ADMINISTRATION - Urging an Open and Transparent Redistricting with Public Participation.

**SB 17 w/SA 3 & SA 4** - HENRY & REPRESENTATIVE KEELEY; SENATORS MARSHALL, PETERSON, SORENSON, VENABLES; REPRESENTATIVES BARBIERI, GEORGE, KOWALKO, MANOLAKOS, MULROONEY, SCHOOLEY, B. SHORT, VIOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Creating the Delaware Medical Marijuana Act. (3/5 bill)

Representatives Lavelle & Keeley requested that they be marked present. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri requested and was granted privilege of the floor for himself and Representative Hudson. Representative Barbieri addressed the House. Susan Carbon, Director, Office of Violence Against Women, United States Department of Justice, addressed the House. Representatives Hudson, George & Schwartzkopf made comments. Representatives Atkins, Hudson, Manolakos & Bolden requested that they be marked present. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted personal privilege of the floor to make an announcement and introduce guests.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker introduced and brought **HCR 8**, jointly sponsored by Representative Keeley & Senator Blevins & Senator Henry & cosponsored by Representatives Barbieri, Bennett, Bolden, Carson, George, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Kenton, Kowalko, Lavelle, Lee, Longhurst, Manolakos, Miro, Mitchell, Osienski, Outten, Ramone, Schooley, Schwartzkopf, B. Short, D. Short, D.E. Williams & Willis, before the House for consideration.

**HCR 8** - DESIGNATING THE MONTH OF APRIL 2011 AS DELAWARE'S SEXUAL ASSAULT AWARENESS MONTH.

Representatives Walker, Keeley & Lavelle made comments. **HCR 8** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with introduction of and action on **HB 82**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hocker introduced and brought **HB 82**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 82** - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO PROVIDE A PROCESS FOR THE TOWN COMMISSIONERS TO BORROW MONEY FOR THE 2011 BAYARD AVENUE CONSTRUCTION PROJECT. (2/3 bill)

Representatives Hocker & J. Johnson made comments.

The roll call on **HB 82** was taken and revealed:

YES: 40.

ABSENT: Representative Mulrooney - 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.

Representatives Brady & D.P. Williams requested that they be marked present during the roll call.

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

The House reconvened at 4:28 p.m.

Representative Mulrooney requested that he be marked present.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 44**, jointly sponsored by Senator Sorenson & Representatives Barbieri, Brady, Jaques, J. Johnson, Q. Johnson, Kowalko, Mitchell, Osienski & Ramone & Senators Hall-Long, Henry, Peterson & Sokola, before the House for consideration.

**HB 44** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Representatives Schooley, Lavelle, Ramone & Peterman made comments.

The roll call on **HB 44** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 44** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **HB 35**. The motion was seconded by Representative Longhurst and adopted by voice vote. Representative B. Short moved to suspend the rules which interfere with action on **HA 1 to HB 35**. The motion was seconded by Representative Longhurst and adopted by voice vote. Representative B. Short moved to lift **HB 35** from the Speaker's table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative B. Short brought **HB 35**, jointly sponsored by Senator Katz & Representatives Brady, Briggs King, George, Hudson, Jaques, Q. Johnson, Lavelle, Longhurst, Mulrooney, Schooley, Schwartzkopf, Scott, Viola, D.E. Williams & D.P. Williams & Senators Booth, Bushweller, McBride, Simpson & Sorenson, before the House for consideration.

**HB 35** - AN ACT TO AMEND TITLES 1, 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE DISSOLUTION OF THE BOARD OF PAROLE AND TRANSFER OF THE BOARD'S RESPONSIBILITIES.

Representative B. Short moved to lift **HA 1 to HB 35** from the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote. Representative B. Short introduced and brought **HA 1 to HA 1 to HB 35** before the House for consideration. Representatives B. Short & Bolden made comments. **HA 1 to HA 1** was adopted by voice vote. Representative B. Short made comments. **HA 1 w/HA 1 to HA 1** was adopted by voice vote. Representatives B. Short, Kowalko, Ramone, D.P. Williams & Bolden made comments. Representative B. Short requested and was granted privilege of the floor for Carl Danberg, Commissioner, Department of Correction. Representative Bolden made comments.

The roll call on **HB 35 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 28.

NO: Representatives Blakey, Carson, Gilligan, Q. Johnson, Kowalko, Lee, Manolakos, Miro, Outten, Peterman, Ramone, Walker & Wilson - 13.

Therefore, having received a constitutional majority, **HB 35 w/HA 1 & HA 1 to HA1** was sent to the Senate for concurrence.

Representative Schwartzkopf introduced and brought **HR 10**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, George, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Manolakos, Miro, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson, before the House for consideration.

**HR 10** - RELATING TO THE HOUSE OF REPRESENTATIVES REDISTRICTING PROCESS.

Representatives Schwartzkopf, Lavelle, Hudson, Schwartzkopf & Lavelle made comments. **HR 10** was adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 5:02 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 6, 2011.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 19 w/HA 1 & SA 1**

and is returning the same to the House. The Senate wishes to inform the House that it has passed **HCR 8** and is returning the same to the House.

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Representative Michael Ramone, do hereby request that my name be removed as co-sponsor of **HB 70**.

Date: 4/5/11

Signed: Michael Ramone

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.

**19th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session**  
**April 6, 2011**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives George, Heffernan, Miro & D. Short - 4.

A prayer was offered by Representative Edward S. Osienski, Twenty-fourth Representative District.

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

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

Representative Brady requested that she be marked present.

The following prefiled legislation was introduced:

**HB 84** - BRIGGS KING & SENATOR SORENSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, HUDSON, MANOLAKOS, MIRO, OUTTEN, PETERMAN, D. SHORT, WILSON; SENATOR BOOTH - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Microbreweries Transporting, Distributing, and Delivering Their Product.

**HB 85** - BRADY & SENATOR HALL-LONG; REPRESENTATIVES HEFFERNAN, HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Limitations upon Taxing Power.

**HB 86** - PETERMAN & REPRESENTATIVE HUDSON & SENATOR BUNTING; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, D. SHORT, WILLIS, WILSON; SENATORS BONINI, BOOTH, LAWSON, VENABLES - ENERGY - An Act to Amend Title 7 of the Delaware Code Relating to Terminating the Regional Greenhouse Gas Initiative and CO2 Emission Trading Program.

**HA 1 to SB 17** - HUDSON - Placed with the Bill.

The Reading Clerk read the following communication into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #13**

DATE: April 6, 2011

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>                                                   |
|---------------|--------------------------------------------------------------|-------------|-------------|----------------------------------------------------------------------|
| H146-255      | Carson                                                       | 2/20/2011   | M           | Brenda Sue Spencer Janssen                                           |
| H146-256      | Kenton                                                       | 2/20/2011   | M           | Eleanor L. Warrington                                                |
|               | cosponsor: Rep. Wilson                                       |             |             |                                                                      |
| H146-257      | Kenton                                                       | 2/18/2011   | M           | Forrest Vandergrift Jacobs                                           |
|               | cosponsors: Reps. Wilson & Peterman                          |             |             |                                                                      |
| H146-258      | Kenton                                                       | 2/21/2011   | M           | Sarah A. Carter                                                      |
|               | cosponsor: Rep. Wilson                                       |             |             |                                                                      |
| H146-259      | Bolden                                                       | 2/13/2011   | M           | Ardythe Charmayne Campbell                                           |
| H146-260      | Kenton;                                                      | 2/28/2011   | T           | David Wilkinson - Retirement - Dept. of Correction                   |
|               | Atkins;                                                      |             |             |                                                                      |
|               | cosponsors: Reps. Briggs King, Hocker, Schwartzkopf & Wilson |             |             |                                                                      |
| H146-261      | Outten                                                       | 2/24/2011   | T           | Sgt. Earl Brode - 2010 Officer of the Year - Harrington Police Dept. |
| H146-262      | D.P. Williams                                                | 2/26/2011   | T           | The Hon. Thomas R. Carper - "I Love Smyrna School                    |
|               | cosponsors: Reps. Carson & Willis                            |             |             |                                                                      |
| H146-263      | Kenton                                                       | 2/23/2011   | M           | District Day"                                                        |
|               | Gloria J. Webb                                               |             |             |                                                                      |
|               | cosponsor: Rep. Wilson                                       |             |             |                                                                      |
| H146-264      | Kenton                                                       | 2/21/2011   | M           | Irene May Fitzgerald                                                 |
|               | cosponsor: Rep. Wilson                                       |             |             |                                                                      |
| H146-265      | Carson; Willis                                               | 2/26/2011   | T           | Smyrna High School - Re - Dedication Celebration                     |
| H146-266      | Schooley                                                     | 2/17/2011   | T           | Norman and Irene Gerri - 60th Wedding Anniversary                    |
| H146-267      | Atkins                                                       | 1/21/2011   | T           | Harry and Esther Keith - 50th Wedding Anniversary                    |
| H146-268      | Jaques                                                       | 2/22/2011   | T           | Howard and Janice Banning - 69th Wedding                             |

|          |                          |           |   |                                                        |
|----------|--------------------------|-----------|---|--------------------------------------------------------|
|          |                          |           |   | Anniversary                                            |
| H146-269 | Kowalko                  | 2/25/2011 | T | Donn and Jeannie Trego - 50th Wedding Anniversary      |
| H146-270 | Gilligan;                | 3/5/2011  | T | Mary Jane Simmons - Richardson Mitchell Park CAP       |
| H146-271 | Q. Johnson               | 3/16/2011 | T | Joyce Jeffers - Retirement - DHSS                      |
| H146-272 | B. Short                 | 3/1/2011  | M | Muriel E. Gilman                                       |
| H146-273 | Outten                   | 3/26/2011 | T | Royce Purcell - 2010 Firefighter of the Year - Houston |
|          | cosponsor: Rep. Peterman |           |   | Vol. Fire Co.                                          |

#### HOUSE TRIBUTE ANNOUNCEMENT #14

DATE: April 6, 2011

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                                                          |
|----------|-----------------------------------|-----------|------|----------------------------------------------------------------------|
| H146-274 | Kenton;<br>Peterman               | 3/19/2011 | T    | John Watson - 2010 Fireman of the Year - Carlisle Fire Co.           |
|          | cosponsors: Reps. Wilson & Outten |           |      |                                                                      |
| H146-275 | Kenton;<br>Peterman               | 3/19/2011 | T    | Vail Johnson - Fire Police Emeritus - Carlisle Fire Co.              |
|          | cosponsors: Reps. Wilson & Outten |           |      |                                                                      |
| H146-276 | Blakey;<br>D.P. Williams          | 2/28/2011 | T    | MBA Students - Ghana Institute of Management & Public Administration |
| H147-277 | Bolden                            | 2/21/2011 | M    | Lois R. Billings                                                     |
|          | cosponsor: Rep. D.P. Williams     |           |      |                                                                      |
| H146-278 | Longhurst;<br>Keeley              | 2/5/2011  | M    | Jan A. Zarebicki                                                     |
| H146-279 | Outten                            | 2/12/2011 | M    | Carl A. Salo                                                         |
| H146-280 | Lavelle                           | 2/2/2011  | T    | Alice Miao - 2010 Siemens Award for AP                               |
| H146-281 | Walker                            | 3/6/2011  | T    | Anthony Susi - Eagle Scout                                           |
|          | cosponsor: Rep. Brady             |           |      |                                                                      |
| H146-282 | Walker                            | 3/6/2011  | T    | Nicholas Lucas - Eagle Scout                                         |
|          | cosponsor: Rep. Brady             |           |      |                                                                      |
| H146-283 | Walker                            | 2/24/2011 | M    | Ryan Wagner                                                          |
| H146-284 | Longhurst;<br>Osienski            | 2/26/2011 | M    | Rev. Richard A. Miller                                               |
| H146-285 | Osienski                          | 3/11/2011 | T    | Luke Palizay - Eagle Scout                                           |
| H146-286 | Gilligan                          | 2/25/2011 | M    | Isabella Friel Wilson                                                |
| H146-287 | Wilson                            | 3/17/2011 | T    | Grace Ash - 25 Years - DPH                                           |
|          | cosponsor: Rep. D. Short          |           |      |                                                                      |
| H146-288 | Bennett                           | 2/23/2011 | M    | Bruce E. Burgoyne                                                    |
| H146-289 | Bennett                           | 2/22/2011 | M    | Joseph Ernest Tinley, Jr.                                            |
| H146-290 | Gilligan                          | 3/25/2011 | T    | Gerald Morris - 16 Years - Mid-County Senior Center Board            |
| H146-291 | Outten                            | 3/2/2011  | M    | Guy Winebrenner                                                      |
| H146-292 | Outten                            | 3/2/2011  | M    | Calvin Jesse Harris, Jr.                                             |
| H146-293 | Hudson                            | 3/3/2011  | M    | Frances McGuinness Killheffer                                        |
| H146-294 | Peterman                          | 4/2/2011  | T    | Alvin Schmick - 50 Years - Frederica Vol. Fire Co.                   |
| H146-295 | Peterman                          | 4/2/2011  | T    | Ernie Creed - 50 Years - Frederica Vol. Fire Co.                     |
| H146-296 | Hudson                            | 3/12/2011 | M    | The Hon. Russell W. Peterson                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #15

DATE: April 6, 2011

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                             |
|----------|-----------------------|-----------|------|-----------------------------------------|
| H146-297 | Outten;<br>Kenton     | 3/3/2011  | M    | Irene C. Outten                         |
| H146-298 | Longhurst;<br>Jaques  | 2/28/2011 | M    | Matthew Jonathan Holloway               |
| H146-299 | J. Johnson            | 3/9/2011  | T    | Phillip Robertson - 80th Birthday       |
| H146-300 | Jaques                | 3/3/2011  | M    | Diane M. Costigan                       |
|          | cosponsor: Rep. Viola |           |      |                                         |
| H146-301 | Carson                | 3/8/2011  | T    | Deacon Marcus Phillips - 101st Birthday |
| H146-302 | Viola                 | 3/20/2011 | T    | Dylan Keith Spence - Eagle Scout        |
| H146-303 | Schwartzkopf          | 3/20/2011 | T    | Robert Pedigo - Eagle Scout             |
| H146-304 | Schwartzkopf          | 3/20/2011 | T    | Tyler Clark - Eagle Scout               |
| H146-305 | Wilson                | 3/5/2011  | M    | Evelyn Mary Smith                       |

|          |               |           |   |                                                                                                                             |
|----------|---------------|-----------|---|-----------------------------------------------------------------------------------------------------------------------------|
| H146-306 | Peterman      | 3/8/2011  | M | Asa P. Warren<br>cosponsors: Reps. Kenton & Wilson                                                                          |
| H146-307 | Bennett       | 3/2/2011  | M | Robert W. Mullin                                                                                                            |
| H146-308 | Peterman      | 3/11/2011 | M | Leon E. "Rocky" Grodkiewicz                                                                                                 |
| H146-309 | Peterman      | 3/9/2011  | M | Richard T. Hall<br>cosponsors: Reps. Kenton & Wilson                                                                        |
| H146-310 | Outten        | 3/16/2011 | T | Kent Co. Vol. Firefighter's Association's<br>cosponsors: Reps. Blakey, Carson, Q. Johnson, Kenton, Peterman, Scott & Willis |
| H146-311 | Q. Johnson    | 2/2/2011  | T | Sangyeop Lee - 2010 Siemens<br>Award for AP                                                                                 |
| H146-312 | Mitchell      | 3/19/2011 | T | Elsie Mills - 50 Years - Elsmere Fire Co. Ladies Aux.                                                                       |
| H146-313 | Mitchell      | 3/19/2011 | T | Carolyn Bennett - 50 Years - Elsmere Fire Co. Ladies<br>Aux.                                                                |
| H146-314 | Peterman      | 3/1/2011  | T | Sgt. David Weaver - DSP - 2010 Trooper of the Year<br>cosponsors: Reps. Schwartzkopf, Lee, Atkins, Kenton & Wilson          |
| H146-315 | D.E. Williams | 3/14/2011 | T | Luke Matheny - 2011 Academy Award - Best Short<br>Film (Live Action)                                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #16

DATE: April 6, 2011

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                                                            |
|----------|---------------------------------------|-----------|------|------------------------------------------------------------------------|
| H146-316 | Carson                                | 3/18/2011 | T    | Jimmie Foster - American Legion National Commander<br>- Visit          |
| H146-317 | Carson;                               | 3/18/2011 | T    | Carolann Wicks - Retirement - DelDOT                                   |
| H146-318 | Q. Johnson<br>Hocker                  | 3/22/2011 | T    | Lions Club International - District 22-D - Dist. Gov.<br>Karl Gude     |
| H146-319 | Carson                                | 3/22/2011 | T    | Neda Biggs - DE Commission for Women Hall of<br>Fame                   |
| H146-320 | Bolden                                | 3/22/2011 | T    | Imogene Chandler - DE Commission for Women Hall<br>of Fame             |
| H146-321 | Hudson                                | 3/22/2011 | T    | Susan Del Pesco - DE Commission for Women Hall<br>of Fame              |
| H146-322 | cosponsor: Rep. Longhurst<br>B. Short | 3/22/2011 | T    | Audrey Doberstein - DE Commission for Women Hall<br>of Fame            |
| H146-323 | Ramone                                | 3/22/2011 | T    | Moonyeen Klopfenstein - DE Commission for Women<br>Hall of Fame        |
| H146-324 | Blakey;                               | 3/18/2011 | M    | Agnes Pennell                                                          |
| H146-325 | George                                |           |      |                                                                        |
| H146-325 | Carson; Willis                        | 3/9/2011  | M    | Patricia A. Steele                                                     |
| H146-326 | D.E. Williams                         | 3/19/2011 | T    | Robert and Catherine Maxwell - 45th Wedding<br>Anniversary             |
| H146-327 | Bolden                                | 3/17/2011 | T    | Dwight Dockery - Doctor of Philosophy Degree                           |
| H146-328 | Longhurst                             | 3/27/2011 | T    | Erik Boudart - Eagle Scout                                             |
| H146-329 | Heffernan                             | 3/27/2011 | T    | Oliver Faulkner - Eagle Scout                                          |
| H146-330 | Kowalko                               | 3/22/2011 | T    | Delaware PTA - 100 <sup>th</sup> Anniversary                           |
| H146-331 | Schwartzkopf;                         | 4/4/2011  | M    | William A. Baker, Sr.                                                  |
|          | Jaques                                |           |      |                                                                        |
| H146-332 | Kenton                                | 3/19/2011 | M    | Robert J. Muffler                                                      |
| H146-333 | Bennett                               | 2/25/2011 | T    | Anthony & Sandra Liberto                                               |
|          | cosponsor: Rep. Blakey                |           |      |                                                                        |
| H146-334 | Briggs King                           | 3/25/2011 | T    | Harrison Hammond - 50 Years - Georgetown<br>Ambulance                  |
| H146-335 | Carson;                               | 4/2/2011  | T    | William Gordon Lloyd - 90th Birthday                                   |
|          | Hocker                                |           |      |                                                                        |
| H146-336 | Schooley                              | 3/30/2011 | T    | Sheila Grant - Project on Death in America Nursing<br>Leadership Award |
| H146-337 | D.P. Williams                         | 1/20/2011 | T    | Joe and Shirley Ackerman - 60th Wedding Anniversary                    |
| H146-338 | B. Short                              | 2/11/2011 | T    | Harry and Millie Manelski - 50th Wedding<br>Anniversary                |

#### HOUSE TRIBUTE ANNOUNCEMENT #17

DATE: April 6, 2011

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                                                                                            |
|----------|---------------------------|-----------|------|--------------------------------------------------------------------------------------------------------|
| H146-339 | Willis                    | 3/30/2011 | T    | The Hon. Pamela Thornburg - 2010 Legislative Award<br>cosponsors: Reps. Carson & Bennett - DACD        |
| H146-340 | Kenton                    | 3/21/2011 | M    | Shannon Nicole Walls Smith<br>cosponsors: Reps. Wilson & Peterman                                      |
| H146-341 | B. Short;<br>Brady        | 3/23/2011 | T    | Grant Grier - Boy Scouts of America Heroism Award                                                      |
| H146-342 | Mulrooney                 | 3/30/2011 | T    | John Wheeler - Posthumous Recognition for Service to<br>cosponsors: Reps. Carson & Bennett His Country |
| H146-343 | Keeley;<br>Mulrooney      | 3/20/2011 | M    | Joseph A. Schneider                                                                                    |
| H146-344 | Kenton                    | 3/22/2011 | M    | James R. Hurd<br>cosponsor: Rep. Wilson                                                                |
| H146-345 | Peterman                  | 3/21/2011 | M    | Mary Eva Sexton                                                                                        |
| H146-346 | George                    | 2/22/2011 | T    | Erik Peterson - Eagle Scout                                                                            |
| H146-347 | Viola                     | 3/20/2011 | M    | Charlotte S. Harkins                                                                                   |
| H146-348 | D.E. Williams;<br>Lavelle | 3/21/2011 | M    | John J. O'Toole                                                                                        |
| H146-349 | Keeley                    | 3/19/2011 | M    | Edward Joseph "Wally" Ciskowski<br>cosponsors: Reps. B. Short & Lavelle                                |
| H146-350 | Viola;<br>Mitchell        | 3/23/2011 | M    | Francis P. "Skip" Fitzpatrick III                                                                      |
| H146-351 | Mitchell                  | 3/19/2011 | T    | Elsmere Fire Co. - 90 Years                                                                            |
| H146-352 | Mitchell                  | 3/19/2011 | T    | James Maule III - 2010 Member of the Year - Elsmere<br>Fire Co.                                        |
| H146-353 | Mitchell                  | 3/19/2011 | T    | John Smith, Sr. - 50 Years - Elsmere Fire Co.                                                          |
| H146-354 | Mitchell                  | 3/19/2011 | T    | Albert George, Jr. - 50 Years - Elsmere Fire Co.                                                       |
| H146-355 | Mitchell                  | 3/19/2011 | T    | Robert Owens - 50 Years - Elsmere Fire Co.                                                             |
| H146-356 | Lavelle                   | 4/9/2011  | T    | Shirley E. Cohen - 90th Birthday                                                                       |
| H146-357 | Lavelle                   | 4/10/2011 | T    | Matthew Piha - Eagle Scout                                                                             |
| H146-358 | Scott                     | 4/3/2011  | T    | Irving & Phyllis Levitt - Public Service                                                               |
| H146-359 | Kenton                    | 3/12/2011 | T    | Ellendale Vol. Fire Co. - 90 Years<br>cosponsor: Rep. Wilson                                           |
| H146-360 | Wilson                    | 3/25/2011 | M    | Robert Paynter Short, Jr.<br>cosponsor: Rep. Kenton                                                    |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced and brought **HR 11**, sponsored on behalf of All Representatives, before the House for consideration.

Representative Scott requested to be marked present.

**HR 11** - DECLARING APRIL 12, 2011 AS EARLY DEVELOPMENTAL SCREENING DAY.

Representative Q. Johnson made comments. **HR 11** was adopted by voice vote.

Representative Longhurst deferred to Representative Bolden. Representative Keeley requested to be marked present. Representative Bolden requested and was granted privilege of the floor to present a House Tribute to Delta Sigma Theta Sorority, Inc. Mary L. Hudson, National Committee Member, addressed the House. Representative Bolden introduced guests. Representative Brady made comments. Representative Manolakos requested and was granted personal privilege of the floor to make comments and to introduce a guest. Representative Keeley requested and was granted personal privilege of the floor to introduce a guest. Representative Bolden introduced a guest. Representatives Lavelle, D.E. Williams, Atkins & D.P. Williams requested that they be marked present. Representative Wilson requested and was granted personal privilege of the floor to introduce a guest. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest.

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 Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:20 p.m. on April 6, 2011: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 7, 2011.

Representatives Heffernan, Miro & D. Short requested that they be marked present for the current Legislative Day. The House observed a moment of silence in honor of the earthquake and tsunami victims of Miyagi Prefecture, Japan, at the request of Representative Willis.



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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **SB 9 w/SA 1** - 4M,1U.

HEALTH & HUMAN DEVELOPMENT: **HB 63** - 8F,1M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 66** - 4M,2U; **HB 73** - 7M; **HB 74** - 8M.

HOUSE ADMINISTRATION: **HB 81** - 3F,2M; **SB 23** - 5F.

NATURAL RESOURCES: **HB 61** - 6F,1M; **HB 71** - 5F,2M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 12 & SB 13 w/SA 4** and requests the concurrence of the House and the Senate has passed **HB 36 w/HA 1 & HB 37** and is returning the same to the House.

Representative George requested that she 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.

**20th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
April 7, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Michael Ramone, Twenty-first Representative District.

Mr. Speaker Gilligan invited Officers of Jobs for Delaware Graduates to join him in leading those present in the pledge of allegiance to the American Flag.

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

Representative Brady requested that he be marked present.

The following prefiled legislation was introduced:

**HA 1 to HA 1 to HB 42** - J. JOHNSON - Placed with the Bill.

**HA 1 to HB 45** - WALKER - Placed with the Bill.

**HA 1 to HB 61** - JAQUES - Placed with the Bill.

**HA 1 to HB 67** - Q. JOHNSON - Placed with the Bill.

**HA 1 to HB 68** - SCOTT - Placed with the Bill.

**HA 1 to HB 78** - HUDSON - Placed with the Bill.

**HA 1 to HB 81** - LONGHURST - Placed with the Bill.

**SB 12** - HENRY & REPRESENTATIVE SCHOOLEY; SENATORS VENABLES, SORENSON; REPRESENTATIVES BARBIERI, BOLDEN, JAQUES, KEELEY, KOWALKO, SCOTT, VIOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Food Stamp Program.

**SB 13 w/SA 4** - HENRY & REPRESENTATIVE KEELEY; SENATORS MARSHALL, SORENSON; REPRESENTATIVES BARBIERI, BOLDEN, KOWALKO, MULROONEY, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Sterile Needle and Syringe Exchange.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Kowalko requested that he be marked present.

Representative Ramone moved to suspend the rules which interfere with introduction of and action on **HJR 2**. The motion was seconded by Representative Blakey and adopted by voice vote.

Representative Ramone introduced and brought **HJR 2**, jointly sponsored by Senator Blevins & Representative Hudson on behalf of All Representatives & Senator Peterson on behalf of all Senators, before the House for consideration.

**HJR 2** - RECOGNIZING THE LATE DELAWARE STATE POLICE CORPORAL ROBERT H. BELL FOR HIS COURAGEOUS ACTIONS IN THE LINE-OF-DUTY.

Representative Schwartzkopf requested that **HJR 2** be read in its entirety.

**HJR 2** - RECOGNIZING THE LATE DELAWARE STATE POLICE CORPORAL ROBERT H. BELL FOR HIS COURAGEOUS ACTIONS IN THE LINE-OF-DUTY.

WHEREAS, Corporal Robert H. Bell joined the Delaware State Police on January 15, 1971; and

WHEREAS, on January 14, 1981, Corporal Bell, while off duty, came across another Trooper trying to prevent a man from jumping from the John T. Davis Bridge (formerly the Cranston Heights Bridge located on Kirkwood Highway near Prices Corner); and

WHEREAS, Corporal Bell stopped to assist; and

WHEREAS, during that action Corporal Bell sustained back injuries which resulted in surgery; and

WHEREAS, during that surgery Corporal Bell received a blood transfusion tainted with HIV; and

WHEREAS, on September 6, 1993, Corporal Bell died in the line-of-duty due to complications from AIDS; and

WHEREAS, the circumstances surrounding Corporal Bell's death were not publicly known for many years after he died; and

WHEREAS, he did not receive the funeral honors and public recognition normally bestowed upon a police officer following a line-of-duty death;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 146<sup>th</sup> General Assembly of the State of Delaware, with the approval of the Governor, that the death of Corporal Robert H. Bell has been designated as a line-of-duty death.

BE IT FURTHER RESOLVED that Corporal Robert H. Bell is recognized for his willingness to take action, risking his life to save another.

BE IT FURTHER RESOLVED that this action is the enduring memory of Corporal Bell's life.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be presented to the staff of the Division of Corporations, the Office of the Secretary of State, and the family of Corporal Robert H. Bell.

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

YES: 37.

ABSENT: Representatives Lavelle, Mulrooney, D.E. Williams & D.P. Williams - 4.

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

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

Representative Ramone requested and was granted privilege of the floor for himself and Representative Hudson. Representative Ramone requested that members of the Bell Family and law enforcement officers join him at the podium. Representative Ramone introduced guests. Retired State Police Captain Deputy; Kevin McDerby, New Castle County Police Department; George R. Bell; Representative Hudson; Kimberly Bell; and Janet Kilpatrick, Councilperson, New Castle County, addressed the House. Representatives Mitchell and Ramone made comments. Representative Mitchell introduced a guest.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates. Representative Schooley introduced officers of Jobs for Delaware Graduates. Dr. Lee addressed the House. Officers addressed the House. Representative Manolakos requested and was granted personal privilege of the floor to make comments. Representative Bolden requested and was granted personal privilege of the floor to make comments. Representative Carson requested and was granted personal privilege of the floor to introduce a guest. Representatives Keeley & Schooley made comments. Students and staff members stated their names, programs and schools for the record.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:49 p.m.

The House reconvened at 4:13 p.m.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Senator Peterson, do hereby request that my name be removed as co-sponsor of **HB 85**.

Date: 4/6/11

Signed: Karen Peterson

Representatives D.E. Williams, Mulrooney & Lavelle requested that they be marked present.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 19 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Senator McDowell & Senator Sorenson & Representatives Blakey, Bolden, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lavelle, Manolakos, Miro, Mitchell, Mulrooney, Ramone, Schooley, Scott, B. Short & Walker & Senators DeLuca, Hall-Long, Peterson & Venables, before the House for concurrence on **SA 1**.

**HB 19 - AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG-INVOLVED OFFENSES**

Representative George made comments.

The roll call on **HB 19 w/HA 1 & SA 1** was taken and revealed:

YES: 40.

NO: Representative Atkins - 1.

Therefore, having received a constitutional majority, **HB 19 w/HA 1 & SA 1** was sent to the Governor.

Representative Manolakos was marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 81**, jointly sponsored by Senator Blevins & Representative Hudson & Representative Scott & Senator Bonini & cosponsored by Representatives Barbieri, Jaques, J. Johnson, Keeley, Mitchell, Schooley, Schwartzkopf & B. Short & Senators Bushweller, Ennis, Henry, Sokola & Sorenson, before the House for consideration.

**HB 81 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES HEALTH CARE INSURANCE PROGRAM AND STATE EMPLOYEES PENSION PLAN.**

Representative Longhurst brought **HA 1 to HB 81** before the House for consideration.

Representative Longhurst made comments. **HA 1** was adopted by voice vote. Representatives Longhurst, Lavelle, Longhurst, Lavelle, Schwartzkopf, Lavelle, Kowalko, Briggs King, J. Johnson, D.P. Williams, Miro, Brady & Longhurst made comments.

The roll call on **HB 81 w/HA 1** was taken and revealed:

YES: 37.

NO: Representatives Blakey, Lavelle & Manolakos - 3.

NOT VOTING: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HB 81 w/HA 1** was sent to the Senate for concurrence.

Representative Longhurst made comments and introduced guests.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 71**, jointly sponsored by Senator Ennis & Representatives Carson, Hocker, Kenton, Walker & Wilson & Senator Booth & cosponsored by Representative Peterman, before the House for consideration.

**HB 71 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL SHOOTING PRESERVES.**

Representatives Atkins & George made comments. Representative Atkins requested and was granted privilege of the floor for Judge Edward Davis. Representatives George & Atkins made comments.

The roll call on **HB 71** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 71** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 67**, jointly sponsored by Representative Scott & Senator Blevins & Representatives Bennett, Briggs King, Gilligan, Keeley, Ramone, Schwartzkopf, B. Short, Walker & D.E. Williams and cosponsored by Representatives Bolden, Heffernan, Hudson, Jaques, J. Johnson, Kenton, Miro, Peterman, Ramone & Wilson, before the House for consideration.

**HB 67 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS.**

Representative Q. Johnson brought **HA 1 to HB 67** before the House for consideration.

Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representatives Q. Johnson & Lavelle made comments.

The roll call on **HB 67 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schwartzkopf & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 67 w/HA 1** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Scott.

Representative Scott brought **HB 68**, jointly sponsored by Representative Q. Johnson & Senator Blevins & Representatives Bennett, Briggs King, Gilligan, Heffernan, Keeley, Ramone, Schwartzkopf, B. Short, Walker & D.E. Williams, before the House for consideration.

**HB 68 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE OF CLINICAL SOCIAL WORKERS.**

Representative Scott brought **HA 1 to HB 68** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representatives Scott & Lavelle made comments. Representative Scott requested and was granted privilege of the floor for Lawrence Lewis, State Solicitor. Representative Lavelle made comments. Representative Scott requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Briggs King made comments.

The roll call on **HB 68 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Carson - 1.

Therefore, having received a constitutional majority, **HB 68 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **HB 45**, jointly sponsored by Senator Hall-Long & Representatives Barbieri, Bennett, Gilligan, Hudson, Q. Johnson, Keeley, Lavelle, Longhurst, Mitchell & Schooley & Senators Blevins, Bushweller, Sokola & Sorenson, before the House for consideration.

**HB 45 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.**

Representative Walker brought **HA 1 to HB 45** before the House for consideration. Representatives Walker & Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Walker, Jaques, Walker, Schwartzkopf, Briggs King, Willis, Walker, Q. Johnson, Blakey, Lavelle, Walker, Ramone, Schwartzkopf, Wilson & D.E. Williams made comments.

The roll call on **HB 45 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives George & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 45 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement. Representatives Schwartzkopf, Lavelle & Walker made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 30** and requests the concurrence of the House and the Senate has passed **HB 31, HB 5 & HJR 2** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 42**, jointly sponsored by Representative Barbieri & Senator Hall-Long & Representatives Brady, Keeley, Miro & Mitchell & Senator Ennis, before the House for consideration.

**HB 42 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION.**

Representative Scott brought **HA 1 to HB 42** before the House for consideration. Representative J. Johnson brought **HA 1 to HA 1 to HB 42** before the House for consideration. Representative J. Johnson & Keeley made comments. **HA 1 to HA 1** was adopted by voice vote. Representatives Scott & Manolakos made comments. Representative Scott requested and was granted privilege of the floor for Dan Cruce, Deputy Secretary of Education. Representatives Manolakos, J. Johnson, Manolakos, Atkins, Heffernan & D. Short made comments. Representative Scott moved to place **HA 1 w/HA 1 to HA 1** on the Speaker's Table. The motion was seconded by Representative Jaques and adopted by voice vote. Representative Scott moved to place **HB 42** on the Speaker's Table. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 63**, jointly sponsored by Representative George & Representative Walker & Senator Hall-Long & Senator Henry & Representatives Q. Johnson, Scott, Bolden, Heffernan, Hudson, Jaques, J. Johnson, Kenton, Miro, Peterman, Ramone & Wilson, before the House for consideration.

**HB 63 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SEXUAL ABUSE OF PATIENTS IN FACILITIES.**

Representatives Barbieri, Miro & Lavelle made comments. Representative Barbieri requested and was granted privilege of the floor for Tina Showalter, Deputy Attorney General.

The roll call on **HB 63** was taken and revealed:

YES: 40.

ABSENT: Representative Longhurst - 1.

Therefore, having received a constitutional majority, **HB 63** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 61**, jointly sponsored by Representative Briggs King & Senator Ennis & Representatives Barbieri, Bennett, Brady, Carson, George, Hocker, Hudson, Q. Johnson, Kenton, Miro, Mitchell, Viola & Willis and cosponsored by Representatives Osienski, Outten, Peterman, Ramone, Scott & Wilson, before the House for consideration.

**HB 61 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.**

Representative Jaques brought **HA 1 to HB 61** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representatives Jaques & Miro made comments.

The roll call on **HB 61 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 61 w/HA 1** was sent to the Senate for concurrence.

Representative Jaques made comments. Representative Schwartzkopf introduced **HA 2 to HB 14**. **HA 2** was placed with the bill.

Representative Schwartzkopf deferred to Representative Carson. Representative Carson introduced **HA 1 to HB 46**. **HA 1** was placed with the bill. Representative Carson introduced **HA 2 to HB 46**. **HA 2** was placed with the bill. Representative Schwartzkopf made an announcement. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced **HA 3 to HB 46**. **HA 3** was placed with the bill.

The Majority Leader moved to recess to the call of the Chair at 6:06 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 12, 2011.

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.

## **21st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session April 12, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan led those present in the 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 87** - BRADY & SENATOR MCDOWELL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Specific Offenses Against the Person.

**HB 97** - HOCKER & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON, GILLIGAN, SCHWARTZKOPF, ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, HEFFERNAN, Q. JOHNSON, MITCHELL, OSIENSKI, SCHOOLEY, SCOTT, WALKER; SENATORS BOOTH, BUNTING, BUSHWELLER, CLOUTIER, CONNOR, VENABLES - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Personal Income Tax.

**HA 1 to HB 14** - HUDSON - Placed with the Bill.

**HA 1 to HA 1 to HB 46** - CARSON - Placed with the Bill.

**HA 1 to HB 66** - BRADY - Placed with the Bill.

**SB 30** - SOKOLA & SENATOR SORENSON & REPRESENTATIVE GEORGE & REPRESENTATIVE SCHOOLEY; SENATORS BLEVINS, HENRY, BUNTING, KATZ, MCDOWELL, PETERSON; REPRESENTATIVES GILLIGAN, SCHWARTZKOPF, LONGHURST, BARBIERI, BOLDEN, BRADY, HEFFERNAN, KEELEY, KOWALKO, MITCHELL, MULROONEY, OSIENSKI, SCOTT, B. SHORT, VIOLA, D.E. WILLIAMS, D.P. WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 13 of the Delaware Code Relating to Civil Unions.

Representatives Lee & Blakey requested that they be marked present.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought **HR 6**, jointly sponsored by Representative Longhurst & Representatives Bennett, Bolden, George, Heffernan, Hudson, Jaques, Q. Johnson, Kowalko, Miro, Mitchell, Mulrooney, Ramone, Schooley, Schwartzkopf, Viola & Walker, before the House for consideration.

Representative Barbieri requested that he be marked present.

**HR 6** - ESTABLISHING APRIL 12, 2011 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE.

Representative Keeley made comments and introduced guests. Representative Keeley deferred to Representative Longhurst. Representative Longhurst introduced a guest. **HR 6** was adopted by voice vote.

Representatives D.P. Williams & Viola requested that they be marked present. Representative Longhurst requested and was granted personal privilege of the floor to make comments and introduce a guest. Mr. Speaker Gilligan introduced guests. Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton made a comment. Representatives Mulrooney & Bolden requested that they be marked present.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson requested and was granted personal privilege of the floor to introduce guests. Representative Manolakos introduced a guest. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests. Representative Wilson made an announcement. Representative D.P. Williams & Lavelle made comments. Representatives Schwartzkopf & Blakey made announcements.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:17 p.m.

The House reconvened at 4:15 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 35** & **SCR 8** and requests the concurrence of the House.

Representative Schwartzkopf deferred to Representative Kenton.

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

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 23**, jointly sponsored by Senator Bunting & Representative Hocker, before the House for consideration.

**SB 23** - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE TOWN OF FRANKFORD'S CHARTER. (2/3 bill)

Representative Atkins made comments.

The roll call on **SB 23** was taken and revealed:

YES: 39.

ABSENT: Representatives Brady & Scott - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 23** was returned to the Senate.

Representatives Mitchell requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 48**, jointly sponsored by Senator Sokola & Representatives Barbieri, Bolden, Heffernan, Jaques, Keeley, Miro, Mitchell, Osienski, Schooley, Schwartzkopf, Scott,

B. Short, D.E. Williams & D.P. Williams & Senators Henry, Marshall, McDowell, Peterson & Sorenson, before the House for consideration.

**HB 48** - AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO REPORTING PERSONS PROHIBITED FROM POSSESSING FIREARMS AND THE NATIONAL CRIMINAL INSTANT BACKGROUND CHECK SYSTEM ("NICS").

Representative Longhurst brought **HA 1 to HB 48** before the House for consideration. Representative Longhurst made comments. **HA 1** was adopted by voice vote. Representative Longhurst brought **HA 2 to HB 48** before the House for consideration. Representative Longhurst made comments. **HA 2** was adopted by voice vote. Representatives Longhurst, Hocker, Lavelle & Schwartzkopf made comments. Representative Longhurst requested and was granted privilege of the floor for Captain Jason Sapp, representing the Delaware State Police. Representative Jaques rose on a point of order. Representatives Lavelle & Schwartzkopf made comments. Mr. Speaker did not concur. Representatives Longhurst, Lavelle, Hocker, Schwartzkopf, Hudson & Lee made comments. Representative Atkins requested and was granted privilege of the floor for Andrew Jamison, representing the National Rifle Association. Mr. Jamison was not present and did not take the floor. Representative Longhurst made comments.

The roll call on **HB 48 w/HA 1 & 2** was taken and revealed:

YES: 39.

NO: Representative Briggs King - 1.

NOT VOTING: Representative Hocker - 1.

Therefore, having received a constitutional majority, **HB 48 w/HA 1 & 2** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams brought **HB 46**, jointly sponsored by Senator Henry & Representatives Barbieri, Bolden, Heffernan, Jaques, Keeley, Longhurst, Miro, Mitchell, Osienski, Schooley, Schwartzkopf, Scott, B. Short & D.E. Williams & Senators Marshall, Peterson, Sokola & Sorenson, before the House for consideration.

**HB 46** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF VALIDLY SEIZED WEAPONS AND AMMUNITION.

Representative Carson brought **HA 1 to HB 46** before the House for consideration. Representative Carson brought **HA 1 to HA 1 to HB 46** before the House for consideration. Representatives Carson & Lavelle made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson brought **HA 2 to HB 46** before the House for consideration. Representatives Carson, D.P. Williams, Schwartzkopf, Lavelle, Carson, D.P. Williams, Carson & Schwartzkopf made comments.

The roll call on **HA 2 to HB 46** was taken and revealed:

YES: 24.

NO: Representatives Barbieri, Bolden, George, Heffernan, Jaques, Keeley, Kowalko, Longhurst, Mitchell, Osienski, Schooley, Schwartzkopf, Scott, B. Short, Viola, D.E. Williams & D.P. Williams - 17.

Therefore, having received a constitutional majority, **HA 2 to HB 46** was declared passed.

Representative D.P. Williams moved to place **HB 46 w/HA 1, HA 1 to HA 1 & HA 2** on the Speaker's Table. The motion was seconded by Representative George and adopted by voice vote.

Representative Schwartzkopf brought **HB 73**, jointly sponsored by Senator Bunting & Representatives Hocker, Jaques, Keeley, Longhurst & Wilson, before the House for consideration.

**HB 73** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representatives Schwartzkopf & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Terry Gorlich, Legislative Liaison, Department of Transportation. Representatives Lavelle & Schwartzkopf made comments.

The roll call on **HB 73** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Hocker & Lavelle - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 73** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 74**, jointly sponsored by Senator Ennis & Representatives Barbieri, Bennett, Blakey, Bolden, Carson, George, Gilligan, Jaques, Kenton, Mitchell, Osienski, Outten, D. Short, Willis & Wilson & Senators Booth, Bunting, Connor, Sokola, Sorenson & Lawson, before the House for consideration.

**HB 74** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HB 74** was taken and revealed:

YES: 40.

NOT VOTING: Representative Lavelle - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 74** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:07 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 13, 2011.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 50 w/SA 2 & 4** and requests the concurrence of the House and it has passed **HB 47 w/HA 1 aab HA 1 to HA 1, HA 2 to HA 1 & SA 1** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Lincoln Willis, do hereby request that my name be removed as a co-sponsor of **HB 78**.

Date: 4/12/11

Signed: Lincoln Willis

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.

### **22nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session April 13, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representatives Mulrooney - 1.

A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.

Mr. Speaker Gilligan invited students from the Child Development Center at Delaware Technical & Community College, Terry Campus, to join him in leading those present in the 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 88** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES HUDSON, J. JOHNSON, KEELEY, MANOLAKOS, MIRO, MITCHELL, SCOTT; SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Regulation of Securities.

**HB 89** - J. JOHNSON & REPRESENTATIVE KEELEY & SENATOR HENRY; REPRESENTATIVES BARBIERI, MITCHELL, MULROONEY - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Doctrine of Employment at Will and Protection from Wrongful Termination.

**HB 90** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES HEFFERNAN, JAQUES, KEELEY, MIRO, RAMONE; SENATORS BUNTING, BUSHWELLER, VENABLES, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Nonrenewal of Contracts and Dismissal of Department of Education Employees.

**HB 91** - HEFFERNAN & SENATOR MCDOWELL; REPRESENTATIVES BENNETT, HUDSON, Q. JOHNSON, KEELEY, KOWALKO, LAVALLE, MULROONEY, SCHOOLEY, SCOTT, B. SHORT, VIOLA; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Use of Respectful Language when Referring to Persons with Disabilities.

**HA 4 to HB 46** - HOCKER - Placed with the Bill.

**HA 1 to HB 57** - RAMONE - Placed with the Bill.

**HA 2 to HB 57** - RAMONE - Placed with the Bill.

**HA 1 to HB 58** - RAMONE - Placed with the Bill.

**HA 2 to HB 58** - RAMONE - Placed with the Bill.

**HA 1 to HB 72** - KEELEY - Placed with the Bill.

**HA 1 to HB 76** - BRADY - Placed with the Bill.

**SB 35** - PETERSON; SENATORS BLEVINS, BUSHWELLER, CLOUTIER, CONNOR, HALL-LONG, HENRY, KATZ, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, SORENSON; REPRESENTATIVES BARBIERI, BENNETT, BRIGGS KING, JAQUES, J. JOHNSON, KOWALKO, LAVALLE, MITCHELL, OSIENSKI, SCHOOLEY, B. SHORT, VIOLA, SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Dependent Health Coverage.

**SB 50 w/SA 2 & SA 4** - DELUCA & SENATOR BLEVINS & SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HA 1 to SB 9** - HUDSON - Placed with the Bill.

**HA 1 to SB 30** - BRIGGS KING & REPRESENTATIVE LAVALLE; REPRESENTATIVE WILLIS - Placed with the Bill.

**HA 2 to SB 30** - BRIGGS KING & REPRESENTATIVE LAVALLE - Placed with the Bill.

**HA 3 to SB 30** - BRIGGS KING & REPRESENTATIVE LAVELLE; REPRESENTATIVE WILLIS - Placed with the Bill.

**HA 4 to SB 30** - BRIGGS KING & REPRESENTATIVE LAVELLE; REPRESENTATIVE WILLIS - Placed with the Bill.

**HA 5 to SB 30** - BRIGGS KING - Placed with the Bill.

**HA 6 to SB 30** - WILLIS & REPRESENTATIVE KENTON & REPRESENTATIVE WILSON - Placed with the Bill.

The teachers from Delaware Technical & Community College stated their names for the record. Representative Schooley made comments. The students performed a finger play. Representative Schooley made comments. Representatives George, Mitchell, Barbieri, Walker, J. Johnson, Heffernan, Willis, Lee, Wilson & Carson requested that they be marked present.

Representative Schwartzkopf brought **Consent Calendar #3** before the House.

**HR 12** - MULROONEY & REPRESENTATIVE KEELEY & REPRESENTATIVES BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, HEFFERNAN, JAQUES, J. JOHNSON, KOWALKO, LONGHURST, MITCHELL, OSIENSKI, D. SHORT, VIOLA, WALKER - Recognizing April 28, 2011 as "Workers Memorial Day."

**HCR 9** - SCHOOLEY & REPRESENTATIVE Q. JOHNSON ON BEHALF OF ALL REPRESENTATIVES & SENATOR HALL-LONG ON BEHALF OF ALL SENATORS - Proclaiming April 13, 2011, "Early Child Care and Education Professionals Appreciation Day".

**SCR 8** - CLOUTIER & SENATOR CONNOR & REPRESENTATIVE SCOTT & SENATORS BLEVINS, ENNIS, SOKOLA, SORENSON; REPRESENTATIVES CARSON, HEFFERNAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KEELEY, KENTON, LAVELLE, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS - Designating April 21, 2011 as "Technology Education Day" in the State of Delaware.

Representatives Schooley & Q. Johnson made comments regarding **HCR 9**. Representatives Keeley & Kowalko made comments regarding **HR 12**. Representatives Hudson, Viola & D.P. Williams requested that they be marked present. Representative J. Johnson made comments regarding **HR 12**.

**Consent Calendar # 3** was adopted by voice vote and **HR 12** was declared passed, **HCR 9** was sent to the Senate for concurrence, and **SCR 8** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley made an announcement. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan & Representative Schwartzkopf made announcements.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:18 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed on April 13, 2011 at 2:18 p.m.: Representatives Atkins & B. Short.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 14, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 28**, **SB 41 w/SA 1** & **SB 46 W/SA1** and requests the concurrence of the House and it has passed **HCR 9** and is returning the same to the House.

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

JUDICIARY: **HB 58** - 10M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 57** - 1F,7M; **HB 59** - 9M.

HOUSE ADMINISTRATION: **SB 30** - 3F,1U; **SB 36** - 5M; **HB 69** - 1F,3M.

HEALTH & HUMAN DEVELOPMENT: **SB 17 w/SA 3 & SA 4** - 2F,10M.

HOUSING & COMMUNITY AFFAIRS: **HB 85** - 2F,6M.

NATURAL RESOURCES: **HB 83** - 7M.

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

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.

### **23rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session April 14, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

Mr. Speaker Gilligan led those present in the 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 92** - HUDSON & SENATOR BLEVINS & SENATOR HENRY; SENATOR SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Occupational Licenses and Fees.

**HB 93** - CARSON & REPRESENTATIVE GILLIGAN & REPRESENTATIVE BENNETT & SENATOR MCBRIDE; REPRESENTATIVES Q. JOHNSON, MULROONEY, WILSON; SENATORS DELUCA, ENNIS, HALL-LONG, SIMPSON, VENABLES - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Shellfish.

**HB 94** - CARSON & REPRESENTATIVE GILLIGAN & REPRESENTATIVE BENNETT & SENATOR MCBRIDE; REPRESENTATIVES Q. JOHNSON, MULROONEY, RAMONE, WILSON; SENATORS DELUCA, ENNIS, HALL-LONG, SIMPSON, VENABLES - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Shellfish.

**HB 95** - MULROONEY & SENATOR MCBRIDE; REPRESENTATIVES BENNETT, BRADY, KOWALKO, LONGHURST, OSIENSKI, VIOLA; SENATORS DELUCA, ENNIS, LAWSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motorcycles.

**HA 2 to HB 66** - BRADY - Placed with the Bill.

**SB 28** - BLEVINS & SENATOR SORENSON & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON; SENATORS BUNTING, CONNOR, ENNIS, HENRY, MARSHALL, PETERSON, SIMPSON; REPRESENTATIVES BENNETT, CARSON, HOCKER, JACQUES, Q. JOHNSON, KEELEY, KOWALKO, MITCHELL, MULROONEY, SCOTT, VIOLA, WALKER - JUDICIARY - An Act to Amend Titles 11 and 15 of the Delaware Code Relating to Address Confidentiality for Certain Persons.

**SB 41 w/SA 1** - HALL-LONG & REPRESENTATIVE BRADY; REPRESENTATIVES MITCHELL, PETERMAN, RAMONE, LAVELLE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Composition of the New Castle County Board of Assessment Review.

**SB 46 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT; SENATORS BLEVINS, BONINI, SOKOLA; REPRESENTATIVES CARSON, HOCKER, HUDSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Qualified Financial Contracts, Derivative Instruments and Rehabilitation and Liquidation.

**HA 2 to SB 17** - WILSON - Placed with the Bill.

**HA 7 to SB 30** - WILSON - Placed with the Bill.

**HA 8 to SB 30** - D. SHORT - Placed with the Bill.

Mr. Speaker Gilligan descended to the floor podium and made comments. Mr. Speaker Gilligan invited former Representative Thomas Kovach to join him. Mr. Speaker Gilligan & Representatives George, Lavelle, Schwartzkopf, J. Johnson, D.E. Williams, Brady, B. Short, Ramone & Hocker made comments. Representative Manolakos requested that he be marked present. Representatives Manolakos, Mitchell, Miro, Lavelle & Schwartzkopf made comments. Mr. Speaker Gilligan presented a gift to former Representative Thomas Kovach, who addressed the House.

Mr. Speaker Gilligan made comments and invited former Representative Robert E. Walls to join him at the podium. Representatives Kowalko, Schwartzkopf, Mitchell, Schooley, J. Johnson, Keeley, Carson, Atkins, Lavelle, Longhurst, Hocker & Kenton made comments. Mr. Speaker Gilligan made comments, introduced guests, and presented a gift to former Representative Robert E. Walls, who addressed the House.

Mr. Speaker Gilligan made comments and invited former Representative Joseph W. Booth to join him at the podium. Mr. Speaker Gilligan and Representatives Lavelle, Carson, Hudson, Briggs King, Schwartzkopf, J. Johnson, Wilson, Kowalko, Atkins, Mitchell & Hocker made comments. Mr. Speaker Gilligan presented a gift to former Representative Joseph W. Booth, who addressed the House.

Mr. Speaker Gilligan made a comment and invited former Representative Richard C. Cathcart to join him at the podium. Mr. Speaker Gilligan made comments. Representative D. P. Williams requested that he be marked present and made comments. Representative Carson made comments. Mr. Speaker Gilligan introduced guests. Representatives Keeley, Blakey, Jaques, Mulrooney, D. Short, J. Johnson, Lavelle, Ramone, Schwartzkopf & Manolakos made comments. Mr. Speaker Gilligan presented a gift to former Representative Richard C. Cathcart, who addressed the House.

Mr. Speaker Gilligan invited family members and special friends of former Representative Hazel D. Plant to join him at the podium. Mr. Speaker Gilligan and Representatives D.P. Williams, Keeley, Lavelle, Mulrooney, Schwartzkopf, J. Johnson & Brady made comments. Mr. Speaker Gilligan presented a gift to family members of former Representative Hazel D. Plant. Alphonso Plant, son of former Representative Hazel D. Plant, addressed the House. Mr. Speaker Gilligan returned to the rostrum.

The Majority Leader moved to recess for caucus and to the call of the Chair at 3:34 p.m.

The House reconvened at 4:55 p.m.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced and brought **SCR 9**, jointly sponsored by Senator Connor &

Representative Jaques & Senators Blevins, Ennis, Hall-Long, Henry, Sokola & Cloutier & Representatives Bennett, Briggs King, Carson, Hocker, Hudson, Q. Johnson, Keeley, Kenton, Kowalko, Lavelle, Mitchell, Outten, Peterman, Ramone, D. Short & Willis, before the House for consideration.

**SCR 9 - PROCLAIMING THE WEEK OF APRIL 24 THROUGH APRIL 30, 2011 AS ADMINISTRATIVE PROFESSIONALS WEEK.**

Representative Jaques made comments. **SCR 9** was adopted by voice vote and was returned to the Senate.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 10** and requests the concurrence of the House and it has passed **SJR 2 w/SA 1** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative George. Representative George moved to suspend the rules which interfere with action on **SB 30**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George brought **SB 30**, jointly sponsored by Senator Sokola & Senator Sorenson & Representative George & Representative Schooley & Senators Blevins, Henry, Bunting, Katz, McDowell & Peterson & Representatives Gilligan, Schwartzkopf, Longhurst, Barbieri, Bolden, Brady, Heffernan, Keeley, Kowalko, Mitchell, Mulrooney, Osienski, Scott, B. Short, Viola, D.E. Williams & D.P. Williams, before the House for consideration.

**SB 30 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CIVIL UNIONS. (F/N)**

Representative George made comments. Representative Briggs King brought **HA 1 to SB 30**, jointly sponsored by Representative Lavelle & Representative Willis, before the House for consideration.

Representatives Briggs King & George made comments.

The roll call on **HA 1 to SB 30** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 16.

NO: 24.

ABSENT: Representative Manolakos - 1.

Therefore, not having received a constitutional majority, **HA 1 to SB 30** was declared defeated.

Representative Briggs King brought **HA 2 to SB 30**, jointly sponsored by Representative Lavelle, before the House for consideration. Representatives Briggs King & George made comments.

The roll call on **HA 2 to SB 30** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 2 to SB 30** was declared defeated.

Representative Lavelle brought **HA 3 to SB 30**, jointly sponsored by Representative Briggs King & Representative Willis, before the House for consideration.

Representatives Lavelle & George made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives George & Lavelle made comments.

The roll call on **HA 3 to SB 30** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 3 to SB 30** was declared defeated.

Representative Lavelle brought **HA 4 to SB 30**, jointly sponsored by Representative Briggs King & Representative Willis, before the House for consideration. Representatives Lavelle & George made comments.

The roll call on **HA 4 to SB 30** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 4 to SB 30** was declared defeated.

Representative Briggs King brought **HA 5 to SB 30** before the House for consideration. Representatives Briggs King & George made comments.

The roll call on **HA 5 to SB 30** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 17.

NO: 24.

Therefore, not having received a constitutional majority, **HA 5 to SB 30** was declared defeated.

Representative Willis brought **HA 6 to SB 30**, jointly sponsored by Representative Kenton & Representative Wilson, before the House for consideration. Representatives Willis & George made comments. **HA 6** was defeated by voice vote.

Representative Wilson brought **HA 7 to SB 30** before the House for consideration. Representative Wilson introduced and brought **HA 1 to HA 7 to SB 30** before the House for consideration. Representative Wilson made comments. **HA 1 to HA 7** was adopted by voice vote. Representatives Wilson & George made comments. Representative Wilson requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Wilson & George made comments.

The roll call on **HA 7 to SB 30 w/HA 1** was taken and revealed:

YES: Representatives Atkins, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, D. Short, Willis & Wilson - 15.

NO: 24.

NOT VOTING: Representatives Blakey & Ramone - 2.

Therefore, not having received a constitutional majority, **HA 7 to SB 30** was declared defeated.

Representative D. Short brought **HA 8 to SB 30** before the House for consideration. Representatives D. Short & George made comments. Representative D. Short requested and was granted privilege of the floor for Douglas Napier, Senior Legal Counsel, Alliance Defense Fund. Representatives George & D. Short made comments. Mr. Speaker Gilligan granted privilege of the floor to Mike Migliore, Majority House Attorney. Representative D. Short made comments.

The roll call on **HA 8 to SB 30** was taken and revealed:

YES: Representatives Atkins, D. Short & Wilson - 3.

NO: 25.

NOT VOTING: Representatives Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Manolakos, Miro, Outten, Peterman, Ramone & Willis - 13.

Therefore, not having received a constitutional majority, **HA 8 to SB 30** was declared defeated.

Representative Carson introduced and brought **HA 9 to SB 30** before the House for consideration. Representatives Carson & George made comments. Representative Carson requested and was granted privilege of the floor Douglas Napier, Senior Legal Counsel, Alliance Defense Fund. Representatives Carson & George made comments.

The roll call on **HA 9 to SB 30** was taken and revealed:

YES: Representatives Atkins, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 16.

NO: 24.

NOT VOTING: Representative Blakey - 1.

Therefore, not having received a constitutional majority, **HA 9 to SB 30** was declared defeated.

Representative George deferred to Representative Lavelle. Representative Lavelle requested and was granted privilege of the floor for Glynis Gibson, Director, Gibson & Nowak, who addressed the House. Representative Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Douglas Napier, Senior Legal Counsel, Alliance Defense Fund, who addressed the House. Representative Hocker made comments. Representative George requested and was granted privilege of the floor for Lisa Goodman, Partner, Young Conway Stargatt & Taylor, LLP, who addressed the House. Representative Carson made comments. Representative Schwartzkopf rose on a point of order. Representative Carson made comments. Mr. Speaker Gilligan concurred. Representatives Hudson, Ramone, George, D. Short, George & Hudson made comments. Representative D. Short requested and was granted privilege of the floor for Steve Kubico, Fiscal Analyst, Office of the Controller General. Representatives D. Short, Hocker & Lavelle made comments. Mr. Speaker Gilligan granted privilege of the floor to Mike Migliore, Majority House Attorney. Representatives Lavelle & George made comments. Representative Bennett requested and was granted personal privilege of the floor to make comments. Representative Jaques requested and was granted personal privilege of the floor to make comments.

The roll call on **SB 30** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Miro, Outten, Peterman, D. Short, Willis & Wilson - 15.

Therefore, having received a constitutional majority, **SB 30** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 7:15 p.m.

The House reconvened at 7:23 p.m.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 47 w/HA 1, HA 1 to HA 1, HA 2 to HA 1 & SA 1**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Barbieri, Gilligan, Heffernan, Hocker, Hudson, Keeley, Longhurst, Mitchell, Osienski, Schooley, Scott & D. Short & Senators Blevins, Bushweller, Henry, Sokola & Sorenson, before the House for concurrence on **SA 1**.

**HB 47 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REGULATION, INVESTIGATION AND INSPECTION OF UNSANITARY OR UNSAFE CONDITIONS IN FACILITIES WHERE INVASIVE MEDICAL PROCEDURES ARE PERFORMED.**

Representatives B. Short & Lavelle made comments.

The roll call on **HB 47 w/HA 1, HA 1 to HA 1, HA 2 to HA 1 & SA 1** was taken and revealed:

YES: 29.

NO: Representatives Blakey, Briggs King, Kenton, Lavelle, Lee, Manolakos, Miro, Outten & Wilson - 9.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives Hocker, Schooley - 2.

Therefore, having received a constitutional majority, **HB 47 w/HA 1, HA 1 to HA 1, HA 2 to HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to lift **HB 46 w/HA 1, HA 1 to HA 1 & HA 2** from the Speaker's Table. The motion was seconded by Representative Q. Johnson and adopted by voice vote.

Representative D.P. Williams brought **HB 46**, jointly sponsored by Senator Henry & Representatives Barbieri, Bolden, Heffernan, Jaques, Keeley, Longhurst, Miro, Mitchell, Osienksi, Schooley, Schwartzkopf, Scott, B. Short & D.E. Williams & Senators Marshall, Peterson, Sokola & Sorenson, before the House for consideration.

**HB 46 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF VALIDLY SEIZED WEAPONS AND AMMUNITION.**

Representative Mitchell brought **HA 3 to HB 46** before the House for consideration. Representatives Mitchell & D.P. Williams made comments. **HA 3** was adopted by voice vote. Representative Lavelle, at the advice of Representative Hocker, requested that **HA 4 to HB 46** be stricken. Representative D.P. Williams introduced and brought **HA 5 to HB 46** before the House for consideration. Representatives D.P. Williams & Carson made comments. **HA 5** was adopted by voice vote.

The roll call on **HB 46 w/HA 1, HA 1 to HA 1, HA 2, HA 3 & HA 5** was taken and revealed:

YES: 32.

NO: Representatives Briggs King & Lee - 2.

NOT VOTING: Representatives Atkins, Carson, Kenton, Peterman & Wilson - 5.

ABSENT: Representatives Hocker & Schooley - 2.

Therefore, having received a constitutional majority, **HB 46 w/HA 1, HA 1 to HA 1, HA 2, HA 3 & HA 5** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey brought **SB 36**, jointly sponsored by Senator Bushweller & Representative Scott, before the House for consideration.

**SB 36 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION.**

Representative Blakey made comments.

The roll call on **SB 36** was taken and revealed:

YES: 39.

ABSENT: Representatives Hocker & Schooley - 2.

Therefore, having received a constitutional majority, **SB 36** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 7:39 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 3, 2011.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 81 w/HA 1, HB 39 & HB 51 aab HA 1** and is returning the same to the House.

April 21, 2011

## LEGISLATIVE ADVISORY #2

Governor Jack A. Markell signed the following legislation on the date indicated: 3/23/11 - **SJR 3**; 4/8/11 - **HB 7**; 4/13/11 - **SB 16 aab SA 1 & HA 1**; 4/15/11 - **HB 36 aab HA 1, HB 37, HB 5, HB 31 & HJR 2**; 4/19/11 - **SB 36**.

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.

## 24th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session May 3, 2011

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

Mr. Speaker Gilligan invited Samantha Cotten, Little Miss Poppy, to join him in leading those present in the 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 57 - KOWALKO & REPRESENTATIVE KEELEY & REPRESENTATIVE GILLIGAN & REPRESENTATIVE RAMONE & REPRESENTATIVE BRIGGS KING & SENATOR HENRY & SENATOR HALL-LONG; REPRESENTATIVES BLAKEY, BOLDEN, BRADY, HEFFERNAN, HOCKER, JAQUES, KENTON, MIRO, MITCHELL, MULROONEY, SCHOOLEY,**

B. SHORT, WILSON; SENATORS BOOTH, ENNIS, MCDOWELL, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 10 of the Delaware Code Relating to Foreclosures.

**HS 1 for HB 58** - KEELEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE GILLIGAN & REPRESENTATIVE RAMONE & REPRESENTATIVE BRIGGS KING & SENATOR HALL-LONG; REPRESENTATIVES BLAKEY, BOLDEN, BRADY, HEFFERNAN, HOCKER, JAQUES, KENTON, LONGHURST, MIRO, MITCHELL, MULROONEY, PETERMAN, SCHOOLEY, B. SHORT, D. SHORT, WILSON; SENATORS BOOTH, ENNIS, MCDOWELL, SOKOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Foreclosures Including a Foreclosure Mediation Program for Homeowners.

**HB 96** - MIRO & SENATOR SORENSON & REPRESENTATIVE MANOLAKOS & REPRESENTATIVE HUDSON; REPRESENTATIVE BRADY - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Highways and Fines for Violations of Clear Zones within Rights-of-Way.

**HB 98** - OUTTEN & SENATOR LAWSON - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Relating to the Charter of the Town of Viola.

**HA 1 to HB 59** - KOWALKO - Placed with the Bill.

**SB 10** - BUSHWELLER & REPRESENTATIVE SCOTT; SENATOR ENNIS; REPRESENTATIVE CARSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Taxation of Kent County Swimming Pools Which are Owned by Civic Organizations.

**SJR 2 w/SA 1** - ENNIS & SENATOR BUSHWELLER & REPRESENTATIVE CARSON & REPRESENTATIVE SCOTT & REPRESENTATIVE LONGHURST - HOUSE ADMINISTRATION - Proclaiming May 15, 2011 as Jimmie Johnson Day.

Representative Lavelle requested that he be marked present.

The Reading Clerk read the following communication into the record:

**Reminder**

**TO:** Richard L. Puffer, Chief Clerk of the House  
Bernard Brady, Secretary of the Senate

**FROM:** Deborah A. Porter  
Acting Director

**DATE:** May 3, 2011

**RE: POLICEMEN’S MEMORIAL - APPROVAL HAS BEEN GRANTED TO USE THE WEST SIDE OF LEGISLATIVE HALL PARKING SPACES.**

Please make an announcement on the floor reminding everyone of the following:

Legislative Avenue will be closed and parking on the west side of Legislative Hall will be interrupted for the annual Policemen’s Memorial scheduled for **Wednesday, May 4, 2011 at 12:00 until approximately 1:30 PM. To prepare for the event the streets will be closed from 10:00 a.m. to 2:00 p.m.**

This event has been approved by both the Chair and Co Chair of Legislative Council.

Representative Mitchell requested that he be marked present.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced and brought **HCR 11** sponsored on behalf of All Representatives & jointly sponsored by Senator Bunting on behalf of All Senators, before the House for consideration.

**HCR 11** - RECOGNIZING THE MONTH OF MAY 2011 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, hundreds of thousands 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 146th General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2011 be recognized as “Poppy Month” in the State of Delaware and that all citizens are asked to 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.

Representative Atkins made comments and introduced guests. Representative Atkins requested and was granted privilege of the floor for Cindy Phillips, Secretary, Oak Orchard/Riverdale American Legion

Auxiliary Unit #28, who addressed the House. Helen Skelton, Past Unit President, made comments. Representative Atkins made comments. **HCR 11** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **HCR 12**, jointly sponsored by Senator Sokola & cosponsored by Representatives Barbieri, Brady, Carson, Q. Johnson, Lavelle, Longhurst, Osienski, Schwartzkopf, Scott & Viola, before the House for consideration.

**HCR 12 - COMMENDING THE EFFORTS OF DELAWARE'S PUBLIC CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS.**

Representatives Schooley & Lavelle made comments. Representative Viola requested that he be marked present. **HCR 12** was adopted by voice vote.

Representative Schwartzkopf introduced and brought **HCR 10**, sponsored by Representative Gilligan on behalf of All Representatives & Senator DeLuca on behalf of All Senators, before the House for consideration.

**HCR 10 - COMMENDING THE NOMINEES FOR THE 2011 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.**

WHEREAS, over 16,000 State of Delaware employees provide critical services to the people of Delaware; and

WHEREAS, each year the Governor honors State employees who have delivered a superlative level of public service; and

WHEREAS, each day people working for the State of Delaware perform tasks that protect our environment, safeguard public health and safety, and execute other vital and necessary functions that keep our citizens well-served by their State government; and

WHEREAS, the level of dedication demonstrated by those nominated for the 2011 Delaware Award for Excellence and Commitment in State Service exceeds the already high standards of their colleagues; and

WHEREAS, the nominees for recognition for this achievement in 2011 include: Mary Beth McDermott, Carole Hoffercker, Jane Hahn, Eileen Beebe, Sandra Frazier, Andrea Summers, Alison Kirk, Tim Li, Anthony Alba, Jennifer Volk, Mary Ellen Greenly, Beth Draper, Wendy Roberts, Cathy Higgins, Kim Zink, Kamlesh Sheth, Gregory Morehart, John Oldigs, Donald Catalon, Raymond Coppage, Todd Davis, Craig Stevenson, Tina Shockley, Marcia Everett, Darlene Plummer, Cynthia Allen, Karen Lazar, Beverly Morris, Joanne Hendrick, Danielle Briggs, Edna Miller Tucker and Joanne Gawinski.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146th General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees for the 2011 Delaware Award for Excellence and Commitment in State service and offer them our gratitude for a job well done.

BE IT FURTHER RESOLVED that copies of this Resolution be presented to the award nominees.

Representative Schwartzkopf made comments.

**HCR 10** was adopted by voice vote.

Representatives George & Schwartzkopf & Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement. Mr. Speaker Gilligan & Representative Schooley made announcements.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:27 p.m.

The House reconvened at 4:13 p.m.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 35**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SB 35**, jointly sponsored by Senator Peterson & Senators Blevins, Bushweller, Cloutier, Connor, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Sokola & Sorenson & Representatives Barbieri, Bennett, Briggs King, Jaques, J. Johnson, Kowalko, Lavelle, Mitchell, Osienski, Schooley, B. Short, Viola & cosponsored by Representative Schwartzkopf, before the House for consideration.

**SB 35 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEPENDENT HEALTH COVERAGE.**

Representatives D.P. Williams, Mulrooney, Bolden & Hudson requested that they be marked present. Representative Schwartzkopf made comments.

The roll call on **SB 35** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 35** was returned to the Senate.

Representative Keeley made an announcement. Mr. Speaker Gilligan reassigned **HB 59** to the Appropriations Committee.

The Majority Leader moved to recess to the call of the Chair at 4:18 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 4, 2011.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 26 w/SA1 & SCR 10** and requests the

concurrence of the House and it has passed **HB 22 w/HA 1, HCR 11, HCR 12 & HCR 10** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 38 w/SA 2** and requests the concurrence of the House and it has passed **HB 43** and is returning the 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.

**25th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
May 4, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-second Representative District.

Mr. Speaker Gilligan led those present in the 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 99** - MITCHELL & SENATOR MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Medical Certification Requirements as Part of the Commercial Driver License.

**HB 100** - OSIENSKI & SENATOR CLOUTIER; REPRESENTATIVES BOLDEN, HEFFERNAN, JAQUES, J. JOHNSON, MITCHELL, MULROONEY, RAMONE, SCHOOLEY, WALKER, WILLIS; SENATORS SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Background Checks for Persons with Access to Public Schools.

**HB 101** - HUDSON & SENATOR BLEVINS; REPRESENTATIVES RAMONE, BRADY, CARSON, KEELEY, MITCHELL; SENATOR ENNIS - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Agreements the Department of Transportation Makes with Local Jurisdictions for Traffic Studies Related to Development.

**HB 102** - HUDSON & SENATOR BLEVINS; REPRESENTATIVES OUTTEN, RAMONE, BRADY, CARSON, KEELEY, MITCHELL - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Regulation of Traffic.

**HB 103** - HUDSON & SENATOR SORENSON & SENATOR SOKOLA & SENATOR ENNIS; REPRESENTATIVES MANOLAKOS, RAMONE, D. SHORT, GILLIGAN, JAQUES, OSIENSKI; SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the New Castle County Building Code.

**HA 1 to HB 60** - JAQUES - Placed with the Bill.

**HA 1 to HB 88** - GEORGE - Placed with the Bill.

**SB 26 w/SA 1** - BUNTING & REPRESENTATIVE ATKINS - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Nutrient Management.

**SB 38 w/SA 2** - SOKOLA; SENATOR CLOUTIER; REPRESENTATIVES SCHOOLEY, HUDSON, KEELEY, LONGHURST, B. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Bicycle and Motor Vehicle Safety.

**HA 3 to SB 17** - BLAKEY - Placed with the Bill.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #4** before the House for consideration.

**HCR 13** - LONGHURST & SENATOR SOKOLA & REPRESENTATIVES BENNETT, CARSON, GILLIGAN, HEFFERNAN, HUDSON, J. JOHNSON, KENTON, KOWALKO, MANOLAKOS, MIRO, MITCHELL, MULROONEY, RAMONE, SCHOOLEY, SCHWARTZKOPF, VIOLA & WALKER & SENATORS BUSHWELLER, CLOUTIER, HALL-LONG & SORENSON - Proclaiming the Month of May as "Bike Month."

**SCR 10** - HALL-LONG & REPRESENTATIVE BARBIERI & SENATOR HENRY & REPRESENTATIVE WALKER - Recognizing the Month of May 2011 as American Stroke Month.

Representative Longhurst made comments and an announcement regarding **HCR 13**. Representative Q. Johnson made an announcement. Representative Barbieri made comments regarding **SCR 10**.

**Consent Calendar #4** was adopted by voice vote and **HCR 13** was declared passed and **SCR 10** was returned to the Senate.

Representative Ramone made comments and introduced guests. Representative Mitchell made comments. Representative Heffernan requested that she be marked present. Representative Schwartzkopf deferred to Representative Walker. Representative Walker made comments. Representative Walker requested and was granted privilege of the floor for Sara Somers, President, 4-H Teen Council, who addressed the House. Representative Walker introduced guests. Representative Lavelle requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:14 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:14 p.m. on May 4, 2011: Representatives Hudson, Keeley, Lee, Mulrooney, Schooley, B. Short & Viola.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 5, 2011.

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

JUDICIARY: **HB 77** - 6M; **SB 28** - 6M; **HB 64** - 6M; **HS 1 for HB 58** - 7M.

EDUCATION: **HB 90** - 10M.

HOUSE ADMINISTRATION: **SJR 2 w/SA 1** - 5M; **HB 91** - 3F,2M.

HOUSING & COMMUNITY AFFAIRS: **SB 41 w/SA 1** - 4F,3M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 46 w/SA 1** - 3F,4M;  
**HS 1 for HB 57** - 1F,10M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 95** - 8M.

HEALTH & HUMAN DEVELOPMENT: **SB 12** - 4F,6M; **SB 13 w/SA 4** - 5F,5M.

NATURAL RESOURCES: **HB 93** - 9M; **HB 94** - 10M.

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.

**26th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
May 5, 2011**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Gilligan led those present in the 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 104** - GEORGE & SENATOR BLEVINS; REPRESENTATIVE BENNETT - JUDICIARY -  
An Act to Amend Title 10 of the Delaware Code Relating to the Uniform Recognition of Foreign-Country Money Judgments.

**HB 105** - VIOLA & REPRESENTATIVE B. SHORT & SENATOR BUNTING & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, BRADY, HEFFERNAN, HUDSON, LONGHURST, MULROONEY, RAMONE, SCHWARTZKOPF, SCOTT, D.E. WILLIAMS; SENATORS BOOTH, BUSHWELLER, HENRY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE -  
An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Beverages and Gathering Licenses.

**HA 1 to HS 1 for HB 57** - WILLIS - Placed with the Bill.

**HA 1 to HA 1 to HB 66** - BRADY - Placed with the Bill.

**HA 3 to HB 66** - MITCHELL - Placed with the Bill.

**HA 4 to HB 66** - BRADY - Placed with the Bill.

**HA 1 to HA 1 to SB 17** - HUDSON - Placed with the Bill.

**HA 4 to SB 17** - ATKINS - Placed with the Bill.

**HA 5 to SB 17** - ATKINS - Placed with the Bill.

**HA 6 to SB 17** - ATKINS - Placed with the Bill.

**HA 7 to SB 17** - ATKINS - Placed with the Bill.

Representative Schwartzkopf introduced and brought **SCR 11**, sponsored by Senator DeLuca on behalf of All Senators & Representative Gilligan on behalf of All Representatives, before the House for consideration.

**SCR 11** - IN RECOGNITION OF THE 2011 ALL STAR AWARD RECIPIENTS OF THE DELAWARE HEALTH CARE FACILITIES ASSOCIATION DURING NATIONAL NURSING HOME WEEK.

Representative Schwartzkopf made comments. **SCR 11** was adopted by voice vote and was returned to the Senate.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 11** and requests the concurrence of the House and it has passed **HCR 13** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Peterman. Representative Peterman made comments. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst introduced guests. Representative Schwartzkopf deferred to Representative Atkins. Representative D.P. Williams requested that he be marked present. Representative Atkins requested privilege of the floor to present a House Tribute to Barbara Holton, Majority Head Page, on the occasion of her seventy-fifth birthday. Representative Scott requested and was granted personal privilege of the floor to make comments. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan introduced guests. Representative Brady made comments and introduced guests. Representative Miro requested and was granted personal privilege of the floor to introduce a guest. Representative Lavelle requested that he be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:14 p.m.

The House reconvened at 4:26 p.m.

Representatives Keeley, Lee & Schooley requested that they be marked present.

Representative Schwartzkopf deferred to Representative Schooley.



Representative Schooley introduced and brought **SCR 12**, jointly sponsored by Senator Sokola, before the House for consideration.

**SCR 12 - COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2011.**

Representative Schooley made comments. **SCR 12** was adopted by voice vote and was returned to the Senate. Representative Viola requested that he be marked present.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SJR 2 w/SA 1**, jointly sponsored by Senator Ennis & Senator Bushweller & Representative Scott & cosponsored by Representative Longhurst, before the House for consideration.

**SJR 2 - PROCLAIMING MAY 15, 2011 AS JIMMIE JOHNSON DAY.**

Representatives Carson, Lavelle, Keeley, Schwartzkopf & J. Johnson made comments.

The roll call on **SJR 2 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SJR 2 w/SA 1** was returned to the Senate.

Representatives Mulrooney requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **SB 17 w/SA 3 & SA 4**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley brought **SB 17 w/SA 3 & SA 4**, jointly sponsored by Senator Henry & Senators Marshall, Peterson, Sorenson & Venables & Representatives Barbieri, George, Kowalko, Manolakos, Mulrooney, Schooley, B. Short & Viola, before the House for consideration.

**SB 17 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING THE DELAWARE MEDICAL MARIJUANA ACT. (3/5 bill) (F/N)**

Representatives Keeley & Hudson made comments. Representative Hudson brought **HA 1 to SB 17** before the House for consideration. Representative Hudson introduced and brought **HA 1 to HA 1 to SB 17** before the House for consideration. Representatives Hudson, Kowalko, Keeley & Schwartzkopf made comments. Representative Hudson requested that **HA 1 to HA 1 to SB 17** be stricken. Representative Hudson requested that **HA 1 to SB 17** be stricken. Representative Wilson brought **HA 2 to SB 17** before the House for consideration. Representatives Wilson & Keeley made comments.

The roll call on **HA 2 to SB 17** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 16.

NO: 23.

NOT VOTING: Representatives Brady & Longhurst - 2.

Therefore, not having received a constitutional majority, **HA 2 to SB 17** was declared defeated.

Representative Blakey brought **HA 3 to SB 17** before the House for consideration. Representatives Blakey, Keeley, Schwartzkopf, Blakey, Keeley, Brady, Mitchell, Keeley, Brady, Keeley, Hudson, Blakey & Keeley made comments. Mr. Speaker Gilligan granted privilege of the floor for Seth Thompson, Majority House Attorney. Representative Blakey requested that **HA 3 to SB 17** be stricken. Representative Atkins brought **HA 4 to SB 17** before the House for consideration. Representative Atkins requested that **HA 4 to SB 17** be stricken. Representative Atkins brought **HA 5 to SB 17** before the House for consideration. Representative Atkins moved to place **HA 5 to SB 17** on the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote. Representative Atkins brought **HA 6 to SB 17** before the House for consideration. Representatives Atkins, Keeley, Atkins, Manolakos, Atkins, Schwartzkopf, Scott, Briggs King, Barbieri, Atkins, Brady, Viola, J. Johnson, Kowalko & Keeley made comments. Representative Keeley requested and was granted privilege of the floor for Noah Mamber, Legislative Analyst, Marijuana Policy Project. Representatives Keeley, Atkins, D. Short, Ramone, Atkins, Brady, Jaques, Keeley & Atkins made comments.

The roll call on **HA 6 to SB 17** was taken and revealed:

YES: 23.

NO: Representatives Barbieri, Bolden, Gilligan, Heffernan, Jaques, J. Johnson, Keeley, Kowalko, Manolakos, Mulrooney, Osienski, Schooley, Scott, Viola, Walker, D.E. Williams & D.P. Williams - 17.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HA 6 to SB 17** was declared passed.

Representative Atkins brought **HA 7 to SB 17** before the House for consideration. Representatives Atkins, Keeley, Barbieri, Atkins, Manolakos, D.P. Williams, Atkins, Keeley, Ramone, Keeley & Atkins made comments.

The roll call on **HA 7 to SB 17** was taken and revealed:

YES: 23.

NO: Representatives Barbieri, Bolden, Brady, Gilligan, Heffernan, Jaques, J. Johnson, Keeley, Kowalko, Manolakos, Mulrooney, Osienski, Scott, Viola, Walker, D.E. Williams & D.P. Williams - 17.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HA 7 to SB 17** was declared passed.

Representative Lavelle introduced and brought **HA 8 to SB 17** before the House for consideration.

Representative Lavelle requested that **HA 8 to SB 17** be stricken. Representative Lavelle introduced and brought **HA 9 to SB 17** before the House for consideration. Representatives Lavelle, Keeley, Scott & Lavelle made comments. **HA 9** was defeated by voice vote. Representative Hudson introduced and brought **HA 10 to SB 17** before the House for consideration. Representatives Hudson, Kowalko, Lavelle, Kowalko, Keeley, Hudson, Keeley, Hudson, Mulrooney, Hudson & Viola made comments.

The roll call on **HA 10 to SB 17** was taken and revealed:

YES: Representative Hudson - 1.

NO: 35.

NOT VOTING: Representatives Blakey, Lavelle, Ramone & D. Short - 4.

ABSENT: Representative Schwartzkopf - 1.

Therefore, not having received a constitutional majority, **HA 10 to SB 17** was declared defeated.

Representative Blakey introduced and brought **HA 11 to SB 17** before the House for consideration.

Representatives Blakey, D.E. Williams & Blakey made comments.

The roll call on **HA 11 to SB 17** was taken and revealed:

YES: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Miro, Mitchell, Outten, Peterman, Ramone, D. Short, D.P. Williams & Wilson - 14.

NO: 27.

Therefore, not having received a constitutional majority, **HA 11 to SB 17** was declared defeated.

Representative Atkins requested that **HA 5 to SB 17** be stricken. Representative Keeley requested and was granted privilege of the floor for Don Brill, cancer survivor. Representative Keeley requested and was granted privilege of the floor for TJ Jurgens, cancer patient. Representatives Keeley & D. Short made comments. Representative Keeley requested and was granted privilege of the floor for Karen O'Keefe, Director of State Policies, Marijuana Policy Project. Representatives D. Short, B. Short, Lavelle, Keeley, Bennett, Ramone, Barbieri & D. Short made comments. Representative D. Short requested and was granted privilege of the floor for Seth Thompson, Majority House Attorney. Representatives D. Short, Lavelle, D. Short, Keeley, D. Short, Hudson & Manolakos made comments.

The roll call on **SB 17 w/SA 3, SA 4, HA 6 & HA 7** was taken and revealed:

YES: 27.

NO: Representatives Atkins, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Longhurst, Outten, Peterman, D. Short, Willis & Wilson - 14.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 17 w/SA 3, SA 4, HA 6 & HA 7** was returned to the Senate.

Representative Keeley made comments.

Representative Miro introduced and brought **HR 14** sponsored on behalf of All Representatives, before the House for consideration.

**HR 14 - RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 8, 2011, MOTHER'S DAY.**

Representative Miro made comments. **HR 14** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced **HA 1 to HA 4 to HB 66**. **HA 1 to HA 4** was placed with the bill.

The Majority Leader moved to recess to the call of the Chair at 7:05 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 10, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 49, SB 53 w/SA 1, SA 24 w/SA 2 & SCR 12** and requests the concurrence of the House, and the Senate wishes to inform the House that it has passed **SB 54 w/SA 1** and requests the concurrence of the House.

Representative Schwartzkopf introduced **HB 112**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Senator Blevins & Senator DeLuca & Senator Henry.

**HB 112 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GENERAL ASSEMBLY AND DETERMINING DISTRICT BOUNDARIES FOR INCARCERATED INDIVIDUALS.**

Representative Schwartzkopf made an announcement. Mr. Speaker Gilligan assigned **HB 112** to the House Administration Committee.

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.

**27th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
May 10, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.  
Mr. Speaker Gilligan led those present in the 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 106** - BARBIERI & REPRESENTATIVE HUDSON & SENATOR BLEVINS & SENATOR CLOUTIER & SENATOR SORENSON; REPRESENTATIVES BENNETT, KEELEY, KOWALKO, MANOLAKOS, MIRO, RAMONE; SENATORS ENNIS, HALL-LONG, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Domestic Violence Coordinating Council.

**HB 107** - SCHOOLEY & SENATOR SIMPSON; REPRESENTATIVES Q. JOHNSON, SCOTT; SENATORS BUSHWELLER, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to an Examination of Basic Skills and Clarifying Alternatives to Student Teaching Requirements for Specialists.

**HB 108** - MITCHELL & REPRESENTATIVE J. JOHNSON & SENATOR ENNIS; REPRESENTATIVES CARSON, LEE, WALKER; SENATORS BUSHWELLER, SIMPSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 11 and 21 of the Delaware Code Relating to Motor Vehicle Offenses Exempted from Voluntary Assessment and the Availability of Probation before Judgment.

**HB 109** - B. SHORT & SENATOR BLEVINS; REPRESENTATIVES Q. JOHNSON, LAVELLE, MITCHELL, OSIENSKI, PETERMAN; SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 Relating to Building Construction and Payment.

**HB 111** - B. SHORT & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HOCKER, KEELEY; SENATORS BUSHWELLER, SOKOLA, VENABLES - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Antitrust Actions.

**HA 1 to HB 33** - JAQUES - Placed with the Bill.

**HA 2 to HB 42** - SCOTT - Placed with the Bill.

**HA 5 to HB 66** - BRADY - Placed with the Bill.

**SB 24 w/SA 1** - BLEVINS & REPRESENTATIVE GEORGE; SENATORS HENRY, SIMPSON; REPRESENTATIVES CARSON, WILLIS - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to the Office of the Public Guardian and to Establish the Delaware Guardianship Commission.

**SB 49** - DELUCA & REPRESENTATIVE GILLIGAN - HOUSE ADMINISTRATION - An Act to Amend Title 29 Relating to the Delaware Commission on Italian Heritage and Culture.

**SB 53 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance and to the Investment Flexibility for Well-Capitalized Insurance Companies.

**SB 54 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance and Requiring Property and Casualty Insurers to Annually Submit a Statement of Actuarial Opinion.

**SB 59** - PETERSON & REPRESENTATIVE J. JOHNSON; SENATOR HENRY; REPRESENTATIVES BARBIERI, HUDSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Waiver of Crimes and Establishment of Criminal Background Requirements Related to Professions and Occupations.

The House observed a moment of silence in memory of Robert C. Moyer at the request of Representative Jaques. Representative Ramone requested and was granted personal privilege of the floor to introduce guests. Representatives Outten & Blakey requested that they be marked present.

Representative Schwartzkopf introduced and brought **HCR 14**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 14** - 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.

WHEREAS, for many years it has been a tradition for the Delaware Career and Technical Student Organizations from throughout the State to present flowers (this year, geraniums grown by Smyrna, Milford, Indian River, and Caesar Rodney Agriscience students) to the members of the Delaware General Assembly and other government officials in appreciation of their diligent efforts to improve educational opportunities and encourage students to pursue quality educations in fields of their choices; and

WHEREAS, the Delaware Career and Technical Student Organizations consists of the Business Professionals of America: Lisa Stoner-Torbert, State Advisor, Delaware DECA; Frank Ingram, State

Advisor, Delaware Technology Student Association; Michael Fitzgerald, State Advisor, The Future Farmers of America Organizations; Dr. Karen Hutchison, State Advisor, Family, Career, and Community Leaders of America; Rita Hovermale, State Advisor, Skills USA; and Dr. Dale Derrickson, State Advisor; and

WHEREAS, the 2010 statewide enrollment data for the national clubs is as follows:

|                                |        |             |
|--------------------------------|--------|-------------|
| Agriculture                    | 6,000  | (FFA)       |
| Business and Finance           | 20,000 | (BPA)       |
| Family and Consumer Science    | 15,000 | (FCCLA)     |
| Marketing Education Committee  | 1,500  | (DECA)      |
| Technology Education Committee | 15,300 | (TSA)       |
| Trade/Industry Education       | 7,000  | (SkillsUSA) |

totaling 64,800 including 4,000 students enrolled in health occupations; and

WHEREAS, our advice to each student in these organizations is to take maximum advantage of the many opportunities available to you by studying hard, learning all there is to know within your chose field, encouraging others by leading an exemplary life, becoming a role model for future membership into your organizations, and living a healthy, productive, and successful life; and

WHEREAS, on the basis of your exemplary articulation and most appreciated attendance here today we can say, unequivocally, that each of you and your thousands of colleagues are certainly headed on the path toward becoming Delaware’s leaders of tomorrow.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146th General Assembly of the State of Delaware, the Senate concurring therein, that our sincere thanks and best wishes are hereby extended to the Delaware Career and Technical Student Organizations under the leadership of Amelia E. Hodges, Ed.D., Associate Secretary, College and Workforce Readiness, and Theresa Vondrzyk Kough, Director, Career, Technical & Title 1 Resources.

BE IT FURTHER RESOLVED that upon passage of this Resolution a duly authenticated copy be forwarded to each State Advisor to be shared with the Career and Technical Student Organizations throughout the State.

Representative Schwartzkopf requested and was granted privilege of the floor for Frank Ingram, Member of the Board, Department of Education, who addressed the House. Benjamin Somers, State President, FFA; Richard Gallo, Vice-President, SkillsUSA ; Kristin Dietz, President, DECA ; Randy Sheppard, President, BPA; Alexis Cristo, President, FCCLA and Bridgette Fritz, TSA, addressed the House. Students stated their names and schools for the record. **HCR 14** was adopted by voice vote. Representative Manolakos requested that he be marked present and made comments. Representative Hudson requested that she be marked present.

Students from the Sterck School led those present in the pledge of allegiance to the American Flag in American Sign Language. Representative Q. Johnson requested and was granted privilege of the floor for himself and Representatives Osienski & Schooley. Representative Q. Johnson addressed the House. Della Thomas, Director, Sterck School addressed the House. Ashley Pabon and Brandon Bentley addressed the House. Students stated their names and hometowns for the record. Mr. Speaker Gilligan introduced a guest. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce a guest. Representative Schooley made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:36 p.m.

The House reconvened at 4:27 p.m.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **SB 9 w/SA 1**, jointly sponsored by Senator Blevins & Representative Gilligan, before the House for consideration.

**SB 9 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO ROADS WITHIN COMMUNITIES RESTRICTED TO RESIDENTS WHO ARE 55 YEARS OF AGE OR OLDER.**

Representative Hudson brought **HA 1 to SB 9** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Hudson, Jaques & Carson made comments.

The roll call on **SB 9 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

NO: Representative Jaques - 1.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 9 w/SA 1 & HA 1** was returned to the Senate.

Representatives Atkins, Brady & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HS 1 for HB 57**, jointly sponsored by Representative Keeley & Representative Gilligan & Representative Ramone & Representative Briggs King & Senator Henry & Senator Hall-Long & Representatives Blakey, Bolden, Brady, Heffernan, Hocker, Jaques, Kenton, Miro,

Mitchell, Mulrooney, Schooley, B. Short & Wilson & Senators Booth, Ennis, McDowell & Sokola, before the House for consideration.

**HS 1 for HB 57** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FORECLOSURES.

Representative Willis brought **HA 1 to HS 1 for HB 57** before the House for consideration. Representatives Willis & Kowalko made comments. **HA 1** was adopted by voice vote. Representatives Kowalko & Lavelle made comments.

The roll call on **HS 1 for HB 57 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 57 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HS 1 for HB 58**, jointly sponsored by Representative Kowalko & Representative Gilligan & Representative Ramone & Representative Briggs King & Senator Hall-Long & Representatives Blakey, Bolden, Brady, Heffernan, Hocker, Jaques, Kenton, Longhurst, Miro, Mitchell, Mulrooney, Peterman, Schooley, B. Short, D. Short & Wilson & Senators Booth, Ennis, McDowell & Sokola, before the House for consideration.

**HS 1 for HB 58** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FORECLOSURES INCLUDING A FORECLOSURE MEDIATION PROGRAM FOR HOMEOWNERS. (3/5 bill)

Representatives Keeley & Briggs King made comments.

The roll call on **HS 1 for HB 58** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 58** was sent to the Senate for concurrence.

Representative Kowalko made comments regarding **HS 1 for HB 58**.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 46 w/SA 1**, jointly sponsored by Senator Bushweller & Senators Blevins, Bonini & Sokola & Representatives Carson, Hocker & Hudson, before the House for consideration.

**SB 46** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO QUALIFIED FINANCIAL CONTRACTS, DERIVATIVE INSTRUMENTS AND REHABILITATION AND LIQUIDATION.

Representative B. Short made comments.

The roll call on **SB 46 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Kowalko & Peterman - 2.

Therefore, having received a constitutional majority, **SB 46 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 90**, jointly sponsored by Senator Sokola & Representatives Heffernan, Jaques, Keeley, Miro & Ramone & Senators Bunting, Bushweller, Venables & cosponsored by Senator McDowell, before the House for consideration.

**HB 90** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NONRENEWAL OF CONTRACTS AND DISMISSAL OF DEPARTMENT OF EDUCATION EMPLOYEES.

Representative Schooley made comments.

The roll call on **HB 90** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HB 90** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Heffernan. Representatives Schwartzkopf & Lavelle made comments.

Representative Heffernan brought **HB 91**, jointly sponsored by Representatives Bennett, Hudson, Q. Johnson, Keeley, Kowalko, Lavelle, Mulrooney, Schooley, Scott, B. Short & Viola & Senator Sokola & cosponsored by Senator McDowell, before the House for consideration.

**HB 91** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE USE OF RESPECTFUL LANGUAGE WHEN REFERRING TO PERSONS WITH DISABILITIES.

Representative Heffernan made comments.

The roll call on **HB 91** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HB 91** was sent to the Senate for concurrence.

Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **SB 41 w/SA 1**, jointly sponsored by Senator Hall-Long & Representatives Mitchell, Peterman, Ramone & Lavelle, before the House for consideration.

**SB 41 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW.**

Representative Brady made comments.

The roll call on **SB 41 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 41 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 64**, jointly sponsored by Senator Blevins and cosponsored by Representatives J. Johnson & Wilson, before the House for consideration.

**HB 64 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDICIAL LAW CLERKS.**

Representative George made comments.

The roll call on **HB 64** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HB 64** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 28**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative Hudson & Senators Bunting, Connor, Ennis, Henry, Marshall, Peterson, Simpson & Representatives Bennett, Carson, Hocker, Jaques, Q. Johnson, Keeley, Kowalko, Mitchell, Mulrooney, Scott, Viola & Walker, before the House for consideration.

**SB 28 - AN ACT TO AMEND TITLES 11 AND 15 OF THE DELAWARE CODE RELATING TO ADDRESS CONFIDENTIALITY FOR CERTAIN PERSONS.**

Representative Barbieri made comments.

The roll call on **SB 28** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 28** was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 112**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **HB 112**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Senator Blevins & Senator DeLuca & Senator Henry, before the House for consideration.

**HB 112 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GENERAL ASSEMBLY AND DETERMINING DISTRICT BOUNDARIES FOR INCARCERATED INDIVIDUALS.**

Representatives Schwartzkopf, Lavelle, Keeley & Schwartzkopf made comments.

The roll call on **HB 112** was taken and revealed:

YES: 36.

NO: Representatives J. Johnson, Keeley & D.P. Williams - 3.

NOT VOTING: Representative Bolden - 1.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **HB 112** was sent to the Senate for concurrence.

Representative Hocker introduced **HB 113**, jointly sponsored by Representative Atkins & Senator Bunting & Senator Venables & Representatives Lavelle, Blakey, Briggs King, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis, Wilson, Bennett, Bolden, Carson, Q. Johnson, Longhurst, Mitchell & Walker & Senators Bonini, Booth, Bushweller, Cloutier, Connor, Lawson, Simpson & Sorenson.

**HB 113 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO IRRIGATION PRESERVATION.**

Mr. Speaker Gilligan assigned **HB 113** to the Agriculture Committee.

Representatives Atkins, George & Schwartzkopf made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:26 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 11, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 59, SB 57, SB 58, SS 1 for SB 56, SCR 13** and requests the concurrence of the House, and the Senate has passed **HB 71, HB 61 w/HA 1, HB 11 w/HA 1, HB 28, HB 45 w/HA 1, HB 68 w/HA 1 & HCR 14** and is returning the 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.

**28th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
May 11, 2011**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Briggs King, Keeley & Viola - 3.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan invited Colonel Jay P. Morgan to lead those present in the 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 114** - GEORGE & REPRESENTATIVE MITCHELL & SENATOR BLEVINS & SENATOR SIMPSON; REPRESENTATIVES CARSON, J. JOHNSON, WALKER, D.P. WILLIAMS; SENATOR SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Jurisdiction of the Court of Common Pleas.

**HB 115** - B. SHORT & REPRESENTATIVE GEORGE & REPRESENTATIVE HUDSON & SENATOR DELUCA; REPRESENTATIVES BENNETT, KEELEY, WILLIS; SENATORS BLEVINS, BONINI, HALL-LONG - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Statutory Trusts. (3/5 bill)

**SS 1 for SB 56** - BLEVINS & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE KEELEY; SENATORS BUSHWELLER, ENNIS, HENRY, SOKOLA, SORENSON; REPRESENTATIVES BARBIERI, GEORGE, GILLIGAN, JAQUES, KOWALKO, MIRO, MITCHELL, WALKER, WILLIS, BOLDEN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 18 of the Delaware Code Relating to Health Service Corporations.

**SB 57** - MCBRIDE & SENATOR DELUCA & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE GILLIGAN & REPRESENTATIVE BENNETT; SENATORS ENNIS, SIMPSON; REPRESENTATIVES CARSON, KENTON, MULROONEY, OUTTEN, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Shellfish.

**SB 58** - MCBRIDE & SENATOR DELUCA & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE BENNETT & REPRESENTATIVE GILLIGAN; SENATORS ENNIS, SIMPSON; REPRESENTATIVES CARSON, MULROONEY, KENTON, OUTTEN, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Shellfish.

**SCR 13** - VENABLES & SENATOR CLOUTIER & REPRESENTATIVE HUDSON & REPRESENTATIVE WILSON; SENATORS BLEVINS, BUNTING, CONNOR, ENNIS, HALL-LONG, KATZ, PETERSON, SOKOLA, SORENSON; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, BRIGGS KING, HEFFERNAN, HOCKER, JAQUES, MANOLAKOS, MIRO, MITCHELL, OSIENSKI, RAMONE, D. SHORT - TRANSPORTATION, LAND USE & INFRASTRUCTURE - Requesting the Delaware Department of Transportation Study the Building and Maintaining of Non-Motorized Travel Connections Within and Between Cities and Towns in Delaware and to Link These Connections to Form Uninterrupted Networks for Walking and Bicycling.

The House observed a moment of silence for the recovery of James Keeley at the request of Representative Ramone. Representative George requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representative Willis requested and was granted privilege of the floor to present a House Tribute to Colonel Jay P. Morgan (Ret.), who addressed the House. Representative Blakey made comments. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor for Jeanine Kleimo, District Representative, American Field Service International Programs, who addressed the House. Foreign Exchange Students stated their names and home countries for the record. Representative Blakey introduced a guest and made comments.

Representative Schwartzkopf brought the following prefiled **Consent Calendar #5** before the House for consideration.

**HR 13** - HUDSON ON BEHALF OF ALL REPRESENTATIVES - Recognizing May 12, 2011 as Fibromyalgia Awareness Day in Delaware.

**HCR 15** - J. JOHNSON & SENATOR ENNIS; REPRESENTATIVE BRIGGS KING - Recognizing and Commending The Way Home, Inc. for Its Contributions to the State.

**HCR 16** - CARSON ON BEHALF OF ALL REPRESENTATIVES & SENATOR ENNIS ON BEHALF OF ALL SENATORS - Recognizing the Month of May 2011 as Older Americans Month and Driver Safety Month and Acknowledging the Efforts of the Delaware Senior Driver Task Force.

Representative J. Johnson made comments regarding **HCR 15**, introduced guests, and made comments. Representatives Schwartzkopf & Atkins made comments. Representative D.P. Williams requested that he be marked present.

**Consent Calendar # 5** was adopted by voice vote and **HR 13** was declared passed and **HCR 15 & HCR 16** were sent to the Senate for concurrence.

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 Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:22 p.m. on May 11, 2011: Representatives Hudson, Lee, Mulrooney & Schooley.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 12, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 14** and requests the concurrence of the House and the Senate has passed **HB 67 w/HA 1, HB 63, HCR 15 & HCR 16** and is returning the same to the House.

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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 96** - 1M,3U.

JUDICIARY: **HB 100** - 7M; **HB 104** - 7M; **SB 24 w/SA 2** - 6M.

HOUSE ADMINISTRATION: **HS 1 for HB 4** - 3M; **HB 98** - 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HB 105** - 3F,4M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 99** - 6M.

HOUSING & COMMUNITY AFFAIRS: **SB 10** - 9M.

Representative Briggs King requested that she be marked present for the current Legislative Day.

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.

### **29th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session May 12, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Keeley - 1.

A prayer was offered by Representative Darryl M. Scott, Thirty-first Representative District.

Mr. Speaker Gilligan led those present in the 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 101** - HUDSON & SENATOR BLEVINS; REPRESENTATIVES RAMONE, BRADY, CARSON, KEELEY, MITCHELL; SENATOR ENNIS - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Agreements the Department of Transportation Makes with Local Jurisdictions for Traffic Studies Related to Development.

**HB 116** - OUTTEN & SENATOR LAWSON; REPRESENTATIVES KENTON, PETERMAN, BENNETT, BRADY, CARSON, KOWALKO, MITCHELL; SENATOR BOOTH - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

**HB 117** - SCOTT & REPRESENTATIVE BARBIERI & SENATOR ENNIS; REPRESENTATIVES CARSON, HUDSON, Q. JOHNSON, KEELEY, MANOLAKOS, MITCHELL, WALKER, WILLIS, WILSON; SENATOR SORENSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Power of the Family Court.

**HB 118** - LAVELLE & REPRESENTATIVE D. SHORT & SENATOR BONINI; REPRESENTATIVE MIRO; SENATOR PETERSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware Relating to Open Meetings and Public Records of the General Assembly. (2/3 bill)

**HB 119** - LAVELLE & REPRESENTATIVE D. SHORT & REPRESENTATIVE CARSON & SENATOR BONINI; REPRESENTATIVES HUDSON, WILLIS, KEELEY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Delaware Economic and Financial Advisory Council.

**HB 120** - LAVELLE & SENATOR BONINI; REPRESENTATIVES HOCKER, D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 121** - SCOTT & REPRESENTATIVE HUDSON & SENATOR DELUCA; REPRESENTATIVES BARBIERI, KEELEY, LAVELLE, MITCHELL, SCHOOLEY, VIOLA; SENATOR ENNIS - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - An Act to Amend Title 26 of the Delaware Code Relating to Rate Schedules and Rate Classifications.

**HB 122** - CARSON & REPRESENTATIVE BENNETT & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BRADY, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KENTON,



LONGHURST, MITCHELL, MULROONEY, OUTTEN, PETERMAN, SCOTT, D. SHORT, WALKER, WILLIS; SENATORS BONINI, BOOTH, BUNTING, CONNOR, LAWSON, SIMPSON, VENABLES - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 26 of the Delaware Code Relating to Self-Sufficient Water Supply.

**HB 123** - Q. JOHNSON & REPRESENTATIVE LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES BENNETT, BOLDEN, CARSON, GEORGE, HEFFERNAN, HOCKER, HUDSON, JAKES, KEELEY, KOWALKO, LAVELLE, MITCHELL, RAMONE, WALKER, WILLIS; SENATORS BUSHWELLER, ENNIS, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Special Days and Special Months.

**HA 1 to HB 94** - CARSON - Placed with the Bill.

The Reading Clerk read the following communications into the record:

**MEMORANDUM**

Representative Helene M. Keeley

**DATE:** May 11, 2010

**TO:** Speaker Robert F. Gilligan, Chief Clerk Richard Puffer, and  
Members of the 145<sup>th</sup> General Assembly

**RE:** Wednesday May 11, 2011 & Thursday May 12, 2011

Dear Mr. Speaker and members of the 146<sup>th</sup> General Assembly,

Due to a family emergency; I will not be in Legislative Hall on the dates of May 11<sup>th</sup> and May 12<sup>th</sup> of this year. Please contact me office with any questions or concerns.

Sincerely,

Helene M. Keeley

State Representative

Third District

May 12, 2011

**LEGISLATIVE ADVISORY #3**

Governor Jack A. Markell signed the following legislation on the date indicated: 4/20/11 - **HB 19 w/HA 1 & SA 1**; 5/2/11 - **HB 81 aab HA 1**; 5/4/11 - **HB 47 w/HA 1, HA 1 to HA 1, HA 2 to HA 1 & SA 1, HB 51 w/HA 1, SB 23 & SB 35**; 5/10/11 - **HB 39, HB 43 & HB 22 w/HA 1**; 5/11/11 - **SJR 2 aab SA 1 & SB 30**.

Representative Schwartzkopf deferred to Representative Manolacos.

Representative Manolacos requested and was granted privilege of the floor for the Elementary Choir from Wilmington Christian School under the direction of Debbie McNeil. The choir performed two selections. Students stated their names and grades for the record. Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker introduced guests.

Representative Schwartzkopf deferred to Representative Briggs King.

Representatives B. Short, Lavelle, Mulrooney, Miro, Viola & D.P. Williams requested that they be marked present.

Representative Briggs King introduced and brought **SCR 14**, jointly sponsored by Senator Cloutier & Senator Hall-Long & Senators Bonini, Booth, Bushweller, Connor, Ennis, Henry, Lawson, Peterson, Sokola & Sorenson & Representatives Barbieri, Bennett, Carson, Heffernan, Hocker, Hudson, Jakes, Q. Johnson, Keeley, Kenton, Kowalko, Lavelle, Lee, Miro, Mitchell, Osinski, Outten, Ramone, Walker, Willis & Wilson & cosponsored by Representative J. Johnson, before the House for consideration.

**SCR 14** - CONTINUING TO RAISE AWARENESS THAT THE MONTH OF MAY IS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH IN DELAWARE.

Representative Briggs King made comments. **SCR 14** was adopted by voice vote and was returned to the Senate. Representative Schwartzkopf deferred to Representative D.P. Williams. Representative D.P. Williams made comments.

Representative Schwartzkopf introduced **HB 125**, jointly sponsored by Representative Atkins.

**HB 125** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE MUNICIPAL USER TAX.

Mr. Speaker Gilligan assigned **HB 125** to the House Administration Committee.

Representative J. Johnson made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:31 p.m.

The House reconvened at 4:58 p.m.

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

AGRICULTURE: **SB 26 w/SA 1** - 7M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 38 w/SA 2** - 3F,3M.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 83**, jointly sponsored by Senator Venables & Representatives Carson, Hocker, Keeley, Mitchell, Mulrooney & Willis & Senators Bushweller, Ennis & McBride, before the House for consideration.

**HB 83** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.

Representative Q. Johnson made comments.

The roll call on **HB 83** was taken and revealed:

YES: 36.

ABSENT: Representatives Briggs King, Keeley, Longhurst, Manolakos & Osienski - 5.

Therefore, having received a constitutional majority, **HB 83** was sent to the Senate for concurrence.

Representatives Lee & Schooley requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 93**, jointly sponsored by Representative Gilligan & Representative Bennett & Senator McBride & Representatives Q. Johnson, Mulrooney & Wilson & Senators DeLuca, Ennis, Hall-Long, Simpson & Venables, before the House for consideration.

**HB 93** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH.

Representative Carson made comments.

The roll call on **HB 93** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Keeley & Manolakos - 3.

Therefore, having received a constitutional majority, **HB 93** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 94**, jointly sponsored by Representative Gilligan & Representative Bennett & Senator McBride & Representatives Q. Johnson, Mulrooney, Ramone, & Wilson & Senators DeLuca, Ennis, Hall-Long, Simpson & Venables, before the House for consideration.

**HB 94** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH.

Representative Carson brought **HA 1 to HB 94** before the House for consideration. Representative Carson made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 94 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Briggs King, Keeley, Manolakos & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 94 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan & Representative Carson introduced guests.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 99**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 99** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL CERTIFICATION REQUIREMENTS AS PART OF THE COMMERCIAL DRIVER LICENSE.

Representative Mitchell made comments.

The roll call on **HB 99** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Keeley & Manolakos - 3.

Therefore, having received a constitutional majority, **HB 99** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten brought **HB 98**, jointly sponsored by Senator Lawson, before the House for consideration.

**HB 98** - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE CHARTER OF THE TOWN OF VIOLA. (2/3 bill)

Representative Outten made comments.

The roll call on **HB 98** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Keeley & Manolakos - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 98** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **SB 26 w/SA 1**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Atkins brought **SB 26 w/SA 1**, jointly sponsored by Senator Bunting & Senators Connor, McBride, Simpson, Booth & Lawson & Representatives Carson, Kenton, Hocker, Wilson, Lee, Peterman & Scott, before the House for consideration.

**SB 26** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NUTRIENT MANAGEMENT.

Representatives Lavelle & Atkins made comments.

The roll call on **SB 26 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Keeley & Manolakos - 3.

Therefore, having received a constitutional majority, **SB 26 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 77**, jointly sponsored by Representative J. Johnson & Representative Walker & Senator Blevins & Representatives Carson, Hocker, Hudson & Willis & cosponsored by Senators Ennis & Henry, before the House for consideration.

**HB 77 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF GARAGE OWNERS, LIVERY AND STABLE KEEPERS, AND ACTIONS IN REPLEVIN OR DETINUE BY OWNER.**

Representative George made comments.

The roll call on **HB 77** was taken and revealed:

YES: 38.

ABSENT: Representatives Briggs King, Keeley & Manolakos - 3.

Therefore, having received a constitutional majority, **HB 77** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **SCR 13**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Hudson brought **SCR 13**, jointly sponsored by Senator Venables & Senator Cloutier & Representative Wilson & Senators Blevins, Bunting, Connor, Ennis, Hall-Long, Katz, Peterson, Sokola & Sorenson & Representatives Atkins, Barbieri, Bennett, Brady, Briggs King, Heffernan, Hocker, Jaques, Manolakos, Miro, Mitchell, Osienski, Ramone & D. Short, before the House for consideration.

**SCR 13 - REQUESTING THE DELAWARE DEPARTMENT OF TRANSPORTATION STUDY THE BUILDING AND MAINTAINING OF NON-MOTORIZED TRAVEL CONNECTIONS WITHIN AND BETWEEN CITIES AND TOWNS IN DELAWARE AND TO LINK THESE CONNECTIONS TO FORM UNINTERRUPTED NETWORKS FOR WALKING AND BICYCLING.**

**SCR 13** was adopted by voice vote and was returned to the Senate.

Representatives Hudson, Lavelle & Osienski made comments.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson introduced **HB 126**, jointly sponsored by Representative Kowalko & Representative Keeley & Representative Mulrooney & Senator Peterson & Representatives Hudson, Q. Johnson, Longhurst, Manolakos, Mitchell, Osienski & Viola & Senators Ennis & Sokola & cosponsored by Representative Peterman.

**HB 126 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.**

Mr. Speaker Gilligan assigned **HB 126** to the House Administration Committee.

Representative D.P. Williams made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:29 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 31, 2011.

The Reading Clerk read the following corrected communications into the record:

#### **MEMORANDUM**

Representative Helene M. Keeley

**DATE:** May 11, 2011

**TO:** Speaker Robert F. Gilligan, Chief Clerk Richard Puffer, and  
Members of the 146<sup>th</sup> General Assembly

**RE:** Wednesday May 11, 2011 & Thursday May 12, 2011

Dear Mr. Speaker and members of the 146<sup>th</sup> General Assembly,

Due to a family emergency; I will not be in Legislative Hall on the dates of May 11<sup>th</sup> and May 12<sup>th</sup> of this year. Please contact my office with any questions or concerns.

Sincerely,

Helene M. Keeley

State Representative

Third District

The Senate wishes to inform the House that it has passed **SB 40, SB 69, SB 63 w/SA 1, SB 52 & SB 79 w/SA1** and requests the concurrence of the House and the Senate has passed **HB 112** and is returning the same to the House.

May 23, 2011

#### **LEGISLATIVE ADVISORY #4**

Governor Jack A. Markell signed the following legislation on the date indicated: 5/13/11 - **SB 17 aab SA 3 & 4 & HA 6 & 7 & HB 112**; 5/17/11 - **HB 28**; 5/19/11 - **HB 68 aab HA 1, HB 71, SB 28, SB 46 aab SA 1, HB 63, HB 67 aab HA 1 & SB 9 aab SA 1 & HA 1.**

Representative Schwartzkopf made an announcement.

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.

**30th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session**

**May 31, 2011**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Manolakos & Willis - 2.

A prayer was offered by Representative Edward S. Osienski, Twenty-fourth Representative District.

Mr. Speaker Gilligan invited Major General Francis Vavala to lead those present in the 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 13, 2011

**HB 127** - LONGHURST & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & SENATOR BLEVINS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BOLDEN, BRADY, BRIGGS KING, CARSON, GEORGE, HEFFERNAN, HOCKER, HUDSON, OUTTEN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, LAVELLE, LEE, MIRO, MITCHELL, MULROONEY, OSIENSKI, PETERMAN, RAMONE, SCHOOLEY, SCOTT, B. SHORT, D. SHORT, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILLIS, WILSON; SENATORS BONINI, BOOTH, BUSHWELLER, CLOUTIER, CONNOR, KATZ, LAWSON, SIMPSON, SOKOLA, SORENSON - REVENUE & FINANCE - An Act to Amend Titles 7 and 30 of the Delaware Code Relating to Gross Receipts Taxes. (3/5 bill)

**HB 128** - SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & SENATOR HENRY; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BOLDEN, BRADY, CARSON, GEORGE, HEFFERNAN, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, LAVELLE, LEE, MIRO, MITCHELL, MULROONEY, OSIENSKI, PETERMAN, RAMONE, SCHOOLEY, SCOTT, B. SHORT, D. SHORT, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILLIS; SENATORS BONINI, BOOTH, BUSHWELLER, SOKOLA, SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code and Chapter 77, Volume 77 of the Laws of Delaware Relating to Taxes on Personal Income.

**HB 129** - GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BOLDEN, BRADY, CARSON, GEORGE, HEFFERNAN, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KENTON, KOWALKO, LEE, MANOLAKOS, MITCHELL, MIRO, MULROONEY, OUTTEN, OSIENSKI, RAMONE, SCHOOLEY, SCOTT, D. SHORT, B. SHORT, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATORS BLEVINS, BONINI, BOOTH, BUSHWELLER, HALL-LONG, HENRY, KATZ, SIMPSON, SOKOLA, SORENSON - REVENUE & FINANCE - An Act to Amend Titles 29 and 30 of the Delaware Code Relating to Public Utility Tax Rates and the Use of the Proceeds Thereof.

May 26, 2011

**HS 1 for HB 66** - BRADY & REPRESENTATIVE BENNETT & SENATOR ENNIS & SENATOR CLOUTIER; REPRESENTATIVES BOLDEN, MITCHELL, B. SHORT, D.P. WILLIAMS; SENATOR MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles Speed and Video Monitoring Systems.

**HB 110** - BRIGGS KING & REPRESENTATIVE HUDSON & REPRESENTATIVE D. SHORT & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, KENTON, LEE, OUTTEN, WILSON; SENATORS BONINI, BOOTH - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

**HB 124** - BRIGGS KING & REPRESENTATIVE HUDSON & REPRESENTATIVE D. SHORT & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, KENTON, LEE, MIRO, OUTTEN, WILSON; SENATORS BONINI, BOOTH - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

**HB 130** - OUTTEN & SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Reincorporate the Charter of the City of Harrington, Chapter 115, Volume 69, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Harrington". (2/3/bill)

**HB 131** - GEORGE & SENATOR HALL-LONG - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Libraries.

**HB 132** - KEELEY & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, HEFFERNAN, HUDSON, KOWALKO, MITCHELL; SENATORS ENNIS, HALL-LONG, SIMPSON, VENABLES - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Child Support.

**HB 133** - GEORGE & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to Escheat.

**HB 134** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES ATKINS, J. JOHNSON, KEELEY; SENATOR SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Penalties for Certain Motor Vehicle Offenses.

**HB 135** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES ATKINS, J. JOHNSON; SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Jurisdiction of the Courts. (2/3 bill)

**HB 136** - JAQUES & SENATOR BUNTING; REPRESENTATIVES CARSON, BENNETT, B. SHORT, D. SHORT, OUTTEN, BRADY, MITCHELL, KENTON; SENATORS BUSHWELLER, ENNIS, MCDOWELL - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Veteran Preference in State Employment.

**HB 137** - BARBIERI & REPRESENTATIVE GEORGE & SENATOR BLEVINS; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, LONGHURST, MITCHELL, SCHOOLEY, SCOTT; SENATORS PETERSON, SORENSON, VENABLES - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Offenses.

**HB 138** - SCOTT & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, HUDSON, MIRO, MITCHELL; SENATOR BUSHWELLER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Membership on the Acupuncture Advisory Council and Genetic Counselor Advisory Council.

**HB 139** - SCOTT & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, HUDSON, MIRO, MITCHELL; SENATOR BUSHWELLER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Professional Land Surveyors.

**HB 140** - CARSON & SENATOR ENNIS; REPRESENTATIVES BENNETT, BOLDEN, HOCKER, J. JOHNSON, Q. JOHNSON, MIRO, MITCHELL, SCOTT, D. SHORT, WILLIS; SENATOR BUSHWELLER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**HB 141** - OSIENSKI & SENATOR HENRY & SENATOR CLOUTIER; REPRESENTATIVES BENNETT, CARSON, HEFFERNAN, HOCKER, HUDSON, KEELEY, KOWALKO, LAVELLE, MITCHELL, SCHOOLEY, WALKER, WILLIS; SENATORS BLEVINS, BONINI, BOOTH, BUSHWELLER, HALL-LONG, SOKOLA, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Council for Persons with Disabilities.

**HB 142** - LONGHURST & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, GILLIGAN, HOCKER, JAQUES, OSIENSKI - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Manufacturers and Wholesalers.

**HB 143** - MITCHELL & REPRESENTATIVE VIOLA & SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Fund to Combat Violent Crime, Funded by an Additional Penalty Imposed by Courts for Various Offenses.

**HB 144** - B. SHORT & REPRESENTATIVE BARBIERI & SENATOR HENRY; REPRESENTATIVES Q. JOHNSON, SCHOOLEY; SENATORS BUSHWELLER, BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 and 24 of the Delaware Code Relating to Facilities where Invasive Medical Procedures are Performed.

**HB 145** - GEORGE & REPRESENTATIVE BARBIERI & REPRESENTATIVE KEELEY; REPRESENTATIVE J. JOHNSON, RAMONE, SCOTT; SENATORS BLEVINS, BONINI, ENNIS, HENRY, SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Expungements.

**HB 146** - D.E. WILLIAMS & SENATOR HENRY - GAMING & PARI-MUTUELS - An Act to Amend Titles 3 and 29 of the Delaware Code Relating to the Licensing of Video Lottery Casinos and Harness Racing Days.

**HA 1 to HS 1 for HB 4** - LAVELLE - Placed with the Bill.

**HA 1 to HB 70** - BARBIERI - Placed with the Bill.

**HA 1 to HB 129** - LAVELLE - Placed with the Bill.

**SB 40** - MARSHALL & REPRESENTATIVE GILLIGAN & REPRESENTATIVE B. SHORT; SENATORS BLEVINS, BUSHWELLER, HENRY, MCDOWELL, CLOUTIER; REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, BRADY, BRIGGS KING, GEORGE, HOCKER, HUDSON, Q. JOHNSON, LAVELLE, MANOLAKOS, MIRO, PETERMAN, RAMONE, D. SHORT, WILLIS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Pertaining to Business Tax Credits and Deductions and Clean Energy Technology Device Manufacturing.

**SB 52** - ENNIS & SENATOR BUSHWELLER & REPRESENTATIVE BENNETT; REPRESENTATIVES BRIGGS KING, CARSON, HOCKER, J. JOHNSON, KEELEY, LAVELLE, WALKER, WILSON - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Issuance of Small Estate Affidavits.

**SB 63 w/SA 1** - PETERSON & REPRESENTATIVE BENNETT & REPRESENTATIVE SCHOOLEY; SENATORS BONINI, HENRY; REPRESENTATIVES GEORGE, HUDSON, LAVELLE,

MITCHELL, RAMONE, D. SHORT, VIOLA, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Bill and Amendment Drafting.

**SB 69** - HALL-LONG & REPRESENTATIVE RAMONE; SENATORS KATZ, ENNIS, BUSHWELLER, SOKOLA, BOOTH; REPRESENTATIVES SCHOOLEY, CARSON, WALKER, WILLIS, KENTON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Licensed Athletic Trainers.

**SB 79 w/SA 1** - BUNTING & REPRESENTATIVE WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to County Government and County Administrators.

The following prefiled legislation was introduced:

**HB 147** - HUDSON & REPRESENTATIVE LAVELLE & REPRESENTATIVE D. SHORT & SENATOR SIMPSON & SENATOR BOOTH; REPRESENTATIVES HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, WILLIS, WILSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxes on Personal Income. (3/5 bill)

**HB 148** - HUDSON & REPRESENTATIVE MIRO & REPRESENTATIVE RAMONE & SENATOR KATZ; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, OUTTEN, PETERMAN, D. SHORT, WILLIS, WILSON; SENATORS BOOTH, CLOUTIER, SIMPSON, VENABLES - REVENUE & FINANCE - An Act to Amend Title 7 and Title 30 of the Delaware Code Relating to Gross Receipts Tax. (3/5 bill)

The House observed a moment of silence in reflection on Memorial Day and in memory of those Americans who have given the ultimate sacrifice, at the request of Representative Atkins. Representative Longhurst requested that she be marked present. The House observed a moment of silence in memory of Henry R. Folsom, Jr. at the request of Mr. Speaker Gilligan. The House observed a moment of silence in memory of James F. Keeley at the request of Mr. Speaker Gilligan. Representative Barbieri requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan introduced guests. Representative Keeley requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf requested and was granted privilege of the floor for Major General Francis Vavala, Adjutant General, Delaware National Guard. Major General Vavala introduced guests and read a proclamation promoting Representative Jaques to the rank of Brigadier General, Delaware Air National Guard. Representative Jaques addressed the House and introduced guests. Representative Brady requested that he be marked present and made comments. Representatives Lavelle, Hudson, Miro, Scott & Viola requested that they be marked present. Representatives Keeley & Brady introduced guests. Mr. Speaker Gilligan reassigned **HB 136** to the Veterans Affairs Committee. Representative Brady requested that **HB 41** be stricken. Representative Hudson requested that **HB 102** be stricken. Representative Schwartzkopf made an announcement.

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

The House reconvened at 4:25 p.m.

Representative Mulrooney requested that he be marked present.

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey 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 37** & **SB 47** and requests the concurrence of the House.

TO: The Honorable Robert Gilligan  
FROM: Representative Lincoln Willis  
DATE: Tuesday May 31, 2011  
RE: Absence from Session

Due to a death in the family, I will be in West Virginia and unable to be in session on Tuesday, May 31.

Please accept my apologies. I will return to session on Wednesday, June 1.

Thank you,  
Lincoln Willis

May 31, 2011

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901  
Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, today May 31, 2011, due to a personal matter.

Thank you for your understanding.

Sincerely,  
Nicholas T. Manolakos

State Representative  
20<sup>th</sup> District

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 95**, jointly sponsored by Senator McBride & Representatives Bennett, Brady, Kowalko, Longhurst, Osienski & Viola & Senators DeLuca, Ennis & Lawson, before the House for consideration.

**HB 95 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES.**

Representatives Mulrooney & D. Short made comments. Representative D. Short requested and was granted privilege of the floor for Sergeant Darren J. Lester, Legislative Liaison, Delaware State Police. Representatives Ramone, D. Short & Hudson made comments.

The roll call on **HB 95** was taken and revealed:

YES: 23.

NO: Representatives Bolden, Heffernan, Hocker, Kenton, Lavelle, Miro, Peterman, Schooley, Schwartzkopf, Scott, D.E. Williams, D.P. Williams & Wilson - 13.

NOT VOTING: Representatives Mitchell, B. Short & D. Short - 3.

ABSENT: Representatives Manolakos & Willis - 2.

Therefore, having received a constitutional majority, **HB 95** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 85**, jointly sponsored by Senator Hall-Long & Representatives Heffernan & Hudson, before the House for consideration.

**HB 85 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER.**

Representatives Brady, Lavelle, Briggs King & Carson made comments. Representative Carson requested and was granted privilege of the floor for Gary C. Warren, President, Delaware Farm Bureau. Representatives Brady & Carson made comments. Representative Brady requested and was granted privilege of the floor for Kristin Dwyer representing the Executive Office of New Castle County. Representatives Q. Johnson & Ramone made comments.

The roll call on **HB 85** was taken and revealed:

YES: 38.

ABSENT: Representatives Blakey, Manolakos & Willis - 3.

Therefore, having received a constitutional majority, **HB 85** was sent to the Senate for concurrence.

The Chief Clerk announced the corrected roll call for **HB 95**.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 104**, jointly sponsored by Senator Blevins & Representative Bennett, before the House for consideration.

**HB 104 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE UNIFORM RECOGNITION OF FOREIGN-COUNTRY MONEY JUDGMENTS.**

Representative George made comments.

The roll call on **HB 104** was taken and revealed:

YES: 38.

ABSENT: Representatives Blakey, Manolakos & Willis - 3.

Therefore, having received a constitutional majority, **HB 104** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 105**, jointly sponsored by Representative B. Short & Senator Bunting & Senator McDowell & Representatives Barbieri, Brady, Heffernan, Hudson, Longhurst, Mulrooney, Ramone, Schwartzkopf, Scott & D.E. Williams & Senators Booth, Bushweller & Henry, before the House for consideration.

**HB 105 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGES AND GATHERING LICENSES.**

Representative Viola made comments.

The roll call on **HB 105** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Willis - 2.

Therefore, having received a constitutional majority, **HB 105** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley. The House observed a moment of silence in memory of Alyssa and Elijah Rivera Kupchinski at the request of Representative Keeley.

The Majority Leader moved to recess to the call of the Chair at 5:02 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 1, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 48 w/HA 1 & HA 2 & SA 1** and is returning the same to the House.

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

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.

**31st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
June 1, 2011**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Lavelle, Longhurst & Manolakos - 3.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 149** - HUDSON & SENATOR SOKOLA; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, KENTON, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILSON; SENATORS CLOUTIER, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Training and Emergency Use of Epinephrine.

**HB 150** - HUDSON & SENATOR SOKOLA; REPRESENTATIVES LAVELLE, MANOLAKOS, MIRO, PETERMAN, RAMONE - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Variable Message Signs on State Toll Highways.

**HB 151** - HUDSON & BLEVINS; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, Q. JOHNSON, WILSON; SENATORS CLOUTIER, ENNIS, KATZ, SIMPSON, SOKOLA SORENSON, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Distribution of the Delaware Code and Supplements.

**HA 1 to HB 144** - LAVELLE - Placed with the Bill.

**SB 37** - BLEVINS & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE GEORGE & REPRESENTATIVE LAVELLE; SENATORS HENRY, MCDOWELL; REPRESENTATIVES WALKER, J. JOHNSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article IV, Section 29 of the Delaware Constitution of 1897, as Amended, Relating to Justices of the Peace. (2/3 bill)

**SB 47** - MCBRIDE & REPRESENTATIVE Q. JOHNSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

The Reading Clerk read the following communication into the record:

June 1, 2011

The Honorable Robert F. Gilligan

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, today June 1, 2011, due to a personal matter.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle

State Representative

11<sup>th</sup> District

Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short 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 2:07 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:07 p.m. on June 1, 2011: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 2, 2011.

Representative Longhurst requested that she be marked present for the current Legislative Day.

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

JUDICIARY: **HB 70** - 9M; **HB 87** - 9M; **HB 117** - 7M; **HB 133** - 9M; **HB 135** - 9M; **HB 137** - 8M; **HB 145** - 6M.

PUBLIC SAFETY & HOMELAND SECURITY: **HS 1 for HB 66** - 5M,1U; **HB 108** - 9M; **HB 134** - 9M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 122** - 4M.

HEALTH & HUMAN DEVELOPMENT: **HB 106** - 11M; **HB 132** - 10M; **HB 144** - 6F,5M.

EDUCATION: **HB 107** - 1F,7M.

HOUSE ADMINISTRATION: **HB 123** - 3F; **HB 141** - 3F; **SB 49** - 3M.



POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 59** - 4M.

NATURAL RESOURCES: **HB 116** - 7F; **SB 57** - 2F,5M; **SB 58** - 1F,6M.

REVENUE & FINANCE: **HB 127** - 8F,2M; **HB 128** - 6F,6M; **HB 129** - 9F,1M; **SB 40** - 9M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 109** - 1F,8M;

**SB 53 w/SA 1** - 10M; **SB 54 w/SA 1** - 11M.

The Senate wishes to inform the House that it has passed **SB 43** & **SB 78 w/SA 2** and requests the concurrence of the House, and the Senate has passed **HB 26 w/HA 3** & **HB 44** and is returning the same to the House.

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.

**32nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
June 2, 2011**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Manolakos & Schooley - 2.

A prayer was offered by Representative Stephanie T. Bolden, Second Representative District.

Mr. Speaker Gilligan invited Chancellor William B. Chandler III to lead those present in the 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 152** - WILSON & SENATOR SIMPSON; REPRESENTATIVE D. SHORT; SENATORS BOOTH, VENABLES - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Appraisers.

**HB 153** - SCHOOLEY & SENATOR SORENSON; REPRESENTATIVES BARBIERI, GEORGE, HEFFERNAN, JAQUES, KENTON, MITCHELL, VIOLA; SENATORS ENNIS, HALL-LONG, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

**HB 154** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Millville, Chapter 217, Volume 24, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millville" to Amend Paragraph (a)(30) of Section 31, Enumeration of Powers. (2/3 bill)

**HB 155** - WALKER & SENATOR HALL-LONG; REPRESENTATIVES HEFFERNAN, JAQUES, KENTON, KOWALCO, MITCHELL; SENATORS BUSHWELLER, HENRY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.

**HB 156** - HUDSON & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON - REVENUE & FINANCE - An Act to Amend Title 6, Title 8, Title 12, and Title 29 of the Delaware Code Relating to Various Fees and Taxes Charged by the Secretary of State. (2/3 bill)

**HB 157** - BENNETT & REPRESENTATIVE VIOLA & SENATOR MCDOWELL; REPRESENTATIVES CARSON, BRIGGS KING, GILLIGAN, HOCKER, JAQUES, Q. JOHNSON, LONGHURST, MITCHELL, MULROONEY, PETERMAN, RAMONE, SCOTT, D. SHORT; SENATORS BONINI, BOOTH, BUNTING, KATZ, SIMPSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HA 1 to HB 87** - BRADY - Placed with the Bill.

**HA 1 to HB 100** - OSIENSKI - Placed with the Bill.

**HA 1 to HB 127** - VIOLA - Placed with the Bill.

**HA 1 to HB 148** - HUDSON - Placed with the Bill.

**SB 43** - SIMPSON & SENATOR MARSHALL & REPRESENTATIVE CARSON; SENATORS BOOTH, LAWSON; REPRESENTATIVES BRADY, BRIGGS KING, HOCKER, HUDSON, Q. JOHNSON, PETERMAN, D. SHORT, OUTTEN - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Removal of Abandoned Vehicles.

**SB 78 w/SA 2** - SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State Assessment System.

Representative Schwartzkopf deferred to Representative George.

Representative George introduced and brought **HR 18**, jointly sponsored by Representative Atkins on behalf of All Representatives, before the House for consideration.

Representative Lavelle requested that he be marked present.

**HR 18** - IN HONOR OF CHANCELLOR WILLIAM B. CHANDLER III ON HIS RETIREMENT FROM THE COURT OF CHANCERY.

WHEREAS, the 146th General Assembly wishes to recognize and express our deepest appreciation to Chancellor William B. Chandler III on his retirement from the Court of Chancery and his 25 years of exceptional service to the Judiciary of the Great State of Delaware;

WHEREAS, the Chancellor matriculated at some of the most prestigious law schools in the country; receiving law degrees from the University of South Carolina School of Law and the Yale Law School;

WHEREAS, the Chancellor has taught at some of the finest institutions in the country, including Vanderbilt, Ohio State, Georgia and Washington University;

WHEREAS, under his leadership and tireless efforts during the past 14 years, the respect for and deference to the Court of Chancery has continued to grow throughout the nation and the world over, solidifying the Court's status as the leading forum for resolution of business law disputes;

WHEREAS, Chancellor Chandler has written many important and influential opinions during his tenure on the bench and is highly respected throughout the legal community;

WHEREAS, in addition to his service to the Judiciary, among other things, Chancellor Chandler also has served our Great State as Legal Counsel to Governor Pierre S. DuPont IV, and as a member of the Board of Pardons.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 146th General Assembly of the State of Delaware hereby extends its deepest gratitude and appreciation to Chancellor Chandler for his many years of public service.

BE IT FURTHER RESOLVED that the House of Representatives hereby fondly bids farewell to Chancellor Chandler and wishes him the best of luck in the next chapter of his life as he returns to private practice.

Representatives George & Atkins escorted Chancellor Chandler to the podium. Representatives George, Hocker, Atkins & Schwartzkopf addressed the House. Mr. Speaker Gilligan addressed the House. Chancellor Chandler addressed the House.

**HR 18** was adopted by voice vote.

Representative Schwartzkopf brought **Consent Calendar #6** before the House for consideration.

**HR 16** - SCHWARTZKOPF ON BEHALF OF ALL REPRESENTATIVES - Proclaiming May 18, 2011 as "Lewes-Rehoboth Association of Churches Day."

**HCR 17** - WALKER & SENATOR HALL-LONG & SENATOR KATZ & SENATOR MCBRIDE & REPRESENTATIVES BENNETT, BRIGGS KING, CARSON, GEORGE, GILLIGAN, HEFFERNAN, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KENTON, KOWALCO, LAVELLE, LEE, MIRO, OSIENSKI, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, VIOLA, WILLIS & WILSON & SENATORS BOOTH, BUSHWELLER, CONNOR, PETERSON, SOKOLA & SORENSON - Celebrating the 100th Anniversary of the Delaware Nurses Association and Recognizing Its 100 Years of Commitment and Service to Professional Nurses in the State of Delaware.

Representatives Miro, Mitchell & Hudson requested that they be marked present.

**Consent Calendar # 6** was adopted by voice vote and **HR 16** was declared passed and **HCR 17** was sent to the Senate for concurrence. Representative Walker requested and was granted personal privilege of the floor to introduce guests and to make comments.

Representative Schwartzkopf introduced and brought **SCR 18**, jointly sponsored by Senator Sorenson & Senator DeLuca on behalf of All Senators & Representative Kenton on behalf of All Representatives, before the House for consideration.

**SCR 18** - COMMENDING THE CLASS OF 2010-2011 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA.

Representative Schwartzkopf addressed the Class of 2010-2011 Eagle Scouts. Representatives Longhurst, Lavelle, Mitchell, Briggs King & Schwartzkopf made comments. **SCR 18** was adopted by voice vote and was returned to the Senate. Representative Schwartzkopf made comments. The Eagle Scouts stated their names, troops, and home towns for the record. Representative Schwartzkopf made a comment. Mr. Speaker Gilligan & Representative George made announcements.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:42 p.m.

The House reconvened at 4:49 p.m.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Richard L. Puffer  
FROM: Rep. Teresa Schooley  
DATE: June 2, 2011  
RE: Absence from session

I will be unable to attend today's session due to illness.

The Senate wishes to inform the House that it has passed **SB 74**, **SB 76**, **SB 77** & **SB 95** and requests the concurrence of the House and the Senate has passed **HB 94 w/HA 1** & **HB 93** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 42 w/SA 1** and requests the

concurrence of the House and the Senate has passed **HB 83** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SCR 18** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Helene M. Keeley, do hereby request that my name be removed as a co-sponsor of **HB 128**.

Date: 5-31-2011

Signed: Helene Keeley

WITHDRAWAL OF SPONSORSHIP REQUEST

I, David G. Lawson, do hereby request that my name be removed as a co-sponsor of **HB 129**.

Date: 5/31/11

Signed: D. Lawson

Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **SB 49**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 49 - AN ACT TO AMEND TITLE 29 RELATING TO THE DELAWARE COMMISSION ON ITALIAN HERITAGE AND CULTURE.**

Representative Gilligan made comments.

The roll call on **SB 49** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **SB 49** was returned to the Senate.

Representatives Lee & Viola requested that they be marked present during the roll call. Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 48 w/HA 1, HA 2 & SA 1**, jointly sponsored by Senator Sokola & Representatives Barbieri, Bolden, Heffernan, Jaques, Keeley, Miro, Mitchell, Osienski, Schooley, Schwartzkopf, Scott, B. Short, D.E. Williams & D.P. Williams & Senators Henry, Marshall, McDowell, Peterson & Sorenson, before the House for concurrence on **SA 1**.

**HB 48 - AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO REPORTING PERSONS PROHIBITED FROM POSSESSING FIREARMS AND THE NATIONAL CRIMINAL INSTANT BACKGROUND CHECK SYSTEM ("NICS").**

Representative Longhurst made comments.

The roll call on **HB 48 w/HA 1, HA 2 & SA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Hocker & Wilson - 2.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 48 w/HA 1, HA 2 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski brought **HB 100**, jointly sponsored by Senator Cloutier & Representatives Bolden, Heffernan, Jaques, J. Johnson, Mitchell, Mulrooney, Ramone, Schooley, Walker, Willis & Senators Sokola & Sorenson, before the House for consideration.

**HB 100 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BACKGROUND CHECKS FOR PERSONS WITH ACCESS TO PUBLIC SCHOOLS.**

Representative Osienski brought **HA 1 to HB 100** before the House for consideration.

Representatives Osienski & Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Osienski, Q. Johnson, Miro, Kowalko, Lavelle, Kowalko, Hocker, Osienski, Blakey, Osienski, Ramone, Lavelle, Osienski, Keeley, Carson, Lavelle, Kowalko & Lavelle made comments.

The roll call on **HB 100 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, Manolakos, Schooley & D.E. Williams - 4.

Therefore, having received a constitutional majority, **HB 100 w/HA 1** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Longhurst deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 57**, jointly sponsored by Senator McBride & Senator DeLuca & Representative Gilligan & Representative Bennett & Senators Ennis & Simpson & Representatives Carson, Kenton, Mulrooney, Outten & Wilson, before the House for consideration.

**SB 57 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH.**

Representative Q. Johnson made comments.

The roll call on **SB 57** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Schooley - 2.

Therefore, having received a constitutional majority, **SB 57** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 58**, jointly sponsored by Senator McBride & Senator DeLuca & Representative Bennett, & Representative Gilligan & Senators Ennis & Simpson & Representatives Carson, Mulrooney, Kenton, Outten & Wilson, before the House for consideration.

**SB 58 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH.**

Representative Q. Johnson made comments.

The roll call on **SB 58** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Schooley - 2.

Therefore, having received a constitutional majority, **SB 58** was returned to the Senate.

Representative Q. Johnson requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 24 w/SA 2**, jointly sponsored by Senator Blevins & Senators Henry & Simpson & Representatives Carson & Willis, before the House for consideration.

**SB 24 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE OFFICE OF THE PUBLIC GUARDIAN AND TO ESTABLISH THE DELAWARE GUARDIANSHIP COMMISSION.**

Representative George made comments.

The roll call on **SB 24 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Schooley - 2.

Therefore, having received a constitutional majority, **SB 24 w/SA 2** was returned to the Senate.

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

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 128**. The motion was seconded by Representative Carson and adopted by voice vote.

Representative Schwartzkopf brought **HB 128**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator Henry & Representatives Atkins, Barbieri, Bennett, Bolden, Brady, Carson, George, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Lavelle, Lee, Miro, Mitchell, Mulrooney, Osienski, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, Viola, Walker, D.E. Williams, D.P. Williams & Willis & Senators Bonini, Booth, Bushweller, Sokola & Sorenson, before the House for consideration.

**HB 128 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 77, VOLUME 77 OF THE LAWS OF DELAWARE RELATING TO TAXES ON PERSONAL INCOME.**

Representatives Schwartzkopf, Kowalko, Hudson, Schwartzkopf, Hudson, Lavelle & Kowalko made comments.

The roll call on **HB 128** was taken and revealed:

YES: 38.

NOT VOTING: Representative Kowalko - 1.

ABSENT: Representatives Manolakos & Schooley - 2.

Therefore, having received a constitutional majority, **HB 128** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to suspend the rules which interfere with action on **HB 127**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst brought **HB 127**, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Senator Blevins & Representatives Atkins, Barbieri, Bennett, Bolden, Brady, Briggs King, Carson, George, Heffernan, Hocker, Hudson, Outten, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lavelle, Lee, Miro, Mitchell, Mulrooney, Osienski, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Senators Bonini, Booth, Bushweller, Cloutier, Connor, Katz, Lawson, Simpson, Sokola & Sorenson & cosponsored by Representative Wilson, before the House for consideration.

**HB 127 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.**

Representative Viola brought **HA 1 to HB 127** before the House for consideration. Representatives Viola & Lavelle made comments. **HA 1** was adopted by voice vote. Representative Longhurst made comments.

The roll call on **HB 127 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 127 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 59**, jointly sponsored by Senator Peterson & Senator Henry & Representatives Barbieri & Hudson, before the House for consideration.

**SB 59 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO WAIVER OF CRIMES AND ESTABLISHMENT OF CRIMINAL BACKGROUND REQUIREMENTS RELATED TO PROFESSIONS AND OCCUPATIONS.**

Representative J. Johnson made comments.

The roll call on **SB 59** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **SB 59** was returned to the Senate.

Representative J. Johnson introduced a guest.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski brought **HB 141**, jointly sponsored by Senator Henry & Senator Cloutier & Representatives Bennett, Carson, Heffernan, Hocker, Hudson, Keeley, Kowalko, Lavelle, Mitchell, Schooley, Walker & Willis & Senators Blevins, Bonini, Booth, Bushweller, Hall-Long, Sokola & Sorenson, before the House for consideration.

**HB 141 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE COUNCIL FOR PERSONS WITH DISABILITIES.**

Representative Osienski made comments.

The roll call on **HB 141** was taken and revealed:

YES: 37.

ABSENT: Representatives Manolakos, Mulrooney, Schooley & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 141** was sent to the Senate for concurrence.

Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **HB 129**. The motion was seconded by Representative Scott and adopted by voice vote.

Representative Gilligan brought **HB 129**, jointly sponsored by Representative Schwartzkopf & Representative Longhurst & Senator DeLuca & Representatives Atkins, Barbieri, Bennett, Bolden, Brady, Carson, George, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Manolakos, Mitchell, Miro, Mulrooney, Outten, Osienski, Ramone, Schooley, Scott, D. Short, B. Short, Viola, Walker, D.E. Williams, D.P. Williams & Wilson & Senators Blevins, Bonini, Booth, Bushweller, Hall-Long, Henry, Katz, Simpson, Sokola & Sorenson, before the House for consideration.

**HB 129 - AN ACT TO AMEND TITLES 29 AND 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAX RATES AND THE USE OF THE PROCEEDS THEREOF. (F/N)**

Representative Lavelle brought **HA 1 to HB 129** before the House for consideration.

Representatives Lavelle & Gilligan made comments. Representative Gilligan requested and was granted privilege of the floor for David Small, Deputy Director, Department of Natural Resources and Environmental Control. Representatives Lavelle, Kowalko & Lavelle made comments.

The roll call on **HA 1 to HB 129** was taken and revealed:

NO: 23.

YES: Representatives Blakey, Briggs King, Hocker, Hudson, Kenton, Kowalko, Lavelle, Lee, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 15.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, not having received a constitutional majority, **HA 1 to HB 129** was declared defeated.

The roll call on **HB 129** was taken and revealed:

YES: 37.

NO: Representative Lavelle - 1.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 129** was sent to the Senate for concurrence.

Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 123**, jointly sponsored by Representative Longhurst & Senator Hall-Long & Representatives Bennett, Bolden, Carson, George, Heffernan, Hocker, Hudson, Jaques, Keeley, Kowalko, Lavelle, Mitchell, Ramone, Walker & Willis & Senators Bushweller, Ennis & Sokola, before the House for consideration.

**HB 123 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO SPECIAL DAYS AND SPECIAL MONTHS.**

Representative Q. Johnson introduced and brought **HA 1 to HB 123** before the House for consideration. Representative Q. Johnson made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 123 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 123 w/HA 1** was sent to the Senate for

concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 15 & SCR 16** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 82, HB 62 w/HA 1 & SA 2 & HCR 17** and is returning the same to the House.

Representative Longhurst brought **HB 62 w/HA 1 & SA 2**, jointly sponsored by Senator Ennis & Representatives Carson, J. Johnson, Mitchell & Mulrooney, before the House for concurrence on **SA 2**.

**HB 62 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING.**

Representative Longhurst made comments. Representative Hocker announced that he will not be voting on **HB 62 w/HA 1 & SA 2** because of a possible conflict of interest.

The roll call on **HB 62 w/HA 1 & SA 2** was taken and revealed:

YES: 37.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Manolakos, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 62 w/HA 1 & SA 2** was sent to the Governor.

Representative Schwartzkopf deferred to Representative J. Johnson. Representatives J. Johnson & Blakey made announcements. Representative D. Short requested that action on **HB 69** be deferred to a Day Certain, Tuesday, June 7, 2011.

The Majority Leader moved to recess to the call of the Chair at 6:26 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 7, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has defeated **HB 82**.

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.

### **33rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 7, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Lincoln D. Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan led those present in the 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 88 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES HUDSON, J. JOHNSON, KEELEY, MANOLAKOS, MIRO, MITCHELL, SCOTT; SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to the Regulation of Securities. (3/5 bill)**

**HB 158 - HOCKER & REPRESENTATIVE ATKINS & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES LAVELLE, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON, BENNETT, BOLDEN, CARSON, J. JOHNSON, Q. JOHNSON, LONGHURST, MITCHELL, WALKER; SENATORS BONINI, BOOTH, BUSHWELLER, CLOUTIER, CONNOR, LAWSON, SIMPSON, SORENSON, SIMPSON - AGRICULTURE - An Act to Amend Titles 3 and 7 of the Delaware Code Relating to Water Allocation Permits and Licenses, or Permits to Construct, Extend, or Operate an Irrigation Well or Surface Water Intake.**

**HB 159 - LAVELLE & REPRESENTATIVE D. SHORT & SENATOR LAWSON; REPRESENTATIVES HUDSON, RAMONE, GILLIGAN - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Compensation Commission and Changing It to an Advisory Commission Known as the Delaware Salary Survey Commission.**

**HB 160 - B. SHORT & SENATOR BUSHWELLER & SENATOR CLOUTIER; REPRESENTATIVES BOLDEN, GEORGE, J. JOHNSON, Q. JOHNSON, KEELEY, LAVELLE, MANOLAKOS, MITCHELL, WALKER; SENATORS SOKOLA, SORENSON, CLOUTIER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Supplemental Coverage for Children of Insureds.**

**HB 161 - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES GEORGE, HEFFERNAN, JAQUES, MITCHELL, VIOLA, WALKER, WILSON; SENATORS SOKOLA, VENABLES - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Prohibition of the Denial of Coverage for Pre-existing Conditions in Children under the Age of Nineteen.**

**HB 162** - B. SHORT & SENATOR MCDOWELL - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Domestic Surplus Lines Insurers.

**HB 163** - HEFFERNAN & REPRESENTATIVE KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, Q. JOHNSON, LONGHURST, MIRO, MITCHELL, VIOLA; SENATORS CONNOR, ENNIS, MCDOWELL - NATURAL RESOURCES - An Act to Amend Chapter 326, Volume 67 and Chapter 353, Volume 72 of the Laws of Delaware and Title 7 of the Delaware Code Relating to the Delaware Hazardous Substance Cleanup Act.

**HB 164** - J. JOHNSON & SENATOR HENRY & SENATOR ENNIS; REPRESENTATIVES BENNETT, BRADY, CARSON, JAQUES, KEELEY, KOWALKO, MITCHELL, D. SHORT, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HB 165** - KEELEY & REPRESENTATIVE SCHWARTZKOPF & SENATOR BLEVINS & SENATOR DELUCA; REPRESENTATIVES HEFFERNAN, Q. JOHNSON, MITCHELL, B. SHORT, D. SHORT, VIOLA; SENATORS ENNIS, HENRY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practice Act and the Board of Medical Licensure and Discipline.

**HA 1 to HA 1 to HB 33** - JAQUES - Placed with the Bill.

**HA 2 to HB 33** - JAQUES - Placed with the Bill.

**HA 1 to HB 109** - D. SHORT - Placed with the Bill.

**HA 1 to HB 132** - KEELEY - Placed with the Bill.

**SB 42 w/SA 1** - HALL-LONG & REPRESENTATIVE KOWALKO; SENATORS BLEVINS, ENNIS, HENRY; REPRESENTATIVES KEELEY, GILLIGAN, BARBIERI, BLAKEY, BOLDEN, BRADY, BRIGGS KING, CARSON, HEFFERNAN, HOCKER, JAQUES, J. JOHNSON, KENTON, MITCHELL, PETERMAN, RAMONE, SCHOOLEY, B. SHORT, D. SHORT, VIOLA, WILLIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Foreclosure Consultants and Mortgage Modification Service Providers. (3/5 bill)

**SB 74** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)

**SB 76** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

**SB 77** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 95** - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships.

Representatives George & Hocker requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made comments. Representative Longhurst requested and was granted privilege of the floor to present a House tribute to Kayla Martell, Miss Delaware 2010, who addressed the House and presented her official portrait. Representative Kenton made comments. The 2011 Miss Delaware contestants announced their names, titles, hometowns and platforms for the record. Representative Hocker made comments. Representatives Heffernan, Hudson, Lavelle, Keeley, Manolakos, Miro, Outten, Schooley & D. Short requested that they be marked present.

Representative Schwartzkopf deferred to Representative Willis.

Representative Willis introduced and brought **HR 17** before the House for consideration.

**HR 17** - PROCLAIMING JUNE 6-12, 2011 AS AUTOMOTIVE SERVICE PROFESSIONALS WEEK IN DELAWARE.

Representative Willis made comments and introduced a guest. **HR 17** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King requested and was granted privilege of the floor for herself and Representative Carson to present a House Tribute to Bill Lucks, President, Delaware Realtors, who addressed the House. Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton introduced guests. Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce guests. Representative Lavelle requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced **HB 166**, jointly sponsored by Representative Bennett & Senator McDowell & Representatives Kenton, Ramone & Scott & Senators Bonini, Cloutier & Connor.

**HB 166** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX.

Mr. Speaker Gilligan assigned **HB 166** to the Revenue & Finance Committee.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:31 p.m.

The House reconvened at 4:24 p.m.

Representative Mulrooney requested that he be marked present. Representatives

Viola & Mitchell made announcements. Representative Bolden requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 144**, jointly sponsored by Senator Henry & Representatives Q. Johnson & Schooley & Senators Bushweller & Blevins, before the House for consideration.

**HB 144** - AN ACT TO AMEND TITLE 16 AND 24 OF THE DELAWARE CODE RELATING TO FACILITIES WHERE INVASIVE MEDICAL PROCEDURES ARE PERFORMED.

Representative Lavelle brought **HA 1 to HB 144** before the House for consideration.

Representatives Lavelle & B. Short made comments. **HA 1** was defeated by voice vote. Representative B. Short & Miro made comments. Representative Miro requested and was granted privilege of the floor for Dr. Karyl T. Rattay, Director, Division of Public Health. Representatives Miro, Lavelle, Barbieri, Jaques & B. Short made comments.

The roll call on **HB 144** was taken and revealed:

YES: 40.

NO: Representative Blakey - 1.

Therefore, having received a constitutional majority, **HB 144** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative B. Short made comments regarding **HB 144**.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 69**, jointly sponsored by Representative B. Short & Senator Booth & Representatives Lavelle, Hocker, Hudson, Peterman & Ramone & Senators Bonini & Sorenson & cosponsored by Representative Q. Johnson, before the House for consideration.

**HB 69** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS.

Representative D. Short introduced and brought **HA 1 to HB 69**, jointly sponsored by B. Short, before the House for consideration. Representative D. Short made comments and deferred to Representative B. Short. Representative B. Short made comments. **HA 1** was adopted by voice vote. Representative D. Short made comments.

The roll call on **HB 69 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 69 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **SB 13 w/SA 4**, jointly sponsored by Senator Henry & Senators Marshall & Sorenson & Representatives Barbieri, Bolden, Kowalko, Mulrooney & Schooley, before the House for consideration.

**SB 13** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STERILE NEEDLE AND SYRINGE EXCHANGE.

Representatives Keeley & Hudson made comments.

The roll call on **SB 13 w/SA 4** was taken and revealed:

YES: 29.

NO: Representatives Atkins, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Outten, Peterman, D. Short, Willis & Wilson - 12.

Therefore, having received a constitutional majority, **SB 13 w/SA 4** was returned to the Senate.

Representative Keeley made comments regarding **SB 13 w/SA 4**.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams brought **HB 55**, jointly sponsored by Senator Henry & Representatives George & Kowalko & Senator Peterson, before the House for consideration.

**HB 55** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.

Representatives D.E. Williams & Willis made comments. Representative D.E. Williams requested and was granted privilege of the floor for Gregory Aghazarian, representing National Popular Vote. Representatives Lavelle, D.P. Williams, D.E. Williams, Ramone, Lavelle, D.E. Williams, J. Johnson, Willis, D.E. Williams, Willis & Lavelle made comments. Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker. Representatives Gilligan & Lavelle made comments. Mr. Speaker Gilligan resumed the Chair.

The roll call on **HB 55** was taken and revealed:



YES: 21.

NO: Representatives Atkins, Bennett, Blakey, Briggs King, Carson, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, B. Short, D. Short, Willis & Wilson - 19.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 55** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 135**, jointly sponsored by Senator Blevins & Representatives J. Johnson & Senator Henry & cosponsored by Representative Atkins, before the House for consideration.

**HB 135 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE COURTS. (2/3 bill)**

Representatives George & Willis made comments. Representative George requested and was granted privilege of the floor for Paul R. Wallace, representing the Office of the Attorney General.

Representative Willis made comments.

The roll call on **HB 135** was taken and revealed:

YES: 41.

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 Schwartzkopf deferred to Representative George.

Representative George brought **HB 134**, jointly sponsored by Senator Blevins & Representatives J. Johnson & Keeley & Senator Sorenson & cosponsored by Representative Atkins, before the House for consideration.

**HB 134 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN MOTOR VEHICLE OFFENSES.**

Representative George made comments.

The roll call on **HB 134** was taken and revealed:

YES: 40.

NOT VOTING: Representative Jaques - 1.

Therefore, having received a constitutional majority, **HB 134** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 67, SB 31 w/SA 1, SB 32 w/SA 2 & SB 33 w/SA 2** and requests the concurrence of the House.

To: Richard Puffer, Chief Clerk of the House

From: Bernard J. Brady, Secretary of the Senate

Re: House Bill 82

Hereby a request for the return of House Bill 82, defeated in the Senate, Thursday, June 2, 2011, the thirty-second Legislative Day, for the purpose of reconsideration in the Senate. Thank you for your consideration of this request.

TO: Bernard J. Brady

Secretary of the Senate

FROM: Richard L. Puffer

Chief Clerk of the House

DATE: June 7, 2011

RE: Return of HB 82 to the Delaware State Senate

At your request, I hereby return House Bill 82, which was defeated in the Senate on June 2, 2011, to the State Senate for the purpose of reconsideration.

Please do not hesitate to contact me should you have any questions.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 132**, jointly sponsored by Senator Blevins & Representatives Barbieri, Heffernan, Hudson, Kowalko & Mitchell & Senators Ennis, Hall-Long, Simpson & Venables, before the House for consideration.

**HB 132 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.**

Representative Keeley brought **HA 1 to HB 132** 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 132 w/HA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Briggs King - 1.

Therefore, having received a constitutional majority, **HB 132 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 40**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative B. Short brought **SB 40**, jointly sponsored by Senator Marshall & Representative Gilligan & Senators Blevins, Bushweller, Henry, McDowell & Cloutier & Representatives Barbieri,

Bennett, Blakey, Brady, Briggs King, George, Hocker, Hudson, Q. Johnson, Lavelle, Manolakos, Miro, Peterman, Ramone, D. Short & Willis, before the House for consideration.

**SB 40** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PERTAINING TO BUSINESS TAX CREDITS AND DEDUCTIONS AND CLEAN ENERGY TECHNOLOGY DEVICE MANUFACTURING. (F/N)

Representative B. Short made comments.

The roll call on **SB 40** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 40** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 117**, jointly sponsored by Representative Barbieri & Senator Ennis & Representatives Carson, Hudson, Q. Johnson, Keeley, Mitchell, Walker, Willis & Wilson & Senator Sorenson and cosponsored by Representative Manolakos, before the House for consideration.

**HB 117** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE POWER OF THE FAMILY COURT.

Representative Scott made comments.

The roll call on **HB 117** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 117** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 87**, jointly sponsored by Senator McDowell, before the House for consideration.

**HB 87** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES AGAINST THE PERSON.

Representative Brady brought **HA 1 to HB 87** before the House for consideration. Representatives Brady, Blakey, Lavelle & Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative D.P. Williams, George, Blakey, Brady & George made comments.

The roll call on **HB 87 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Keeley - 2.

Therefore, having received a constitutional majority, **HB 87 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 106**, jointly sponsored by Representative Hudson & Senator Blevins & Senator Cloutier & Senator Sorenson & Representatives Bennett, Keeley, Kowalko, Manolakos, Miro & Ramone & Senators Ennis, Hall-Long & Sokola, before the House for consideration.

**HB 106** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

Representative Barbieri made comments.

The roll call on **HB 106** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 106** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 70**, jointly sponsored by Senator Peterson & Representative Briggs King & Senator Henry, before the House for consideration.

**HB 70** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, OFFENSES CONCERNING CERTAIN PERSONS AND THE CREATION OF A CIVIL CAUSE OF ACTION FOR INJURIES CAUSED BY CERTAIN PERSONS.

Representative Barbieri brought **HA 1 to HB 70** before the House for consideration. Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representative Barbieri made comments.

The roll call on **HB 70 w/HA 1** was taken and revealed:

YES: 33.

NOT VOTING: Representatives Briggs King, Hocker, Lavelle, Manolakos, Miro, Peterman & Wilson - 7.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 70 w/HA 1** was sent to the Senate for concurrence.

Representatives Atkins & Jaques made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:05 p.m.

Mr. Speaker Gilligan called the House to order at 2:08 p.m. on June 8, 2011.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Rep. Outten, do hereby request that my name be removed as co-sponsor of **HB 157**.

Date: 6-2-11

Signed: Bobby Outten

The Senate wishes to inform the House that it has passed **SB 55 & SB 80 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 46 w/HA 1, HA 1 to HA 1, HA 2, 3 & 5** and is returning the same to the House.

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.

**34th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
June 8, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Manolakos - 1.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 167** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES, BRIGGS KING, GILLIGAN, J. JOHNSON, SCHWARTZKOPF; SENATOR ENNIS - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Home Communities and the Delaware Manufactured Home Relocation Trust Fund.

**HB 168** - KEELEY & SENATOR BLEVINS; REPRESENTATIVES Q. JOHNSON, KOWALKO, D. SHORT, WILSON; SENATORS BUSHWELLER, ENNIS, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driving a Vehicle While Under the Influence.

**HB 169** - BENNETT & REPRESENTATIVE SCOTT & SENATOR SIMPSON; REPRESENTATIVES BLAKEY, CARSON, Q. JOHNSON, OUTTEN, PETERMAN, VIOLA, WILLIS; SENATORS BONINI, BUSHWELLER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Kent County.

**HB 170** - B. SHORT & REPRESENTATIVE D. SHORT & SENATOR BUSHWELLER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Group and Blanket Health Insurance Requiring Insurers to Offer to Otherwise-Eligible Employees Mini-Cobra Coverage in Small-Employer Plans.

**HA 1 to HB 84** - BRIGGS KING - Placed with the Bill.

**SB 31 w/SA 1** - BLEVINS & REPRESENTATIVE BARBIERI; SENATORS BUSHWELLER, HALL-LONG, HENRY, SORENSON; REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY, WALKER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 11 of the Delaware Code Relating to Licensure of Dentists and Dental Hygienists.

**SB 32 w/SA 2** - BLEVINS & REPRESENTATIVE BARBIERI; SENATORS BUSHWELLER, HALL-LONG, HENRY, SORENSON; REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY, WALKER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 35 of the Delaware Code Relating to Licensure of Psychologists.

**SB 33 w/SA 2** - BLEVINS & REPRESENTATIVE BARBIERI; SENATORS BUSHWELLER, HALL-LONG, HENRY, SORENSON, CLOUTIER; REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY, WALKER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend the Medical Practice Act, Title 24, Chapter 17 of the Delaware Code Relating to Licensure of Physician Assistants.

**SB 55** - BLEVINS & REPRESENTATIVE MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Control Signal Preemption Devices.

**SB 67** - ENNIS & SENATOR LAWSON & REPRESENTATIVE JAQUES & REPRESENTATIVE MITCHELL; SENATORS BUSHWELLER, SOKOLA, KATZ, BOOTH; REPRESENTATIVES WALKER, SCHOOLEY, CARSON, BENNETT, LAVELLE, HOCKER, HUDSON, RAMONE, WILSON, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 17 of the Delaware Code to Authorize the Placement of Memorial Signage for Certain Emergency Personnel Killed in the Line of Duty.

**SB 80 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Funding of the Delaware Insurance Fraud Prevention Bureau.

Representative Schwartzkopf brought **Consent Calendar #7** before the House for consideration.

**HR 19** - HUDSON ON BEHALF OF ALL REPRESENTATIVES - Recognizing the 125th Anniversary of Goldey-Beacom College.

**SCR 15** - HALL-LONG & REPRESENTATIVE WALKER & SENATOR HENRY & REPRESENTATIVE BARBIERI - Recognizing June 16, 2011 as National Network of Career Nursing Assistants' Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

**SCR 16** - BUSHWELLER & REPRESENTATIVE SCOTT; SENATORS SOKOLA, ENNIS, SORENSON, BOOTH, LAWSON, CLOUTIER; REPRESENTATIVES BENNETT, WILLIS, HUDSON, MITCHELL, HEFFERNAN, HOCKER, WALKER, MANOLAKOS, B. SHORT, GEORGE, KENTON, BRIGGS KING, CARSON - Recognizing June 12 through June 18, 2011 as Paralegal Week.

**Consent Calendar #7** was adopted by voice vote and **HR 19** was declared passed and **SCR 15** & **SCR 16** were returned to the Senate.

Representative D.E. Williams requested that he be marked present. Representative Kowalko requested that **HB 32** be stricken. Representative Atkins requested that he be marked present. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri requested and was granted personal privilege of the floor to introduce guests and to make comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:18 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:18 p.m. on June 8, 2011: Representatives Lavelle, Mulrooney & Heffernan.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 9, 2011.

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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 150** - 4M.

VETERANS AFFAIRS: **HB 136** - 10F,4M.

JUDICIARY: **HB 114** - 2F,4M; **HS 1 for HB 88** - 1F,5M.

HOUSE ADMINISTRATION: **HB 9** - 3M; **HB 33** - 5M; **HB 75** - 5M; **HB 151** - 2F,2M; **HB 130** - 4M; **HB 131** - 5M; **HB 154** - 5M.

EDUCATION: **HB 153** - 3F,6M; **SB 69** - 9M; **SB 78 w/SA 2** - 9M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 155** - 1F,3M.

HOUSING & COMMUNITY AFFAIRS: **HB 103** - 3F,5M; **SB 79 w/SA 1** - 7M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 76** - 2F,9M; **SS 1 for SB 56** - 9M; **HB 115** - 10M.

REVENUE & FINANCE: **HB 92** - 1F,9M; **HB 142** - 9M; **HB 166** - 2F,7M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 157** - 7M; **HB 140** - 6M.

AGRICULTURE: **HB 113** - 4F,4M; **HB 158** - 4F,3M.

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 121** - 6M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB70 w/SA 1** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HB 3 w/HA 1** & **HB 82** and is returning the same to the House.

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

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.

### **35th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 9, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Harold J. Peterman, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the 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 143** - MITCHELL & REPRESENTATIVE VIOLA & SENATOR ENNIS; REPRESENTATIVES LEE, D.P. WILLIAMS, SCHWARTZKOPF; SENATORS MARSHALL, MCDOWELL, HENRY, LAWSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the Fund to Combat Violent Crime, Funded by an Additional Penalty Imposed by Courts for Various Offenses.

**HB 171** - BRIGGS KING & SENATOR BOOTH & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, HUDSON, KENTON, LEE, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to a Semi-Monthly Method of Payment of State Officials and Employees.

**HB 172** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Millville, Chapter 278, Volume 72, Laws of Delaware, as Amended, Entitled

“An Act to Reincorporate the Town of Millville” to Amend Paragraph (a)(30) of Section 31, Enumeration of Powers.

**HB 173** - HEFFERNAN & SENATOR MCDOWELL; REPRESENTATIVES BOLDEN, B. SHORT, D.E. WILLIAMS, D.P. WILLIAMS; SENATOR CLOUTIER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County and Sewer Systems.

**HB 174** - KEELEY & SENATOR BLEVINS; REPRESENTATIVE CARSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Vehicular Assault and Vehicular Homicide.

**HB 175** - Q. JOHNSON & SENATOR HALL-LONG & SENATOR BLEVINS & SENATOR ENNIS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 462, Volume 77, of the Laws of Delaware Relating to the Board of Chiropractic.

**HB 176** - LAVELLE & SENATOR KATZ & SENATOR PETERSON; REPRESENTATIVES HOCKER, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 177** - BARBIERI & REPRESENTATIVE GEORGE & SENATOR BLEVINS; REPRESENTATIVES HUDSON, LAVELLE, SCOTT, J. JOHNSON, WILSON; SENATORS ENNIS, HALL-LONG, VENABLES - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Expungement.

**HB 178** - BARBIERI & SENATOR HENRY; REPRESENTATIVES BENNETT, BOLDEN, JAQUES, KEELEY, LONGHURST, OSIENSKI, RAMONE; SENATORS BLEVINS, KATZ, MCDOWELL, SOKOLA, SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Commodity Taxes.

**HB 179** - ATKINS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Construction of Water and Irrigation Wells.

**HB 180** - MULROONEY & SENATOR DELUCA; REPRESENTATIVES BARBIERI, BENNETT, BRADY, J. JOHNSON, KEELEY, KOWALKO, LONGHURST, OSIENSKI, RAMONE; SENATORS ENNIS, HALL-LONG, MCBRIDE - POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Electricians and Electrical Contractors.

**HA 2 to HB 76** - BRADY - Placed with the Bill.

**HA 1 to HB 136** - JAQUES - Placed with the Bill.

**SB 70 w/SA 1** - HALL-LONG & REPRESENTATIVE WALKER & REPRESENTATIVE RAMONE & REPRESENTATIVE LONGHURST & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE BENNETT; SENATORS SOKOLA, BUNTING, BUSHWELLER, ENNIS, HENRY, SORENSON, CONNOR, CLOUTIER; REPRESENTATIVES GEORGE, JAQUES, CARSON, J. JOHNSON, Q. JOHNSON, KOWALKO, MITCHELL, KEELEY, MULROONEY, D. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 6 of the Delaware Code Relating to Protecting the Health of Children by Prohibiting Bisphenol-A in Products for Young Children.

Representative Schwartzkopf deferred to Representative George. Representative George requested and was granted privilege of the floor for herself and Representatives Schooley & Ramone to recognize George Meldrum, Senior Advisor for Government Affairs, Nemours Foundation. Representative Ramone, Mr. Meldrum & Representative George addressed the House.

Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton requested and was granted privilege of the floor for himself and Representatives Outten, Wilson, Scott & Bennett & Senator Simpson to present a House Tribute to LeRoy Betts on the occasion of his retirement as President of the Delaware State Fair Board of Directors. Representative Kenton addressed the House and introduced guests. Senator Simpson addressed the House. Representative Outten presented a gift to Mr. Betts, who addressed the House.

Representative Schwartzkopf requested and was granted personal privilege of the floor to recognize Chiefs of Police, law enforcement officers, volunteers, and participants involved in the Special Olympics Torch Run. Retired Captain John M. Miller, Special Olympics State Director, addressed the House and introduced Chiefs of Police from throughout the State and torch bearer Corporal Danielle Martin, Delaware State Police. Representatives Schwartzkopf, Lavelle & Jaques made comments. Representatives Barbieri, Keeley, Longhurst & D. Short requested that they be marked present. Representative Heffernan made comments.

Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett requested and was granted privilege of the floor for himself and Representative Blakey to present House Tributes to the Caesar Rodney High School 2011 State Championship golf team, girls' tennis team, and boys' tennis team. John Newman, Coach, Golf Team, addressed the House. Team members stated their names and sports for the record. Representatives Ramone, Lavelle & Mitchell made comments.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola introduced **HB 181**, jointly sponsored by Senator McDowell & Senator DeLuca & Representatives Bennett, Carson, Hudson, Jaques, Lavelle, Longhurst, Schwartzkopf & Scott & Senators Simpson & Sorenson.

**HB 181** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES ON TELEGRAPH AND TELEPHONE COMPANIES.

Mr. Speaker Gilligan assigned **HB 181** to the Revenue & Finance Committee.

The Majority Leader moved to recess for caucus and to the call of the Chair for at 2:47 p.m.

The House reconvened at 5:07 p.m.

Representative Schwartzkopf requested that **SB 79 w/SA 1** be removed from **Consent Agenda A**.

Representative Schwartzkopf brought **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration.

**HB 115** - B. SHORT & REPRESENTATIVE GEORGE & REPRESENTATIVE HUDSON & SENATOR DELUCA & REPRESENTATIVES BENNETT, KEELEY & WILLIS & SENATORS BLEVINS, BONINI & HALL-LONG - An Act to Amend Title 12 of the Delaware Code Relating to Statutory Trusts. (3/5 bill)

**HB 130** - OUTTEN & SENATOR BONINI - An Act to Reincorporate the Charter of the City of Harrington, Chapter 115, Volume 69, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Harrington". (3/5 bill)

The roll call on **Consent Agenda A** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 115** & **HB 130** were sent to the Senate for concurrence.

Representatives Carson & Mulrooney requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 122**, jointly sponsored by Representative Bennett & Senator Hall-Long & Representatives Barbieri, Brady, Hocker, Hudson, Jaques, Q. Johnson, Kenton, Longhurst, Mitchell, Mulrooney, Outten, Peterman, Scott, D. Short, Walker & Willis & Senators Bonini, Booth, Bunting, Connor, Lawson, Simpson & Venables, before the House for consideration.

**HB 122** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO SELF-SUFFICIENT WATER SUPPLY.

Representatives Carson & Briggs King made comments. Representative Carson requested and was granted privilege of the floor for Bruce Kraeuter, Senior Vice President, Artesian Water Company. Representative Carson moved to place **HB 122** on the Speaker's Table. The motion was seconded by Representative Mulrooney and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 108**, jointly sponsored by Representative J. Johnson & Senator Ennis & Representatives Carson, Lee & Walker & Senators Bushweller & Simpson, before the House for consideration.

**HB 108** - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE OFFENSES EXEMPTED FROM VOLUNTARY ASSESSMENT AND THE AVAILABILITY OF PROBATION BEFORE JUDGMENT.

Representative Mitchell made comments.

The roll call on **HB 108** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 108** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 142**, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Gilligan, Hocker, Jaques & Osienski, before the House for consideration.

**HB 142** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS AND WHOLESALERS.

Representative Longhurst made comments.

The roll call on **HB 142** was taken and revealed:

YES: 40.

ABSENT: Representative Brady - 1.

Therefore, having received a constitutional majority, **HB 142** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 53 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 53** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND TO THE INVESTMENT FLEXIBILITY FOR WELL-CAPITALIZED INSURANCE COMPANIES.

Representative B. Short made comments.

The roll call on **SB 53 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 53 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 54 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 54 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION.**

Representative B. Short made comments.

The roll call on **SB 54 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 54 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten brought **HB 116**, jointly sponsored by Senator Lawson & Representatives Kenton, Peterman, Bennett, Brady, Carson, Kowalko & Mitchell & Senator Booth, before the House for consideration.

**HB 116 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.**

Representatives Outten & Schwartzkopf made comments.

The roll call on **HB 116** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 116** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 133**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 133 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEAT.**

Representative George made comments.

The roll call on **HB 133** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 133** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **HB 155**, jointly sponsored by Senator Hall-Long & Representatives Heffernan, Jaques, Kenton, Kowalko & Mitchell & Senators Bushweller & Henry, before the House for consideration.

**HB 155 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.**

Representative Walker made comments.

The roll call on **HB 155** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 155** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 78 w/SA 2**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 78 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE ASSESSMENT SYSTEM.**

Representative Schooley made comments.

The roll call on **SB 78 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 78 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 136**, jointly sponsored by Senator Bunting & Representatives Carson, Bennett, B. Short, D. Short, Outten, Brady, Mitchell & Kenton & Senators Bushweller, Ennis & McDowell, before the House for consideration.

**HB 136 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VETERAN PREFERENCE IN STATE EMPLOYMENT.**

Representative Jaques brought **HA 1 to HB 136** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments.

The roll call on **HB 136 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 136 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 157**, jointly sponsored by Viola & Senator McDowell & Representatives Carson, Briggs King, Gilligan, Hocker, Jaques, Q. Johnson, Longhurst, Mitchell, Mulrooney, Peterman, Ramone, Scott & D. Short & Senators Bonini, Booth, Bunting, Katz & Simpson, before the House for consideration.

**HB 157** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Representatives Bennett, Kowalko, Hudson & J. Johnson made comments.

The roll call on **HB 157** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Willis & Wilson - 2.

Therefore, having received a constitutional majority, **HB 157** was sent to the Senate for concurrence.

Representatives Willis & Wilson announced that they did not vote on **HB 157** because of possible conflicts of interest.

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

APPROPRIATIONS: HB 59 - 6M.

Representative Bennett introduced **HB 182**, jointly sponsored by Senator Peterson & Representatives Atkins, Brady, Carson, Heffernan, Jaques, Q. Johnson, Keeley, Kowalko, Longhurst, Mitchell, Mulrooney, Osienski, Ramone, Scott, B. Short, D. Short & Viola.

**HB 182** - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF HOME INSPECTORS.

Mr. Speaker Gilligan assigned **HB 182** to the Policy Analysis & Government Accountability Committee. Representatives Keeley & Kowalko made announcements.

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

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 14, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 25 w/SA 1 & 2, SB 109 w/SA 1, SB 108 & SB 92** and requests the concurrence of the House and the Senate has passed **HB 90 w/SA 1** and is returning the 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.

### **36th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 14, 2011**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Lavelle - 1.

A prayer was offered by Representative William J. Carson, Thirty-eighth Representative District.

Mr. Speaker Gilligan invited the leadership of Boys' State to lead those present in the 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 183** - D.P. WILLIAMS & REPRESENTATIVE B. SHORT & SENATOR HENRY; REPRESENTATIVES BARBIERI, BENNETT, BOLDEN, GILLIGAN, HEFFERNAN, JAQUES, MANOLAKOS, RAMONE, D. SHORT; SENATOR VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Contract Bidding and Free Public Schools.

**HB 184** - BENNETT - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Powers and Duties of the Government of Kent County.

**HB 185** - MITCHELL & SENATOR MCBRIDE; REPRESENTATIVES BENNETT, CARSON, HOCKER, MIRO, RAMONE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Certain Property Crimes.

**HB 186** - Q. JOHNSON & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, BOLDEN, BRADY, HEFFERNAN, MITCHELL, VIOLA - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Clean Air Act Title V Operating Permit Program. (3/5 bill)

**HB 187** - Q. JOHNSON & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, BRIGGS KING, CARSON, KENTON, KOWALKO, MITCHELL, OUTTEN, PETERMAN, SCHOOLEY, B. SHORT, WALKER, WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Roadside Stands.

**HB 188** - Q. JOHNSON & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES ATKINS, BENNETT, BRADY, BRIGGS KING, CARSON, HOCKER, KENTON, LEE, OUTTEN, B. SHORT, WALKER, WILSON; SENATORS BOOTH, ENNIS, HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Vehicles.

**HA 1 to HB 145** - GEORGE - Placed with the Bill.



**HJR 3** - SCOTT & REPRESENTATIVE VIOLA & SENATOR MCDOWELL & SENATOR DELUCA; REPRESENTATIVES BENNETT, CARSON, HUDSON, JAQUES, Q. JOHNSON, LAVELLE, LONGHURST, MITCHELL, SCHOOLEY, SCHWARTZKOPF, B. SHORT; SENATORS BUSHWELLER, ENNIS, MCBRIDE, SIMPSON, SORENSON - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - Establishing a Communications Tax Review Group to Study and Make Recommendations for Improving Delaware's Tax Laws Applicable to Communications Providers.

**SB 25 w/ SA 1 & 2** - MARSHALL; SENATORS HENRY, MCDOWELL; REPRESENTATIVES SCOTT, BOLDEN, BRADY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Gun Safety.

**SB 92** - MCBRIDE & REPRESENTATIVE MULROONEY & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE HEFFERNAN; SENATORS BUNTING, PETERSON, CONNOR; REPRESENTATIVES KEELEY, KOWALKO, MANOLAKOS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Chronic Violator Status.

**SB 108** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BUSHWELLER, HENRY, ENNIS; REPRESENTATIVES CARSON, MITCHELL, MULROONEY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation and Payments for Injuries or Death and Incidental Benefits.

**SB 109 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT; SENATOR VENABLES - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Chapter 19 of Title 18 of the Delaware Code Relating to Regulation of Surplus Lines Insurance.

**HA 1 to SS 1 for SB 56** - SCHOOLEY - Placed with the Bill.

**HA 1 to SB 92** - Q. JOHNSON - Placed with the Bill.

The Reading Clerk read the following communications into the record:

June 13, 2011

#### LEGISLATIVE ADVISORY #5

Governor Jack A. Markell signed the following legislation on the date indicated: 5/20/11 - **SB 41 aab SA 1**; 5/31/11 - **HB 61 aab HA 1, HB 45 aab HA 1 & HB 11 aab HA 1**; 6/3/11 - **SB 26 aab SA 1**; 6/7/11 - **HB 44 & HB 83**; 6/8/11 - **SB 24 aab SA 2, SB 57, SB 58, SB 49, SB 59 & HB 26 aab HA 3**; 6/10/11 - **HB 82**.

June 14, 2011

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901  
Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, today June 14, 2011, due to a business conflict.

Thank you for your understanding.

Sincerely,  
Gregory F. Lavelle  
State Representative  
11<sup>th</sup> District

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

PUBLIC SAFETY & HOMELAND SECURITY: **HS 1 for HB 143** - 9M.

Mr. Speaker Gilligan introduced the leadership of Boy's State and their advisors. Representative Jaques requested that **HB 17** be stricken. Representative Miro requested that he be marked present. Representative Heffernan requested and was granted privilege of the floor to present a House Tribute to Ellen Coulton, 2011 Outstanding Mom & Delaware Mom Congress Delegate, who addressed the House. Representatives Manolakos & Outten requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 18**, jointly sponsored by Representative Carson & Senator Hall-Long & Senator Marshall & Representatives Bennett, Blakey, Bolden, Briggs King, Heffernan, Hocker, Hudson, Jaques, Keeley, Kenton, Kowalko, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, Schooley, Schwartzkopf, Scott, D. Short, Walker, Willis & Wilson & Senators Blevins, Ennis, Henry, Sokola & Sorenson, before the House for consideration.

**HCR 18** - RECOGNIZING JUNE 15, 2011, AS DELAWARE ELDER ABUSE AWARENESS DAY.

Representative Longhurst made comments and introduced guests. **HCR 18** was adopted by voice vote. Representative George made an announcement. Representative George requested and was granted personal privilege of the floor to introduce guests. Representative Schooley requested that she be marked present and introduced a guest. Representative Q. Johnson made announcements.

Representative Outten introduced **HB 189**, jointly sponsored Representative Carson & Senator Booth & Senator Lawson & Representatives Lavelle, Hocker, Atkins & Kenton.

**HB 189** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A CERTAIN USE OF A HANDGUN.

Representative B. Short requested that he be marked present. Mr. Speaker Gilligan assigned **HB 189** to the Natural Resources Committee.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson requested and was granted privilege of the floor to present a House Tribute to Debra Brown, Director, Mamie A. Warren Senior Center. Representative Carson invited Representative Willis to join them at the podium. Debra Brown addressed the House. Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Representatives Mulrooney & Keeley requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:21 p.m.

The House reconvened at 4:06 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 93** and requests the concurrence of the House. The Senate has passed **HB 104 w/SA 1** & **HB 64** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Michael A. Barbieri, do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: Michael A. Barbieri

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Valerie J. Longhurst, do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: Valerie J. Longhurst

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Earl G. Jaques, Jr., do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: Earl G. Jaques, Jr.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Edward S. Osienski, do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: Edward S. Osienski

WITHDRAWAL OF SPONSORSHIP REQUEST

I, James Johnson, do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: James Johnson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John A. Kowalko, do hereby request that my name be removed as co-sponsor of **HB 75**.

Date: 6/14/11

Signed: John A. Kowalko

Representative Kowalko requested that he be marked present. Representative Bennett requested that **HB 184** be stricken. Representatives Brady & Hudson requested that they be marked present.

Representative Hudson requested and was granted personal privilege of the floor to make comments regarding Flag Day. The House observed a moment of silence for those who serve under our American Flag at the request of Representative Hudson.

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

MANUFACTURED HOUSING: **HB 167** - 1F,3M.

Mr. Speaker Gilligan reassigned **HB 187** & **HB 188** to the Agriculture Committee.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 12**, jointly sponsored by Senator Henry & Senators Venables & Sorenson & Representatives Bolden, Jaques, Keeley, Kowalko, Scott, Viola & cosponsored by Representative Barbieri, before the House for consideration.

**SB 12** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM.

Representatives Schooley & Hudson made comments. Representative Schooley requested and was granted privilege of the floor for Elaine Archangelo, Director, Division of Social Services. Representatives D. Short, Hocker & Schooley made comments.

The roll call on **SB 12** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Briggs King, Carson, Hocker, Hudson, Peterman, Willis & Wilson - 8.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 12** was returned to the Senate.

Representatives Atkins & D.P. Williams requested that they be marked present during the roll call.

Representative D.P. Williams introduced **HB 190**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor.

**HB 190** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Gilligan assigned **HB 190** to the Appropriations Committee.

Representatives D.P. Williams, George, Miro, Schwartzkopf, J. Johnson & Briggs King made comments regarding **HB 190**.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson moved to suspend the rules which interfere with action on **HB 122**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Carson moved to lift **HB 122** from the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Carson brought **HB 122**, jointly sponsored by Representative Bennett & Senator Hall-Long & Representatives Barbieri, Brady, Hocker, Hudson, Jaques, Q. Johnson, Kenton, Longhurst, Mitchell, Mulrooney, Outten, Peterman, Scott, D. Short, Walker & Willis & Senators Bonini, Booth, Bunting, Connor, Lawson, Simpson & Venables, before the House for consideration.

**HB 122 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO SELF-SUFFICIENT WATER SUPPLY.**

Representatives Carson & Briggs King made comments.

The roll call on **HB 122** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 122** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 59**. The motion was seconded by Representative Briggs King and adopted by voice vote.

Representative Keeley brought **HB 59**, jointly sponsored by Representative Kowalko & Representative Gilligan & Representative Ramone & Representative Briggs King & Senator Hall-Long & Representatives Blakey, Bolden, Brady, Heffernan, Jaques, Kenton, Longhurst, Miro, Mitchell, Mulrooney, Peterman, D. Short & Wilson & Senators Blevins & McDowell, before the House for consideration.

**HB 59 - AN ACT TO AMEND CHAPTER 25, TITLE 29 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION. (F/N)**

Representative Keeley deferred to Representative Kowalko. Representative Kowalko brought **HA 1 to HB 59**, which removes the three-fifths requirement, before the House for consideration. Representative Kowalko made comments. **HA 1** was adopted by voice vote. Representatives Kowalko & Keeley made comments.

The roll call on **HB 59 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 59 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HS 1 for HB 88**, jointly sponsored by Senator Blevins & Representatives Hudson, J. Johnson, Keeley, Manolakos, Miro, Mitchell & Scott & Senator Sokola, before the House for consideration.

**HS 1 for HB 88 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES. (3/5 bill) (F/I)**

Representative George made comments.

The roll call on **HS 1 for HB 88** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 88** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone brought **SB 69**, jointly sponsored by Senator Hall-Long & Senators Katz, Ennis, Bushweller, Sokola & Booth & Representatives Schooley, Carson, Walker, Willis & Kenton, before the House for consideration.

**SB 69 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSED ATHLETIC TRAINERS.**

Representative Ramone made comments. Representative Ramone requested and was granted personal privilege of the floor to introduce guests.

The roll call on **SB 69** was taken and revealed:

YES: 38.

NO: Representative Scott - 1.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 69** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **HB 76**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought **HB 76**, jointly sponsored by Representative Keeley & Representative Heffernan & Senator McDowell & Representatives Bennett, Carson, Hudson, Manolakos, Schooley & D.P. Williams & Senators Blevins, Hall-Long, Henry & Sorenson, before the House for consideration.

**HB 76 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS AND GROUP AND BLANKET HEALTH INSURANCE.**

Representative Brady brought **HA 1 to HB 76** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representative Brady brought **HA 2 to HB 76** before the House for consideration. Representatives Brady & Hudson made comments. **HA 2** was adopted by voice vote. Representatives Brady & Hudson made comments.

The roll call on **HB 76 w/HA 1 & 2** was taken and revealed:

YES: 38.

NOT VOTING: Representative D. Short - 1.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 76 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Brady made comments regarding **HB 76 w/HA 1 & 2**.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SS 1 for SB 56**, jointly sponsored by Senator Blevins & Representative Keeley & Senators Bushweller, Ennis, Henry, Sokola & Sorenson & Representatives Barbieri, George, Gilligan, Jaques, Kowalko, Miro, Mitchell, Walker, Willis & Bolden, before the House for consideration.

**SS 1 for SB 56 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH SERVICE CORPORATIONS.**

Representative Schooley brought **HA 1 to SS 1 for SB 56** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **SS 1 for SB 56 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 56 w/HA 1** was returned to the Senate.

Representative Longhurst requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Gilligan made an announcement. Representatives Q. Johnson, B. Short & Peterman made announcements. Representative Hocker made comments. Representative Kowalko made an announcement. Representative Miro made comments. Representative Mulrooney made an announcement. Representatives Keeley & Mulrooney made comments.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker introduced **HS 1 for HB 158**, jointly sponsored by Representative Atkins & Senator Bunting & Senator Venables & Senators Bonini, Booth, Lawson & Simpson.

**HS 1 for HB 158 - AN ACT TO AMEND TITLES 3 AND 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS AND LICENSES, OR PERMITS TO CONSTRUCT, EXTEND, OR OPERATE AN IRRIGATION WELL OR SURFACE WATER INTAKE.**

Mr. Speaker Gilligan assigned **HS 1 for HB 158** to the Agriculture Committee.

The Majority Leader moved to recess to the call of the Chair at 5:16 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 15, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 15 w/SA 2, SB 68, SB 101, SB 86, SB 112 w/SA 1 & SB 87 w/SA 1** and requests the concurrence of the House, and the Senate has passed **HCR 18** and is returning the same to the House.

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

### **37th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 15, 2011**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Briggs King & D.P. Williams - 2.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

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

Representative Kowalko requested that he be marked present.

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

The following prefiled legislation was introduced:

**HB 191** - J. JOHNSON & REPRESENTATIVE MULROONEY & SENATOR CONNOR; REPRESENTATIVES BARBIERI, MITCHELL, VIOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 Relating to Commercial Vehicles.

**HB 192** - HUDSON & SENATOR SORENSON; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, MIRO, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections.

**HB 193** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES BENNETT, BOLDEN, CARSON, KENTON; SENATOR BOOTH - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.

**HA 2 to HB 78** - HUDSON - Placed with the Bill.

**HA 1 to HB 113** - HOCKER - Placed with the Bill.

**HA 1 to HB 140** - CARSON - Placed with the Bill.

**HA 1 to HB 167** - BRIGGS KING - Placed with the Bill.

**SB 15 w/SA 2** - BOOTH & SENATOR ENNIS & REPRESENTATIVE HUDSON; SENATORS BONINI, BUNTING, SIMPSON; REPRESENTATIVES ATKINS, LEE, OUTTEN, D. SHORT, WILSON, KENTON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Certain Employment and Public Benefits Eligibility.

**SB 68** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Bethany Beach to Expand the Distance from the Town Limits within which the Alderman and Assistant Alderman Must Reside. (2/3 bill)

**SB 86** - ENNIS & SENATOR HALL-LONG & REPRESENTATIVE Q. JOHNSON; REPRESENTATIVES JAQUES, CARSON, ATKINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Thefts from Cemeteries. (2/3 bill)

**SB 87 w/SA 1** - PETERSON & REPRESENTATIVE BENNETT; SENATORS BUSHWELLER, HENRY, KATZ, SOKOLA, BONINI; REPRESENTATIVES BRIGGS KING, HUDSON, KENTON, LAVELLE, MIRO, OSIENSKI, D. SHORT, WILSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**SB 93** - BUSHWELLER & REPRESENTATIVE B. SHORT; REPRESENTATIVES CARSON, LAVELLE - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Automobile Clubs.

**SB 101** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Bethany Beach, An Act to Re-incorporate the Town of Bethany Beach, Relating to Election Notices and Records and Candidate Qualifications. (2/3 bill)

**SB 112 w/SA 1** - HALL-LONG & REPRESENTATIVE WALKER & REPRESENTATIVE Q. JOHNSON; SENATORS SOKOLA, CLOUTIER, ENNIS; REPRESENTATIVES KEELEY, J. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Supportive Instruction.

Representatives Mitchell, George, J. Johnson, Blakey, Wilson, Keeley, Scott, Barbieri & Viola requested that they be marked present.

The Reading Clerk read the following communications into the record:

Dear Delaware Legislators,

Last week at my 8<sup>th</sup> grade graduation from Christ the Teacher Catholic School, I received the 2011 Student Excellence and Leadership Award. Thank you for the recognition and the tribute from the Delaware Senate and House of Representatives. It was such an honor to receive the award in front of my classmates, teachers, and family. I hope to continue to serve my school, family, and state as a high school student at Archmere Academy.

Again, thank you for the recognition.

Sincerely,  
Elizabeth Millard

MEMORANDUM

TO: Robert F. Gilligan  
Speaker of the House  
FROM: Representative Joseph E. Miro  
DATE: June 15, 2011  
SUBJECT: Absence from Session

Please be advised I will be absent from session on Thursday, June 16, 2011 due to personal business.

Representative Miro requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Barbieri requested and was granted privilege of the floor to make comments regarding **HB 144**. Representative Heffernan requested and was granted personal privilege of the floor to introduce guests. Representative D. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Hocker requested that he be marked present.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:10 p.m.  
Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:10 p.m. on June 15, 2011: Representatives Schwartzkopf, Atkins, B. Short & Hudson.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 16, 2011.

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

JUDICIARY: **SB 77** - 8M; **SB 74** - 9M; **SB 76** - 9M; **SB 95** - 8M; **HB 174** - 7M; **HB 177** - 9M; **HB 185** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 180** - 1F,3M; **SB 31 w/SA 1** - 4M; **SB 32 w/SA 2** - 4M; **SB 33 w/SA 2** - 4M; **HB 182** - 1F,3M; **HB 138** - 4M; **HB 139** - 4M; **HB 165** - 4M; **HB 175** - 4M.

HOUSE ADMINISTRATION: **SB 37** - 1F,3M; **SB 63 w/SA 1** - 5M; **HB 172** - 5M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 42 w/SA 1** - 9M; **HB 161** - 8M; **HB 160** - 7M; **SB 93** - 7M.

HEALTH & HUMAN DEVELOPMENT: **SB 70 w/SA 1** - 1F,10M

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HJR 3** - 6F.

HOUSING & COMMUNITY AFFAIRS: **HB 169** - 1F,8M; **HB 173** - 7M.

AGRICULTURE: **HS 1 for HB 158** - 5M; **HB 187** - 5M; **HB 188** - 5M.

NATURAL RESOURCES: **SB 47** - 2F,5M; **SB 92** - 2F,5M; **HB 163** - 2F,5M; **HB 186** - 2F,5M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 43** - 7M; **SB 67** - 7M; **HB 168** - 7M; **SB 55** - 7M.

REVENUE & FINANCE: **HB 97** - 7F,2U; **HB 181** - 8F,3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 83**, **SB 98 w/SA 1**, **SB 85** & **SCR 19** and requests the concurrence of the House and the Senate has passed **HB 98** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald L. Brady, do hereby request that my name be removed as co-sponsor of **HB 178**.

Date: 6/15/11

Signed: Gerald L. Brady

Representatives Briggs King requested that she be marked present for the current Legislative Day.

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.

### **38th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 16, 2011**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Keeley, Miro & Viola - 3.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan invited participants in Boys State to lead those present in the 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 33** - JAQUES & SENATOR KATZ - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Municipal Elections.

**HB 194** - BOLDEN & REPRESENTATIVE SCOTT & SENATOR HENRY; REPRESENTATIVES KEELEY, LONGHURST, MITCHELL, SCHWARTZKOPF; SENATORS MARSHALL, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade and the Safe Destruction of Documents Containing Personal Identifying Information.

**HB 196** - JAQUES & SENATOR KATZ - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to the Registration of Voters and to Polling Places.

**HB 197** - LONGHURST & SENATOR MCBRIDE; REPRESENTATIVES LAVELLE, MITCHELL, SCHWARTZKOPF, WALKER, J. JOHNSON, D.E.WILLIAMS; SENATORS SOKOLA & CONNOR - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Community Environmental Project Fund.

**HA 2 to HB 145** - GEORGE & REPRESENTATIVE D.P. WILLIAMS - Placed with the Bill.

**HA 1 to HB 169** - BENNETT - Placed with the Bill.

**HA 1 to HB 177** - BARBIERI - Placed with the Bill.

**HA 1 to HB 182** - BENNETT - Placed with the Bill.

**HA 1 to HB 187** - WILSON - Placed with the Bill.

**HJR 4** - KOWALCO & REPRESENTATIVE GILLIGAN & SENATOR PETERSON; REPRESENTATIVES BOLDEN, GEORGE, JAQUES, J. JOHNSON, Q. JOHNSON, HEFFERNAN, KEELEY, LAVELLE, OSIENSKI, SCHWARTZKOPF, SCOTT, B. SHORT, WALKER,

D.E. WILLIAMS; SENATORS SOKOLA, SORENSON - HOUSE ADMINISTRATION - Establishing a Study Commission on Lobbyist Ethics.

**SB 83** - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE GEORGE; SENATORS HALL-LONG, BLEVINS, BONINI; REPRESENTATIVES KEELEY, BENNETT, WILLIS, HUDSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Titles 10, 12, 18 and 25 of the Delaware Code Relating to Judicial Procedure, Fiduciary Relations, Insurance and Property.

**SB 85** - VENABLES & REPRESENTATIVE B. SHORT; SENATOR HENRY; REPRESENTATIVE MITCHELL - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to the Legal Rate of Interest and Judgments.

**SB 98 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT; SENATORS BLEVINS, HALL-LONG, ENNIS, SORENSON, CLOUTIER; REPRESENTATIVES KOWALKO, MITCHELL, SCOTT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance and the Requirement of Coverage for Certain Immunizations and Preventive Services.

Representative Kowalko requested that **HS 1 for HB 4** be stricken.

Representative Schwartzkopf deferred to Representative George. Representative George requested and was granted privilege of the floor to present a House Tribute to Connie Bond Stuart, Delaware Regional President, PNC Bank, who addressed the House. Representative Lavelle made comments.

The Reading Clerk read the following communications into the record:

MEMORANDUM

Representative Helene M. Keeley

DATE: June 16, 2011

TO: Speaker Robert F. Gilligan, Chief Clerk Richard Puffer, and  
Members of the 146<sup>th</sup> General Assembly

RE: Thursday, June 16, 2011

Dear Mr. Speaker and members of the 146<sup>th</sup> General Assembly,

Due to a personal obligation, I will not be in Legislative Hall on June 16, 2011. Please contact my office with any questions or concerns.

Sincerely,

Helene M. Keeley

State Representative

Third District

MEMORANDUM

Representative John J. Viola

DATE: June 16, 2011

TO: Speaker Robert F. Gilligan, Chief Clerk Richard Puffer, and  
Members of the 146<sup>th</sup> General Assembly

RE: Thursday, June 16, 2011

Dear Mr. Speaker and members of the 146<sup>th</sup> General Assembly,

Due to a personal obligation, I will not be in Legislative Hall on June 16, 2011. I will return on Tuesday, June 21, 2011. Please contact my office with any questions or concerns.

Sincerely,

John J. Viola

State Representative

26<sup>th</sup> District

Representative Schwartzkopf introduced and brought **HCR 20**, jointly sponsored by Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 20** - HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2011 SESSION OF DELAWARE'S BOYS' STATE.

Representative Manolakos requested and was granted personal privilege of the floor to make comments and introduce guests. Representatives Lavelle, Willis, Schwartzkopf & Ramone made comments. Representative Ramone requested and was granted personal privilege of the floor to introduce guests and make comments. Representatives Schwartzkopf & Lavelle made comments. **HCR 20** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Lavelle.

Representative Lavelle brought **HCR 19**, jointly sponsored by Senator Cloutier, before the House for consideration.

**HCR 19** - RECOGNIZING THE CAREER, ACCOMPLISHMENTS, AND LIFE OF CHARLES T. ARMBRUSTER, JR.

WHEREAS, Charles T. Armbruster, Jr. is a veteran of the United States Army serving a tour from 1968 until 1972 as a helicopter gunner during the Vietnam War; and

WHEREAS, Mr. Armbruster has been a loving husband to wife Pat since 1976 and a caring father to children – Chip, Katie, and Carrie; and

WHEREAS, Mr. Armbruster has served as State Commander of the American Legion, Department of Delaware from 1998 to 1999; and

WHEREAS, Mr. Armbruster has served as National Executive Committeeman of the American Legion from the Department of Delaware from 2008 to 2010; and

WHEREAS, Mr. Armbruster has served as Chairman of the American Legion High School Oratorical Contest for the Department of Delaware from 1999 until present; and

WHEREAS, during his tenure as Chairman of the American Legion High School Oratorical Contest, Mr. Armbruster has seen a 2<sup>nd</sup> and 3<sup>rd</sup> place national winner, both from Dover High School; and

WHEREAS, Mr. Armbruster has served as Chairman of the American Legion Baseball Program in Delaware in the early 1990's, and is presently a member of the Baseball Program Committee for Delaware; and

WHEREAS, Mr. Armbruster has served as Delaware Boys State Chairman from 2001 until 2007, but has been involved with the program since the mid 1990's. During his tenure as Chairman, Ben Wallace from the Wilmington Charter School was elected as Boys Nation President in 2007.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that we do hereby celebrate and proudly acknowledge the dedication, commitment, and unique contributions of Charles T. Armbruster, Jr. to the State of Delaware.

BE IT FURTHER RESOLVED that suitably prepared copies of this resolution be presented to Charles T. Armbruster, Jr. and his family.

Representative Lavelle made comments. Mr. Armbruster addressed the House. Representative Jaques made comments. **HCR 19** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden introduced and brought **HR 22**, jointly sponsored by Representative Blakey & cosponsored by Representatives Barbieri, Bennett, Carson, Hudson, Jaques, Q. Johnson, Kenton, Osienski, Outten, Peterman, Ramone, Scott, Walker Willis & Wilson, before the House for consideration.

**HR 22 - PROCLAIMING AND RECOGNIZING JUNE 19, 2011 AS JUNETEENTH INDEPENDENCE DAY.**

WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, but news of the end of slavery came slowly to frontier areas of the country; and

WHEREAS, June 19, 1865, is recognized as the date on which General Gordon Granger, upon arriving in Galveston, Texas, issued General Order Number Three, notifying the last enslaved Americans of their new legal status, almost two and a half years after the Emancipation Proclamation and months after the conclusion of the Civil War; and

WHEREAS, the African-Americans who had been slaves in the Southwest thereafter celebrated that date, commonly known as Juneteenth Independence Day, as the anniversary of their emancipation; and

WHEREAS, their descendants handed down that tradition from generation to generation as inspiration and encouragement for future generations; and

WHEREAS, Juneteenth celebrations have thus been held for over 135 years to honor the memory of all those who endured slavery, especially those who moved from slavery to freedom, and to encourage self-development and respect for all cultures; and

WHEREAS, the history behind the celebration of Juneteenth should be remembered as the event continues to receive increased national, and even global, recognition; and

WHEREAS, the example of faith and strength of character of those who endured and overcame slavery remains a lesson for all Americans today, regardless of background, region, or race;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware that June 19, 2011 is hereby proclaimed and recognized as Juneteenth Independence Day in the State of Delaware.

BE IT FURTHER RESOLVED that the House of Representatives does hereby encourage the people of the State of Delaware to reflect upon the significant roles and many contributions of African-Americans to Delaware and our nation throughout history and today, and to celebrate this day with appropriate activities and events that honor this rich legacy.

Representatives Bolden & Blakey made comments. **HR 22** was adopted by voice vote.

Representative Schwartzkopf introduced and brought **HR 20**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives, before the House for consideration.

**HR 20 - RECOGNIZING THURSDAY, JUNE 16, 2011 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES.**



WHEREAS, the fact is well-known that without the dedicated, hard-working staff of the Delaware House of Representatives, Legislative Hall would not run smoothly or efficiently; and

WHEREAS, although often working late only to come in the next morning and do it all again, our dedicated legislative staff are always willing to go the extra mile for the House of Representatives and the citizens of Delaware; and

WHEREAS, our legislative staff often handle difficult behind-the-scenes work with skill, optimism and enthusiasm, providing necessary support without complaint; and

WHEREAS, whether it be bill-stampers, pages, secretaries, legal staff, or full-time staffers, our legislative employees each serve a unique role, which blend to make this very fine institution run; and

WHEREAS, our 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 146th General Assembly of the State of Delaware that we hereby proclaim the greatness of our legislative staff and extend from the bottoms of our hearts, the deepest, most sincere gratitude for all of their hard work and dedication.

Representatives Schwartzkopf & Lavelle made comments. **HR 20** was adopted by voice vote.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:51 p.m.

The House reconvened at 5:11 p.m.

Representatives J. Johnson & Mulrooney requested that they be marked present.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 153**, jointly sponsored by Senator Sorenson & Representatives Barbieri, George, Heffernan, Jaques, Mitchell & Viola & Senators Ennis, Hall-Long & Sokola & cosponsored by Representative Kenton, before the House for consideration.

**HB 153** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION.

Representative Schooley made comments and introduced a guest. Representatives Briggs King & Jaques made comments.

The roll call on **HB 153** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Miro, Viola & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 153** was sent to the Senate for concurrence.

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

Representative Schwartzkopf brought **Consent Agenda B**, which requires a two-thirds vote, before the House for consideration.

**HB 138** - SCOTT & SENATOR HALL-LONG & REPRESENTATIVES BARBIERI, BENNETT, HUDSON, MIRO & MITCHELL & SENATOR BUSHWELLER - An Act to Amend Title 24 of the Delaware Code Relating to Membership on the Acupuncture Advisory Council and Genetic Counselor Advisory Council.

**HB 139** - SCOTT & SENATOR HALL-LONG & REPRESENTATIVES BARBIERI, BENNETT, HUDSON, MIRO & MITCHELL & SENATOR BUSHWELLER - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Professional Land Surveyors.

**HB 172** - HOCKER & SENATOR BUNTING - An Act to Amend the Charter of the Town of Millville, Chapter 278, Volume 72, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millville" to Amend Paragraph (a)(30) of Section 31, Enumeration of Powers. (2/3 bill)

**HB 175** - Q. JOHNSON & SENATOR HALL-LONG & SENATOR BLEVINS & SENATOR ENNIS - An Act to Amend Chapter 462, Volume 77, of the Laws of Delaware Relating to the Board of Chiropractic.

**HB 180** - MULROONEY & SENATOR DELUCA & REPRESENTATIVES BARBIERI, BENNETT, BRADY, J. JOHNSON, KEELEY, KOWALKO, LONGHURST, OSIENSKI & RAMONE & SENATORS ENNIS, HALL-LONG & MCBRIDE - An Act to Amend Title 24 of the Delaware Code Relating to Electricians and Electrical Contractors.

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

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 138, HB 139, HB 172, HB 175 & HB 180** were sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Hocker requested that **HB 154** be stricken.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 131**, jointly sponsored by Senator Hall-Long, before the House for consideration.

**HB 131** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES.

Representative George made comments.

The roll call on **HB 131** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 131** was sent to the Senate for concurrence.

Representative George requested and was granted personal privilege of the floor to introduce a guest. Representative Atkins requested that **HB 179** be stricken.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 169**, jointly sponsored by Representative Scott & Senator Simpson & Representatives Blakey, Carson, Q. Johnson, Outten, Peterman, Viola & Willis & Senators Bonini, Bushweller & Lawson, before the House for consideration.

**HB 169** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY.

Representative Bennett brought **HA 1 to HB 169** before the House for consideration. Representative Bennett made comments. **HA 1** was adopted by voice vote. Representative Bennett made comments.

The roll call on **HB 169 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 169 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 187**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Briggs King, Carson, Kenton, Kowalko, Mitchell, Outten, Schooley, B. Short, Walker & Wilson & cosponsored by Representative Peterman, before the House for consideration.

**HB 187** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ROADSIDE STANDS.

Representative Wilson brought **HA 1 to HB 187** before the House for consideration. Representative Wilson made comments. Representative Atkins announced that he will not be voting on **HA 1** and **HB 187** because of a possible conflict of interest. **HA 1** was adopted by voice vote. Representatives Q. Johnson & Hudson made comments.

The roll call on **HB 187 w/HA 1** was taken and revealed:

YES: 35.

NOT VOTING: Representatives Atkins & Ramone - 2.

ABSENT: Representatives Keeley, Miro, Mulrooney & Viola - 4.

Therefore, having received a constitutional majority, **HB 187 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 188**, jointly sponsored by Senator Bunting & Senator Venables & Representatives Atkins, Bennett, Brady, Briggs King, Carson, Hocker, Kenton, Lee, Outten, B. Short, Walker & Wilson & Senators Booth, Ennis & Hall-Long, before the House for consideration.

**HB 188** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES.

Representative Q. Johnson made comments.

The roll call on **HB 188** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 188** was sent to the Senate for concurrence.

Mr. Speaker Gilligan requested that **HB 137** be returned to the Ready List.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 185**, jointly sponsored by Senator McBride & Representatives Bennett, Carson, Hocker, Miro & Ramone, before the House for consideration.

**HB 185** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN PROPERTY CRIMES. (F/N)

Representative Mitchell made comments.

The roll call on **HB 185** was taken and revealed:

YES: 34.

NO: Representatives Briggs King, Peterman, Willis & Wilson - 4.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 185** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 121**, jointly sponsored by Representative Hudson & Senator DeLuca & Representatives Barbieri, Keeley, Lavelle, Mitchell, Schooley & Viola & Senator Ennis, before the House for consideration.

**HB 121** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE SCHEDULES AND RATE CLASSIFICATIONS.

Representative Scott made comments.

The roll call on **HB 121** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 121** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HS 1 for HB 158**, jointly sponsored by Representative Atkins & Senator Bunting & Senators Venables, Bonini, Booth, Lawson & Simpson, before the House for consideration.

**HS 1 for HB 158** - AN ACT TO AMEND TITLES 3 AND 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS AND LICENSES, OR PERMITS TO CONSTRUCT, EXTEND, OR OPERATE AN IRRIGATION WELL OR SURFACE WATER INTAKE.

Representative Hocker & Atkins made comments.

The roll call on **HS 1 for HB 158** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 158** was sent to the Senate for concurrence.

Representative Hocker made comments regarding **HS 1 for HB 158**.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **SB 79 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 79** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENT AND COUNTY ADMINISTRATORS.

Representatives Wilson, Atkins & Briggs King made comments.

The roll call on **SB 79 w/SA 1** was taken and revealed:

YES: 37.

NO: Representative Atkins - 1.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **SB 79 w/SA 1** was returned to the Senate.

Representative Wilson Made comments regarding **SB 79 w/SA 1**.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 114**, jointly sponsored by Representative Mitchell & Senator Blevins & Senator Simpson & Representatives Carson, J. Johnson, Walker & D.P. Williams & Senator Sorenson, before the House for consideration.

**HB 114** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE COURT OF COMMON PLEAS.

Representative George made comments.

The roll call on **HB 114** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 114** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 145**, jointly sponsored by Representative Barbieri & Representative Keeley & Representatives J. Johnson, Ramone & Scott & Senators Blevins, Bonini, Ennis, Henry, Sokola & Sorenson, before the House for consideration.

**HB 145** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO EXPUNGEMENTS.

Representative George brought **HA 1 to HB 145** before the House for consideration. Representative George made comments. **HA 1** was adopted by voice vote. Representative George brought **HA 2 to HB 145**, jointly sponsored by Representative D.P. Williams, before the House for consideration. Representative George made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 145 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 145 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 104 w/SA 1**, jointly sponsored by Representative George & Senator Blevins & Representative Bennett, before the House for concurrence on **SA 1**.

**HB 104** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE UNIFORM RECOGNITION OF FOREIGN-COUNTRY MONEY JUDGMENTS.

Representative Schwartzkopf made comments.

The roll call on **HB 104 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Miro, Mulrooney & Viola - 4.

Therefore, having received a constitutional majority, **HB 104 w/SA 1** was sent to the Governor.

Representative Schwartzkopf brought **HB 90 w/SA 1**, jointly sponsored by Representative Schooley & Senator Sokola & Representatives Heffernan, Jaques, Keeley, Miro & Ramone & Senators Bunting, Bushweller, Venables & cosponsored by Senator McDowell, before the House for concurrence on **SA 1**.

**HB 90 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NONRENEWAL OF CONTRACTS AND DISMISSAL OF DEPARTMENT OF EDUCATION EMPLOYEES.**

Representatives Schwartzkopf, Briggs King & Schooley made comments.

The roll call on **HB 90 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HB 90 w/SA 1** was sent to the Governor.

Representative Lavelle made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 124 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 30, HB 77, HCR 19 & HCR 20** and is returning the same to the House. The Senate has passed **SB 89, SB 64 w/SA 2, SB 125, SB 116, SB 82** and requests the concurrence of the House and the Senate has passed **HB 91** and is returning the same to the House.

Mr. Speaker Gilligan requested that **SB 124 w/SA 1**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, Bushweller, Ennis, Hall-Long, Peterson, Simpson, Sokola, Sorenson, Venables, Cloutier & Connor & Representatives Barbieri, Bennett, Bolden, Carson, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kowalko, Lavelle, Lee, Longhurst, Miro, Mulrooney, Ramone, Schooley, Schwartzkopf, Scott, B. Short, Viola, Walker, D.E. Williams, D.P. Williams & Mitchell be given its first reading before the House.

**SB 124 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO DELAWARE'S RENEWABLE ENERGY PORTFOLIO STANDARDS AND DELAWARE-MANUFACTURED FUEL CELLS.**

Mr. Speaker Gilligan assigned **SB 124** to the Energy Committee. Representative Kowalko & Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HS 1 for HB 143**, jointly sponsored by Representative Viola & Senator Ennis & Representatives Lee, D.P. Williams & Schwartzkopf & Senators Marshall, McDowell, Henry & Lawson, before the House for consideration.

**HS 1 for HB 143 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE FUND TO COMBAT VIOLENT CRIME, FUNDED BY AN ADDITIONAL PENALTY IMPOSED BY COURTS FOR VARIOUS OFFENSES.**

Representative Mitchell introduced and brought **HA 1 to HS 1 for HB 143** before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representatives Mitchell, D.P. Williams & Schwartzkopf made comments.

The roll call on **HS 1 for HB 143 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Miro & Viola - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 143 w/HA 1** was sent to the Senate for concurrence.

Representative Mitchell made comments regarding **HS 1 for HB 143 w/HA 1**.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HS 1 for HB 66**, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Bolden, Mitchell, B. Short & D.P. Williams & Senator Marshall and cosponsored by Senator Cloutier, before the House for consideration.

**HS 1 for HB 66 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES SPEED AND VIDEO MONITORING SYSTEMS.**

Representatives Brady, Blakey, Bennett, Scott, Jaques, Ramone, Mitchell, D.P. Williams, B. Short & Lee made comments. Representative Brady requested and was granted privilege of the floor for Seth Thompson, Majority House Attorney. Representative D.P. Williams, Lee, Brady, Bolden, Heffernan & Blakey made comments.

The roll call on **HS 1 for HB 66** was taken and revealed:

YES: Representatives Barbieri, Bennett, Bolden, Brady, Carson, George, Heffernan, J. Johnson, Longhurst, Mitchell, Osienski, Schooley, Scott, Walker & D.P. Williams - 15.

NO: 15.

NOT VOTING: Representatives Blakey, Gilligan, Q. Johnson, Kowalko, Schwartzkopf, B. Short & D. Short - 7.

ABSENT: Representatives Atkins, Keeley, Miro & Viola - 4.

Therefore, not having received a constitutional majority, **HS 1 for HB 66** was declared defeated.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King introduced and brought **HR 21**, jointly sponsored by Representative Hudson on behalf of All Representatives, before the House for consideration.

Representative Lavelle made an announcement.

**HR 21** - RECOGNIZING SUNDAY, JUNE 19, 2011 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES.

Representative Briggs King made comments. **HR 21** was adopted by voice vote. Representatives George, Schooley & Schwartzkopf made announcements.

The Majority Leader moved to recess to the call of the Chair at 7:11 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 21, 2011.

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

HOUSING & COMMUNITY AFFAIRS: **HB 173** -7m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 118, SB 119 w/SA 1, SB 117 & SB 110** and requests the concurrence of the House and the Senate has passed **HB 105** and is returning the same to the House.

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.

### **39th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 21, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

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

Representative Lavelle requested that he be marked present.

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

The following prefiled legislation was introduced:

**HB 198** - HOCKER & SENATOR BUNTING; REPRESENTATIVES BRIGGS KING, KENTON, WILSON, ATKINS; SENATOR VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Indian River School Board.

**HB 199** - HUDSON; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATORS BONINI, BOOTH, SORENSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V of the Constitution of the State of Delaware Relating to Elections and Identification.

**HB 200** - HUDSON; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATORS BONINI, BOOTH, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections and Identification.

**HB 201** - HOCKER & REPRESENTATIVE CARSON & SENATOR VENABLES & SENATOR BUNTING; REPRESENTATIVES LAVELLE, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON, BENNETT, Q. JOHNSON; SENATORS BONINI, BOOTH, LAWSON, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Regulatory Flexibility Act to Provide for Legislative Oversight and Transparency Regarding the Adoption of Rules and Regulations by State Agencies.

**HB 202** - Q. JOHNSON & REPRESENTATIVE WALKER & REPRESENTATIVE HUDSON & SENATOR HALL-LONG; REPRESENTATIVES GILLIGAN, BENNETT, BRIGGS KING, LONGHURST, MIRO, MITCHELL, OSIENSKI, PETERMAN, SCOTT, B. SHORT, D. SHORT, WILLIS, WILSON; SENATORS BUSHWELLER, ENNIS, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 Relating to Rules of the Road.

**HB 203** - SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HOCKER, HUDSON, JAQUES, KENTON, KOWALKO, OUTTEN, RAMONE, D. SHORT, WALKER, WILLIS; SENATORS ENNIS, SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal History Background Checks for Information Technology Related Employment.

**HB 204** - SCOTT & SENATOR VENABLES; REPRESENTATIVES HOCKER, KEELEY; SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Auditor of Accounts.

**HB 205** - SCHOOLEY & REPRESENTATIVE SCOTT & REPRESENTATIVE MIRO & SENATOR SOKOLA & SENATOR SORENSON & SENATOR CLOUTIER; REPRESENTATIVES BOLDEN, CARSON, GILLIGAN, HUDSON, J. JOHNSON, Q. JOHNSON, LONGHURST, MITCHELL,

OSIENSKI, B. SHORT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

**HA 1 to HB 168** - J. JOHNSON - Placed with the Bill.

**HA 1 to HB 174** - KEELEY - Placed with the Bill.

**HA 2 to HB 177** - BARBIERI - Placed with the Bill.

**SB 64 w/SA 2** - MCBRIDE & REPRESENTATIVE Q. JOHNSON; SENATORS BUSHWELLER, MCDOWELL, PETERSON, CONNOR, SIMPSON; REPRESENTATIVES BRADY, D.E. WILLIAMS, B. SHORT, ATKINS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Floodplain and Drainage Standards, Wetlands and Subaqueous Lands.

**SB 82** - HENRY & REPRESENTATIVE D.P. WILLIAMS; SENATOR HALL-LONG; REPRESENTATIVES BENNETT, BRADY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Appeals from the Board of Assessment Review for New Castle County.

**SB 89** - KATZ & REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act to Amend Title of 15 of the Delaware Code Relating to the Presidential Primary Election.

**SB 110** - BOOTH & REPRESENTATIVE BRIGGS KING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Georgetown Relating to the Power to Borrow Money and Issue Bonds and Other Obligations. (2/3 bill)

**SB 116** - BLEVINS & REPRESENTATIVE GEORGE; REPRESENTATIVES J. JOHNSON, WALKER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Bailiffs and Judicial Assistants.

**SB 117** - BUNTING & REPRESENTATIVE ATKINS; SENATORS BOOTH, ENNIS, LAWSON, SIMPSON; REPRESENTATIVES BLAKEY, CARSON, KENTON, LEE, OUTTEN, WILSON, BRIGGS KING, SCOTT - AGRICULTURE - An Act to Facilitate the Acquisition and Preservation of Agricultural Lands by Young Farmers.

**SB 118** - KATZ & REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Regarding the Presidential Primary and for Other Associated Purposes.

**SB 119 w/SA 1** - KATZ & REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Regarding a Special Election for Representative in Congress.

**SB 125** - MCDOWELL & REPRESENTATIVE BRADY; SENATORS BUSHWELLER, ENNIS, HALL-LONG, SIMPSON, SORENSON; REPRESENTATIVES HEFFERNAN, D.P. WILLIAMS - REVENUE & FINANCE - An Act to Amend Chapter 80, Title 29 of the Delaware Code Relating to the Taxation of Interest on Bonds and Notes Issued by the Sustainable Energy Utility.

Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone requested and was granted privilege of the floor to make comments and introduce members of the Turkish-American Cultural Delegation and Maryland Delegate Gail Bates. Faruk Kaban, President, Turkish-American Alliance and Delegate Bates addressed the House. Representative Keeley made comments. Representatives Brady, George, Scott, Manolakos & Hudson requested that they be marked present. Mr. Speaker Gilligan made an announcement and assigned **HB 16, HB 97, HB 166, HB 168 & HB 181** to the Appropriations Committee.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:19 p.m.

The House reconvened at 3:45 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 111w/SA1** and requests the concurrence of the House and the Senate has passed **HB 76 w/HA 1 & HA 2** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 114, SB 103, SB 81 w/SA 1 & SB 91** and requests the concurrence of the House.

Representatives Schooley & Mulrooney requested that they be marked present.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **SB 67**, jointly sponsored by Senator Ennis & Senator Lawson & Representative Mitchell & Senators Bushweller, Sokola, Katz & Booth & Representatives Walker, Schooley, Carson, Bennett, Lavelle, Hocker, Hudson, Ramone, Wilson & D. Short, before the House for consideration.

**SB 67** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE TO AUTHORIZE THE PLACEMENT OF MEMORIAL SIGNAGE FOR CERTAIN EMERGENCY PERSONNEL KILLED IN THE LINE OF DUTY.

Representative Jaques made comments.

The roll call on **SB 67** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Viola & Wilson - 3.

Therefore, having received a constitutional majority, **SB 67** was returned to the Senate.

Representatives Atkins & D.P. Williams requested that they be marked present during the roll call.

Representative Jaques made comments regarding **SB 67**. Representative D.P. Williams introduced a guest. Representative Keeley made comments and introduced former Representative Charles P. West, who addressed the House.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to lift **HB 42** from the Speaker's Table. The motion was seconded by Representative Barbieri and adopted by voice vote.

Representative Scott brought **HB 42**, jointly sponsored by Representative Barbieri & Senator Hall-Long & Representatives Brady, Keeley, Miro & Mitchell & Senator Ennis, before the House for consideration.

**HB 42** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION.

Representative Scott requested that **HA 1** & **HA 1 to HA 1 to HB 42** be stricken.

Representative Scott brought **HA 2 to HB 42** before the House for consideration. Representative Scott made comments. **HA 2** was adopted by voice vote. Representatives Scott & J. Johnson made comments.

The roll call on **HB 42 w/HA 2** was taken and revealed:

YES: 33.

NO: Representatives Atkins, Briggs King, Hocker, Kenton, Lee, Outten, Peterman & Wilson - 8.

Therefore, having received a constitutional majority, **HB 42 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 103**, jointly sponsored by Senator Sorenson & Senator Sokola & Senator Ennis & Representatives Manolakos, Ramone, D. Short, Gilligan, Jaques & Osienski & Senator Henry, before the House for consideration.

**HB 103** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY BUILDING CODE.

Representative Hudson made comments.

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

YES: 40.

ABSENT: Representative Mulrooney - 1.

Therefore, having received a constitutional majority, **HB 103** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 151**, jointly sponsored by Senator Blevins & Representatives Lavelle, Hocker, Briggs King, Miro, Outten, Peterman, Ramone, D. Short, Q. Johnson & Wilson & Senators Cloutier, Ennis, Katz, Simpson, Sokola, Sorenson & Venables, before the House for consideration.

**HB 151** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO DISTRIBUTION OF THE DELAWARE CODE AND SUPPLEMENTS.

Representative Hudson made comments.

The roll call on **HB 151** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 151** was sent to the Senate for concurrence.

Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representatives Atkins & Lavelle made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HJR 3**, jointly sponsored by Representative Viola & Senator McDowell & Senator DeLuca & Representatives Bennett, Carson, Hudson, Jaques, Q. Johnson, Lavelle, Longhurst, Mitchell, Schooley, Schwartzkopf & B. Short & Senators Bushweller, Ennis, McBride, Simpson & Sorenson, before the House for consideration.

**HJR 3** - ESTABLISHING A COMMUNICATIONS TAX REVIEW GROUP TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S TAX LAWS APPLICABLE TO COMMUNICATIONS PROVIDERS.

Representative Scott made comments.

The roll call on **HJR 3** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HJR 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques moved to suspend the rules which interfere with action on **HS 1 for HB 33**. The motion was seconded by Representative Scott and adopted by voice vote.

Representative Jaques brought **HS 1 for HB 33**, jointly sponsored by Senator Katz, before the House for consideration.

**HB 33** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO MUNICIPAL ELECTIONS.

Representatives Jaques & Lavelle made comments.

The roll call on **HS 1 for HB 33** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 33** was sent to the Senate for concurrence.

Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Representative Atkins made comments. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 177**, jointly sponsored by Representative George & Senator Blevins & Representatives Hudson, Lavelle, Scott, J. Johnson & Wilson & Senators Ennis, Hall-Long & Venables, before the House for consideration.

**HB 177 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT.**

Representative Barbieri brought **HA 1 to HB 177** before the House for consideration. Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representative Barbieri requested that **HA 2 to HB 177** be stricken. Representative Barbieri introduced and brought **HA 3 to HB 177** before the House for consideration. Representative Barbieri made comments. **HA 3** was adopted by voice vote. Representative Barbieri made comments.

The roll call on **HB 177 w/HA 1 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 177 w/HA 1 & 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 182**, jointly sponsored by Senator Peterson & Representatives Atkins, Brady, Carson, Heffernan, Jaques, Q. Johnson, Keeley, Kowalko, Longhurst, Mitchell, Mulrooney, Osienski, Ramone, Scott, B. Short, D. Short & Viola, before the House for consideration.

**HB 182 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF HOME INSPECTORS.**

Representative Bennett brought **HA 1 to HB 182**, which adds a three-fifths voting requirement, before the House for consideration. Representative Bennett made comments. **HA 1** was adopted by voice vote. Representatives Bennett, Willis & Lee made comments. Representative Lee requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation.

The roll call on **HB 182 w/HA 1** was taken and revealed:

YES: 35.

NO: Representative Lee - 1.

NOT VOTING: Representatives Blakey, Hocker, Kenton, Peterman & Wilson - 5.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 182 w/HA 1** was sent to the Senate for concurrence.

Representative Blakey & Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 174**, jointly sponsored by Senator Blevins & Representative Carson, before the House for consideration.

**HB 174 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR ASSAULT AND VEHICULAR HOMICIDE. (F/N)**

Representative Keeley brought **HA 1 to HB 174** 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 174 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 174 w/HA 1** was sent to the Senate for concurrence.

Representative Lavelle made comments.

Representative Schwartzkopf introduced **HB 210**, jointly sponsored by Representative Gilligan & Representative Longhurst.

**HB 210 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.**

Mr. Speaker Gilligan assigned **HB 210** to the House Administration Committee. Representatives Schwartzkopf, Lavelle, Kowalko & Hudson made comments.

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

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 22, 2011.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 122, SB 127, SB 132, SB 133, SB 18, SB 131 w/SA 1 SB 121, SB 88 & SB 104** and requests the concurrence of the House and the Senate has passed **HB 130** and is returning the same to the House.

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.



**40th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
June 22, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Harvey R. Kenton, Thirty-sixth Representative District.

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

Representative J. Johnson requested that he be marked present.

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

The following prefiled legislation was introduced:

**HB 206** - CARSON & SENATOR ENNIS; REPRESENTATIVES HOCKER, JAQUES, OUTTEN, PETERMAN, SCOTT, B. SHORT, D. SHORT, VIOLA; SENATORS BUSHWELLER, SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Pharmacy.

**HB 207** - MULROONEY & REPRESENTATIVE GILLIGAN & SENATOR MARSHALL; REPRESENTATIVE OSIENSKI - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Collective Bargaining in the State Service.

**HB 208** - J. JOHNSON & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE KEELEY & SENATOR ENNIS & SENATOR HENRY; REPRESENTATIVES BARBIERI, BENNETT, BOLDEN, BRADY, BRIGGS KING, GEORGE, GILLIGAN, HOCKER, JAQUES, KENTON, KOWALKO, LONGHURST, MITCHELL, OUTTEN, SCHOOLEY, B. SHORT, VIOLA, WALKER, WILSON; SENATORS BOOTH, BUSHWELLER, HALL-LONG, MARSHALL, PETERSON, SORENSON, - CORRECTIONS - An Act to Rename the Women's Treatment Center in Honor of Hazel D. Plant.

**HB 209** - SCOTT & REPRESENTATIVE GILLIGAN & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, KEELEY, LONGHURST - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Administration of School Property Tax Credits.

**HB 211** - SCOTT & REPRESENTATIVES SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, Q. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public Schools.

**HA 2 to HB 109** - B. SHORT - Placed with the Bill.

**HA 1 to HB 160** - B. SHORT - Placed with the Bill.

**HA 2 to HB 167** - KOWALKO - Placed with the Bill.

**SB 18** - BLEVINS & REPRESENTATIVE GILLIGAN; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act Concurring in a Proposed Amendment to Article III of the Delaware Constitution of 1897, as Amended, Relating to Confirmation of Officers Appointed by the Governor.

**SB 81w/SA 1** - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE HUDSON; SENATORS BLEVINS, BONINI, HALL-LONG; REPRESENTATIVES BENNETT, GEORGE, KEELEY, WILLIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to the Sale of Disabled Person's Real Estate.

**SB 88** - BOOTH & SENATOR BONINI; SENATOR SOKOLA; REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Deferred Compensation.

**SB 91** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, BUSHWELLER, HENRY, KATZ, SORENSON; REPRESENTATIVES BENNETT, CARSON, GEORGE, HUDSON, Q. JOHNSON, KOWALKO, LAVELLE, MULROONEY, D. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to the Bank Franchise Tax.

**SB 103** - MCBRIDE & REPRESENTATIVE Q. JOHNSON; SENATORS CONNOR, ENNIS, SIMPSON, VENABLES; REPRESENTATIVES CARSON, HOCKER, KENTON, MULROONEY, OUTTEN, WILSON - NATURAL RESOURCES - An Act to Amend Titles 7 and 29 of the Delaware Code Relating to Programs of the Department of Natural Resources and Environmental Control.

**SB 104** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 25 of the Delaware Code Relating to Seller Financing for Consumer Purpose Properties.

**SB 111 w/SA 1** - HALL-LONG & SENATOR BOOTH & REPRESENTATIVE WALKER & REPRESENTATIVE LEE; SENATORS HENRY, BLEVINS, SOKOLA, ENNIS, SORENSON, SIMPSON, KATZ, BUSHWELLER; REPRESENTATIVES RAMONE, BENNETT, JAQUES, B. SHORT, MITCHELL, BRIGGS KING, HUDSON, VIOLA, MANOLAKOS, OSIENSKI, HEFFERNAN - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Interscholastic Athletics Association.

**SB 114** - HALL-LONG & REPRESENTATIVE BRADY; SENATOR ENNIS; REPRESENTATIVE JAQUES, CARSON, Q. JOHNSON, RAMONE, KOWALKO - HEALTH &

HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Registrations of Births, Deaths, Marriages, Divorces, Annulments and Adoptions.

**SB 121** - ENNIS & REPRESENTATIVE CARSON; SENATOR BUSHWELLER; REPRESENTATIVES BENNETT, SCOTT, WILLIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 10 of the Delaware Code Relating to the Location at Which Sheriff Sales May be Conducted in Kent County.

**SB 122** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS BONINI, KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Professional Regulation.

**SB 127** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to the Child Placement Review Act.

**SB 131 w/SA 1** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 28, Chapters 11, 15 and 18 of the Delaware Code Relating to Charitable Gaming.

**SB 132** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to the Delaware Child Care Act.

**SB 133** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 11 of the Delaware Code Relating to Compensation for Innocent Victims of Violent Crimes.

**HA 1 to SB 112** - WALKER - Placed with the Bill.

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

AGRICULTURE: **SB 117** - 7F.

Representative George requested that she be marked present. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri requested and was granted privilege of the floor for himself and Representative Bolden. Matthew Roarty, Youth Governor, Youth In Government, addressed the House. Representative Barbieri presented a House Tribute to Nicole Freedman, Director, YMCA Youth In Government, who addressed the House. Representatives Schwartzkopf & Ramone made comments. Representatives Hudson, Bennett, Viola, Mitchell & Schooley requested that they be marked present. Representative Schwartzkopf made comments. Representatives Briggs King & Atkins requested that they be marked present.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor for herself and Representative Viola. Representative Viola presented a House Tribute to Genevieve Spence, recipient of the Prudential Spirit of Community Award, who addressed the House. Representative Hudson presented a House Tribute to Jon A. Osborne, recipient of the Prudential Spirit of Community Award, who addressed the House. Representatives Mulrooney & D.P. Williams requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:28 p.m.

The House reconvened at 4:47 p.m.

Representative Lee requested that he be marked present. Mr. Speaker Gilligan welcomed former Senator John C. Still III to the Chamber. Representative Atkins requested that **HB 125** be stricken.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 70 w/SA 1**, jointly sponsored by Senator Hall-Long & Representatives Ramone, Longhurst, Schooley & Bennett & Senators Sokola, Bunting, Bushweller, Ennis, Henry, Sorenson, Connor & Cloutier & Representatives George, Jaques, Carson, J. Johnson, Q. Johnson, Kowalko, Mitchell, Keeley, Mulrooney & D. Short, before the House for consideration.

**SB 70** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROTECTING THE HEALTH OF CHILDREN BY PROHIBITING BISPHENOL-A IN PRODUCTS FOR YOUNG CHILDREN.

Representative Walker made comments.

The roll call on **SB 70 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 70 w/SA 1** was returned to the Senate.

Representative Keeley requested that she be marked present during the roll call. Representative Walker made comments regarding **SB 70** and introduced guests. Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 163**, jointly sponsored by Representative Keeley & Senator McBride & Representatives Brady, Q. Johnson, Longhurst, Miro, Mitchell & Viola & Senators Connor, Ennis & McDowell, before the House for consideration.

**HB 163** - AN ACT TO AMEND CHAPTER 326, VOLUME 67 AND CHAPTER 353, VOLUME 72 OF THE LAWS OF DELAWARE AND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE HAZARDOUS SUBSTANCE CLEANUP ACT.

Representatives Heffernan, Jaques, Lavelle, D.E. Williams, Hocker, Carson, B. Short & Kowalko made comments.

The roll call on **HB 163** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 163** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 186**, jointly sponsored by Senator McBride & Representatives Barbieri, Bolden, Brady, Heffernan, Mitchell & Viola, before the House for consideration.

**HB 186** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (3/5 bill)

Representative Q. Johnson made comments.

The roll call on **HB 186** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 186** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 113**, jointly sponsored by Representative Atkins & Senator Bunting & Senator Venables & Representatives Lavelle, Blakey, Briggs King, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis, Wilson, Bennett, Bolden, Carson, Q. Johnson, Longhurst, Mitchell, Walker; Senators Bonini, Booth, Bushweller, Cloutier, Connor, Lawson, Simpson & Sorenson, before the House for consideration.

**HB 113** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO IRRIGATION PRESERVATION.

Representative Hocker brought **HA 1 to HB 113** before the House for consideration. Representative Hocker made comments. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 113 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 113 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 167**, jointly sponsored by Senator Bunting & Representatives Briggs King, Gilligan, J. Johnson & Schwartzkopf & Senator Ennis, before the House for consideration.

**HB 167** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND THE DELAWARE MANUFACTURED HOME RELOCATION TRUST FUND.

Representative Briggs King brought **HA 1 to HB 167** before the House for consideration.

Representatives Briggs King, Kowalko & Schwartzkopf made comments. Representative Hocker announced that he will not be voting on **HA 1 to HB 167 & HB 167** because of a possible conflict of interest.

The roll call on **HA 1 to HB 167** was taken and revealed:

YES: Representatives Blakey, Briggs King, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, D.P. Williams, Willis & Wilson - 15.

NO: 23.

NOT VOTING: Representatives Brady, Hocker & Viola - 3.

Therefore, not having received a constitutional majority, **HA 1 to HB 167** was declared defeated.

Representative Kowalko brought **HA 2 to HB 167** before the House for consideration.

Representative Kowalko made comments. **HA 2** was adopted by voice vote. Representative Kowalko made comments.

The roll call on **HB 167 w/HA 2** was taken and revealed:

YES: 33.

NO: Representatives Kenton, Lavelle, Lee, Outten, Peterman & Wilson - 6.

NOT VOTING: Representative Ramone - 1.

ABSENT: Representative Hocker - 1.

Therefore, having received a constitutional majority, **HB 167 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SB 125**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady brought **SB 125**, jointly sponsored by Senator McDowell & Senators Bushweller, Ennis, Hall-Long, Simpson & Sorenson & Representatives Heffernan, D.P. Williams & D.E. Williams, before the House for consideration.

**SB 125** - AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF INTEREST ON BONDS AND NOTES ISSUED BY THE SUSTAINABLE ENERGY UTILITY. (F/N)

Representatives Brady & Lavelle made comments. Representative Brady requested and was granted privilege of the floor for Thomas J. Cook, Secretary of Finance. Representatives Lavelle, D.E. Williams, Kowalko, Ramone & Hocker made comments. Mr. Speaker Gilligan granted privilege of the floor for Russell Larson, Controller General. Representative Jaques made comments. Mr. Speaker Gilligan granted privilege of the floor for Stephen Kubico, representing the Office of the Controller General. Representative Ramone made comments. Mr. Speaker Gilligan granted privilege of the floor for Russell Larson, Controller General. Representatives Jaques, Ramone, Kowalko, & D.E. Williams made comments. Mr. Speaker Gilligan granted privilege of the floor for Thomas J. Cook, Secretary of Finance. Representatives Peterman & Ramone made comments.

Representative Brady moved to place **SB 125** on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Bennett brought **SB 63 w/SA 1**, jointly sponsored by Senator Peterson & Representative Schooley & Senators Bonini & Henry & Representatives George, Hudson, Lavelle, Mitchell, Ramone, D. Short, Viola, Wilson, Schwartzkopf & Gilligan, before the House for consideration.

**SB 63** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO BILL AND AMENDMENT DRAFTING.

Representative Schwartzkopf introduced and brought **HA 1 to SB 63** before the House for consideration. Representatives Schwartzkopf, George & J. Johnson made comments. **HA 1** was adopted by voice vote. Representatives Bennett, D. Short, Willis, Bennett, Briggs King & Schooley made comments.

The roll call on **SB 63 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

NO: Representative Willis - 1.

ABSENT: Representative Blakey - 1.

Therefore, having received a constitutional majority, **SB 63 w/SA 1 & HA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 109**, jointly sponsored by Senator Blevins & Representatives Q. Johnson, Lavelle, Mitchell & Osienski & Senator Ennis and cosponsored by Representative Peterman, before the House for consideration.

**HB 109** - AN ACT TO AMEND TITLE 6 RELATING TO BUILDING CONSTRUCTION AND PAYMENT.

Representative D. Short requested that **HA 1 to HB 109** be stricken. Representative B. Short brought **HA 2 to HB 109** before the House for consideration. Representative B. Short made comments. **HA 2** was adopted by voice vote. Representative B. Short made comments.

The roll call on **HB 109 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Blakey - 1.

Therefore, having received a constitutional majority, **HB 109 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to lift **SB 125** from the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Brady brought **SB 125**, jointly sponsored by Senator McDowell & Senators Bushweller, Ennis, Hall-Long, Simpson & Sorenson & Representatives Heffernan, D.P. Williams & D.E. Williams, before the House for consideration.

**SB 125** - AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF INTEREST ON BONDS AND NOTES ISSUED BY THE SUSTAINABLE ENERGY UTILITY. (F/N)

Representatives Brady, Lavelle, Ramone, Schwartzkopf & Kowalko made comments.

The roll call on **SB 125** was taken and revealed:

YES: 27.

NO: Representatives Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Outten, Peterman, D. Short, Willis & Wilson - 12.

NOT VOTING: Representative Ramone - 1.

ABSENT: Representative Blakey - 1.

Therefore, having received a constitutional majority, **SB 125** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 150**, jointly sponsored by Senator Sokola & Representatives Lavelle, Manolakos, Miro, Peterman & Ramone, before the House for consideration.

**HB 150** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VARIABLE MESSAGE SIGNS ON STATE TOLL HIGHWAYS.

Representative Hudson made comments. Representative Hudson deferred to Representative Walker. Representative Walker introduced and brought **HA 1 to HB 150** before the House for consideration. Representatives Walker & Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 150 w/HA 1** was taken and revealed:

YES: 30.

NO: Representatives Briggs King, Hocker, Kenton, Lee, D. Short, D.P. Williams, Willis & Wilson - 8.

NOT VOTING: Representatives Peterman & Ramone - 2.

ABSENT: Representative Blakey - 1.

Therefore, having received a constitutional majority, **HB 150 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 213**, jointly sponsored by Representative Miro & Senator Sokola & Representatives Barbieri, Jaques, J. Johnson, Keeley, Mitchell, Mulrooney & Scott & Senator Sorenson.

Representative Schwartzkopf made an announcement.

**HB 213** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL DATA GOVERNANCE.

Mr. Speaker Gilligan assigned **HB 213** to the Education Committee.

The Majority Leader moved to recess to the call of the Chair at 6:32 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 23, 2011.

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

ENERGY: **SB 124 w/SA 1** - 5F,2M.

HOUSE ADMINISTRATION: **HJR 4** - 5M; **HB 210** - 3M.

EDUCATION: **SB 112 w/SA 1** - 1F,10M; **HB 205** - 1F,10M.

NATURAL RESOURCES: **SB 64 w/SA 2** - 1F,7M; **HB 197** - 1F,7M; **HB 189** - 1F,6M.

JUDICIARY: **SB 86** - 6M; **HB 203** - 6M; **SB 116** - 6M

PUBLIC SAFETY & HOMELAND SECURITY: **HB 202** - 7M ; **HB 193** - 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 98 w/SA 1** - 7M; **SB 52** - 1F,6M; **SB 83** - 7M; **SB 109 w/SA 1** - 7M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 22** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 102**, **SB 4 w/SA 1**, **SB 126 w/SA 1** & **SB 123 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 123 w/HA 1**, **HB 122**, **HB 106** & **HB 141** and is returning the 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.

#### **41st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 23, 2011**

The Chief Clerk called the roll:

Members Present: 41.

The House observed a moment of silence in memory of the sick and suffering in our world at the request of Representative Brady.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 212** - LEE & SENATOR BUNTING; REPRESENTATIVES LAVELLE, HOCKER, HUDSON, MANOLAKOS, PETERMAN, RAMONE, D. SHORT, BOLDEN, CARSON, MITCHELL, MULROONEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Creating the Delaware Auction and Auctioneer Licensing Act. (2/3 bill)

**HB 214** - HEFFERNAN & SENATOR SOKOLA; REPRESENTATIVES BENNETT, BRADY, CARSON, HOCKER, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, LAVELLE, LONGHURST, MITCHELL, WALKER, BRADY, KOWALKO, J. JOHNSON, HOCKER, SCHWARTZKOPF; SENATORS BUSHWELLER, MCDOWELL, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Titles 1, 4, 6, 7, 10, 11, 12, 14, 16, 19, 20, 21, 25, 29, 30 and 31 of the Delaware Code Relating to the Removal of Insensitive and Offensive Language.

**HA 1 to HB 75** - JAQUES & REPRESENTATIVE D.E. WILLIAMS & REPRESENTATIVE KOWALKO - Placed with the Bill.

**HA 2 to HB 75** - JAQUES & REPRESENTATIVE D.E. WILLIAMS & REPRESENTATIVE KOWALKO - Placed with the Bill.

**HA 3 to HB 75** - BARBIERI - Placed with the Bill.

**HA 1 to HB 181** - VIOLA - Placed with the Bill.

**HA 1 To HJR 4** - KOWALKO - Placed with the Bill.

**SB 4 w/SA 1** - DELUCA & REPRESENTATIVE VIOLA; SENATORS MCDOWELL, BONINI, MARSHALL, BUSHWELLER, BUNTING, ENNIS; REPRESENTATIVES HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Members of the General Assembly and Statewide Elected Officials.

**SB 102** - HENRY & REPRESENTATIVE BARBIERI; SENATORS ENNIS, HALL-LONG, SORENSON, VENABLES; REPRESENTATIVES BENNETT, GILLIGAN, HEFFERNAN, HUDSON, B. SHORT, VIOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Long-Term Care Ombudsman.

**SB 123 w/SA 1** - MCBRIDE & REPRESENTATIVE KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.

**SB 126 w/SA 1** - HALL-LONG & REPRESENTATIVE CARSON & REPRESENTATIVE BRADY; SENATORS PETERSON, BUSHWELLER, HENRY; REPRESENTATIVE JAQUES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 9, 22, and 29 of the Delaware Code Relating to the Review and Certification of Comprehensive Plans and the Role of the Cabinet Committee on State Planning Issues and the Office of State Planning Coordination.

**HA 1 to SB 82** - VIOLA - Placed with the Bill.

Representative D.P. Williams made a comment. Representatives Miro & Bolden requested that they be marked present.

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

LABOR: **HB 207** - 12M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 206** - 5M; **SB 122** - 1F,4M; **SB 127** - 1F,4M; **SB 131 w/SA 1** - 1F,4M; **SB 132** - 1F,4M; **SB 133** - 1F,4M.

The Reading Clerk read the following communication into the record:

June 23, 2011

#### LEGISLATIVE ADVISORY # 6

Governor Jack A. Markell signed the following legislation on the date indicated: 6/22/11 - **SB 40**, **HB 3 aab HA 1**, **HB 93**, **SB 69**, **HB 64**, **SB 79 aab SA 1**, **SB 78 aab SA 2**, **SB 12** & **109 aab HA 1**.

Representative Schooley requested that she be marked present. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted personal privilege of the floor to introduce guests. Representatives Schwartzkopf & Lavelle made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 23**, jointly sponsored by Senator Henry, before the House for consideration.

Representative Viola requested that he be marked present.

**HCR 23** - RECOGNIZING THE COMCAST FOUNDATION'S LEADERS AND ACHIEVERS SCHOLARSHIP PROGRAM AND ITS DELAWARE RECIPIENTS FOR 2011.

Representative Longhurst requested and was granted privilege of the floor to make comments regarding **HCR 23** and to introduce winners of Leaders and Achievers Scholarships, who stated their names, high schools and colleges/universities for the record. Sean M. Looney, Vice President, Government Affairs, Comcast, addressed the House. Representative Schooley made comments. **HCR 23** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Bolden. Representative Lee requested that he be marked present.

Representative Bolden introduced and brought **HR 23**, sponsored by on behalf of All Representatives, before the House for consideration.

**HR 23** - RECOGNIZING JUNE 23, 2011, AS "AKA DAY AT THE CAPITAL" IN DELAWARE.

Representative Bolden made comments. Representative Bolden requested and was granted privilege of the floor to introduce members of Alpha Kappa Alpha Sorority, Incorporated. Tiffany Matthews, President, Sigma Zeta Omega Chapter, addressed the House and introduced guests. **HR 23** was adopted by voice vote. Representative Manolacos introduced a guest. Representative Brady requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short introduced and brought **SCR 22**, sponsored on behalf of All Representatives & jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**SCR 22** - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2011 SESSION OF DELAWARE GIRLS STATE.

Representative D. Short made comments. **SCR 22** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on **HJR 5**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **HJR 5**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Briggs King, Miro & Mitchell & Senators Bushweller, Cloutier, Ennis, McBride & Sorenson, before the House for consideration.

**HJR 5 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2011**

Representative D.P. Williams moved to place **HJR 5** on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on **HJR 6**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **HJR 6**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Briggs King, Miro & Mitchell & Senators Bushweller, Cloutier, Ennis, McBride & Sorenson, before the House for consideration.

**HJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012**

Representative D.P. Williams moved to place **HJR 6** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:36 p.m.

The House reconvened at 4:34 p.m.

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

EDUCATION: **HB 213** - 4F,5M.

HOUSING & COMMUNITY AFFAIRS: **SB 121** - 3F,4M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 139 w/SA 1, SB 120, SB 129 w/SA 1, SB 113 & SCR 24** and requests the concurrence of the House.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone introduced a guest.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **HB 92**, jointly sponsored by Senator Blevins & Senator Henry & Senator Simpson, before the House for consideration.

**HB 92 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (F/N)**

Representative Hudson made comments.

The roll call on **HB 92** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 92** was sent to the Senate for concurrence.

Representatives Mulrooney & Keeley requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to lift **HJR 5** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **HJR 5**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor, before the House for consideration.

**HJR 5 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2011**

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

YES: 41.

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

Representative D.P. Williams moved to lift **HJR 6** from the Speaker's Table. The motion was seconded by Representative Manolakos and adopted by voice vote.

Representative D.P. Williams brought **HJR 6**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor, before the House for consideration.

**HJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012**

Representative Blakey made comments. Mr. Speaker Gilligan granted privilege of the floor for Russell Larson, Controller General.

The roll call on **HJR 6** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HJR 6** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **HB 190**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative D.P. Williams brought **HB 190**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor, before the House for consideration.

**HB 190** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representatives D.P. Williams, Miro, Schwartzkopf, Briggs King & Lavelle made comments.

The roll call on **HB 190** was taken and revealed:

YES: 33.

NO: Representatives Hocker, Kenton, Lavelle, Lee, Outten, Peterman, Willis & Wilson - 8.

Therefore, having received a constitutional majority, **HB 190** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 124 w/SA 1**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, Bushweller, Ennis, Hall-Long, Peterson, Simpson, Sokola, Sorenson, Venables, Cloutier & Connor & Representatives Barbieri, Bennett, Bolden, Carson, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Lee, Longhurst, Miro, Mulrooney, Ramone, Schooley, Schwartzkopf, Scott, B. Short, Viola, D.E. Williams, D.P. Williams, Mitchell & Osienski, before the House for consideration.

**SB 124** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO DELAWARE'S RENEWABLE ENERGY PORTFOLIO STANDARDS AND DELAWARE-MANUFACTURED FUEL CELLS.

Representative Kowalko made comments. Representative George announced that she will not be voting on **SB 124 w/SA 1** because of a possible conflict of interest. Representatives Willis, Hocker, Kowalko, Lavelle & Blakey made comments. Representative Blakey requested and was granted privilege of the floor for Alan Levin, Secretary, Department of Economic Development and Joshua Richman, Vice President, Business Development, Bloom Energy. Representatives Blakey, Hudson, Ramone, Q. Johnson, J. Johnson, Miro, Atkins, Peterman, Brady, Scott & Kowalko made comments.

The roll call on **SB 124 w/SA 1** was taken and revealed:

YES: 35.

NO: Representatives Hocker, Kenton, Peterman & Wilson - 4.

NOT VOTING: Representatives Briggs King & George - 2.

Therefore, having received a constitutional majority, **SB 124 w/SA 1** was returned to the Senate.

Representative Kowalko introduced a guest and made comments regarding **SB 124**. Representative B. Short made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 92**, jointly sponsored by Senator McBride & Representative Mulrooney & Representative Heffernan & Senators Bunting, Peterson & Connor & Representatives Keeley, Kowalko & Manolakos, before the House for consideration.

**SB 92** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CHRONIC VIOLATOR STATUS.

Representative Q. Johnson brought **HA 1 to SB 92** before the House for consideration.

Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representative Q. Johnson made comments.

The roll call on **SB 92 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 92 w/HA 1** was returned to the Senate.

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

Representative D.P. Williams made comments. Mr. Speaker Gilligan reassigned **SB 82** to the House Administration Committee.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 205**, jointly sponsored by Representative Scott & Representative Miro & Senator Sokola & Senator Sorenson & Senator Cloutier & Representatives Bolden, Carson, Gilligan, Hudson, J. Johnson, Q. Johnson, Longhurst, Mitchell, Osienski & B. Short, before the House for consideration.

**HB 205** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Representatives Schooley made comments and introduced guests. Representatives Kowalko, Schooley, Kenton & Manolakos made comments.

The roll call on **HB 205** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.



Therefore, having received a constitutional majority, **HB 205** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 160**, jointly sponsored by Senator Bushweller & Senator Cloutier & Representatives Bolden, George, J. Johnson, Q. Johnson, Keeley, Lavelle, Manolakos, Mitchell & Walker & Senators Sokola & Sorenson, before the House for consideration.

**HB 160** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL COVERAGE FOR CHILDREN OF INSURED.

Representative B. Short brought **HA 1 to HB 160** before the House for consideration.

Representative B. Short made comments. **HA 1** was adopted by voice vote. Representative B. Short made comments.

The roll call on **HB 160 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 160 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 161**, jointly sponsored by Senator Bushweller & Representatives George, Heffernan, Jaques, Mitchell, Viola, Walker & Wilson & Senators Sokola & Venables, before the House for consideration.

**HB 161** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF THE DENIAL OF COVERAGE FOR PRE-EXISTING CONDITIONS IN CHILDREN UNDER THE AGE OF NINETEEN.

Representative B. Short made comments.

The roll call on **HB 161** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 161** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 197**, jointly sponsored by Senator McBride & Representatives Lavelle, Mitchell, Schwartzkopf, Walker, J. Johnson & D.E. Williams & Senators Sokola & Connor, before the House for consideration.

**HB 197** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE COMMUNITY ENVIRONMENTAL PROJECT FUND.

The roll call on **HB 197** was taken and revealed:

YES: 40.

ABSENT: Representative Heffernan - 1.

Therefore, having received a constitutional majority, **HB 197** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 193**, jointly sponsored by Senator Bunting & Representatives Bennett, Bolden, Carson & Kenton & cosponsored by Senators Booth, before the House for consideration.

**HB 193** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representative Schwartzkopf introduced and brought **HA 1 to HB 193** before the House for consideration. Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote.

Representative Schwartzkopf made comments.

The roll call on **HB 193 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Q. Johnson & Lavelle - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 193 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HJR 4**, jointly sponsored by Representative Gilligan & Senator Peterson & Representatives Bolden, George, Jaques, J. Johnson, Q. Johnson, Heffernan, Keeley, Lavelle, Osienski, Schwartzkopf, Scott, B. Short, Walker & D.E. Williams & Senators Sokola & Sorenson, before the House for consideration.

**HJR 4** - ESTABLISHING A STUDY COMMISSION ON LOBBYIST ETHICS.

Representative Kowalko brought **HA 1 to HJR 4** before the House for consideration. Representative Kowalko made comments. **HA 1** was adopted by voice vote. Representatives Kowalko & Lavelle made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **HJR 4 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **SB 37**, jointly sponsored by Senator Blevins & Representative Gilligan & Representative George & Representative Lavelle & Senators Henry & McDowell & Representatives Walker & J. Johnson, before the House for consideration.

**SB 37** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 29 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO JUSTICES OF THE PEACE. (2/3 bill)

Representative Schwartzkopf made comments.

The roll call on **SB 37** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 37** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 165**, jointly sponsored by Representative Schwartzkopf & Senator Blevins & Senator DeLuca & Representatives Heffernan, Q. Johnson, Mitchell, B. Short, D. Short & Viola & Senators Ennis & Henry, before the House for consideration.

**HB 165** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT AND THE BOARD OF MEDICAL LICENSURE AND DISCIPLINE.

Representative Keeley made comments.

The roll call on **HB 165** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 165** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf brought **Consent Calendar #8** before the House for consideration.

**HCR 21** - LONGHURST & SENATOR HALL-LONG & REPRESENTATIVES BENNETT, BLAKEY, BOLDEN, BRIGGS KING, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KENTON, KOWALCO, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, SCHWARTZKOPF, SCOTT, D. SHORT, WALKER, WILLIS & WILSON & SENATORS BUSHWELLER, HENRY, SOKOLA & SORENSON - Recognizing and Celebrating National Long-Term Care Residents' Rights Month and Residents' Rights Rally in Delaware.

**HCR 22** - GEORGE & SENATOR BLEVINS & REPRESENTATIVES BOLDEN, HOCKER, JAQUES, KEELEY, KENTON, KOWALCO, LEE, MITCHELL, OUTTEN, SCHWARTZKOPF, D. SHORT, WALKER, WILLIS & WILSON & SENATORS BUSHWELLER, ENNIS, HALL-LONG, KATZ, SOKOLA & SORENSON - Proclaiming the Week of October 23 - 29, 2011 as "Delaware's Pro Bono Celebration Week."

**SCR 19** - SORENSON & SENATOR SOKOLA & REPRESENTATIVE MIRO & REPRESENTATIVE KOWALCO & SENATORS BLEVINS, BONINI, BUSHWELLER, CLOUTIER, CONNOR, DELUCA, ENNIS, HALL-LONG, HENRY, KATZ, LAWSON, MARSHALL, MCDOWELL, SIMPSON & VENABLES & REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, BRADY, BRIGGS KING, GEORGE, HEFFERNAN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KENTON, LONGHURST, MULROONEY, OSIENSKI, PETERMAN, RAMONE, SCHOOLEY, SCOTT, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS & WILSON - Creating a Citizens Advisory Council for White Clay Creek State Park.

**Consent Calendar #8** was adopted by voice vote and **HCR 21** & **HCR 22** were sent to the Senate for concurrence and **SCR 19** was returned to the Senate.

Representative Schwartzkopf brought **Consent Agenda C** before the House for consideration.

**SB 31 w/SA 1** - BLEVINS & REPRESENTATIVE BARBIERI & SENATORS BUSHWELLER, HALL-LONG, HENRY & SORENSON & REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY & WALKER - An Act to Amend Title 24, Chapter 11 of the Delaware Code Relating to Licensure of Dentists and Dental Hygienists.

**SB 32 w/SA 2** - BLEVINS & REPRESENTATIVE BARBIERI & SENATORS BUSHWELLER, HALL-LONG, HENRY & SORENSON & REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY & WALKER - An Act to Amend Title 24, Chapter 35 of the Delaware Code Relating to Licensure of Psychologists.

**SB 33** - BLEVINS & REPRESENTATIVE BARBIERI & SENATORS BUSHWELLER, HALL-LONG, HENRY, SORENSON & CLOUTIER & REPRESENTATIVES BENNETT, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, SCHOOLEY & WALKER - An Act to Amend the Medical Practice Act, Title 24, Chapter 17 of the Delaware Code Relating to Licensure of Physician Assistants.

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

YES: 41.

Therefore, having received a constitutional majority, **SB 31**, **SB 32** & **SB 33** were returned to the Senate.

Representative Schwartzkopf brought **Consent Agenda D**, which requires a two-thirds vote, before the House for consideration.

**SB 74** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (2/3 bill)

**SB 76** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (2/3 bill)

**SB 77** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 95** - BLEVINS & REPRESENTATIVE GEORGE - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (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, **SB 74**, **SB 76**, **SB 77** & **SB 95** were returned to the Senate.

Representatives Schwartzkopf & Keeley made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:31 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 28, 2011.

Representative Schwartzkopf introduced **HS 1 for HB 210**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Blevins & Senator Henry.

**HS 1 for HB 210** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.

Mr. Speaker Gilligan assigned **HS 1 for HB 210** to the House Administration Committee.

Representative Schwartzkopf made comments. Mr. Speaker Gilligan made an announcement and introduced guests. Representatives Lavelle & Schwartzkopf made comments.

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.

#### **42nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session June 28, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 215** - MITCHELL & SENATOR MCBRIDE; REPRESENTATIVES BENNETT, CARSON, HOCKER, JAQUES; SENATOR LAWSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Investigative Use of Mobile Tracking Devices.

**HA 2 to HB 140** - CARSON - Placed with the Bill.

**HA 2 to HB 168** - REPRESENTATIVE KEELEY & REPRESENTATIVE GILLIGAN - Placed with the Bill.

**HA 1 to HB 173** - HEFFERNAN - Placed with the Bill.

**SB 113** - BUSHWELLER & REPRESENTATIVE MITCHELL & REPRESENTATIVE SCOTT; REPRESENTATIVE D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Regulation of Vehicle Speeds in School Zones.

**SB 120** - SOKOLA & REPRESENTATIVE LONGHURST; SENATOR SORENSON; REPRESENTATIVES HOCKER, JAQUES, MIRO, OSIENSKI, B. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21, Chapter 41 of the Delaware Code Relating to Bicycles.

**SB 129 w/SA 1** - LAWSON & SENATOR HENRY; SENATORS BUNTING, BUSHWELLER, SIMPSON; REPRESENTATIVES HOCKER, KENTON, OUTTEN, WILLIS, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Coyotes.

**SB 139 w/SA 1** - MCBRIDE & SENATOR BUNTING; REPRESENTATIVES J. JOHNSON, MIRO, MITCHELL, RAMONE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers, Secondhand Dealers and Scrap Metal Processors. (3/5 bill)

**HA 1 to SB 64** - Q. JOHNSON - Placed with the Bill.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has defeated **HB 100 w/HA 1** and the Senate has passed **SCR 17**, **SCR 20** & **SCR 25** and requests the concurrence of the House and it has passed **HB 95 w/SA 1**, **HB 132 w/HA 1** & **HCR 23** and is returning the same to the House.

Representatives Osienski & Lavelle made comments. Representative Barbieri requested that he be marked present. The House observed a moment of silence in memory of Richard Waterman at the request of

Representative Keeley. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce a guest. Representative B. Short requested and was granted personal privilege of the floor to introduce a guest. Representative George made comments.

Representative Schwartzkopf requested and was granted privilege of the floor for Sean Finnigan, Majority Deputy Chief of Staff, who made comments regarding the 2011 University of Delaware Legislative Fellows. Representative B. Short presented a House Tribute to Caitlin Olsen. Representative Viola presented a House Tribute to Damian DeStefano. Representative Schooley presented a House Tribute to Jason Freeman. Representatives Mulrooney & Scott made comments. Representative George presented a House Tribute to David Bentz. Representatives J. Johnson & Mitchell made comments. Representative Kowalko presented a House Tribute to Chris Anderson. Representatives Q. Johnson & Longhurst made comments. Representative Schwartzkopf presented a House Tribute to Grace Anne Bennett. Representatives Lavelle, Kowalko, Viola & Schwartzkopf made comments. Representative Barbieri presented a House Tribute to Lauren Cutajar-Wynne. Representatives Longhurst, Jaques & Heffernan made comments. Sean Finnigan deferred to Pam Price, Minority Chief of Staff, who made comments. Representative Lavelle presented House Tributes to Erin Ruddock & Joseph Stanley. Representatives Hocker, Schwartzkopf & Keeley made comments.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced and brought **HCR 24**, jointly sponsored by Senator Hall-Long, before the House for consideration.

**HCR 24** - RECOGNIZING AND PROCLAIMING JUNE 2011 AS "NEW HOMES MONTH."

Representative Brady made comments. **HCR 24** was adopted by voice vote.

Representative D.P. Williams introduced **HB 195**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor.

**HB 195** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2012 APPROPRIATIONS ACT.

Mr. Speaker Gilligan assigned **HB 195** to the Appropriations Committee.

Representative George made comments. Mr. Speaker Gilligan made an announcement.

Representative Atkins requested that he be marked present. Representative Schwartzkopf deferred to Representative Brady. Representative Brady introduced guests. Representative Schwartzkopf made a comment and requested that **HB 206** be removed from **Consent Agenda E**. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:48 p.m.

The House reconvened at 4:57 p.m.

Representative Hudson requested that she be marked present.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 213**, jointly sponsored by Representative Miro & Senator Sokola & Representatives Barbieri, Jaques, J. Johnson, Keeley, Mitchell, Mulrooney & Scott & Senator Sorenson, before the House for consideration.

**HB 213** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL DATA GOVERNANCE.

Representative Schooley made comments.

The roll call on **HB 213** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Longhurst & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 213** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 42 w/SA 1**, jointly sponsored by Senator Hall-Long & Senators Blevins, Ennis & Henry & Representatives Keeley, Gilligan, Barbieri, Blakey, Bolden, Brady, Briggs King, Carson, Heffernan, Hocker, Jaques, J. Johnson, Kenton, Mitchell, Peterman, Ramone, Schooley, B. Short, D. Short, Viola & Willis, before the House for consideration.

**SB 42** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO FORECLOSURE CONSULTANTS AND MORTGAGE MODIFICATION SERVICE PROVIDERS. (3/5 bill)

Representative Kowalko made comments.

The roll call on **SB 42 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 42 w/SA 1** was returned to the Senate.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Longhurst brought **SB 38 w/SA 2**, jointly sponsored by Senator Sokola & Senator Cloutier & Representatives Schooley, Hudson, Keeley & B. Short, before the House for consideration.

**SB 38 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE AND MOTOR VEHICLE SAFETY. (2/3 bill)**

Representatives Longhurst, Lavelle, Mitchell & Osienski made comments.

The roll call on **SB 38 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 38 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 202**, jointly sponsored by Representative Walker & Representative Hudson & Senator Hall-Long & Representatives Gilligan, Bennett, Briggs King, Longhurst, Miro, Mitchell, Osienski, Peterman, Scott, B. Short, D. Short & Willis & Senators Bushweller, Ennis & Sorenson & cosponsored by Representative Wilson, before the House for consideration.

**HB 202 - AN ACT TO AMEND TITLE 21 RELATING TO RULES OF THE ROAD. (2/3 bill)**

Representatives Q. Johnson & Hudson made comments.

The roll call on **HB 202** 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.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HS 1 for HB 210**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf brought **HS 1 for HB 210**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Blevins & Senator Henry, before the House for consideration.

**HS 1 for HB 210 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.**

Representative Schwartzkopf introduced and brought **HA 1 to HS 1 for HB 210** before the House for consideration. Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representatives Schwartzkopf, Lavelle & Blakey made comments. Representative Schwartzkopf requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Blakey & Schwartzkopf made comments.

The roll call on **HS 1 for HB 210 w/HA 1** was taken and revealed:

YES: 26.

NO: Representatives Briggs King, Hocker, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, D. Short & Willis - 10.

NOT VOTING: Representatives Blakey, Hudson, Kenton, Ramone & Wilson - 5.

Therefore, having received a constitutional majority, **HS 1 for HB 210 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought **SB 116**, jointly sponsored by Senator Blevins & Representatives J. Johnson & Walker, before the House for consideration.

**SB 116 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO BAILIFFS AND JUDICIAL ASSISTANTS.**

Representative George made comments.

The roll call on **SB 116** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 116** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 86**, jointly sponsored by Senator Ennis & Senator Hall-Long & Representatives Jaques, Carson & Atkins, before the House for consideration.

**SB 86 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFTS FROM CEMETERIES. (2/3 bill)**

Representative Q. Johnson made comments.

The roll call on **SB 86** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 86** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 121**, jointly sponsored by Senator Ennis & Senator Bushweller & Representatives Bennett, Scott & Willis, before the House for consideration.

**SB 121 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE LOCATION AT WHICH SHERIFF SALES MAY BE CONDUCTED IN KENT COUNTY.**

Representative Carson made comments.

The roll call on **SB 121** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 121** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **SB 52**, jointly sponsored by Senator Ennis & Senator Bushweller & Representatives Briggs King, Carson, Hocker, J. Johnson, Keeley, Lavelle, Walker & Wilson, before the House for consideration.

**SB 52 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ISSUANCE OF SMALL ESTATE AFFIDAVITS.**

Representative Bennett made comments.

The roll call on **SB 52** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 52** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 10**, jointly sponsored by Senator Bushweller & Senator Ennis & Representative Carson, before the House for consideration.

**SB 10 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TAXATION OF KENT COUNTY SWIMMING POOLS WHICH ARE OWNED BY CIVIC ORGANIZATIONS. (F/N)**

Representative Scott made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **SB 10** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 43**, jointly sponsored by Senator Simpson & Senator Marshall & Senators Booth & Lawson & Representatives Brady, Briggs King, Hocker, Hudson, Q. Johnson, Peterman, D. Short & Outten, before the House for consideration.

**SB 43 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REMOVAL OF ABANDONED VEHICLES**

Representative Carson made comments.

The roll call on **SB 43** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 43** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 47**, jointly sponsored by Senator McBride, before the House for consideration.

**SB 47 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.**

Representatives Q. Johnson & Blakey made comments.

The roll call on **SB 47** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 47** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 117**, jointly sponsored by Senator Bunting & Senators Booth, Ennis, Lawson & Simpson & Representatives Blakey, Carson, Kenton, Lee, Outten, Wilson, Briggs King & Scott, before the House for consideration.

**SB 117 - AN ACT TO FACILITATE THE ACQUISITION AND PRESERVATION OF AGRICULTURAL LANDS BY YOUNG FARMERS.**

Representative Atkins made comments.

The roll call on **SB 117** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 117** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 93**, jointly sponsored by Senator Bushweller & Representatives Carson & Lavelle, before the House for consideration.

**SB 93 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTOMOBILE CLUBS.**

Representative B. Short made comments.

The roll call on **SB 93** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 93** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 55**, jointly sponsored by Senator Blevins & Representative Jaques, before the House for consideration.

**SB 55 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES.**

Representative Mitchell made comments.

The roll call on **SB 55** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 55** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 173**, jointly sponsored by Senator McDowell & Representatives Bolden, B. Short, D.E. Williams & D.P. Williams & Senator Cloutier, before the House for consideration.

**HB 173 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND SEWER SYSTEMS.**

Representative Heffernan brought **HA 1 to HB 173** before the House for consideration.

Representative Heffernan made comments. **HA 1** was adopted by voice vote. Representatives Heffernan & Miro made comments.

The roll call on **HB 173 w/HA 1** was taken and revealed:

YES: 26.

NO: Representatives Briggs King, Hocker, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Willis & Wilson - 11.

NOT VOTING: Representatives Blakey, Hudson, Ramone & D. Short - 4.

Therefore, having received a constitutional majority, **HB 173 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 64 w/SA 2**, jointly sponsored by Senator McBride & Senators Bushweller, McDowell, Peterson, Connor & Simpson & Representatives Atkins, Brady, B. Short & D.E. Williams, before the House for consideration.

**SB 64 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FLOODPLAIN AND DRAINAGE STANDARDS, WETLANDS AND SUBAQUEOUS LANDS.**

Representative Q. Johnson brought **HA 1 to SB 64** before the House for consideration.

Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representatives Q. Johnson, Lavelle, Schwartzkopf & Hudson made comments. Representative Q. Johnson requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control. Representatives Hudson, Atkins & Lavelle made comments.

The roll call on **SB 64 w/SA 2 & HA 1** was taken and revealed:

YES: 36.

NO: Representatives Briggs King, Hocker, Kenton, Lavelle & Wilson - 5.

Therefore, having received a constitutional majority, **SB 64 w/SA 2 & HA 1** was returned to the Senate.

Representative Schwartzkopf brought **Consent Agenda E** before the House for consideration.

**SB 122 - BUNTING & REPRESENTATIVE KOWALKO & SENATORS BONINI, KATZ, MARSHALL & SIMPSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Professional Regulation.**

**SB 127 - BUNTING & REPRESENTATIVE KOWALKO & SENATORS KATZ, MARSHALL & SIMPSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 31 of the Delaware Code Relating to the Child Placement Review Act.**

**SB 131 - BUNTING & REPRESENTATIVE KOWALKO & SENATORS KATZ, MARSHALL & SIMPSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 28, Chapters 11, 15 and 18 of the Delaware Code Relating to Charitable Gaming.**

**SB 132 - BUNTING & REPRESENTATIVE KOWALKO & SENATORS KATZ, MARSHALL & SIMPSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 31 of the Delaware Code Relating to the Delaware Child Care Act.**

Representative Schwartzkopf made comments.

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

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **SB 122, SB 127, SB 131 & SB 132** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson requested and was granted personal privilege of the floor to make comments. Representative Hudson requested that **HR 9** be stricken.

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

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 29, 2011.

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

PUBLIC SAFETY & HOMELAND SECURITY: **SB 25 w/SA 1 & 2** - 4M,4U; **SB 139 w/SA 1** -

8M.

HOUSING & COMMUNITY AFFAIRS: **SB 126 w/SA 1** - 1F,6M.

CORRECTIONS: **HB 208** - 6F.

APPROPRIATIONS: **HB 168** - 5M.

EDUCATION: **SB 111** - 1F, 7M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - **SB 81 w/SA 1** - 8M;  
**SB 91** - 7M; **SB 104** - 8M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 140 w/SA 1** & **SB 137 w/SA 1** and requests the concurrence of the House and the Senate has passed **HJR 3** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 146 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 142** and requests the concurrence of the House and the Senate has passed **HB 157, HB 133, HB 85 & HB 142** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 135 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 99** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced **HB 222** jointly sponsored by Representative J. Johnson & Representative Kowalko & Representative Osienksi & Senator Henry.

**HB 222** - AN ACT TO AMEND TITLE 19 RELATING TO THE WORKPLACE FRAUD ACT.

Mr. Speaker Gilligan assigned **HB 222** to the Labor Committee.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson introduced **HB 221** jointly sponsored by Representative Jaques & Representative Kowalko & Representative Osienksi & Senator Henry.

**HB 221** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE WORKPLACE FRAUD ACT.

Mr. Speaker Gilligan assigned **HB 221** to the Labor 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.

### **43rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session**

**June 29, 2011**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Gilligan led those present in the 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 216** - D. SHORT & REPRESENTATIVE B. SHORT; REPRESENTATIVES BRIGGS KING, HUDSON, MIRO, BARBIERI, BOLDEN, KOWALKO, SCOTT; SENATORS BOOTH, ENNIS, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Practices in the Business of Insurance.

**HB 217** - D.P. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES BENNETT, BRADY, GEORGE, J. JOHNSON, KOWALKO, MIRO, MITCHELL, OSIENSKI, SCOTT, SCHWARTZKOPF; SENATORS BUSHWELLER, ENNIS, HENRY, SOKOLA - APPROPRIATIONS - An Act to Amend Title 11 and Title 29 of the Delaware Code to Provide Post-Retirement Increases to Pensioners and Change Actuarial Assumptions in the Judicial, State Police and State Employee Pension Plans.

**HB 218** - B. SHORT - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and Deductions.

**HB 219** - KEELEY & SENATOR VENABLES - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Titles 17 and 21 of the Delaware Code Relating to Fees Charged for Motor Vehicle and Highway-Related Administration.

**HB 220** - HUDSON & SENATOR BLEVINS; REPRESENTATIVES RAMONE, BRADY; SENATOR ENNIS - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Traffic Studies in Counties with a Population Greater than 500,000.

**HA 3 to HB 140** - CARSON - Placed with the Bill.

**HA 1 to HB 201** - CARSON - Placed with the Bill.

**HA 1 to HB 214** - HEFFERNAN - Placed with the Bill.

**SS 1 for SB 29 w/SA 1 & 3** - HENRY & SENATOR MARSHALL; SENATOR SOKOLA; REPRESENTATIVES BARBIERI, BOLDEN, HEFFERNAN, JAQUES, KEELEY, LONGHURST, SCHOOLEY, SCHWARTZKOPF, SCOTT, D.E. WILLIAMS, D.P. WILLIAMS - JUDICIARY - An Act



to Amend Title 11 of the Delaware Code Relating to the Possession of Deadly Weapons by Persons Prohibited.

**SB 135 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to School Based Health Centers and Insurance.

**SB 136 w/SA 1** - SORENSON & SENATOR BUNTING & SENATOR CONNOR & REPRESENTATIVE JAQUES & REPRESENTATIVE KENTON; SENATORS ENNIS, SOKOLA; REPRESENTATIVES BENNETT, CARSON, HUDSON, MIRO, D. SHORT, WALKER, WILLIS, SCOTT - 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 137 w/SA 1** - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, HALL-LONG, PETERSON; REPRESENTATIVES Q. JOHNSON, KEELEY, D.E. WILLIAMS, BOLDEN - ECONOMIC DEVELOPMENT/ BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Cost-Sharing, Deductible or Co-Insurance for Tier IV or Specialty Tier Prescription Drugs.

**SB 140 w/SA 1** - HENRY & REPRESENTATIVE BENNETT; SENATOR ENNIS; REPRESENTATIVES BOLDEN, KEELEY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Employees Pension Plan and Waiver of Benefits.

**SB 142** - HALL-LONG & REPRESENTATIVE WALKER; SENATOR BUNTING; REPRESENTATIVE KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Related to Civil Administrative Procedures.

Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted privilege of the floor for himself and Representatives Willis, Carson & Atkins.

Representative D. Short brought **HCR 25**, jointly sponsored by Representative Willis & Representative Carson & Representative Atkins on behalf of All Representatives & Senator Bunting & Senator Lawson on behalf of All Senators, before the House for consideration.

**HCR 25** - RECOGNIZING NOVEMBER 2011 AS NATIVE AMERICAN HERITAGE MONTH IN DELAWARE.

**HCR 25** was adopted by voice vote.

Representative D. Short introduced guests and invited Senator Lawson to the podium. Representatives Carson, Willis & Atkins addressed the House. Senator Lawson addressed the House. Mr. Speaker Gilligan welcomed First Lady Carla Markell to the House Chamber. Members of the House participated in the Friendship Dance led by Delaware's Native Americans. Representative Schwartzkopf made comments. Dennis J. Coker, Chief, Lenape Indian Tribe of Delaware, addressed the House. Tom Robbins, Chief, Nanticoke Indian Association, addressed the House. Senator Bunting addressed the House. Representative Viola requested that he be marked present. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley made an announcement. Mr. Speaker Gilligan made an announcement. Representatives George & Brady requested that they be marked present. Mr. Speaker Gilligan made an announcement.

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

NATURAL RESOURCES: **SB 103** - 1F,6M.

HOUSE ADMINISTRATION: **SB 18** - 3F,2M; **SB 68** - 1F,4M; **SB 87 w/SA 1** - 5M; **SB 101** - 1F,4M; **SB 118** - 5M; **SB 119 w/SA 1** - 5M; **SB 89** - 5M; **SB 110** - 5M; **HB 214** - 5M; **HB 196** - 5M.

HEALTH & HUMAN DEVELOPMENT: **SB 114** - 8M; **SB 102** - 8M.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan moved to suspend the rules which interfere with action on **HB 214**. The motion was seconded by Representative Keeley and adopted by voice vote.

Representative Heffernan brought **HB 214**, jointly sponsored by Representatives Bennett, Carson, Hudson, Jaques, Q. Johnson, Keeley, Lavelle, Longhurst, Mitchell, Walker, Kowalko & Schwartzkopf & Senators Bushweller, McDowell & Sorenson and cosponsored by Representatives Brady, Hocker & J. Johnson, before the House for consideration.

**HB 214** - AN ACT TO AMEND TITLES 1, 4, 6, 7, 10, 11, 12, 14, 16 ,19, 20, 21, 25, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF INSENSITIVE AND OFFENSIVE LANGUAGE.

Representative Heffernan brought **HA 1 to HB 214** before the House for consideration. **HA 1** was adopted by voice vote. Representative Heffernan requested and was granted privilege of the floor for Christopher Coulston, who addressed the House. Representatives Heffernan & Lavelle made comments.

The roll call on **HB 214 w/HA 1** was taken and revealed:

YES: 32.

ABSENT: Representatives Atkins, Carson, Hudson, Jaques, Mitchell, B. Short, D. Short, Walker & D.P. Williams - 9.

Therefore, having received a constitutional majority, **HB 214 w/HA 1** was sent to the Senate for concurrence.

Representative Brady made comments. Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton requested and was granted personal privilege of the floor to make comments. Representative Scott made comments. Mr. Speaker Gilligan introduced former Representative Gerard A. Cain. Representative Peterman made an announcement. Representative Schwartzkopf made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:47 p.m.

The House reconvened at 5:36 p.m.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 138 w/SA 1, SB 155 & SB 154 w/SA 1 & 2** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 136 w/SA 1 & SS 1 for SB 29 w/SA 1 & 3** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 65 w/SA 1, SB 134 w/SA 1, SB 148, SB 152 & SJR 7** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 48 w/SA 2 & SB 150** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 96 & SB 144 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 38, HB 190, HB 127 w/HA 1, HCR 25, HJR 5 & HJR 6** and is returning the same to the House.

Representative Schwartzkopf brought **Consent Calendar #9** before the House for consideration.

**SCR 17 - VENABLES & REPRESENTATIVE KOWALKO & SENATORS BUNTING, BUSHWELLER, CLOUTIER, ENNIS, LAWSON, MCDOWELL, SIMPSON & SOKOLA & REPRESENTATIVES HOCKER, JAQUES, Q. JOHNSON, MITCHELL & MULROONEY** - Urging the State of New Jersey to Discontinue 'Once Through' Cooling Systems on the Delaware River and Bay which Harms the Fisheries and Limits Thousands of Jobs in the Commercial and Recreational Fisheries and Crabbing Industries.

**SCR 20 - VENABLES & REPRESENTATIVE ATKINS & SENATORS BUSHWELLER, SOKOLA & SORENSON & REPRESENTATIVES BENNETT, CARSON, HEFFERNAN, KENTON & LAVELLE** - Expressing Support for the Work of Delaware's No Child Left Inside.

**SCR 24 - CLOUTIER & SENATOR KATZ & REPRESENTATIVE HUDSON & SENATORS CONNOR & SORENSON** - Requesting a Report and Suggestions for Improvement on the At-Store Recycling Program Established in 2009 from DNREC for the Purpose of Improving the Program and Bettering the Environment.

**SCR 25 - SOKOLA & SENATOR CLOUTIER & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE HEFFERNAN & SENATORS BUSHWELLER, HALL-LONG & SORENSON & REPRESENTATIVES BARBIERI, BENNETT, HUDSON, KENTON, LAVELLE, MIRO & SCOTT** - Encouraging the Delaware Higher Education Institutions to Continue Efforts to Improve and Broaden Disability Services.

**Consent Calendar # 9** was adopted by voice vote and **SCR 17, SCR 20, SCR 24 & SCR 25** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 126 w/SA 1**, jointly sponsored by Senator Hall-Long & Representative Carson & Representative Brady & Senators Peterson, Bushweller & Henry & Representative Jaques, before the House for consideration.

**SB 126 - AN ACT TO AMEND TITLES 9, 22, AND 29 OF THE DELAWARE CODE RELATING TO THE REVIEW AND CERTIFICATION OF COMPREHENSIVE PLANS AND THE ROLE OF THE CABINET COMMITTEE ON STATE PLANNING ISSUES AND THE OFFICE OF STATE PLANNING COORDINATION.**

Representative Carson made comments.

The roll call on **SB 126 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Bolden - 1.

Therefore, having received a constitutional majority, **SB 126 w/SA 1** was returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko moved to suspend the rules which interfere with action on **SB 133**. The motion was seconded by Representative Q. Johnson and adopted by voice vote.

Representative Kowalko brought **SB 133**, jointly sponsored by Senator Bunting & Senators Katz, Marshall & Simpson & Representatives Atkins, Bennett, Ramone & D. Short, before the House for consideration.

**SB 133 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIMES. (F/N)**

Representative Kowalko made comments.

The roll call on **SB 133** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 133** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 83**, jointly sponsored by Senator DeLuca & Representative George & Senators Hall-Long, Blevins & Bonini & Representatives Keeley, Bennett, Willis & Hudson, before the House for consideration.

**SB 83 - AN ACT TO AMEND TITLES 10, 12, 18 AND 25 OF THE DELAWARE CODE RELATING TO JUDICIAL PROCEDURE, FIDUCIARY RELATIONS, INSURANCE AND PROPERTY.**

Representative B. Short made comments.

The roll call on **SB 83** was taken and revealed:

YES: 41.

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

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda F**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration.

**SB 68 - BUNTING & REPRESENTATIVE HOCKER - An Act to Amend the Charter of the Town of Bethany Beach to Expand the Distance from the Town Limits within which the Alderman and Assistant Alderman Must Reside. (2/3 bill)**

**SB 89 - KATZ & REPRESENTATIVE JAQUES - An Act to Amend Title of 15 of the Delaware Code Relating to the Presidential Primary Election. (2/3 bill)**

**SB 101 - BUNTING & REPRESENTATIVE HOCKER - An Act to Amend the Charter of the Town Of Bethany Beach, An Act to Re-incorporate the Town of Bethany Beach, Relating to Election Notices and Records and Candidate Qualifications. (2/3 bill)**

**SB 110 - BOOTH & REPRESENTATIVE BRIGGS KING - An Act to Amend the Charter of the Town of Georgetown Relating to the Power to Borrow Money and Issue Bonds and Other Obligations. (2/3 bill)**

**SB 118 - KATZ & REPRESENTATIVE JAQUES - An Act to Amend Title 15 of the Delaware Code Regarding the Presidential Primary and for Other Associated Purposes. (2/3 bill)**

**SB 119 - KATZ & REPRESENTATIVE JAQUES - An Act to Amend Title 15 of the Delaware Code Regarding a Special Election for Representative in Congress. (2/3 bill)**

Representative Schwartzkopf made comments.

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, **SB 68, SB 89, SB 101, SB 110, SB 118 & SB 119** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 168**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Keeley brought **HB 168**, jointly sponsored by Senator Blevins & Representatives Q. Johnson, Kowalko, D. Short & Wilson & Senators Bushweller, Ennis & Sorenson, before the House for consideration.

**HB 168 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE. (F/N)**

Representative Keeley deferred to Representative J. Johnson. Representative J. Johnson brought **HA 1 to HB 168** before the House for consideration. Representatives J. Johnson & Keeley made comments. **HA 1** was adopted by voice vote. Representative Keeley brought **HA 2 to HB 168**, jointly sponsored by Representative Gilligan, before the House for consideration. Representative Keeley introduced and brought **HA 1 to HA 2 to HB 168** before the House for consideration. Representative Keeley made comments. **HA 1 to HA 2** was adopted by voice vote. Representative Keeley & Briggs King made comments. **HA 2** was adopted by voice vote. Representative Keeley introduced and brought **HA 3 to HB 168** before the House for consideration. Representative Keeley made comments. **HA 3** was adopted by voice vote. Representatives Keeley & Briggs King made comments. Representative Keeley requested and was granted privilege of the floor for Sean Lugg, representing the Office of the Attorney General. Representatives Briggs King & Keeley made comments.

The roll call on **HB 168 w/HA 1, HA 2, HA 1 to HA 2 & HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Mulrooney - 1.

Therefore, having received a constitutional majority, **HB 168 w/HA 1, HA 2, HA1 to HA 2 & HA 3** was sent to the Senate for concurrence.

Representatives Keeley & Briggs King made comments. Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 109 w/SA 1**, jointly sponsored by Senator Bushweller & Senator Venables, before the House for consideration.

**SB 109 - AN ACT TO AMEND CHAPTER 19 OF TITLE 18 OF THE DELAWARE CODE RELATING TO REGULATION OF SURPLUS LINES INSURANCE. (3/5 bill)**

Representatives B. Short & Briggs King made comments.

The roll call on **SB 109 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 109 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 98 w/SA 1**, jointly sponsored by Senator Bushweller & Senators Blevins, Hall-Long, Ennis & Sorenson & Representatives Kowalko, Mitchell & Scott, before the House for consideration.

**SB 98 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND THE REQUIREMENT OF COVERAGE FOR CERTAIN IMMUNIZATIONS AND PREVENTIVE SERVICES.**

Representatives B. Short, Lavelle & Hudson made comments.

The roll call on **SB 98 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 98 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson moved to suspend the rules which interfere with action on **SB 139 w/SA 1**. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative J. Johnson brought **SB 139 w/SA 1**, jointly sponsored by Senator McBride & Senator Bunting & Representatives Miro, Mitchell & Ramone, before the House for consideration.

**SB 139 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS. (3/5 bill)**

Representatives J. Johnson & Wilson made comments. Representative J. Johnson requested and was granted privilege of the floor for Sergeant Calhoun, representing the New Castle County Police Department. Representatives Peterman, Carson, Mitchell, Briggs King, Manolakos, Brady, J. Johnson, Willis, B. Short & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Lavelle & J. Johnson made comments.

Representative J. Johnson moved to place **SB 139 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Mulrooney and adopted by voice vote.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **HB 217**. The motion was seconded by Representative Keeley and adopted by voice vote.

Representative D.P. Williams brought **HB 217**, jointly sponsored by Senator McDowell & Representatives Bennett, Brady, George, J. Johnson, Kowalko, Miro, Mitchell, Osienki, Scott & Schwartzkopf & Senators Bushweller, Ennis, Henry & Sokola, before the House for consideration.

**HB 217 - AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS AND CHANGE ACTUARIAL ASSUMPTIONS IN THE JUDICIAL, STATE POLICE AND STATE EMPLOYEE PENSION PLANS. (F/N)**

Representative D.P. Williams made comments. Representative D.P. Williams requested and was granted privilege of the floor for David Craik, Pension Administrator, Delaware Public Employees' Retirement System. Representative Mitchell made comments.

The roll call on **HB 217** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 217** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques moved to suspend the rules which interfere with action on **HB 196**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Jaques brought **HB 196**, jointly sponsored by Senator Katz, before the House for consideration

**HB 196 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF VOTERS AND TO POLLING PLACES.**

Representatives Jaques & Hudson made comments.

The roll call on **HB 196** was taken and revealed:

YES: 38.

NO: Representatives Hudson, Manolakos & D. Short - 3.

Therefore, having received a constitutional majority, **HB 196** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HJR 7**. The motion was seconded by Representative Mitchell and adopted by voice vote.

Representative Schwartzkopf brought **HJR 7**, jointly sponsored by Senator Bunting & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, George, Gilligan, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Longhurst, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson, before the House for consideration.

**HJR 7 - ESTABLISHING A STUDY GROUP TO ASSESS CHILD MENTAL HEALTH NEEDS IN KENT AND SUSSEX COUNTIES.**

Representative Schwartzkopf made comments.

The roll call on **HJR 7** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 7** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **HB 195**.

The motion was seconded by Representative Scott and adopted by voice vote.

Representative D.P. Williams brought **HB 195**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor, before the House for consideration.

**HB 195 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2012 APPROPRIATIONS ACT. (3/4 bill)**

Representatives D.P. Williams & Lavelle made comments. Representative D.P. Williams requested and was granted privilege of the floor for Russell Larson, Controller General. Representatives Lavelle & Kowalko made comments. Representative George rose on a point of order. Mr. Speaker Gilligan did not concur. Representatives Briggs King, Keeley & J. Johnson made comments.

The roll call on **HB 195** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 195** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 146 w/SA 1**.

The motion was seconded by Representative Carson and adopted by voice vote.

Representative B. Short brought **SB 146 w/SA 1**, jointly sponsored by Senator Blevins & Senator Simpson & Representatives Gilligan, Hocker & D. Short, before the House for consideration.

**SB 146 - AN ACT TO AMEND TITLES 18 AND 29 RELATING TO NOT FOR PROFIT HEALTH CARE CONVERSIONS.**

Representative B. Short made comments. Representative Willis announced that he will not be voting on **SB 146 w/SA 1** because of a possible conflict of interest. Representatives D.P. Williams, Kowalko, B. Short, Lavelle & Jaques made comments.

The roll call on **SB 146 w/SA 1** was taken and revealed:

YES: 34.

NO: Representatives Bolden, Jaques, J. Johnson, Kowalko & D.P. Williams - 5.

NOT VOTING: Representatives Briggs King & Willis - 2.

Therefore, having received a constitutional majority, **SB 146 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson moved to lift **SB 139 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote.

Representative J. Johnson brought **SB 139 w/SA 1**, jointly sponsored by Senator McBride & Senator Bunting & Representatives Miro, Mitchell & Ramone, before the House for consideration.

**SB 139 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS. (3/5 bill)**

Representative J. Johnson introduced and brought **HA 1 to SB 139** before the House for consideration. Representative J. Johnson made comments. **HA 1** was adopted by voice vote. Representative Wilson announced that he will not be voting on **SB 139 w/SA 1 & HA 1** because of a possible conflict of interest.

The roll call on **SB 139 w/SA 1 & HA 1** was taken and revealed:

YES: 35.

NO: Representatives Briggs King, Hocker, Kenton, Outten & Peterman - 5.

NOT VOTING: Representative Wilson - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 139 w/SA 1 & HA 1** was returned to the Senate.

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

PUBLIC SAFETY & HOMELAND SECURITY: **SB 113** - 8M.

JUDICIARY: **SS 1 for SB 29 w/SA 1 & SA 3** - 5M,1U.

The Majority Leader moved to recess to the call of the Chair at 7:44 p.m.

Mr. Speaker Gilligan called the House to order at 4:01 p.m. on June 30, 2011.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 172, HS 1 for HB 33, HB 163 & HB 50** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 205, HB 135, HB 134, HB 165 & HB 187 w/HA 1 & SA 1** and is returning the same to the House.

The Majority Leader moved to adjourn at 4:02 p.m., thereby ending the current legislative day. The House reconvened at 4:04 p.m.

**44th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Session  
June 30, 2011**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 223** - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HEFFERNAN, HOCKER, SCOTT, D. SHORT, D.E. WILLIAMS; SENATORS CLOUTIER, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Titles 18 and 21 of the Delaware Code to Allow the Transmission of Electronic Notices or Documents Related to Insurance and Insurance Policies Under Certain Circumstances.

**HB 224** - KOWALKO & SENATOR BUNTING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to the Office of Child Care Licensing.

**HB 225** - KOWALKO & SENATOR BUNTING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Facilities.

**HB 226** - KOWALKO & SENATOR BUNTING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Facilities.

**HA 1 to HB 96** - JAQUES - Placed with the Bill.

**HA 1 to HB 212** - BENNETT & REPRESENTATIVE SCOTT & REPRESENTATIVE VIOLA - Placed with the Bill.

**SB 48 w/SA 2** - HALL-LONG & REPRESENTATIVE KEELEY & REPRESENTATIVE KOWALKO; SENATORS BLEVINS, ENNIS, HENRY, SOKOLA, SORENSON; REPRESENTATIVES GILLIGAN, BARBIERI, BOLDEN, BRADY, BRIGGS KING, CARSON, HOCKER, HUDSON, JAQUES, MIRO, MITCHELL, OUTTEN, PETERMAN, RAMONE, SCHOOLEY, D. SHORT, VIOLA, WILLIS, WILSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Deceptive Foreclosure Practices

**SB 65 w/SA 1** - BLEVINS & REPRESENTATIVE KEELEY & REPRESENTATIVE J. JOHNSON; SENATORS HENRY, MARSHALL, MCBRIDE; REPRESENTATIVES ATKINS, BRADY, GEORGE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Nuisance Abatement.

**SB 96** - MCDOWELL & REPRESENTATIVE LAVELLE & REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Parks and Recreation Council.

**SB 134 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance.

**SB 138 w/SA 1** - VENABLES & SENATOR BUNTING & REPRESENTATIVE HOCKER; SENATOR BOOTH; REPRESENTATIVES CARSON, KENTON, WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 Relating to Comprehensive Land Plans.

**SB 144 w/SA 1** - BUNTING & REPRESENTATIVE ATKINS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers, Secondhand Dealers and Scrap Metal Processors.

**SB 148** - ENNIS & SENATOR HALL-LONG & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE WALKER - HOUSE ADMINISTRATION - An Act to Authorize and Approve the Transfer of Certain Real Property Interests in the Town of Middletown, New Castle County, to the Town of Middletown. (3/4 bill)

**SB 150** - KATZ & REPRESENTATIVE JAQUES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to this Disclosure of Motor Vehicle Records.

**SB 152** - ENNIS & REPRESENTATIVE D. SHORT; REPRESENTATIVE MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driver Licenses.

**SB 154 w/SA 1 & 2** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Brokers and Real Estate Salespersons.

**SB 155** - MARSHALL & REPRESENTATIVE MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 11, 16, 18 and 29 of the Delaware Code Relating to the Office of Narcotics and Dangerous Drugs and the Delaware State Police Drug Diversion Unit.

**HA 1 to SB 135** - B. SHORT - Placed with the Bill.

**SJR 7** - BUSHWELLER & SENATOR ENNIS; REPRESENTATIVES CARSON, SCOTT - HOUSE ADMINISTRATION - Urging All Delawareans to Honor the Memory and Momentous Achievements of Major Allen McLane, an Often Overlooked Delaware Revolutionary War Hero, With an Appropriate Memorial.

Representative Schwartzkopf deferred to Representative Willis. Representative Willis requested and was granted privilege of the floor to present a House Tribute to Ruth Ann Melson, Legislative Librarian, on the occasion of her retirement. Ms. Melson addressed the House. Representative George made comments.

Representative Schwartzkopf deferred to Representative George.

Representative George introduced and brought **HR 24** before the House for consideration.

**HR 24** - AN ACT PROCLAIMING OCTOBER 16-22, 2011 AS "MEDIATION WEEK".

Representative George made comments. **HR 24** was adopted by voice vote.

Mr. Speaker Gilligan reassigned **HB 221** & **HB 222** to the House Administration committee.

Representative Schwartzkopf requested that **HB 212**, **SB 102** & **SB 104** be removed from **Consent Agenda G**.

Representatives Heffernan, D.P. Williams, Scott, Hocker, Hudson & Carson requested that they be marked present.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 112 w/SA 1**, jointly sponsored by Senator Hall-Long & Representative Q. Johnson & Senators Sokola, Cloutier & Ennis & Representatives Keeley & J. Johnson, before the House for consideration.

**SB 112** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SUPPORTIVE INSTRUCTION.

Representative Walker made comments. Representative Walker brought **HA 1 to SB 112** before the House for consideration. **HA 1** was adopted by voice vote. Representative Walker made comments.

Representatives Lavelle & Manolakos requested that they be marked present.

The roll call on **SB 112 w/SA 1 & HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Miro - 2.

Therefore, having received a constitutional majority, **SB 112 w/SA 1 & HA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 111 w/SA 1**, jointly sponsored by Senator Hall-Long & Senator Booth & Representative Lee & Senators Henry, Blevins, Sokola, Ennis, Sorenson, Simpson, Katz & Bushweller & Representatives Ramone, Bennett, Jaques, B. Short, Mitchell, Briggs King, Hudson, Viola, Manolakos, Osienski & Heffernan, before the House for consideration.

**SB 111** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE INTERSCHOLASTIC ATHLETICS ASSOCIATION.

Representatives Walker & Lee made comments.

The roll call on **SB 111 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Manolakos & Miro - 3.

Therefore, having received a constitutional majority, **SB 111 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced **HB 227**, jointly sponsored by Representative Longhurst & Senator Bushweller & Representative Jaques.

**HB 227** - AN ACT TO AMEND TITLE 9, TITLE 22 AND TITLE 31 RELATING TO HOUSING.

Mr. Speaker Gilligan assigned **HB 227** to the Housing & Community Affairs Committee.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 108**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought **SB 108**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Bushweller, Henry & Ennis & Representatives Carson, Mitchell & Mulrooney, before the House for consideration.

**SB 108** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND PAYMENTS FOR INJURIES OR DEATH AND INCIDENTAL BENEFITS.

Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for John McMahon, Secretary, Department of Labor. Representatives B. Short & Briggs King made comments. Mr. McMahon deferred to John Kirk, Deputy Director for Workers Compensation. Representatives Briggs King & J. Johnson made comments.

The roll call on **SB 108** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 108** was returned to the Senate.

Representatives Miro & Atkins requested that they be marked present during the roll call. Mr. Speaker Gilligan introduced guests. Representative Mulrooney made a comment.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 95 w/SA 1**, jointly sponsored by Senator McBride & Representatives Bennett, Brady, Kowalko, Longhurst, Osienski & Viola & Senators DeLuca, Ennis & Lawson, before the House for concurrence on **SA 1**.

**HB 95 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES.**

Representative Mulrooney made comments.

The roll call on **HB 95 w/SA 1** was taken and revealed:

YES: 28.

NO: Representatives Heffernan, Hocker, Kenton, Lavelle, Miro, Peterman, Schooley, Schwartzkopf, Scott, D.P. Williams & Wilson - 11.

NOT VOTING: Representatives Manolakos & D. Short - 2.

Therefore, having received a constitutional majority, **HB 95 w/SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 104**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 104 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SELLER FINANCING FOR CONSUMER PURPOSE PROPERTIES.**

Representative B. Short made comments. Representative George announced that she will not be voting on **SB 104** because of a possible conflict of interest.

The roll call on **SB 104** was taken and revealed:

YES: 40.

NOT VOTING: Representative George - 1.

Therefore, having received a constitutional majority, **SB 104** was returned to the Senate.

Representative Schwartzkopf requested that **SB 154** & **SB 96** be removed from **Consent Agenda H** and that **SB 18** be removed from **Consent Agenda G**.

The Majority Leader moved to recess to the call of the Chair at 4:49 p.m.

The House reconvened at 8:15 p.m.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf introduced **HB 228**, jointly sponsored by Senator Bunting & Representative Longhurst & Senator Simpson.

**HB 228 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE STANDARD USED FOR COST RECOVERY FOR PUBLIC UTILITIES IN PROCEEDINGS INVOLVING A CHANGE IN RATES.**

Representative Schwartzkopf made an announcement.

Mr. Speaker Gilligan assigned **HB 228** to the Transportation/Land Use & Infrastructure Committee.

Representative Schwartzkopf brought **Consent Agenda G** before the House for consideration.

**HB 208 - J. JOHNSON & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE KEELEY & SENATOR ENNIS & SENATOR HENRY & REPRESENTATIVES BARBIERI, BENNETT, BOLDEN, BRADY, BRIGGS KING, GEORGE, GILLIGAN, HOCKER, JAQUES, KENTON, KOWALKO, LONGHURST, MITCHELL, OUTTEN, SCHOOLEY, B. SHORT, VIOLA, WALKER & WILSON & SENATORS BOOTH, BUSHWELLER, HALL-LONG, MARSHALL, PETERSON & SORENSON - An Act to Rename the Women's Treatment Center in Honor of Hazel D. Plant.**

**SB 87 - PETERSON & REPRESENTATIVE BENNETT & SENATORS BUSHWELLER, HENRY, KATZ, SOKOLA & BONINI & REPRESENTATIVES BRIGGS KING, HUDSON, KENTON, LAVELLE, MIRO, OSIENSKI, D. SHORT, WILSON - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.**

**SB 103 - MCBRIDE & REPRESENTATIVE Q. JOHNSON & SENATORS CONNOR, ENNIS, SIMPSON & VENABLES & REPRESENTATIVES CARSON, HOCKER, KENTON, MULROONEY, OUTTEN & WILSON - An Act to Amend Titles 7 And 29 of the Delaware Code Relating to Programs of the Department of Natural Resources and Environmental Control.**

The roll call on **Consent Agenda G** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 208** was sent to the Senate for concurrence and **SB 87** & **SB 103** were returned to the Senate.



Representative Schwartzkopf brought **Consent Agenda H**, which requires a three-fourths vote, before the House for consideration.

**SB 114** - HALL-LONG & REPRESENTATIVE BRADY & SENATOR ENNIS & REPRESENTATIVES JAQUES, CARSON, Q. JOHNSON, RAMONE & KOWALKO - An Act to Amend Title 16 of the Delaware Code Relating to Registration of Births, Deaths, Marriages, Divorces, Annulments and Adoptions.

**SB 136** - SORENSON & SENATOR BUNTING & SENATOR CONNOR & REPRESENTATIVE JAQUES & REPRESENTATIVE KENTON & SENATORS ENNIS & SOKOLA & REPRESENTATIVES BENNETT, CARSON, HUDSON, MIRO, D. SHORT, WALKER, WILLIS & SCOTT - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.

**SB 142** - HALL-LONG & REPRESENTATIVE WALKER & SENATOR BUNTING & REPRESENTATIVE KOWALKO - An Act to Amend Title 29 of the Delaware Code Related to Civil Administrative Procedures.

**SB 148** - ENNIS & SENATOR HALL-LONG & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE WALKER - An Act to Authorize and Approve the Transfer of Certain Real Property Interests in the Town of Middletown, New Castle County, to the Town of Middletown.

**SJR 7** - BUSHWELLER & SENATOR ENNIS & REPRESENTATIVES CARSON & SCOTT - Urging All Delawareans to Honor the Memory and Momentous Achievements of Major Allen McLane, an Often Overlooked Delaware Revolutionary War Hero, with an Appropriate Memorial.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 114**, **SB 148**, **SB 136**, **SB 142** & **SJR 7** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 187 w/HA 1 & SA 1**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Briggs King, Carson, Kenton, Kowalko, Mitchell, Outten, Schooley, B. Short, Walker & Wilson & cosponsored by Representative Peterman, before the House for concurrence on **SA 1**.

**HB 187** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ROADSIDE STANDS.

Representative Q. Johnson made comments. Representative Atkins announced that he will not be voting on **HB 187 w/HA 1 & SA 1** because of a possible conflict of interest.

The roll call on **HB 187 w/HA 1 & SA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Atkins & Ramone - 2.

Therefore, having received a constitutional majority, **HB 187 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SS 1 for SB 29 w/SA 1 & SA 3**, jointly sponsored by Senator Henry & Senator Marshall & Senator Sokola & Representatives Bolden, Heffernan, Jaques, Keeley, Longhurst, Schooley, Schwartzkopf, Scott, D.E. Williams & D.P. Williams, before the House for consideration.

**SS 1 FOR SB 29** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS BY PERSONS PROHIBITED.

Representatives Barbieri & Blakey made comments. Representative Barbieri requested and was granted privilege of the floor for Mike Barlow, Chief Counsel, Officer of the Governor. Representatives Blakey, Briggs King, Ramone, Schwartzkopf & D.P. Williams made comments.

The roll call on **SS 1 for SB 29 w/SA 1 & SA 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 29 w/SA 1 & SA 3** was returned to the Senate.

Representative Gilligan introduced guests. Representative Lavelle made comments. Representative Kenton requested and was granted personal privilege of the floor to introduce a guest. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce guests. Representative Schooley introduced a guest. Representative Briggs King introduced guests. Representative Walker requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf made a comment and introduced a guest.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **SB 48 w/SA 2**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Keeley brought **SB 48 w/SA 2**, jointly sponsored by Senator Hall-Long & Representative Kowalko & Senators Blevins, Ennis, Henry, Sokola, Sorenson & Representatives Gilligan,

Barbieri, Bolden, Brady, Briggs King, Carson, Hocker, Hudson, Jaques, Miro, Mitchell, Outten, Peterman, Ramone, Schooley, D. Short, Viola, Willis & Wilson, before the House for consideration.

**SB 48 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DECEPTIVE FORECLOSURE PRACTICES**

Representative Keeley made comments.

The roll call on **SB 48 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 48 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 113**, jointly sponsored by Senator Bushweller & Representative Scott & Representatives D. Short & Wilson, before the House for consideration.

**SB 113 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGULATION OF VEHICLE SPEEDS IN SCHOOL ZONES.**

Representative Mitchell made comments.

The roll call on **SB 113** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 113** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 123 w/SA 1**, jointly sponsored by Senator McBride, before the House for consideration.

**SB 123 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS.**

Representative Kowalko made comments.

The roll call on **SB 123 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 123 w/SA 1** was returned to the Senate.

Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan requested that Representatives Longhurst, Schwartzkopf, Lavelle & Hocker join him at the podium to present a House Tribute to James L. Miller, News Journal reporter, on the occasion of his retirement. Representatives Schwartzkopf, Kowalko, Keeley, Blakey, Lavelle, Hocker & Longhurst made comments. Mr. Miller addressed the House. Representative J. Johnson made comments. Mr. Speaker Gilligan made a comment.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 214 w/HA 1 & SA 1**, jointly sponsored by Representatives Bennett, Carson, Hudson, Jaques, Kowalko, Q. Johnson, Keeley, Lavelle, Longhurst, Mitchell, Walker & Schwartzkopf & Senators Bushweller, McDowell & Sorenson & cosponsored by Representatives Brady, Hocker & J. Johnson, before the House for concurrence on **SA 1**.

**HB 214 - AN ACT TO AMEND TITLES 1, 4, 6, 7, 10, 11, 12, 14, 16, 19, 20, 21, 25, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF INSENSITIVE AND OFFENSIVE LANGUAGE.**

Representative Heffernan made comments.

The roll call on **HB 214 w/HA 1 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 214 w/HA 1 & SA 1** was sent to the Governor.

Representative Q. Johnson made a comment regarding **HB 214**.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko moved to suspend the rules which interfere with action on **SB 154 w/SA 1 & 2**. The motion was seconded by Representative Barbieri and adopted by voice vote.

Representative Kowalko brought **SB 154 w/SA 1 & 2**, jointly sponsored by Senator Bunting & Senators Katz, Marshall & Simpson & Representatives Atkins, Bennett, Ramone & D. Short, before the House for consideration.

**SB 154 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS AND REAL ESTATE SALESPERSONS. (2/3 bill)**

Representatives Kowalko & Lavelle made comments. Representative Briggs King announced that she will not be voting on **SB 154 w/SA 1 & 2** because of a possible conflict of interest.

The roll call on **SB 154 w/SA 1 & 2** was taken and revealed:

YES: 40.

NOT VOTING: Representative Briggs King - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 154 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf brought **SB 18**, jointly sponsored by Senator Blevins & Representative Gilligan & Senator Sokola, before the House for consideration.

**SB 18** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (2/3 bill)

Representative Schwartzkopf made comments.

The roll call on **SB 18** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 18** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 134 w/SA 1**, jointly sponsored by Senator Bushweller & Representative B. Short & Representative Barbieri, before the House for consideration.

**SB 134** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

Representative Walker moved to suspend the rules which interfere with action on **SB 134 w/SA 1**. The motion was seconded by Representative Mulrooney and adopted by voice vote. Representative Walker made comments.

The roll call on **SB 134 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 134 w/SA 1** was returned to the Senate.

Representatives Lavelle & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair for at 9:39 p.m.

The House reconvened at 10:28 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SJR 8 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 169 w/HA 1, HB 214 w/HA 1 & SA 1, HB 74, HB 168 w/HA 1, HA 2, HA 1 to HA 2 & HA 3** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HS 1 for HB 210 w/HA 1, HB 128 & HB 129** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with action on **SB 138 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Hocker brought **SB 138 w/SA 1**, jointly sponsored by Senator Venables & Senator Bunting & Senator Booth & Representatives Carson, Kenton & Wilson, before the House for consideration.

**SB 138** - AN ACT TO AMEND TITLE 9 RELATING TO COMPREHENSIVE LAND PLANS.

Representative Hocker made comments.

The roll call on **SB 138 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **SB 138 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **SB 144 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Atkins brought **SB 144 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 144** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS.

Representatives Atkins & Wilson made comments. Representative Atkins requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representative Atkins requested and was granted privilege of the floor for Elizabeth Olsen, Deputy Secretary, Department of Safety and Homeland Security. Representatives Wilson, Miro, Briggs King & Atkins made comments.

The roll call on **SB 144 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Wilson - 1.

Therefore, having received a constitutional majority, **SB 144 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 135 w/SA 1**. The motion was seconded by Representative Mitchell and adopted by voice vote.

Representative B. Short brought **SB 135 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 135** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCHOOL BASED HEALTH CENTERS AND INSURANCE.

Representative B. Short brought **HA 1 to SB 135** before the House for consideration.

Representatives B. Short, Ramone, Miro & Barbieri made comments. Representative B. Short requested and was granted privilege of the floor for Alisa Olshefsky, representing the Division of Public Health.

Representative Miro made comments. Representative B. Short rose on a point of order. Mr. Speaker Gilligan concurred. **HA 1** was adopted by voice vote. Representative Hocker introduced and brought **HA 2 to SB 135** before the House for consideration. Representatives Hocker & B. Short made comments. Representative Hocker requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative B. Short, Kowalko, Barbieri, Carson & Lavelle made comments. Representative Ramone made comments. Representative B. Short requested and was granted privilege of the floor for Deborah Gottshalk, Chief Policy Advisor, Department of Health and Social Services. Representatives B. Short, Schooley, Willis, Kowalko, D. Short, J. Johnson, Barbieri, Miro & Carson made comments. Representative B. Short moved to place **SB 135 w/SA 1 & HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Hocker moved to place **HA 2** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

The Majority Leader moved to adjourn the First Session of the 146th General Assembly at 11:51 p.m.

Mr. Speaker Gilligan called the House to order at 12:01 a.m. on July 1, 2011.

The Reading Clerk read the following communication into the record:

TO: The Members of the 146<sup>th</sup> General Assembly  
FROM: Matthew Denn, Lieutenant Governor of the State of Delaware  
Robert F. Gilligan, Speaker of the House of Representatives  
SUBJECT: Special Session  
DATE: July 01, 2011

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 146th General Assembly of the State of Delaware in Special Session.

Matthew Denn, Lieutenant Governor  
and President of the Senate  
Robert F. Gilligan  
Speaker of the House of Representatives

### **1st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Special Session July 1, 2011**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

Mr. Speaker Gilligan announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 195** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 217, HB 180, HB 182 w/HA 1, HB 121, HB 114, HS 1 for HB 88, HB 177 w/HA 1 & 3, HB 139 & HS 1 for HB 158** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 130** and requests the concurrence of the House.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 91**. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Schwartzkopf brought **SB 91**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, Bushweller, Henry, Katz & Sorenson & Representatives Bennett, Carson, George, Hudson, Q. Johnson, Kowalko, Lavelle, Mulrooney & D. Short, before the House for consideration.

**SB 91 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. (F/N)**

Representative Schwartzkopf made comments.

The roll call on **SB 91** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 91** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on **HJR 8**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought **HJR 8**, jointly sponsored by Senator McDowell & Representatives George, J. Johnson, Mitchell, Briggs King & Miro & Senators Bushweller, Ennis, McBride, Cloutier & Connor, before the House for consideration.

**HJR 8 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012**

The roll call on **HJR 8** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 8** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on **SB 130**. The motion was seconded by Representative Barbieri and adopted by voice vote.

Representative Keeley introduced and brought **SB 130**, jointly sponsored by Senator Venables & Senators Bunting, Hall-Long, Sokola, Booth & Sorenson & Senators Mulrooney, Schooley, Viola, Hudson & Lee, before the House for consideration.

**SB 130 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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 2012**

This Debt Limit Statement is to be attached to the Fiscal Year 2012 Bond and Capital Improvement Act as required by 29 Del. C. §7422.

|     |                                                                                                                                                                                                                                                                                          |    |                      |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|----------------------|
| (1) | <b>Estimated Net General Fund revenue</b> for the<br>Fiscal year ending June 30, 2012 as per the<br>Joint resolution of the House and Senate which<br>will be signed by the Governor in connection<br>with the adoption of the annual Budget Appropriation<br>Bill for that fiscal year. | \$ | 3,422.9 million      |
|     | Multiply by 5%.                                                                                                                                                                                                                                                                          | X  | <u>0.5</u>           |
| (2) | Maximum aggregate principal amount of tax-<br>supported obligations which may be authorized<br>by the State in the fiscal year ending June 30, 2010.                                                                                                                                     | \$ | 171.1 million        |
| (3) | Less: Aggregate principal amount of previously<br>authorized tax-supported obligations subject to debt limit.                                                                                                                                                                            | \$ | <u>0 million</u>     |
| (4) | <b>AVAILABLE DEBT LIMIT</b> prior to appended legislation<br>(Line 3 minus Line 4).                                                                                                                                                                                                      | \$ | <u>171.1 million</u> |
| (5) | Less: Aggregate principal amount of new tax-<br>supported obligations subject to debt limit<br>to be authorized pursuant to appended legislation.                                                                                                                                        | \$ | <u>0 million</u>     |
| (6) | <b>REMAINING DEBT LIMIT</b> (Line 5 minus Line 6).                                                                                                                                                                                                                                       | \$ | <u>171.1 million</u> |

Thomas J. Cook  
June 28, 2011

Representatives Keeley & Lavelle made comments. Representative Keeley requested and was granted privilege of the floor for Ann Visalli, Director, Office of Management and Budget. Representative Lavelle made comments.

The roll call on **SB 130** was taken and revealed:

YES: 35.

NO: Representatives Briggs King, Hocker, Kenton, Lavelle, Peterman & Wilson - 6.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 130** was returned to the Senate.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 155**. The motion was seconded by Representative Carson and adopted by voice vote.

Representative Mitchell brought **SB 155**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 155 - AN ACT TO AMEND TITLES 11, 16, 18 AND 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF NARCOTICS AND DANGEROUS DRUGS AND THE DELAWARE STATE POLICE DRUG DIVERSION UNIT.**

Representative Mitchell made comments.

The roll call on **SB 155** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 155** was returned to the Senate.

Representative Wilson requested and was granted personal privilege of the floor to introduce a guest. Representative Ramone requested and was granted personal privilege of the floor to introduce a guest. Representative George requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques moved to suspend the rules which interfere with action on **SB 150**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Jaques brought **SB 150**, jointly sponsored by Senator Katz, before the House for consideration.

**SB 150 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF MOTOR VEHICLE RECORDS.**

Representatives Jaques & Lavelle made comments. Representative Jaques requested and was granted privilege of the floor for Elaine Manlove, Commissioner of Elections.

The roll call on **SB 150** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 150** was returned to the Senate.

Representative Schwartzkopf deferred to Representative George.

Representative George introduced **HB 229**, jointly sponsored by Senator Blevins.

**HB 229 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ABANDONED OR UNCLAIMED PROPERTY.**

Mr. Speaker Gilligan assigned **HB 229** to the Judiciary Committee.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short introduced **HR 25**, jointly sponsored by Representatives Lavelle, Hudson, Kenton, Manolakos, Peterman, Wilson & Keeley.

**HR 25 - ESTABLISHING A TASK FORCE TO EXAMINE THE ISSUE OF MANUFACTURED HOUSING DELINQUENT TAXES.**

Mr. Speaker Gilligan assigned **HR 25** to the House Administration Committee.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 161 w/SA 1**, jointly sponsored by Senator Bushweller & Representatives George, Heffernan, Jaques, Mitchell, Viola, Walker & Wilson & Senators Sokola & Venables, before the House for concurrence on **SA 1**.

**HB 161 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF THE DENIAL OF COVERAGE FOR PRE-EXISTING CONDITIONS IN CHILDREN UNDER THE AGE OF NINETEEN.**

Representative B. Short made comments.

The roll call on **HB 161 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 161 w/SA 1** was sent to the Governor.

Mr. Speaker Gilligan invited Representatives Schwartzkopf & Longhurst to join him at the podium to present a House Tribute to Erik Schramm, Majority Chief of Staff, on the occasion of his resignation. Representatives Schwartzkopf, Longhurst & Jaques made comments. Mr. Schramm addressed the House. Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 102**, jointly sponsored by Senator Henry & Senators Ennis, Hall-Long, Sorenson & Venables & Representatives Bennett, Gilligan, Heffernan, Hudson, B. Short & Viola, before the House for consideration.

**SB 102 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE LONG-TERM CARE OMBUDSMAN.**

Representative Barbieri made comments.

The roll call on **SB 102** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **SB 102** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden moved to suspend the rules which interfere with action on **SB 140 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Bolden brought **SB 140 w/SA 1**, jointly sponsored by Senator Henry & Representative Bennett & Senator Ennis & Representative Keeley, before the House for consideration.

**SB 140 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES PENSION PLAN AND WAIVER OF BENEFITS.**

Representatives Bolden & Lavelle made comments.

The roll call on **SB 140 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 140 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **SB 25 w/SA 1 & 2**. The motion was seconded by Representative Barbieri and adopted by voice vote.

Representative Scott brought **SB 25 w/SA 1 & 2**, jointly sponsored by Senator Marshall & Senators Henry & McDowell & Representatives Bolden & Brady, before the House for consideration.

**SB 25 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO GUN SAFETY.** (F/N)

Representatives Scott, Carson, D.P. Williams & Mitchell made comments.

The roll call on **SB 25 w/SA 1 & 2** was taken and revealed:

YES: 21.

NO: Representatives Atkins, Bennett, Briggs King, Carson, Hocker, Hudson, Q. Johnson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Walker, Willis & Wilson - 19.

NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority, **SB 25 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **SB 65 w/SA 1**. The motion was seconded by Representative J. Johnson..

The roll call on the motion was taken and revealed:

YES: 26.

NO: Representatives Blakey, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 15.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative Keeley brought **SB 65 w/SA 1**, jointly sponsored by Senator Blevins & Representative J. Johnson & Senators Henry, Marshall & McBride & Representatives Atkins, Brady & George, before the House for consideration.

**SB 65 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO NUISANCE ABATEMENT.**

Representatives Keeley & Lavelle made comments.

The roll call on **SB 65 w/SA 1** was taken and revealed:

YES: 26.

NO: Representatives Blakey, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 15.

Therefore, having received a constitutional majority, **SB 65 w/SA 1** was returned to the Senate.

Representative Schwartzkopf 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 161 w/SA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 115, HB 186, HB 155, HB 151, HB 213, HCR 21, HCR 22 & HCR 24** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HJR 7 w/SA 1 & HJR 8** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 131, HS 1 for HB 57 w/HA 1, HS 1 for HB 58, HB 153, HB 160 w/HA 1, HB 138, HB 188 & HB 175** and is returning the same to the House.

Representative Schwartzkopf brought **HJR 7 w/SA 1**, jointly sponsored by Senator Bunting & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, George, Gilligan, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Longhurst, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson, before the House for concurrence on **SA 1**.

**HJR 7 - ESTABLISHING A STUDY GROUP TO ASSESS CHILD MENTAL HEALTH NEEDS IN KENT AND SUSSEX COUNTIES.**

The roll call on **HJR 7 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Longhurst - 1.

Therefore, having received a constitutional majority, **HJR 7 w/SA 1** was sent to the Governor.

The Majority Leader moved to recess to the call of the Chair at 1:27 a.m.

The House reconvened at 1:30 a.m.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 137 w/SA 1**. The motion was seconded by Representative Brady.

Representative Barbieri made comments.

The roll call on the motion was taken and revealed:

YES: 25.

NO: Representatives Briggs King, Hocker, Hudson, Jaques, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis, Wilson - 15.

ABSENT: Representative Schooley - 1.

Therefore, having received a constitutional majority, the motion was adopted and the rules were

suspended.

Representative Barbieri brought **SB 137 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins, Hall-Long & Peterson & Representatives Q. Johnson, Keeley, D.E. Williams & Bolden, before the House for consideration.

**SB 137 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COST-SHARING, DEDUCTIBLE OR CO-INSURANCE FOR TIER IV OR SPECIALTY TIER PRESCRIPTION DRUGS.**

Representative Barbieri made comments.

The roll call on **SB 137 w/SA 1** was taken and revealed:

YES: 28.

NO: Representatives Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, Willis & Wilson - 13.

Therefore, having received a constitutional majority, **SB 137 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 81 w/SA 1**, jointly sponsored by Senator DeLuca & Representative Hudson & Senators Blevins, Bonini & Hall-Long & Representatives Bennett, George, Keeley & Willis, before the House for consideration.

**SB 81 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE SALE OF DISABLED PERSON'S REAL ESTATE.**

Representative B. Short made comments.

The roll call on **SB 81 w/SA 1** was taken and revealed:

YES: 40.

NO: Representative Jaques - 1.

Therefore, having received a constitutional majority, **SB 81 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Longhurst.

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

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 197 w/SA 1** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 174 w/HA 1**, **HB 150 w/HA1**, **HB 173 w/HA 1**, **HB 208**, **HB 92**, **HB 42 w/HA 2** & **HJR 8** and is returning the same to the House.

Representative Longhurst brought **HB 197 w/SA 1**, jointly sponsored by Senator McBride & Representatives Lavelle, Mitchell, Schwartzkopf, Walker, J. Johnson & D.E. Williams & Senators Sokola & Connor, before the House for concurrence on **SA 1**.

**HB 197 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE COMMUNITY ENVIRONMENTAL PROJECT FUND.**

Representative Longhurst made comments.

The roll call on **HB 197 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 197 w/SA 1** was sent to the Governor.

The Majority Leader moved to recess to the call of the Chair at 1:48 a.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 10, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated **HB 35 w/HA 1 aab HA 1 & SA 1**. The Senate wishes to inform the House that it has passed **HB 59 w/ HA 1 & HS 1 for HB 143** and is returning the 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.

### **1st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session January 10, 2012**

Representative Bennett introduced the Holy Cross Crusader Choir which performed “The Star-Spangled Banner” and “America the Beautiful.” Choir members stated their names for the record. Representative Longhurst made comments.

Mr. Speaker Gilligan requested that the Chief Clerk call the roll of the Members of the House of Representatives of the 146th General Assembly.

The Chief Clerk called the roll.

Representative Schwartzkopf moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 146th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Scott - 1.

A prayer was offered by Representative Harvey R. Kenton, Thirty-sixth Representative District.



Mr. Speaker Gilligan led those present in the 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:

January 5, 2012

**HB 230** - JAQUES & SENATOR KATZ - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 231** - KOWALKO & REPRESENTATIVE KEELEY & SENATOR BUNTING; REPRESENTATIVES BENNETT, JAQUES, MITCHELL, OSIENSKI, B. SHORT, WALKER; SENATORS HALL-LONG, HENRY - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Residential Mortgage Foreclosure Mediation Program.

**HB 232** - KEELEY & SENATOR HENRY; REPRESENTATIVES BENNETT, HUDSON, JAQUES, RAMONE, D. SHORT; SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Laws Regulating the Conduct of Officers and Employees of the State.

**HB 233** - KEELEY & SENATOR HENRY; REPRESENTATIVES BENNETT, HUDSON, KOWALKO, MITCHELL, PETERMAN, D. SHORT, WALKER; SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Registration of Lobbyists.

**HB 234** - KEELEY & SENATOR HENRY; REPRESENTATIVES BENNETT, BOLDEN, HEFFERNAN, HUDSON, JAQUES, KENTON, KOWALKO, MITCHELL, D. SHORT - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Consumer Protection.

**HB 235** - BENNETT & REPRESENTATIVE CARSON & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOLDEN, BRADY, BRIGGS KING, HEFFERNAN, HUDSON, JAQUES, KEELEY, KENTON, KOWALKO, LONGHURST, MANOLAKOS, MIRO, MITCHELL, PETERMAN, SCOTT, B. SHORT, D. SHORT, M. SMITH, VIOLA, WALKER, D.E. WILLIAMS, WILLIS, WILSON; SENATORS CONNOR, HALL-LONG, MCBRIDE, SOKOLA - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to State Parks.

**HB 236** - KEELEY & REPRESENTATIVE BOLDEN & SENATOR HENRY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors. (3/5 bill)

The following prefiled legislation was introduced:

**HB 237** - BARBIERI & REPRESENTATIVE SCOTT & SENATOR SOKOLA; REPRESENTATIVES BOLDEN, HEFFERNAN, HUDSON, JAQUES, LONGHURST, OSIENSKI, SCHOOLEY, M. SMITH, WALKER; SENATORS BUNTING, ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Reporting School Crimes.

**HB 238** - SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, BOLDEN, HOCKER, HUDSON, KEELEY, KENTON, MIRO, OSIENSKI, PETERMAN, VIOLA, WALKER; SENATORS ENNIS, HALL-LONG, SOKOLA, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Professional Regulation and to Licenses and Permits for Military Spouses.

The Reading Clerk read the following communications into the record:

#### MEMORANDUM

TO: Speaker Robert F. Gilligan

FROM: Rep. Darryl M. Scott

DATE: January 10, 2012

SUBJECT: Absence from Session

Please be advised that I will be absent from session on Tuesday, January 10, 2012 due to personal business. Thank you for your understanding.

July 5, 2011

#### LEGISLATIVE ADVISORY #7

Governor Jack A. Markell signed the following legislation on the date indicated: 6/23/11 - **SB 53 aab SA 1 & SB 54 aab SA 1**; 6/27/11 - **SS1 to SB 56 aab HA 1 & HB 98**; 6/28/11 - **HB 141, HB 30, HB 77, HB 106, HB 105, HB 104 aab SA 1, HB 90 aab SA 1**; 6/29/11 - **SB 67**; 6/30/11 - **SB 70 aab SA 1**; 7/1/11 - **HB 130, HB 122, SB 121, SB 91, HB 127 aab HA 1, HB 128, HB 129, HJR 5, HJR 8, SB 130, HB 195 & HB 190**.

July 5, 2011

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 146<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Joint Resolution No. 6 by returning it with my objections to the House of Representatives without my signature.

House Joint Resolution No. 6 is an early version of the official general fund revenue estimate for fiscal year 2012. As you know, the General Assembly and my administration worked cooperatively during this legislative session to reduce taxes in several key areas:

- House Bill No. 127 reduced gross receipts taxes, easing the burden on small business and taking more than 330 small businesses off the gross receipts tax rolls entirely;
- House Bill No. 128 reduced the top marginal rate of the personal income tax to 6.75%;
- House Bill No. 129 reduced the public utility taxes and will promote investments in energy efficiency; and
- Senate Bill No. 91 reduced the alternative calculation of the bank franchise tax and created incentives for financial services companies to locate in Delaware, thereby helping to protect Delaware's position in this important industry.

House Joint Resolution No. 6 was passed by both chambers before these important pieces of legislation became law. The resolution also does not take into account investments made by the General Assembly in the Bond and Capital Improvements Act. As a result of these omissions, House Joint Resolution No. 6 overstates estimated net general fund revenue. The correct general fund revenue estimate is contained in House Joint Resolution No. 8, which I signed on July 1, 2011. For that reason, I have concluded that it is necessary to veto House Joint Resolution No. 6 by returning it to the General Assembly without my signature.

Sincerely,  
Jack A. Markell  
Governor

July 7, 2011

#### LEGISLATIVE ADVISORY #8

Governor Jack A. Markell signed the following legislation on the date indicated: 7/5/11 - **SB 116, HB 144, HB 133, HJR 3, HB 157, SB 47, HB 132 aab HA 1, SB 125, SB 13 aab SA 4, HB 99, SB 122, SB 55, SB 63 aab SA 1 & HA 1, SB 68, SB 126 aab SA 1 & HB 38.**

July 11, 2011

#### LEGISLATIVE ADVISORY #9

Governor Jack A. Markell signed the following legislation on the date indicated: 7/7/11 - **HB 163, SB 76, SB 77, SB 95, SB 74, SB 124 aab SA 1 & HB 142; 7/8/11 - HB 165, SB 131 aab SA 1, SB 133, HB 92, HS 1 for HB 210 aab HA 1, SB 113 & SB 136 aab SA 1.**

Representative Longhurst introduced and brought **HR 15**, jointly sponsored by Representative Lavelle & Representative Schwartzkopf, before the House for consideration.

#### **HR 15 - RECOGNIZING THE CAI/EASTER SEALS VOLLEYBALL CHALLENGE.**

WHEREAS, Easter Seals has been providing services and support to people with disabilities or special needs and their families for more than 60 years, whether those disabilities or needs occurred at birth or resulted from traumatic injury, disease, or the aging process; and

WHEREAS, Easter Seals Delaware and Maryland's Eastern Shore supports thousands of children and adults each year through direct and indirect services such as physical, occupational and speech therapies, employment, and assistive technology; and

WHEREAS, since 2001, Easter Seals has raised more than \$2.8 million through the Volleyball Challenge, providing much-needed funding for services for children and adults with disabilities; and

WHEREAS, Democratic and Republican legislators have competed against one another for the past six years to raise awareness and raise funds while engaging in a good-natured rivalry for a good cause; and

WHEREAS, the Legislative Cup series is tied after six years and this year's match will be the tiebreaker; and

WHEREAS, the ratio of elected officials to staffers and advisors has declined precipitously on the Republican team in recent years;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146th General Assembly of the State of Delaware that the CAI/Easter Seals Volleyball Challenge on March 9-11, 2012 receives appropriate recognition.

BE IT FURTHER RESOLVED that Democrats and Republicans agree to field more elected officials on the court than non-elected persons to uphold the integrity of this contest and ensure a fair outcome.

Representative Longhurst introduced guests and made comments. Representatives Lavelle & Schwartzkopf made comments.

**HR 15** was adopted by voice vote.

The Reading Clerk read the following corrected communication into the record:

July 1, 2011

#### LEGISLATIVE ADVISORY #8

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/5/2011 - **HJR 6.**

Mr. Speaker Gilligan made an announcement. Representative Lavelle made an announcement. Representative Schwartzkopf made comments. The House observed a moment of silence in memory of Sister Dolores Ann Macklin at the request of Representative Keeley. Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Brady. Representative Brady made an announcement. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative Willis made an announcement. Representative Jaques requested and was

granted personal privilege of the floor to introduce a guest. Representative Lee requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf made an announcement & comments. Representative Longhurst announced that January 8, 2012, was the seventieth birthday of Mr. Speaker Gilligan and that the year 2012 will be his fortieth year of service in the Delaware House of Representatives. Members and guests sang “Happy Birthday” to Mr. Speaker Gilligan who made comments. Representatives Lavelle & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 2:40 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 11, 2012.

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

**2nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
January 11, 2012**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Atkins, Briggs King, Miro, Schwartzkopf & D.P. Williams - 5.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

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

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #18**

DATE: January 11, 2012

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>                                          |
|---------------|----------------------------------------------------------------------------------------|-------------|-------------|-------------------------------------------------------------|
| H146-361      | Outten                                                                                 | 3/14/2011   | M           | Alfred Isaac Smith, Jr.                                     |
| H146-362      | Jaques                                                                                 | 3/29/2011   | T           | Lions Eye Bank of Delaware Valley                           |
|               | cosponsors: All Representatives                                                        |             |             |                                                             |
| H146-363      | Gilligan                                                                               | 4/2/2011    | T           | Joseph Mullins, Sr. - 90th Birthday                         |
| H146-364      | Lee                                                                                    | 4/2/2011    | T           | La Red Health Center - 10 Years                             |
|               | cosponsors: Reps. Atkins, D. Short, Hocker, Briggs King, Kenton, Wilson & Schwartzkopf |             |             |                                                             |
| H146-365      | Outten                                                                                 | 3/27/2011   | M           | Leona Marie Cain                                            |
| H146-366      | Bennett                                                                                | 3/26/2011   | M           | Anne Elder Nutter                                           |
| H146-367      | Bennett                                                                                | 3/25/2011   | M           | Lida Spayd "Deedle" King                                    |
| H146-368      | Peterman                                                                               | 5/9/2011    | T           | Telford and Joan Rager - 50th Wedding Anniversary           |
|               | cosponsors: Reps. Kenton & Wilson                                                      |             |             |                                                             |
| H146-369      | Carson                                                                                 | 4/8/2011    | T           | John Land - Retirement - DSU Board of Directors             |
|               | cosponsors: Reps. Bennett, Blakey, Kenton, Peterman, Scott & Willis                    |             |             |                                                             |
| H146-370      | Outten                                                                                 | 4/9/2011    | T           | Elbert Harrington, Jr. - 50 Years - Felton Fire Co.         |
| H146-371      | Outten                                                                                 | 4/9/2011    | T           | Ray Quillen - 50 Years - Felton Fire Co.                    |
| H146-372      | Outten                                                                                 | 4/9/2011    | T           | William Sipple - 50 Years - Felton Fire Co.                 |
| H146-373      | Outten                                                                                 | 4/9/2011    | T           | William Stubbs - 50 Years - Felton Fire Co.                 |
| H146-374      | Outten                                                                                 | 4/9/2011    | T           | Earl Walters - 50 Years - Felton Fire Co.                   |
| H146-375      | Outten                                                                                 | 4/9/2011    | T           | Wayne Walters - 50 Years - Felton Fire Co.                  |
| H146-376      | Walker                                                                                 | 4/9/2011    | T           | Anthony P. Roberts Memorial Dedication                      |
|               | cosponsors: Reps. Brady & Jaques                                                       |             |             |                                                             |
| H146-377      | J. Johnson                                                                             | 4/9/2011    | T           | William Maxwell, Sr. - 50 Years - Holloway Terrace Fire Co. |
| H146-378      | Kenton                                                                                 | 3/24/2011   | T           | Cecil & Clara Maloney - 60th Wedding Anniversary            |
|               | cosponsors: Reps. Wilson & Peterman                                                    |             |             |                                                             |

**HOUSE TRIBUTE ANNOUNCEMENT #19**

DATE: January 11, 2012

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>                                     |
|---------------|-------------------------------------|-------------|-------------|--------------------------------------------------------|
| H146-379      | Kenton                              | 3/22/2011   | T           | Dorothy Lewis - 100th Birthday                         |
|               | cosponsors: Reps. Wilson & Peterman |             |             |                                                        |
| H146-380      | Outten                              | 4/9/2011    | T           | Janet Fisher - 50 Years - Felton Fire Co. Auxiliary    |
| H146-381      | Bennett                             | 4/1/2011    | T           | Leon Pravitz - Retirement - DSP                        |
| H146-382      | Outten                              | 3/29/2011   | M           | Charles E. Lenderking III                              |
| H146-383      | Willis                              | 4/7/2011    | T           | Terri Brown - Mother of the Year                       |
| H146-384      | Willis                              | 4/7/2011    | T           | Amelia Arabe-Bautista, M.D. - Young Mother of the Year |

|          |            |           |   |                                                                            |
|----------|------------|-----------|---|----------------------------------------------------------------------------|
| H146-385 | Kenton     | 3/30/2011 | M | Donald R. Currie<br>cosponsors: Reps. Wilson & Peterman                    |
| H146-386 | Kenton     | 3/31/2011 | M | Luella M. Cohee<br>cosponsors: Reps. Wilson & Peterman                     |
| H146-387 | Q. Johnson | 4/2/2011  | T | Wayne Riale - Life Member - Port Penn Fire Co.<br>cosponsor: Rep. Walker   |
| H146-388 | Walker     | 4/2/2011  | T | Sue Lancaster - Life Member - Port Penn Fire Co. Aux.                      |
| H146-389 | Walker     | 4/2/2011  | T | Sean Johnston - Life Member - Port Penn Fire Co.                           |
| H146-390 | B. Short   | 3/29/2011 | M | Jack Mummert                                                               |
| H146-391 | Walker     | 4/2/2011  | T | Robert Trowbridge - Life Member - Port Penn Fire Co.                       |
| H146-392 | Walker     | 4/2/2011  | T | Glenn Taylor - Life Member - Port Penn Fire Co.                            |
| H146-393 | Q. Johnson | 4/2/2011  | T | Alan Stuckert - Life Member - Port Penn Fire Co.<br>cosponsor: Rep. Walker |
| H146-394 | Kenton     | 4/5/2011  | M | James A. Novotny<br>cosponsor: Rep. Briggs King                            |
| H146-395 | Outten     | 4/3/2011  | M | Merritt Lane                                                               |
| H146-396 | Schooley   | 4/9/2011  | T | Leni Markell - Honoree - Wilmington Hadassah -<br>Temple Beth El           |
| H146-397 | Brady      | 4/4/2011  | M | John A. Dyer                                                               |
| H146-398 | Carson     | 4/1/2011  | M | Mary S. Raynor                                                             |
| H146-399 | Wilson     | 4/30/2011 | T | Ronald Tyndall, Jr. - Retirement - DelDOT                                  |
| H146-400 | Bennett    | 4/29/2011 | T | Pamela Watkins - Retirement - DelDOT                                       |
| H146-401 | Barbieri   | 3/31/2011 | M | Philip Volpe                                                               |

#### HOUSE TRIBUTE ANNOUNCEMENT #20

DATE: January 11, 2012

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>                                                                                                     |
|---------------|----------------------|-------------|-------------|------------------------------------------------------------------------------------------------------------------------|
| H146-402      | Q. Johnson           | 4/16/2011   | T           | Dwayne Henry - Afro-American Sports Hall of Fame<br>cosponsors: Reps. Carson & Walker & Sports Hall of Fame - Inductee |
| H146-403      | J. Johnson           | 4/9/2011    | T           | Holloway Terrace Vol. Fire Co. - 90 years<br>cosponsor: Rep. Mulrooney                                                 |
| H146-404      | Atkins               | 4/16/2011   | T           | Gumboro Community Assoc. - Dedication of Park                                                                          |
| H146-405      | Kenton               | 4/5/2011    | M           | James H. McIlvain, Jr.<br>cosponsors: Reps. Wilson & Peterman                                                          |
| H146-406      | Willis               | 4/2/2011    | M           | Harry E. Thomas, Jr.                                                                                                   |
| H146-407      | Carson; Willis       | 4/9/2011    | T           | Peggy Hutchins - 33 Years - Smyrna School District                                                                     |
| H146-408      | Scott                | 4/30/2011   | T           | Clarence Wolgemuth - 90th Birthday<br>cosponsor: Rep. Bennett                                                          |
| H146-409      | Blakey;<br>Peterman  | 4/7/2011    | T           | Nelson Dodd - 10 Years - Kent Co. Crime Watch<br>President                                                             |
| H146-410      | Outten               | 4/5/2011    | M           | Frances A. Bonniwell                                                                                                   |
| H146-411      | D. Short             | 4/3/2011    | M           | William Morgan Lloyd                                                                                                   |
| H146-412      | Keeley               | 3/31/2011   | T           | Sam & Anne Rossitto - 60th Wedding Anniversary                                                                         |
| H146-413      | Lavelle;<br>Mitchell | 4/8/2011    | T           | Joseph & Jane Fitzgerald - 50th Wedding Anniversary                                                                    |
| H146-414      | Bolden               | 4/9/2011    | T           | Ruby Holloway - 101st Birthday                                                                                         |
| H146-415      | Kenton               | 4/11/2011   | T           | John Megee - 60 Years - Milton Fire Dept.                                                                              |
| H146-416      | Lavelle              | 5/20/2011   | T           | Andrew Schmohl - Eagle Scout                                                                                           |
| H146-417      | Carson; Willis       | 4/9/2011    | T           | Jane Jacobs - 37 Years - Smyrna School District                                                                        |
| H146-418      | Carson; Willis       | 4/9/2011    | T           | Dorothy Meyer - 25 Years - Smyrna School District                                                                      |
| H146-419      | Carson; Willis       | 4/9/2011    | T           | Jean Knowland - 27 Years - Smyrna School District                                                                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: January 11, 2012

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>                                               |
|---------------|-------------------|-------------|-------------|------------------------------------------------------------------|
| H146-420      | Carson; Willis    | 4/9/2011    | T           | Kathryn Vaughn - 27 Years - Smyrna School District               |
| H146-421      | George            | 4/12/2011   | T           | CWO3 Donald Procter - Distinguished Flying Cross -<br>U. S. Army |
| H146-422      | Hocker            | 4/16/2011   | T           | Millville Fire Co. - 75 Years                                    |
| H146-423      | Outten            | 4/7/2011    | M           | Pauline C. Frazier                                               |
| H146-424      | Kenton;<br>Wilson | 4/8/2011    | M           | Dwight Lyman Warnick                                             |

|          |                    |           |   |                                                                                                             |
|----------|--------------------|-----------|---|-------------------------------------------------------------------------------------------------------------|
| H146-425 | Lee; D. Short      | 4/14/2011 | T | Seaford Center Volunteers - Dedication                                                                      |
| H146-426 | Lee; Outten        | 4/8/2011  | M | Janice M. Dickerson                                                                                         |
| H146-427 | Scott              | 4/17/2011 | T | Frieda Pinkavitch - 90th Birthday                                                                           |
| H146-428 | Gilligan           | 4/12/2011 | M | Ralph Edward Murray                                                                                         |
| H146-429 | Hocker             | 4/30/2011 | T | Joshua Mueller - Eagle Scout                                                                                |
| H146-430 | Longhurst          | 5/16/2011 | T | Gary DeVito - Retirement - DelDOT                                                                           |
| H146-431 | Carson             | 4/17/2011 | T | Joseph Dugan - 80th Birthday                                                                                |
| H146-432 | J. Johnson         | 4/22/2011 | T | Paul & Lois Mulrooney - 50th Wedding Anniversary                                                            |
| H146-433 | Barbieri           | 4/13/2011 | T | Rev. Vincent Oliver & Veronica Oliver - 25 Years -<br>cosponsor: Rep. J. Johnson New Calvary Baptist Church |
| H146-434 | Heffernan; Keeley  | 3/30/2011 | M | Clara A. Kirby                                                                                              |
| H146-435 | Ramone; J. Johnson | 4/15/2011 | T | Bob & Nancy Mattson - 50th Wedding Anniversary                                                              |
| H146-436 | Ramone; J. Johnson | 4/16/2011 | T | Bob Mattson - 80th Birthday                                                                                 |
| H146-437 | Willis; Carson     | 4/14/2011 | T | Blanche Wisher - 91st Birthday                                                                              |
| H146-438 | Kenton             | 4/14/2011 | M | Vernon G. Perkins                                                                                           |
| H146-439 | Brady              | 4/10/2011 | M | Thomas W. Faulkner, Sr.                                                                                     |
| H146-440 | Heffernan          | 4/30/2011 | T | Brandywine Hundred Fire Co. Ladies Auxiliary -<br>80 Years                                                  |
| H146-441 | Heffernan          | 4/30/2011 | T | Kenneth Clapp - 50 Years - Brandywine Hundred Fire<br>Co.                                                   |
| H146-442 | Outten             | 4/16/2011 | T | Janet Hendricks - 65th Birthday                                                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: January 11, 2012

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                                                              |
|----------|------------------|-----------|------|--------------------------------------------------------------------------|
| H146-443 | Hocker           | 4/27/2011 | T    | Andrew Miller - Retirement - DelDOT                                      |
| H146-444 | Carson           | 4/7/2011  | M    | Frederick C. Goertz                                                      |
| H146-445 | Carson           | 4/9/2011  | M    | Richard J. Miller                                                        |
| H146-446 | Bennett          | 4/7/2011  | M    | Ruth H. Meredith                                                         |
| H146-447 | Atkins           | 3/20/2011 | T    | Patrick & Carolyn Bosco - 50th Wedding Anniversary                       |
| H146-448 | Outten           | 4/26/2011 | T    | Margaret Kates - 90th Birthday                                           |
| H146-449 | Longhurst        | 4/30/2011 | T    | Kelly Heinz-Grundner Brain Tumor Foundation -<br>Awareness Walk          |
| H146-450 | Outten           | 4/17/2011 | M    | Lillian Lane                                                             |
| H146-451 | Lee              | 4/17/2011 | M    | Carolyn L. Calio                                                         |
| H146-452 | Outten           | 4/23/2011 | T    | Phyllis Masten - 60th Birthday                                           |
| H146-453 | Hocker; D. Short | 5/18/2011 | T    | Cadet 1st Class Bailea McMillen - Graduate -<br>U.S. Coast Guard Academy |
| H146-454 | Wilson           | 5/5/2011  | T    | Sgt. Charles Caldwell - Retirement - DSP                                 |
| H146-455 | Wilson           | 5/5/2011  | T    | Lt. Robert Moses - Retirement - DSP                                      |
| H146-456 | Kenton           | 5/1/2011  | T    | Sgt. Paul Foskey - Retirement - Captiol Police                           |
| H146-457 | Atkins           | 5/7/2011  | T    | Barbara Holton - 75th Birthday                                           |
| H146-458 | Carson           | 5/7/2011  | T    | Smyrna-Clayton Little Lass - 40 Years                                    |
| H146-459 | Kenton; Outten   | 4/16/2011 | M    | Doreen Gray Rogers                                                       |
| H146-460 | Brady            | 4/21/2011 | T    | Elizabeth Bartley - Governor's Volunteer Youth Award                     |
| H146-461 | Atkins           | 5/31/2011 | T    | Charles & Eleanor Hudson - 60th Wedding<br>Anniversary                   |
| H146-462 | J. Johnson       | 4/30/2011 | T    | Paul Taylor, Sr. - 55 Years - Minquadale Fire Co.                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: January 11, 2012

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                                           |
|----------|------------|-----------|------|-------------------------------------------------------|
| H146-463 | J. Johnson | 4/30/2011 | T    | Charles Rhodes - 55 Years - Minquadale Fire Co.       |
| H146-464 | J. Johnson | 4/30/2011 | T    | Earl Williams - 60 Years - Minquadale Fire Co.        |
| H146-465 | J. Johnson | 4/30/2011 | T    | James Maxwell - 65 Years - Minquadale Fire Co.        |
| H146-466 | J. Johnson | 4/30/2011 | T    | Joseph Day III - Member of the Year - Minquadale Fire |

|          |                      |           |   |                                                                                                                                                                                  |
|----------|----------------------|-----------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-467 | J. Johnson           | 4/30/2011 | T | Co.<br>Chris Kanich - Firefighter of the Year - Minquadale Fire Co.                                                                                                              |
| H146-468 | J. Johnson           | 4/30/2011 | T | Brandon Haslam - Junior Firefighter of the Year - Minquadale Fire Co.                                                                                                            |
| H146-469 | J. Johnson           | 4/30/2011 | T | Robert Mercado - Fire Chief's Award - Minquadale Fire Co.                                                                                                                        |
| H146-470 | J. Johnson           | 4/30/2011 | T | Irene Hojicki - 60 Years - Minquadale Fire Co. Ladies Auxiliary                                                                                                                  |
| H146-471 | J. Johnson           | 4/30/2011 | T | Florence M. Drummond - 60 Years - Minquadale Fire Co. Ladies Auxiliary                                                                                                           |
| H146-472 | Schwartzkopf; Hudson | 4/29/2011 | T | Jean Ardis - Republican of the Year<br>cosponsors: Reps. Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson |
| H146-473 | Jaques; Brady        | 5/6/2011  | T | 2/Lt Howard Wilkins - Service - WW II<br>cosponsors: Reps. Kenton & Peterman                                                                                                     |
| H146-474 | Jaques; Brady        | 5/6/2011  | T | T/Sgt William Giambrone - Service - WW II<br>cosponsors: Reps. Kenton & Peterman                                                                                                 |
| H146-475 | Outten               | 4/22/2011 | M | Richard A. Yost                                                                                                                                                                  |
| H146-476 | Carson; Q. Johnson   | 5/7/2011  | T | Barbara Bilbrough - Smyrna-Clayton Little Lass                                                                                                                                   |
| H146-477 | Carson               | 4/29/2011 | T | Esther Orvis - 95th Birthday                                                                                                                                                     |
| H146-478 | Kenton               | 4/28/2011 | M | Bonnie L. Pritchett                                                                                                                                                              |
| H146-479 | Bolden               | 4/29/2011 | M | Alvin E. Carter, Jr.                                                                                                                                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: January 11, 2012

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>                                                                    |
|---------------|-----------------------|-------------|-------------|---------------------------------------------------------------------------------------|
| H146-480      | Outten                | 4/29/2011   | T           | Zena Tucker - Retirement - DEDO                                                       |
| H146-481      | Peterman; Outten      | 4/29/2011   | M           | Julia A. Quillen                                                                      |
| H146-482      | Osienski              | 4/30/2011   | T           | Robert Wilkinson - Commander - VFW                                                    |
| H146-483      | Hocker                | 4/30/2011   | T           | Roberta Walker - President - Ladies Auxiliary - VFW                                   |
| H146-484      | Kenton                | 5/17/2011   | T           | William Morris - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten   |
| H146-485      | Scott                 | 5/17/2011   | T           | Dolores Dixon - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten    |
| H146-486      | Peterman              | 5/17/2011   | T           | Debrah Ridgely - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten   |
| H146-487      | Blakey                | 5/17/2011   | T           | Cheryl Carter - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten    |
| H146-488      | Outten                | 5/17/2011   | T           | Althea Tilghman - Retirement - Lake Forest School District                            |
| H146-489      | Outten                | 5/17/2011   | T           | Steven VanSant - Retirement - Lake Forest School District                             |
| H146-490      | Outten                | 5/17/2011   | T           | Sue Ellen Dennis - Retirement - Lake Forest School District                           |
| H146-491      | Outten                | 5/17/2011   | T           | William Stubbs - Retirement - Lake Forest School District                             |
| H146-492      | Scott                 | 5/17/2011   | T           | Steven Price - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten     |
| H146-493      | Bennett               | 5/17/2011   | T           | Malcolm Tilghman - Retirement - Lake Forest School District<br>cosponsor: Rep. Outten |
| H146-494      | Outten                | 5/17/2011   | T           | Judith Hudson - Retirement - Lake Forest School District                              |
| H146-495      | D. Short; Briggs King | 5/5/2011    | T           | Brandon Slater - Nominee - Water Operator of the Year                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: January 11, 2012

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> |
|---------------|----------------|-------------|-------------|--------------------|
|---------------|----------------|-------------|-------------|--------------------|

|          |                       |           |   |                                                                                                                                                                                  |
|----------|-----------------------|-----------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-496 | Briggs King           | 5/5/2011  | T | John King - Wilmington Environmental Lifetime Achievement                                                                                                                        |
| H146-497 | Briggs King           | 5/5/2011  | T | Michael Funk - Water Operator of the Year                                                                                                                                        |
| H146-498 | Briggs King           | 5/6/2011  | T | Frederick Thomas - Plaque & Building Dedication<br>cosponsors: Reps. Schwartzkopf, Hocker & Kenton                                                                               |
| H146-499 | Schwartzkopf          | 5/14/2011 | T | Carol Timmons - Brigadier General - Air National Guard<br>cosponsors: Reps. Jaques, Brady & Carson                                                                               |
| H146-500 | Schooley              | 5/7/2011  | M | Dudley Lipscomb Willis                                                                                                                                                           |
| H146-501 | Schooley              | 5/12/2011 | T | Gregory Meece - Catalyst in Education Award<br>cosponsors: Reps. Jaques, Kowalko & Miro                                                                                          |
| H146-502 | Kenton;<br>Wilson     | 5/1/2011  | T | Filomeno Vilorio, M.D. - Retirement                                                                                                                                              |
| H146-503 | Kenton;<br>Wilson     | 4/29/2011 | M | Clyde Lyons Wilkins                                                                                                                                                              |
| H146-504 | Walker                | 6/25/2011 | T | Lars Jensen - Eagle Scout                                                                                                                                                        |
| H146-505 | Walker                | 5/2/2011  | T | Linda Bledsoe - Presidential Award - Math & Science Teaching<br>cosponsor: Rep. Q. Johnson                                                                                       |
| H146-506 | Brady; Lavelle        | 5/14/2011 | T | Tom Ross - Republican Party Chairman<br>cosponsors: Reps. Hocker, Hudson, Manolakos, Ramone, Miro, Willis, Outten, Peterman, Blakey, Wilson, Kenton, Briggs King, D. Short & Lee |
| H146-507 | Hudson                | 5/2/2011  | M | David C. Gregg                                                                                                                                                                   |
| H146-508 | Kenton;<br>Wilson     | 5/6/2011  | M | Jeannette Worden                                                                                                                                                                 |
| H146-509 | Kenton;<br>Wilson     | 5/6/2011  | M | Christopher G. Warnik                                                                                                                                                            |
| H146-510 | Ramone                | 5/9/2011  | T | Christina River Watershed Cleanup - 20 Years                                                                                                                                     |
| H146-511 | Walker;<br>Q. Johnson | 5/6/2011  | M | Bramer A. Wolfe                                                                                                                                                                  |
| H146-512 | Willis                | 5/11/2011 | T | Col. Jay P. Morgan - Retirement - ASAF                                                                                                                                           |
| H146-513 | Manolakos             | 5/18/2011 | T | Doug White - Sports Hall of Fame - Inductee                                                                                                                                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: January 11, 2012

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                                                                     |
|----------|-----------------------|-----------|------|---------------------------------------------------------------------------------|
| H146-514 | Briggs King           | 5/10/2011 | T    | Halsey Knapp - Beebe Medical Center - Board of Directors - 50 Years             |
| H146-515 | Walker                | 5/14/2011 | T    | James Ruby - Potentate - NUR Shrine                                             |
| H146-516 | Wilson                | 5/14/2011 | M    | Robert Charles Moyer, Jr.<br>cosponsor: Rep. Jaques                             |
| H146-517 | Bennett               | 4/25/2011 | M    | Arlene M. Gordon                                                                |
| H146-518 | Carson                | 4/22/2011 | M    | Wendell Aaron Wilkerson, Sr.                                                    |
| H146-519 | D.P. Williams         | 5/20/2011 | T    | Harvey A. Harvey - Retirement - Brandywine School District                      |
| H146-520 | D.E. Williams         | 5/20/2011 | T    | Linda Wilson - Retirement - Brandywine School District                          |
| H146-521 | Schooley              | 5/20/2011 | T    | Guy Cage - Retirement - Brandywine School District                              |
| H146-522 | Schooley;<br>Mitchell | 5/31/2011 | T    | Alan Lavallee - Retirement - DTCC                                               |
| H146-523 | Miro;<br>Mitchell     | 5/10/2011 | T    | Dr. Nicholas Terranova - Doctorate in Education<br>Wilmington University        |
| H146-524 | Jaques                | 6/08/2011 | T    | Elizabeth Millard - Student Excellence & Leadership - Christ the Teacher School |
| H146-525 | Wilson                | 5/11/2011 | M    | Henry L. Coble III                                                              |
| H146-526 | Mitchell              | 5/13/2011 | M    | Virginia L. Tierney                                                             |
| H146-527 | Hudson;<br>Manolakos  | 5/6/2011  | M    | Charles W. Mariani                                                              |
| H146-528 | Wilson                | 5/14/2011 | M    | Louise C. Smith                                                                 |
| H146-529 | Schwartzkopf          | 5/14/2011 | T    | Judith Mitchell - Retirement - Cape Henlopen School District                    |
| H146-530 | Jaques; Brady         | 5/31/2011 | T    | Lt. Col. Jose Quintana - Retirement - Air National Guard                        |
| H146-531 | Wilson                | 5/9/2011  | M    | Marvin Everett Adams                                                            |

cosponsors: Reps. D. Short, Atkins & Lee  
H146-532 Heffernan 5/15/2011 T Mary Campbell Center - 35 Years  
H146-533 Lee; Wilson 5/16/2011 M Ethel E. Donovan Littleton  
H146-534 Briggs King 5/13/2011 M Becky L. Brittingham  
cosponsors: Reps. Outten & Wilson  
H146-535 Kenton 5/21/2011 T Ellendale Vol. Fire Co. - Lincoln Substation  
cosponsor: Rep. Wilson

#### HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: January 11, 2012

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                                                                         |
|----------|--------------------------------------------------------------------------------|-----------|------|-------------------------------------------------------------------------------------|
| H146-536 | Kenton                                                                         | 5/19/2011 | T    | Milton Garden Club                                                                  |
| H146-537 | Carson                                                                         | 5/5/2011  | M    | Isaac Napoleon Jefferson, Sr.                                                       |
| H146-538 | Carson                                                                         | 5/8/2011  | M    | Fred Riley Melvin                                                                   |
|          | cosponsor: Rep. Outten                                                         |           |      |                                                                                     |
| H146-539 | Willis                                                                         | 5/29/2011 | T    | Susanne Konschak - 90th Birthday                                                    |
| H146-540 | Mitchell                                                                       | 5/17/2011 | T    | Martin & Mary Ann McMahon - 50th Wedding Anniversary                                |
| H146-541 | Bolden                                                                         | 5/17/2011 | T    | George & Deloris Green - 50th Wedding Anniversary                                   |
| H146-542 | Scott                                                                          | 5/20/2011 | T    | David & Oclivery Jones - Smith Spirit Award                                         |
| H146-543 | Brady;                                                                         | 5/10/2011 | T    | Michelle Edelsohn - President's Committee for People with Intellectual Disabilities |
| H146-544 | Heffernan<br>Briggs King                                                       | 5/23/2011 | T    | First State Community Action Agency - Community Action Month                        |
|          | cosponsors: Reps. Atkins, Lee, D. Short, Hocker, Kenton, Wilson & Schwartzkopf |           |      |                                                                                     |
| H146-545 | Carson                                                                         | 5/19/2011 | M    | B. Franklin Morris III                                                              |
|          | cosponsor: Rep. Scott                                                          |           |      |                                                                                     |
| H146-546 | Bennett                                                                        | 5/31/2011 | T    | Delaware Federation of Garden Clubs - Memorial Garden - DAFB                        |
| H146-547 | Scott                                                                          | 5/31/2011 | T    | Cecelia Dunning - Retirement - DSU                                                  |
| H146-548 | Peterman                                                                       | 5/31/2011 | T    | Louise Warfield - Retirement - DOE                                                  |
| H146-549 | Briggs King                                                                    | 6/15/2011 | T    | Constance Dick - 60 Years - DSP                                                     |
|          | cosponsors: Reps. Lee & Schwartzkopf                                           |           |      |                                                                                     |
| H146-550 | Carson                                                                         | 6/16/2011 | T    | Michael McGrath - Retirement - Dept. of Agriculture                                 |
| H146-551 | Kenton                                                                         | 5/19/2011 | T    | Grotto Pizza - Milford                                                              |
|          | cosponsor: Reps. Peterman & Wilson                                             |           |      |                                                                                     |
| H146-552 | Ramone;<br>Keeley                                                              | 5/22/2011 | T    | Gene Alessandrini - 50 Years - St. Mark's School                                    |
| H146-553 | Kenton;<br>Wilson                                                              | 6/16/2011 | T    | Paul & Jeanne Carlson - 70th Wedding Anniversary                                    |
| H146-554 | Kenton;<br>Wilson                                                              | 5/27/2011 | T    | Duane & Joyce Kenton - 50th Wedding Anniversary                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: January 11, 2012

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                                                  |
|----------|----------------------------|-----------|------|--------------------------------------------------------------|
| H146-555 | Scott                      | 5/31/2011 | T    | Cpl. Joe Capone - Retirement - Capitol Police                |
| H146-556 | Walker                     | 5/20/2011 | T    | Katherine Krapf - Doodle4Google Contest                      |
|          | cosponsor: Rep. Q. Johnson |           |      |                                                              |
| H146-557 | Scott                      | 7/2/2011  | T    | Helen Iannotta - 100th Birthday                              |
| H146-558 | D.P. Williams;             | 5/24/2011 | M    | David E. Webb                                                |
|          | Bolden                     |           |      |                                                              |
| H146-559 | Gilligan                   | 2/25/2011 | M    | Kathryn Thomas Tillotson                                     |
| H146-560 | J. Johnson                 | 5/26/2011 | T    | Joseph & Irene Hojnicky - 60th Wedding Anniversary           |
| H146-561 | Outten                     | 5/26/2011 | M    | Carmin A. Gallo, Jr.                                         |
| H146-562 | Mitchell                   | 5/26/2011 | M    | James F. Keeley                                              |
| H146-563 | Schooley                   | 5/28/2011 | T    | Timothy Gilpatrick - Barry M. Goldwater Scholarship          |
| H146-564 | Bennett;<br>Kenton         | 6/6/2011  | T    | Sue Owens - Retirement - Milford School District             |
| H146-565 | Kenton                     | 6/6/2011  | T    | Karen Carey-Wilkerson - Retirement - Milford School District |
| H146-566 | Kenton                     | 6/6/2011  | T    | Sharon Bailey - Retirement - Milford School District         |



|          |                     |           |   |                                                                       |
|----------|---------------------|-----------|---|-----------------------------------------------------------------------|
| H146-567 | Outten;<br>Kenton   | 6/6/2011  | T | Susan Shank - Retirement - Milford School District<br>School District |
| H146-568 | Jaques              | 3/18/2011 | T | Wayne & Alice Morrison - 50th Wedding Anniversary                     |
| H146-569 | D. Short            | 6/4/2011  | M | The Honorable Tina Fallon                                             |
| H146-570 | Bennett             | 6/9/2011  | T | Tech Prep Delaware - 25 Years                                         |
| H146-571 | Scott               | 6/18/2011 | T | George Balentine - Lifetime Achievement                               |
| H146-572 | Osienski            | 6/7/2011  | T | Dr. Anthony Glenn - Delaware Foundation Reaching<br>Citizen           |
| H146-573 | Ramone              | 6/10/2011 | T | Baffone Family Reunion                                                |
| H146-574 | Kenton;<br>Peterman | 6/14/2011 | T | Reginald Fisher - Outstanding Employee - Kent/Sussex<br>Industries    |
| H146-575 | Kenton;<br>Peterman | 6/14/2011 | T | Deborah Hrupsa - Outstanding Employee - Kent/Sussex<br>Industries     |
| H146-576 | Kenton;<br>Peterman | 6/14/2011 | T | Charles Fox - Outstanding Employee - Kent/Sussex<br>Industries        |

#### HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: January 11, 2012

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>                                                        |
|---------------|-------------------------------------------------|-------------|-------------|---------------------------------------------------------------------------|
| H146-577      | Kenton;<br>Peterman                             | 6/14/2011   | T           | Lisa Bush - Outstanding Employee of the Year - Kent/<br>Sussex Industries |
| H146-578      | Kenton;<br>Peterman                             | 6/14/2011   | T           | Maureen Yocum - Staff Employee of the Year - Kent/<br>Sussex Industries   |
| H146-579      | D.P. Williams<br>cosponsor: Rep. Bolden         | 5/27/2011   | M           | Kathryn Young Hazeur                                                      |
| H146-580      | Briggs King                                     | 5/30/2011   | T           | Richard & Susan Goeckeritz - 60th Wedding<br>Anniversary                  |
| H146-581      | Briggs King;<br>Atkins                          | 5/28/2011   | T           | David Dolby - AMVETS Honoree                                              |
| H146-582      | Outten                                          | 5/28/2011   | M           | Deborah L. Hughes                                                         |
| H146-583      | Kenton;<br>Wilson                               | 6/2/2011    | M           | Dennis Raymond Mohr, Sr.                                                  |
| H146-584      | Outten                                          | 5/28/2011   | M           | Charlotte M. Pritchard                                                    |
| H146-585      | Schwartzkopf;<br>Hocker                         | 6/2/2011    | T           | Dewey Beach Lions Club - 60 Years                                         |
| H146-586      | Ramone;<br>Mitchell                             | 5/31/2011   | T           | Carmella DiOssi - 85th Birthday                                           |
| H146-587      | D.P. Williams;<br>Bolden                        | 5/24/2011   | M           | Maxine Lawson Armstrong Holley                                            |
| H146-588      | Outten                                          | 6/13/2011   | M           | F. Steven VanSant                                                         |
| H146-589      | Q. Johnson<br>cosponsors: Reps. Walker & Jaques | 6/01/2011   | T           | Dr. Tony Marchio - Retirement - Appoquinimink<br>School District          |
| H146-590      | Q. Johnson;<br>Osienski                         | 5/30/2011   | M           | Cody Kegelman                                                             |
| H146-591      | Q. Johnson                                      | 6/1/2011    | T           | John Hanlin - Service to Townsend                                         |
| H146-592      | Kenton<br>cosponsors: Reps. Wilson & Peterman   | 6/1/2011    | M           | W. Cecil Carpenter                                                        |
| H146-593      | Carson;<br>J. Johnson                           | 7/1/2011    | T           | Lt. Jeffrey Hansen - Retirement - DOC                                     |
| H146-594      | Keeley                                          | 6/7/2011    | T           | Brandon Truitt - Fr. James Trainor Scholarship                            |
| H146-595      | Keeley                                          | 6/7/2011    | T           | Shannon Waynant - Fr. James Trainor Scholarship                           |
| H146-596      | Bennett;<br>Keeley                              | 6/7/2011    | T           | Miguel Tapia - Fr. James Trainor Scholarship                              |
| H146-597      | Keeley                                          | 6/7/2011    | T           | Avery Bordley - Fr. James Trainor Scholarship                             |
| H146-598      | Keeley                                          | 6/7/2011    | T           | Anthony Dorazio - Fr. James Trainor Scholarship                           |
| H146-599      | Peterman<br>cosponsors: Reps. Kenton & Wilson   | 5/30/2011   | M           | William C. Mintzer, Sr.                                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: January 11, 2012

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>                           |
|---------------|----------------|-------------|-------------|----------------------------------------------|
| H146-600      | Bennett        | 6/10/2011   | T           | Anthony DePrima - Retirement - City of Dover |

|          |                                                             |           |   |                                                                   |
|----------|-------------------------------------------------------------|-----------|---|-------------------------------------------------------------------|
|          | cosponsors: Reps. Scott & Carson                            |           |   |                                                                   |
| H146-601 | Atkins                                                      | 6/11/2011 | T | Indian River Yacht Club - 70 Years                                |
| H146-602 | Viola                                                       | 6/2/2011  | T | Trent Beach, Jr. - Eagle Scout                                    |
| H146-603 | Viola                                                       | 6/2/2011  | T | Brandon Gawel - Eagle Scout                                       |
| H146-604 | Peterman                                                    | 6/2/2011  | T | Timothy Rust - Eagle Scout                                        |
| H146-605 | Mitchell                                                    | 6/1/2011  | T | Frank & Florence Hughto - 65th Wedding Anniversary                |
| H146-606 | Longhurst                                                   | 5/11/2011 | T | Charles & Barbara Wilson - 50th Wedding Anniversary               |
| H146-607 | Schooley;<br>Kowalko                                        | 6/6/2011  | T | Downtown Newark Partnership - Great American<br>Main Street Award |
| H146-608 | Scott                                                       | 6/4/2011  | T | Lt. Col. Gregory Sutton - Retirement - U.S. Army<br>Reserve       |
| H146-609 | Q. Johnson                                                  | 5/21/2011 | T | Appoquinimink High School - First Graduating Class                |
|          | cosponsors: Reps. Walker & Jaques                           |           |   |                                                                   |
| H146-610 | Keeley                                                      | 6/7/2011  | T | Artrell Flonnory - Fr. James Trainor Scholarship Award            |
| H146-611 | Kenton                                                      | 6/6/2011  | M | Doris Mills Willis                                                |
|          | cosponsors: Reps. Wilson & Peterman                         |           |   |                                                                   |
| H146-612 | Briggs King                                                 | 6/7/2011  | T | Delaware Association of Realtors - Legislative Action<br>Day      |
| H146-613 | George;<br>Brady                                            | 6/8/2011  | T | Matthew Greenberg, Esq. - President - State Bar Assoc.            |
| H146-614 | Outten;<br>Kenton                                           | 6/9/2011  | T | William LeRoy Betts - Retirement - President - State<br>Fair      |
|          | cosponsors: Reps. Bennett, Carson, Peterman, Scott & Wilson |           |   |                                                                   |
| H146-615 | Blakey;<br>Bennett                                          | 6/9/2011  | T | Caesar Rodney High School Boys Tennis Team -<br>State Champions   |
| H146-616 | Blakey;<br>Bennett                                          | 6/9/2011  | T | Caesar Rodney High School Girls Tennis Team -<br>State Champions  |
| H146-617 | Blakey;<br>Bennett                                          | 6/9/2011  | T | Caesar Rodney High School Golf Team - State<br>Champions          |
| H146-618 | Walker                                                      | 6/7/2011  | T | Odessa Fire Co. - Excellence in Fire Service-Based<br>EMS Award   |
| H146-619 | Wilson; Short                                               | 6/10/2011 | T | Newton Family - Wetlands Restoration                              |
| H146-620 | Scott                                                       | 6/14/2011 | T | Linda Wasko - Retirement - Capital School District                |

#### HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: January 11, 2012

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                                            |
|----------|---------------------------------------|-----------|------|--------------------------------------------------------|
| H146-621 | Hocker                                | 6/8/2011  | M    | Jack Hickman                                           |
| H146-622 | Carson                                | 5/29/2011 | M    | Dorothy E. Richards                                    |
| H146-623 | Carson                                | 5/19/2011 | M    | Pauline Wheeler                                        |
| H146-624 | Carson                                | 5/24/2011 | M    | Courtney J. Holtzman                                   |
| H146-625 | Manolakos                             | 6/1/2011  | T    | Christy Crkvenac - Small Business Person of the Year   |
|          | cosponsors: Reps. B. Short & D. Short |           |      |                                                        |
| H146-626 | Mitchell;<br>Walker                   | 6/6/2011  | M    | Joseph Gabriel Paoli                                   |
| H146-627 | Lee                                   | 6/10/2011 | T    | Randy Lee - Torchbearer - Special Olympics             |
| H146-628 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Scott Brown - Graduation - Sterck School for the Deaf  |
| H146-629 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Asa Mebane - Graduation - Sterck School for the Deaf   |
| H146-630 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Jude Mebane - Graduation - Sterck School for the Deaf  |
| H146-631 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Greg Lynch - Graduation - Sterck School for the Deaf   |
| H146-632 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Natalie Vela - Graduation - Sterck School for the Deaf |
| H146-633 | Osienski;<br>Q. Johnson               | 6/9/2011  | T    | Alanna Smith - Graduation - Sterck School for the Deaf |
| H146-634 | D.E. Williams                         | 6/9/2011  | T    | Eugene & Estelle Vanover - 60th Wedding Anniversary    |
| H146-635 | B. Short                              | 6/10/2011 | T    | Carl & Sandra Morin - 50th Wedding Anniversary         |
| H146-636 | Wilson                                | 6/10/2011 | M    | Earl H. Passwaters                                     |
|          | cosponsor: Rep. Kenton                |           |      |                                                        |
| H146-637 | Bennett                               | 6/14/2011 | T    | Kent County Courthouse - Dedication                    |

|          |                                                                                         |           |   |                                                           |
|----------|-----------------------------------------------------------------------------------------|-----------|---|-----------------------------------------------------------|
|          | cosponsors: Reps. Blakey, Carson, George, Outten, Peterman, Scott, Walker & Willis      |           |   |                                                           |
| H146-638 | Schwartzkopf                                                                            | 6/8/2011  | M | Norman B. Sugrue, Sr.                                     |
| H146-639 | Carson                                                                                  | 6/14/2011 | T | Maime A. Warren Senior Center - Elder Abuse Awareness Day |
| H146-640 | Willis                                                                                  | 6/15/2011 | T | Kent County 911 Center - Re-Accreditation Award           |
|          | cosponsors: Reps. Bennett, Blakey, Carson, Q. Johnson, Kenton, Outten, Peterman & Scott |           |   |                                                           |
|          | <u>HOUSE TRIBUTE ANNOUNCEMENT #32</u>                                                   |           |   |                                                           |

DATE: January 11, 2012

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                                                             |
|----------|--------------------------------------|-----------|------|-------------------------------------------------------------------------|
| H146-641 | Miro                                 | 6/17/2011 | T    | Chinese American Community Center - Annual Festival                     |
|          | cosponsor: Rep. Manolakos            |           |      |                                                                         |
| H146-642 | Bolden                               | 6/11/2011 | M    | Ruby I. Holloway                                                        |
| H146-643 | Hocker                               | 6/15/2011 | T    | Lauretta Alberti - 38th District Republican Chair                       |
| H146-644 | Miro;                                | 6/16/2011 | T    | Steven Godowsky - Retirement - NCC Vocational Technical School District |
|          | Heffernan                            |           |      |                                                                         |
| H146-645 | Schooley                             | 6/16/2011 | T    | Dr. Jo Anne Pryor Deshon - Retirement - Christina School District       |
| H146-646 | Lee                                  | 6/18/2011 | T    | Laurel Lions Club - 75th Charter Night                                  |
| H146-647 | Heffernan                            | 6/14/2011 | T    | Ellen Coulston - Outstanding Mom                                        |
| H146-648 | George;                              | 6/16/2011 | T    | Connie Bond Stuart - Outgoing President - PNC Bank                      |
|          | Schooley                             |           |      |                                                                         |
| H146-649 | Peterman;                            | 7/9/2011  | T    | Pastor Gregory Nelson - 50th Birthday                                   |
|          | Kenton                               |           |      |                                                                         |
| H146-650 | Willis                               | 7/1/2011  | T    | Sgt. Michael Houdek - Retirement - DSP                                  |
|          | cosponsors: Reps. Schwartzkopf & Lee |           |      |                                                                         |
| H146-651 | Bennett                              | 6/6/2011  | M    | Ann D. DeMarie                                                          |
| H146-652 | Bennett                              | 6/7/2011  | M    | Floyd D. Dickey                                                         |
| H146-653 | Bennett                              | 5/30/2011 | T    | Joel A. Hoopengardner                                                   |
| H146-654 | Carson                               | 5/29/2011 | M    | Jeanne A. Helker                                                        |
| H146-655 | Lee                                  | 6/30/2011 | T    | Bonnie Donohoe - Retirement - Sussex County Fire Marshal's Office       |
| H146-656 | B. Short                             | 6/15/2011 | M    | Patrick Gerald McCarthy, Sr.                                            |
|          | cosponsor: Rep. Walker               |           |      |                                                                         |
| H146-657 | Mulrooney                            | 6/10/2011 | T    | Robert & Rose Marie Blakely - 50th Wedding Anniversary                  |
| H146-658 | Schooley                             | 6/24/2011 | T    | Gregory Walueff - Eagle Scout                                           |
| H146-659 | Mitchell;                            | 6/13/2011 | M    | Agnes T. Tomczyk                                                        |
|          | Keeley                               |           |      |                                                                         |
| H146-660 | Hudson                               | 6/22/2011 | T    | Jon Osbourne - Prudential Spirit of Community Award                     |
| H146-661 | Viola                                | 6/22/2011 | T    | Genevieve Spence - Prudential Spirit of Community Award                 |
| H146-662 | Walker                               | 6/15/2011 | T    | John Green - Coach - St. George's Tech                                  |
| H146-663 | Schwartzkopf                         | 6/16/2011 | M    | John W. Dickson                                                         |
|          | cosponsor: Rep. Lee                  |           |      |                                                                         |

HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: January 11, 2012

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                                |
|----------|----------------------------------------------------------------------------------------------------------------------------------|-----------|------|--------------------------------------------|
| H146-664 | Kowalko                                                                                                                          | 6/21/2011 | T    | Deborah Puzzo - Service - General Assembly |
|          | cosponsors: Reps. Atkins, Bennett, Ramone & B. Short                                                                             |           |      |                                            |
| H146-665 | Hocker;                                                                                                                          | 6/28/2011 | T    | Erin Ruddock - Legislative Fellow          |
|          | Lavelle                                                                                                                          |           |      |                                            |
|          | cosponsors: Reps. Hudson, Manolakos, Ramone, Miro, Willis, Outten, Peterman, Blakey, Wilson, Kenton, Briggs King, D. Short & Lee |           |      |                                            |
| H146-666 | Lavelle;                                                                                                                         | 6/28/2011 | T    | Joseph Stanley - Legislative Fellow        |
|          | Hocker                                                                                                                           |           |      |                                            |
|          | cosponsors: Reps. Hudson, Manolakos, Ramone, Miro, Willis, Outten, Peterman, Blakey, Wilson, Kenton, Briggs King, D. Short & Lee |           |      |                                            |
| H146-667 | Gilligan                                                                                                                         | 6/28/2011 | T    | Christopher Anderson - Legislative Fellow  |
|          | cosponsors: Reps. Kowalko, Q. Johnson & D.P. Williams                                                                            |           |      |                                            |
| H146-668 | Gilligan                                                                                                                         | 6/28/2011 | T    | Grace-Anne Bennett - Legislative Fellow    |

|          |                                                  |           |   |                                           |
|----------|--------------------------------------------------|-----------|---|-------------------------------------------|
| H146-669 | Gilligan                                         | 6/28/2011 | T | David Bentz - Legislative Fellow          |
|          | cosponsors: Reps. Kowalko, Viola & Schwartzkopf  |           |   |                                           |
| H146-670 | Gilligan                                         | 6/28/2011 | T | Lauren Cutajar-Wynne - Legislative Fellow |
|          | cosponsors: Reps. George, J. Johnson & Mitchell  |           |   |                                           |
| H146-671 | Gilligan                                         | 6/28/2011 | T | Damian DeStefano - Legislative Fellow     |
|          | cosponsors: Reps. Barbieri, Longhurst & Jaques   |           |   |                                           |
| H146-672 | Gilligan                                         | 6/28/2011 | T | Jason Freeman - Legislative Fellow        |
|          | cosponsors: Reps. Atkins, Carson & Viola         |           |   |                                           |
| H146-673 | Gilligan                                         | 6/28/2011 | T | Caitlin Olsen - Legislative Fellow        |
|          | cosponsors: Reps. Schooley, Mulrooney & Scott    |           |   |                                           |
| H146-674 | Outten                                           | 6/17/2011 | M | Mary "Emily" Rothermel                    |
|          | cosponsors: Reps. Brady, B. Short & Schwartzkopf |           |   |                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: January 11, 2012

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                                              |
|----------|-----------------------------------------------------------------------------------------------|-----------|------|----------------------------------------------------------|
| H146-675 | Blakey                                                                                        | 6/24/2011 | T    | Deborah Scanlan - Retirement - DOE                       |
| H146-676 | Ramone                                                                                        | 6/10/2011 | T    | James & Marjorie Cowan - 50th Wedding Anniversary        |
| H146-677 | Hocker                                                                                        | 6/29/2011 | T    | Ronald Sams - Sussex County Republican Chair             |
|          | cosponsors: Reps. Lee, D. Short, Briggs King, Kenton, Wilson, Peterman & Outten               |           |      |                                                          |
| H146-678 | Heffernan                                                                                     | 6/18/2011 | M    | Glen Thomas Costill                                      |
| H146-679 | Mitchell;                                                                                     | 7/9/2011  | T    | Col. Kathleen Eastburn - Retirement - Air National Guard |
|          | Jaques; Brady                                                                                 |           |      |                                                          |
| H146-680 | Bennett                                                                                       | 6/22/2011 | T    | George Antoniou - Graduation - POLYTECH                  |
| H146-681 | Bolden;                                                                                       | 6/22/2011 | T    | Nicole Freedman - Director - YMCA - Youth in Government  |
|          | Barbieri                                                                                      |           |      |                                                          |
| H146-682 | J. Johnson                                                                                    | 6/15/2011 | M    | Christopher Noel Jackson                                 |
|          | cosponsor: Rep. Bolden                                                                        |           |      |                                                          |
| H146-683 | Hocker                                                                                        | 7/14/2011 | T    | Robert Long - Retirement - DNREC                         |
|          | cosponsors: Reps. Atkins, Kenton, Briggs King, Lee, Peterman, Schwartzkopf, D. Short & Wilson |           |      |                                                          |
| H146-684 | Scott                                                                                         | 7/15/2011 | T    | Dr. Diane Sole - Retirement - POLYTECH School District   |
|          | cosponsors: Reps. Blakey & Outten                                                             |           |      |                                                          |
| H146-685 | Outten                                                                                        | 6/20/2011 | M    | Oscar T. Roberts, Jr.                                    |
| H146-686 | Kenton;                                                                                       | 6/14/2011 | M    | Jeanette R. Hudson                                       |
|          | Wilson                                                                                        |           |      |                                                          |
| 146-687  | Blakey;                                                                                       | 7/3/2011  | T    | Horace & Viola Willey - 70th Wedding Anniversary         |
|          | Peterman                                                                                      |           |      |                                                          |
| H146-688 | George;                                                                                       | 7/23/2011 | T    | Ruth Kelly - 60th Birthday                               |
|          | Viola                                                                                         |           |      |                                                          |
| H146-689 | Scott                                                                                         | 6/22/2011 | T    | John Pribanic, Sr. - 102nd Birthday                      |
| H146-690 | Bolden;                                                                                       | 6/25/2011 | M    | Coyette L. Riley                                         |
|          | Brady                                                                                         |           |      |                                                          |
| H146-691 | Walker                                                                                        | 7/9/2011  | T    | Frank & Sharon Gant - 50th Wedding Anniversary           |
| H146-692 | Outten                                                                                        | 6/24/2011 | M    | John P. Passwaters, Sr.                                  |
| H146-693 | Keeley;                                                                                       | 6/18/2011 | M    | Andrew L. Lapasnick                                      |
|          | Ramone                                                                                        |           |      |                                                          |

#### HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: January 11, 2012

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                                          |
|----------|----------------------------------|-----------|------|------------------------------------------------------|
| H146-694 | Blakey                           | 7/15/2011 | T    | Christian World College of Theology - Graduation     |
| H146-695 | Hocker;                          | 6/30/2011 | T    | James L. Miller - Retirement - News Journal          |
|          | Lavelle; Longhurst; Schwartzkopf |           |      |                                                      |
|          | cosponsors: All Representatives  |           |      |                                                      |
| H146-696 | Outten; Lee                      | 6/30/2011 | T    | George & Peggy Anderson - Rotarians of the Year      |
| H146-697 | Heffernan                        | 8/10/2011 | T    | Andrew Mason - Eagle Scout                           |
| H146-698 | Willis                           | 6/30/2011 | T    | Ruth Ann Melson - Retirement - Division of Research  |
| H146-699 | Heffernan                        | 6/28/2011 | T    | Kurt & Inez Rosenbaum - 52nd Wedding Anniversary     |
| H146-700 | Gilligan                         | 6/17/2011 | T    | Gerald & Karen Montgomery - 50th Wedding Anniversary |
| H146-701 | Outten                           | 6/18/2011 | M    | Jane Wood Swain                                      |

|          |          |           |   |                                                                                                                                                                                                                                                                                                                      |
|----------|----------|-----------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-702 | B. Short | 6/25/2011 | T | Ronald & Jo Ann Eshleman - 50th Wedding Anniversary                                                                                                                                                                                                                                                                  |
| H146-703 | Outten   | 6/27/2011 | M | Homer Clark, Jr.                                                                                                                                                                                                                                                                                                     |
| H146-704 | Outten   | 7/1/2011  | T | William & Bonnie Ivins - 50th Wedding Anniversary                                                                                                                                                                                                                                                                    |
| H146-705 | Carson   | 7/2/2011  | T | Dan Fletcher - 50th Birthday                                                                                                                                                                                                                                                                                         |
| H146-706 | Jaques   | 6/30/2011 | T | Erik J. Schramm - Resignation - Democratic Caucus<br>cosponsors: Reps. D.P. Williams, Bolden, Keeley, Brady, George, Heffernan, B. Short, Q. Johnson, Walker, D.E. Williams, Mitchell, Schwartzkopf, J. Johnson, Longhurst, Mulrooney, Barbieri, Schooley, Osienski, Kowalko, Viola, Carson, Scott, Bennett & Atkins |
| H146-707 | Kenton   | 6/28/2011 | M | Morgan Elizabeth Feindt                                                                                                                                                                                                                                                                                              |
| H146-708 | Kenton   | 7/7/2011  | M | Helen Dickerson Clendaniel                                                                                                                                                                                                                                                                                           |
| H146-709 | Kenton   | 6/29/2011 | M | Mary C. Wothers<br>cosponsor: Rep. Wilson                                                                                                                                                                                                                                                                            |
| H146-710 | Bennett  | 7/1/2011  | M | John Albert Hill                                                                                                                                                                                                                                                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: January 11, 2012

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                                                                   |
|----------|---------------------|-----------|------|-------------------------------------------------------------------------------|
| H146-711 | Gilligan            | 7/11/2011 | T    | Alexandra O'Neill - Americorps Volunteer<br>copponsors: All Representatives   |
| H146-712 | Gilligan            | 7/11/2011 | T    | Alexandra Maroselli - Americorps Volunteer<br>copponsors: All Representatives |
| H146-713 | Gilligan            | 7/11/2011 | T    | John Ennis - Americorps Volunteer<br>copponsors: All Representatives          |
| H146-714 | Gilligan            | 7/11/2011 | T    | Robert Kvoka - Americorps Volunteer<br>copponsors: All Representatives        |
| H146-715 | Gilligan            | 7/11/2011 | T    | Janice Neiman - Americorps Volunteer<br>copponsors: All Representatives       |
| H146-716 | Gilligan            | 7/11/2011 | T    | Emily Webb - Americorps Volunteer<br>copponsors: All Representatives          |
| H146-717 | Gilligan            | 7/11/2011 | T    | Sean Monahan - Americorps Volunteer<br>copponsors: All Representatives        |
| H146-718 | Q. Johnson          | 7/18/2011 | T    | Carrie Johnston - Outstanding Volunteer - Take Pride in America               |
| H146-719 | Peterman            | 7/16/2011 | T    | MG Henry McCann - Retirement - Army National Guard                            |
| H146-720 | Kenton              | 7/8/2011  | M    | Hilda H. Jaywork<br>cosponsor: Rep. Wilson                                    |
| H146-721 | Peterman            | 7/17/2011 | T    | Arthur Roxby III - Doctor of Ministry                                         |
| H146-722 | D. Short; Lee       | 7/10/2011 | M    | Jeffrey A. Daisey                                                             |
| H146-723 | Bennett; Scott      | 7/08/2011 | T    | Dennis Klima - Retirement - Bayhealth                                         |
| H146-724 | J. Johnson          | 7/11/2011 | M    | Elizabeth Anderson Hunt                                                       |
| H146-725 | Outten              | 7/12/2011 | M    | Beatrice W. Goodhand                                                          |
| H146-726 | Lee; Atkins; Hocker | 7/14/2011 | T    | Harold Tingle - 100th Birthday                                                |
| H146-727 | Peterman            | 7/17/2011 | T    | Otis Webb - 90th Birthday                                                     |
| H146-728 | J. Johnson          | 7/15/2011 | M    | Patricia A. Spinden                                                           |
| H146-729 | Blakey              | 7/14/2011 | M    | Jack Glenn Nichols                                                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: January 11, 2012

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                                   |
|----------|---------|-----------|------|-----------------------------------------------|
| H146-730 | Wilson  | 7/17/2011 | T    | Nila Griffith - Retirement - Wilson's Auction |
| H146-731 | Carson  | 7/17/2011 | M    | Samuel C. Borrows, Jr.                        |
| H146-732 | Carson  | 7/15/2011 | M    | William Arnold Butcher                        |
| H146-733 | Bennett | 7/06/2011 | M    | Harry Berlin Semans                           |
| H146-734 | Bennett | 7/11/2011 | M    | Brenda W. Kelley                              |
| H146-735 | Carson  | 7/10/2011 | M    | Walter Benoit, Jr.                            |
| H146-736 | Carson  | 6/11/2011 | M    | Claude L. Angell                              |
| H146-737 | Carson  | 6/30/2011 | M    | Lester Brooks Brumfield, Jr.                  |
| H146-738 | Carson  | 6/13/2011 | M    | Daniel C. Rossetti, Jr.                       |
| H146-739 | Carson  | 7/16/2011 | M    | Janet W. Barr                                 |

|                                             |            |           |   |                                               |
|---------------------------------------------|------------|-----------|---|-----------------------------------------------|
| H146-740                                    | Bennett    | 6/30/2011 | M | Roberta K. White                              |
| H146-741                                    | Bennett    | 6/30/2011 | M | Anne D. Bert                                  |
| H146-742                                    | Bennett    | 6/30/2011 | M | Regina Cooper-Conley                          |
| H146-743                                    | Bennett    | 6/30/2011 | M | Cartha M. Fleetwood                           |
| H146-744                                    | Bennett    | 6/25/2011 | M | Virginia Marie Welgan                         |
| H146-745                                    | Outten     | 7/16/2011 | M | Edmund E. Stephens                            |
| H146-746                                    | Wilson     | 7/18/2011 | M | Charles Walton Smith, Jr.                     |
| H146-747                                    | Kenton     | 7/23/2011 | T | Freedom Worship Center - New Home             |
| H146-748                                    | Bolden     | 8/14/2011 | T | Christian Millis - Eagle Scout                |
| H146-749                                    | J. Johnson | 7/21/2011 | M | George Cottingham, Jr.                        |
| H146-750                                    | J. Johnson | 7/19/2011 | T | Peggy Scarpitti - Retirement - Dept. of Labor |
| H146-751                                    | Wilson     | 7/18/2011 | M | James Philip Kish                             |
| cosponsors: Reps. Kenton, Outten & Peterman |            |           |   |                                               |
| H146-752                                    | Walker     | 7/22/2011 | M | Brian P. Murphy                               |
| H146-753                                    | Kenton     | 7/25/2011 | T | Emma Jefferson - 100th Birthday               |
| <u>HOUSE TRIBUTE ANNOUNCEMENT #38</u>       |            |           |   |                                               |

DATE: January 11, 2012

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                                             |
|-------------------------------------------|----------------|------------|------|---------------------------------------------------------|
| H146-754                                  | Kenton         | 7/22/2011  | M    | Jackie Young Calloway                                   |
| cosponsors: Reps. Wilson & Peterman       |                |            |      |                                                         |
| H146-755                                  | Kenton         | 7/24/2011  | M    | Sarah E. Hunter                                         |
| cosponsors: Reps. Outten & Peterman       |                |            |      |                                                         |
| H146-756                                  | Jaques         | 8/21/2011  | T    | Eric Hartman - Eagle Scout                              |
| H146-757                                  | Jaques         | 8/21/2011  | T    | Steven Hartman - Eagle Scout                            |
| H146-758                                  | Mulrooney      | 7/30/2011  | M    | Dorothy Mae Clark                                       |
| cosponsors: All Representatives           |                |            |      |                                                         |
| H146-759                                  | Manolakos      | 7/28/2011  | M    | Jennie M. DeLuca                                        |
| cosponsors: All Representatives           |                |            |      |                                                         |
| H146-760                                  | Bolden         | 7/30/2011  | M    | Hazel Hopkins Scott                                     |
| H146-761                                  | Hudson         | 8/1/2011   | M    | Ronald E. Lewis                                         |
| cosponsor: Rep. Bolden                    |                |            |      |                                                         |
| H146-762                                  | Atkins         | 7/30/2011  | T    | Richard Ward - Retirement - Office of Fire Marshal      |
| H146-763                                  | Briggs King    | 8/1/2011   | T    | Lawrence Sammons - 95th Birthday                        |
| H146-764                                  | Outten         | 7/31/2011  | M    | Charlene Patricia Poulson                               |
| H146-765                                  | Jaques         | 6/28/2011  | T    | Christopher Boyle - Eagle Scout                         |
| H146-766                                  | Osienski       | 6/28/2011  | T    | Andrew Carlson - Eagle Scout                            |
| H146-767                                  | Peterman       | 11/30/2011 | T    | Wilbur Jones - Community Service                        |
| cosponsors: Reps. Kenton, Outten & Wilson |                |            |      |                                                         |
| H146-768                                  | D.P. Williams; | 8/7/2011   | T    | Rev. Benjamin Brown - 55 Years - Spiritual Revival      |
|                                           | Bolden         |            |      | Hour                                                    |
| H146-769                                  | Q. Johnson     | 7/2/2011   | T    | Paul & Agnes Petro - 57th Wedding Anniversary           |
| H146-770                                  | Gilligan       | 6/28/2011  | T    | Samuel & Evelyn Bramble - 70th Wedding Anniversary      |
| H146-771                                  | Schooley       | 8/5/2011   | M    | BG Hugh Goettel                                         |
| cosponsors: Reps. Jaques & Brady          |                |            |      |                                                         |
| H146-772                                  | Schooley       | 8/4/2011   | M    | Alfred Robert Sonchen III                               |
| H146-773                                  | Hudson         | 7/1/2011   | T    | Richard & Patricia Gregorski - 50th Wedding Anniversary |
| <u>HOUSE TRIBUTE ANNOUNCEMENT #39</u>     |                |            |      |                                                         |

DATE: January 11, 2012

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                                            |
|-----------------------------------|-----------|-----------|------|--------------------------------------------------------|
| H146-774                          | Outten    | 8/4/2011  | M    | Dalton R. Croom, Sr.                                   |
| H146-775                          | Peterman; | 11/6/2011 | T    | Lighthouse Christian Center - 40th Homecoming          |
|                                   | Outten    |           |      |                                                        |
| cosponsors: Reps. Kenton & Wilson |           |           |      |                                                        |
| H146-776                          | Wilson    | 7/26/2011 | T    | Frank Adkins - Educator of the Year - NACAT Conference |
| H146-777                          | George    | 8/7/2011  | T    | Building Blocks Learning Center - Grand Opening        |
| cosponsor: Rep. Barbieri          |           |           |      |                                                        |
| H146-778                          | Mitchell  | 8/20/2011 | T    | David Ievoli - Eagle Scout                             |

|          |                                                        |           |   |                                                      |
|----------|--------------------------------------------------------|-----------|---|------------------------------------------------------|
| H146-779 | J. Johnson                                             | 8/3/2011  | M | Joseph R. Davis                                      |
| H146-780 | Mulrooney;<br>J. Johnson                               | 8/21/2011 | T | Viola Dillard - Community Service                    |
| H146-781 | Schwartzkopf                                           | 8/6/2011  | M | Thomas B. Derrick                                    |
| H146-782 | Outten                                                 | 8/10/2011 | M | Joseph B. Melvin, Sr.                                |
| H146-783 | Peterman                                               | 8/6/2011  | M | Horace G. Potter                                     |
|          | cosponsors: Reps. Wilson & Kenton                      |           |   |                                                      |
| H146-784 | Kenton                                                 | 8/13/2011 | M | Rev. Joseph E. James                                 |
|          | cosponsors: Reps. Schwartzkopf, Lee, Wilson & Peterman |           |   |                                                      |
| H146-785 | Carson                                                 | 8/18/2011 | T | Brian Hoffecker - Heroism                            |
| H146-786 | George                                                 | 8/10/2011 | M | Anne Yemc Thomas                                     |
| H146-787 | D.E. Williams;                                         | 8/25/2011 | T | Patricia Hoge - American Cancer Society              |
|          | Hudson                                                 |           |   |                                                      |
| H146-788 | Schooley                                               | 8/13/2011 | M | Jane Shanklin Warter                                 |
| H146-789 | Atkins                                                 | 8/2/2011  | T | Robert & Dorothy Peterson - 60th Wedding Anniversary |
| H146-790 | Carson                                                 | 8/14/2011 | T | Christi Carson - 30th Birthday                       |

HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: January 11, 2012  
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                                                               |    |
|----------|-------------------------------|-----------|------|---------------------------------------------------------------------------|----|
| H146-791 | Walker;<br>Barbieri           | 8/11/2011 | T    | Joseph Laws, III - School Board President - Colonial District             |    |
| H146-792 | Schwartzkopf                  | 8/12/2011 | M    | Ralph Angel Figueroa                                                      |    |
| H146-793 | D. Short;<br>Kenton; Wilson   | 8/16/2011 | M    | Herman F. Black                                                           |    |
| H146-794 | Schooley                      | 8/16/2011 | M    | Jane H. Collier                                                           |    |
| H146-795 | Walker                        | 8/18/2011 | T    | Odessa Fire Co. - Community Service                                       |    |
| H146-796 | Walker                        | 8/18/2011 | T    | Townsend Fire Co. - Community Service                                     |    |
|          | cosponsor: Rep. Q. Johnson    |           |      |                                                                           |    |
| H146-797 | J. Johnson                    | 8/21/2011 | T    | Rev. Dr. Maurice Moyer - 93rd Birthday                                    |    |
| H146-798 | Longhurst;<br>Johnson; Bolden | 8/18/2011 | M    | Rev. Perry L. Davis, Jr.                                                  | J. |
| H146-799 | Bolden                        | 8/22/2011 | T    | Ministry of Caring, Inc. - Dedication                                     |    |
| H146-800 | Bolden                        | 8/27/2011 | T    | Harriet Tubman Historical Society Inc.                                    |    |
| H146-801 | Hocker                        | 9/6/2011  | T    | Victoria Bunevitch - 90th Birthday                                        |    |
| H146-802 | Hudson                        | 9/22/2011 | T    | Kathryn Pettinaro - 70th Birthday                                         |    |
| H146-803 | Carson                        | 9/22/2011 | T    | Ronald Sayers - Central Delaware Chamber of Commerce - Member of the Year |    |
| H146-804 | Willis                        | 8/24/2011 | T    | Caroline Baxter - Retirement - DNREC                                      |    |
| H146-805 | B. Short                      | 7/18/2011 | M    | Robert B. Frazer, Jr.                                                     |    |
| H146-806 | Miro;<br>Keeley               | 9/2/2011  | T    | Latin American Community Center - Hispanic Heritage Month                 |    |
| H146-807 | Outten                        | 8/28/2011 | T    | Esther Crisp - 95th Birthday                                              |    |
| H146-808 | Keeley                        | 9/10/2011 | T    | 1212 Corporation - 45th Anniversary                                       |    |
| H146-809 | Atkins                        | 8/24/2011 | T    | Elizabeth Hitchens - 106th Birthday                                       |    |
| H146-810 | Scott                         | 9/16/2011 | T    | Dover Rotary Club - 90th Anniversary                                      |    |
| H146-811 | Scott                         | 9/18/2011 | T    | The Links Incorporated - 25th Anniversary                                 |    |

HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: January 11, 2012  
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                                   |
|----------|----------------------|-----------|------|-----------------------------------------------|
| H146-812 | Carson               | 8/20/2011 | T    | Peggy Hutchins - 80th Birthday                |
| H146-813 | Outten               | 8/21/2011 | M    | John Caleb Barrett                            |
| H146-814 | Kenton               | 8/19/2011 | T    | Roy & Connie White - 50th Wedding Anniversary |
| H146-815 | Barbieri             | 8/30/2011 | T    | Victor Singer - Service to NCC Planning Board |
| H146-816 | Lavelle;<br>Barbieri | 7/31/2011 | M    | Mary Elizabeth Mical                          |
| H146-817 | Hudson               | 8/19/2011 | M    | Ralph A. Rossi, M.D.                          |
| H146-818 | Kenton;<br>Wilson    | 9/1/2011  | M    | Clifford Knotts                               |
| H146-819 | Wilson;              | 8/31/2011 | M    | Elvin Schrock                                 |

|          |                                             |           |   |                                                                    |
|----------|---------------------------------------------|-----------|---|--------------------------------------------------------------------|
|          | Kenton                                      |           |   |                                                                    |
| H146-820 | Outten                                      | 8/31/2011 | M | Gloria Alma Melvin                                                 |
| H146-821 | Carson                                      | 8/20/2011 | M | Daniel W. Fox                                                      |
| H146-822 | Jaques                                      | 9/1/2011  | T | Delaware National Guard - Ribbon Cutting                           |
|          | cosponsors: Reps. Carson, Brady & Mulrooney |           |   |                                                                    |
| H146-823 | D. Short                                    | 8/26/2011 | M | Patrick R. Shannon                                                 |
| H146-824 | Bolden                                      | 9/2/2011  | M | Harry W. Sheppard                                                  |
| H146-825 | Brady                                       | 8/1/2011  | T | Ingleside Retirement Apartments - Excellence in Affordable Housing |
| H146-826 | Miro;<br>Bolden                             | 9/1/2011  | T | Cindy Ell - Heroism                                                |
| H146-827 | Gilligan                                    | 8/12/2011 | T | Edward & Suzanne Grandel - 50th Wedding Anniversary                |
| H146-828 | Wilson;<br>Willis                           | 9/2/2011  | M | Dora Alice McFarland                                               |
| H146-829 | Bennett                                     | 8/30/2011 | M | Myrtle Victoria Wright                                             |
| H146-830 | Bennett                                     | 8/30/2011 | M | Elizabeth Gooch                                                    |
| H146-831 | Kowalko;<br>Carson                          | 9/1/2011  | M | Viola E. Palo                                                      |
| H146-832 | Carson;<br>Wilson                           | 9/6/2011  | M | Vicky L. Scuse                                                     |
| H146-833 | Carson                                      | 9/6/2011  | M | Bessie Cochran Moore                                               |
| H146-834 | Carson                                      | 9/6/2011  | M | Alan Joseph Girard                                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: January 11, 2012

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>                                                  |
|---------------|----------------------------------------------|-------------|-------------|---------------------------------------------------------------------|
| H146-835      | Q. Johnson                                   | 9/10/2011   | T           | Michael Sturtevant - NJ Army National Guard - Chief Warrant Officer |
| H146-836      | Carson                                       | 9/6/2011    | M           | Joan Veronica Bates                                                 |
| H146-837      | Kenton;<br>Wilson                            | 9/5/2011    | M           | Elwood J. Clendaniel                                                |
| H146-838      | Osienski                                     | 9/9/2011    | T           | Delaware AFL-CIO - 16th Annual Golf Classic                         |
|               | cosponsors: Reps. Walker, Q. Johnson & Brady |             |             |                                                                     |
| H146-839      | Carson                                       | 9/7/2011    | M           | Ruth Esther Harris                                                  |
| H146-840      | Carson                                       | 9/7/2011    | M           | Patricia A. Smith                                                   |
| H146-841      | Carson                                       | 9/7/2011    | M           | Nellie Scott Marencin                                               |
| H146-842      | Carson                                       | 9/7/2011    | M           | Charles D. Coverdale                                                |
| H146-843      | Carson                                       | 9/7/2011    | M           | William L. Dougherty                                                |
| H146-844      | Carson                                       | 9/7/2011    | M           | Lillian C. Wood                                                     |
| H146-845      | Scott                                        | 10/6/2011   | T           | Elizabeth Vassas - Retirement - DSP                                 |
| H146-846      | Willis;<br>Jaques; Brady                     | 9/29/2011   | T           | MSG Rodney Godfrey - Retirement - Army National Guard               |
| H146-847      | Outten                                       | 9/2/2011    | T           | Randolph Ferguson - Retirement - DelDOT                             |
| H146-848      | Briggs King                                  | 9/10/2011   | M           | Richard McGinnis                                                    |
| H146-849      | Briggs King                                  | 9/26/2011   | T           | Kenneth Hitchens - Retirement - DelDOT                              |
| H146-850      | Jaques;Brady                                 | 9/16/2011   | T           | CMS Holly Morris - Retirement - Air National Guard                  |
| H146-851      | Barbieri                                     | 9/17/2011   | T           | Polycystic Kidney Disease Foundation                                |
| H146-852      | D. Short                                     | 9/21/2011   | T           | Manor House - 45th Anniversary                                      |
| H146-853      | D. Short;<br>B. Short                        | 9/29/2011   | T           | Dorothy Speight - Retirement - Dept. of Insurance                   |
| H146-854      | Kowalko                                      | 8/31/2011   | T           | Warren & Shirley Glanden - 60th Wedding Anniversary                 |
| H146-855      | Schooley                                     | 9/2/2011    | T           | Francis & Kathleen Carlin - 50th Wedding Anniversary                |
| H146-856      | Blakey                                       | 9/24/2011   | T           | Dr. Daniel Coons - Induction - DE Aviation Hall of Fame             |
| H146-857      | Blakey                                       | 10/7/2011   | T           | Maxine Lewis - Induction - DSU Athletic Hall of Fame                |
| H146-858      | Schwartzkopf                                 | 10/8/2011   | T           | Lt. Col. Charles George - Retirement - Army Reserve                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: January 11, 2012

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>                                                                                                                                                          |
|---------------|------------------------------|-------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-859      | Kowalko                      | 10/9/2011   | T           | Alice Bryant - 100th Birthday                                                                                                                                               |
| H146-860      | Barbieri                     | 9/13/2011   | T           | Staff Sgt. Aaron Allen - Meritorious Service                                                                                                                                |
| H146-861      | Kenton;<br>Wilson            | 9/15/2011   | M           | Bobby T. Corder                                                                                                                                                             |
| H146-862      | Briggs King                  | 9/17/2011   | M           | Juanita M. B. Donovan<br>cosponsors: Reps. Kenton & Peterman                                                                                                                |
| H146-863      | Schooley                     | 10/6/2011   | T           | Newark Day Nursery & Children's Center - 50 Years                                                                                                                           |
| H146-864      | Briggs King                  | 9/16/2011   | T           | William Tobin, Jr. - President - Volunteer Firefighter's<br>cosponsors: Reps. Kenton, Outten, Association<br>Peterman, Wilson, Hocker, D. Short, Lee, Atkins & Schwartzkopf |
| H146-865      | Walker                       | 9/22/2011   | T           | Summit Aviation - Grand Opening - Hangar 8<br>cosponsors: Reps. George & Q. Johnson                                                                                         |
| H146-866      | Outten;<br>Peterman          | 9/15/2011   | M           | Bobby Massey                                                                                                                                                                |
| H146-867      | Schwartzkopf                 | 10/22/2011  | T           | Benjamin Price - Eagle Scout                                                                                                                                                |
| H146-868      | Schwartzkopf                 | 10/22/2011  | T           | Logan Bellinger - Eagle Scout                                                                                                                                               |
| H146-869      | Schwartzkopf                 | 10/22/2011  | T           | Patrick Buchwald - Eagle Scout                                                                                                                                              |
| H146-870      | Schwartzkopf;<br>Wilson      | 9/23/2011   | T           | Edward Lewandowski - Executive Director - Center<br>for Inland Bays                                                                                                         |
| H146-871      | D. Short                     | 9/17/2011   | T           | Charles Thomas - 100th Birthday                                                                                                                                             |
| H146-872      | Walker                       | 10/9/2011   | T           | Loretta Newsom - School Nurse of the Year                                                                                                                                   |
| H146-873      | Outten                       | 9/19/2011   | M           | Wayne L. Platzke                                                                                                                                                            |
| H146-874      | Carson                       | 9/21/2011   | T           | K.C. Keeler - Liberty Mutual Coach of the Year<br>cosponsors: All Representatives                                                                                           |
| H146-875      | Atkins                       | 10/20/2011  | T           | Lt. Mark Rust - Retirement - DSP<br>cosponsors: Reps. Lee & Schwartzkopf                                                                                                    |
| H146-876      | Schwartzkopf;<br>Briggs King | 10/1/2011   | T           | Beebe Medical Center School of Nursing - 90 Years                                                                                                                           |
| H146-877      | J. Johnson                   | 9/19/2011   | M           | Mary Elizabeth Wilson                                                                                                                                                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: January 11, 2012

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>                                                                               |
|---------------|-----------------------------|-------------|-------------|--------------------------------------------------------------------------------------------------|
| H146-878      | Kowalko                     | 9/21/2011   | M           | Barbara Jean Butters                                                                             |
| H146-879      | Q. Johnson                  | 9/21/2011   | T           | Greater Delaware Area Buffalo Soldiers - Middletown<br>Chapter - 1st Meeting                     |
| H146-880      | Mitchell                    | 9/23/2011   | M           | Sgt. Joseph Szczerba                                                                             |
| H146-881      | Scott                       | 9/23/2011   | T           | Sam's Club #6330 - Grand Re-Opening                                                              |
| H146-882      | Willis                      | 9/22/2011   | T           | Lt. Justin Broome - Meritorious Service                                                          |
| H146-883      | Kenton;<br>Wilson; Peterman | 9/23/2011   | T           | Jim Smack - Induction - Milford High Football Hall of<br>Fame                                    |
| H146-884      | Kenton;<br>Wilson; Peterman | 9/23/2011   | T           | Paul Mills - Induction - Milford High Football Hall of<br>Fame                                   |
| H146-885      | Kenton;<br>Wilson; Peterman | 9/23/2011   | T           | Joe Lank - Induction - Milford High Football Hall of<br>Fame                                     |
| H146-886      | Kenton;<br>Wilson; Peterman | 9/23/2011   | T           | George Davis - Induction - Milford High Football Hall<br>of Fame                                 |
| H146-887      | Kenton;<br>Wilson           | 9/23/2011   | M           | Mary Evelyn Doughten                                                                             |
| H146-888      | Willis                      | 9/22/2011   | M           | Albert V. Lane Jr.                                                                               |
| H146-889      | Kenton                      | 10/1/2011   | T           | The Honorable David L. Wilson - Sussex Co.<br>Farm Bureau - Distinguished Service to Agriculture |
| H146-890      | Bennett                     | 9/23/2011   | T           | Dover Air Force Base - Air Mobility Command -<br>Installation Excellence                         |
| H146-891      | J. Johnson                  | 10/2/2011   | T           | Rev. Gary Meekins - 40 Years in Ministry                                                         |
| H146-892      | Mitchell                    | 9/23/2011   | T           | Ronald & Winifred Query - 50th Wedding Anniversary                                               |
| H146-893      | Mulrooney                   | 9/17/2011   | T           | Harvey & Joyce Fuller - 50th Wedding Anniversary                                                 |
| H146-894      | J. Johnson                  | 10/6/2011   | T           | William & Dorothy Barnes - 60th Wedding<br>Anniversary                                           |
| H146-895      | Gilligan                    | 9/23/2011   | T           | Joseph & Nicoletta Giofre - 50th Wedding Anniversary                                             |
| H146-896      | Jaques                      | 9/15/2011   | T           | Fred & Dolores Palmer - 50th Wedding Anniversary                                                 |
| H146-897      | Bennett                     | 9/21/2011   | T           | Huey & Viney Moore - 50th Wedding Anniversary                                                    |

H146-898 Gilligan; Miro;10/10/2011 T National Celebration Day & 100th Anniversary of the  
D.E. Williams Republic of China  
cosponosors: All Representatives

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: January 11, 2012

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>                                                  |
|---------------|--------------------------------------------------|-------------|-------------|---------------------------------------------------------------------|
| H146-899      | Mulrooney                                        | 9/28/2011   | M           | Ray W. Christian                                                    |
| H146-900      | D. Short                                         | 9/17/2011   | T           | Howard & Beverly Baker - 50th Wedding Anniversary                   |
| H146-901      | Schooley;<br>Viola                               | 10/1/2011   | T           | James Ryan - Retirement - Dept. of Labor                            |
| H146-902      | Brady                                            | 9/7/2011    | M           | The Honorable Russell D.F. Dineen                                   |
| H146-903      | Brady                                            | 10/4/2011   | T           | Olivia Johnson - 100th Birthday                                     |
| H146-904      | Kenton;<br>Brady; Jaques                         | 10/7/2011   | T           | Sgt. First Class Ken Hockensmith - Retirement - Army National Guard |
| H146-905      | J. Johnson                                       | 9/29/2011   | T           | Sarah Reeves - 101st Birthday                                       |
| H146-906      | Barbieri                                         | 9/29/2011   | T           | Rockford Center - 37 Years                                          |
| H146-907      | Bolden                                           | 9/30/2011   | M           | Geraldine Lewis-Loper                                               |
| H146-908      | Outten                                           | 10/11/2011  | T           | Marvin Brown - Volunteer - Killens Pond Friends                     |
| H146-909      | Gilligan                                         | 9/23/2011   | M           | Bernard T. Burrows Sr.                                              |
| H146-910      | Barbieri                                         | 10/6/2011   | T           | Jiten Soneji - Service to DelDOT                                    |
| H146-911      | D. Short                                         | 10/29/2011  | T           | Rev. Alberta Waples - 61 Years - Church of God                      |
| H146-912      | Keeley;<br>J. Johnson                            | 10/5/2011   | T           | Hilltop Lutheran Neighborhood Center - 50 Years                     |
| H146-913      | Brady<br>cosponors: Reps. Keeley &<br>J. Johnson | 10/5/2011   | T           | George Zafis - Hilltop Lutheran Neighborhood Center Honoree         |
| H146-914      | Brady<br>cosponors: Reps. Keeley &<br>J. Johnson | 10/5/2011   | T           | Rev. Clarence Petit - Hilltop Lutheran Neighborhood Center Honoree  |
| H146-915      | Lee                                              | 10/22/2011  | T           | Delmar Fire Dept. - 90 Years                                        |
| H146-916      | Lee                                              | 10/22/2011  | T           | Lacey Figgs - 50 Years - Delmar Fire Dept.                          |
| H146-917      | Wilson<br>cosponors: Reps. Outten & Schwartzkopf | 9/24/2011   | M           | Dolores Lyons Batson                                                |
| H146-918      | Wilson<br>cosponors: Reps. Outten & Kenton       | 10/2/2011   | M           | Douglas Carl Jones                                                  |
| H146-919      | D.P. Williams;10/2/2011<br>Bolden                |             | T           | Deacon Robert Cousar - 10 Years - St. Joseph's Catholic Church      |

HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: January 11, 2012

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>                                                        |
|---------------|-------------------------------|-------------|-------------|---------------------------------------------------------------------------|
| H146-920      | Keeley;<br>Bolden             | 10/2/2011   | T           | Deacon Robert Levesque - 10 Years - Deacon - St. Joseph's Catholic Church |
| H146-921      | Briggs King;<br>Wilson        | 10/1/2011   | M           | Violet T. Richardson                                                      |
| H146-922      | Barbieri;<br>Schooley; Hudson | 10/5/2011   | T           | Planned Parenthood of Delaware - 80 Years                                 |
| H146-923      | Keeley                        | 11/1/2011   | T           | Marie Lally - 95th Birthday                                               |
| H146-924      | Walker                        | 10/10/2011  | T           | The Wooleyhan Family - NCC Farm Bureau - Farm Family of the Year          |
| H146-925      | Q. Johnson                    | 10/10/2011  | T           | Wilbert Wright - NCC Farm Bureau - Distinguished Service to Agriculture   |
| H146-926      | Q. Johnson                    | 10/6/2011   | M           | Penny Lee Steller                                                         |
| H146-927      | Carson                        | 10/8/2011   | T           | Randolph Faulkner - 90th Birthday                                         |
| H146-928      | Schooley                      | 9/16/2011   | T           | Dutch & Carol Hanel - 50th Wedding Anniversary                            |
| H146-929      | Bolden                        | 9/12/2011   | T           | Lemuel & Zenobia James - 55th Wedding Anniversary                         |
| H146-930      | D. Short                      | 10/12/2011  | T           | Chad Passwaters - Heroic Firefighter of the Year                          |
| H146-931      | D. Short                      | 10/12/2011  | T           | David Ruff - Young EMS Lifetime Achievement Award                         |
| H146-932      | Lee                           | 10/10/2011  | T           | Elmer Steele - Firefighter of the Year                                    |
| H146-933      | Bennett                       | 10/7/2011   | M           | Harry Oscar Meeks                                                         |

|                                   |                              |            |   |                                                                   |
|-----------------------------------|------------------------------|------------|---|-------------------------------------------------------------------|
| H146-934                          | Manolakos                    | 10/11/2011 | T | Stephen Kingsberry - DelDOT - Transit Corp.<br>Executive Director |
| H146-935                          | Lavelle                      | 10/8/2011  | T | Wayne Lemons - Retirement - State Lottery                         |
| H146-936                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Capt. George Elliott - Induction - Maritime Hall of<br>Fame       |
| H146-937                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Charles Epifanio, PhD - Induction - Maritime Hall of<br>Fame      |
| H146-938                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Capt. Laurence Knapp - Induction - Maritime Hall of<br>Fame       |
| H146-939                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Mary Miller, PhD - Induction - Maritime Hall of Fame              |
| H146-940                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Capt. Hickman Rowland, Jr. - Induction - Maritime<br>Hall of Fame |
| H146-941                          | Briggs King;<br>Schwartzkopf | 10/8/2011  | T | Harry Frazer - Meritorious Service                                |
| H146-942                          | Walker;<br>Briggs King       | 10/13/2011 | T | Kevin Hensley - Realtor of the Year                               |
| H146-943                          | Lee                          | 10/10/2011 | M | Eric T. Givens                                                    |
| cosponsors: Reps. Wilson & Kenton |                              |            |   |                                                                   |

HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: January 11, 2012

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                                                 |
|-------------------------------------|--------------------|------------|------|-------------------------------------------------------------|
| H146-944                            | Scott              | 10/13/2011 | M    | Elizabeth B. Hettel                                         |
| cosponsor: Rep. Outten              |                    |            |      |                                                             |
| H146-945                            | Outten             | 10/12/2011 | M    | Betty Jane Shulties                                         |
| H146-946                            | Outten             | 10/11/2011 | M    | Robert H. Smith, DDS                                        |
| cosponsor: Rep. Kenton              |                    |            |      |                                                             |
| H146-947                            | Kenton;<br>Wilson  | 10/12/2011 | M    | Oliver P. Thayer                                            |
| H146-948                            | Kenton;<br>Wilson  | 11/5/2011  | T    | Davis & Nancy Shockley - 50th Wedding Anniversary           |
| H146-949                            | Kenton             | 10/16/2011 | T    | Memorial Vol. Fire Co. - Dedication - Station 2             |
| cosponsors: Reps. Wilson & Peterman |                    |            |      |                                                             |
| H146-950                            | D. Short           | 10/5/2011  | T    | Lester & Velma Stagg - 60th Wedding Anniversary             |
| H146-951                            | Keeley             | 10/11/2011 | M    | Judith I. Giofre                                            |
| H146-952                            | Heffernan          | 10/23/2011 | T    | Cheryl & Ken Kamm - Centennial Award - Hadassah             |
| H146-953                            | Wilson             | 10/14/2011 | T    | Douglas Jones - Volunteership - Apple/Scrapple<br>Festival  |
| H146-954                            | Wilson             | 10/14/2011 | T    | Bonnie Workman - Volunteership - Apple/Scrapple<br>Festival |
| H146-955                            | Schwartzkopf       | 10/20/2011 | T    | Master Cpl. Mark Ostroski - Retirement - DSP                |
| cosponsors: Reps. Lee & Atkins      |                    |            |      |                                                             |
| H146-956                            | Gilligan           | 10/4/2011  | T    | Ernest & Helen Fuller - 70th Wedding Anniversary            |
| H146-957                            | Mitchell           | 9/2/2011   | T    | Michael & Dorothy Mazick - 50th Wedding<br>Anniversary      |
| H146-958                            | D.P. Williams      | 10/20/2011 | T    | Arnetta McRae - Retirement - DPSC                           |
| H146-959                            | Schwartzkopf       | 10/19/2011 | T    | Connie Cooper - DelTech Distinguished Alumni Award          |
| cosponsor: Rep. Briggs King         |                    |            |      |                                                             |
| H146-960                            | Lee                | 10/19/2011 | T    | Cindy Mitchell - DelTech Distinguished Alumni Award         |
| cosponsor: Rep. Briggs King         |                    |            |      |                                                             |
| H146-961                            | Briggs King        | 10/19/2011 | T    | Mary Phillips - DelTech Distinguished Alumni Award          |
| H146-962                            | Q. Johnson;<br>Lee | 10/16/2011 | M    | Mary Elizabeth Moore                                        |
| H146-963                            | Gilligan           | 10/5/2011  | M    | Elma May Page                                               |
| H146-964                            | Outten             | 10/17/2011 | M    | Elizabeth Bowden Tull                                       |
| H146-965                            | Barbieri           | 10/21/2011 | T    | Judy Burris - 75th Birthday                                 |

T - Tribute  
M - Memoriam

MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House  
FROM: Representative Ruth Briggs King

SUBJECT: Absence from Session

I am unable to attend session on Wednesday, January 11, 2012 and Thursday, January 12, 2012 due to illness. I have been diagnosed with pneumonia and ordered to bed rest.

July 18, 2011

LEGISLATIVE ADVISORY #10

Governor Jack A. Markell signed the following legislation on the date indicated: 7/8/11 - **SB 127**; 7/12/11 - **SB 146 aab SA 1**; 7/13/11 - **HB 186, SB 134 aab SA 1, SB 112 aab SA 1 & HA 1, HB 213, HB 115, SB 140 aab SA 1, HB 217, SB 83, SB 102, SB 81 aab SA 1, HB 151, SB 114, HB 155, SB 10, SB 43, SB 86, SB 101, SB 103, SB 104, SB 138 aab SA 1, SB 142, SB 150, HB 62 aab HA 1 & SA 1, HB 114, SB 25 aab SA 1 & 2, HB 46 aab HA 1 aab HA 1 to HA 1, HA 2, 3 & 5, SS 1 for SB 29 aab SA 1 & 3, HB 48 aab HA 1 & 2 & SA 1 & HB 150 aab HA 1.**

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/14/11 - **HB 95 aab SA 1.**

July 13, 2011

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 146<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 95 by returning it with my objections to the House of Representatives without my signature.

House Bill No. 95 repeals the requirement that persons operating a motorcycle in Delaware carry a safety helmet. This is a basic safety rule that has been part of Delaware law since 1978, when it replaced a law requiring all riders to wear a safety helmet. 21 DEL. C. § 4185(b); 60 DEL. LAWS, c. 701, § 54; 61 DEL. LAWS, c. 314, §1. For more than thirty years, motorcycle operators have had to carry a safety helmet while riding. But wearing that safety helmet has been their option.

Proponents of House Bill No. 95 argue that a law requiring merely the possession of a helmet does not improve the safety of riders. In some ways, they are correct. A helmet lashed to a seat or handlebars does little, if anything, to improve the situation of a rider in an accident.

However, because Delaware's helmet law requires riders to have a helmet in their possession, riders must buy a safety helmet that they might not otherwise purchase. They are further required to carry that helmet with them as they ride the roads of our state. With a helmet in their possession, many riders sensibly recognize that the helmet does more good on their head than it does as an ornament on their motorcycle. In this indirect way, our law encourages riders to use the helmets they are required to carry. The law may be imperfect, but it sends a signal -- wearing a helmet while riding a motorcycle is something we value as a community. This requirement saves lives. Riders are more likely to wear helmets if they have to carry one on their motorcycle, and passengers picked up by motorcycle at least have the option to wear a helmet since, under current law, one must be provided.

Sadly, many motorcyclists still do not take advantage of the helmet they are required to carry. In the weeks while this bill was being considered, there were multiple motorcycle accidents in which riders without safety helmets were killed. So far in 2011, eleven people have died in motorcycle accidents. Nine of them were not wearing a helmet. This total is already more than the number of motorcyclists killed in all of 2010 -- and much of the busy summer motorcycle season still remains.

Helmets may not save every life, but the evidence is clear that they help. The National Highway Transportation Safety Association estimates that motorcycle helmets saved 1,829 lives in 2008, and that if all motorcyclists had worn helmets, an additional 823 lives could have been saved. In Delaware, motorcyclists in accidents while not wearing helmets were 22% more likely to be hospitalized and twice as likely to be hospitalized with a head injury than those who wore helmets.

Perhaps the best evidence comes from states that have adopted or repealed mandatory helmet laws. When states adopt mandatory helmet laws, the number of motorcycle fatalities decreases. In Maryland, the number of motorcycle fatalities decreased by 37%. (American Journal of Public Health, August 2002). California saw a similar drop when it passed its helmet law in the early 1990s. In that state, an "estimated 92 to 122 fewer motorcycle fatalities occurred in 1992 than would have been expected without" the mandatory helmet law. (Journal of the American Medical Association, November 1994). The results were no less dramatic when Pennsylvania repealed its mandatory helmet law. "The number of Pennsylvania residents dying in Pennsylvania from motorcycle-related injuries increased 40% after the helmet law was repealed. The number of head injury deaths increased 66%, whereas the number of nonhead injury deaths increased 25%." (American Journal of Public Health, August 2008).

These deaths and injuries that could have been avoided impose meaningful costs on our society. For every life that could have been saved by wearing a helmet, there is a family missing a father or a mother, a husband or a wife, a brother, a sister, or a child. These loved ones will experience the pain of loss for years. No amount of grief will bring their loved ones back, but the simple act of wearing a helmet might help prevent the tragedy from occurring in the first place.

In addition, when a motorcyclist is in an accident without a helmet, the additional medical costs are significant. A review of motorcyclists injured in Delaware over 2006-2007 showed that the medical costs of riders not wearing helmets were, on average, more than \$12,000 greater than injured riders who were wearing helmets, according to the Office of Emergency Medical Services. A Michigan study similarly

concluded that “helmet use decreased the mean cost of hospitalization by more than \$6,000 per patient.” (Journal of Trauma, September 2002).

These costs are borne by our State through higher health insurance premiums and other health costs. Only slightly more than half of motorcycle crash victims have private health insurance coverage. So a great deal of the additional costs that could have been avoided by the use of a helmet is being passed through to taxpayers and other payers.

Supporters of House Bill No. 95 have identified problems with the current law. They point to the State’s regulations, which adopt Federal Motor Vehicle Safety Standard (“FMVSS”) No. 218, published by the U.S. Department of Transportation’s National Highway Traffic Safety Administration (“NHTSA”). Helmet manufacturers self-certify compliance with FMVSS 218 to obtain a right to use a “DOT” sticker that shows compliance. Advocates have pointed out that a not-insignificant portion of helmets later tested by NHTSA fail to meet the requirements of FMVSS 218. This is regrettable. While many of these failing helmets are recalled by their manufacturers, it would be better if NHTSA has a more rigorous review system. But the fact that enforcement of federal helmet regulations is imperfect is not a good argument for eliminating Delaware’s existing helmet law. Most certified helmets do pass federal review, and the research recited above shows that helmets have been demonstrably effective at saving lives and reducing medical costs. Supporters have also argued that education and training are far better at reducing injury to motorcyclists than requiring the possession of a helmet. I agree that education and training are important. The Division of Motor Vehicles motorcycle training classes and the Office of Highway Safety’s publicity campaigns, like this year’s *Ride Safe-Ride Smart* campaign, have helped increase safety awareness among both motorists and motorcyclists. Those are important investments in rider safety, but education and training are not the only answer. The state has campaigns to encourage seat belt use, but we still require seat belts to be used on Delaware roads. The state has campaigns to discourage the use of mobile phones while driving, but we still prohibit their use without a hands-free device.

I am prepared to sit down with the proponents of House Bill No. 95 and others to discuss how we can make our roads safer for motorcyclists. Part of that dialogue should include addressing education and training and concerns about how our laws are enforced. It should also include discussion of a mandatory helmet requirement, which experience has shown in other states can save lives. But repealing a law that, for more than thirty years, has helped promote the use of helmets that have saved numerous lives is not something that I believe is in the best interest of our state.

For that reason, I have concluded that it is necessary to veto House Bill No. 95 by returning it to the House of Representatives without my signature.

Sincerely,

Jack A. Markell

Governor

Representative Longhurst made a comment. Representative Viola requested that he be marked present. Representative Longhurst deferred to Representative B. Short. Representative B. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce a guest. Representative Kenton requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan made an announcement. Representative D. Short requested that he be marked present.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:17 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 12, 2012.

Representatives Miro & Schwartzkopf requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **HB 231** - 7M; **HB 234** - 2F,4M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 170** - 4F,7M; **SB 80 w/SA 1** - 2F,9M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 120** - 1F,6M.

The Reading Clerk read the following communications into the record:

July 27, 2011

#### LEGISLATIVE ADVISORY #11

Governor Jack A. Markell signed the following legislation on the date indicated: 7/25/11 - **HB 138, HB 139, HB 161 aab SA 1, HB 169 aab HA 1, HB 187 aab HA 1 & SA 1, HB 85, SB 110, SB 132, SB 31 aab SA 1, SB 32 aab SA 2, SB 33 aab SA 2, SB 38 aab SA 2, SB 52 & HJR 7 aab SA 1.**

August 3, 2011

#### LEGISLATIVE ADVISORY #12

Governor Jack A. Markell signed the following legislation on the date indicated: 7/27/11 - **HB 188, HB 74, SB 118, SB 155 & SB 89; 7/28/11 - SB 117; 7/29/11 - SB 119 aab SA 1, HB 160 aab HA 1 & HS 1 for HB 143 aab HA 1.**

Representative D.P. Williams 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.

**3rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**January 12, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Briggs King - 1.

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

Mr. Speaker Gilligan led those present in the 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 239** - REPRESENTATIVE SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, BENNETT, BLAKEY, BRIGGS KING, HOCKER, HUDSON, KENTON, LAVELLE, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OUTTEN, PETERMAN, RAMONE, SCOTT, D. SHORT, WALKER, WILLIS, WILSON; SENATOR BUSHWELLER - EDUCATION - An Act to Amend Chapter 15, Volume 77 of the Laws of Delaware Relating to Educator Licensure and Certification.

**HB 240** - BENNETT & REPRESENTATIVE CARSON & REPRESENTATIVE HUDSON & REPRESENTATIVE VIOLA & SENATOR HENRY; REPRESENTATIVES BARBIERI, GILLIGAN, BOLDEN, BRADY, JAQUES, Q. JOHNSON, KEELEY, KENTON, KOWALKO, MIRO, LONGHURST, MITCHELL, OSIENSKI, RAMONE, B. SHORT, D. SHORT, M. SMITH, WALKER, WILSON; SENATORS CLOUTIER, CONNOR - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures.

**HB 241** - KEELEY & REPRESENTATIVE BRADY & REPRESENTATIVE BOLDEN & SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to the Composition of Municipal Zoning Boards of Adjustment. (2/3 bill)

**SJR 8 w/SA 1** - MCDOWELL; SENATORS BUSHWELLER, HALL-LONG, MCBRIDE, PETERSON, SOKOLA, CONNOR - NATURAL RESOURCES - Creating a Carpet Recycling Strategy Committee.

The Reading Clerk read the following communication into the record:

August 9, 2011

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 146<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Substitute No. 1 to House Bill No. 33 ("HS 1 to HB 33") by returning it with my objections to the House of Representatives without my signature.

Delaware's municipal election laws need to be improved, and there is no question that the sponsors of this legislation, other members of General Assembly, the Attorney General's Office, the Department of Education and local government representatives worked diligently and in good faith on this bill. HS 1 to HB 33 has the potential to introduce further uncertainty and dispute into the municipal election process. HS 1 to HB 33 authorizes the State Elections Commissioner, "in his or her sole discretion," to cancel municipal elections that are "rendered impracticable due to conditions outside of the municipality's control," unless the municipality's charter otherwise provides. Under existing law, the Elections Commissioner has no explicit authority to cancel a municipal election. The bill does not define the circumstances in which an election would be "rendered impracticable," nor does it specify what conditions are "outside of the municipality's control." Nor is it clear what benefit would be gained by granting the Elections Commissioner the authority to cancel local elections instead of leaving those decisions to the municipalities themselves.

HS 1 to HB 33 also gives the Elections Commissioner the authority to hear citizen complaints if the municipal Board of Election "fails to timely meet and issue a written decision." Because the phrase "timely meet" is not defined, it is not clear when the Commissioner would be authorized to step in and hear those complaints. Further, the bill grants the Elections Commissioner the specific authority to invalidate an election if she or he determines that a violation "altered or is reasonably likely to have altered the results of the election." This vests what is normally a judicial function with an executive branch official. Given the significant and challenging issue underlying the decision to invalidate an election, I think the courts are best equipped to make that determination.

Finally, in the event of a tie in a municipal election, HS 1 to HB 33 requires a vacancy to be declared by the State Elections Commissioner, unless a municipal charter dictates otherwise. The bill then requires the municipality's governing body to fill that vacancy until the next election. As a result, when the voters are evenly divided, the incumbent town or city council makes an appointment, likely to be from among the tied candidates, until the next municipal election. I propose to work with municipalities, legislators and other interested parties to find a fairer way to fill a vacancy resulting from a tie vote.

The proper conduct of elections is fundamental to our system of government, and the procedures regarding those elections must be as clear as possible to avoid questioned or questionable results. That is why I have focused on these issues. The sponsors and those who helped craft this bill are to be commended for their earnest and good-faith attempts to address some of the situations faced in recent municipal elections. I

pledge to work with those involved over the next few months to craft legislation that addresses these important issues.

Sincerely,  
Jack A. Markell  
Governor

Representative Schwartzkopf made comments and deferred to Jerry Grant, Majority Deputy Chief of Staff, who made comments regarding the 2012 Legislative Fellows Program. The Legislative Fellows for the majority caucus stated their names, hometowns, universities, majors and committee assignments for the record. Pam Price, Minority Chief of Staff, made comments. The Legislative Fellows for the minority caucus stated their names, hometowns, universities, majors and committee assignments for the record. Representatives Hudson, Lavelle, Manolakos & Schwartzkopf made comments. Representative Atkins requested that he be marked present. Mr. Speaker Gilligan made an announcement. Representative B. Short requested that he be marked present. Representative Brady made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:18 p.m.

The House reconvened at 3:32 p.m.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 80 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 80 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE FUNDING OF THE DELAWARE INSURANCE FRAUD PREVENTION BUREAU. (3/5 bill)**

Representatives B. Short & Lavelle made comments. Representative B. Short requested and was granted privilege of the floor for Gerald R. Pepper, Director of Fraud Bureau, Department of Insurance. Representative Lavelle made comments.

The roll call on **SB 80 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Briggs King - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 80 w/SA 1** was returned to the Senate.

Representative Keeley requested that she be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 170**, jointly sponsored by Representative D. Short & Senator Bushweller, before the House for consideration.

**HB 170 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP AND BLANKET HEALTH INSURANCE REQUIRING INSURERS TO OFFER TO OTHERWISE-ELIGIBLE EMPLOYEES MINI-COBRA COVERAGE IN SMALL-EMPLOYER PLANS.**

Representative B. Short introduced and brought **HA 1 to HB 170** before the House for consideration. Representative B. Short made comments. **HA 1** was adopted by voice vote. Representative B. Short made comments.

The roll call on **HB 170 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Briggs King - 1.

Therefore, having received a constitutional majority, **HB 170 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 231**, jointly sponsored by Representative Keeley & Senator Bunting & Representatives Bennett, Jaques, Mitchell, Osienski, B. Short & Walker & Senators Hall-Long & Henry, before the House for consideration.

**HB 231 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION PROGRAM.**

Representative Kowalko made comments.

The roll call on **HB 231** was taken and revealed:

YES: 40.

ABSENT: Representative Briggs King - 1.

Therefore, having received a constitutional majority, **HB 231** was sent to the Senate for concurrence.

Representative Keeley made comments regarding **HB 231**.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 3:50 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 17, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 160** and requests the concurrence of the House.

August 10, 2011

LEGISLATIVE ADVISORY #13

Governor Jack A. Markell signed the following legislation on the date indicated: 8/3/11 - **SB 65 aab SA 1, SB 123 aab SA 1, HB 172, SB 148, HB 175, SB 154 aab SA 1 & 2, HB 168 aab HA 1, 2, HA 1 to HA 2 & HA 3, HB 174 aab HA 1**; 8/6/11 - **SB 93 & HB 182 aab HA 1**.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 8/9/11 - **HS 1 for HB 33**.

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.

**4th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
January 17, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Manolakos - 1.

The Colors were presented by members of the Delaware Wing, Civil Air Patrol.

A prayer was offered by Chaplain Richard G. Pyle, Delaware Wing, Civil Air Patrol.

Colonel William S. Bernfeld, Commander, Delaware Wing, Civil Air Patrol, led those present in the pledge of allegiance to the American flag.

The following prefiled legislation was introduced:

**HB 242** - D. SHORT & SENATOR VENABLES; REPRESENTATIVES HOCKER, HUDSON, KENTON, MIRO, PETERMAN, RAMONE, WILSON, BENNETT, Q. JOHNSON, KEELEY, B. SHORT; SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Automobile Insurance, Vehicle Data-Reporting Device, and Unauthorized Use, Release, or Disclosure of Data.

**HB 243** - BARBIERI & REPRESENTATIVE SCOTT & SENATOR SOKOLA; REPRESENTATIVES BOLDEN, HEFFERNAN, HUDSON, JAQUES, LONGHURST, OSIENSKI, SCHOOLEY, M. SMITH, WALKER; SENATORS BUNTING, ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Reporting School Crimes.

**HB 244** - HEFFERNAN & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BOLDEN, J. JOHNSON, Q. JOHNSON, KEELEY, LONGHURST, MITCHELL, SCHOOLEY, SCOTT, B. SHORT, WALKER, D.E. WILLIAMS; SENATORS HENRY, KATZ, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Attendance.

**HB 245** - HEFFERNAN & SENATOR SOKOLA; REPRESENTATIVE Q. JOHNSON, KEELEY, MITCHELL - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Adoption of People First Language in and the Removal of Insensitive and Offensive Language from the Criminal Code.

**HB 246** - MIRO & REPRESENTATIVE VIOLA & SENATOR SORENSON & SENATOR CONNOR; REPRESENTATIVES KENTON, LAVELLE, HOCKER, HUDSON, KENTON, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON, JAQUES, MITCHELL, OSIENSKI ; SENATOR SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Establishing a Yellow Dot Medical Information Alert Program.

**SB 160** - HALL-LONG & REPRESENTATIVE WALKER & SENATOR DELUCA & SENATOR BLEVINS & SENATOR BUSHWELLER & SENATOR CLOUTIER & REPRESENTATIVE MULROONEY & REPRESENTATIVE MITCHELL & REPRESENTATIVE BENNETT & REPRESENTATIVE SCOTT; SENATORS HENRY, SOKOLA, PETERSON, BUNTING, CONNOR, ENNIS, VENABLES, BOOTH, LAWSON, SIMPSON, SORENSON; REPRESENTATIVES GILLIGAN, SCHWARTZKOPF, KEELEY, LAVELLE, HOCKER, KOWALKO, OSIENSKI, Q. JOHNSON, HEFFERNAN, HUDSON, MIRO, ATKINS, BARBIERI, VIOLA, JAQUES, SCHOOLEY, KENTON, OUTTEN, WILSON, LEE, M. SMITH, CARSON, RAMONE, PETERMAN, BLAKEY, D. SHORT, WILLIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.

Representative Schwartzkopf deferred to Representatives Carson & D.E. Williams who presented a House Tribute to Colonel William S. Bernfeld, Commander, Delaware Wing, Civil Air Patrol, on the occasion of the 70th Anniversary of the Civil Air Patrol in Delaware. Colonel Bernfeld addressed the House. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce Brigadier General Carol Timmons, Director, Joint Staff, Delaware Joint Force Headquarters. The House observed a moment of silence in memory of Leonard W. Quill, Sr. at the request of Representative Bennett. Representative Barbieri requested and was granted personal privilege of the floor to introduce guests. Representative D.E. Williams requested and was granted personal privilege of the floor to introduce a guest. Representative Atkins requested and was granted personal privilege of the floor to introduce a guest. Representative Carson introduced Major General Francis D. Vavala, Adjutant General, Delaware National Guard. Representative Miro requested and was granted personal privilege of the floor to introduce a guest. Representative Ramone requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf made comments. Representative Keeley requested that she be marked present and made comments. Representative Brady made comments. Representative Hudson requested that she be marked present. Representative Schwartzkopf deferred to Representative Bolden who presented a House



Tribute to Rebecca Stahl, winner of the “Unsung Hero” Award, Communities in Schools of Wilmington, who addressed the House. Jim Purcell, President, Communities in Schools, presented awards to schools that earned national accreditation and to Nia Williams, Executive Director.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques moved to suspend the rules which interfere with introduction of and action on **HJR 10**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Lavelle requested that he be marked present.

Representative Jaques introduced and brought **HJR 10**, jointly sponsored by Senator Bunting, before the House for consideration.

**HJR 10 - RECOGNIZING MAJOR GENERAL FRANCIS D. VAVALA FOR HIS LEADING ROLE IN RESHAPING THE MILITARY OF THE UNITED STATES OF AMERICA.**

Representative Jaques made comments.

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

YES: 37.

NOT VOTING: Representative Brady - 1.

ABSENT: Representatives Hudson, Manolakos & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HJR 10** was sent to the Senate for concurrence.

Representatives Ramone & Jaques made comments regarding **HJR 10**.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney moved to suspend the rules which interfere with introduction of and action on **HJR 9**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mulrooney introduced and brought **HJR 9**, jointly sponsored by Representative Kowalko & Senator McBride & Senator Connor & Representatives Gilligan, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Lavelle, Lee, Longhurst, Manolakos, Mitchell, Miro, Osienski, Outten, Peterman, Ramone, Schooley, Schwartzkopf, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis, Wilson & Schwartzkopf & Senators Blevins, DeLuca, Henry, Marshall & Sokola, before the House for consideration.

**HJR 9 - URGING THE CONTINUED OPERATION OF THE HARES CORNER U.S. MAIL PROCESSING AND DISTRIBUTION CENTER**

Representative Mulrooney made comments.

The roll call on **HJR 9** was taken and revealed:

YES: 38.

ABSENT: Representatives Manolakos, Miro & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HJR 9** was sent to the Senate for concurrence.

Representative Brady made comments regarding **HJR 9**.

Representative Schwartzkopf introduced and brought **HCR 26**, jointly sponsored by Senator DeLuca & Representatives Gilligan, Longhurst, Lavelle & Hocker & Senators Blevins, Henry, Simpson & Sorenson, before the House for consideration.

**HCR 26 - 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 JACK A. MARKELL, GOVERNOR OF THE STATE OF DELAWARE.**

Representative Schwartzkopf made comments.

**HCR 26** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri requested that **HB 237** be stricken.

Representative Schwartzkopf moved to recess for caucus and to the call of the Chair at 2:49 p.m.

The House reconvened at 4:49 p.m.

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 **HCR 26**, **HJR 9** & **HJR 10** and is returning the same to the House.

January 17, 2012

The Honorable Robert F. Gilligan

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent from Legislative Session, today January 17, 2012, due to illness.

Thank you for your understanding.

Sincerely,  
Nicholas T. Manolakos

State Representative  
20<sup>th</sup> District

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **SB 120**, jointly sponsored by Senator Sokola & Senator Sorenson & Representatives Hocker, Jaques, Miro, Osienski & B. Short, before the House for consideration.

**SB 120** - AN ACT TO AMEND TITLE 21, CHAPTER 41 OF THE DELAWARE CODE RELATING TO BICYCLES.

Representatives Longhurst & Hudson made comments. Representative Longhurst requested and was granted privilege of the floor for Terry L. Gorlich, Legislative Liaison, DelDOT. Representative D.P. Williams requested that he be marked present. Representatives Hudson & Longhurst made comments. Representative Longhurst introduced a guest.

The roll call on **SB 120** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 120** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 234**, jointly sponsored by Senator Henry & Representatives Bennett, Bolden, Heffernan, Hudson, Jaques, Kenton, Kowalko, Mitchell & D. Short, before the House for consideration.

**HB 234** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION.

Representatives Keeley & Lavelle made comments.

The roll call on **HB 234** was taken and revealed:

YES: 39.

NOT VOTING: Representative Wilson - 1.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 234** was sent to the Senate for concurrence.

Representative Lavelle made comments. Representative Carson introduced and welcomed former Representative Pamela Thornburg Bakerian. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri made an announcement. Representatives Schooley & Lavelle made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:02 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 18, 2012.

The Reading Clerk read the following communications into the record:

August 18, 2012

LEGISLATIVE ADVISORY #14

Governor Jack A. Markell signed the following legislation on the date indicated: 8/15/11 - **HB 76 aab HA 1 & 2 & SJR 7**; 8/16/11 - **HB 131, SB 139 aab SA 1 & HA 1, HB 121, HS 1 for HB 88, SB 109 aab SA 1 & SB 92 aab HA 1**; 8/17/11 - **HB 123 aab HA 1, HB 214 aab HA 1 & SA 1 & HB 91**.

The following are constitutional amendments and do not require the Governor's signature: 6/23/11 - **SB 37**; 6/30/11 - **SB 18**.

August 22, 2011

LEGISLATIVE ADVISORY #15

Governor Jack A. Markell signed the following legislation on the date indicated: 8/17/11 - **SB 64 aab SA 2 & HA 1, SB 144 aab SA 1, HS 1 for HB 158 & SB 108**; 8/19/11 - **HB 205**; 8/22/11 - **HB 177 aab HA 1 & 3 & HB 42 aab HA 2**.

Representative Schwartzkopf 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.

**5th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**January 18, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Manolakos & Mulrooney - 2.

A prayer was offered by Representative Lincoln D. Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

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

The Reading Clerk read the following communications into the record:

September 7, 2011

LEGISLATIVE ADVISORY #16

Governor Jack A. Markell signed the following legislation on the date indicated: 8/17/11 - **HB 173 aab HA 1**; 8/26/11 - **HB 180**; 8/30/11 - **SB 111 aab SA 1**.

September 21, 2011

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 146<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 50 by returning it with my objections to the House of Representatives without my signature.

House Bill No. 50 was drafted to correct four cross-references in the consumer protection laws that were rendered incorrect by a bill enacted last year, House Substitute No. 1 for House Bill No. 247, 77 Del. Laws c. 282. Specifically, in four locations within Title 6 there are references to 29 Del. C. §2517(c). Until last year, § 2517(c) gave the Attorney General authority to enforce certain specifically enumerated consumer protection laws. When House Substitute No. 1 for House Bill No. 247 was passed, § 2517 was re-organized and subsection (c) now refers to the appointment of a Director of Consumer Protection. House Bill No. 50 purports to correct the erroneous cross-references in the Code by replacing references to the former § 2517(c) with "a more general reference to the location of the relocated power as 'Chapter 25 of Title 29.' The synopsis makes clear that "no substantive changes to the law" were intended.

I am vetoing House Bill No. 50 because, on closer examination, it appears that the bill would in fact cause a substantive change that was not intended. By changing a specific reference to Delaware's consumer protection laws to a more general reference to the authority of the Attorney General, the limited funding and purpose of the Consumer Protection Fund would be eliminated.

Specifically, sections 2, 3 and 4 of House Bill No. 50 amend § 2527 of Title 6, which governs the Consumer Protection Fund. As amended, subsection (a) of § 2527 would require that 141 money received by the State as a result of actions brought by the Attorney General pursuant to Chapter 25 of Title 29 or pursuant to the state or federal antitrust laws shall be credited by the State Treasurer to a fund to be known as the 'Consumer Protection Fund.' Similarly, subsection (c) of § 2527, if amended, would require that money in the Consumer Protection Fund "be used solely for the payment of expenses incurred by the Attorney General in connection with its activities under Chapter 25 of Title 29, this chapter or the state and federal antitrust laws."

Chapter 25 of Title 29 is a general reference to the authority of the Attorney General, not just a reference to the consumer protection laws. Chapter 25 of Title 29 addresses the Attorney General's authority to bring criminal charges and represent state agencies in civil proceedings. 29 Del. C. §2504(6), (3). It authorizes the Attorney General's Office to spend money on the retention of deputies and appointment of state detectives. *Id.* at §§ 2505, 2513. It includes the Not-for-profit Healthcare Conversion Act, and requires that public benefit assets from qualifying transactions be placed in a foundation to support the State's unmet health needs. *Id.* at § 2530, *et seq.*

If House Bill No. 50 became law, it would require that "all money received by the State as a result" of actions brought under Chapter 25 be credited to the Consumer Protection Fund. That would substantially broaden the scope of assets collected by that fund well beyond recoveries under the consumer protection laws. It would also potentially be in conflict with the recovery of public benefit assets under the Not-for-profit Healthcare Conversion Act. Similarly, if House Bill No. 50 became law, the Consumer Protection Fund could be used for almost any purpose for which spending is authorized by Chapter 25, including purposes that do not relate to consumer protection.

Plainly, these results were not intended by the authors of House Bill No. 50 and those who voted on it. While the cross-references in Title 6 need to be addressed, they can be fixed in a manner that does not alter the limited funding and purpose of the Consumer Protection Fund. I would support legislation next year to do that.

For these reasons, I have concluded that it is necessary to veto House Bill No. 50 by returning it to the House of Representatives without my signature.

Sincerely,  
Jack A. Markell  
Governor

HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: January 18, 2012

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                                               |
|----------|-----------------------------------|------------|------|-----------------------------------------------------------|
| H146-966 | Atkins                            | 10/20/2011 | T    | NRG Energy, Inc. - Community Support                      |
| H146-967 | Atkins                            | 10/20/2011 | T    | Karen Lessey - Millsboro Middle School Mentor Coordinator |
| H146-968 | George                            | 10/26/2011 | T    | Prudential Fox & Roach Realtors - Charity Day             |
| H146-969 | Wilson                            | 10/23/2011 | T    | Sgt. Philip Schrock - USMC - Service to Country           |
| H146-970 | D. Short                          | 10/19/2011 | M    | Franklin Ewell Horsman, Sr.                               |
| H146-971 | Scott; George                     | 10/28/2011 | T    | Janet Carter - Retirement - DOE                           |
| H146-972 | Kenton                            | 10/23/2011 | M    | Donald L. Glasco                                          |
|          | cosponsors: Reps. Wilson & Outten |            |      |                                                           |
| H146-973 | Willis                            | 11/1/2011  | T    | Amber Augustus - Teacher of the Year                      |
|          | cosponsor: Rep. Carson            |            |      |                                                           |

|          |               |            |   |                                                                                       |
|----------|---------------|------------|---|---------------------------------------------------------------------------------------|
| H146-974 | Bennett       | 10/22/2011 | M | Jean Baker Bewick                                                                     |
| H146-975 | Jaques        | 10/29/2011 | T | Chief MSgt. Ronald Marandola - Retirement - Air National Guard                        |
| H146-976 | Kowalko       | 10/29/2011 | T | Mike Ingram - DSU Alumni Baseball Game                                                |
| H146-977 | Heffernan     | 10/15/2011 | T | Jon & Phyllis Gatta - 50th Wedding Anniversary                                        |
| H146-978 | Carson        | 10/7/2011  | T | Willis Chevrolet Buick - 60 Years<br>cosponsors: Reps. Outten, Kenton & Wilson        |
| H146-979 | D.P. Williams | 10/21/2011 | M | Claven Jones<br>cosponsors: Reps. Bolden & J. Johnson                                 |
| H146-980 | Lee           | 10/21/2011 | M | The Honorable William Lee Littleton<br>cosponsors: Reps. Briggs King & D. Short       |
| H146-981 | Brady         | 11/01/2011 | T | Pancreatic Cancer Action Network - Awareness Month                                    |
| H146-982 | D. Short      | 10/27/2011 | T | Craig Dimes -Seaford Business Person of the Year<br>cosponsor: Rep. Wilson            |
| H146-983 | D. Short      | 10/27/2011 | T | Michele Procino-Wells - Seaford Business Person of the Year<br>cosponsor: Rep. Wilson |
| H146-984 | D. Short      | 10/27/2011 | T | Lynn Brocato - Seaford Business Person of the Year<br>cosponsor: Rep. Wilson          |

#### HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: January 18, 2012

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                                                                      |
|-----------|--------------------------------|------------|------|----------------------------------------------------------------------------------|
| H146-985  | D. Short                       | 10/27/2011 | T    | Home & Office Cabinetry - Exceptional Customer Service<br>cosponsor: Rep. Wilson |
| H146-986  | Blakey                         | 10/21/2011 | M    | Barbara A. Remus                                                                 |
| H146-987  | Lee                            | 10/25/2011 | M    | Amelia Ann Hall                                                                  |
| H146-988  | Peterman;<br>Kenton; Wilson    | 10/30/2011 | T    | Grace Messick - 88th Birthday                                                    |
| H146-989  | Heffernan                      | 10/30/2011 | T    | Holy Rosary Church - 90 Years                                                    |
| H146-990  | Bennett                        | 10/25/2011 | M    | Marshall Arnell                                                                  |
| H146-991  | Miro                           | 11/12/2011 | T    | Tri-State Bird Rescue - 35 Years                                                 |
| H146-992  | Q. Johnson;<br>Walker          | 10/30/2011 | T    | Paramedic 1st Class James McCarnan - Retirement - NCC                            |
| H146-993  | Kenton;<br>Wilson; Briggs King | 10/28/2011 | T    | Brenda Hughes - 30 Year Cancer Survivor                                          |
| H146-994  | Miro                           | 10/27/2011 | M    | Ralph G. Degli Obizzi, Sr.                                                       |
| H146-995  | Keeley                         | 10/29/2011 | M    | Anthony M. Yarrusso III                                                          |
| H146-996  | Carson; Willis                 | 12/5/2011  | T    | Citizens' Hose Co. - 125 Years                                                   |
| H146-997  | Wilson                         | 11/2/2011  | T    | Hastings Family - Century Farm & Historic Structures Awards                      |
| H146-998  | Wilson                         | 11/2/2011  | T    | Rogers Family - Century Farm Award                                               |
| H146-999  | Lee                            | 11/2/2011  | T    | Carolyn Calio - Laurel Citizen of the Year                                       |
| H146-1000 | Lee                            | 11/2/2011  | T    | David Brown - Laurel Business Person of the Year                                 |
| H146-1001 | Carson; Willis                 | 10/23/2011 | M    | Dr. John Winfield Camp Sr.                                                       |
| H146-1002 | Carson                         | 11/5/2011  | M    | Joseph A. Bonner                                                                 |
| H146-1003 | Outten                         | 10/28/2011 | M    | Danny Hicks                                                                      |
| H146-1004 | Barbieri;<br>Manolakos         | 10/30/2011 | T    | Diamond State Chorus - Region 19 Champs                                          |
| H146-1005 | Outten                         | 11/1/2011  | M    | Ruth Poore                                                                       |
| H146-1006 | Gilligan                       | 10/27/2011 | M    | Wayne John Pollari<br>cosponsors: Reps. Heffernan & Bolden                       |
| H146-1007 | Hudson                         | 10/26/2011 | M    | Jean Ianni                                                                       |
| H146-1008 | Hudson                         | 11/4/2011  | T    | Charles Jardins - 80th Birthday                                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: January 18, 2012

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                                             |
|-----------|--------------|------------|------|---------------------------------------------------------|
| H146-1009 | Ramone; Miro | 10/17/2011 | M    | Joanne Baffone Hruska                                   |
| H146-1010 | Brady        | 11/1/2011  | T    | Cool Spring/Tilton Neighborhood Assoc. - CityLife Award |
| H146-1011 | B. Short     | 11/1/2011  | T    | Eugene & Joan Callaghan - 50th Wedding Anniversary      |
| H146-1012 | Lee          | 11/17/2011 | T    | Marion Handy - Delmar Citizen of the Year               |

|           |                                                                    |            |   |                                                                       |
|-----------|--------------------------------------------------------------------|------------|---|-----------------------------------------------------------------------|
| H146-1013 | D. Short                                                           | 11/1/2011  | T | Roland & Betty Marker - 50th Wedding Anniversary                      |
| H146-1014 | Keeley                                                             | 11/2/2011  | M | Falon Marie DelleDonne                                                |
| H146-1015 | Outten                                                             | 11/4/2011  | M | Alice R. Clark                                                        |
| H146-1016 | Wilson;<br>Peterman                                                | 11/8/2011  | T | Diana Kitson - Retirement - Wilson's Auction                          |
| H146-1017 | D. Short                                                           | 11/11/2011 | T | Dick Drummond - Flag Pole Dedication                                  |
| H146-1018 | Scott                                                              | 11/12/2011 | T | Omega Psi Phi Fraternity, Inc. - 100 Years                            |
| H146-1019 | Brady                                                              | 11/20/2011 | T | Wilmington Kiwanis - Universal Children's Day                         |
| H146-1020 | Bolden                                                             | 11/12/2011 | T | National Coalition of 100 Black Women, Inc. -<br>Empowerment Summit   |
| H146-1021 | Wilson                                                             | 12/8/2011  | T | Delaware Electric Cooperative - 75 Years                              |
|           | cosponsors: Reps. Kenton, Outten &                                 |            |   | Briggs King                                                           |
| H146-1022 | Willis                                                             | 11/6/2011  | M | William Kenneth Durham                                                |
| H146-1023 | Wilson                                                             | 11/10/2011 | T | Greenwood Memorial VFW Post 7478 - 65 Years                           |
| H146-1024 | Wilson                                                             | 11/10/2011 | T | Ralph Moore - Military & Community Service                            |
| H146-1025 | Wilson                                                             | 11/10/2011 | T | June Bostick - Community Service                                      |
| H146-1026 | Carson                                                             | 11/9/2011  | M | Jimmie A. Dykes                                                       |
| H146-1027 | Bennett                                                            | 11/4/2011  | T | Kent County Tourism - 20 Years                                        |
|           | cosponsors: Reps. Scott, Carson, Outten, Willis, Peterman & Blakey |            |   |                                                                       |
| H146-1028 | Heffernan                                                          | 11/3/2011  | T | Honorable Richard Andrews - Confirmation - US<br>District Court Judge |
| H146-1029 | Wilson                                                             | 11/13/2011 | T | St. Johnstown United Methodist Church - 232nd<br>Homecoming Service   |
|           | cosponsors: Reps. Kenton,<br>Briggs King & Outten                  |            |   |                                                                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #51

DATE: January 18, 2012

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                                                     |
|-----------|-----------------------------------------------------------------------------|------------|------|-----------------------------------------------------------------|
| H146-1030 | Bolden; Brady                                                               | 11/10/2011 | T    | Michael Hare - 50th Birthday                                    |
| H146-1031 | Viola; Scott                                                                | 11/14/2011 | T    | Francis Urick - Retirement - Dept. of Labor                     |
| H146-1032 | Bennett;<br>Carson                                                          | 11/9/2011  | M    | James Goudie                                                    |
| H146-1033 | Kenton                                                                      | 11/16/2011 | T    | G & E Hocker's Super Market - 40 Years                          |
|           | cosponsors: Reps. Atkins, Briggs King, Lee, Schwartzkopf, D. Short & Wilson |            |      |                                                                 |
| H146-1034 | D. Short                                                                    | 5/25/2011  | T    | Matthew Dopler - Eagle Scout                                    |
| H146-1035 | D. Short                                                                    | 7/27/2011  | T    | Stephen Dopler - Eagle Scout                                    |
| H146-1036 | D. Short                                                                    | 7/27/2011  | T    | Nicholas Dopler - Eagle Scout                                   |
| H146-1037 | Lee                                                                         | 11/19/2011 | T    | Delaware State Fire Police - 50 Years                           |
|           | cosponsors: All Representatives                                             |            |      |                                                                 |
| H146-1038 | Outten                                                                      | 11/10/2011 | M    | Virginia Brown Waters                                           |
| H146-1039 | Kenton                                                                      | 11/20/2011 | T    | Ellendale United Methodist Church - 129th<br>Homecoming Service |
|           | cosponsors: Reps. Briggs King &<br>Wilson                                   |            |      |                                                                 |
| H146-1040 | Lavelle                                                                     | 11/15/2011 | T    | Rev. Fr. James Kirk - 25th Anniversary - Ordination             |
| H146-1041 | Outten                                                                      | 11/16/2011 | M    | Grace V. Minner                                                 |
| H146-1042 | Hocker                                                                      | 11/21/2011 | T    | Fenwick Island Lions Club - 25 Years                            |
| H146-1043 | Atkins                                                                      | 12/8/2011  | T    | Michael Lowe - Retirement - DelDOT                              |
| H146-1044 | Bennett; Scott                                                              | 11/17/2011 | T    | Specialist Eric Courts - Meritorious Service to Country         |
| H146-1045 | Outten                                                                      | 11/19/2011 | M    | Elizabeth Jean Rogers                                           |
| H146-1046 | Hudson;<br>M. Smith                                                         | 12/17/2011 | M    | James J. Ficca                                                  |
| H146-1047 | Outten                                                                      | 11/17/2011 | M    | Darrell R. Murray                                               |
| H146-1048 | Bennett                                                                     | 11/30/2011 | T    | Delaware Ballet - 25 Years - Nutcracker                         |
|           | cosponsors: Reps. Scott & Outten                                            |            |      |                                                                 |
| H146-1049 | Hudson                                                                      | 11/28/2011 | T    | William Allan - Retirement - Verizon                            |
| H146-1050 | Wilson                                                                      | 12/11/2011 | T    | Chaplain's Chapel United Methodist Church - 150<br>Years        |
|           | cosponsors: Reps. Kenton &<br>Briggs King                                   |            |      |                                                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #52

DATE: January 18, 2012

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 |
|--------|---------|------|------|-------------|
|--------|---------|------|------|-------------|

|           |                                     |            |   |                                                                                           |
|-----------|-------------------------------------|------------|---|-------------------------------------------------------------------------------------------|
| H146-1051 | Osienski                            | 11/16/2011 | M | Edward R. Wojciechowski                                                                   |
| H146-1052 | Outten                              | 11/19/2011 | M | Samuel P. Ansbach Sr.                                                                     |
| H146-1053 | Barbieri                            | 11/13/2011 | T | Donald Wiegner - Eagle Scout                                                              |
| H146-1054 | Bennett                             | 11/11/2011 | M | John Roper                                                                                |
| H146-1055 | Miro                                | 12/1/2011  | T | Diamond State Reading Association - Delaware Reads Locally Day                            |
| H146-1056 | Walker                              | 12/1/2011  | T | Megan VanSant - Delaware Farm Bureau - Youth Ambassador of the Year                       |
| H146-1057 | Lee                                 | 12/1/2011  | T | Kirk Family - Delaware Farm Bureau - Farm Family of the Year                              |
| H146-1058 | Kenton                              | 11/21/2011 | M | Louis W. Wintjen Jr.                                                                      |
|           | cosponsors: Reps. Wilson & Peterman |            |   |                                                                                           |
| H146-1059 | Kowalko                             | 11/15/2011 | T | Roger Craig - "Jeopardy" Tournament of Champions Winner                                   |
| H146-1060 | Schwartzkopf                        | 11/19/2011 | T | Claudia Melson - 90th Birthday                                                            |
| H146-1061 | Outten                              | 11/23/2011 | M | Ruth Dean                                                                                 |
| H146-1062 | Keeley                              | 12/2/2011  | T | Weik, Nitsche & Dougherty - Dynamic Physical Therapy - Damon Carey, D.O. - Ribbon Cutting |
| H146-1063 | Briggs King                         | 11/22/2011 | M | Stephen Paul Hudson Jr.                                                                   |
| H146-1064 | Schooley                            | 11/23/2011 | T | Jerone & Sandra Jamison - 50th Wedding Anniversary                                        |
| H146-1065 | J. Johnson                          | 11/23/2011 | M | James Walker Brown Jr.                                                                    |
| H146-1066 | Hudson                              | 11/21/2011 | M | J. Richard Tucker                                                                         |
| H146-1067 | Outten                              | 11/27/2011 | M | William M. Chambers Jr.                                                                   |
|           | cosponsors: Reps. Kenton & Wilson   |            |   |                                                                                           |
| H146-1068 | Wilson                              | 11/24/2011 | M | Robert Lee Thomas                                                                         |
|           | cosponsor: Rep. D. Short            |            |   |                                                                                           |
| H146-1069 | Hudson                              | 11/20/2011 | M | Ian Naismith Hemming                                                                      |
| H146-1070 | M. Smith                            | 11/9/2011  | T | Delaware Valley Development Co. - Ribbon Cutting - Cheltenham Village                     |
| H146-1071 | Q. Johnson                          | 12/17/2011 | T | Paul Johnston Jr. - Eagle Scout                                                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: January 18, 2012

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>                                             |
|---------------|------------------------------------------------------------------------|-------------|-------------|----------------------------------------------------------------|
| H146-1072     | Longhurst;                                                             | 12/13/2011  | T           | James Comegys - Principal of the Year - Secondary Level        |
|               | Q. Johnson                                                             |             |             |                                                                |
| H146-1073     | Kowalko;                                                               | 12/13/2011  | T           | Chris Beck - Assistant Principal of the Year                   |
|               | Q. Johnson                                                             |             |             |                                                                |
| H146-1074     | Walker;                                                                | 12/13/2011  | T           | Rene Nolan - Adminstrator of the Year                          |
|               | Q. Johnson                                                             |             |             |                                                                |
| H146-1075     | Hudson;                                                                | 12/3/2011   | M           | Geraldine B. Ostrand                                           |
|               | Lavelle                                                                |             |             |                                                                |
| H146-1076     | Briggs King                                                            | 12/1/2011   | M           | Robert Lee Humes                                               |
| H146-1077     | Briggs King;                                                           | 12/9/2011   | T           | Eleanor Cordrey - Lewes Public Library - Volunteer of the Year |
|               | Kenton                                                                 |             |             |                                                                |
| H146-1078     | Carson                                                                 | 12/15/2011  | T           | Austin Cary - 90th Birthday                                    |
| H146-1079     | Scott                                                                  | 12/1/2011   | M           | Phyllis Bialow Levitt                                          |
|               | cosponsors: Reps. Bennett, Blakey, Carson, Outten, Peterman & Schooley |             |             |                                                                |
| H146-1080     | Peterman                                                               | 12/4/2011   | T           | Bruce Frazier - 50 Years - Barratt's Chapel Trustee            |
| H146-1081     | Blakey                                                                 | 12/20/2011  | T           | Douglas Finney - Retirement - DelDOT                           |
| H146-1082     | D. Short                                                               | 12/13/2011  | T           | Kate Puzey - Peace Corps Volunteer                             |
| H146-1083     | Hudson                                                                 | 11/27/2011  | M           | Helen E. Frederick                                             |
| H146-1084     | Hudson                                                                 | 12/11/2011  | T           | Michael Riska - Retirement - Delaware Nature Society           |
| H146-1086     | Carson                                                                 | 12/5/2011   | M           | James E. Turner Jr.                                            |
|               | cosponsor: Rep. Scott                                                  |             |             |                                                                |
| H146-1087     | Kenton                                                                 | 12/6/2011   | M           | Gary L. Millman                                                |
|               | cosponsors: Reps. Wilson & Briggs King                                 |             |             |                                                                |
| H146-1088     | Briggs King                                                            | 12/7/2011   | M           | Bonnie L. Briggs                                               |
|               | cosponsor: Rep. Kenton                                                 |             |             |                                                                |
| H146-1085     | Manolakos                                                              | 12/15/2011  | T           | Shawn Butler - Eagle Scout                                     |
|               | cosponsor: Rep. Walker                                                 |             |             |                                                                |
| H146-1089     | Kenton                                                                 | 12/7/2011   | M           | Richard Franklin Shockley                                      |
|               | cosponsor: Rep. Wilson                                                 |             |             |                                                                |

H146-1090    Outten;            12/9/2011    M    William J. Walls Sr.  
                 Wilson; Kenton

HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: January 18, 2012

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                                                                   |
|-----------|--------------------------------------------------------------------------------------------------|------------|------|-------------------------------------------------------------------------------|
| H146-1091 | Hocker;<br>Atkins                                                                                | 12/7/2011  | T    | Indian River High School Football Team - Division II Champs                   |
|           | cosponsors: Reps. Briggs King, Kenton, Lee, Schwartzkopf & Wilson                                |            |      |                                                                               |
| H146-1092 | Kenton;<br>Wilson                                                                                | 12/8/2011  | M    | Walter Webb                                                                   |
| H146-1093 | Peterman                                                                                         | 12/9/2011  | M    | Kenneth D. Fountain                                                           |
|           | cosponsors: Reps. Kenton, Wilson & Outten                                                        |            |      |                                                                               |
| H146-1094 | Mitchell                                                                                         | 12/2/2011  | T    | Robert & Sandra DiEmedio - 50th Wedding Anniversary                           |
| H146-1095 | Longhurst                                                                                        | 12/6/2011  | T    | Gaylord & Beverly Tweed - 50th Wedding Anniversary                            |
| H146-1096 | Barbieri                                                                                         | 12/8/2011  | T    | Herbert & Kate Hoosier - 60th Wedding Anniversary                             |
| H146-1097 | Keeley                                                                                           | 12/6/2011  | M    | Florence R. Schneider                                                         |
| H146-1098 | J. Johnson;<br>Viola                                                                             | 12/6/2011  | M    | William James Surratte Sr.                                                    |
| H146-1099 | Schwartzkopf                                                                                     | 12/7/2011  | M    | Ruth E. Foster                                                                |
| H146-1100 | Bolden                                                                                           | 12/8/2011  | M    | Charles B. Braxton                                                            |
| H146-1101 | Peterman;<br>Kenton                                                                              | 12/9/2011  | T    | Judith Bruns - National Assoc. of Agriculture Educators - Outstanding Teacher |
| H146-1102 | Outten;<br>Wilson                                                                                | 12/10/2011 | M    | Mrs. Ivins                                                                    |
| H146-1104 | Briggs King                                                                                      | 12/12/2011 | M    | Lawrence E. Sammons                                                           |
|           | cosponsors: Reps. Atkins, Lee, D. Short, Hocker, Kenton, Wilson, Peterman, Outten & Schwartzkopf |            |      |                                                                               |
| H146-1106 | Keeley                                                                                           | 12/10/2011 | M    | Candida M. Speakman                                                           |
| H146-1107 | Walker                                                                                           | 12/17/2011 | T    | Raymond Burris - 80th Birthday                                                |
| H146-1108 | Outten                                                                                           | 12/15/2011 | M    | Bonnie Sharron Ivins                                                          |
| H146-1109 | Q. Johnson                                                                                       | 12/14/2011 | T    | Edward Czerwinski - School Boards Assoc. - Distinguished Service              |
| H146-1110 | Mulrooney                                                                                        | 12/1/2011  | T    | Francis & Catherine DeAscanis - 60th Wedding Anniversary                      |
| H146-1103 | Peterman                                                                                         | 12/12/2011 | M    | C. Donnell Calhoun Sr.                                                        |
|           | cosponsors: Reps. Kenton & Wilson                                                                |            |      |                                                                               |
| H146-1105 | M. Smith                                                                                         | 12/30/2011 | T    | ShopRite of Bear - Grand Opening                                              |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey introduced and brought **HCR 27**, jointly sponsored by Representative Keeley & Representative Bennett & Representative J. Johnson & Senator Simpson & Senator Henry & Representatives Lavelle, Hocker, Hudson, Kenton, Miro, Ramone, D. Short, Willis, Barbieri, Bolden, Carson, Heffernan, Jaques, Q. Johnson, Mitchell, Scott, B. Short & M. Smith & Senators Bushweller, Hall-Long, Peterson, Sokola & Sorenson, before the House for consideration.

**HCR 27 - PROCLAIMING THE MONTH OF FEBRUARY 2012 AS AFRICAN AMERICAN HISTORY MONTH AND REQUESTING THE GOVERNOR ISSUE A PROCLAMATION FOR AFRICAN AMERICAN HISTORY MONTH.**

Representative Blakey made comments.

**HCR 27** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott. Representatives D.P. Williams & Keeley requested that they be marked present. Representative Scott introduced guests and requested privilege of the floor for Dr. William N. Johnston, President, Wesley College, who addressed the House. Representatives Scott & Kenton made comments. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to make an announcement. The House observed a moment of silence in memory of Henry B. Supinski, Sr. at the request of Representative Brady. Representative Schwartzkopf deferred to Representative Walker. Representative Walker requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan made an announcement. Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson made an announcement.

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 Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:22 p.m. on January 18, 2012: Representative Miro.

Mr. Speaker Gilligan called the House to order at 1:45 p.m. on January 19, 2012.

The following out-of-session prefiled legislation was introduced:

January 18, 2012

**HB 250** - SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR BLEVINS & SENATOR HENRY; REPRESENTATIVES LAVELLE, HOCKER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Reapportionment of the State Legislative Districts.

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

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

JUDICIARY: **HB 240** - 7M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 152** - 9M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 85** - 10M; **HB 236** - 5F,4M.

EDUCATION: **HB 239** - 1F,7M.

HEALTH & HUMAN DEVELOPMENT: **HB 246** - 1F,6M; **SB 160** - 7M.

HOUSE ADMINISTRATION: **HB 159** - 5M; **HB 222** - 5M; **HB 230** - 5M.

The Majority Leader moved to adjourn at 1:46 p.m., thereby ending the current legislative day. The House reconvened at 1:47 p.m.

### **6th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session January 19, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Manolacos - 1.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

Mr. Speaker Gilligan led those present in the 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 247** - LAVELLE & REPRESENTATIVE PETERMAN & SENATOR VENABLES; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, LEE, OUTTEN, D. SHORT, WILLIS, WILSON; SENATORS BOOTH, SIMPSON - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Renewable Energy Portfolio Standards.

Representative Lavelle requested that he be marked present.

The Majority Leader moved to recess for the Joint Session and to the call of the Chair at 1:50 p.m.

Mr. Speaker Gilligan called the House to order at 1:58 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 Matt Denn and Senator Anthony J. DeLuca, President pro Tempore, joined Mr. Speaker Gilligan 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 Schwartzkopf moved that the Senate and the House meet in Joint Session at 2:00 p.m. for the purpose of hearing an address by the Honorable Jack A. Markell, Governor of the State of Delaware. There was no objection.

Representative Schwartzkopf moved that Mr. Speaker Gilligan preside over the Joint Session. There was no objection.

Representative Schwartzkopf moved that Mr. Speaker Gilligan appoint a committee of four to escort the Governor to the Joint Session. The motion was seconded by Representative Longhurst. There was no objection. Mr. Speaker Gilligan appointed Representative D.P. Williams (Spokesperson), Representative Clifford G. Lee, Senator Bethany Hall-Long and Senator Catherine L. Cloutier to form the escort committee.

Mr. Speaker Gilligan declared a temporary recess at 2:02 p.m. to await the arrival of the Governor. Mr. Speaker Gilligan introduced First Lady Carla Markell and Sussex Councilman Michael Vincent. The Joint Session reconvened at 2:03 p.m.



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

Representative D.P. Williams introduced Governor Markell to the Joint Session.

Mr. Speaker Gilligan welcomed the Governor to the House Chamber.

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

“Lieutenant Governor Matt Denn, President Pro Tem DeLuca, Speaker Gilligan, members of the 146th General Assembly, other elected officials, members of the Judiciary, members of the Cabinet, our employees, Carla and the people of Delaware.

In my previous reports on the State of the State, I spoke to you of turbulent seas and winter blizzards. And these images captured the moment, as we fought through the worst economic downturn since the Great Depression. This economic storm posed particular challenges for Delaware industries upon which we had depended for decades, like financial services and automotive manufacturing, but it made landfall in almost every corner of our nation. While Delaware was not alone in facing this storm, the way we responded was unique.

The politics of blame and division, the rhetoric of distrust, and the partisan warfare witnessed elsewhere never found a home in our state. Instead, we pulled together and prepared for the future. And leaning on Speaker Gilligan’s forty years of experience, the leadership of both parties in this General Assembly worked with us and we made tough decisions to balance our budgets, while still making investments necessary to keep moving forward. We cut where it was possible and invested where it was important — to create jobs, to improve schools, and to build infrastructure.

And at a moment when Washington, D.C. stands for deadlock and dysfunction, Delaware’s strength resides in the capacity of its people, even in challenging times, to work with common purpose, to choose perseverance in place of pettiness and partisanship. And as our economy recovers — albeit more slowly than any would like — we must resist the temptation to rest, satisfied with the status quo. As Thomas Friedman and Michael Mandelbaum write in their book, *That Used to Be Us*, the best organizations “win in the turns.” When there are big shifts in the marketplace, when others are overwhelmed and in disarray, they put distance between themselves and their competitors. And as tempting as it might seem to take this moment to pause and catch our breath, this is not the time to stand still. This is the time for Delaware to leap ahead, to lead.

The capacity to build on existing strengths and to adapt successfully to change is the quality that distinguishes companies that surge to the head of the pack from those that languish. Capitalizing on its strength in science and innovation, DuPont today is a bioscience company. It is not the same chemical company that it was 20 years ago, or the gunpowder company it was 200 years ago. W.L. Gore, Ashland, and AstraZeneca, ILC and our financial services companies have all evolved to keep up with changing markets and technologies. Consider Amazon, which is soon to be one of our larger employers. It’s become an all-purpose online retailer by leveraging the distribution capability it originally developed to deliver books. Our employers are changing – capitalizing on their strengths and thinking about tomorrow. And to lead, to be the place where these companies grow – Delaware must be ready to do the same. We must be ready to “win in the turns.”

Now, in Delaware, our economy directly benefits from our leading employers. Thanks to your financial support of the Strategic Fund, we have attracted and retained significant employers: PBF Energy, Sallie Mae, Baltimore Air Coil, Fisker Automotive, Miller Metal, Bloom Energy, Mountaire Farms and Capital One. We must continue these efforts, and remain nimble and opportunistic and aggressive when large employers present job opportunities. And that is why I will again recommend significant funding for the Strategic Fund next year.

But to do more than just keep pace — to put distance between ourselves and our competitors — we must look beyond the direct benefits our larger employers provide; we must capitalize on their presence to build our competitive edge. We already have terrific small businesses but we aspire to see more created and to see them grow quickly. And to accomplish that, we must nurture the small businesses and new companies that will thrive in the hospitable soil for job creation that our leading employers and our world-class workforce create around them.

Now, following up on the recent “Imagine Delaware” forum sponsored by the News Journal, we are finding new ways to support entrepreneurs. And over the last months, we studied best practices at entrepreneurial support centers around the country in places as far away as Silicon Valley and as nearby as the Science Center in Philadelphia, the CoinLoft in Wilmington and the Tech Park in Newark. The best tend to have a few things in common — flexible incubator spaces, wraparound services like free or discounted legal and accounting assistance, educational opportunities for potential entrepreneurs and investors and outstanding opportunities for collaboration. And working with Representatives Lavelle and Bryon Short and groups like First State Innovation, we’ll apply what we have learned to further support emerging start-ups and growing companies in Delaware. Not every company that uses these resources will be successful and it will take those that succeed time to achieve results. Our goal, though, is not to capture a headline tomorrow; it is to facilitate the creation of jobs for a generation.

Now, while nurturing the businesses of the future, we must also focus on growing our small businesses today. Small businesses need access to credit and we will utilize the federal Small Business

Credit Initiative to help more creditworthy businesses get the loans they need to expand and create jobs. We're also pleased to be the first state to announce a partnership with Facebook. And this partnership will help our small businesses fully engage the powerful use of social media to market their products and their services.

We must put ourselves in the shoes of those who create jobs. We've got to understand the industries in our State better than any other state. We've got to be more committed to the success of the businesses in our state than any other state. And we have most of the ingredients that businesses are looking for – good schools and institutions of higher education, reasonable taxes, a high-quality workforce, a wonderful quality of life, and a responsive government. Now, companies considering expansion or investment value great infrastructure. Whether they are accessing just-in-time supplies, moving products to market, or transporting employees between home and office, we want them to know they'll find what they need in Seaford, not Shanghai, in Bear, not Bangalore.

And that is why last year we made the decision together to invest \$40 million to further support our roads and bridges and we created the Delaware Infrastructure Fund, which has already paid off with Amazon's decision to expand here. That is also why we invested \$10 million in the Port of Wilmington. In the coming months, we will consider opportunities for a public/private partnership to expand and modernize the Port, significantly increasing our capacity to handle global trade. And doing so will not only protect those jobs currently at the Port, but it will sow the seeds of future growth as we leap ahead of our competitors.

Now, when companies decide whether to invest their next dollar in Delaware, it's not just the quality of our roads, bridges and port that they care about; they also want to know that our air and water are clean and that our communities offer the parks and recreational trails that make life for employees and their families healthy and rewarding. Talk with business leaders on a regular basis and it quickly becomes apparent. Quality of life matters deeply to them because it matters to their workforce. And overlook it, and your state is likely to get overlooked.

Now, our focus on quality of life is proving that economic development and environmental protection are compatible goals. This focus resulted in NRG transforming the Indian River power plant from one of the dirtiest coal-fired power plants in the country into one of the cleanest, and it's leading to the conversion of the Energy Center in Dover from coal to cleaner-burning natural gas — all the while creating hundreds of construction jobs in the process. Calpine has converted the Edge Moor plant in Wilmington from coal to natural gas. And taken together, these and other improvements are modernizing our energy fleet and reducing air pollution, in a way that equates to taking the equivalent of taking 450,000 cars off the road.

Now, our efforts to promote a high quality of life are not limited to reducing pollution from our power plants. We seek opportunities to connect Delawareans and visitors to all the history and natural beauty that the First State has to offer. Through an innovative public/private partnership, we are helping Yorklyn rebound from NVF's bankruptcy, transforming it into a revitalized area retaining its mill town roots. Our Bayshore Initiative is enhancing Delaware's spectacular coastal region and boosting the economy by restoring critical wildlife habitat and improving access for world-class hunting and fishing and kayaking and hiking.

But one of the best ways we can improve our quality of life, and promote healthy lifestyles at the same time, is to make our state more walkable and bikeable. And in the next year, working with Representative Keeley and Senator Venables, we will launch the First State Trails and Pathways Plan. And I am proposing that we dedicate \$13 million to build miles of new and enhanced trails throughout our State for every Delawarean to enjoy. Building on the strong foundation of existing trails and greenways already in place, we can make Delaware one of the most walkable and bikeable states in the country.

Now, employers looking to create jobs also care about the availability and cost of electricity. That's why we reduced the utility tax last spring and why we provided incentives for businesses to invest in energy-saving technology. We need to continue to promote energy-saving investments but when I talk with business leaders about investing in Delaware; I sometimes hear concerns about municipal power rates and the lack of any choice and competition to hold down prices. Now, let me be clear. I have been approached by a number of businesses which, because they are located in the service area of a municipal power system, they're required to procure their electricity from those municipalities at rates that are uncompetitive with those charged elsewhere in Delaware and — importantly — uncompetitive with other parts of the country where they have similar facilities. Now, I am sensitive to the revenue needs of our municipalities, but if these businesses leave our state, these jobs may well be lost forever. As expressed to me by Senator Simpson and Representative Dan Short, we need to work together to meet the expectations of companies choosing to do business here that the rates they will be charged for municipal power generation will be fair and competitive. And I am ready to begin that conversation with our municipalities.

Now, creating jobs must remain our number one priority and this is particularly true when it comes to our returning veterans. I was privileged to visit recently with our troops in Kuwait and Afghanistan. And we have with us today Sergeant Bruce Stevens of Dover and Senior Airman Jason Duricek of Wilmington, both of whom served admirably in Afghanistan. And the first thanks we owe all of our veterans when they come home is the chance to partake in the abundance of opportunity that they make possible for the rest of

us. Their mission puts them in harm's way. Their morale is high; their skills are exceptional. Let's work together to ensure they have the opportunity to put those skills to work when they come home.

Now, we ensure that state employees who serve are able to return to their jobs. But we should be, and we are, going farther. Thanks to the advocacy of Representative Jaques and others, we added representation of veteran-owned Delaware businesses to our Supplier Diversity Council, to ensure they have a fair opportunity to compete for state business. And one of our biggest private-sector employers, JP Morgan Chase, is leading in this area, hiring thousands of returning veterans and providing incentives for its vendors to do the same. And to encourage others in the private sector to follow their lead, we will propose expanding tax credits to Delaware businesses that hire veterans.

Now, the biggest driver for a business when deciding where to locate and expand is the quality of the workforce. That talent will determine whether the business becomes an innovation leader or gets left behind in the creative dust of its competitors. The late Steve Jobs put it bluntly. He said, "Apple employs seven hundred thousand factory workers in China because it can't find the thirty thousand engineers in the U.S. that it needs on site at its plants." We need to do something about that. And this is why, when the history of our time here is written, the determined push we are making to raise student achievement will prove to be the biggest game-changer of all.

Because we have come together – parents and teachers, administrators, private employers, foundations, public officials — to develop and implement a carefully crafted plan that aims high and puts children first, we have been recognized as a national leader in education, winning the nationwide Race to the Top competition. Together, we're making great strides. We've established high standards to ensure that we are being honest with our children about what they need to learn to succeed in the global economy. We have put in place an improved assessment system so parents and teachers can track student progress and identify quickly when students risk falling behind. We are supporting our teachers with resources that help them raise student achievement, and we are moving forward to evaluate our teachers in part on the basis of the progress their students make.

Now, in today's global knowledge economy, those who are not pushing forward are falling behind. For Delaware to maintain its position of leadership, it is absolutely vital that we keep pressing ahead and I thank Senator Sokola and Representative Schooley for their leadership in this area. And I realize there are those who are uncomfortable with the changes that are being made and that not all of these changes will work exactly as intended on day one. We will learn from our mistakes and continue to maintain an open dialogue to improve. But even if you believe what we did in the past was sufficient for those times, it will not be sufficient going forward. Around the world, young people are working hard in schools that are dramatically improving and if we stop our own efforts now, it will be to the detriment of our kids and their future.

So pressing ahead means implementing without additional delay our Performance Appraisal System, with its focus on student progress. Now, these implementation plans have benefited considerably from the advice of hundreds of Delaware teachers and we are grateful to them for their help. This is a challenging process and it is one that must succeed.

Now, as a parent and as someone who has visited dozens and dozens and dozens of our State's schools, I want to ensure our changes help our children not only to score well on tests but also to develop a love for learning that will inspire their imaginations and creativity. This is a difficult balance, but it's one that is already being achieved in many classrooms throughout the State and one we should work together to expand. And because I have visited all of those schools and talked with principals, teachers, and other school staff, I know firsthand that there are truly great things going on in Delaware's classrooms. But we need to do a better job of getting the word out. And Howard Weinberg of the Delaware State Education Association asked me to join with him and his association and the business community to let the people of our State know how many great things are going on in Delaware schools. And that is an invitation I'm excited to accept.

Pressing ahead also means moving forward with our World Language Expansion Initiative. Our students need to master world languages to work with — and compete effectively against — workers around the world. We've already made completion of a world language a graduation requirement. Over the next five years, we're going to create partial immersion programs in twenty schools, where students will spend half the school day learning in another language.

And finally, pressing ahead means acknowledging what research has clearly established — raising student achievement begins before children enter kindergarten. Now, I've heard this message from hundreds of teachers — children receiving quality early care and education are more likely to be successful in school and in life. And investments that promise high yields get my attention and, in the realm of public policy, there is no higher-yield investment than this one. So last spring, we joined together to make some of the most significant investments in early childhood education in our State's history.

And as it turns out, those investments are paying dividends sooner than we expected. The judges of the national Race to the Top Early Learning Challenge noted our commitment and rewarded us with significant additional federal funds. Now, here is our plan: first, the professionals who care for our children will have the proper training; second, the early childcare facilities where our children spend their days will have the best teaching and learning tools; and third, the successes and challenges of centers will be closely

monitored to ensure continual improvement. That's our formula for success and we expect to raise the percentage of high-need children in quality-rated programs from 20 percent to nearly 80 percent over the next four years. And to let us know where our kids stand when they start school, we will introduce a new kindergarten assessment. And I thank DSEA and our kindergarten teachers for their work with us on this initiative.

Now, companies that don't invest wisely wither away and perish. To succeed, we invest in our business-supporting infrastructure, our quality of life, our children, and our workforce. We'll only be able to make these necessary investments if we govern responsibly. And this requires a state government that is innovative, efficient and transparent.

Governments that are open and transparent are more likely to manage taxpayer resources responsibly. And that's why we launched the "I found it cheaper" website to make it easy for state employees to report when our contracts don't offer the best value to taxpayers. And that's why we are making it easier for all Delawareans to access information about their government. When citizens want information, they should get answers, not bureaucratic barriers. And thanks to legislation passed by this General Assembly and an executive order I signed a few months ago, "you've come to the wrong place" will no longer be an acceptable answer to requests for public records from the executive branch of government. And I urge our counties and towns and school districts to join us in this commitment to transparency.

Now, thanks to the leadership of all four caucuses, the General Assembly has made significant progress over the last three years in making the legislative branch more transparent. Legislative committees are now subject to open meeting requirements. Last year, our budget was completed and posted on line well before June 30<sup>th</sup>. Now, transparency also needs to extend to the way the lobbyists do business here at Legislative Hall, which is why my administration will team up with President Pro Tempore DeLuca and Speaker Gilligan, and Majority Leaders Blevins and Schwartzkopf to propose some common sense measures that we hope you will support.

You know, citizens deserve to know who is lobbying and what they are lobbying for. And we will make it so with a new online reporting tool where citizens can see, by piece of legislation, which lobbyists are advocating for their clients. We've been successful in pulling together in tough times in no small part because of faith in the responsiveness of Delaware government. The trust of people in their state government should not be undermined by a perception that lobbyists have hidden access here in Dover.

Now, governing responsibly means governing efficiently. And working closely with the Joint Finance Committee under the leadership of Representative Williams and Senator McDowell, we've eliminated more than a thousand positions in the executive branch. We slashed our vehicle fleet. We renegotiated our leased space to save millions; we stopped unnecessary printing. Last year, we confronted the unsustainable long-term costs associated with our state employee pension and health plans. Now the prospect of these looming costs gave rise to shrill rhetoric and pitched battles in other states. But here, we worked together — my administration, representatives from both parties in both chambers, the leadership of major public employee and public education unions — and we achieved results, a package of reforms that will save the taxpayers more than \$480 million over the next 15 years.

Now, our search for greater efficiency continues with an extensive examination of the criminal justice system. And under the leadership of Lt. Governor Denn and with the participation of Attorney General Biden and law enforcement and the judiciary, we are conducting a thorough review to figure out how we can get the most for the taxpayer dollars that we spend on public safety. We look forward to receiving the recommendations of the Justice Reinvestment Initiative Task Force later this spring and to working with you to implement those reforms that can have the most positive impact.

Now there is one cost driver looms above all others and will swamp all of the savings we achieve elsewhere if not addressed. That's the cost of health care. Last year we increased spending on Medicaid by \$56 million. My budget will recommend an additional \$21.7 million increase for next year. Over the last 10 years, this program alone has grown 127 percent, to the point where federal and state spending together exceed \$1.2 billion each year. The total commitment of taxpayer dollars on health care is staggering. Yet the expectation is that year after year we will continue to pay more for health care, whether we receive quality results or not.

The incentives we have in place in our health care system reward neither efficiency nor quality. These incentives encourage more services and tests, not better results. We've a system that doesn't encourage healthy behavior in patients and doesn't discourage unhealthy behavior. In essence, we don't have a health care system; we have a sick care system.

Now you know, we are not going to solve the national health care debate here in Dover but we can reduce our costs and improve quality by focusing on how the State procures health care. The idea may sound far-fetched, but we've quietly been making progress. For example, we know seniors requiring long-term care often prefer to stay in their homes and that, so long as they get the care at home that they need, the results are often better and less costly. And starting April 1st, we will replace our traditional reliance on institutional care for seniors with a strong emphasis on community living. This will improve care and save money. And I want to thank Secretary Landgraf and her staff for making progress on this important issue.

Our Housing Authority, our Department of Health and Social Services, our Kids Department are using this same approach to improve the quality and reduce the cost of care we provide to those who have traditionally been cared for in our state hospital and to young people aging out of foster care – young people like Mindy and Matt Stevenson and Nicole Byers -- they join us here today because when it comes to issues affecting teenagers aging out of foster care, we will make “no decisions about them without them.” So these three agencies are partnering to provide housing and supportive wrap-around social services so these individuals achieve independence and we will propose to expand this initiative.

Now, the use of technology in health care is critical to improve quality and reduce costs. When you go to the doctor or the hospital in Delaware today, you may find your doctor can access recent lab work and pathology reports instantaneously. And soon your doctor may be able to pull up your prescriptions and x-rays and MRIs. And this allows your doctor to make quicker and better medical judgments and makes it less likely that your doctor will order unnecessary tests. And this use of information technology to provide better, less costly care is increasingly a reality.

Now, a next step to leverage technology is to create a claims and cost database. You know, business leaders have come to understand the key to improving performance is harnessing the capacity of information technology to aggregate and then analyze data. And this database will allow us to figure out why some providers get better results and why some providers create more costs without better results to show for it. We'll be in a position to reward what works and change what doesn't.

And while this innovative technology is important, Delaware's biggest purchaser of health care, the State, needs to insist on incentives for providers that are aligned to improve quality and discourage waste. Taken together, our Medicaid population and our State employees and retirees represent nearly 40 percent of the health insurance market here, accounting for a total of \$1.7 billion of taxpayer expenditures. We look forward to working with the provider community to get these incentives right because the incentives at work today are the wrong ones. And we are pleased that the Delaware Medical Society and Delaware Healthcare Association are already active on this issue and have agreed to work with us.

Now, providers are not the only ones who have roles to play here. Moving from a sick care system to a health care system requires the people that we insure to take responsibility for making healthy choices. We need to encourage them in these choices, for their own sake, and for the sake of all of us who end up absorbing higher health care costs in the form of higher premiums and higher taxes. About two years ago, I created the Governor's Council on Health Promotion and Disease Prevention. They have done some terrific work, as has the Sussex Outdoors Initiative. Some of our institutions of higher education are also working to provide and incentive for their employees to take better care of themselves. We will build on much of this work. And within state government, it's time to make all of our campuses, in their entirety, smoke-free. Otherwise, we are facilitating behavior that is not only harmful to those who engage in it, but that we know, with certainty, will heavily burden future generations of taxpayers.

Now, turning around this cost curve will not be easy and it will take time. But it is work to which we must commit — urgently and earnestly — that we are to put ourselves on a sustainable financial course and retain the freedom to invest in our children and our future.

This is Delaware's time to lead. Creating more and better jobs. Improving our quality of life. Providing the best schools and learning opportunities for our children. Getting the most out of each tax dollar. Strengthening the trust of our people in their government. These are challenges even in ordinary times. We don't live in ordinary times.

Change and challenge accompany us each day. Allen's Family Foods is no longer selling chickens across our region. Now it is part of Harim, selling Delaware poultry into Korea and across Asia. On the former Chrysler site, Delawareans will be building Bloom energy servers to provide clean energy where they once built SUVs and tanks. We can shrink from these challenges, or we can do as a business destined for industry leadership would do and see in this moment an opportunity to change the game in our favor.

The economic ground is shifting under everyone's feet. Others are finding it difficult to adapt. They're pointing fingers rather than pulling together. They are holding each other back rather than lifting each other up. Our history and our culture demonstrate that we do better than that in Delaware. But to take advantage of this moment and build a lasting competitive edge for our State and its people, we've got to do more than simply work with, rather than against, each other. Together, we must act with confidence and imagination.

We can't settle for an economy that is dependent on a handful of major employers. We'll nurture an environment where start-ups and small businesses can experiment and thrive.

We can't settle for schools that are just better-funded versions of the schools we remember from 20 years ago. We'll help the schools that will prepare our children for the jobs 20 years from now.

We can't settle for the sick care system we've inherited from our parents. We'll create a health care system that pays for performance and delivers quality care at a price that families and taxpayers can afford.

I thank each of you, the people of Delaware and the state employees who serve them, for your support over these past three difficult years.

Now, working together, we've kept Delaware moving forward. And now it is time that we forge ahead. With our own hard work as elected leaders, guided by sound judgment and God's blessings, we can secure a better future for our citizens. We can "win in the turns".

This is our time. To look ahead. To leap ahead. To lead.

Thank you."

Mr. Speaker Gilligan thanked the Governor and requested that the duly appointed committee reassemble to escort him back to his Executive Office.

Representative D.P. Williams 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, Richard L. Puffer, reported that he and the Secretary of the Senate had compared their Journals and found them to agree.

Representative D.P. Williams moved that the Joint Session be adjourned at 2:50 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 4:45 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 27** and is returning the same to the House and the Senate has passed **SCR 28** and requests the concurrence of the House.

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

HOUSE ADMINISTRATION - **HB 250** - 5M.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst requested and was granted personal privilege of the floor to make an announcement.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 160**, jointly sponsored by Senator Hall-Long & Senator DeLuca & Senator Blevins & Senator Bushweller & Senator Cloutier & Representative Mulrooney & Representative Mitchell & Representative Bennett & Representative Scott & Senators Henry, Sokola, Peterson, Bunting, Connor, Ennis, Venables, Booth, Lawson, Simpson & Sorenson & Representatives Gilligan, Schwartzkopf, Keeley, Lavelle, Hocker, Kowalko, Osienski, Q. Johnson, Heffernan, Hudson, Miro, Atkins, Barbieri, Viola, Jaques, Schooley, Kenton, Outten, Wilson, Lee, M. Smith, Carson, Ramone, Peterman, Blakey, D. Short & Willis, before the House for consideration.

**SB 160** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (2/3 bill)

Representative Walker made comments.

The roll call on **SB 160** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 160** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 230**, jointly sponsored by Senator Katz, before the House for consideration.

**HB 230** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques introduced and brought **HA 1 to HB 230** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments.

The roll call on **HB 230 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 230 w/HA 1** was sent to the Senate for concurrence.

Representatives Lavelle & Scott made comments. Representative Schwartzkopf deferred to Representative Walker. Representative Walker made comments regarding **SB 160**.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 241**, jointly sponsored by Representative Brady & Representative Bolden & Senator Henry, before the House for consideration.

**HB 241** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF MUNICIPAL ZONING BOARDS OF ADJUSTMENT. (2/3 bill)

Representative Keeley made comments.

The roll call on **HB 241** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 241** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 236**, jointly sponsored by Representative Bolden & Senator Henry, before the House for consideration.

**HB 236** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (3/5 bill)

Representative Keeley made comments.

The roll call on **HB 236** was taken and revealed:

YES: 37.

NO: Representatives Hocker, Kenton & Wilson - 3.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 236** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HA 1 to HB 239**. **HA 1** was placed with the bill.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King introduced and brought **HCR 28**, jointly sponsored by Representative Hudson & Representative Scott & Senator Sokola & Representatives Hocker, Kenton, Lee, Miro, Peterman, Ramone, Wilson, Bennett, Schooley & Viola & Senator Booth, Bushweller, Simpson & Sorenson, before the House for consideration.

**HCR 28** - PROCLAIMING JANUARY 22-28, 2012 AS SCHOOL CHOICE WEEK IN DELAWARE.

Representative Briggs King made comments.

**HCR 28** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:12 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 24, 2012.

The Reading Clerk read the following communications into the record:

September 26, 2011

LEGISLATIVE ADVISORY #17

Governor Jack A. Markell signed the following legislation on the date indicated: 9/14/11 - **HB 197 aab SA 1, SB 98 aab SA 1 & SB 137 aab SA 1**; 9/21/11 - **SB 42 aab SA 1, SB 48 aab SA 2, HB 59 aab HA 1, HS 1 for HB 57 aab HA 1 & HS 1 for HB 58**.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 9/21/11 - **HB 50**.

November 9, 2011

LEGISLATIVE ADVISORY #18

Governor Jack A. Markell signed the following legislation on the date indicated: 10/18/11 - **HB 153**; 10/20/11 - **SB 87 aab SA 1**; 11/1/11 - **HB 208**.

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.

### **7th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session January 24, 2012**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

Mr. Speaker Gilligan led those present in the 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 248** - SCHOOLEY & REPRESENTATIVE KOWALKO & REPRESENTATIVES JAQUES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Educator Licensure and Certification.

**HB 249** - BRADY & REPRESENTATIVE BENNETT & SENATOR MCDOWELL; REPRESENTATIVES GILLIGAN, HOCKER, MITCHELL; SENATORS ENNIS, SOKOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 24 of the Delaware Code Relating to Licensure of Real Estate Service Providers.

**HB 251** - LONGHURST & SENATOR BLEVINS; REPRESENTATIVES ATKINS, BENNETT, BRADY, HEFFERNAN, HUDSON, Q. JOHNSON, KOWALKO, MULROONEY, OSIENSKI, PETERMAN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, VIOLA, WALKER, D.E.WILLIAMS, WILLIS; SENATORS BUSHWELLER, ENNIS, HALL-LONG - REVENUE & FINANCE - An Act to Amend Titles 7 and 30 of the Delaware code Relating to Occupational Licenses and Fees.

**HB 252** - J. JOHNSON & REPRESENTATIVE BARBIERI & SENATOR MCDOWELL; REPRESENTATIVES M. SMITH, HEFFERNAN, KEELEY, MITCHELL, SCHOOLEY; SENATORS

BUSHWELLER, HENRY, SOKOLA, SORENSON - CORRECTIONS - An Act to Amend Volume 77, Chapter 375, Laws of Delaware, Relating to Disposition of Children Pending Adjudication and Payment for Care.

**HB 253** - BARBIERI & REPRESENTATIVE M. SMITH & SENATOR BLEVINS; REPRESENTATIVES HEFFERNAN, KEELEY, SCHOOLEY, B. SHORT, WALKER; SENATORS BUSHWELLER, ENNIS, HALL-LONG, SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Juvenile Competency.

**HB 255** - LAVELLE & REPRESENTATIVE HUDSON & REPRESENTATIVE D. SHORT & SENATOR VENABLES & SENATOR BOOTH; REPRESENTATIVES HOCKER, BRIGGS KING, PETERMAN, WILLIS, B. SHORT; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29, Chapter 104 of the Delaware Code Relating to the Regulatory Feasibility Act.

**HA 1 to HB 222** - JAQUES - Placed with the Bill.

**HA 1 to HB 240** - BENNETT - Placed with the Bill.

**HA 1 to HB 243** - BRIGGS KING - Placed with the Bill.

**HA 1 to HB 250** - SCHWARTZKOPF - Placed with the Bill.

**HA 2 to HB 250** - SCHWARTZKOPF - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst requested and was granted personal privilege of the floor to introduce Angela Andrews and Emily Wengrovius, representing the National Conference of State Legislatures. Representative Atkins requested and was granted personal privilege of the floor to introduce former Representative Robert Walls. Representative Schwartzkopf deferred to Representative Lee. Representative Lee requested and was granted privilege of the floor to present a House Tribute to the 2011 Senior Little League World Series Champions from Laurel. Coach Brad C. Lee addressed the House. Representatives Longhurst, Atkins & Hocker made comments. Team members stated their names and positions for the record. Representative Lavelle made comments. Representative Mitchell made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:26 p.m.

The House reconvened at 4:28 p.m.

Representatives Manolakos, Hudson & M. Smith requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 240**, jointly sponsored by Representative Carson & Representative Hudson & Representative Viola & Senator Henry & Representatives Gilligan, Bolden, Brady, Jaques, Q. Johnson, Keeley, Kenton, Kowalko, Miro, Longhurst, Mitchell, Osienski, Ramone, B. Short, D. Short, Walker & Wilson & Senator Connor & cosponsored by Representatives Barbieri & M. Smith & Senator Cloutier, before the House for consideration.

**HB 240** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES.

Representative Bennett brought **HA 1 to HB 240** before the House for consideration. Representative Bennett made comments. **HA 1** was adopted by voice vote. Representatives Bennett, Blakey, J. Johnson, Lavelle, Bennett, Ramone, Bennett, Miro & Bennett made comments.

The roll call on **HB 240 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 240 w/HA 1** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 239**, jointly sponsored by Senator Sokola & Representatives Gilligan, Bennett, Blakey, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Longhurst, Manolakos, Miro, Mitchell, Outten, Peterman, Ramone, Scott, D. Short, Walker, Willis & Wilson & Senator Bushweller, before the House for consideration.

**HB 239** - AN ACT TO AMEND CHAPTER 15, VOLUME 77 OF THE LAWS OF DELAWARE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.

Representative Schooley brought **HA 1 to HB 239**, jointly sponsored by Representative Kowalko & Representative Jaques, before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 239 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 239 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Outten.

Representative Outten brought **HB 189**, jointly sponsored by Representative Carson & Senator Booth & Senator Lawson & Representatives Lavelle, Hocker, Atkins & Kenton, before the House for consideration.

**HB 189** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A CERTAIN USE OF A HANDGUN.



Representatives Outten & M. Smith made comments. Representative Outten requested and was granted privilege of the floor for David Saveikis, Director, Division of Fish & Wildlife, Department of Natural Resources and Environmental Control. Representatives M. Smith, Keeley, Atkins, Mitchell, Blakey, B. Short, Atkins, Scott, Briggs King & D. Short made comments. Representatives M. Smith, Outten, Briggs King, D. Short, Jaques, Outten, D. Short, Willis & Briggs King made comments.

The roll call on **HB 189** was taken and revealed:

YES: 37.

NO: Representatives Bolden, Heffernan & D.P. Williams - 3.

NOT VOTING: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 189** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced and brought **HCR 29**, jointly sponsored by Senator Sorenson & Senator Cloutier & Representatives Bolden, Briggs King, Kowalko, Manolakos, Mitchell, Schooley & Wilson & Senators Bunting & Peterson, before the House for consideration.

**HCR 29 - PROMOTING EQUAL EMPLOYMENT OPPORTUNITY IN HIRING BY THE STATE OF DELAWARE FOR BLIND AND VISUALLY IMPAIRED INDIVIDUALS.**

Representative Q. Johnson made comments.

**HCR 29** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 250**, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Blevins & Senator Henry & cosponsored by Representatives Lavelle & Hocker, before the House for consideration.

**HB 250 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS.**

Representative Schwartzkopf brought **HA 1 to HB 250** before the House for consideration.

Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Schwartzkopf brought **HA 2 to HB 250** before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representatives Schwartzkopf & Lavelle made comments. Mr. Speaker Gilligan made an announcement. Representatives Lavelle & Schwartzkopf made comments.

The roll call on **HB 250 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 250 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **SCR 28**, jointly sponsored by Senator Sorenson & Senator Blevins on behalf of All Senators & Representative Hudson on behalf of All Representatives, before the House for consideration.

**SCR 28 - ESTABLISHING FEBRUARY 2012 AS TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH IN THE STATE OF DELAWARE.**

WHEREAS, females between the ages 16-24 are more vulnerable to intimate partner violence, experiencing abuse at a rate almost triple the national average; and

WHEREAS, one in three adolescent girls in the United States is a victim of physical, emotional or verbal abuse from a dating partner, a figure that far exceeds victimization rates for other types of violence affecting youth; and

WHEREAS, high school students who experience physical violence in a dating relationship are more likely to use drugs and alcohol, are at greater risk of suicide and are much more likely to carry patterns of abuse into future relationships; and

WHEREAS, nearly half of teens who experience dating violence report that incidents of abuse took place in a school building or on school grounds; and

WHEREAS, by providing education about healthy relationships, and consistent and effective response that promotes victim safety, we recognize that dating violence can be reduced; and

WHEREAS, the establishment of Teen Dating Violence Prevention and Awareness Month will benefit young people, their families, schools and communities regardless of socio-economic status, gender, sexual orientation or ethnicity; and

WHEREAS, everyone has the right to a safe and healthy relationship and to be free from abuse.

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 146<sup>th</sup> General Assembly of the State of Delaware, the House concurring therein, that February 2012 is Teen Dating Violence Prevention and Awareness Month throughout the state of Delaware.

BE IT FURTHER RESOLVED that the Delaware General Assembly hereby urges middle and high schools, law enforcement, local and State officials, and interested groups to observe the month with appropriate activities that promote awareness and prevention of the crime of teen dating violence in our communities.

Representative Barbieri made comments.

**SCR 28** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:25 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 25, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 166 w/SA 1 & SCR 27** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **SB 158 & SB 165** and is returning the 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.

**8th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
January 25, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Manolakos & D.P. Williams - 2.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan led those present in the 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 254** - MIRO & REPRESENTATIVE OSIENSKI & SENATOR SOKOLA;

REPRESENTATIVES PETERMAN, BRADY, M. SMITH; SENATOR SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 265** - HUDSON & REPRESENTATIVE BRIGGS KING & REPRESENTATIVE B. SHORT & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BENNETT, BOLDEN, MANOLAKOS, RAMONE, GILLIGAN, J. JOHNSON, Q. JOHNSON, KEELEY, LONGHURST, WALKER, D.E. WILLIAMS; SENATORS CLOUTIER, CONNOR, DELUCA, ENNIS, HALL-LONG, HENRY, PETERSON, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Coverage for Oral and Intravenous Anticancer Medications.

**SB 158** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Repeal Certain Laws Relating to Various Boards, Councils, Committee and Corporations.

**SB 165** - BUSHWELLER & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Related to the Mayor and City Council. (2/3 bill)

**SB 166 w/SA 1** - BUSHWELLER & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Regarding Financial Affairs - General Assessment; Levy on Utility Property. (2/3 bill)

Representative Jaques requested and was granted personal privilege of the floor to make an announcement and to introduce guests. Representative Mitchell requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communication into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #55**

DATE: January 25, 2012

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                                             |
|-----------|-----------------------------------|------------|------|---------------------------------------------------------|
| H146-1111 | Schwartzkopf                      | 3/10/2012  | T    | Jordan Banks - Eagle Scout                              |
| H146-1112 | B. Short                          | 12/30/2011 | M    | Dolores Amendola Lebeis                                 |
| H146-1113 | Carson                            | 12/19/2011 | T    | Melquiades Reyes - Retirement - DelDOT                  |
| H146-1114 | Carson; Willis                    | 1/2/2012   | T    | Isaac Willis - Fire Chief - Installation                |
| H146-1115 | Carson                            | 12/17/2011 | M    | Iona Durham                                             |
| H146-1116 | Outten                            | 12/16/2011 | M    | Donna R. Sullivan                                       |
| H146-1117 | Wilson                            | 12/30/2011 | T    | David Duke - Retirement - DelDOT                        |
| H146-1118 | Kenton                            | 10/27/2011 | T    | Southern Grille of Ellendale - Grand Opening            |
|           | cosponsor: Rep. Wilson            |            |      |                                                         |
| H146-1119 | Kenton; Peterman                  | 12/21/2011 | M    | Bruce Sharp                                             |
| H146-1120 | Peterman                          | 1/9/2012   | T    | Dr. Sylvia Henderson - Elementary Principal of the Year |
|           | cosponsors: Reps. Kenton & Wilson |            |      |                                                         |
| H146-1121 | Viola                             | 12/31/2011 | T    | Anne Fitzgerald - Retirement - Dept. of Agriculture     |

|           |                                                       |            |   |                                                  |
|-----------|-------------------------------------------------------|------------|---|--------------------------------------------------|
| H146-1122 | Bennett                                               | 12/21/2011 | M | Betsy Koch Matone                                |
| H146-1123 | Kenton;<br>Wilson                                     | 12/21/2011 | M | John H. Plummer                                  |
| H146-1124 | Hudson;<br>M. Smith                                   | 1/1/2012   | T | Lisa Goodman & Drewry Fennell - Civil Union      |
| H146-1125 | Kenton;<br>Wilson                                     | 12/23/2011 | M | Harold C. Wyatt, Sr.                             |
| H146-1126 | D.P. Williams;<br>Heffernan                           | 12/22/2011 | M | Marsha Ablove Lee                                |
| H146-1127 | Outten<br>cosponsors: Reps. Peterman, Kenton & Wilson | 1/3/2012   | M | Cynthia L. Hughes                                |
| H146-1128 | Peterman                                              | 1/7/2012   | T | David Olmstead - Eagle Scout                     |
| H146-1129 | Carson                                                | 12/26/2011 | T | Harriet Bradley - 90th Birthday                  |
| H146-1130 | Kenton<br>cosponsors: Reps. Outten, Wilson & Peterman | 12/27/2011 | M | Herschel W. Billings                             |
| H146-1131 | Wilson                                                | 9/30/2011  | T | Jack & Barbara Taylor - 50th Wedding Anniversary |
| H146-1132 | Bolden                                                | 12/27/2011 | M | Margaret Hill                                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: January 25, 2012

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                                                |
|-----------|-----------------------------------------------|------------|------|------------------------------------------------------------|
| H146-1133 | Hudson<br>D.E. Williams                       | 12/17/2011 | M    | Ann Mayfield Porter                                        |
| H146-1134 | Outten                                        | 12/30/2011 | M    | Peggy Mills-Ivins                                          |
| H146-1135 | Outten                                        | 12/30/2011 | M    | Grace Ida Kersey                                           |
| H146-1136 | Outten                                        | 12/29/2011 | M    | Dorothy M. O'Day                                           |
| H146-1137 | D.P. Williams;<br>J. Johnson                  | 12/28/2011 | M    | Margaret Byrd                                              |
| H146-1138 | Longhurst<br>cosponsor: Rep. Q. Johnson       | 1/14/2012  | T    | Daniel Barry - Eagle Scout                                 |
| H146-1139 | Wilson<br>cosponsor: Rep. Kenton              | 12/28/2011 | M    | Minos James Wilson, Sr.                                    |
| H146-1140 | Keeley<br>cosponsor: Rep. Bolden              | 12/30/2011 | T    | Stella Dunning - Beacon of Light Award                     |
| H146-1141 | Schwartzkopf                                  | 12/29/2011 | M    | Harry Bonk                                                 |
| H146-1142 | Briggs King                                   | 12/30/2011 | T    | William Lecates - Retirement - Sussex County               |
| H146-1143 | Manolakos;<br>Jaques; Miro                    | 1/8/2012   | T    | Brig. Gen. John Merritt - Retirement - Air National Guard  |
| H146-1144 | Hocker                                        | 2/14/2012  | T    | Albert & Lulu Daisey - 70th Wedding Anniversary            |
| H146-1145 | D. Short                                      | 1/6/2012   | T    | Dr. Russell Knorr - Retirement - Seaford School Dist.      |
| H146-1146 | Q. Johnson                                    | 1/14/2012  | T    | David Hall, Sr. - EMT of the Year - Townsend Fire Co.      |
| H146-1147 | Q. Johnson                                    | 1/14/2012  | T    | Patrick Gilcrest - Fireman of the Year - Townsend Fire Co. |
| H146-1148 | Heffernan                                     | 1/19/2012  | T    | Charles & Dorothy Palmer - 65th Wedding Anniversary        |
| H146-1149 | Briggs King                                   | 1/2/2012   | M    | Tracy Lee Elmore                                           |
| H146-1150 | Lavelle<br>cosponsor: Rep. Bolden             | 1/17/2012  | T    | Rebecca Stahl - Unsung Hero - Communities in Schools       |
| H146-1151 | Scott;<br>Carson                              | 12/31/2011 | M    | Anna M. Riddagh                                            |
| H146-1152 | Carson                                        | 1/3/2012   | M    | Marian L. Hand                                             |
| H146-1153 | Kenton<br>cosponsors: Reps. D. Short & Wilson | 1/16/2012  | T    | Bernice Edwards - MLK, Jr. - Community Recognition Award   |
| H146-1154 | Outten                                        | 1/6/2012   | M    | Nolan Quillen Sylvester                                    |
| H146-1155 | Outten                                        | 1/5/2012   | M    | Leon Dewey Smith, Sr.                                      |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Bolden. Representative Bolden requested and was granted privilege of the floor to present a House Tribute to John Watson, former host of a WILM Radio talk show, who addressed the House. Representative Keeley requested and was granted personal privilege of the floor to make comments. Representative Kowalko requested and was granted personal privilege of the floor to make comments. Representatives Brady & J. Johnson made comments.

Representative J. Johnson made comments. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Walker.

Representatives Scott, Miro & Mulrooney requested that they be marked present.

Representative Walker introduced and brought **HCR 30**, jointly sponsored by Senator Hall-Long & Senator Katz & Representatives Barbieri, Bennett, Bolden, Briggs King, Carson, Hudson, Jaques, Keeley, Kenton, Kowalko, Miro, Mitchell, Osienski, Ramone, D. Short, Viola, Willis & Wilson & Senators Booth, Simpson & Sokola, before the House for consideration.

**HCR 30** - RECOGNIZING THE WEEK OF JANUARY 22ND TO JANUARY 28TH AS NATIONAL NURSE ANESTHETISTS WEEK.

Representative Walker made comments and introduced guests.

**HCR 30** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Outten.

Representative Ramone requested that he be marked present.

Representative Outten introduced brought **SCR 27**, jointly sponsored by Senator Bonini & Senators Booth, Connor, Lawson & Sorenson & Representatives Briggs King, Hocker, Hudson, Peterman, Willis & Wilson, before the House for consideration.

**SCR 27** - DESIGNATING FEBRUARY 6, 2012 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE.

**SCR 27** was adopted by voice vote and was returned to the Senate.

Representative Lee requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:27 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:27 p.m. on January 25, 2012: Representatives Briggs King, Hudson & B. Short.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 26, 2012.

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

JUDICIARY: **HB 245** - 7M.

EDUCATION: **HB 243** - 9M.

HOUSE ADMINISTRATION: **SB 96** - 5M; **HB 204** - 5M; **HB 238** - 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 227** - 7M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 242** - 7M.

NATURAL RESOURCES: **HB 235** - 11M; **SJR 8 w/SA 1** - 9M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 30** and is returning the same to the House.

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.

### **9th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session January 26, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representatives Manolakos - 1.

A prayer was offered by Representative Stephanie T. Bolden, Second Representative District.

Mr. Speaker Gilligan led those present in the 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 256** - SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & REPRESENTATIVE LAVELLE & REPRESENTATIVE HOCKER & SENATOR DELUCA & SENATOR BLEVINS & SENATOR HENRY & SENATOR SIMPSON & SENATOR SORENSON; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BLAKEY, BOLDEN, BRADY, BRIGGS KING, CARSON, HEFFERNAN, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KENTON, LEE, MANOLAKOS, MIRO, MITCHELL, MULROONEY, OSIENSKI, OUTTEN, PETERMAN, RAMONE, SCHOOLEY, SCOTT, B. SHORT, D. SHORT, M. SMITH, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILLIS, WILSON; SENATORS BOOTH, BUNTING, BUSHWELLER, CLOUTIER, CONNOR, ENNIS, HALL-LONG, KATZ, LAWSON, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VENABLES - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 257** - GILLIGAN & SENATOR DELUCA; REPRESENTATIVES VIOLA, LAVELLE; SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 and Title 30 of the Delaware Code Relating to Denial or Suspension of Professional and Occupational Licenses.

**HA 2 to HB 222** - JAQUES - Placed with the Bill.

**HA 1 to HB 238** - SCOTT - Placed with the Bill.

**HA 1 to HB 246** - MIRO - Placed with the Bill.

**HA 2 to HB 246** - CARSON - Placed with the Bill.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan who requested that Ann McLaughlin and Representative Peterman join him at the podium. Mr. Speaker Gilligan presented a House Tribute to Ann McLaughlin on the occasion of her retirement from the Office of the Controller General. Mr. Speaker Gilligan introduced members of Mrs. McLaughlin's family and former Senator Nancy Cook. Representative Peterman addressed the House. Mrs. McLaughlin addressed the House. Representatives Scott & M. Smith requested that they be marked present. Representative Bolden requested and was granted personal privilege of the floor to introduce a guest. Representative Bennett requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 32**, jointly sponsored by Senator Blevins & Senator Hall-Long & Representatives Barbieri, Bolden, Briggs King, Hocker, Hudson, Jaques, Mitchell, Osienski, Ramone, Schooley, Walker, D.E. Williams & Willis & Senators Bushweller, Connor, Sokola & Sorenson, before the House for consideration.

**HCR 32** - PROCLAIMING THE WEEK OF FEBRUARY 12-18, 2012 AS "CHILDREN OF ALCOHOLICS WEEK" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION FOR "CHILDREN OF ALCOHOLICS WEEK."

Representative Longhurst made comments and introduced a guest.

**HCR 32** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King introduced and brought **HCR 31**, jointly sponsored on behalf of All Representatives and Senator Booth on behalf of All Senators, before the House for consideration.

**HCR 31** - PROCLAIMING FEBRUARY AS CHILDREN'S DENTAL HEALTH MONTH.

Representative Briggs King made comments.

**HCR 31** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott requested privilege of the floor to present a House Tribute to David Bonar on the occasion of his retirement from the Public Service Commission, Department of State. Mr. Bonar addressed the House. Representative Mulrooney requested that he be marked present.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced **HB 260**, jointly sponsored by Representative Gilligan & Senator DeLuca & Representatives Schwartzkopf & Longhurst & Senators Blevins, Henry & Venables.

**HB 260** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; 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.

Mr. Speaker Gilligan assigned **HB 260** to the Capital Infrastructure Committee. Representative Keeley made comments and an announcement regarding **HB 260**. Mr. Speaker Gilligan made an announcement.

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

The House reconvened at 4:21 p.m.

The Reading Clerk read the following communication into the record:

January 26, 2012

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent from Legislative Session, today January 26, 2012, due to illness. Thank you for your understanding.

Sincerely,  
Nicholas T. Manolakos  
State Representative  
20<sup>th</sup> District

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 222**, jointly sponsored by Representative J. Johnson & Representative Kowalko & Representative Osienski & Senator Henry, before the House for consideration.

**HB 222 - AN ACT TO AMEND TITLE 19 RELATING TO THE WORKPLACE FRAUD ACT.**

Representative Jaques brought **HA 1 to HB 222** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques brought **HA 2 to HB 222** before the House for consideration. Representative Jaques made comments. **HA 2** was adopted by voice vote. Representative Jaques made comments. Representative Lavelle requested that he be marked present and made comments. Representative Jaques made comments.

The roll call on **HB 222 w/HA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Heffernan, Manolakos, B. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 222 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Lavelle.

Representative Lavelle brought **SB 96**, jointly sponsored by Senator McDowell & Representative Schwartzkopf, before the House for consideration.

**SB 96 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PARKS AND RECREATION COUNCIL.**

Representative Lavelle made comments.

The roll call on **SB 96** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & B. Short - 2.

Therefore, having received a constitutional majority, **SB 96** was returned to the Senate.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 238**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Bolden, Hocker, Hudson, Keeley, Kenton, Miro, Osienski, Viola & Walker & Senators Ennis, Hall-Long, Sokola & Sorenson & cosponsored by Representative Peterman, before the House for consideration.

**HB 238 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND TO LICENSES AND PERMITS FOR MILITARY SPOUSES.**

Representative Scott brought **HA 1 to HB 238** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representative Scott made comments.

The roll call on **HB 238 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 238 w/HA 1** was sent to the Senate for concurrence.

Representatives Schwartzkopf, Lavelle & Jaques made comments. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **SB 152**, jointly sponsored by Senator Ennis & Representative Mitchell, before the House for consideration.

**SB 152 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSES.**

Representative D. Short made comments.

The roll call on **SB 152** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 152** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **SB 165**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Scott brought **SB 165**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 165 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATED TO THE MAYOR AND CITY COUNCIL. (2/3 bill)**

Representatives Scott & D.P. Williams made comments.

The roll call on **SB 165** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**SB 165** was returned to the Senate.

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

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone introduced and brought **HR 26**, jointly sponsored by Representative Keeley on behalf of All Representatives, before the House for consideration.

**HR 26** - CELEBRATING THE WEEK OF JANUARY 29TH THROUGH FEBRUARY 5TH AS CATHOLIC SCHOOLS WEEK IN DELAWARE.

Representatives Ramone and Keeley made comments. **HR 26** was adopted by voice vote.

Representative Ramone made comments regarding **HR 26**.

The Majority Leader moved to recess to the call of the Chair at 4:52 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 13, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 163** and requests the concurrence of the House and the Senate has passed **HB 250 w/HA 1 & 2** and is returning the same to the House. The Senate has passed **SB 164 w/SA 1**, **SB 153 w/SA 1 & SCR 26** and requests the concurrence of the House and the Senate has passed **HB 241**, **HB 136 w/HA 1 & SA 1**, **HCR 28**, **HCR 29**, **HCR 31 & HCR 32** and is returning the same to the House.

January 31, 2012

#### LEGISLATIVE ADVISORY # 19

Governor Jack A. Markell signed the following legislation on the date indicated: 1/19/12 - **HJR 9**; 1/25/12 - **SB 160**; 1/26/12 - **HJR 10**, **SB 80 aab SA 1 & SB 120**; 1/30/12 - **HB 135 & HB 134**.

February 9, 2012

#### LEGISLATIVE ADVISORY # 20

Governor Jack A. Markell signed the following legislation on the date indicated: 2/3/12 - **SB 96**, **HB 250 aab HA 1 & 2**; 2/6/12 - **HB 241**, **SB 152 & SB 165**.

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.

### 10th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session March 13, 2012

The Chief Clerk called the roll:

Members Present: 40.

Representative D.P. Williams - 1.

A prayer was offered by Representative Harold J. Peterman, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the 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:

March 8, 2012

**HB 258** - BENNETT & SENATOR PETERSON & SENATOR CLOUTIER;  
REPRESENTATIVES GILLIGAN, ATKINS, BRADY, CARSON, HOCKER, HUDSON, Q. JOHNSON, KEELEY, KENTON, KOWALKO, LONGHURST, MIRO, MITCHELL, MULROONEY, PETERMAN, RAMONE, SCHWARTZKOPF, B. SHORT, D. SHORT, VIOLA, D.P. WILLIAMS, WILSON;  
SENATORS BUNTING, CONNOR, ENNIS, HENRY, KATZ, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 25 of the Delaware Code Relating to Liens.

**HB 259** - KEELEY & SENATOR BLEVINS; REPRESENTATIVES HEFFERNAN, JAQUES, KENTON; SENATORS BUNTING, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Off-Highway Vehicles.

**HB 261** - LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES BRIGGS KING, CARSON, HUDSON, JAQUES, OSIENSKI, D. SHORT - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 26 of the Delaware Code Relating to Termination of Utility Service or Sale.

**HB 262** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES J. JOHNSON, KENTON, LEE, MITCHELL, WALKER, WILSON; SENATORS HALL-LONG, HENRY, VENABLES - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to Hazardous Duty Pay.

**HB 263** - Q. JOHNSON & REPRESENTATIVE JAQUES & SENATOR BUNTING;  
REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BLAKEY, BOLDEN, BRADY, BRIGGS KING, CARSON, GILLIGAN, HEFFERNAN, HOCKER, HUDSON, J. JOHNSON, KEELEY, KENTON, KOWALKO, LAVELLE, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, MULROONEY, OSIENSKI, OUTTEN, PETERMAN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, M. SMITH, VIOLA, WALKER, D.E. WILLIAMS, D.P. WILLIAMS, WILLIS, WILSON; SENATORS BLEVINS, BONINI, BOOTH, BUSHWELLER, CLOUTIER, CONNOR, DELUCA, ENNIS, HALL-LONG, HENRY, KATZ, LAWSON, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, SORENSON, VENABLES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles. (3/5 bill)

**HB 264** - BARBIERI & REPRESENTATIVE PETERMAN & SENATOR CLOUTIER; REPRESENTATIVES BOLDEN, HOCKER, Q. JOHNSON, SCHOOLEY, M. SMITH, WALKER, WILSON; SENATORS SOKOLA, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to General Regulatory Provisions.

**HB 266** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES J. JOHNSON, KENTON, LEE, MITCHELL, WALKER, WILSON; SENATORS HALL-LONG, HENRY, SIMPSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Refund of Fines Upon Reversal of Conviction.

**HB 267** - J. JOHNSON & SENATOR HENRY; REPRESENTATIVES BOLDEN, MITCHELL, D. SHORT; SENATOR ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Travel Expenses for Elected County Officials.

**HB 268** - SCHOOLEY & REPRESENTATIVE BENNETT & SENATOR SOKOLA & SENATOR CLOUTIER & SENATOR HENRY; REPRESENTATIVES M. SMITH, HEFFERNAN, HUDSON, KENTON, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, MIRO, OSIENSKI, RAMONE, SCOTT, D. SHORT, WALKER, WILLIS; SENATORS BLEVINS, BUNTING, CONNOR, KATZ, MARSHALL, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Bullying.

**HB 269** - BOLDEN & SENATOR SORENSON; REPRESENTATIVES JAQUES, KEELEY, KENTON, LONGHURST, MITCHELL, M. SMITH; SENATORS CONNOR, HALL-LONG, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Powers and Duties of the Department of Services for Children, Youth and Their Families.

**HB 270** - OSIENSKI & SENATOR SOKOLA; REPRESENTATIVES BOLDEN, HEFFERNAN, HOCKER, HUDSON, KENTON, LAVELLE, MIRO, RAMONE, VIOLA, WALKER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 272** - VIOLA & SENATOR DELUCA; REPRESENTATIVES BENNETT, BRADY, CARSON, HEFFERNAN, MITCHELL; SENATOR BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Investigative Services Officers.

**HJR 11** - SCHOOLEY & SENATOR HALL-LONG; REPRESENTATIVES BENNETT, BRIGGS KING, HEFFERNAN, HOCKER, HUDSON, KEELEY, KENTON, KOWALKO, OSIENSKI, OUTTEN, WALKER, WILSON; SENATORS BUNTING, ENNIS, SOKOLA - HEALTH & HUMAN DEVELOPMENT - Proclaiming March 2012 National Nutrition Month.

The following prefiled legislation was introduced:

**HA 1 to HB 245** - HEFFERNAN - Placed with the Bill.

**SB 164 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE HEFFERNAN & REPRESENTATIVE JAQUES & REPRESENTATIVE SCOTT; SENATORS BLEVINS, HALL-LONG, HENRY, KATZ, BUNTING, BUSHWELLER, ENNIS, VENABLES, CLOUTIER, SORENSON, BONINI; REPRESENTATIVES BARBIERI, BENNETT, BOLDEN, HUDSON, Q. JOHNSON, KENTON, KOWALKO, MANOLAKOS, MIRO, MITCHELL, OSIENSKI, RAMONE, B. SHORT, WALKER - EDUCATION - An Act to Amend Chapter 7, Volume 78, Laws of Delaware, Relating to Public Education.

The Reading Clerk read the following communication into the record:

March 13, 2012

The Honorable Robert F. Gilligan

Speaker of the House

House of Representatives

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

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

Thank you.

Sincerely,

Dennis P. Williams

State Representative

First District

Representative Schwartzkopf deferred to Representative J. Johnson. The House observed a moment of silence in memory of Reverend Maurice J. Moyer at the request of Representative J. Johnson. Representative Schwartzkopf deferred to Representative M. Smith. Representative M. Smith requested and was granted personal privilege of the floor to make an announcement. Representatives Lavelle & Schwartzkopf made comments. Representative Schwartzkopf, Mr. Speaker Gilligan & Representative Miro made announcements. Representative Schwartzkopf deferred to Representatives Bennett. Representative Bennett requested privilege of the floor for himself and Representative Blakey to present a House Tribute to Thomas Weyant, Kent County Register of Wills, on the occasion of his retirement. Representative Blakey made comments. Mr. Weyant introduced guests and addressed the House. Representative Wilson made comments. Representative Schwartzkopf deferred to Representative M. Smith. Representative M. Smith



requested privilege of the floor to present House Tributes to Sam Lathem, representing the AFL-CIO and Gwen Lane, President, APWU/Wilmington Delaware Postal Workers, for their work in fighting the closing of the Hares Corner US Postal Processing Center. Representative Kowalko made comments. Representative Brady made a comment. Representative Q. Johnson requested that he be marked present. Representative Lavelle made an announcement. Representative Longhurst made comments and introduced a guest. Representative Longhurst presented Easter Seals' Purple Lily Award to Representative Scott. Representatives Scott, Longhurst, Brady, Schwartzkopf, Kenton, Wilson, Willis, Schwartzkopf, Lavelle, Schwartzkopf, Ramone, Schwartzkopf & Lavelle made comments. Representative M. Smith requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:43 p.m.

The House reconvened at 4:47 p.m.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought **HB 246**, jointly sponsored by Representative Viola, & Senator Sorenson & Senator Connor & Representatives Lavelle, Hocker, Hudson, Peterman, Ramone, D. Short, Willis, Wilson, Jaques, Mitchell & Osienski & Senator Sokola & cosponsored by Representative Kenton, before the House for consideration.

**HB 246** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHING A YELLOW DOT MEDICAL INFORMATION ALERT PROGRAM.

Representative Miro moved to place **HB 246** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 245**, jointly sponsored by Senator Sokola & Representatives Q. Johnson, Keeley & Mitchell, before the House for consideration.

**HB 245** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ADOPTION OF PEOPLE FIRST LANGUAGE IN AND THE REMOVAL OF INSENSITIVE AND OFFENSIVE LANGUAGE FROM THE CRIMINAL CODE.

Representative Heffernan brought **HA 1 to HB 245** before the House for consideration. Representative Heffernan made comments. **HA 1** was adopted by voice vote. Representative Heffernan made comments.

The roll call on **HB 245 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 245 w/HA 1** was sent to the Senate for concurrence.

Representatives Hudson & Mulrooney requested that they be marked present during the roll call. Representative Heffernan made comments regarding **HB 245 w/HA 1**.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 235**, jointly sponsored by Representative Carson & Senator Bunting & Representatives Atkins, Bolden, Brady, Briggs King, Heffernan, Hudson, Jaques, Keeley, Kenton, Kowalko, Longhurst, Manolacos, Miro, Mitchell, Peterman, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, Willis & Wilson & Senators Connor, Hall-Long, McBride & Sokola, before the House for consideration.

**HB 235** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS.

Representative Bennett made comments.

The roll call on **HB 235** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 235** was sent to the Senate for concurrence.

Representative Longhurst requested and was granted personal privilege of the floor for Representative Mitchell to relate an anecdote about his son's heroic efforts in saving two lives. Representative J. Johnson made comments. Representative Keeley requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf made comments.

Representative Q. Johnson introduced **HA 1 to SJR 8**. **HA 1 to SJR 8** was placed with the resolution. Representative Schwartzkopf deferred to Representative Kowalko. Representatives Kowalko, M. Smith & Brady made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:08 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 14, 2012.

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.

**11th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
March 14, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Keeley - 1.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District. Mr. Speaker Gilligan led those present in the 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 273** - BRIGGS KING & SENATOR BOOTH; REPRESENTATIVES LAVELLE, LEE, D. SHORT, WILSON, BRADY, KEELEY, MITCHELL, B. SHORT, WALKER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to a Financial Literary Program for High School Seniors.

Representatives Blakey & Bolden requested that they be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: March 14, 2012

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                                                                                                                         |
|-----------|-----------------------------|------------|------|-------------------------------------------------------------------------------------------------------------------------------------|
| H146-1156 | Jaques;<br>M. Smith         | 1/7/2012   | T    | Norman Spector & George Everett - Civil Union                                                                                       |
| H146-1157 | Hocker;<br>Kenton           | 1/7/2012   | T    | David Baker - Retirement - Sussex Co.                                                                                               |
| H146-1158 | Schooley                    | 12/22/2011 | T    | cosponsors: Reps. Atkins, Lee, D. Short, Briggs King, Wilson & Schwartzkopf<br>Dennis & Margaret Withrow - 60th Wedding Anniversary |
| H146-1159 | D.E. Williams               | 12/29/2011 | T    | Bob & Kate Cummings - 50th Wedding Anniversary                                                                                      |
| H146-1160 | Kowalko                     | 1/20/2012  | T    | Deborah Jastrebski - R. W. Johnson Foundation - Community Health Leader                                                             |
| H146-1161 | Q. Johnson                  | 1/14/2012  | T    | cosponsor: Rep. Longhurst<br>Clarence Schwatka - 75 Years - Townsend Fire Co.                                                       |
| H146-1162 | Q. Johnson                  | 1/14/2012  | T    | cosponsor: Rep. Walker<br>Beulah Schwatka - 61 Years - Townsend Fire Co.                                                            |
| H146-1163 | Scott                       | 1/23/2012  | T    | Ladies Auxiliary<br>David Bonar - Retirement - Dept. of State                                                                       |
| H146-1164 | Keeley;<br>Brady            | 1/5/2012   | M    | cosponsors: Reps. Bennett, Blakey, Carson & Willis<br>Mary Elizabeth Prospero                                                       |
| H146-1165 | D.P. Williams;<br>Heffernan | 1/15/2012  | T    | Gladys Gewirtz - Leadership - Adas Kodesch Shel Emeth                                                                               |
| H146-1166 | Peterman                    | 1/25/2012  | T    | Judy Mills - Retirement - Dept. of Technology & Information                                                                         |
| H146-1167 | Mitchell                    | 1/19/2012  | T    | John Goss - 90th Birthday                                                                                                           |
| H146-1168 | Kenton                      | 1/11/2012  | M    | Frances F. Millman                                                                                                                  |
| H146-1169 | Hudson                      | 1/8/2012   | M    | cosponsor: Rep. Wilson<br>Jay Otis Newlon, Jr.                                                                                      |
| H146-1170 | Outten                      | 1/11/2012  | M    | Genevieve Melvina Good                                                                                                              |
| H146-1171 | Kenton                      | 9/23/2011  | T    | Agnes Patterson - Rehoboth Beach Writers Guild                                                                                      |
| H146-1172 | Peterman                    | 1/14/2012  | M    | cosponsors: Reps. Schwartzkopf, Wilson, Briggs King, Hocker<br>Chester C. Coffin                                                    |

HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: March 14, 2012

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                                                            |
|-----------|-----------------------|-----------|------|------------------------------------------------------------------------|
| H146-1173 | Outten                | 1/27/2012 | T    | Richard Lindale - 50th Birthday                                        |
| H146-1174 | D. Short              | 1/19/2012 | T    | cosponsor: Rep. Wilson<br>Dr. Peter Wagner - Commissioning Apostles    |
| H146-1175 | Willis; Carson        | 1/11/2012 | M    | Steven Douglas Chillas, Sr.                                            |
| H146-1176 | Wilson                | 1/11/2012 | M    | Carlton H. Melvin                                                      |
| H146-1177 | Gilligan              | 1/13/2012 | M    | cosponsor: Rep. Outten<br>Charles E. Smith, Sr.                        |
| H146-1178 | Keeley;<br>J. Johnson | 1/13/2012 | M    | cosponsors: Reps. Bolden, J. Johnson & D.P. Williams<br>Hugh J. Kenney |
| H146-1179 | Hudson;               | 1/6/2012  | M    | Jeanne Knatz Tigani                                                    |

|           |                          |           |   |                                                     |
|-----------|--------------------------|-----------|---|-----------------------------------------------------|
|           | Brady                    |           |   |                                                     |
| H146-1180 | Mitchell                 | 1/20/2012 | T | Sr. Cpl. Scott Simpson - Retirement - NCCPD         |
| H146-1181 | Manolakos                | 1/20/2012 | T | Sr. Lt. Gerard Donovan - Retirement - NCCPD         |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1182 | Q. Johnson               | 1/20/2012 | T | Sr. Cpl. Joseph Berg - Retirement - NCCPD           |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1183 | Kowalko                  | 1/20/2012 | T | Sr. Sgt. Joseph Fitzgerald III - Retirement - NCCPD |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1184 | Mitchell                 | 1/20/2012 | T | Sr. Cpl. George Bell - Retirement - NCCPD           |
| H146-1185 | Mitchell                 | 1/20/2012 | T | Sr. Cpl. Michelle Hinson - Retirement - NCCPD       |
| H146-1186 | Mitchell                 | 1/20/2012 | T | Sr. Cpl. David Devine - Retirement - NCCPD          |
| H146-1187 | Mitchell                 | 1/20/2012 | T | Sr. Sgt. Gary Taylor - Retirement - NCCPD           |
| H146-1188 | Q. Johnson               | 1/20/2012 | T | Sr. Cpl. Scott Twigg - Retirement - NCCPD           |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1189 | Lavelle                  | 1/20/2012 | T | Col. Michael McGowan - Retirement - NCCPD           |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1190 | D.E. Williams            | 1/20/2012 | T | Sr. Cpl. Scott Rittenhouse - Retirement - NCCPD     |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |
| H146-1191 | Gilligan                 | 1/20/2012 | T | Sr. Cpl. James Fitzgerald - Retirement - NCCPD      |
|           | cosponsor: Rep. Mitchell |           |   |                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #59

DATE: March 14, 2012

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>                                           |
|---------------|---------------------------------------|-------------|-------------|--------------------------------------------------------------|
| H146-1192     | Ramone                                | 1/20/2012   | T           | Sr. Cpl. Cristina Ruiz - Retirement - NCCPD                  |
|               | cosponsor: Rep. Mitchell              |             |             |                                                              |
| H146-1193     | Jaques                                | 1/20/2012   | T           | Sr. Sgt. Robert Schlecker - Retirement - NCCPD               |
|               | cosponsor: Rep. Mitchell              |             |             |                                                              |
| H146-1194     | Mitchell                              | 1/20/2012   | T           | Sr. Cpl. Jeffrey Carey - Retirement - NCCPD                  |
| H146-1195     | Willis                                | 1/20/2012   | T           | Sr. Cpl. Philip Davis - Retirement - NCCPD                   |
|               | cosponsor: Rep. Mitchell              |             |             |                                                              |
| H146-1196     | Mitchell                              | 1/20/2012   | T           | Sr. Cpl. Terrance O'Connor - Retirement - NCCPD              |
| H146-1197     | Mitchell                              | 1/20/2012   | T           | Sr. Sgt. Andrea Hyden - Retirement - NCCPD                   |
| H146-1198     | Miro                                  | 1/20/2012   | T           | Sr. Sgt. Gary Worthy - Retirement - NCCPD                    |
|               | cosponsor: Rep. Mitchell              |             |             |                                                              |
| H146-1199     | Mitchell                              | 1/20/2012   | T           | Sr. Cpl. Joseph Lavelle - Retirement - NCCPD                 |
| H146-1200     | Wilson                                | 1/11/2012   | M           | Kenneth P. West                                              |
|               | cosponsor: Rep. Kenton                |             |             |                                                              |
| H146-1201     | Peterman                              | 2/4/2012    | T           | Duane & Connie Fox - 50th Wedding Anniversary                |
|               | cosponsors: Reps. Kenton & Wilson     |             |             |                                                              |
| H146-1202     | Carson;                               | 1/17/2012   | T           | Civil Air Patrol - 70th Anniversary                          |
|               | D.E. Williams                         |             |             |                                                              |
| H146-1203     | Carson                                | 1/14/2012   | M           | Maude S. Lucks                                               |
|               | cosponsors: Reps. Briggs King & Scott |             |             |                                                              |
| H146-1204     | Brady                                 | 1/9/2012    | M           | Howard K. Toliver                                            |
| H146-1205     | Blakey                                | 1/20/2012   | T           | Delaware State University Aviation Program - Accomplishments |
| H146-1206     | Bennett;                              | 1/18/2012   | M           | Leonard W. Quill, Sr.                                        |
|               | Brady                                 |             |             |                                                              |
| H146-1207     | Carson                                | 1/18/2012   | M           | Nancy W. Faries                                              |
| H146-1208     | Carson                                | 1/19/2012   | M           | Laura Severson                                               |
|               | cosponsor: Rep. Willis                |             |             |                                                              |
| H146-1209     | Kenton;                               | 1/18/2012   | M           | Richard H. Wright                                            |
|               | Wilson                                |             |             |                                                              |
| H146-1210     | Wilson                                | 1/23/2012   | T           | Grace Ash - 90th Birthday                                    |
| H146-1211     | Miro                                  | 1/22/2012   | T           | Chinese American Community Center - New Year Celebration     |
|               | cosponsors: Reps. Manolakos & Ramone  |             |             |                                                              |

#### HOUSE TRIBUTE ANNOUNCEMENT #60

DATE: March 14, 2012

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> |
|---------------|----------------|-------------|-------------|--------------------|
|---------------|----------------|-------------|-------------|--------------------|

|              |                         |            |   |                                                                                                                          |
|--------------|-------------------------|------------|---|--------------------------------------------------------------------------------------------------------------------------|
| H146-1212    | Hudson                  | 1/21/2012  | M | Elaine Lucille Bunting                                                                                                   |
| H146-1213    | Briggs King             | 1/5/2012   | T | Alvin & Peggy Mumford - 60th Wedding Anniversary                                                                         |
| H146-1214    | Briggs King             | 1/21/2012  | T | Chuck Ricker - Lifetime Fireman of the Year -<br>cosponsors: Reps. Wilson, D. Short, Georgetown Fire Co.<br>Kenton & Lee |
| H146-1215    | Briggs King             | 1/21/2012  | T | Mark Rogers - Fireman of the Year - Georgetown Fire<br>cosponsors: Reps. Wilson, D. Short, Co.<br>Kenton & Lee           |
| H146-1216    | Q. Johnson              | 1/20/2012  | T | Middletown Area Chamber of Commerce - 40 Years<br>cosponsors: Reps. Carson & Walker                                      |
| H146-1217    | Outten                  | 1/24/2012  | T | Cheryl Lahman - Retirement - DEDO                                                                                        |
| H146-1218    | Atkins; Outten          | 1/6/2012   | T | Robert & Bonnie Walls - 50th Wedding Anniversary                                                                         |
| H146-1219    | Outten                  | 1/20/2012  | M | Evelyn Jean Smith<br>cosponsor: Rep. Wilson                                                                              |
| H146-1220    | Bolden                  | 1/25/2012  | T | John Watson - Dedicated Service - WILM Radio                                                                             |
| H146-1221    | Carson                  | 1/22/2012  | M | Alan Pleasanton                                                                                                          |
| H146-1222    | Blakey; Willis          | 1/26/2012  | T | Dr. Lou Ann Carlson - Retirement - Caesar Rodney<br>School District                                                      |
| H146-1223    | Viola                   | 11/29/2011 | T | Ryan McHugh - Eagle Scout                                                                                                |
| H146-1224    | Viola                   | 12/06/2011 | T | Kyle McHugh - Eagle Scout                                                                                                |
| H146-1225    | Lee                     | 1/24/2012  | T | Laurel Little League - Sr. Girls Softball - World Series<br>Champs                                                       |
| H146-1226    | Peterman                | 1/26/2012  | T | Ann McLaughlin - Retirement - Office of the<br>Controller General                                                        |
| H146-1227    | Willis                  | 1/27/2012  | T | Doris Summers - Retirement - DHSS                                                                                        |
| H146-1228    | Kenton                  | 1/24/2012  | T | Manchester Brisco, Sr. - Retirement - DE River & Bay<br>Authority                                                        |
| H146-1229    | J. Johnson;<br>Mitchell | 1/26/2012  | M | Carol L. Johnson                                                                                                         |
| H146-1230    | Brady                   | 1/16/2012  | M | Paul Dennis Bradley                                                                                                      |
| H146-1231    | Gilligan                | 1/31/2012  | T | Marion Seibel - 90th Birthday<br>cosponsors: Reps. Viola & Peterman                                                      |
| H146-1232    | Jaques                  | 1/27/2012  | M | Florence Dayett Ogden                                                                                                    |
| T- Tribute   |                         |            |   |                                                                                                                          |
| M - Memoriam |                         |            |   |                                                                                                                          |

Mr. Speaker Gilligan made an announcement. Representative Heffernan requested that she be marked present. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor for himself and Representative D.E. Williams to present a House Tribute to the Multiple Sclerosis Society. Kate Couperthwait, representing the Delaware Chapter, addressed the House. Representatives Longhurst, B. Short & Osienski made comments. Representative Jaques made an announcement. Representative Schwartzkopf deferred to Representative Brady. Representative Brady recognized the Delaware Center for Horticulture and introduced Pam Sapko, Executive Director and Wendy Scott, Public Relations and Policy Director. Representatives Mulrooney, D.P. Williams & Barbieri requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:24 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:24 p.m. on March 14, 2012: Representative Lavelle.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 15, 2012.

Representatives Keeley requested that she be marked present for the current Legislative Day.

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

JUDICIARY: **HB 256** - 1F,8M; **HB 270** - 1F,8M; **HB 262** - 8M; **HB 266** - 8M; **HB 272** - 9M.

CORRECTIONS: **HB 252** - 2F,4M.

EDUCATION: **SB 164 w/SA 1** - 11M; **HB 264** - 11M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 158** - 1F,4M.

HOUSE ADMINISTRATION: **SB 166 w/SA 1** - 5M.

REVENUE & FINANCE: **HB 251** - 10M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 223** - 4F,5M;  
**HB 265** - 8F,3M.

HEALTH & HUMAN DEVELOPMENT: **HB 269** - 2F,6M; **HJR 11** - 10F,3M.

HOUSING & COMMUNITY AFFAIRS: **HB 267** - 1F,9M.

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.

**12th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**March 15, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representatives Atkins - 1.

A prayer was offered by Mr. Speaker Gilligan.

Mr. Speaker Gilligan led those present in the 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 274** - JAQUES & REPRESENTATIVE BRADY & SENATOR HALL-LONG - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Dogs.

**HB 275** - JAQUES & SENATOR BUNTING; ALL REPRESENTATIVES; ALL SENATORS - VETERANS AFFAIRS - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Tax Credits.

**HB 276** - CARSON & REPRESENTATIVE BENNETT & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES ATKINS, BARBIERI, BOLDEN, HEFFERNAN, HOCKER, HUDSON, Q. JOHNSON, KEELEY, LONGHURST, MIRO, MITCHELL, M. SMITH, PETERMAN, B. SHORT, WALKER, WILLIS; SENATORS BOOTH, CLOUTIER, CONNOR, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Display of the POW/MIA Flag.

**HB 277** - HEFFERNAN & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES ATKINS, BENNETT, GILLIGAN, HUDSON, JAQUES, Q. JOHNSON, KEELEY, LAVELLE, LONGHURST, MIRO, MITCHELL, OSIENSKI, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, VIOLA, WILLIS, WILSON; SENATORS ENNIS, SOKOLA - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Home Invasion and Burglary.

Representative Schwartzkopf introduced guests.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

TO: Rep. Robert F. Gilligan  
Speaker of the House  
CC: Rich Puffer  
FROM: Rep. John C. Atkins  
DATE: March 15, 2012  
RE: Absence from session

I will be unable to attend session today, Thursday, March 15, 2012, due to illness.

Representative Schwartzkopf deferred to Representative Carson. Representative Carson requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf deferred to Representative Heffernan. Representative Heffernan introduced a guest. Representative Longhurst deferred to Representative Lavelle. Representative Lavelle introduced a guest and made comments. Representative Schooley made comments. Representative Q. Johnson requested that he be marked present. Representative Jaques made comments. Representative Hudson requested that she be marked present. Representative Outten requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Willis. Representative Willis requested and was granted privilege of the floor to present a House Tribute to Randall Williams, Executive Director, Children's Advocacy Center of Delaware, who addressed the House. Representatives Schwartzkopf & Schooley made comments. Mr. Williams made comments. Representatives Hudson & Jaques made comments.

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor to present a House Tribute to the Honorable Nana Abu-Bonsra, MP, and Naa Alhaji Mumumu Yussif, Office of the President, and representing the Ghana Institute of Management & Public Administration. Mr. Yussif and Mr. Abu-Bonsra addressed the House. Representatives Lavelle & Schwartzkopf made comments. Mr. Speaker Gilligan made an announcement. Representative Hudson made comments. Representative Schwartzkopf made an announcement. Representative Wilson introduced a guest. Representatives Mulrooney, Miro, Barbieri & Viola requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:45 p.m.

The House reconvened at 4:19 p.m.

Representative Lavelle made comments. Representative Lee requested that he be marked present. Mr. Speaker Gilligan assigned **HB 262** to the Appropriations Committee and **HB 228** to the Natural Resources Committee. Mr. Speaker Gilligan made an announcement. Representative D.P. Williams requested that he be marked present.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 272**, jointly sponsored by Senator DeLuca & Representatives Bennett, Brady, Carson, Heffernan & Mitchell & Senator Bunting, before the House for consideration.

**HB 272 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INVESTIGATIVE SERVICES OFFICERS.**

Representative Viola made comments.

The roll call on **HB 272** was taken and revealed:

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **HB 272** was sent to the Senate for concurrence.

Representative M. Smith requested that she be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to suspend the rules which interfere with action on **HB 251**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst brought **HB 251**, jointly sponsored by Senator Blevins & Representatives Atkins, Bennett, Brady, Heffernan, Hudson, Q. Johnson, Kowalko, Mulrooney, Osienski, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, Viola, Walker & Willis & Senators Bushweller, Ennis & Hall-Long & cosponsored by Representatives Peterman & D.E. Williams, before the House for consideration.

**HB 251 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES.**

Representative Longhurst made comments.

The roll call on **HB 251** was taken and revealed:

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **HB 251** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 136 w/HA 1 & SA 1**, jointly sponsored by Senator Bunting & Representatives Carson, Bennett, B. Short, D. Short, Outten, Brady, Mitchell & Kenton & Senators Bushweller, Connor, Ennis & McDowell, before the House for concurrence on **SA 1**.

**HB 136 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VETERAN PREFERENCE IN STATE EMPLOYMENT.**

Representative Jaques made comments.

The roll call on **HB 136 w/HA 1 & SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **HB 136 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **SB 164 w/SA 1**, jointly sponsored by Senator Sokola & Representatives Schooley & Representative Jaques & Representative Scott & Senators Blevins, Hall-Long, Henry, Katz, Bunting, Bushweller, Ennis, Venables, Cloutier, Sorenson, & Bonini & Representatives Barbieri, Bennett, Bolden, Hudson, Q. Johnson, Kenton, Kowalko, Manolakos, Miro, Mitchell, Osienski, Ramone, B. Short & Walker, before the House for consideration.

**SB 164 - AN ACT TO AMEND CHAPTER 7, VOLUME 78, LAWS OF DELAWARE, RELATING TO PUBLIC EDUCATION.**

Representative Heffernan made comments.

The roll call on **SB 164 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **SB 164 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 166 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 166 - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER REGARDING FINANCIAL AFFAIRS - GENERAL ASSESSMENT; LEVY ON UTILITY PROPERTY. (2/3 bill)**

Representatives Scott & Briggs King made comments. Representative Scott requested and was granted privilege of the floor for Cheryl Russell, representing the City of Dover. Representative Briggs King made comments.

The roll call on **SB 166 w/SA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Briggs King - 1.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 166 w/SA 1** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 4:41 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 20, 2012.

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.

**13th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
March 20, 2012**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Briggs King, Thirty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 263** - Q. JOHNSON & REPRESENTATIVE JAQUES & SENATOR BUNTING; ALL REPRESENTATIVES; ALL SENATORS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

**HB 278** - D. SHORT & SENATOR BUNTING & SENATOR LAWSON; REPRESENTATIVES LAVELLE, HUDSON, KENTON, MANOLAKOS, MIRO, WILLIS, WILSON, Q. JOHNSON; SENATORS BOOTH, PETERSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Taxes.

**HB 280** - GILLIGAN & SENATOR BLEVINS & SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 214, Volume 65 of the Laws of Delaware, as Amended, Relating to the Charter of the Town of Newport.

**SB 34** - BLEVINS & REPRESENTATIVE MITCHELL & REPRESENTATIVE KOWALKO; SENATORS BUNTING, CONNOR, ENNIS, HENRY, MARSHALL, PETERSON, SOKOLA; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, JAQUES, Q. JOHNSON, VIOLA, OSIENSKI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Employee Benefit Committee.

**SB 153 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Independent Health Care Appeals Programs.

**SB 163** - MARSHALL & REPRESENTATIVE KEELEY & REPRESENTATIVE MULROONEY; SENATORS DELUCA, BLEVINS, ENNIS, HENRY, MCBRIDE, SOKOLA, MCDOWELL, PETERSON; REPRESENTATIVES JAQUES, J. JOHNSON, KOWALKO, WALKER, OSIENSKI - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 19 of the Delaware Code Relating to the Minimum Wage.

Representative Barbieri requested that he be marked present. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf introduced and brought **HCR 33**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 33** - RECOGNIZING THE STRONG TIES BETWEEN CANADA AND DELAWARE AND CELEBRATING CANADA DAY IN DELAWARE.

WHEREAS, Canada is Delaware's largest international market, with \$1,495,644,500 in merchandise exports to Canada in 2011, representing 27% of Delaware's international exports; and

WHEREAS, 24,700 Delaware jobs are supported by Canada – United States trade; and

WHEREAS, the Delaware - Canada partnership boasts a healthy bilateral tourism industry with over 48,100 combined visits accounting for over \$25,000,000 in expenditures in 2010; and

WHEREAS, in 2011 Delaware exported more than \$915,721,767 in pharmaceutical products to Canada; and

WHEREAS, both Canada and Delaware are engaged in partnerships in various fields of innovative technology which are laying the foundation for our economic future and mutual benefit; and

WHEREAS, this year Canada and the United States will commemorate the War of 1812, a war which forged the destiny of our continent and whose greatest legacy is 200 years of peace between Canada and the United States; and

WHEREAS, Canada and Delaware share many deep economic, historical, cultural and familial ties;  
NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, in recognition of the strong and lasting ties between Canada and the great State of Delaware, that the members join with Governor Jack Markell as he proclaims the twentieth day of March, in the year two-thousand and twelve, "Canada Day in Delaware."

Representatives Hudson & Schwartzkopf made comments. **HCR 33** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan granted privilege of the floor for Deputy Ambassador Deborah Lyons, representing Canadian Embassy in Washington, D.C, who addressed the House. Mr. Speaker Gilligan introduced Consul and Head of Office David Marshall and Consul Paul Gillis, Canadian Consulate, Philadelphia, Pennsylvania. Representatives Kowalko & Jaques made comments. Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone requested and was granted personal privilege of the floor to introduce guests. Representative Ramone requested and was granted privilege of the floor for himself, Senator Peterson, Senator Ennis & Representative Mitchell to present House and Senate Tributes to George Williamson III in recognition of his ten years of service on the Board of Parole. Senator Ennis introduced members of the Board of Parole. Mr. Williamson addressed the House. Representative Viola requested that he be marked present. Representative Q. Johnson made an announcement and comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:42 p.m.

The House reconvened at 4:07 p.m.

Representative Schwartzkopf deferred to Representative Hudson.

Representative D. Short requested that he be marked present.

Representative Hudson brought **HB 265**, jointly sponsored by Representative Briggs King & Representative B. Short & Senator Blevins & Senator Sorenson & Representatives Manolakos, Ramone, Gilligan, J. Johnson, Q. Johnson, Keeley, Longhurst, Walker & Senators Cloutier, Connor, DeLuca, Ennis, Hall-Long, Henry, Peterson & Sokola & cosponsored by Representatives Bennett, Bolden & D.E. Williams, before the House for consideration.

**HB 265** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE COVERAGE FOR ORAL AND INTRAVENOUS ANTICANCER MEDICATIONS. (F/N)

Representatives Hudson & B. Short made comments.

The roll call on **HB 265** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 265** was sent to the Senate for concurrence.

Representatives Mulrooney & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HJR 11**, jointly sponsored by Senator Hall-Long & Representatives Bennett, Briggs King, Heffernan, Hocker, Hudson, Keeley, Kenton, Kowalko, Osienski, Outten & Wilson & Senators Bunting, Ennis & Sokola & cosponsored by Representative Walker, before the House for consideration.

**HJR 11** - PROCLAIMING MARCH 2012 NATIONAL NUTRITION MONTH.

Representative Schooley 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 Lavelle requested and was granted personal privilege of the floor to make an announcement.

Representative Schwartzkopf brought **HB 256**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kenton, Lee, Manolakos, Miro, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson & Senators Booth, Bunting, Bushweller, Cloutier, Connor, Ennis, Hall-Long, Katz, Lawson, Marshall, McBride, McDowell, Peterson, Sokola & Venables & cosponsored by Senator Bonini, before the House for consideration.

**HB 256** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HB 256** was taken and revealed:

YES: 40.

ABSENT: Representative Kowalko - 1.

Therefore, having received a constitutional majority, **HB 256** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 266**, jointly sponsored by Senator Blevins & Representatives J. Johnson, Kenton, Lee, Mitchell, Walker & Wilson & Senators Hall-Long, Henry & Simpson, before the House for consideration.

**HB 266** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REFUND OF FINES UPON REVERSAL OF CONVICTION.



Representative M. Smith 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 Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 267**, jointly sponsored by Senator Henry & Representatives Bolden, Mitchell & D. Short & Senator Ennis, before the House for consideration.

**HB 267** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TRAVEL EXPENSES FOR ELECTED COUNTY OFFICIALS.

Representatives J. Johnson & Lavelle made comments.

The roll call on **HB 267** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Blakey & Peterman - 2.

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

Representatives Jaques, B. Short, Brady, Mitchell & M. Smith made announcements. Representative B. Short requested that **HB 162** be stricken. Representatives Schwartzkopf & Lavelle made comments.

The Majority Leader moved to recess to the call of the Chair at 4:30 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 21, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 234**, **HB 239 w/HA 1** & **HCR 33** and is returning the same to the House.

Mr. Speaker Gilligan invited Dr. Harry Williams, President, Delaware State University, to join him on the podium.

Representative Bennett introduced **HS 1 for HB 258**, jointly sponsored by & Senator Peterson & Senator Cloutier & Representatives Gilligan, Atkins, Brady, Carson, Hocker, Hudson, Q. Johnson, Keeley, Kenton, Kowalko, Longhurst, Miro, Mitchell, Mulrooney, Peterman, Ramone, Schwartzkopf, B. Short, D. Short, Viola, D.P. Williams & Wilson & Senators Bunting, Connor, Ennis, Henry, Katz & Sokola.

**HS 1 for HB 258** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS.

Mr. Speaker Gilligan assigned **HS 1 for HB 258** to the Public Safety & Homeland Security Committee. Representative Mitchell made an announcement. Representative Schwartzkopf made an announcement and comments.

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.

**14th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
March 21, 2012**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Hudson, Keeley, B. Short & Viola - 4.

A prayer was offered by Representative Scott, Thirty-first Representative District.

Mr. Speaker Gilligan led those present in the 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 279** - BRIGGS KING & SENATOR BONINI & SENATOR LAWSON; REPRESENTATIVES LAVELLE, HOCKER, KENTON, LEE, MANOLAKOS, OUTTEN, D. SHORT, PETERMAN, WILSON, CARSON; SENATORS BUNTING, SIMPSON, VENABLES - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Low Emission Vehicle Program.

**HA 1 to HB 264** - BARBIERI - Placed with the Bill.

**HA 2 to HB 264** - MANOLAKOS - Placed with the Bill.

**HA 1 to HB 277** - WILLIS & REPRESENTATIVE BRIGGS KING - Placed with the Bill.

**HA 2 to HB 277** - LAVELLE - Placed with the Bill.

**HA 1 to SB 34** - HUDSON - Placed with the Bill.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #61**

DATE: March 21, 2012

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                                                          |
|-----------|-----------------------------------------------------|-----------|------|----------------------------------------------------------------------|
| H146-1233 | Schwartzkopf                                        | 1/27/2012 | T    | Charles Hayes, Jr. - Retirement - PHRST                              |
| H146-1234 | Blakey                                              | 1/28/2012 | T    | Rev. Dr. Patricia Green - Community Service                          |
|           | cosponsors: Reps. Kenton, Peterman, Wilson & Outten |           |      |                                                                      |
| H146-1235 | M. Smith                                            | 2/1/2012  | T    | Honorable Eric Washington - President - Conference of Chief Justices |

|           |                                     |           |   |                                                                             |
|-----------|-------------------------------------|-----------|---|-----------------------------------------------------------------------------|
| H146-1236 | Blakey                              | 1/31/2012 | T | Herb Byers - Retirement - Div. of State Service Centers Fiscal Unit         |
| H146-1237 | Scott                               | 1/31/2012 | T | Abigail Cole - Retirement - DOE                                             |
| H146-1238 | Outten                              | 2/1/2012  | T | Carter Kenton - National Fellowship of Christian Athletes V11 Lacrosse Team |
| H146-1239 | Kenton                              | 2/4/2012  | T | Milford Jr. Pee Wee Football Team - Henlopen Conference Tournament Winners  |
|           | cosponsors: Reps. Peterman & Wilson |           |   |                                                                             |
| H146-1240 | Outten                              | 2/6/2012  | T | Donald McKnatt - 50 Years - Harrington Fire Co.                             |
| H146-1241 | Outten                              | 2/6/2012  | T | Robert Taylor - 50 Years - Harrington Fire Co.                              |
| H146-1242 | D. Short                            | 2/4/2012  | T | Douglas Butler - Past President - State Fire Chiefs Assoc.                  |
| H146-1243 | D. Short                            | 2/4/2012  | T | Kenneth Tull - Past President - State Fire Chiefs Assoc.                    |
| H146-1244 | D. Short                            | 2/4/2012  | T | Jehu Warrington - 50 Years - Seaford Vol. Fire Co.                          |
| H146-1245 | D. Short                            | 2/4/2012  | T | Rhea Shannon - 50 Years - Seaford Vol. Fire Co.                             |
| H146-1246 | D. Short                            | 2/4/2012  | T | Donald Tull - 50 Years - Seaford Vol. Fire Co.                              |
| H146-1247 | Bennett                             | 1/19/2012 | M | Doris C. Gillis                                                             |
| H146-1248 | Q. Johnson                          | 1/28/2012 | M | Madeline H. Pat Wilson                                                      |
|           | cosponsors: Reps. Carson & Outten   |           |   |                                                                             |
| H146-1249 | Scott                               | 1/29/2012 | M | Kimberly Alice Akers                                                        |
| H146-1250 | D.P. Williams                       | 1/3/2012  | M | Lily Mae Smith                                                              |
| H146-1251 | Atkins                              | 1/31/2012 | T | Kimberly Minnick - Retirement - DOE                                         |
| H146-1252 | Outten                              | 1/28/2012 | M | Catherine May Taylor Smith                                                  |
| H146-1253 | Brady;                              | 1/28/2012 | T | William Dunn, Jr.                                                           |
|           | Lavelle                             |           |   |                                                                             |
| H146-1254 | D. Short                            | 1/29/2012 | M | Eileen Madden Larrimore                                                     |
| H146-1255 | Schooley                            | 2/14/2012 | T | Syl Woolford - Black History Month Presenter                                |

#### HOUSE TRIBUTE ANNOUNCEMENT #62

DATE: March 21, 2012

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                                                                     |
|-----------|-------------------------------------|-----------|------|---------------------------------------------------------------------------------|
| H146-1256 | Peterman                            | 1/30/2012 | M    | William G. Boyle                                                                |
|           | cosponsors: Reps. Kenton & Wilson   |           |      |                                                                                 |
| H146-1257 | Carson                              | 1/26/2012 | M    | Raymond Charles Lindhurst                                                       |
| H146-1258 | Hocker                              | 2/5/2012  | T    | Neva West - 80th Birthday                                                       |
| H146-1259 | Bennett                             | 1/30/2012 | M    | G. Alma Bole                                                                    |
| H146-1260 | Hudson                              | 2/1/2012  | M    | Dr. John Howard Benge                                                           |
| H146-1261 | Gilligan                            | 1/10/2012 | T    | Chief Michael Capriglione - Chairman - Police Chiefs' Council                   |
|           | cosponsor: Rep. Mitchell            |           |      |                                                                                 |
| H146-1262 | Keeley                              | 1/30/2012 | M    | Isaac Lee Kornegay, Sr.                                                         |
| H146-1263 | Jaques;                             | 2/18/2012 | T    | Catherine Hamill & Shakuntla Bhaya - Civil Union                                |
|           | M. Smith                            |           |      |                                                                                 |
| H146-1264 | Carson                              | 1/17/2012 | M    | Zachary Scott Hartfield                                                         |
| H146-1265 | Peterman;                           | 2/5/2012  | T    | Norman Reynolds - 50 Years - Music Director - Ellendale United Methodist Church |
|           | Kenton                              |           |      |                                                                                 |
| H146-1266 | Atkins                              | 2/11/2012 | T    | Leolga Wright - Retirement - USDA - FSA                                         |
| H146-1267 | Manolakos;                          | 2/11/2012 | T    | Robert Borkowski - 45 Years - Five Pts. Fire Co.                                |
|           | Mitchell                            |           |      |                                                                                 |
| H146-1268 | Lavelle;                            | 2/11/2012 | T    | Robert Sutton - 50 Years - Five Pts. Fire Co.                                   |
|           | Mitchell                            |           |      |                                                                                 |
| H146-1269 | Atkins;                             | 2/11/2012 | T    | William Farra - 50 Years - Five Pts. Fire Co.                                   |
|           | Mitchell                            |           |      |                                                                                 |
| H146-1270 | Schwartzkopf;                       | 2/11/2012 | T    | Arnold Wells - 50 Years - Five Pts. Fire Co.                                    |
|           | Mitchell                            |           |      |                                                                                 |
| H146-1271 | Mitchell                            | 2/11/2012 | T    | Walter Sczubelek, Jr. - 50 Years - Five Pts. Fire Co.                           |
| H146-1272 | Kenton                              | 2/4/2012  | T    | Honorable Robert Voshell - Rotary Club Honoree                                  |
|           | cosponsors: Reps. Wilson & Peterman |           |      |                                                                                 |
| H146-1273 | Kenton;                             | 2/2/2012  | M    | Marceil E. Morgan                                                               |
|           | Wilson                              |           |      |                                                                                 |
| H146-1274 | Wilson                              | 2/4/2012  | M    | Ronald E. Sipple                                                                |
|           | cosponsor: Rep. Outten              |           |      |                                                                                 |
| H146-1275 | Outten                              | 2/5/2012  | M    | Ruth Anne Raughley Gilstad Murphy                                               |
| H146-1276 | Briggs King                         | 2/5/2012  | M    | Henry G. Graves II                                                              |

cosponsor: Rep. Wilson  
H146-1277 Briggs King 2/4/2012 M George William Cahill  
T- Tribute  
M - Memoriam

Representatives Schwartzkopf & Barbieri requested and was granted personal privilege of the floor to introduce guests. Representative Barbieri requested and was granted privilege of the floor for Anne T. Hogan, Chief Executive Officer, Girl Scouts of the Chesapeake Bay, who made comments. Representative Hocker made comments. Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted personal privilege of the floor for the Delaware State University Choir under the direction of Dr. Lloyd Mallory. The Choir performed "The Star-Spangled Banner" and two selections. Representatives Schwartzkopf & Blakey made comments. The Choir performed an additional selection. Representative Blakey made comments and an announcement. Representative D.P. Williams requested that he be marked present. Mr. Speaker Gilligan introduced Dr. Harry Williams, President, Delaware State University, who made comments. Representatives Hocker & Schwartzkopf made comments. Choir members stated their names, hometowns and high schools for the record. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 35**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Bolden, Briggs King, Heffernan, Hudson, Keeley, Schooley, M. Smith & Walker & Senators Cloutier, Connor, Hall-Long, Henry, & Peterson, before the House for consideration.

**HCR 35** - CELEBRATING THE 100TH ANNIVERSARY OF THE GIRL SCOUTS OF THE USA, THE 50TH ANNIVERSARY OF THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL, AND PROCLAIMING 2012 AS THE "YEAR OF THE GIRL" IN THE STATE OF DELAWARE.

Representative Longhurst made comments.

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

Representative Longhurst requested and was granted privilege of the floor for Anne T. Hogan, Chief Executive Officer, Girls Scouts of the Chesapeake Bay, who addressed the House. Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker. Representative Longhurst introduced guests. Representatives Q. Johnson & D. Short requested that they be marked present.

Representative Walker introduced and brought **HCR 36**, jointly sponsored by Senator Hall-Long & Senator Blevins & Representatives Bennett, Bolden, Briggs King, Carson, Heffernan, Hudson, Jaques, Kenton, Kowalko, Lavelle, Longhurst, Mitchell, Outten, Ramone, Schooley, Schwartzkopf & Willis & Senators Bushweller, Sokola & Sorenson, before the House for consideration.

**HCR 36** - RECOGNIZING WEDNESDAY, MARCH 21, 2012 IS "KICK BUTTS DAY."

Representative Walker made comments.

**HCR 36** was adopted by voice vote and was sent to the Senate for concurrence.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:49 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:49 p.m. on March 21, 2012: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 22, 2012.

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

JUDICIARY: **HB 277** - 6M.

VETERANS AFFAIRS: **HB 275** - 15M.

PUBLIC SAFETY & HOMELAND SECURITY: **HS 1 for HB 263** - 9M; **HS 1 for HB 258** - 9M.

HOUSE ADMINISTRATION: **HB 257** - 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 274** - 1F,6M.

Representatives B. Short, Viola & Keeley requested that they be marked present for the current Legislative Day.

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.

### **15th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session March 22, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representatives Hudson - 1.

A prayer was offered by Representative Miro, Twenty-second Representative District.

Mr. Speaker Gilligan led those present in the 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 253** - BARBIERI & SENATOR BLEVINS; REPRESENTATIVES HEFFERNAN, KEELEY, SCHOOLEY, B. SHORT, M. SMITH, WALKER; SENATORS BUSHWELLER, ENNIS,

HALL-LONG, SOKOLA, SORENSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Juvenile Competency.

**HB 281** - LEE & SENATOR BOOTH; REPRESENTATIVES HOCKER, BRIGGS KING, KENTON, D. SHORT, WILSON, CARSON; SENATORS BUNTING, SIMPSON, SOKOLA, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Capitation Tax.

**HB 282** - WILSON & REPRESENTATIVE CARSON & SENATOR BOOTH; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, KENTON, LEE, OUTTEN, D. SHORT, WILLIS, KEELEY, MULROONEY; SENATORS ENNIS, SIMPSON, SOKOLA - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Nutrient Management Commission.

**HB 283** - WILSON & SENATOR BOOTH; REPRESENTATIVES HOCKER, BRIGGS KING, KENTON, OUTTEN, LEE, D. SHORT, SCHWARTZKOPF, CARSON; SENATORS BUNTING, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Government

**HB 284** - J. JOHNSON & SENATOR SORENSON; REPRESENTATIVES JAQUES, KEELEY, MIRO, MITCHELL, RAMONE, D. SHORT, D.P. WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Pensions.

**HB 290** - D. SHORT & SENATOR SIMPSON; REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KINGS, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, WILLIS, WILSON, SCHWARTZKOPF, BENNETT, JAQUES, LONGHURST; SENATORS ENNIS, BOOTH, LAWSON, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Titles 3, 5, 6, 7, 9, 10, 11, 16, 23, 29 and 30 of the Delaware Code Relating to Sheriffs and Sheriff Deputies.

**HA 1 to HB 269** - BOLDEN - Placed with the Bill.

Representative Schwartzkopf requested and was granted privilege of the floor for Cape Chorale representing Cape Henlopen High School, under the direction of Louise Foster. The Chorale performed two selections. Representatives Keeley & Schwartzkopf made comments. Members of the Chorale announced their names for the record.

The Majority Whip deferred to Representative Schooley.

Representatives Mitchell, Scott, Barbieri, Outten & Wilson requested that they be marked present.

Representative Schooley introduced and brought **HCR 34**, jointly sponsored by on behalf of All Representatives & Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 34** - COMMENDING AMBER AUGUSTUS FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2012 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.

Representative Schooley made comments. **HCR 34** was adopted by voice vote.

Representative Schooley requested and was granted privilege of the floor for Amber Augustus, Delaware Teacher of the Year, and representing Smyrna School District, who addressed the House. Representatives Carson, Willis & Schooley made comments. Local Teachers of the Year announced their names, districts and schools for the record. Representative Kenton requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:35 p.m.

The House reconvened at 4:07 p.m.

Representative Mulrooney requested that he be marked present.

Representative Schwartzkopf deferred to Representative Brady.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 173** & **SCR 30** and requests the concurrence of the House and Senate has passed **HB 240 w/HA 1** & **SA 1**, **HB 236**, **HCR 35**, **HCR 36** & **HCR 34** and is returning the same to the House.

Representative Brady introduced and brought **SCR 30**, jointly sponsored by Senator McDowell, before the House for consideration.

**SCR 30** - HONORING SALESIANUM SCHOOL FRESHMAN BEN HYLAK FOR HIS HARD WORK AND CREATIVITY IN DESIGNING AND BUILDING AN INNOVATIVE TELEPRESENCE ROBOT KNOWN AS "MAYA," AND EXTENDING A WARM WELCOME TO HIM AND HIS FAMILY UPON THEIR VISIT TO LEGISLATIVE HALL.

**SCR 30** was adopted by voice vote and was returned to the Senate.

Representative Brady requested and was granted privilege of the floor for himself, Benjamin Hylak and Benjamin's parents Bridget Hylak and Joseph Hoakes. Benjamin described his telepresence robot and displayed his award winning science project which was displayed in February at the Presidential Science Fair at the White House in Washington, D.C. Representatives Ramone & Schwartzkopf made comments. Mr. Speaker Gilligan introduced guests. Representatives Lavelle, D.E. Williams, Schwartzkopf & Bolden made comments. Bridget Hylak made a comment. Representative Schwartzkopf made a comment. Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton made comments and an announcement.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 264**, jointly sponsored by Representative Peterman & Senator Cloutier & Representatives Bolden, Hocker, Q. Johnson, Schooley, M. Smith, Walker & Wilson & Senators Sokola & Sorenson, before the House for consideration.

**HB 264** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS.

Representative Barbieri brought **HA 1 to HB 264** before the House for consideration. Representative Barbieri made comments. Representative Manolakos requested that he be marked present and made comments. Representative Barbieri made comments. Representative Barbieri requested and was granted privilege of the floor for Dr. Dean Betts, Education Associate, Department of Education. Representatives Manolakos & Barbieri made comments. **HA 1** was adopted by voice vote. Representative Manolakos moved to place **HA 2 to HB 264** on the Speaker's Table. The motion was seconded by Representative Ramone and adopted by voice vote. Representative Barbieri made comments.

The roll call on **HB 264 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 264 w/HA 1** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 252**, jointly sponsored by Representative Barbieri & Senator McDowell & Representatives M. Smith, Heffernan, Keeley, Mitchell & Schooley & Senators Bushweller, Henry, Sokola & Sorenson before the House for consideration.

**HB 252** - AN ACT TO AMEND VOLUME 77, CHAPTER 375, LAWS OF DELAWARE, RELATING TO DISPOSITION OF CHILDREN PENDING ADJUDICATION AND PAYMENT FOR CARE.

Representative J. Johnson made comments.

The roll call on **HB 252** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 252** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HS 1 for HB 263**, jointly sponsored by Representative Jaques & Senator Bunting & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Gilligan, Heffernan, Hocker, Hudson, J. Johnson, Keeley, Kenton, Kowalko, Lavelle, Lee, Longhurst, Manolakos, Miro, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson & Senators Blevins, Bonini, Booth, Bushweller, Cloutier, Connor, DeLuca, Ennis, Hall-Long, Henry, Katz, Lawson, Marshall, McBride, McDowell, Peterson, Sokola, Sorenson & Venables, before the House for consideration.

**HS 1 for HB 263** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (3/5 bill)

Representative Q. Johnson introduced and brought **HA 1 to HS 1 for HB 263** before the House for consideration. Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representative Q. Johnson made comments.

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

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 263 w/HA 1** was sent to the Senate for concurrence.

Representative Lavelle made comments. Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden brought **HB 269**, jointly sponsored by Senator Sorenson & Representatives Jaques, Keeley, Kenton, Longhurst, Mitchell & M. Smith & Senators Hall-Long & Sokola & cosponsored by Senator Connor, before the House for consideration.

**HB 269** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.

Representative Bolden brought **HA 1 to HB 269** before the House for consideration. Representative Bolden made comments. **HA 1** was adopted by voice vote. Representatives Bolden, Keeley, Miro, J. Johnson, D.P. Williams, Willis, Manolakos, Hocker, D.E. Williams, Lavelle, D.E. Williams, D.P. Williams & Lavelle made comments.

The roll call on **HB 269 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 269 w/HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:16 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 27, 2012.

Representative Hudson requested that she be marked present for the current Legislative Day.

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.

**16th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
March 27, 2012**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 285** - BARBIERI & SENATOR BLEVINS; REPRESENTATIVES BOLDEN, HEFFERNAN, HUDSON, J. JOHNSON, KOWALKO, MIRO, MITCHELL, M. SMITH; SENATOR ENNIS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Expungement.

**HA 1 to HB 257** - GILLIGAN - Placed with the Bill.

**SB 173** - BUSHWELLER & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Related to Financial Affairs - Debt Limit. (2/3 bill)

Representatives Mitchell & Kenton requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representatives Lee & Lavelle requested that they be marked present.

Representative Longhurst brought **HCR 37**, jointly sponsored by Representative Hudson & Senator Blevins & Senator Cloutier & Representatives Barbieri, Bennett, Bolden, Briggs King, Carson, Heffernan, Hocker, Jaques, Q. Johnson, Kenton, Kowalko, Lavelle, Manolakos, Mitchell, Osienski, Outten, Peterman, Schooley, D. Short, M. Smith, Viola, Walker, D.E. Williams & Willis & Senators Bushweller, Connor, DeLuca, Hall-Long, Henry, Peterson & Sokola, before the House for consideration.

**HCR 37** - RECOGNIZING APRIL 2012 AS CHILD ABUSE PREVENTION MONTH IN DELAWARE.

WHEREAS, there were approximately 14,000 reports of child abuse in Delaware in 2011; and

WHEREAS, the prevention of child abuse is a matter of concern to citizens, state agencies and community organizations in Delaware; and

WHEREAS, collaborative partnerships among various groups can help make child abuse prevention programs successful; and

WHEREAS, all citizens of the State should encourage parents to raise their children in a safe, nurturing environment and support programs designed to help prevent child abuse;

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 146<sup>th</sup> General Assembly of the State of Delaware, the Senate concurring therein, that the month of April 2012 is designated as Child Abuse Prevention Month in Delaware.

BE IT FURTHER RESOLVED that all citizens, community organizations, state and local agencies, religious organizations, businesses and medical facilities are called upon to support efforts to prevent child abuse.

BE IT FURTHER RESOLVED that suitably prepared copies of this Resolution be forwarded to Prevent Child Abuse Delaware, Grassroots Citizens for Children, Children & Families First, Children's Advocacy Center of Delaware, and the Office of the Child Advocate.

Representative Longhurst made comments. Representatives Briggs King, D. Short, Peterman, Hocker, Miro & Scott requested that they be marked present.

**HCR 37** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Longhurst introduced guests, requested and was granted privilege of the floor for Leslie Newman, Chief Executive Officer, Children & Families First, who addressed the House.

Representative Willis made comments. Representative Barbieri requested and was granted personal privilege of the floor to make comments. Representative Outten requested that he be marked present.

Representatives Lavelle & Hudson made comments. Representative Schwartzkopf introduced a guest. Representatives Keeley & Mulrooney requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:16 p.m.

The House reconvened at 4:34 p.m.

Representatives Manolakos & D.P. Williams requested that they be marked present.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 257**, jointly sponsored by Senator DeLuca & Representative Viola & Senator Ennis & cosponsored by Representative Lavelle, before the House for consideration.

**HB 257 - AN ACT TO AMEND TITLE 29 AND TITLE 30 OF THE DELAWARE CODE RELATING TO DENIAL OR SUSPENSION OF PROFESSIONAL AND OCCUPATIONAL LICENSES.**

Representative Gilligan brought **HA 1 to HB 257** before the House for consideration. Representative Gilligan made comments. **HA 1** was adopted by voice vote. Representatives Gilligan & Lavelle made comments.

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

YES: 41.

Therefore, having received a constitutional majority, **HB 257 w/HA 1** was sent to the Senate for concurrence.

Representative Atkins requested that he be marked present during the roll call. Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 9**, jointly sponsored by Representative J. Johnson & Representative Scott & Senator Henry & Representatives Bolden, George, Kowalko, Mitchell, Mulrooney, Schooley & D.P. Williams & Senator Venables, before the House for consideration.

**HB 9 - 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)**

Representative Keeley made comments.

The roll call on **HB 9** was taken and revealed:

YES: 27.

NO: Representatives Akins, Briggs King, Carson, Hocker, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman, D. Short, Wilson & Willis - 14.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 9** was declared defeated.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HS 1 for HB 258**, jointly sponsored by & Senator Peterson & Senator Cloutier & Representatives Gilligan, Atkins, Brady, Carson, Hocker, Hudson, Q. Johnson, Keeley, Kenton, Kowalko, Longhurst, Miro, Mitchell, Mulrooney, Peterman, Ramone, Schwartzkopf, B. Short, D. Short, Viola, D.P. Williams & Wilson & Senators Bunting, Connor, Ennis, Henry, Katz & Sokola, before the House for consideration.

**HS 1 for HB 258 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS.**

Representative Bennett introduced and brought **HA 1 to HS 1 for HB 258** before the House for consideration. Representatives Willis & Wilson announced that they will not be voting on **HS 1 for HB 258** and **HA 1** because of possible conflicts of interest. Representative Bennett made comments. **HA 1** was adopted by voice vote. Representative Bennett made comments.

The roll call on **HS 1 for HB 258 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Willis & Wilson - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 258 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson moved to restore **HB 9** and to rescind the roll call. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representatives Keeley & Brady made comments.

Representative Keeley brought **HB 9**, jointly sponsored by Representative J. Johnson & Representative Scott & Senator Henry & Representatives Bolden, George, Kowalko, Mitchell, Mulrooney, Schooley & D.P. Williams & Senator Venables, before the House for consideration.

**HB 9 - 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)**

Representative Hudson made comments.

The roll call on **HB 9** was taken and revealed:

YES: 28.

NO: Representatives Atkins, Briggs King, Carson, Hocker, Kenton, Lee, Manolakos, Miro, Outten, Peterman, D. Short, Willis & Wilson - 13.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 9** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 275**, jointly sponsored by Senator Bunting & Representatives Atkins, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Gilligan, Heffernan, Hocker,

Hudson, J. Johnson, Q. Johnson, Keeley, Kenton, Kowalko, Lavelle, Lee, Longhurst, Manolakos, Miro, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson & Senators Blevins, Bonini, Booth, Bushweller, Connor, DeLuca, Ennis, Hall-Long, Henry, Katz, Lawson, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson & Venables & cosponsored by Senator Cloutier, before the House for consideration.

**HB 275 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAX CREDITS. (F/N)**

Representative Jaques made comments.

The roll call on **HB 275** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 275** was sent to the Senate for concurrence.

Mr. Speaker Gilligan returned **HB 274** to the Ready List.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 240 w/HA 1 & SA 1**, jointly sponsored by Representative Carson & Representative Hudson & Representative Viola & Senator Henry & Representatives Gilligan, Bolden, Brady, Jaques, Q. Johnson, Keeley, Kenton, Kowalko, Miro, Longhurst, Mitchell, Osienski, Ramone, B. Short, D. Short, Walker & Wilson & Senator Connor & cosponsored by Representatives Barbieri & M. Smith & Senator Cloutier, before the House for concurrence on **SA 1**.

**HB 240 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES.**

Representative Bennett made comments.

The roll call on **HB 240 w/HA 1 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 240 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 85**, jointly sponsored by Senator Venables & Senator Henry & Representative Mitchell, before the House for consideration.

**SB 85 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE LEGAL RATE OF INTEREST AND JUDGMENTS.**

Representative B. Short made comments.

The roll call on **SB 85** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 85** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SJR 8 w/SA 1**, sponsored by Senator McDowell & Senators Bushweller, Hall-Long, McBride, Peterson, Sokola & Connor, before the House for consideration.

**SJR 8 - CREATING A CARPET RECYCLING STRATEGY COMMITTEE.**

Representative Q. Johnson made comments. Representative Q. Johnson brought **HA 1 to SJR 8** before the House for consideration. Representatives Q. Johnson, Lavelle, J. Johnson, Lavelle & Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Q. Johnson made comments.

The roll call on **SJR 8 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SJR 8 w/SA 1 & HA 1** was returned to the Senate.

Representatives Schwartzkopf & Kowalko made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1 for SB 151, SB 162 & SCR 21 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 202 w/SA 2** and is returning the same to the House.

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **HB 247**.

Date: 3/27/12

Signed: Joseph E. Miro

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Colin R.J. Bonini, do hereby request that my name be removed as co-sponsor of **HB 290**.

Date: 3/27/12

Signed: Colin R.J. Bonini

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Rebecca Walker, do hereby request that my name be removed as co-sponsor of **HB 249**.

Date: 3/27/12

Signed: Rebecca Walker

Representative Hudson made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:19 p.m.



Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 28, 2012.

The Majority Whip 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 - 146th GENERAL ASSEMBLY - Second Session  
March 28, 2012**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Carson, Hudson, Schooley, Scott & D.P. Williams - 5.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 286** - HUDSON & SENATOR BUNTING & SENATOR BOOTH & SENATOR CLOUTIER; REPRESENTATIVES HOCKER, BRIGGS KING, LEE, PETERMAN, D. SHORT, CARSON, B. SHORT; SENATORS SIMPSON, SOKOLA, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Hearings Pursuant to the Administrative Procedures Act.

**HA 1 to HB 191** - J. JOHNSON - Placed with the Bill.

**SB 162** - BLEVINS & SENATOR HENRY & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE BARBIERI; SENATORS ENNIS, HALL-LONG, SOKOLA, SORENSON; REPRESENTATIVES BOLDEN, KEELEY, MITCHELL, OSIENSKI, SCHOOLEY, B. SHORT, M. SMITH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Sexually Transmitted Diseases, Informed Consent, and Confidentiality.

**SCR 21** - ENNIS & SENATOR SORENSON & REPRESENTATIVE RAMONE; REPRESENTATIVE BOLDEN - JUDICIARY - A Resolution to Create a Blue Ribbon Task Force to Review Open Family Court Proceedings.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #63**

DATE: March 28, 2012

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                                                         |
|-----------|---------------------------------------|-----------|------|---------------------------------------------------------------------|
| H146-1278 | Outten                                | 2/6/2012  | M    | Emily C. Bland                                                      |
| H146-1279 | Willis                                | 2/6/2012  | M    | Betty Lou Gooden                                                    |
|           | cosponsors: Reps. Wilson & Outten     |           |      |                                                                     |
| H146-1280 | Schooley                              | 2/4/2012  | M    | Mary Helen Callahan                                                 |
| H146-1281 | D.P. Williams                         | 2/8/2012  | M    | Norris Minus, Sr.                                                   |
| H146-1282 | Outten                                | 2/18/2012 | T    | CW5 John Brown - Retirement - DANG                                  |
|           | cosponsors: Reps. Jaques & Brady      |           |      |                                                                     |
| H146-1283 | Outten                                | 2/18/2012 | T    | Carl Rook - 50 Years - Farmington Vol. Fire Co.                     |
| H146-1284 | Wilson                                | 2/9/2012  | M    | Gladys E. Willey                                                    |
| H146-1285 | Carson                                | 1/29/2012 | M    | Paulena C. O'Neal                                                   |
| H146-1286 | Scott                                 | 2/13/2012 | T    | Fabrizio Belleni - Tour Guide - Wesley College                      |
| H146-1287 | Atkins                                | 2/11/2012 | M    | Ann Whitmore Carter                                                 |
|           | cosponsors: All Representatives       |           |      |                                                                     |
| H146-1288 | Carson                                | 1/27/2012 | T    | Alfred & Shirley Leighty - 50th Wedding Anniversary                 |
| H146-1289 | Peterman                              | 2/12/2012 | M    | Charles E. MacFarland                                               |
|           | cosponsor: Rep. Outten                |           |      |                                                                     |
| H146-1290 | Q. Johnson; Walker                    | 2/25/2012 | T    | Cornelia Ross - 100th Birthday                                      |
| H146-1291 | Keeley                                | 2/13/2012 | M    | Monserate Marrero                                                   |
| H146-1292 | Heffernan                             | 2/14/2012 | M    | Dorothy Clendenning                                                 |
| H146-1293 | Bennett                               | 2/11/2012 | M    | Harry D. Johnson                                                    |
| H146-1294 | Jaques                                | 4/1/2012  | T    | Thomas Carroll - Retirement - Dept. of Correction                   |
| H146-1295 | Schwartzkopf                          | 2/29/2012 | T    | John Burton, Jr. - Retirement - DelDOT                              |
| H146-1296 | Outten                                | 2/17/2012 | M    | Leo D. Back                                                         |
| H146-1297 | Miro                                  | 2/23/2012 | T    | Jayne Armstrong - District Director - Small Business Administration |
|           | cosponsors: Reps. B. Short & D. Short |           |      |                                                                     |
| H146-1298 | Kenton                                | 2/18/2012 | M    | Vail W. Johnson                                                     |
|           | cosponsors: Reps. Outten & Wilson     |           |      |                                                                     |
| H146-1299 | Miro; Briggs King                     | 2/23/2012 | T    | Guy Marcozzi - Engineer of the Year                                 |

# HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: March 28, 2012

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>                                                                     |
|---------------|-------------------------------------------------|-------------|-------------|----------------------------------------------------------------------------------------|
| H146-1300     | Atkins;<br>Briggs King                          | 2/23/2012   | T           | Jason Hastings - Young Engineer of the Year                                            |
| H146-1301     | Q. Johnson;<br>Willis                           | 2/25/2012   | T           | Honorable William Carson, Jr. - "I Love Smyrna School District Day"                    |
| H146-1302     | Walker                                          | 3/10/2012   | T           | Michael Sterrett - Eagle Scout                                                         |
| H146-1303     | Schwartzkopf                                    | 3/24/2012   | T           | Jake Mocci - Eagle Scout                                                               |
| H146-1304     | Schwartzkopf                                    | 3/24/2012   | T           | Michael Martin - Eagle Scout                                                           |
| H146-1305     | Schwartzkopf                                    | 3/24/2012   | T           | Zachary Mueller - Eagle Scout                                                          |
| H146-1306     | Schooley                                        | 3/2/2012    | T           | Roy Lopata - Retirement - City of Newark                                               |
| H146-1307     | Schwartzkopf;<br>Briggs King                    | 2/18/2012   | M           | Barbara J. Peterson                                                                    |
| H146-1308     | Carson                                          | 3/8/2012    | T           | Marcus Phillips - 102nd Birthday                                                       |
| H146-1309     | Ramone                                          | 3/23/2012   | T           | Stephen Treut - Retirement - DelDOT                                                    |
| H146-1310     | Heffernan                                       | 2/21/2012   | T           | Michael Finnigan - Retirement - New Castle Co.                                         |
| H146-1311     | Gilligan;<br>Hudson                             | 3/3/2012    | T           | Charles Welch - James H. Gilliam, Jr. Award Recipient - American Heart Assoc.          |
| H146-1312     | Carson<br>cosponsors: All Representatives       | 3/9/2012    | T           | Fang Wong - American Legion National Commander - Official Visit                        |
| H146-1313     | Q. Johnson<br>cosponsors: Reps. Carson & Willis | 12/17/2011  | T           | Gary Faulkner - Carrow Firefighter of the Year - Clayton Fire Co.                      |
| H146-1314     | Carson<br>cosponsors: Reps. Willis & Q. Johnson | 12/17/2011  | T           | Dylan Chambers - Firefighter of the Year - Clayton Fire Co.                            |
| H146-1315     | Q. Johnson<br>cosponsors: Reps. Carson & Willis | 12/17/2011  | T           | Dalton Rigney - Turner Memorial Award - Jr. Firefighter of the Year - Clayton Fire Co. |
| H146-1316     | Q. Johnson<br>cosponsors: Reps. Carson & Willis | 12/17/2011  | T           | Peggy Ivory - Ladies Aux. Member of the Year - Clayton Fire Co.                        |
| H146-1317     | Willis;<br>Carson                               | 1/21/2012   | T           | Dayle & James Bianco - American Legion Post 14 - F. Powell Award                       |
| H146-1318     | Carson                                          | 1/21/2012   | T           | Samantha DiDonato - American Legion Post 14 - F. Powell Award                          |
| H146-1319     | Carson                                          | 1/21/2012   | T           | Eric Neeld - American Legion Post 14 - F. Powell Award                                 |
| H146-1320     | Keeley                                          | 2/23/2012   | M           | Cheryl Shedell Coates                                                                  |
| H146-1321     | Wilson                                          | 2/24/2012   | M           | William R. Coverdale                                                                   |

# HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: March 28, 2012

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>                                                            |
|---------------|---------------------------------------------------------------------------------------|-------------|-------------|-------------------------------------------------------------------------------|
| H146-1322     | Barbieri;<br>Kowalko                                                                  | 3/17/2012   | T           | Alma Tolomeo - 106th Birthday                                                 |
| H146-1323     | Peterman<br>cosponsors: Reps. Kenton & Wilson                                         | 2/24/2012   | M           | Charles E. Millman                                                            |
| H146-1324     | Mitchell;<br>Gilligan                                                                 | 2/23/2012   | M           | Edward Olga                                                                   |
| H146-1325     | D.E. Williams;<br>Lavelle                                                             | 2/24/2012   | M           | Lee. C. Goldstein                                                             |
| H146-1326     | Gilligan                                                                              | 2/17/2012   | T           | John & Karen Shupe - 50th Wedding Anniversary                                 |
| H146-1327     | Jaques                                                                                | 2/19/2012   | T           | Howard & Janice Banning - 70th Wedding Anniversary                            |
| H146-1328     | Carson;<br>Willis                                                                     | 2/25/2012   | T           | Diane Severson - Woman of the Year - Kent Co. Ladies Auxiliary                |
| H146-1329     | Peterman<br>cosponsors: Reps. Kenton, Outten, Blakey, Bennett, Scott, Willis & Carson | 2/25/2012   | T           | Willard Betts, Jr. - Fireman of the Year - Kent Co. Vol. Firefighter's Assoc. |
| H146-1330     | Bennett                                                                               | 2/24/2012   | M           | Mary Clark Flood                                                              |
| H146-1331     | Q. Johnson<br>cosponsor: Rep. Walker                                                  | 2/27/2012   | T           | Charlotte Shirey - 80th Birthday                                              |
| H146-1332     | Brady                                                                                 | 2/25/2012   | T           | Katrina Dowidchuk - Masters Cyclocross World                                  |

|           |                                           |           |   |                                |
|-----------|-------------------------------------------|-----------|---|--------------------------------|
|           |                                           |           |   | Champion                       |
| H146-1333 | Viola; Atkins                             | 2/27/2012 | M | George Edward Houston, Jr.     |
| H146-1334 | Wilson                                    | 2/27/2012 | M | Ruth Ann Hamstead              |
|           | cosponsors: Reps. Kenton & Outten         |           |   |                                |
| H146-1335 | Peterman                                  | 2/27/2012 | M | Herbert D. Robbins             |
|           | cosponsors: Reps. Kenton, Wilson & Outten |           |   |                                |
| H146-1336 | Wilson                                    | 2/29/2012 | M | Jan Holly Callaway             |
| H146-1337 | Gilligan;                                 | 2/20/2012 | M | John D. DiFrancesco            |
|           | Brady                                     |           |   |                                |
| H146-1338 | Gilligan                                  | 2/23/2012 | M | Ralph Daniel Cox               |
| H146-1339 | Peterman                                  | 3/2/2012  | M | Col. Glenn M. Watson, Sr. Ret. |
|           | cosponsors: Reps. Kenton & Wilson         |           |   |                                |
| H146-1340 | Peterman                                  | 3/3/2012  | M | Blanche L. Kirby               |
|           | cosponsors: Reps. Outten, Wilson & Kenton |           |   |                                |

#### HOUSE TRIBUTE ANNOUNCEMENT #66

DATE: March 28, 2012

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                                                          |
|-----------|--------------------------------------------|-----------|------|----------------------------------------------------------------------|
| H146-1341 | Kenton                                     | 3/8/2012  | T    | Ruth Ann Beideman - Elder Care                                       |
|           | cosponsors: Reps. Wilson & Peterman        |           |      |                                                                      |
| H146-1342 | Blakey                                     | 3/3/2012  | M    | James Lenox Miller                                                   |
| H146-1343 | Bennett;                                   | 3/13/2012 | T    | Thomas Weyant - Retirement - Kent Co. Register of Wills              |
|           | Blakey                                     |           |      |                                                                      |
| H146-1344 | Jaques                                     | 3/14/2012 | T    | National Multiple Sclerosis Society - DE Chapter - MS Awareness Week |
|           | cosponsors: Reps. D.E. Williams & Barbieri |           |      |                                                                      |
| H146-1345 | Peterman                                   | 3/14/2012 | T    | Cedarfield Ruritan Club - 40 Years                                   |
|           | cosponsors: Reps. Kenton & Wilson          |           |      |                                                                      |
| H146-1346 | Gilligan                                   | 3/18/2012 | T    | Honorable Joseph R. Walling - 85th Birthday                          |
| H146-1347 | Outten                                     | 3/5/2012  | M    | Lois Melvin                                                          |
| H146-1348 | Briggs King                                | 3/3/2012  | M    | James L. Marvel                                                      |
|           | cosponsor: Rep. Kenton                     |           |      |                                                                      |
| H146-1349 | Willis                                     | 3/15/2012 | T    | Children's Advocacy Center of DE - Re-Accreditation                  |
| H146-1350 | Outten                                     | 3/8/2012  | M    | Elizabeth Laura Wyatt                                                |
| H146-1351 | Schwartzkopf;                              | 4/13/2012 | T    | Beebe Medical Center - "Men of Vision" Board Members                 |
|           | Briggs King                                |           |      |                                                                      |
|           | cosponsors: Reps. Atkins, Kenton & Hocker  |           |      |                                                                      |
| H146-1352 | D.P. Williams                              | 3/2/2012  | T    | Wesley & Judith Harper - 55th Wedding Anniversary                    |
| H146-1353 | D.E. Williams                              | 3/11/2012 | T    | Kyle Savitch - Eagle Scout                                           |
| H146-1354 | B. Short                                   | 3/11/2012 | T    | Luke Valcante - Eagle Scout                                          |
| H146-1355 | Atkins                                     | 3/25/2012 | T    | Andrew Howard - Eagle Scout                                          |
| H146-1356 | Outten                                     | 3/12/2012 | T    | PFC Joseph Perna - Officer of the Year - Harrington Police Dept.     |
| H146-1357 | Lee                                        | 3/7/2012  | M    | Helen Marie Triglia                                                  |
| H146-1358 | Wilson                                     | 3/9/2012  | M    | Gared Sullenger                                                      |
|           | cosponsor: Rep. Kenton                     |           |      |                                                                      |
| H146-1359 | Peterman                                   | 3/7/2012  | M    | Alton H. Maull                                                       |
|           | cosponsors: Reps. Kenton & Wilson          |           |      |                                                                      |
| H146-1360 | Outten                                     | 3/11/2012 | M    | Wilson W. Walmsley                                                   |
|           | cosponsors: Reps. Wilson & Kenton          |           |      |                                                                      |

T- Tribute

M - Memoriam

Representative Longhurst brought **Consent Calendar #10** before the House for consideration.

**HCR 38** - WILLIS & REPRESENTATIVE MIRO & REPRESENTATIVE SCOTT & REPRESENTATIVE D.P. WILLIAMS & SENATOR LAWSON & REPRESENTATIVES LAVELLE, HUDSON, LEE, PETERMAN, RAMONE, D. SHORT, WILSON, BENNETT, CARSON, KEELEY, MITCHELL, OSIENSKI; SENATORS BOOTH, BUSHWELLER, SOKOLA - Encouraging Conformance with the Prohibition on the Use of Electronic Communication Devices while Operating a Motor Vehicle on the Highways of the State of Delaware.

**SCR 26** - SOKOLA & SENATOR SORENSON & REPRESENTATIVE KOWALKO & REPRESENTATIVE MIRO - Adding Mountain Bike and Equestrian Groups to the Citizens Advisory Council to White Clay Creek State Park.

**Consent Calendar #10** was adopted by voice vote and **HCR 38** was sent to the Senate for concurrence and **SCR 26** was returned to the Senate.

Representative Longhurst deferred to Representative Q. Johnson.

Representative Q. Johnson moved to suspend the rules which interfere with introduction of and action on **HJR 12**. The motion was seconded by Representative Longhurst and adopted by voice vote. Representatives Atkins, Barbieri & Mulrooney requested that they be marked present.

Representative Q. Johnson introduced and brought **HJR 12**, jointly sponsored on behalf of All Representatives & Senator Sorenson & Senators Connor, Ennis, Hall-Long, Katz, Peterson & Sokola, before the House for consideration.

**HJR 12** - RECOGNIZING APRIL 2012 AS AUTISM AWARENESS MONTH.

Representative Q. Johnson made a comment.

The roll call on **HJR 12** was taken and revealed:

YES: 30.

ABSENT: Representatives Atkins, Bennett, Carson, Hudson, J. Johnson, Keeley, Manolakos, Schooley, Schwartzkopf, Scott & D.P. Williams - 11.

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

Representative Viola requested that he be marked present during the roll call. Representative Q. Johnson made comments regarding **HJR 12**. Representatives Longhurst, Wilson & Briggs King made comments.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:14 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:14 p.m. on March 28, 2012: Representatives Bennett, Manolakos & Keeley.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 29, 2012.

Representatives Hudson, Schooley & Carson requested that they be marked present for the current Legislative Day.

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

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 153 w/SA 1** - 9M.

HOUSE ADMINISTRATION: **HB 276** - 5M; **SB 173** - 5M; **HB 280** - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 157 w/SA 2 & SCR 29** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HJR 12** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 49 w/HA 1** and is returning the same to the House.

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

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced **HB 289**, jointly sponsored by Representative Hocker & Senator DeLuca & Senator Bonini & Representatives Barbieri, Brady, Heffernan, Peterman & Schooley & Senator Lawson & cosponsored by Representatives Kenton, D.E. Williams & Wilson.

**HB 289** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO LOANS.

Representative Keeley made comments. Mr. Speaker Gilligan assigned **HB 289** to the Economic Development/Banking/Insurance & Commerce Committee.

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.

### **18th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session March 29, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representatives Manolakos - 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 287** - LAVELLE & REPRESENTATIVE KOWALKO & SENATOR SORENSON; REPRESENTATIVES HOCKER, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATORS BONINI, PETERSON, SOKOLA, BUNTING, VENABLES - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to the Delaware Sustainable Energy Utility.

**HB 288** - B. SHORT & SENATOR MCDOWELL; SENATORS CLOUTIER, ENNIS, VENABLES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicle Registration.

**HA 1 to HB 280** - GILLIGAN - Placed with the Bill.

**HA 1 to HB 290** - D. SHORT - Placed with the Bill.

**SS 1 for SB 151** - PETERSON & REPRESENTATIVE BOLDEN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Lottery Facilities and Delinquent Child Supporters.

**SB 157 w/SA 2** - PETERSON & REPRESENTATIVE HUDSON & REPRESENTATIVE SCOTT & REPRESENTATIVE BENNETT; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Public Officers and Employees Healthcare Insurance Program.

Representative B. Short requested and was granted personal privilege of the floor to introduce guests. Representative Wilson introduced guests. Representatives Lee & Q. Johnson requested that they be marked present. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden introduced and brought **SCR 29**, jointly sponsored by Senator Henry & Representatives Scott & Kenton & Senator Connor & Representatives Bennett, Heffernan, Schooley, B. Short, Viola, Walker, Hocker & Hudson, before the House for consideration.

**SCR 29** - COMMENDING THE WORK OF COMMUNITIES IN SCHOOLS AND CONNECTING GENERATIONS AND DESIGNATING MARCH 28, 2012 AS COMMUNITIES IN SCHOOLS OF DELAWARE AND CONNECTING GENERATIONS DAY.

Representative Bolden made comments and introduced a guest. Representatives Scott & Bolden made comments. **SCR 29** was adopted by voice vote and was returned to the Senate.

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

JUDICIARY: **HS 1 for HB 253** - 7M.

The Reading Clerk read the following communication into the record:

March 29, 2012

The Honorable Robert F. Gilligan

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent from Legislative Session, today March 29, 2012, due to personal/business issues.

Thank you for your understanding.

Sincerely,

Nick T. Manolakos

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:16 p.m.

The House reconvened at 4:08 p.m.

Representative Schwartzkopf made a comment. Representative D.P. Williams requested that he be marked present. Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 280**, jointly sponsored by Senator Blevins & Senator Peterson, before the House for consideration.

**HB 280** - AN ACT TO AMEND CHAPTER 214, VOLUME 65 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF NEWPORT. (2/3 bill)

Representative Gilligan brought **HA 1 to HB 280** before the House for consideration. Representative Gilligan made comments. **HA 1** was adopted by voice vote. Representatives Gilligan & Lavelle made comments.

The roll call on **HB 280 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 280 w/HA 1** was sent to the Senate for concurrence.

Representatives Mulrooney & Viola requested that they be marked present during the roll call. Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 202 w/SA 2**, jointly sponsored by Representative Walker & Representative Hudson & Senator Hall-Long & Representatives Gilligan, Bennett, Briggs King, Longhurst, Miro, Mitchell, Osienski, Peterman, Scott, B. Short, D. Short & Willis & Senators Bushweller, Ennis & Sorenson, & cosponsored by Representative Wilson, before the House for concurrence on **SA 2**.

**HB 202** - AN ACT TO AMEND TITLE 21 RELATING TO RULES OF THE ROAD. (2/3 bill)

Representative Q. Johnson made comments.

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

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 202 w/SA 2** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted personal privilege of the floor to introduce members of the 436 Airlift Wing from Dover Air Force Base. Col. Mark D. Camerer, Commander, addressed the House. Representative Bennett made comments.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 173**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 173** - AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATED TO FINANCIAL AFFAIRS - DEBT LIMIT. (2/3 bill)

Representative Scott made comments.

The roll call on **SB 173** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Manolakos - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 173** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Lavelle. Representative Lavelle deferred to Representative Miro. Representative Miro made an announcement and comments. Representative Schwartzkopf made comments.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 259** - 7M.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 4:35 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 3, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 168** and requests the concurrence of the House and Senate has passed **HB 251** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 172 w/SA 1**, **SB 170 w/ SA 1** & **SB 174 w/SA 1** and requests the concurrence of the House and Senate has passed **HCR 37**, **HCR 38** & **HJR 11** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement. Representatives Schooley & Bennett made announcements.

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.

### **19th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session April 3, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Kenton - 1.

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

Mr. Speaker Gilligan led those present in the 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 209** - SCOTT & REPRESENTATIVE GILLIGAN & REPRESENTATIVE D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVE KEELEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Administration of School Property Tax Credits.

**HB 271** - BENNETT & REPRESENTATIVE BRADY & SENATOR HENRY; REPRESENTATIVES HEFFERNAN, JAQUES, LAVELLE, LONGHURST, MITCHELL, OSIENSKI, RAMONE, SCHWARTZKOPF, SCOTT, B. SHORT, VIOLA, D.E. WILLIAMS; SENATORS BONINI, LAWSON, MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Services, Brokers, Associate Brokers and Salespersons.

**HB 291** - HUDSON & REPRESENTATIVE LAVELLE & REPRESENTATIVE MIRO & SENATOR BOOTH; REPRESENTATIVES LEE, RAMONE, WILSON; SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Forfeiture of Retirement Benefits for Public Employees Convicted of Certain Crimes.

**HB 292** - BENNETT & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE SCOTT & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BARBIERI, BRADY, CARSON, HOCKER, HUDSON, KEELEY, KENTON, KOWALKO, LAVELLE, MIRO, OSIENSKI, OUTTEN, PETERMAN, RAMONE, D. SHORT, WALKER, WILLIS - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Public Schools.

**HB 293** - SCHWARTZKOPF & SENATOR ENNIS; REPRESENTATIVES BENNETT,

BRIGGS KING, CARSON, HEFFERNAN, HOCKER, JAQUES, KEELEY, KENTON, LONGHURST, MITCHELL, VIOLA, WILSON; SENATORS BLEVINS, BUSHWELLER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 294** - MITCHELL & SENATOR PETERSON; REPRESENTATIVES HEFFERNAN, KEELEY, OUTTEN, SCOTT; SENATORS SOKOLA, SORENSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 295** - WALKER & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, BENNETT, BRIGGS KING, HEFFERNAN, Q. JOHNSON, KEELEY, KENTON, LAVELLE, MIRO, MITCHELL, RAMONE, D. SHORT, WILLIS; SENATORS BUNTING, HALL-LONG - JUDICIARY - An Act to Amend Title 11 Relating to the Registration of Sex Offenders.

**HA 1 to HS 1 for HB 253** - BARBIERI - Placed with the Bill.

**SB 168** - MCBRIDE & REPRESENTATIVE ATKINS; SENATORS BUNTING, VENABLES, PETERSON, CONNOR, SIMPSON; REPRESENTATIVES CARSON, HOCKER, Q. JOHNSON, KENTON, MULROONEY, OUTTEN, PETERMAN, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend the Title 21 of the Delaware Code Relating to Registration of Vehicles.

**SB 170 w/SA 1** - BUNTING & REPRESENTATIVE HOCKER; REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Dewey Beach Relating to Aldermans. (2/3 bill)

**SB 172 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to P-20 Council

**SB 174 w/SA 1** - BUSHWELLER & SENATOR MARSHALL & REPRESENTATIVE SCHWARTZKOPF; SENATORS DELUCA, BLEVINS, BUNTING, BOOTH, CLOUTIER, ENNIS, HALL-LONG, HENRY, SOKOLA, LAWSON, SORENSON, VENABLES; REPRESENTATIVES MITCHELL, M. SMITH, GILLIGAN, CARSON, SCOTT, BRIGGS KING, J. JOHNSON, ATKINS, LEE, WILLIS, KENTON, D. SHORT, LAVELLE, HOCKER, JAQUES, VIOLA, WILSON, D.P. WILLIAMS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 10, Chapter 43 of the Delaware Code as it Relates to Evidence and Witnesses.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **HCR 40**, jointly sponsored on behalf of All Representatives & Senator Bushweller on behalf of All Senators, before the House for consideration.

**HCR 40** - RECOGNIZING THE WEEK OF APRIL 8-14, 2012 AS "NATIONAL LIBRARY WEEK".

Representatives Schooley & Lavelle made comments.

**HCR 40** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan introduced guests. Representative Schwartzkopf made an announcement. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests. Representative Miro requested and was granted personal privilege of the floor to make comments and an announcement. Representative Kowalko requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Mulrooney requested that he be marked present. Representative Wilson requested and was granted personal privilege of the floor to make comments and an announcement. Representatives Carson, Wilson & Schwartzkopf made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:16 p.m.

The House reconvened at 3:47 p.m.

The Reading Clerk read the following communication into the record:

April 3, 2012

#### MEMORANDUM

TO: The Honorable Robert F. Gilligan  
Speaker of the House  
FROM: Representative Harvey R. Kenton  
SUBJECT: Absence from Session

I am unable to attend session today, Tuesday, April 3, 2012 due to a family illness.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden introduced **HB 296**, jointly sponsored by Senator Ennis & Representatives Barbieri, Bennett, Jaques, Kowalko, Osienski, Schooley, D. Short, M. Smith, Walker & Willis & Senators Connor, Marshall, Sokola & Sorenson.

**HB 296** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SERVICES FOR RUNAWAY AND HOMELESS YOUTH.

Mr. Speaker Gilligan assigned **HB 296** to the Health & Human Development Committee.

Representative Barbieri made an announcement. Representatives Viola & B. Short requested that they be marked present. Representative Lee requested and was granted personal privilege of the floor to make comments and an announcement. Representative Schwartzkopf made comments. Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Lee, Atkins & Bennett made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 153 w/SA 1**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 153 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INDEPENDENT HEALTH CARE APPEALS PROGRAMS.**

Representatives B. Short & Ramone made comments.

The roll call on **SB 153 w/SA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Briggs King, Hocker, Lavelle & Wilson - 4.

ABSENT: Representative Kenton - 1.

Therefore, having received a constitutional majority, **SB 153 w/SA 1** was returned to the Senate.

Representatives Manolakos, B. Short, Viola & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **SB 158**, jointly sponsored by Senator Bunting & Senators Katz, Marshall & Simpson & Representatives Atkins, Bennett, Ramone & D. Short, before the House for consideration.

**SB 158 - AN ACT TO REPEAL CERTAIN LAWS RELATING TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND CORPORATIONS.**

Representatives Kowalko & Briggs King made comments.

The roll call on **SB 158** was taken and revealed:

YES: 40.

ABSENT: Representative Kenton - 1.

Therefore, having received a constitutional majority, **SB 158** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 223**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Bennett, Carson, Heffernan, Hocker, Scott, D. Short & D.E. Williams & Senators Cloutier & Sokola, before the House for consideration.

**HB 223 - AN ACT TO AMEND TITLES 18 AND 21 OF THE DELAWARE CODE TO ALLOW THE TRANSMISSION OF ELECTRONIC NOTICES OR DOCUMENTS RELATED TO INSURANCE AND INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES.**

Representative B. Short made comments.

The roll call on **HB 223** was taken and revealed:

YES: 39.

ABSENT: Representatives Blakey & Kenton - 2.

Therefore, having received a constitutional majority, **HB 223** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HS 1 for HB 253**, jointly sponsored by Senator Blevins & Representatives Heffernan, Keeley, Schooley, B. Short, M. Smith & Walker & Senators Bushweller, Ennis, Hall-Long, Sokola & Sorenson, before the House for consideration.

**HS 1 for HB 253 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUVENILE COMPETENCY.**

Representative Barbieri brought **HA 1 to HS 1 for HB 253** before the House for consideration.

Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representatives Barbieri & Lavelle made comments.

The roll call on **HS 1 for HB 253 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Kenton - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 253 w/HA 1** was sent to the Senate for concurrence.

Representative Barbieri requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 276**, jointly sponsored by Representative Bennett & Representative Jaques & Senator Ennis & Representatives Atkins, Barbieri, Bolden, Heffernan, Hocker, Hudson, Q. Johnson, Keeley, Longhurst, Miro, Mitchell, M. Smith, Peterman, B. Short, D. Short, Walker, Willis & Senators Booth, Cloutier, Connor & Sokola, before the House for consideration.

**HB 276 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPLAY OF THE POW/MIA FLAG.**

Representatives Carson & Blakey made comments.

The roll call on **HB 276** was taken and revealed:

YES: 40.

ABSENT: Representative Kenton - 1.

Therefore, having received a constitutional majority, **HB 276** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.



Representative Keeley brought **HB 259**, jointly sponsored by Senator Blevins & Representatives Heffernan, Jaques, Kenton, Sens. Bunting & Sokola, before the House for consideration.  
**HB 259 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OFF-HIGHWAY VEHICLES.**

Representative Keeley brought **HA 1 to HB 259** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representatives Keeley & Briggs King made comments. Representative Keeley requested and was granted privilege of the floor for Sean Lugg, representing the Department of Justice.

Representative Briggs King made comments.  
The roll call on **HB 259 w/HA 1** was taken and revealed:  
YES: 33.  
NO: Representatives Briggs King, Hocker, Lee, Outten & Peterman - 5.  
NOT VOTING: Representatives Atkins & Wilson - 2.  
ABSENT: Representative Kenton - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 259 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson made comments. Representative Schwartzkopf deferred to Representative M. Smith. Representative M. Smith made an announcement. Representative Jaques made an announcement.  
The Majority Leader moved to recess to the call of the Chair at 4:34 p.m.  
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 4, 2012.  
The Reading Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed **HB 265, HB 245 w/HA 1, HB 272 & HCR 40** and is returning the same to the House.

April 13, 2012

LEGISLATIVE ADVISORY #21

Governor Jack A. Markell signed the following legislation on the date indicated: 3/22/12 - **HB 239 aab HA 1 & SB 164 aab SA 1**; 3/28/12 - **HB 136 aab HA 1 & SA 1**; 3/29/12 - **SB 166 aab SA 1 & HB 251**; 3/30/12 - **HB 234 & HB 236**.  
Representative Kenton requested that he be marked present for the current Legislative Day.  
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.

**20th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
April 4, 2012**

The Chief Clerk called the roll:  
Members Present: 36.  
Members Absent: Representatives Atkins, Lavelle, Mulrooney, M. Smith, D.P. Williams - 5.  
A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.  
Mr. Speaker Gilligan invited Caden Popelas, grandson of Representative D. Short, to join him in leading those present in the pledge of allegiance to the American flag.  
Representative D. Short introduced guests.  
The minutes of the previous legislative day were approved as posted.  
The following prefiled legislation was introduced:  
**HB 297 - M. SMITH & SENTOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES BARBIERI, BRADY, KOWALKO, LONGHURST - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Habitual Criminal Offenders.**  
**HB 298 - BRIGGS KING & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES HUDSON, LEE, D. SHORT, WILSON, SCHWARTZKOPF - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Appraisers.**  
**HB 299 - RAMONE & REPRESENTATIVE WALKER & SENATOR SORENSON; REPRESENTATIVES BRIGGS KING, PETERMAN, KEELEY, MITCHELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Cardiopulmonary Resuscitation.**  
Representative Schwartzkopf deferred to Representative Heffernan. Representative Heffernan requested and was granted personal privilege of the floor to introduce guests. Representatives Miro & Briggs King requested that they be marked present. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest.  
The Reading Clerk read the following communications into the record:  
HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: April 4, 2012  
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 |
|--------|---------|------|------|-------------|
|--------|---------|------|------|-------------|

|           |                                                      |           |   |                                                                              |
|-----------|------------------------------------------------------|-----------|---|------------------------------------------------------------------------------|
| H146-1361 | Blakey                                               | 3/9/2012  | M | Dr. Robert W. Kidd III                                                       |
|           | cosponsors: Reps. Bennett & Wilson                   |           |   |                                                                              |
| H146-1362 | D. Short                                             | 3/31/2012 | T | Vance Kesler - 90th Birthday                                                 |
| H146-1363 | Gilligan                                             | 3/3/2012  | T | George & Nancy Knotts - 50th Wedding Anniversary                             |
| H146-1364 | Gilligan;<br>Schooley                                | 3/9/2012  | M | Valentino W. Nardo, Sr.                                                      |
| H146-1365 | Mulrooney                                            | 3/9/2012  | M | Rev. Maurice J. Moyer                                                        |
|           | cosponsors: Reps. J. Johnson, Bolden & D.P. Williams |           |   |                                                                              |
| H146-1366 | Kenton                                               | 3/10/2012 | T | Floyd Wilkinson, Jr. - 75th Birthday                                         |
|           | cosponsor: Rep. Atkins                               |           |   |                                                                              |
| H146-1367 | Kenton                                               | 3/10/2012 | T | Floyd & Janet Wilkinson - 55th Wedding Anniversary                           |
|           | cosponsor: Rep. Atkins                               |           |   |                                                                              |
| H146-1368 | Schwartzkopf;<br>D. Short                            | 5/30/2012 | T | Ann Mullen - 100th Birthday                                                  |
| H146-1369 | Bennett                                              | 3/10/2012 | M | Harold Weingard                                                              |
| H146-1370 | Gilligan                                             | 3/30/2012 | T | Mid-County Center - 33 Years                                                 |
| H146-1371 | Mulrooney;<br>M. Smith                               | 3/13/2012 | T | Delaware State AFL-CIO - Sam Lathem, President                               |
| H146-1372 | Mulrooney;<br>M. Smith                               | 3/13/2012 | T | Delaware American Postal Workers Union -<br>Gwendolyn Lane, President        |
| H146-1373 | Peterman                                             | 3/21/2012 | T | Dianne Rager - Box Office Manager - DE State Fair                            |
|           | cosponsors: Reps. Kenton, Outten & Wilson            |           |   |                                                                              |
| H146-1374 | Peterman                                             | 3/21/2012 | T | Richard Azud, Executive Director - Frederica Senior                          |
|           | cosponsors: Reps. Kenton, Outten & Center<br>Wilson  |           |   |                                                                              |
| H146-1375 | Jaques                                               | 3/18/2012 | T | Col. Ruth Irwin - Retirement - DANG                                          |
| H146-1376 | Barbieri;<br>Schooley                                | 3/19/2012 | T | UD - School of Public Policy & Administration -<br>50 Years                  |
| H146-1377 | Walker                                               | 3/24/2012 | T | Francis Schoeffler - Life Member - Port Penn Fire Co.                        |
| H146-1378 | Atkins                                               | 3/11/2012 | M | Janet Catherine Dutton                                                       |
| H146-1379 | Heffernan                                            | 4/22/2012 | T | Kaelen Novak - Eagle Scout                                                   |
| H146-1380 | Lavelle                                              | 6/10/2012 | T | William Graney - Eagle Scout                                                 |
| H146-1381 | Briggs King;<br>Atkins                               | 3/17/2012 | T | Louise Dorey - 65 Years -<br>Organist/Pianist - Zoar United Methodist Church |

#### HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: April 4, 2012

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                                                 |
|-----------|-------------------------------------------|-----------|------|-------------------------------------------------------------|
| H146-1382 | D.P. Williams;<br>Q. Johnson              | 3/12/2012 | M    | Johnathan Eric Hollis, Jr.                                  |
| H146-1383 | Outten;<br>Peterman                       | 3/24/2012 | T    | Ernest Harding - 75 Years - Houston Vol. Fire Co.           |
| H146-1384 | Outten;<br>Peterman                       | 3/24/2012 | T    | Eugene Sharp III - 50 Years - Houston Vol. Fire Co.         |
| H146-1385 | Outten;<br>Peterman                       | 3/24/2012 | T    | Harold Aptt - 65 Years - Houston Vol. Fire Co.              |
| H146-1386 | Blakey                                    | 3/15/2012 | T    | Ghana Institute for Management and Public<br>Administration |
| H146-1387 | Outten                                    | 3/13/2012 | M    | Elizabeth Bradley Wix                                       |
| H146-1388 | Outten                                    | 3/15/2012 | M    | Stewart F.E. Tribbett                                       |
| H146-1389 | Willis                                    | 3/16/2012 | M    | Yvonne Lynette Gourley                                      |
| H146-1390 | Wilson;<br>Kenton                         | 3/14/2012 | M    | Helen S. Jenkins                                            |
| H146-1391 | Peterman                                  | 3/17/2012 | T    | Preston Dyer - 50 Years - Carlisle Fire Co.                 |
|           | cosponsors: Reps. Kenton, Wilson & Outten |           |      |                                                             |
| H146-1392 | Peterman                                  | 3/17/2012 | T    | James Abbott - 55 Years - Carlisle Fire Co.                 |
|           | cosponsors: Reps. Kenton, Wilson & Outten |           |      |                                                             |
| H146-1393 | Peterman                                  | 3/17/2012 | T    | James Bailey - 60 Years - Carlisle Fire Co.                 |
|           | cosponsors: Reps. Kenton, Wilson & Outten |           |      |                                                             |
| H146-1394 | Peterman                                  | 3/16/2012 | M    | Lee Kevin Stubbs                                            |
|           | cosponsors: Reps. Outten, Kenton & Wilson |           |      |                                                             |
| H146-1395 | Carson                                    | 3/18/2012 | T    | Daniel Bloxom - 75th Birthday                               |
| H146-1396 | Outten                                    | 3/18/2012 | M    | Earl W. Everline                                            |

|           |                  |           |   |                                                             |
|-----------|------------------|-----------|---|-------------------------------------------------------------|
| H146-1397 | Ramone           | 3/20/2012 | T | George Williamson III - 10 Years - Board of Parole          |
| H146-1398 | Brady;<br>Hudson | 3/16/2012 | M | Mary Kaye Carpenter                                         |
| H146-1399 | Brady            | 3/17/2012 | T | Ecumenical Hospitaller Order of St. John - Knights of Malta |
| H146-1400 | Schwartzkopf     | 3/24/2012 | T | Sunshine Circle Club - 50 Years                             |
| H146-1401 | Mitchell         | 3/24/2012 | T | Thomas Chew - 50 Years - Elsmere Fire Co.                   |
| H146-1402 | Mitchell         | 3/24/2012 | T | Denis Zielinski - Member of the Year - Elsmere Fire Co.     |

T- Tribute

M - Memoriam

Representative B. Short requested that he be marked present. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted privilege of the floor to present a House Tribute to his son Patrolman John L. Mitchell III and Patrolman Kevin J. Kerrigan whose heroic efforts during a house fire saved the lives of two Elsmere residents. Patrolman Mitchell, Patrolman Kerrigan and Chief of Police Laura M. Giles addressed the House. Representative Mitchell introduced guests. Representatives Schwartzkopf & J. Johnson made comments. Representative Jaques requested that he be marked present.

The Reading Clerk read the following communication into the record:

April 4, 2012

The Honorable Robert F. Gilligan

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent from Legislative Session, today Wednesday, April 4, 2012 due to personal reasons.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle

State Representative

11<sup>th</sup> District

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor to present a House Tribute to William D. Carrow, Communications Section Chief, on the occasion of his retirement. Representative Barbieri requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 5, 2012.

Representatives Mulrooney, M. Smith, Atkins, D.P. Williams & Lavelle requested that they be marked present for the current Legislative Day.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 191** - 1F,5M; **SB 174 w/SA 1** - 6M.

HOUSE ADMINISTRATION: **HB 201** - 1F,2M,1U; **SB 170 w/SA 1** - 4M; **HB 286** - 4M.

REVENUE & FINANCE: **HB 278** - 4F,5M.

HOUSING & COMMUNITY AFFAIRS: **HB 271** - 1F,7M; **HB 281** - 1F,8M; **HB 283** - 1F,8M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HB 111** - 10M; **HB 289** - 4F,5M.

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.

## 21st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session

April 5, 2012

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative Longhurst -1.

A prayer was offered by Representative Helene Keeley, Third Representative District.

Mr. Speaker Gilligan invited students from Providence Creek Academy to join him in leading those present in the 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 301** - BLAKEY & SENATOR BOOTH; REPRESENTATIVES HUDSON, Q. JOHNSON, OUTTEN, WILSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Electricians and Electrical Contractors.

**HA 2 to HB 191** - J. JOHNSON - Placed with the Bill.

**HA 1 to HS 1 for HB 209** - SCOTT - Placed with the Bill.

**HA 1 to HB 270** - OSIENSKI - Placed with the Bill.

**HA 1 to HB 292** - BRIGGS KING - Placed with the Bill.

**SB 180** - DELUCA & REPRESENTATIVE SCHWARTZKOPF; SENATORS BLEVINS, BOOTH, BUNTING, ENNIS, HENRY; REPRESENTATIVES CARSON, HUDSON, Q. JOHNSON, KENTON, LAVELLE, LONGHURST - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors. (3/5 bill.)

**HA 2 to SB 34** - Q. JOHNSON - Placed with the Bill.

**HA 1 to SB 170** - SCHWARTZKOPF - Placed with the Bill.

**HA 2 to SB 170** - SCHWARTZKOPF - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson requested and was granted privilege of the floor for Providence Creek Academy Percussion Ensemble, under the direction of Kelly Hanson. The Ensemble performed three selections. Representative Schwartzkopf made comments. Representative Blakey requested and was granted personal privilege of the floor to make comments. Representative Jaques made comments. The students announced their names for the record. Mr. Speaker Gilligan made comments and introduced guests. Representative M. Smith requested and was granted personal privilege of the floor to introduce guests and to make comments. Representatives Bolden, Hudson, Ramone, Briggs King, Viola, Willis & Hocker requested that they be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 180 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 108** and is returning the same to the House.

Representative Lavelle requested and was granted personal privilege of the floor to introduce guests and to make a comment. Representatives Briggs King, Bolden & Ramone requested and were granted privilege of the floor to make comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:23 p.m.

The House reconvened at 3:32 p.m.

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

JUDICIARY: **HB 285** - 1F,5M; **HB 295** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 186 w/SA 1, SCR 33, SCR 34 & SCR 35** and requests the concurrence of the House and Senate has passed **HB 264 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SCR 31** and requests the concurrence of the House.

Representative Schooley requested that she be marked present.

Representative Schwartzkopf introduced and brought **HCR 41**, jointly sponsored by Representative Longhurst & Representative Gilligan & Representative Lavelle & Representative Hocker & Representative Kowalko & Representative Schooley & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson & Senator Peterson & All Representatives & All Senators, before the House for consideration.

**HCR 41** - RECOGNIZING THE UNIVERSITY OF DELAWARE WOMEN'S BASKETBALL TEAM AND COMMENDING THEM ON AN EXTRAORDINARY 2011-2012 SEASON.

Representative Schwartzkopf made comments.

**HCR 41** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski brought **HB 270**, jointly sponsored by Senator Sokola & Representatives Bolden, Heffernan, Hocker, Hudson, Kenton, Lavelle, Miro, Ramone, Viola & Walker, before the House for consideration.

**HB 270** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Osienski brought **HA 1 to HB 270** before the House for consideration.

Representatives Osienski, Ramone & Brady made comments. **HA 1** was adopted by voice vote.

Representatives Osienski, Lavelle, Blakey, Osienski & Ramone made comments.

The roll call on **HB 270 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Longhurst & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 270 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 111**, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hocker & Keeley & Senators Bushweller, Sokola & Venables, before the House for consideration.

**HB 111** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ANTITRUST ACTIONS.

Representative B. Short made comments.

The roll call on **HB 111** was taken and revealed:

YES: 39.

ABSENT: Representatives Longhurst & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 111** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 278**, jointly sponsored by Senator Bunting, & Senator Lawson & Representatives Lavelle, Hudson, Kenton, Manolakos, Miro, Willis, Wilson & Q. Johnson & Senators Booth & Peterson, before the House for consideration.

**HB 278** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.

Representative D. Short introduced and brought **HA 1 to HB 278** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representative D. Short made comments.

The roll call on **HB 278 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Longhurst & Mulrooney - 2.

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

Representative Keeley requested and was granted personal privilege of the floor to make comments and to make an announcement.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett introduced and brought **SCR 31**, jointly sponsored by Senator Simpson & Senator Cloutier & Senator Sorenson & Senators Bonini, Booth, Bunting, Connor, Lawson, Sokola & Venables & Representatives Briggs King, Carson, B. Short & D.E. Williams, before the House for consideration.

**SCR 31** - COMMEMORATING THE OUTSTANDING ACHIEVEMENTS AND CONTRIBUTIONS MADE BY SCOTTISH-AMERICANS TO THE UNITED STATES BY PROCLAIMING APRIL 6, 2012 AS NATIONAL TARTAN DAY.

Representative Bennett made comments. **SCR 31** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **HB 283**, jointly sponsored by Senator Booth & Representatives Hocker, Briggs King, Kenton, Outten, Lee, D. Short, Schwartzkopf & Carson & Senators Bunting & Venables, before the House for consideration.

**HB 283** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY GOVERNMENT

Representative Wilson made comments.

The roll call on **HB 283** was taken and revealed:

YES: 38.

NOT VOTING: Representative Keeley - 1.

ABSENT: Representatives Longhurst & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 283** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **SB 170 w/SA 1**, jointly sponsored by Senator Bunting & Representative Schwartzkopf, before the House for consideration.

**SB 170** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF DEWEY BEACH RELATING TO ALDERMANS. (2/3 bill)

Representative Schwartzkopf brought **HA 1 to SB 170** before the House for consideration.

Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Schwartzkopf brought **HA 2 to SB 170** before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representative Hocker made comments.

The roll call on **SB 170 w/SA 1, HA 1 & HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Longhurst & Mulrooney - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 170 w/SA 1, HA 1 & HA 2** was returned to the Senate.

Representatives Lavelle & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 4:12 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 24, 2012.

The Reading Clerk read the following communication into the record:

April 10, 2012

LEGISLATIVE ADVISORY #22

Governor Jack A. Markell signed the following legislation on the date indicated: 4/5/12 - **HB 49 aab HA 1, HJR 11, SB 85, HB 202 aab SA 2 & HJR 12.**

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.

**22nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
April 24, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Bennett - 1.

A prayer was offered by Representative Harvey R. Kenton, Thirty-sixth Representative District.

Mr. Speaker Gilligan led those present in the 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 227** - Q. JOHNSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9, Title 22 and Title 31 Relating to Housing.

**HB 300** - GILLIGAN & SENATOR DELUCA; REPRESENTATIVES BENNETT, BARBIERI, BRADY, CARSON, HEFFERNAN, JAQUES, Q. JOHNSON, KEELEY, KOWALCO, LONGHURST, MITCHELL, MULROONEY, OSIENSKI, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, VIOLA, D.E. WILLIAMS, D.P. WILLIAMS, HUDSON; SENATORS BLEVINS, BUSHWELLER, ENNIS, HENRY, PETERSON, SOKOLA, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Enhanced Disclosure, Reporting and Disclaimer Requirements in Delaware's Campaign Finance Laws.

**HB 302** - J. JOHNSON & SENATOR DELUCA; REPRESENTATIVES BOLDEN, BRADY, JAQUES, KEELEY, MULROONEY, OSIENSKI, WALKER, D.E. WILLIAMS; SENATORS ENNIS, CLOUTIER, CONNOR - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to the Licensure of Thermal System Insulation Mechanics.

**HB 303** - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, BOLDEN, HUDSON, JAQUES, KEELEY, KOWALCO, MANOLAKOS, MIRO, OSIENSKI, RAMONE, VIOLA, WALKER, D.E. WILLIAMS; SENATOR SOKOLA - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to School Based Health Centers and Insurance.

**HB 304** - CARSON & REPRESENTATIVE BENNETT & REPRESENTATIVE D.E. WILLIAMS & SENATOR ENNIS; REPRESENTATIVES BARBIERI, HUDSON, KENTON, OUTTEN, PETERMAN, D. SHORT, WILSON; SENATORS CONNOR, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.

**HA 3 to HB 191** - J. JOHNSON - Placed with the Bill.

**HA 1 to HB 248** - SCHOOLEY - Placed with the Bill.

**SB 186 w/SA 1** - PETERSON; SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, J. JOHNSON, LONGHURST, MULROONEY, VIOLA, HUDSON, B. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Parking in Residence Districts. (2/3 bill)

Representatives Lavelle & Miro requested that they be marked present.

The Reading Clerk read the following communications into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, David L. Wilson, do hereby request that my name be removed as co-sponsor of **HB 185**.

Date: 2/24/12

Signed: David L. Wilson

April 17, 2012

The Honorable Robert F. Gilligan

Delaware House of Representatives

P.O. Box 1401

Dover, DE 19903

Dear Speaker Gilligan,

As you know from our brief conversation and the subsequent media coverage, I was arrested on a DUI charge on Sunday, April 15, 2012. Being cognizant of the gravity of this charge and my actions, I decided to voluntarily check myself into a treatment facility in the Dover area the following day.

Over the course of this past year, I have been dealing with several personal problems that have affected both my business and my family. While these personal concerns are no excuse for my behavior, this incident has crystalized my realization that my problems, actions and the underlying causes, require immediate and long term attention.

I am currently in the process of finalizing a transfer to a more long term treatment facility in order to help me address these problems. I anticipate that I will not be present for the business of the House of

Representatives for some time, and I ask that you please inform my colleagues as I will not have access to normal means of communication.

I am very appreciative of the support and encouragement that many people have provided me during these troubled times. It is with your continued thoughts and prayers that I hope to emerge from this ordeal a better person than I am today.

Sincerely,

E. Bradford Bennett

State Representative

32<sup>nd</sup> District

Representatives Mitchell & M. Smith requested that they be marked present. Representative Blakey requested and was granted privilege of the floor for Joyce Warrington, Liaison, Organization of Adult Alumni and Students in Service, who addressed the House.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:10 p.m.

The House reconvened at 3:52 p.m.

Representatives Lee, Schooley, Mulrooney, Hudson & Longhurst requested that they be marked present. Representative Lee requested and was granted personal privilege of the floor to introduce a guest. Representative Viola requested that he be marked present.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan moved to suspend the rules which interfere with action on **HB 277**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Heffernan brought **HB 277**, jointly sponsored by Representative D.E. Williams & Senator McDowell & Representatives Atkins, Bennett, Gilligan, Hudson, Jaques, Q. Johnson, Keeley, Lavelle, Longhurst, Miro, Mitchell, Osienski, Schooley, Schwartzkopf, B. Short, D. Short, Viola, Willis & Wilson & Senators Ennis & Sokola, before the House for consideration.

**HB 277 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO HOME INVASION AND BURGLARY. (F/N)**

Representative Willis requested that **HA 1 to HB 277** be stricken. Representative Lavelle requested that **HA 2 to HB 277** be stricken. Representative Heffernan introduced and brought **HA 3 to HB 277** before the House for consideration. Representatives Heffernan, Lavelle & Willis made comments. **HA 3** was adopted by voice vote. Representative Heffernan made comments.

The roll call on **HB 277 w/HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 277 w/HA 3** was sent to the Senate for concurrence.

Representatives Keeley, Manolakos & D.P. Williams requested that they be marked present during the roll call. Representative Schwartzkopf made comments regarding **HB 277 w/HA 3**.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee brought **HB 281**, jointly sponsored by Senator Booth & Representatives Hocker, Briggs King, Kenton, D. Short, Wilson & Carson & Senators Bunting, Simpson, Sokola & Venables, before the House for consideration.

**HB 281 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO CAPITATION TAX.**

Representative Lee made comments.

The roll call on **HB 281** was taken and revealed:

YES: 40.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 281** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made announcements. Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 285**, jointly sponsored by Senator Blevins & Representatives Bolden, Heffernan, Hudson, J. Johnson, Kowalko, Miro, Mitchell & M. Smith & Senator Ennis, before the House for consideration.

**HB 285 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT.**

Representatives Barbieri & Briggs King made comments.

The roll call on **HB 285** was taken and revealed:

YES: 40.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 285** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **HB 295**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Bennett, Briggs King, Heffernan, Q. Johnson, Keeley, Kenton, Lavelle, Miro, Mitchell, Ramone, D. Short & Willis & Senators Bunting & Hall-Long, before the House for consideration.

**HB 295** - AN ACT TO AMEND TITLE 11 RELATING TO THE REGISTRATION OF SEX OFFENDERS.

Representative Walker made comments.

The roll call on **HB 295** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Q. Johnson - 2.

Therefore, having received a constitutional majority, **HB 295** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:16 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 25, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 36** and requests the concurrence of the House.

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

**23rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
April 25, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Bennett & D. P. Williams - 2.

A prayer was offered by Representative Lincoln D. Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan invited students from Delaware Technical & Community College Child Development Center to lead those present in the pledge of allegiance to the American flag. The students sang "We've Got the Whole World in Our Class."

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

The following prefiled legislation was introduced:

**HB 305** - LAVELLE & REPRESENTATIVE KOWALCO & SENATOR SORENSON; REPRESENTATIVES HOCKER, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, D. SHORT, WILLIS, WILSON; SENATORS BONINI, PETERSON, SOKOLA, BUNTING, VENABLES - ENERGY - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Energy Act.

**HA 2 to HB 292** - PETERMAN - Placed with the Bill.

**HA 1 to HB 303** - WILLIS - Placed with the Bill.

Representative Longhurst made comments. Representative M. Smith requested that she be marked present.

Representative Longhurst brought **Consent Calendar #11**, before the House for consideration.

**HCR 39** - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS - Proclaiming April 25, 2012 as "Early Childhood Advocacy Day."

**SCR 33** - CLOUTIER & SENATOR CONNOR & REPRESENTATIVE SCOTT; SENATORS BONINI, BOOTH, BUNTING, ENNIS, HALL-LONG, HENRY, LAWSON, SIMPSON, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES BARBIERI, BENNETT, BOLDEN, BRADY, BRIGGS KING, HEFFERNAN, HOCKER, Q. JOHNSON, KENTON, KOWALCO, LAVELLE, MITCHELL, WALKER, D.E. WILLIAMS - Designating April 26, 2012 as "Engineering and Technology Education Day" in the State of Delaware.

**SCR 35** - CONNOR & REPRESENTATIVE JAQUES; SENATORS BONINI, BOOTH, BUSHWELLER, CLOUTIER, ENNIS, HALL-LONG, HENRY, LAWSON, SIMPSON, SOKOLA, SORENSON; REPRESENTATIVES BENNETT, BOLDEN, BRIGGS KING, HEFFERNAN, HOCKER, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, D. SHORT, WILLIS, WILSON - Proclaiming the Week of April 22 through April 28, 2012 as Administrative Professionals Week.

**SCR 36** - SOKOLA ON BEHALF OF ALL SENATORS & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE RAMONE ON BEHALF OF ALL REPRESENTATIVES - Thanking the Parent Teacher Association (the "PTA") for its 115 Years of Service and Dedication to Our Children, Our Schools and Our Communities.

**Consent Calendar #11** was adopted by voice vote and **HCR 39** was sent to the Senate for concurrence and **SCR 35**, **SCR 33** & **SCR 36** were returned to the Senate.

Representative Schooley made comments regarding **HCR 39**. Representative Ramone requested and was granted personal privilege of the floor to make comments regarding **SCR 36** and to introduce guests. Representative Longhurst deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor for himself and Representative Lavelle to present a House Tribute to Mr. William Carrow to acknowledge his service as the President of the Association of Public-Safety Communication Officials - International. Mr. Carrow addressed the House and introduced his family and friends. Representative Keeley requested that she be marked present. Representative Keeley requested and was granted personal privilege of the floor to introduce a guest. Representative Scott requested that he be



marked present. Representative Longhurst deferred to Representative D. Short. Representative D. Short requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative D. Short requested that **HB 290** be stricken. Representative Longhurst deferred to Representative Outten. Representative Outten made comments and introduced guests. Representative Outten requested and was granted privilege of the floor for Melanie Jackson, State 4-H President, who addressed the House. Representative Miro requested that he be marked present.

Mr. Speaker Gilligan declared a recess at 2:24 p.m.

The House reconvened at 2:28 p.m.

Representative Longhurst deferred to Representative Walker. Representative Walker requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative Schwartzkopf deferred to Representative Brady. Representative Brady made comments and an announcement. Representative Mulrooney requested and was granted personal privilege of the floor to introduce guests and to make an announcement. Representative Peterman 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 2:33 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:33 p.m. on April 25, 2012: Representative Viola.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 26, 2012.

Representative D.P. Williams requested that he be marked present for the current Legislative Day.

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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 261** - 4F,1M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 168** - 6M; **HB 293** - 6M; **HB 294** - 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **SB 180 w/SA 1** - 11M.

AGRICULTURE: **HB 282** - 5F,1M.

HOUSE ADMINISTRATION: **SB 157 w/SA 2** - 5M.

EDUCATION: **HS 1 for HB 209** - 2F,6M; **HB 248** - 8M; **HB 268** - 10M; **SB 172 w/SA 1** - 12M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 37** and requests the concurrence of the House and the Senate has passed **HCR 39** and is returning the same to the House.

April 25, 2012

#### LEGISLATIVE ADVISORY #23

Governor Jack A. Markell signed the following legislation on the date indicated: 4/19/2012 - **HB 245 aab HA 1, SB 173, SB 153 aab SA 1, HB 272, HB 264 aab HA 1, SB 158 & HB 108**; 4/24/2012 - **SJR 8 aab SA 1 & HA 1**.

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.

### **24th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session April 26, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representatives Bennett - 1.

A prayer was offered by Representative Harold J. Peterman, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the 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 226** - KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Facilities.

**HB 306** - HOCKER & REPRESENTATIVE LAVELLE & REPRESENTATIVE D. SHORT & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, PETERMAN, WILLIS, WILSON, CARSON, B. SHORT; SENATORS BONINI, CLOUTIER, LAWSON, SIMPSON, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Regulatory Flexibility Act.

**HB 307** - MULROONEY & REPRESENTATIVE J. JOHNSON & SENATOR CONNOR & SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Reincorporate the Charter of the City of New Castle, Chapter 216, Volume 27, Laws of Delaware, as Amended, Entitled "An Act Amending, Revising and Consolidating the Charter of the City of New Castle".

**HB 310** - LONGHURST & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BRADY, CARSON, GILLIGAN, JACQUES, Q. JOHNSON, KEELEY, KOWALKO, MIRO, MITCHELL, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, VIOLA, WALKER, D.E. WILLIAMS, WILLIS; SENATORS CLOUTIER, DELUCA, HENRY, SOKOLA, SORENSON - HOUSE ADMINISTRATION -

An Act to Amend Chapter 80, Title 15 of the Delaware Code Relating to Violations of Campaign Finance Laws.

**HA 1 to HB 261** - LONGHURST - Placed with the Bill.

**HA 1 to HB 293** - SCHWARTZKOPF - Placed with the Bill.

**HJR 13** - SCOTT & REPRESENTATIVE HUDSON - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - Establishing New Reporting Dates for the Communications Tax Review Group.

**HA 1 to SB 174** - SCHWARTZKOPF - Placed with the Bill.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short requested and was granted personal privilege of the floor to introduce a guest and to make comments.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced and brought **HR 28**, jointly sponsored by Representative Kowalko & Representatives Barbieri, Briggs King, Heffernan, Jaques, J. Johnson, Q. Johnson, Keeley, Mitchell, Osienski, B. Short, Viola, Walker & D.E. Williams, before the House for consideration.

**HR 28** - RECOGNIZING APRIL 28, 2012 AS "WORKERS' MEMORIAL DAY".

Representative Brady made comments. **HR 28** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **SCR 37**, sponsored on behalf of All Representatives and jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**SCR 37** - COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2012.

Representative Schooley made comments. **SCR 37** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King requested and was granted personal privilege of the floor to make comments. Representative Atkins made comments. The House observed a moment of silence in memory of Mr. John M. Blakely, grandfather in-law of Representative Atkins, at the request of Representative Briggs King. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden introduced and brought **HR 27**, jointly sponsored by Representative Keeley & Representatives Atkins, Briggs King, Carson, J. Johnson, Q. Johnson, Kenton, Manolakos, Mitchell, Osienski, Ramone, Schwartzkopf & Wilson, before the House for consideration.

**HR 27** - JOINING YWCA DELAWARE IN TAKING A "STAND AGAINST RACISM" ON THE 27TH DAY OF APRIL 2012.

Representatives Bolden & Schwartzkopf made comments. **HR 27** was adopted by voice vote. Representative Bolden requested and was granted privilege of the floor for Ginny Marino, Chief Executive Officer, YWCA Delaware, who addressed the House. Representative Brady made comments. Representative Osienski requested that he be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:26 p.m.

The House reconvened at 3:53 p.m.

Representatives Viola & Mulrooney requested that they be marked present. Representative Schwartzkopf deferred to Representative M. Smith. Representative Keeley requested that she be marked present.

Representative M. Smith introduced and brought **SCR 32**, jointly sponsored by Senator Katz & Senator Hall-Long & Representative Keeley & Senators Blevins, Bunting, Bushweller, Cloutier, Connor, Ennis, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson & Venables & Representatives Bennett, B. Short, Carson, Gilligan, Hocker, Jaques, J. Johnson, Kenton, Lavelle, Longhurst, Miro, Mitchell, Mulrooney, Osienski, Outten, Ramone, Schooley, Schwartzkopf, Scott, D. Short & D.E. Williams, before the House for consideration.

**SCR 32** - COMMENDING THE DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS NINTH ANNUAL GIVE KIDS A SMILE PROGRAM, AND RECOGNIZING ITS CONTINUING EFFORTS.

Representatives M. Smith & Jaques made comments. Representative Keeley requested and was granted personal privilege of the floor to make comments. Representatives Kowalko, Briggs King & Lavelle made comments. **SCR 32** was adopted by voice vote and was returned to the Senate. Representative M. Smith requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf brought **SB 180 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Blevins, Booth, Bunting, Ennis & Henry & Representatives Carson, Hudson, Q. Johnson, Kenton, Lavelle & Longhurst, before the House for consideration.

**SB 180** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (3/5 bill)

Representatives Schwartzkopf & Briggs King made comments.

The roll call on **SB 180 w/SA 1** was taken and revealed:

YES: 38.

NO: Representative Jaques - 1.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 180 w/SA 1** was returned to the Senate.

Representative Longhurst requested that she be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 172 w/SA 1**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 172 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO P-20 COUNCIL**

Representative Schooley made comments.

The roll call on **SB 172 w/SA 1** was taken and revealed:

YES: 37.

NO: Representatives Jaques & Kowalko - 2.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 172 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 168**, jointly sponsored by Senator McBride & Senators Bunting, Venables, Peterson, Connor & Simpson & Representatives Carson, Hocker, Q. Johnson, Kenton, Mulrooney, Outten, Peterman & Wilson, before the House for consideration.

**SB 168 - AN ACT TO AMEND THE TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES.**

Representative Atkins made comments.

The roll call on **SB 168** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 168** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson brought **SB 157 w/SA 2**, jointly sponsored by Senator Peterson & Representative Scott & Representative Bennett & Senator Sokola, before the House for consideration.

**SB 157 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES HEALTHCARE INSURANCE PROGRAM.**

Representative Hudson made comments.

The roll call on **SB 157 w/SA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, having received a constitutional majority, **SB 157 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 294**, jointly sponsored by Senator Peterson & Representatives Heffernan, Keeley, Outten & Scott & Senators Sokola & Sorenson, before the House for consideration.

**HB 294 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Representative Mitchell made comments.

The roll call on **HB 294** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 294** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:21 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 1, 2012.

Mr. Speaker Gilligan reassigned **HB 299** to the Health & Human Development Committee.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HS 1 for HB 263 w/HA 1** and requests the concurrence of the House and the Senate has passed **SB 193 & SCR 32** and requests the concurrence of the House.

Representative Scott introduced **HB 308**, jointly sponsored by Representative Carson & Senator Bushweller & cosponsored by Representative Brady.

**HB 308 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR.**

Mr. Speaker Gilligan assigned **HB 308** to the Telecommunication, Internet & Technology Committee.

Representative Scott introduced **HB 309**, jointly sponsored by Representative Carson & Senator Bushweller & cosponsored by Representative Brady.

**HB 309 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.**

Mr. Speaker Gilligan assigned **HB 309** to the Telecommunication, Internet & Technology Committee.

Representatives Scott and Kowalko made announcements. Representative Miro requested and was granted personal privilege of the floor to make an announcement, to make comments and to introduce guests. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to make comments.

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 - 146th GENERAL ASSEMBLY - Second Session  
May 1, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Bennett & Blakey - 2.

A prayer was offered by Representative William J. Carson, Twenty-eighth Representative District.

Mr. Speaker Gilligan invited fourth grade students from Holy Angels School to lead those present in the 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 311** - BARBIERI & SENATOR HENRY; REPRESENTATIVES BRADY, HEFFERNAN, HUDSON, J. JOHNSON, Q. JOHNSON, MIRO, RAMONE, WALKER; SENATOR PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Admission, Maintenance and Discharge of Patients with Mental Conditions.

**HB 312** - B. SHORT & SENATOR CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Volume 60, Chapter 140, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Village of Ardentown", Relating to Corporate Limits and Town Meetings. (2/3 bill)

**HB 313** - KOWALKO & SENATOR BUNTING - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 31 of the Delaware Code Relating to the Provider Advisory Board.

**HB 314** - OSIENSKI & SENATOR DELUCA; REPRESENTATIVES BRIGGS KING, HEFFERNAN, HUDSON, JAQUES, Q. JOHNSON, MITCHELL, WALKER; SENATORS HALL-LONG, SOKOLA - EDUCATION - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to the Statewide Programs for the Deaf, Hard of Hearing and Deaf-Blind Including the Delaware School for the Deaf.

**HB 315** - BARBIERI & SENATOR HENRY; REPRESENTATIVES BENNETT, BRADY, HEFFERNAN, HUDSON, JAQUES, KEELEY, KOWALKO, MITCHELL, SCHOOLEY, SCHWARTZKOPF, M. SMITH, VIOLA, WALKER; SENATORS BUSHWELLER, ENNIS, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Emergency Medical Services Systems.

**HB 316** - BRIGGS KING & SENATOR LAWSON; REPRESENTATIVES MANOLAKOS, D. SHORT, WILLIS; SENATORS BUNTING, ENNIS, SIMPSON, SORENSON, VENABLES - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Credits for Broadband Services to Underserved and Rural Areas.

**HB 317** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES HEFFERNAN, HUDSON, J. JOHNSON, KEELEY, LONGHURST, MITCHELL, SCOTT, B. SHORT, M. SMITH; SENATORS BLEVINS, HALL-LONG - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Kindergarten Readiness.

**HB 318** - CARSON & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Chapter 176, Volume 74 Laws of Delaware, as Amended, Relating to the Charter of the Town of Smyrna. (2/3 bill)

**HB 319** - HEFFERNAN & SENATOR MCDOWELL; REPRESENTATIVES BRADY, HOCKER, HUDSON, Q. JOHNSON, OSIENSKI, M. SMITH, WALKER; SENATORS BUNTING, ENNIS, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Titles 19 and 29 of the Delaware Code Relating to an Employment First Priority Policy for Persons with Disabilities.

**HB 320** - Q. JOHNSON & SENATOR ENNIS & SENATOR HALL-LONG & SENATOR MARSHALL; REPRESENTATIVES BARBIERI, BENNETT, BRADY, JAQUES, KEELEY, KOWALKO, PETERMAN, SCOTT, VIOLA, WALKER, WILSON; SENATOR PETERSON - GAMING & PARI-MUTUELS - An Act to Amend Title 3 of the Delaware Code Relating to Horse Racing.

**HA 1 to HJR 13** - SCOTT - Placed with the Bill.

**HA 1 to HA 1 to HJR 13** - SCOTT - Placed with the Bill.

**HCR 42** - D. SHORT & SENATOR SIMPSON & REPRESENTATIVES LAVELLE, HOCKER, BLAKEY, BRIGGS KING, HUDSON, KENTON, LEE, MANOLAKOS, MIRO, OUTTEN, PETERMAN, RAMONE, WILLIS, WILSON, JAQUES, KEELEY, B. SHORT; SENATORS SORENSON, BONINI,

LAWSON, BOOTH, CONNOR, CLOUTIER - HOUSE ADMINISTRATION - Requesting an Opinion from the Justices of the Delaware Supreme Court Regarding Sheriffs' Power of Arrest.

**HCR 43** - D. SHORT & REPRESENTATIVE OSIENSKI & SENATOR SIMPSON & SENATOR HENRY; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, KENTON, MANOLAKOS, OUTTEN, WILLIS, WILSON, JAQUES, Q. JOHNSON, KEELEY, KOWALKO, B. SHORT; SENATORS ENNIS, PETERSON, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - Requesting the Office of Management and Budget and the Delaware Economic Development Office to Evaluate the Feasibility of Applying a Credit for Manufacturers Located in Delaware in Designating State Contract Vendors and Eliminating Certain Contract Requirements.

**SB 193** - SOKOLA & SENATOR CLOUTIER & REPRESENTATIVE SCHOOLEY; SENATORS BLEVINS, KATZ, HALL-LONG, ENNIS, BUNTING; REPRESENTATIVES BOLDEN, M. SMITH, HEFFERNAN, Q. JOHNSON, WALKER, HUDSON, MIRO, OSIENSKI, BENNETT, KENTON, BRIGGS KING, WILSON - EDUCATION - An Act to Amend Titles 14 and 29 of the Delaware Code Relating to the Conduct of Delaware Public School Students

Representative Keeley requested that she be marked present.

The Reading Clerk read the following communication into the record:

**Reminder**

**TO:** Richard L. Puffer, Chief Clerk of the House  
Bernard Brady, Secretary of the Senate  
**FROM:** Deborah A. Porter  
Acting Director  
**DATE:** May 1, 2012  
**RE:** **POLICEMEN'S MEMORIAL - APPROVAL HAS BEEN GRANTED TO USE THE WEST SIDE OF LEGISLATIVE HALL PARKING SPACES.**

Please make an announcement on the floor reminding everyone of the following:  
Legislative Avenue will be closed and parking on the west side of Legislative Hall will be interrupted for the annual Policemen's Memorial scheduled for **Wednesday, May 2 2012 at 12:00 until approximately 1:30 PM. To prepare for the event the streets will be closed from 10:00 a.m. to 2:00 p.m.**

This event has been approved by both the Chair and Co Chair of the Legislative Council.

Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone requested and was granted personal privilege of the floor to introduce guests. Representative Ramone requested and was granted privilege of the floor for Sarah Sweigart, Delaware Governor, Youth In Government, who addressed the House. Representatives Ramone, Schwartzkopf & Lavelle made comments. Representative Mitchell requested that he be marked present. Representative Schooley made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:20 p.m.

The House reconvened at 4:20 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 188 & SB 200** and requests the concurrence of the House.

**MEMORANDUM**

**TO:** Speaker Robert Gilligan  
**FROM:** Representative Donald Blakey  
**DATE:** May 1, 2012  
**SUBJECT:** Absence from session

I will be absent from session on Tuesday, May 1, 2012 due to personal business.

Representative Viola requested that he be marked present.

Representative Schwartzkopf brought **SB 174 w/SA 1**, jointly sponsored by Senator Bushweller & Senator Marshall & Senators DeLuca, Blevins, Bunting, Booth, Cloutier, Ennis, Hall-Long, Henry, Sokola, Lawson, Sorenson & Venables & Representatives Mitchell, M. Smith, Gilligan, Carson, Scott, Briggs King, J. Johnson, Atkins, Lee, Willis, Kenton, D. Short, Lavelle, Hocker, Jaques, Viola, Wilson & D.P. Williams, before the House for consideration.

**SB 174** - AN ACT TO AMEND TITLE 10, CHAPTER 43 OF THE DELAWARE CODE AS IT RELATES TO EVIDENCE AND WITNESSES.

Representative Schwartzkopf requested that **HA 1 to SB 174** be stricken. Representative Schwartzkopf introduced and brought **HA 2 to SB 174** before the House for consideration. Representative Schwartzkopf made comments. **HA 2** was adopted by voice vote. Representatives Schwartzkopf & Mitchell made comments.

The roll call on **SB 174 w/SA 1 & HA 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Blakey - 2.

Therefore, having received a constitutional majority, **SB 174 w/SA 1 & HA 2** was returned to the Senate for concurrence on **HA 2**.

Representatives Mulrooney & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 191**, jointly sponsored by Representative Mulrooney & Senator Connor & Representatives Barbieri, Mitchell & Viola, before the House for consideration.

**HB 191** - AN ACT TO AMEND TITLE 21 RELATING TO COMMERCIAL VEHICLES.

Representative J. Johnson requested that **HA 1 to HB 191** be stricken. Representative J. Johnson brought **HA 2 to HB 191** before the House for consideration. Representative J. Johnson made comments. **HA 2** was adopted by voice vote. Representative J. Johnson brought **HA 3 to HB 191** before the House for consideration. Representatives J. Johnson & Lee made comments. **HA 3** was adopted by voice vote. Representative J. Johnson introduced and brought **HA 4 to HB 191** before the House for consideration. Representative J. Johnson made comments. **HA 4** was adopted by voice vote. Representatives J. Johnson & Ramone made comments.

The roll call on **HB 191 w/HA 2, 3 & 4** was taken and revealed:

YES: 24.

NO: Representatives Atkins, Briggs King, Hocker, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 14.

ABSENT: Representatives Bennett, Blakey & Lavelle - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 191 w/HA 2, 3 & 4** was declared defeated.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HS 1 for HB 209**, jointly sponsored by Representative Gilligan & Representative D.E. Williams & Senator McDowell & Representative Keeley, before the House for consideration.

**HS 1 for HB 209** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION OF SCHOOL PROPERTY TAX CREDITS.

Representative Scott brought **HA 1 to HS 1 for HB 209** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representative Scott made comments.

The roll call on **HS 1 for HB 209 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Blakey & Lavelle - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 209 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on **HJR 13**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Scott brought **HJR 13**, jointly sponsored by Representative Hudson, before the House for consideration.

**HJR 13** - ESTABLISHING NEW REPORTING DATES FOR THE COMMUNICATIONS TAX REVIEW GROUP.

Representative Scott brought **HA 1 to HJR 13** before the House for consideration. Representative Scott brought **HA 1 to HA 1 to HJR 13** before the House for consideration. Representative Scott made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Scott made comments. **HA 1** was adopted by voice vote. Representative Scott made comments.

The roll call on **HJR 13 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Blakey & Lavelle - 3.

Therefore, having received a constitutional majority, **HJR 13 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 248**, jointly sponsored by Representative Kowalko & Representative Jaques, before the House for consideration.

**HB 248** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.

Representative Schooley brought **HA 1 to HB 248** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 248 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Blakey & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 248 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 289**, jointly sponsored by Representative Hocker & Senator DeLuca & Senator Bonini & Representatives Barbieri, Brady, Heffernan, Peterman & Schooley & Senator Lawson & cosponsored by Representatives Kenton, D.E. Williams & Wilson, before the House for consideration.

**HB 289 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO LOANS.**

Representative Keeley made comments. Representative Keeley introduced and brought **HA 1 to HB 289** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representative Keeley introduced and brought **HA 2 to HB 289** before the House for consideration. Representatives Keeley & Ramone made comments. **HA 2** was adopted by voice vote. Representative Keeley made comments.

Mr. Speaker Gilligan declared a recess at 5:13 p.m.

The House reconvened at 5:15 p.m.

Representative Heffernan made comments. Representative Heffernan introduced and brought **HA 3 to HB 289** before the House for consideration. Representatives Briggs King, Keeley, Kowalko, Mulrooney, Heffernan & Keeley made comments.

The roll call on **HA 3 to HB 289** was taken and revealed:

YES: Representatives Heffernan, Keeley, Kowalko, Mulrooney, D. Short, D.P. Williams & Gilligan - 7.

NO: 31.

ABSENT: Representatives Bennett, Blakey, Lavelle - 3.

Therefore, not having received a constitutional majority, **HA 3 to HB 289** was declared defeated.

Representatives Kowalko, Keeley, Jaques, Ramone, Keeley, Ramone, Keeley, Mulrooney, D.P. Williams & Keeley made comments.

The roll call on **HB 289 w/HA 1 & 2** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Bolden, Q. Johnson, Lee, Longhurst, Outten & Schwartzkopf - 7.

NOT VOTING: Representatives Briggs King, Ramone, Scott, M. Smith & Wilson - 5.

ABSENT: Representatives Bennett, Blakey & Lavelle - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 289 w/HA 1 & 2** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:52 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 2, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 199 w/SA 1** and requests the concurrence of the House and the Senate has passed **HCR 41** and is returning the 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.

## **26th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session May 2, 2012**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Bennett, M. Smith & D.P. Williams - 3.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

Mr. Speaker Gilligan led those present in the 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 321 - KENTON & SENATOR BUNTING & REPRESENTATIVES HOCKER, HUDSON, BOLDEN, WILSON; SENATOR VENABLES - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Regulation of Sale and Use of Pesticides and Devices. (2/3 bill)**

**HB 322 - KENTON & REPRESENTATIVE HOCKER & REPRESENTATIVE LEE & REPRESENTATIVE D. SHORT & REPRESENTATIVE WILSON & SENATOR BOOTH; REPRESENTATIVES BLAKEY, BRIGGS KING, HUDSON, MANOLAKOS, OUTTEN, PETERMAN, RAMONE, ATKINS, KEELEY, MITCHELL; SENATORS PETERSON, SIMPSON, BUNTING, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Assessment of Property.**

**HA 1 to HB 311 - M. SMITH - Placed with the Bill.**

**HA 1 to SS 1 for SB 151 - BARBIERI - Placed with the Bill.**

The Reading Clerk read the following communications into the record:

### HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: May 2, 2012

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>                                                                 |
|---------------|----------------|-------------|-------------|------------------------------------------------------------------------------------|
| H146-1403     | Keeley         | 4/2/2012    | T           | Housing Opportunities of Northern DE, Inc. - Fair Housing Ceremony                 |
| H146-1404     | Hudson         | 3/21/2012   | T           | Anna Flynn - 95th Birthday                                                         |
| H146-1405     | Schooley       | 3/24/2012   | M           | Doris Margaret Billingsley                                                         |
| H146-1406     | Peterman       | 3/20/2012   | M           | Phillip B. Van Vorst<br>cosponsors: Reps. Outten, Kenton & Wilson                  |
| H146-1407     | Ramone         | 3/20/2012   | M           | John Patrick Murphy                                                                |
| H146-1408     | Miro           | 3/29/2012   | T           | Janice Seitz, Ph.D. - Retirement - UD<br>cosponsors: Reps. Outten, Wilson & Kenton |
| H146-1409     | Kenton         | 3/21/2012   | T           | Vicky Cooke - Induction - DE Commission for Women - Hall of Fame                   |
| H146-1410     | Brady          | 3/21/2012   | T           | Micki Edelson - Induction - DE Commission for Women Hall of Fame                   |
| H146-1411     | Miro           | 3/21/2012   | T           | Vivian Rapposelli - Induction - DE Commission for Women Hall of Fame               |
| H146-1412     | D.E. Williams  | 3/21/2012   | T           | Frances West - Induction - DE Commission for Women Hall of Fame                    |
| H146-1413     | Outten         | 3/30/2012   | T           | Felton Hardware - 50 Years<br>cosponsors: Reps. Kenton & Wilson                    |
| H146-1414     | Schwartzkopf   | 4/26/2012   | M           | Allan J. Lynch                                                                     |
| H146-1415     | B. Short       | 3/22/2012   | T           | Pearl Holzhauser - 112th Birthday                                                  |
| H146-1416     | Briggs King    | 3/24/2012   | M           | Harold B. Short                                                                    |
| H146-1417     | D.E. Williams; | 3/22/2012   | M           | Walter T. Dixon<br>Bolden                                                          |
| H146-1418     | B. Short       | 3/25/2012   | T           | Lorna Lee - 50th Birthday                                                          |
| H146-1419     | Briggs King    | 5/20/2012   | T           | Matthew Jenney - Eagle Scout                                                       |
| H146-1420     | Kenton;        | 3/24/2012   | M           | Walter Summers<br>Wilson                                                           |
| H146-1421     | Briggs King    | 3/23/2012   | T           | Brooks Mears - 90th Birthday<br>cosponsors: Reps. Wilson & Kenton                  |
| H146-1422     | Scott; Bennett | 3/27/2012   | M           | Ann Harris                                                                         |
| H146-1423     | Lavelle;       | 5/28/2012   | T           | Julius Todd - Heroic Rescue<br>Bolden                                              |
| H146-1424     | Gilligan;      | 3/28/2012   | T           | Arron Varn - Heroic Rescue<br>Bolden                                               |
| H146-1425     | Walker;        | 3/28/2012   | T           | Sam Price - Heroic Rescue<br>Bolden                                                |
| H146-1426     | Scott          | 4/28/2012   | M           | Hattye Mae Biddle                                                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: May 2, 2012

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>                                                                               |
|---------------|----------------|-------------|-------------|--------------------------------------------------------------------------------------------------|
| H146-1427     | Kenton         | 4/02/2012   | M           | Harry Edward Jarman, Jr.<br>cosponsors: Reps. Outten, Peterman & Wilson                          |
| H146-1428     | Peterman       | 3/28/2012   | M           | Mary Carey Smalley<br>cosponsors: Reps. Outten, Kenton & Wilson                                  |
| H146-1429     | Carson         | 3/27/2012   | M           | Jacqueline C. Sampere                                                                            |
| H146-1430     | Schwartzkopf   | 3/20/2012   | T           | Ray & Thelma Brown - 65th Wedding Anniversary                                                    |
| H146-1431     | Carson;        | 3/31/2012   | T           | Tom Kinkus - Outstanding Coach & Advisor - John B. Moore School                                  |
| H146-1432     | Carson; Willis | 3/31/2012   | T           | Jenny Farmer - Outstanding Teacher - Smyrna High School                                          |
| H146-1433     | Carson; Willis | 3/31/2012   | T           | Dale Farmer - Outstanding Teacher & Coach - John B. Moore School                                 |
| H146-1434     | Carson; Willis | 3/31/2012   | T           | Martha Everett - Outstanding Teacher & Coach - Smyrna High School                                |
| H146-1435     | Carson; Willis | 3/31/2012   | T           | Mary Miemicke - Outstanding Teacher, Advisor & Coach - Smyrna High School                        |
| H146-1436     | Carson         | 3/31/2012   | T           | Ebe Joseph, Jr. - Outstanding Teacher, Advisor & Coach - John B. Moore School/Smyrna High School |
| H146-1437     | Outten         | 4/2/2012    | M           | Grace Marie Clark Welch                                                                          |
| H146-1438     | Lee            | 3/22/2012   | T           | Ruth Hickman & Christopher Walls - Tree Farmer of                                                |



|           |                                                   |           |   |                                                                                                 |
|-----------|---------------------------------------------------|-----------|---|-------------------------------------------------------------------------------------------------|
|           |                                                   |           |   | the Year                                                                                        |
| H146-1439 | Blakey; Lavelle                                   | 4/25/2012 | T | William Carrow - President - Assoc. of Public Safety - Communications Officials - International |
| H146-1440 | Mitchell; Heffernan                               | 4/4/2012  | T | Kevin Kerrigan - Elsmere Police Dept. - Heroism                                                 |
| H146-1441 | Mitchell; D.P. Williams                           | 4/4/2012  | T | John Mitchell III - Elsmere Police Dept. - Heroism                                              |
| H146-1442 | Blakey                                            | 4/14/2012 | T | Pastor Joseph Cooper - 85th Birthday                                                            |
| H146-1443 | Atkins; Hocker                                    | 4/21/2012 | T | Alex Robb - Eagle Scout                                                                         |
| H146-1444 | Carson                                            | 4/28/2012 | T | Annamay & Kenneth Decker - Retirements - DelDOT                                                 |
| H146-1445 | Walker                                            | 4/13/2012 | T | Delaware City Fire Co. - 125 Years                                                              |
|           | cosponsors: Reps. Longhurst, Outten, Carson & Lee |           |   |                                                                                                 |
| H146-1446 | Blakey                                            | 4/21/2012 | T | Rev. Richard Avant - 30 Years in Ministry                                                       |
|           | cosponsor: Rep. Scott                             |           |   |                                                                                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: May 2, 2012

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                                                              |
|-----------|--------------------------------------------|-----------|------|--------------------------------------------------------------------------|
| H146-1447 | Blakey                                     | 4/3/2012  | M    | William L. Welch, Sr.                                                    |
|           | cosponsor: Rep. Outten                     |           |      |                                                                          |
| H146-1448 | Peterman                                   | 4/3/2012  | T    | Kent-Sussex Industries, Inc. - 50 Years                                  |
|           | cosponsors: Reps. Kenton & Outten & Wilson |           |      |                                                                          |
| H146-1449 | Briggs King                                | 4/21/2012 | T    | Matthew Goins - Eagle Scout                                              |
| H146-1450 | Hudson                                     | 3/30/2012 | M    | Paul T. Dauphin, Jr.                                                     |
| H146-1451 | Blakey; Bennett                            | 3/30/2012 | M    | Darrell Lynn Wilson                                                      |
| H146-1452 | Peterman                                   | 4/4/2012  | M    | Harriett Everett                                                         |
| H146-1453 | Briggs King; Schwartzkopf; Kenton          | 4/16/2012 | T    | Fort Miles Historical Society - USS Missouri - 16 inch gun               |
| H146-1454 | Outten                                     | 4/5/2012  | M    | Paul Cagle                                                               |
| H146-1455 | J. Johnson                                 | 4/7/2012  | T    | Robert & Lillian Watson - 70th Wedding Anniversary & 90th Birthdays      |
| H146-1456 | Blakey                                     | 4/19/2012 | T    | William Carrow - Manager State Police Communications - Dedicated Service |
| H146-1457 | Ramone                                     | 4/14/2012 | T    | John Agnew - 50 Years - Baseball Coach                                   |
| H146-1458 | Gilligan; Brady                            | 4/27/2012 | T    | Gladie Brogan - Retirement - Dover Federal Credit Union                  |
| H146-1459 | Wilson                                     | 4/26/2012 | T    | Sandra Fleetwood - Retirement - DHSS                                     |
| H146-1460 | J. Johnson                                 | 4/28/2012 | T    | Stephanie Hojnicky - 50 Years - Minquadale Ladies Auxiliary              |
| H146-1461 | Kenton                                     | 4/7/2012  | M    | James C. White, DPM                                                      |
|           | cosponsors: Reps. Briggs King & Wilson     |           |      |                                                                          |
| H146-1462 | Carson                                     | 4/3/2012  | M    | James Richie Truitt                                                      |
| H146-1463 | Ramone                                     | 4/15/2012 | T    | Carl Cavanugh - 80th Birthday                                            |
| H146-1464 | Longhurst                                  | 4/28/2012 | T    | Kelly Heinz-Grundner Brain Tumor Foundation - 5th Annual Awareness Walk  |
|           | cosponsors: All Representatives            |           |      |                                                                          |
| H146-1465 | J. Johnson                                 | 4/28/2012 | T    | Lena Daminao - 55 Years - Minquadale Ladies Auxiliary                    |
| H146-1466 | J. Johnson                                 | 4/28/2012 | T    | Virginia Houck - 60 Years - Minquadale Ladies Auxiliary                  |
| H146-1467 | J. Johnson                                 | 4/28/2012 | T    | Ryan Mohr - 20 Years/Life Membership - Minquadale Fire Co.               |
| H146-1468 | Outten                                     | 4/21/2012 | T    | Charlotte Gingerich - 50 Years - Felton Community Fire Co. Auxiliary     |

#### HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: May 2, 2012

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                                                  |
|-----------|------------|-----------|------|--------------------------------------------------------------|
| H146-1469 | J. Johnson | 4/28/2012 | T    | Alan Thompson - Chiefs Award - 55Years - Minquadale Fire Co. |
| H146-1470 | J. Johnson | 4/28/2012 | T    | Edward Williams - 55 Years - Minquadale Fire Co.             |

|           |                                                    |            |   |                                                                         |
|-----------|----------------------------------------------------|------------|---|-------------------------------------------------------------------------|
| H146-1471 | J. Johnson                                         | 4/28/2012  | T | Frederick Wilson, Sr. - 60 Years - Minquadale Fire Co.                  |
| H146-1472 | J. Johnson                                         | 4/28/2012  | T | Joseph Hojnicky, Sr. - 65 Years - Minquadale Fire Co.                   |
| H146-1473 | J. Johnson                                         | 4/28/2012  | T | Joseph Day - Member of the Year - Minquadale Fire Co.                   |
| H146-1474 | J. Johnson                                         | 4/28/2012  | T | Brian Poore - Member of the Year - Minquadale Fire Co.                  |
| H146-1475 | Outten                                             | 4/12/2012  | M | Kathleen Marie Simpson                                                  |
| H146-1476 | Carson; Willis                                     | 4/11/2012  | M | Jeffrey Uffner                                                          |
| H146-1477 | Bennett                                            | 4/14/2012  | T | James & Joan Sciple - 45th Wedding Anniversary                          |
| H146-1478 | Miro                                               | 4/16/2012  | T | INCYTE - Company of the Year - Delaware BioScience Assoc.               |
| H146-1479 | Miro; Scott                                        | 4/16/2012  | T | Noureddine Melikechi, PhD - Academic Award - Delaware BioScience Assoc. |
| H146-1480 | Miro; D.E. Williams                                | 4/16/2012  | T | Dr. Charles Robertson - Innovation Award - Delaware BioScience Assoc.   |
| H146-1481 | Miro; Hudson                                       | 4/16/2012  | T | J. Michael Bowman - Service Award - Delaware BioScience Assoc.          |
| H146-1482 | Gilligan; Brady                                    | 4/11/2012  | M | John J. Keating, Sr.                                                    |
| H146-1483 | Carson                                             | 4/15/2012  | T | Dolores Harmon - 80th Birthday                                          |
| H146-1484 | Peterman                                           | 4/14/2012  | M | Orray Weller Cooper                                                     |
| H146-1485 | cosponsors: Reps. Kenton & Wilson<br>Scott; Blakey | 5/3/2012   | T | Gary Pippin - Distinguished Alumni Award - DelTech - Terry Campus       |
| H146-1486 | J. Johnson                                         | 4/21/2012  | T | Ladies Auxiliary - Holloway Terrace Vol. Fire Co. - 90 Years            |
| H146-1487 | cosponsor: Rep. Mulrooney<br>D. Short              | 5/4/2012   | T | Kenneth & Mabel Madden - 70th Wedding Anniversary                       |
| H146-1488 | Mulrooney                                          | 3/3/2012   | T | Albert & Lillian Shue - 50th Wedding Anniversary                        |
| H146-1489 | Carson                                             | 4/16/2012  | M | Phyllis L. Cullen                                                       |
| H146-1490 | cosponsor: Rep. Outten<br>Scott                    | 04/21/2012 | T | Evelyn Heidebrecht - 90th Birthday                                      |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Lee. Representative Lee requested and was granted privilege of the floor to present a House Tribute to the Honorable William J. Hopkins, Jr. on the occasion of his retirement from the Justice of the Peace Court. Judge Hopkins is recognized as the longest serving judge in the history of Delaware's Justice of the Peace Court having served for 46 years. The Honorable Alan Davis, Chief Magistrate, Justice of the Peace Court, addressed the House. Judge Hopkins addressed the House and introduced guests. Representatives Lavelle, Miro & Viola requested that they be marked present. Representatives Keeley, J. Johnson, D. Short, Atkins, Schwartzkopf & Mitchell made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 3, 2012.

Representative D.P. Williams requested that he be marked present for the current Legislative Day.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 185 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 238 w/HA 1** & **HB 167 w/HA 1** and is returning the same to the House.

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

PUBLIC SAFETY & HOMELAND SECURITY: **HB 304** - 6M; **SB 186 w/SA 1** - 6M; **HB 288** - 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 303** - 5F,2M.

HEALTH & HUMAN DEVELOPMENT: **SB 162** - 8M; **SS 1 for SB 151** - 8M.

ENERGY: **HB 305** - 4F,1M.

HOUSE ADMINISTRATION: **HB 300** - 2F,2M; **HB 310** - 5M; **HB 307** - 4M.

HOUSING & COMMUNITY AFFAIRS: **HS 1 for HB 227** - 1F,6M.

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.

## 27th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session May 3, 2012

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Bennett - 1.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan led those present in the 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 323** - BRIGGS KING & SENATOR SIMPSON; REPRESENTATIVE KENTON - HOUSE ADMINISTRATION - An Act to Amend Volume 57, Chapter 170 of the Laws of Delaware, as Amended, the Charter of the City of Lewes, to Make Voter Qualifications Consistent with the New Senatorial District Created in Response to the 2010 Census, and Further to Amend the Process by Which the City Awards Certain Contracts for the Purchase of Materials or for the Furnishing of Services Authorized or Permitted by the Charter for the City of Lewes. (2/3 bill)

**HA 1 to HB 268** - SCHOOLEY - Placed with the Bill.

**HA 1 to HB 273** - BRIGGS KING - Placed with the Bill.

**HA 1 to HB 288** - B. SHORT - Placed with the Bill.

**HA 2 to HB 303** - WILLIS - Placed with the Bill.

**HA 1 to HB 304** - CARSON - Placed with the Bill.

**SB 185 w/SA 1** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, BUSHWELLER, CLOUTIER, ENNIS, HALL-LONG, HENRY, SOKOLA, SORENSON; REPRESENTATIVES BENNETT, BLAKEY, HUDSON, KEELEY, LAVELLE, LEE, LONGHURST, MIRO, MITCHELL, RAMONE, SCHWARTZKOPF, B. SHORT, D. SHORT, VIOLA, WILSON, KOWALKO - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Registration of Lobbyists.

**SB 188** - BLEVINS & REPRESENTATIVE M. SMITH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Miscellaneous Provisions Concerning Animals.

**SB 199 w/SA 1** - PETERSON & REPRESENTATIVE MITCHELL; SENATORS BUNTING; REPRESENTATIVES BENNETT, KEELEY, HUDSON, OUTTEN, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Taxicab and Limousine Drivers.

**SB 200** - BLEVINS & REPRESENTATIVE BARBIERI & SENATOR SORENSON & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to the Fatal Incident Review Team.

**HA 1 to SB 185** - LAVELLE - Placed with the Bill.

Representative Bolden requested that she be marked present.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HS 1 for HB 226** - 1F,3M;

**HB 313** - 1F,3M.

Representative Schwartzkopf made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:07 p.m.

The House reconvened at 3:43 p.m.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan introduced and congratulated University of Delaware's Championship Women's Basketball Team and Head Coach Tina Martin. Coach Martin stated team members' names and hometowns for the record. Representative Schwartzkopf made comments.

The Reading Clerk read **HCR 41**, sponsored by All Representatives and All Senators and previously adopted by the House and the Senate.

**HCR 41** - RECOGNIZING THE UNIVERSITY OF DELAWARE WOMEN'S BASKETBALL TEAM AND COMMENDING THEM ON AN EXTRAORDINARY 2011-2012 SEASON.

WHEREAS, the University of Delaware Women's Basketball Team recently completed a record-breaking and inspiring season, setting a school record for wins in a season, with 31 wins and two losses; and

WHEREAS, the Team earned its first ever national ranking, captured the Colonial Athletic Association title and won an NCAA tournament game for the first time; and

WHEREAS, Elena Delle Donne has been a tremendous team leader, earning numerous national awards, including first team John Wooden All-American; and

WHEREAS, the team members exhibited tremendous skill, strength of character, teamwork and sportsmanship throughout the season, providing inspiration and role models for young Delawareans; and

WHEREAS, the team and coaching staff have been commendable ambassadors for the State of Delaware throughout the season;

NOW, THEREFORE:

BE IT RESOLVED, by the House of Representatives of the 146th General Assembly of the State of Delaware, the Senate concurring therein, that the University of Delaware Women's Basketball Team is hereby commended and congratulated on an outstanding season and the members join with the citizens of Delaware in thanking the team for a tremendous experience.

BE IT FURTHER RESOLVED, that Head Coach Tina Martin, Colonial Athletic Association Coach of the Year, and the coaching staff and managers, are hereby acknowledged and commended for their dedication and leadership.

Team members were presented copies of **HCR 41**. Mr. Speaker Gilligan made comments. Representatives Longhurst, Kowalko, Lavelle, Brady, Jaques, J. Johnson, Keeley & Hudson made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 189 & SS 1 for SB 176** and requests the concurrence of the House and the Senate has passed **HB 280 w/SA 1** and is returning the same to the House.

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

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 309** - 1F,4M.

Representatives Peterman, Outten, Mulrooney, D.P. Williams & Schooley requested that they be marked present. Representative Scott requested and was granted personal privilege of the floor to introduce a guest.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley brought **HB 268**, jointly sponsored by Representative Bennett & Senator Sokola & Senator Cloutier & Senator Henry & Representatives M. Smith, Heffernan, Hudson, Kenton, Kowalko, Lavelle, Longhurst, Manolakos, Miro, Osienski, Ramone, D. Short, Walker & Willis & Senators Blevins, Bunting & Sorenson & cosponsored by Representative Scott & Senators Connor, Katz & Marshall, before the House for consideration.

**HB 268** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BULLYING.

Representative Schooley brought **HA 1 to HB 268** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representatives Schooley, Hudson & Blakey made comments.

The roll call on **HB 268 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 268 w/HA 1** was sent to the Senate for concurrence.

Representative Keeley requested that she be marked present during the roll call. Representative Schooley made comments regarding **HB 268**. Representative Longhurst deferred to Representative Atkins. Representative Atkins made an announcement.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 288**, jointly sponsored by Senator McDowell & Senators Cloutier, Ennis & Venables, before the House for consideration.

**HB 288** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION.

Representative B. Short brought **HA 1 to HB 288** before the House for consideration. Representative B. Short made comments. **HA 1** was adopted by voice vote. Representatives B. Short & Blakey made comments.

The roll call on **HB 288 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Lavelle, Miro - 3.

Therefore, having received a constitutional majority, **HB 288 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 186 w/SA 1**, jointly sponsored by Senator Peterson & Senator Sokola & Representatives Gilligan, Longhurst, Mulrooney, Viola & Hudson, before the House for consideration.

**SB 186** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING IN RESIDENCE DISTRICTS. (2/3 bill)

Representatives J. Johnson, Kowalko, Hudson & Brady made comments.

The roll call on **SB 186 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Bolden - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 186 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 261**, jointly sponsored by Senator Hall-Long & Representatives Briggs King, Carson, Hudson, Jaques, Osienski & D. Short, before the House for consideration.

**HB 261** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TERMINATION OF UTILITY SERVICE OR SALE.

Representative Longhurst brought **HA 1** to **HB 261** before the House for consideration.

Representatives Longhurst, Kowalko, Hudson, Kowalko, Longhurst & Kowalko made comments.

**HA 1** was adopted by voice vote. Representative Longhurst made comments.

The roll call on **HB 261 w/HA 1** was taken and revealed:

YES: 36.

NO: Representative Kowalko - 1.

ABSENT: Representatives Bennett, Bolden, Heffernan & Keeley - 4.

Therefore, having received a constitutional majority, **HB 261 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **HB 282**, jointly sponsored by Representative Carson & Senator Booth & Representatives Hocker, Briggs King, Hudson, Kenton, Lee, Outten, D. Short, Willis, Keeley & Mulrooney & Senators Ennis, Simpson & Sokola, before the House for consideration.

**HB 282** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE NUTRIENT MANAGEMENT COMMISSION.

Representatives Wilson & Jaques made comments.

The roll call on **HB 282** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Bolden & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 282** was sent to the Senate for concurrence.

Representative Schwartzkopf introduced **HB 325**, jointly sponsored by Senator Sokola & Representatives Barbieri, Bolden, Brady, Carson, Gilligan, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Lee, Longhurst, Miro, Mitchell, Mulrooney, Ramone, Schooley, Walker, M. Smith, Scott, B. Short, Viola & D.E. Williams & cosponsored by Senator Bushweller.

**HB 325** - AN ACT TO AMEND TITLES 3, 5, 6, 7, 9, 10, 11, 16, 23, 29 AND 30 OF THE DELAWARE CODE RELATING TO SHERIFFS AND SHERIFF DEPUTIES.

Mr. Speaker Gilligan assigned **HB 325** to the House Administration Committee.

Representative Schwartzkopf made an announcement. Representative Schwartzkopf deferred to Representative Brady. Representative Brady made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:53 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 8, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 38 & SCR 39** and is returning the same to the House and the Senate has passed **SB 203 & SB 207 w/SA 1** and is returning the same to the House.

May 3, 2012

#### LEGISLATIVE ADVISORY #24

Governor Jack A. Markell signed the following legislation on the date indicated: 4/28/12 - **HS 1 for HB 263 aab HA 1**; 5/1/12 - **SB 170 aab SA 1 & HA 1 & 2 & HB 265**; 5/3/12 - **SB 172 aab SA 1**.

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.

#### 28th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session

May 8, 2012

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representative Bennett & D.P. Williams - 2.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 324** - JAQUES & SENATOR VENABLES; REPRESENTATIVES HOCKER, KOWALKO, MIRO, MITCHELL, MULROONEY, OSIENSKI, B. SHORT, M. SMITH; SENATORS BLEVINS, CLOUTIER, CONNOR, PETERSON, SOKOLA, SORENSON - NATURAL RESOURCES - An Act to Amend title 7 of the Delaware Code Relating to Finfish.

**HB 326** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON, VENABLES - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Health Planning and Resources Management.

**HB 327** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY

ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to State Employees' Pension Plan.

**HB 328** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, D. SHORT; SENATORS CLOUTIER, KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend title 16 of the Delaware Code Relating to Delaware Health Care Commission.

**HB 329** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Insurance Appeal Board.

**HB 330** - MITCHELL & SENATOR CLOUTIER & SENATOR ENNIS; REPRESENTATIVES BOLDEN, SCOTT, B. SHORT, D.P. WILLIAMS; SENATORS BUSHWELLER, MARSHALL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles Speed and Video Monitoring Systems.

**HA 1 to HB 300** - LAVELLE - Placed with the Bill.

**HA 2 to HB 300** - GILLIGAN - Placed with the Bill.

**HA 1 to HB 302** - J. JOHNSON - Placed with the Bill.

**HA 3 to HB 303** - Q. JOHNSON - Placed with the Bill.

**HA 2 to HB 304** - CARSON - Placed with the Bill.

**SS 1 for SB 176** - CONNOR; SENATORS ENNIS, HENRY, SORENSON; REPRESENTATIVES J. JOHNSON, MULROONEY - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Municipal Service Commission of the City of New Castle Relating to Redesignating the Governing Body of the Municipal Services Commission of the City of New Castle from "Board" to "Commission", Clarifying that the Commission Can Obtain Private Property Within City Limits for Supplying and Distributing Electricity, Removing the Position of Superintendent and Replacing it With One or More Supervisors, Delineating the Power of the Commission to Borrow Money Through the Issuance of Revenue Bonds or Other Debt Obligations with a Resolution of City Council and to Have Control over Such Money, Changing the Date of the Requirement to Publish Financial Reports from July to December and Handing Over Possession of Money to be Used for the City's Water and Light Systems from the City Treasurer to the Treasurer of the Commission. (2/3 bill)

**SB 189** - PETERSON; SENATORS ENNIS, SOKOLA; REPRESENTATIVES JAQUES, LAVELLE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 18, Title 24 of the Delaware Code Relating to Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration.

**SB 203** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Captive Insurance and Risk Retention Groups.

**SB 207 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY; SENATORS HALL-LONG, ENNIS, BUNTING, VENABLES; REPRESENTATIVES BRADY, HEFFERNAN, Q. JOHNSON, MITCHELL, LONGHURST, BARBIERI, MIRO, PETERMAN - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Exceptional Persons.

Representatives Atkins, Longhurst, Miro & Viola requested that they be marked present. Representative Longhurst requested and was granted personal privilege of the floor to introduce former Representative Richard C. Cathcart. Representative Schwartzkopf made comments. Representative Blakey requested that he be marked present.

Representative Carson introduced and brought **HR 30**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 30** - DESIGNATING THE MONTH OF MAY 2012 AS "OLDER AMERICANS MONTH".

Representative Carson made comments and introduced guests.

**HR 30** was adopted by voice vote.

Representative Kowalko requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made announcements. Representative Mulrooney requested that he be marked present. Representative Mulrooney requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:12 p.m.

The House reconvened at 4:09 p.m.

Representatives Lavelle, Barbieri, Manolacos, Q. Johnson & Hudson requested that they be marked present. Representative Mitchell made an announcement. Representatives Hocker & D.E. Williams requested that they be marked present.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Lincoln Willis, do hereby request that my name be removed as co-sponsor of **HB 300**.

Date: 5/8/12

Signed: Lincoln Willis

The Senate wishes to inform the House that it has passed **SB 196** and requests the concurrence of the House.

Representative Walker requested that she be marked present. Representative Jaques made an announcement.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 307**, jointly sponsored by Representative J. Johnson & Senator Connor & Senator Henry, before the House for consideration.

**HB 307** - AN ACT TO REINCORPORATE THE CHARTER OF THE CITY OF NEW CASTLE, CHAPTER 216, VOLUME 27, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE". (2/3 bill)

Representative Mulrooney made comments.

The roll call on **HB 307** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 307** was sent to the Senate for concurrence.

Representatives B. Short & M. Smith requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SS 1 for SB 151**, jointly sponsored by Senator Peterson & cosponsored by Representative Bolden, before the House for consideration.

**SS 1 for SB 151** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERY FACILITIES AND DELINQUENT CHILD SUPPORTERS. (F/N)

Representative Barbieri brought **HA 1 to SS 1 for SB 151** before the House for consideration.

Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representatives Barbieri & Lavelle made comments. Representative Barbieri requested and was granted privilege of the floor for David Gregor, Deputy Secretary of Finance. Representative Lee made comments.

The roll call on **SS 1 for SB 151 w/HA 1** was taken and revealed:

YES: 30.

NO: Representatives Briggs King, Hocker, Kenton, Lee, Outten, Peterman, D. Short, Willis & Wilson - 9.

ABSENT: Representatives Bennett & D.P. Williams - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 151 w/HA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 304**, jointly sponsored by Representative Bennett & Representative D.E. Williams & Senator Ennis & Representatives Barbieri, Hudson, Kenton, Peterman & D. Short & Senators Connor & Sokola & cosponsored by Representatives Outten & Wilson, before the House for consideration.

**HB 304** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES.

Representative Carson brought **HA 1 to HB 304** before the House for consideration. Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson brought **HA 2 to HB 304** before the House for consideration. Representative Carson made comments. **HA 2** was adopted by voice vote. Representative Carson made comments.

The roll call on **HB 304 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 304 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 293**, jointly sponsored by Senator Ennis & Representatives Bennett, Briggs King, Carson, Heffernan, Hocker, Jaques, Keeley, Kenton, Longhurst, Mitchell, Viola & Wilson & Senators Blevins & Bushweller, before the House for consideration.

**HB 293** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.

Representative Schwartzkopf brought **HA 1 to HB 293** before the House for consideration.

Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 293 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 293 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 280 w/HA 1 & SA 1**, jointly sponsored by Senator Blevins & Senator Peterson, before the House for concurrence on **SA 1**.

**HB 280** - AN ACT TO AMEND CHAPTER 214, VOLUME 65 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF NEWPORT. (2/3 bill)

Representative Gilligan made comments.

The roll call on **HB 280 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Manolakos, D.P. Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 280 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 300**, jointly sponsored by Senator DeLuca & Representatives Bennett, Barbieri, Brady, Carson, Heffernan, Jaques, Q. Johnson, Keeley, Kowalko, Longhurst, Mitchell, Mulrooney, Schooley, Schwartzkopf, Scott, B. Short, Viola, D.E. Williams, D.P. Williams, Hudson & Osienski & Senators Blevins, Bushweller, Ennis, Henry, Peterson, Sokola & Sorenson, before the House for consideration.

**HB 300** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ENHANCED DISCLOSURE, REPORTING AND DISCLAIMER REQUIREMENTS IN DELAWARE'S CAMPAIGN FINANCE LAWS.

Representative Lavelle brought **HA 1 to HB 300** before the House for consideration.

Representatives Lavelle & Gilligan made comments.

The roll call on **HA 1 to HB 300** was taken and revealed:

YES: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 13.

NO: 24.

ABSENT: Representatives Bennett, Hudson, Manolakos & D.P. Williams - 4.

Therefore, not having received a constitutional majority, **HA 1 to HB 300** was declared defeated.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **HB 300**.

Date: 5/8/12

Signed: Joseph Miro

Representative Gilligan brought **HA 2 to HB 300** before the House for consideration.

Representatives Gilligan & Schwartzkopf made comments. Representative Schwartzkopf introduced and brought **HA 1 to HA 2 to HB 300** before the House for consideration. **HA 1 to HA 2** was adopted by voice vote. Representative Gilligan made comments. **HA 2** was adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 3 to HB 300**, before the House for consideration. Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Andrew Lippstone, representing the Office of the Governor. Representatives Lavelle, Schwartzkopf & B. Short made comments. **HA 3** was adopted by voice vote. Representatives Gilligan & Lavelle made comments. Representative Gilligan requested and was granted privilege of the floor for Andrew Lippstone, representing the Office of the Governor. Representative Lavelle made comments.

Representatives Kowalko, Lavelle & Gilligan made comments.

The roll call on **HB 300 w/HA 2, HA 1 to HA 2 & HA 3** was taken and revealed:

YES: 24.

NO: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 13.

ABSENT: Representatives Bennett, Hudson, Manolakos & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 300 w/HA 2, HA 1 to HA 2 & HA 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 310**, jointly sponsored by Senator Blevins & Representatives Barbieri, Brady, Carson, Gilligan, Jaques, Q. Johnson, Keeley, Kowalko, Miro, Mitchell, Schooley, Schwartzkopf, Scott, B. Short, Viola, Walker, D.E. Williams & Willis & Senators Cloutier, DeLuca, Henry, Sokola & Sorenson, before the House for consideration.

**HB 310** - AN ACT TO AMEND CHAPTER 80, TITLE 15 OF THE DELAWARE CODE RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAWS.

Representative Longhurst introduced and brought **HA 1 to HB 310** before the House for consideration. Representatives B. Short & Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Longhurst & Briggs King made comments. Representative Longhurst requested and was granted privilege of the floor for Andrew Lippstone, representing the Office of the Governor. Representatives Briggs King, Longhurst, Ramone, Blakey & Schwartzkopf made comments. Madam Acting Speaker Keeley granted privilege of the floor for Elaine Manlove, Commissioner of Elections. Representatives Briggs King, J. Johnson, Ramone & Lavelle made comments.



The roll call on **HB 310 w/HA 1** was taken and revealed:

YES: 30.

NO: Representatives J. Johnson, Lee, Peterman & Wilson - 4.

ABSENT: Representatives Bennett, Hudson, Manolakos, Miro, D. Short, D.P. Williams & Willis -

7.

Therefore, having received a constitutional majority, **HB 310 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan resumed the Chair. Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:51 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 9, 2012.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 187 w/SA 1** and requests the concurrence of the House.

The Majority Whip 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 - 146th GENERAL ASSEMBLY - Second Session May 9, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representative Bennett & D.P. Williams - 2.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 212** - LEE & SENATOR BUNTING; REPRESENTATIVES LAVELLE, HOCKER, HUDSON, MANOLAKOS, PETERMAN, RAMONE, D. SHORT, BOLDEN, CARSON, MITCHELL, MULROONEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Creating the Delaware Auction and Auctioneer Licensing Act. (3/5 bill)

**HB 331** - D.E. WILLIAMS & SENATOR SOKOLA; REPRESENTATIVES KEELEY, SCOTT, B. SHORT - HOUSE ADMINISTRATION - An Act to Amend Titles 14 and 15 of the Delaware Code Relating to Absentee Voting.

**HB 332** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to Financial Disclosures of Officers and Employees of the State.

**HB 333** - VIOLA & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, CARSON, J. JOHNSON, KOWALKO, MITCHELL, MULROONEY, SCOTT, D. SHORT; SENATOR DELUCA - GAMING & PARI-MUTUELS - An Act to Amend Titles 4 and 29 of the Delaware Code Relating to the State Lottery. (3/5 bill)

Representatives Lee, D.E. Williams & Hudson requested that they be marked present. Mr. Speaker Gilligan introduced a guest and made comments. Representatives B. Short, Miro & Ramone introduced guests and made comments. Representative Lavelle made comments. Representative Miro requested that he be marked present. Representative Wilson introduced a guest. Representative Schwartzkopf requested that he be marked present. Representatives D. Short & Lee introduced guests. Representative Q. Johnson requested that he be marked present. Representative Longhurst deferred to Representative Peterman. Representative Peterman requested and was granted privilege of the floor for Rachel Gutshall who sang "Mother" and introduced her family. Representative Peterman presented a commendation certificate to Mrs. Gutshall. Representative Peterman read a poem. Representative Hocker introduced a guest. Representatives Q. Johnson & Mr. Speaker Gilligan made announcements.

Representative Longhurst deferred to Representative Carson.

Representative Carson introduced and brought **SCR 39**, jointly sponsored by Senator DeLuca on behalf of All Senators & Representative Gilligan & Representative Scott on behalf of All Representatives, before the House for consideration.

**SCR 39** - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2012 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.

Representative Carson made comments.

**SCR 39** was adopted by voice vote and was returned to the Senate.

Representative Scott requested that he be marked present.

Representative Longhurst deferred to Representative D.E. Williams.

Representative D.E. Williams introduced and brought **HR 29**, jointly sponsored by Representative Heffernan & Representative B. Short & Representative Lavelle, before the House for consideration.

**HR 29** - RECOGNIZING BRANDYWINE SCHOOL DISTRICT'S HANBY ELEMENTARY SCHOOL AND BUSH EARLY EDUCATION CENTER AS THE FIRST SCHOOL IN DELAWARE TO BE LEED-CERTIFIED.

Representative D.E. Williams made comments.

**HR 29** was adopted by voice vote.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:21 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:21 p.m. on May 9, 2012: Representatives Mulrooney, Heffernan & Atkins.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 10, 2012.

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

JUDICIARY: **SB 200** - 7M.

HOUSING & COMMUNITY AFFAIRS: **HB 322** - 1F,8M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HCR 43** - 10F.

EDUCATION: **HB 314** - 1F,10M; **SB 193** - 12M; **HB 317** - 14M.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 330** - 7M.

AGRICULTURE: **HB 321** - 6F.

HOUSE ADMINISTRATION: **SB 185 w/SA 1** - 4M; **HB 319** - 5F; **HB 325** - 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 171 w/SA1** and request the concurrence of the House and the Senate has passed **HB 145 w/HA 1 & 2 & SA 2, HS 1 for HB 253 w/HA 1 & HB 256** and is returning the same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Michael Ramone, do hereby request that my name be removed as co-sponsor of **HB 333**.

Date: 5/9/12

Signed: Michael Ramone

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, James Johnson, do hereby request that my name be removed as co-sponsor of **HB 310**.

Date: 5/9/12

Signed: James Johnson

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.

### **30th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session May 10, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Bennett - 1.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan invited students from three Delaware Charter Schools to lead those present in the 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 334** - PETERMAN & REPRESENTATIVE WILSON & SENATOR BUNTING; REPRESENTATIVES HOCKER, BRIGGS KING, WILLIS; SENATORS BOOTH, SORENSON, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 29 Relating to the Adoption of Regulations.

**HB 335** - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES HUDSON, Q. JOHNSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Portable Electronic Limited Lines Producer and Adjuster Licensure. (3/5 bill)

**HB 336** - BRIGGS KING & SENATOR BUNTING & SENATOR VENABLES; REPRESENTATIVES HUDSON, LEE, D. SHORT, WILSON, SCHWARTZKOPF, WILLIS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Appraisers.

**HB 337** - BRADY & REPRESENTATIVE KOWALKO & SENATOR MARSHALL; REPRESENTATIVES MITCHELL, OSIENSKI - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Police Officers' and Firefighters' Employment Relations Act.

**HB 338** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES CARSON, HUDSON, J. JOHNSON, LEE, MITCHELL, WALKER, D.P. WILLIAMS, WILLIS, WILSON; SENATOR DELUCA, HENRY, MCDOWELL, SIMPSON, SORENSON - 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 339** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES CARSON, HUDSON, J. JOHNSON, LEE, MITCHELL, WALKER, D.P. WILLIAMS, WILLIS, WILSON; SENATORS DELUCA, HENRY, MCDOWELL, SIMPSON, SORENSON - 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.

**HB 340** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES CARSON, HUDSON, J. JOHNSON, LEE, MITCHELL, WALKER, D.P. WILLIAMS, WILLIS, WILSON; SENATORS DELUCA, HENRY, MCDOWELL, SIMPSON, SORENSON - 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 341** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES BRADY, HEFFERNAN, OSIENSKI, B. SHORT; SENATORS ENNIS, HALL-LONG, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Use Tax on Leases of Tangible Personal Property.

**HB 342** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES CARSON, HUDSON, J. JOHNSON, LEE, MITCHELL, WALKER, D.P. WILLIAMS, WILLIS, WILSON; SENATORS DELUCA, HENRY, MCDOWELL, SIMPSON, SORENSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law.

**HB 343** - CARSON & SENATOR ENNIS & SENATOR SIMPSON; REPRESENTATIVES GILLIGAN, HOCKER, Q. JOHNSON, LONGHURST, MITCHELL, WILSON; SENATOR MCBRIDE - NATURAL RESOURCES - An Act to Amend Title 7 Relating to the Transfer of Finfish, Eel Fishing and Shellfish Permits and Licenses.

**HB 344** - CARSON & SENATOR ENNIS; REPRESENTATIVES BRIGGS KING, HOCKER, HUDSON, Q. JOHNSON, KENTON, PETERMAN, D. SHORT, WALKER, WILLIS, WILSON; SENATORS BOOTH, BUNTING, LAWSON, SIMPSON, VENABLES - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HA 1 to HS 1 for HB 212** - LEE - Placed with the Bill.

**HA 1 to HB 299** - RAMONE - Placed with the Bill.

**HA 1 to HB 317** - SCHOOLEY - Placed with the Bill.

**HA 1 to HB 325** - SCHWARTZKOPF - Placed with the Bill.

**HJR 14** - M. SMITH & SENATOR HALL-LONG; REPRESENTATIVES HOCKER, MITCHELL, WALKER, WILLIS; SENATORS SOKOLA, SORENSON - JUDICIARY - Establishing an Alternative Disputer Resolution (“ADR”) Study Group to Study and Make Recommendations for Improving Delaware’s ADR Processes.

**SB 171 w/SA 1** - BUNTING & REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Frankford Relating to Elections. (2/3 bill)

**SB 187 w/SA 1** - HENRY & REPRESENTATIVE J. JOHNSON & REPRESENTATIVE D.P. WILLIAMS; SENATOR MCDOWELL; REPRESENTATIVES LAVELLE, CARSON, LEE - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Accident Reports and Statistics.

**SB 196** - BUSHWELLER & SENATOR DELUCA & REPRESENTATIVE SCOTT & REPRESENTATIVE MITCHELL; SENATOR CLOUTIER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to 9-1-1 Services.

The House observed a moment of silence in memory of Thomas Gilligan at the request of Representative Osienksi. Representative Jaques 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. Representative M. Smith requested that she be marked present. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Lavelle. Representative Lavelle requested and was granted privilege of the floor to present a House Tribute to Josephine Conaty, Minority Head Page, on the occasion of her eightieth birthday. The Members sang “Happy Birthday.” Ms. Conaty addressed the House. Representative Brady made comments. Representative Keeley requested and was granted personal privilege of the floor to make comments. Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced and brought **HR 33**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 33** - COMMENDING THE EFFORTS OF DELAWARE'S PUBLIC CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS.

Representative Hudson made comments.

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

Representative Hudson requested and was granted privilege of the floor for Kendall Massett, Executive Director, Delaware Charter Schools Network, who addressed the House. Representative Scott & Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro introduced and brought **HR 32**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 32** - RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 13, 2012, MOTHER'S DAY.

Representative Miro made comments.

**HR 32** was adopted by voice vote.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:27 p.m.

The House reconvened at 3:56 p.m.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 326** - 1F,4M; **HB 327** - 5M; **HB 328** - 5M; **HB 329** - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 34** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Harvey Kenton, do hereby request that my name be removed as cosponsor of **HS 1** for **HB 212**.

Date: 5/10/12

Signed: Harvey Kenton

Representative Schwartzkopf brought **HB 325**, jointly sponsored by Senator Sokola & Representatives Barbieri, Bolden, Brady, Carson, Gilligan, Heffernan, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Lee, Longhurst, Miro, Mitchell, Mulrooney, Ramone, Schooley, Walker, M. Smith, Scott, B. Short, Viola & D.E. Williams & cosponsored by Senator Bushweller, before the House for consideration.

**HB 325** - AN ACT TO AMEND TITLES 3, 5, 6, 7, 9, 10, 11, 16, 23, 29 AND 30 OF THE DELAWARE CODE RELATING TO SHERIFFS AND SHERIFF DEPUTIES.

Representative Schwartzkopf brought **HA 1** to **HB 325** before the House for consideration.

Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representatives Schwartzkopf & Briggs King made comments.

The roll call on **HB 325 w/HA 1** was taken and revealed:

YES: 36.

NO: Representatives Atkins, Hocker - 2.

NOT VOTING: Representative Wilson - 1.

ABSENT: Representatives Bennett & Longhurst - 2.

Therefore, having received a constitutional majority, **HB 325 w/HA 1** was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Wilson made comments regarding **HB 325 w/HA 1**.

Representative Schwartzkopf deferred to Representative Carson.

Representative Briggs King requested that **HB 298** be stricken.

Representative Carson brought **HB 140**, jointly sponsored by Senator Ennis & Representatives Bennett, Bolden, Hocker, J. Johnson, Q. Johnson, Miro, Mitchell, Scott, D. Short & Willis & Senator Bushweller, before the House for consideration.

**HB 140** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Representative Carson brought **HA 1** to **HB 140** before the House for consideration. Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson brought **HA 2** to **HB 140** before the House for consideration. Representative Carson made comments. **HA 2** was adopted by voice vote. Representative Carson brought **HA 3** to **HB 140** before the House for consideration. Representative M. Smith introduced and brought **HA 1** to **HA 3** to **HB 140** before the House for consideration. Representative M. Smith made comments. **HA 1** to **HA 3** was adopted by voice vote. Representatives Carson & Lee made comments. Representative Carson requested and was granted privilege of the floor for Aaron Stewart, Majority House Attorney. Representative Lee made comments. **HA 3 w/HA 1** was adopted by voice vote. Representatives Carson, Lavelle, Ramone, Mitchell & Lee made comments. Mr. Speaker Gilligan granted privilege of the floor for Chief Jeffrey Horvath, Chairman, Police Chiefs Council. Representatives Kowalko, M. Smith & Lee made comments. Representative Carson moved to place **HB 140 w/HA 1, HA 2 & HA 3 w/HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 317**, jointly sponsored by Senator Sokola & Representatives Heffernan, Hudson, J. Johnson, Keeley, Longhurst, Mitchell, Scott, B. Short & M. Smith & Senators Blevins & Hall-Long, before the House for consideration.

**HB 317** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO KINDERGARTEN READINESS.

Representative Schooley brought **HA 1** to **HB 317** before the House for consideration.

Representative Schooley made comments. **HA 1** was adopted by voice vote. Representatives Schooley, Miro, Kowalko & Heffernan made comments.

The roll call on **HB 317 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Longhurst - 2.

Therefore, having received a constitutional majority, **HB 317 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kenton.

Representative Kenton brought **HB 321**, jointly sponsored by Senator Bunting & Representatives Hocker, Hudson & Bolden & Senator Venables & cosponsored by Representative Wilson, before the House for consideration.

**HB 321** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. (2/3 bill) (F/I)

Representatives Kenton & Keeley made comments.

The roll call on **HB 321** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Longhurst - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 321** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 4:53 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 15, 2012.

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

### **31st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session May 15, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Bennett - 1.

A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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** - B. SHORT & SENATOR BUSHWELLER; REPRESENTATIVES HOCKER, HUDSON, KOWALKO, MITCHELL, WILLIS - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Casualty Insurance Contracts, Including Cancellation or Nonrenewal of Automobile Policies.

**HB 346** - B. SHORT & SENATOR BUSHWELLER - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Reinsurance.

**HB 347** - OSIENSKI & SENATOR PETERSON; REPRESENTATIVES CARSON, KENTON, LONGHURST, WALKER; SENATORS BLEVINS, HENRY, MARSHALL, SOKOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Limitation of Actions.

**HB 348** - JAQUES & SENATOR KATZ; REPRESENTATIVE B. SHORT; SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 349** - WALKER & SENATOR HALL-LONG; REPRESENTATIVES BRIGGS KING, HUDSON, BARBIERI, KEELEY, MITCHELL; SENATOR SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations and the Medical Practice Act.

**HA 1 to HB 315** - BARBIERI - Placed with the Bill.

**HA 1 to HB 319** - HEFFERNAN - Placed with the Bill.

**HJR 15** - M. SMITH & SENATOR HALL-LONG; REPRESENTATIVES HOCKER, MITCHELL, WALKER, WILLIS; SENATORS SOKOLA, SORENSON - JUDICIARY - Establishing an Alternative Dispute Resolution ("ADR") Study Group to Study and Make Recommendations for Improving Delaware's ADR Processes.

**HA 2 to SB 185** - KOWALKO - Placed with the Bill.

Representative Viola requested that he be marked present. Representative M. Smith made an announcement. Representatives D.E. Williams & D. Short requested that they be marked present.

Representative Longhurst introduced and brought **HCR 45**, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Representative Lavelle & Representative Hocker on behalf of All Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 45** - 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 Longhurst made comments. Frank Ingram, State Advisor, Delaware DECA, An Association of Marketing Students, addressed the House. Anthony Brooks, representing Sussex Central High School and the Future Farmers of America (FFA); Samantha Rogers, representing Caesar Rodney High School and Family, Career & Community Leaders of America (FCCLA); Christina Gottfried, representing PolyTech High School and SkillsUSA; Davey McGinnis, representing Concord High School and Technology Student Association (TSA); Carrisa Anderson, representing Pencader Charter School and Business Professionals of America (BPA); and Bomani Crumpton, representing St. George's Technical High School and Health Occupations Students of America (HOSA) addressed the House. Members of the student organizations distributed geraniums grown in Delaware high school agribusiness programs. Representative Longhurst made comments. Representative Manolakos requested and was granted personal privilege of the floor to make comments. Representative Willis requested and was granted personal privilege of the floor to introduce a guest. Representative Longhurst made comments.

**HCR 45** was adopted by voice vote and was sent to the Senate for concurrence. The students stated their names and schools for the record.

Representative Longhurst deferred to Representative Mitchell. Representative Mitchell requested and was granted privilege of the floor for himself, Representative Jaques & Representative Barbieri to present a House Tribute to Dr. Carl Wyche on the occasion of his retirement from Delaware Technical & Community College. Dr. Wyche addressed the House and introduced guests. Representative Longhurst deferred to Representative Lavelle. Representative Lavelle requested and was granted privilege of the floor to present a House Tribute to Joseph Gioffre on the occasion of his retirement from Joe's Barber Shop. Mr. Gioffre addressed the House. Representatives Lavelle and Longhurst made comments.

Representative Longhurst deferred to Representative Briggs King.

Representative Briggs King introduced and brought **HR 31**, jointly sponsored by Representative J. Johnson & Representatives Lavelle, Hocker, Kenton, Lee, Peterman, D. Short, Wilson, Bolden, Carson, Q. Johnson, Keeley, Longhurst & Viola, before the House for consideration.

**HR 31** - PROCLAIMING THE MONTH OF MAY AS COMMUNITY ACTION MONTH.

Representatives Briggs King & J. Johnson made comments.

**HR 31** was adopted by voice vote.

Representative Briggs King requested and was granted privilege of the floor for Bernice Edwards, Executive Director, First State Community Action Agency, who addressed the House.

Representative Longhurst deferred to Representative Atkins.

Representative Atkins introduced **HB 350**, jointly sponsored by Senator Bunting & Senator Booth & Representatives Gilligan, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Heffernan, Hocker, Hudson, Jaques, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Longhurst, Miro, Manolakos, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson & Senators Bushweller, Cloutier, Connor, Hall-Long, Simpson, Sokola & Sorenson & cosponsored by Representative Manolakos.

**HB 350** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Mr. Speaker Gilligan assigned **HB 350** to the Revenue & Finance Committee.

Representative Longhurst deferred to Representative Heffernan. Representative Heffernan requested and was granted personal privilege of the floor to introduce a guest. Representative Longhurst deferred to Representative Hocker. Representative Hocker introduced Ellen Magee, representing Magee Farms, who addressed the House and distributed strawberries to the Members.

The Majority Whip moved to recess for caucus and to the call of the Chair at 2:48 p.m.

The House reconvened at 5:02 p.m.

Representatives Mulrooney, Osienski & D.P. Williams requested that they be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 205 w/SA 1 & 2** & **SB 161 w/SA 3** & requests the concurrence of the House and the Senate has passed **HB 223** & **HB 277 w/HA 3 & SA 2** and is returning the same to the House and the Senate has passed **HCR 45** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski brought **HB 314**, jointly sponsored by Senator DeLuca & Representatives Briggs King, Heffernan, Hudson, Jaques, Q. Johnson, Mitchell & Walker & Senators Hall-Long & Sokola, before the House for consideration.

**HB 314** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATEWIDE PROGRAMS FOR THE DEAF, HARD OF HEARING AND DEAF-BLIND INCLUDING THE DELAWARE SCHOOL FOR THE DEAF.

Representative Osienski made comments.

The roll call on **HB 314** was taken and revealed:

YES: 40.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 314** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 303**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Bolden, Hudson, Jaques, Keeley, Kowalko, Manolakos, Miro, Osienski, Ramone & Walker & Senator Sokola & cosponsored by Representatives D.E. Williams & Viola, before the House for consideration.

**HB 303 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCHOOL BASED HEALTH CENTERS AND INSURANCE.**

Representative Willis requested that **HA 1 to HB 303** be stricken. Representative Willis brought **HA 2 to HB 303** before the House for consideration. Representatives Willis, B. Short & D.E. Williams made comments.

The roll call on **HA 2 to HB 303** was taken and revealed:

YES: Representatives Atkins, Blakey, Briggs King, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kenton, Lavelle, Lee, Miro, Outten, Peterman, Ramone, D. Short, Walker, Willis & Wilson - 19.

NO: 20.

NOT VOTING: Representative Manolakos - 1.

ABSENT: Representative Bennett - 1.

Therefore, not having received a constitutional majority, **HA 2 to HB 303** was declared defeated.

Representative Q. Johnson requested that **HA 3 to HB 303** be stricken. Representatives B. Short, Lavelle, Ramone, D.E. Williams & Briggs King made comments. Representative B. Short requested and was granted privilege of the floor for Dr. Karyl T. Rattay, Director, Division of Public Health. Representatives Briggs King, B. Short, Heffernan, Schwartzkopf, Lavelle, Hocker, Barbieri & Willis made comments. Representative B. Short requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representative Willis made comments. Representatives D.E. Williams, B. Short & D. Short made comments.

The roll call on **HB 303** was taken and revealed:

YES: 25.

NO: Representatives Atkins, Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Outten, Peterman, Willis & Wilson - 11.

NOT VOTING: Representatives Hudson, Manolakos, Miro & Ramone - 4.

ABSENT: Representative Bennett - 1.

Therefore, having received a constitutional majority, **HB 303** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson moved to suspend the rules which interfere with action on **HB 140 w/HA 1, 2, 3 & HA 1 to HA 3**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Carson moved to lift **HB 140 w/HA 1, 2, 3 & HA 1 to HA 3** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Carson brought **HB 140 w/HA 1, HA 2, HA 3 & HA 1 to HA 3**, jointly sponsored by Senator Ennis & Representatives Bennett, Bolden, Hocker, J. Johnson, Q. Johnson, Miro, Mitchell, Scott, D. Short & Willis & Senator Bushweller, before the House for consideration.

**HB 140 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)**

Representative M. Smith introduced and brought **HA 4 to HB 140** before the House for consideration. Representatives M. Smith & Lavelle made comments. **HA 4** was adopted by voice vote. Representatives Carson & Hudson made comments. Representative Carson requested and was granted privilege of the floor for William E. Bryson, representing Delaware Police Chiefs Council. Representative Hudson made comments.

The roll call on **HB 140 w/HA 1, 2, 3, HA 1 to HA 3 & HA 4** was taken and revealed:

YES: 39.

ABSENT: Representatives Bennett & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 140 w/HA 1, 2, 3, HA 1 to HA 3 & HA 4** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement. Representative Schwartzkopf deferred to Representative M. Smith. Representative M. Smith requested that **HJR 14** be stricken. Representatives Barbieri, Mulrooney & Schwartzkopf made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:07 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 16, 2012.

The Reading Clerk read the following communication into the record:

May 15, 2012

LEGISLATIVE ADVISORY #25

Governor Jack A. Markell signed the following legislation on the date indicated: 5/10/2012 - **SB 168, SB 174 aab SA 1, SB 186 aab SA 1, HB 167 aab HA 2 & HB 240 aab HA 1 & SA 1.**

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

**32nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**May 16, 2012**

The Chief Clerk called the roll:

Members Present: 36.

Member Absent: Representatives Bennett, Briggs King, Hudson, Keeley & D.P. Williams - 5.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

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

The following prefiled legislation was introduced:

**HJR 16** - BRADY & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, JAQUES, J. JOHNSON, KENTON, PETERMAN, D. SHORT, WALKER, WILLIS, WILSON; SENATORS BUNTING, SORENSON, VENABLES - VETERANS AFFAIRS - Supporting the Creation of a National POW/MIA Trailway System and Recommending that the Segment of the Abandoned Pennsylvania Railroad Running from South Market Street in Wilmington to Battery Park in New Castle be Designated as the First Segment Thereof.

**SB 161 w/SA 3 & 4** - LAWSON & SENATOR BUNTING & REPRESENTATIVE WILLIS & REPRESENTATIVE WILSON & REPRESENTATIVE MIRO & REPRESENTATIVE ATKINS & REPRESENTATIVE D. SHORT; SENATORS BONINI, BOOTH, ENNIS, SIMPSON, VENABLES, CLOUTIER; REPRESENTATIVES BENNETT, HOCKER, HUDSON, JAQUES, Q. JOHNSON, LAVELLE, LEE, PETERMAN, CARSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Home Invasion.

**SB 205 w/SA 1 & 2** - ENNIS & REPRESENTATIVE LONGHURST; SENATORS SOKOLA, BUSHWELLER, BUNTING; REPRESENTATIVES SCHWARTZKOPF, KOWALKO, CARSON - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Homes and Manufactured Home Communities.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #73**

DATE: May 16, 2012

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                                                                                                                                                          |
|-----------|-----------------|-----------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-1491 | Hocker          | 4/20/2012 | M    | Richard L. Thomas                                                                                                                                                    |
| H146-1492 | Outten          | 4/21/2012 | T    | Diana Smith - 50 Years - Felton Community Fire Co. Auxiliary                                                                                                         |
| H146-1493 | Outten          | 4/21/2012 | T    | Betty Jo Wood - 50 Years - Felton Community Fire Co. Auxiliary                                                                                                       |
| H146-1494 | Outten          | 4/21/2012 | T    | Jean Rawding - 50 Years - Felton Community Fire Co. Auxiliary                                                                                                        |
| H146-1495 | Outten          | 4/21/2012 | T    | Evelyn Moore - 50 Years - Felton Community Fire Co. Auxiliary                                                                                                        |
| H146-1496 | Outten          | 4/21/2012 | T    | Joyce Sipple - 50 Years - Felton Community Fire Co. Auxiliary                                                                                                        |
| H146-1497 | Q. Johnson      | 4/20/2012 | M    | Andre Khalik Smith                                                                                                                                                   |
| H146-1498 | Atkins          | 4/21/2012 | T    | Granville Holston - 60 Years - Millsboro Vol. Fire Co.                                                                                                               |
| H146-1499 | Atkins          | 4/21/2012 | T    | Samuel Timmons - 60 Years - Millsboro Vol. Fire Co.                                                                                                                  |
| H146-1500 | Briggs King     | 4/26/2012 | T    | Rosalie Walls - Mother of the Year                                                                                                                                   |
| H146-1501 | Keeley          | 4/21/2012 | M    | Manuel Enrique Oliveras                                                                                                                                              |
| H146-1502 | M. Smith        | 4/24/2012 | M    | Merle Jones                                                                                                                                                          |
| H146-1503 | Heffernan       | 5/20/2012 | M    | Carolyn Irving Handy Letts                                                                                                                                           |
| H146-1504 | Lavelle; Hocker | 4/20/2012 | T    | John Thompson - President - Delaware State Sportsmen's Assoc.                                                                                                        |
|           |                 |           |      | cosponsors: Reps. Lee, D. Short, Briggs King, Kenton, Wilson, Blakey, Peterman, Outten, Willis, Carson, Miro, Ramone, Hudson, Manolakos, Walker, Q. Johnson & Atkins |
| H146-1505 | Willis          | 4/21/2012 | M    | Mary V. Morgan                                                                                                                                                       |
| H146-1506 | Wilson          | 4/24/2012 | M    | Robert Martin Messick                                                                                                                                                |
|           |                 |           |      | cosponsor: Rep. Kenton                                                                                                                                               |
| H146-1507 | Kenton;         | 4/24/2012 | T    | Vivian Ginn - Elks Distinguished Citizenship Award                                                                                                                   |
|           | Schwartzkopf    |           |      |                                                                                                                                                                      |



|           |         |           |   |                                                   |
|-----------|---------|-----------|---|---------------------------------------------------|
| H146-1508 | Lavelle | 4/24/2012 | T | Joe Gioffre - Retirement - Joe's Barber Shop      |
| H146-1509 | Kenton  | 4/27/2012 | T | Dr. James White - 70 Years - Milton Vol. Fire Co. |

#### HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: May 16, 2012

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                                                           |
|-----------|--------------------------------------------------------------------------|-----------|------|-----------------------------------------------------------------------|
| H146-1510 | Osienski                                                                 | 4/13/2012 | T    | Mazie Hayden - USASA National Champion - Skiercross                   |
| H146-1511 | B. Short                                                                 | 5/7/2012  | T    | Patrick Reilly - JFK Profile In Courage Essay Contest Winner          |
| H146-1512 | Blakey                                                                   | 4/28/2012 | T    | Dr. Reginald Weaver - Past President - National Education Assoc.      |
| H146-1513 | Kenton                                                                   | 5/12/2012 | T    | Doris Millman - 85th Birthday                                         |
|           | cosponsor: Rep. Wilson                                                   |           |      |                                                                       |
| H146-1514 | Atkins                                                                   | 5/5/2012  | T    | Baker's Hardware - 50 Years                                           |
| H146-1515 | Walker;                                                                  | 5/12/2012 | T    | Col. Robert Legg - Retirement - DANG                                  |
|           | Brady                                                                    |           |      |                                                                       |
|           | cosponsor: Rep. Jaques                                                   |           |      |                                                                       |
| H146-1516 | Gilligan                                                                 | 5/5/2012  | T    | Mill Creek Fire Co. - 85 Years                                        |
|           | cosponsors: Reps. Manolakos, Ramone, Miro & Hudson                       |           |      |                                                                       |
| H146-1517 | J. Johnson                                                               | 4/28/2012 | T    | Michael Thompson - Firefighter of the Year - Minquadale Fire Co.      |
| H146-1518 | J. Johnson                                                               | 4/28/2012 | T    | Richard Dougherty - Chief's Award - Minquadale Fire Co.               |
| H146-1519 | Carson                                                                   | 3/9/2012  | T    | George Wright, Jr. - 80th Birthday                                    |
| H146-1520 | Wilson                                                                   | 4/26/2012 | M    | Kathryn Callaway McCumbers                                            |
| H146-1521 | Lee;                                                                     | 5/2/2012  | T    | Honorable William Hopkins, Jr. - Retirement -                         |
|           | Schwartzkopf                                                             |           |      | Sussex Co. Justice of the Peace Court                                 |
|           | cosponsors: Reps. Atkins, Hocker, Kenton, Briggs King, D. Short & Wilson |           |      |                                                                       |
| H146-1522 | Peterman                                                                 | 3/16/2012 | M    | William Scott Gray                                                    |
|           | cosponsors: Reps. Wilson, Kenton & Outten                                |           |      |                                                                       |
| H146-1523 | Briggs King                                                              | 5/3/2012  | T    | Rick Garloff - Water Operator of the Year                             |
| H146-1524 | Hocker;                                                                  | 5/3/2012  | T    | Bettina Stern - Wastewater Operator of the Year                       |
|           | Briggs King                                                              |           |      |                                                                       |
| H146-1525 | Hocker;                                                                  | 5/3/2012  | T    | Kenneth Walsh - On-Site Professional of the Year                      |
|           | Briggs King                                                              |           |      |                                                                       |
| H146-1526 | Kenton;                                                                  | 5/3/2012  | T    | Robert Bower - Environmental Lifetime Achievement Award               |
|           | Briggs King                                                              |           |      |                                                                       |
| H146-1527 | Miro;                                                                    | 5/3/2012  | T    | Sid Sharma - Environmental Lifetime Achievement Award                 |
|           | Briggs King                                                              |           |      |                                                                       |
| H146-1528 | D. Short;                                                                | 5/3/2012  | T    | Charles White - Environmental Lifetime Achievement Award              |
|           | Briggs King                                                              |           |      |                                                                       |
| H146-1529 | Lee; Wilson                                                              | 4/27/2012 | T    | Barbara Messick - Retirement - Office of Sussex Co. Register of Wills |

T- Tribute

M - Memoriam

Representative Schwartzkopf requested and was granted privilege of the floor for himself and Representative Kenton to present a House Tribute to Ms. Vivian Ginn in recognition of her community service and the Elks Distinguished Citizen Award. Ms. Ginn and Representative Kenton addressed the House. Mr. Speaker Gilligan introduced a guest. The House observed a moment of silence in memory of Robert H. "Bobby" Romsper at the request of Mr. Speaker Gilligan. Representatives Scott, B. Short & M. Smith requested that they be marked present.

Representative Longhurst deferred to Representative Viola.

Representative Viola introduced and brought **HCR 47**, jointly sponsored by Representative Schooley & Senator DeLuca & Representatives Barbieri, Brady, Briggs King, Heffernan, Hocker, Hudson, Jaques, Keeley, Kenton, Kowalko, Lavelle, Manolakos, Miro, Osienski, Outten, Peterman, B. Short, D. Short, Walker & Willis & Senators Bushweller, Simpson, Sokola & Sorenson, before the House for consideration.

**HCR 47 - PROCLAIMING THE WEEK OF MAY 20 TO MAY 26, 2012 AS "TEEN FINANCIAL AWARENESS WEEK" IN DELAWARE.**

Representative Viola made comments.

**HCR 47** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Viola requested and was granted privilege of the floor for Patty Knapp, representing the Brennen School at Christiana High School. Representative Longhurst made comments. Students and staff members stated their names for the record. Representative Carson requested that he be marked present. Representative Longhurst deferred to Representative Schooley. Representative Schooley introduced guests and made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:24 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:24 p.m. on May 16, 2012: Representatives Heffernan & Q. Johnson.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 17, 2012.

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

JUDICIARY: **HB 347** - 7M; **HB 340** - 8M; **HB 339** - 8M; **HB 342** - 7M; **HB 338** - 8M; **HJR 15** - 7M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 196** - 6M; **SB 199 w/SA 1** - 6M.

HOUSE ADMINISTRATION: **SB 171 w/SA 1** - 4M; **HB 312** - 4M; **HB 318** - 4M; **SS 1 for SB 176** - 4M; **HB 323** - 4M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 203** - 8M; **HB 335** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 315** - 9M.

NATURAL RESOURCES: **HB 324** - 1F,7M; **HB 343** - 9F.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 332** - 1F,4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 206 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 170 w/HA 1** & **HB 193 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that the Senate has passed **SB 143, SB 213, SB 178 & SCR 41** and is returning the same to the House and the Senate has passed **HB 230 w/HA 1 & SA 1, HB 266 & HCR 47** and is returning the same to the House.

Representative Briggs King requested that she 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.

### **33rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session May 17, 2012**

The Chief Clerk called the roll:

Members Present: 38.

Member Absent: Representatives Bennett, Hudson & Keeley - 3.

A prayer was offered by Representative Darryl M. Scott, Thirty-first Representative District.

Mr. Speaker Gilligan invited the students from St. Ann's School in Wilmington to lead those present in the 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 351** – SCHOOLEY & REPRESENTATIVE KOWALKO & REPRESENTATIVE MIRO & SENATOR HALL-LONG & SENATOR SORENSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Newark Relating to The Alderman.

**HB 352** - WILLIS & SENATOR ENNIS; REPRESENTATIVES KENTON, D. SHORT, Q. JOHNSON, B. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 and Title 30 of the Delaware Code Relating to Recreational Vehicles. (3/5 bill)

**HB 353** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES BOLDEN, JAQUES, KEELEY, MITCHELL, SCHOOLEY, VIOLA, WALKER, SENATORS BUNTING, BUSHWELLER, HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sexual Offenses.

**HA 1 to HB 297** - M. SMITH - Placed with the Bill.

**HA 1 to HB 308** - SCOTT - Placed with the Bill.

**HA 1 to HB 309** - SCOTT - Placed with the Bill.

**HA 1 to HB 335** - B. SHORT - Placed with the Bill.

**SB 143** - KATZ & REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V of the Delaware Constitution of 1897, as Amended, Relating to Voting. (2/3 bill)

**SB 178** - BOOTH & SENATOR MARSHALL & REPRESENTATIVE CARSON; SENATORS BONINI, CLOUTIER, CONNOR, LAWSON, SIMPSON, SORENSON, VENABLES; REPRESENTATIVES BRIGGS KING, HOCKER, KENTON, LAVELLE, WILLIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Hearings.

**SB 206 w/SA 2** - SORENSON & SENATOR CLOUTIER & SENATOR BLEVINS & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON; SENATORS CONNOR, ENNIS,

HENRY, SOKOLA; REPRESENTATIVES BENNETT, BRIGGS KING, HOCKER, JAQUES, PETERMAN, WALKER, MANOLAKOS - EDUCATION - An Act Amending Title 14 of the Delaware Code Relating to School Teen Dating Violence and Sexual Assault.

**SB 213** - BUNTING & REPRESENTATIVE KOWALKO - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Homes.

May 17, 2012

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent for Legislative Session, today Thursday, May 17, 2012 due to personal reasons.

Thank you for your understanding.

Sincerely,  
Deborah D. Hudson  
State Representative  
12<sup>th</sup> District

May 17, 2012

Dear Speaker Gilligan

Please be advised that due to personal business I will not be present today, May 17, 2012.

Thank you for your understanding.

Sincerely,

Helene M. Keeley  
State Representative  
Third District

Mr. Speaker Gilligan reassigned **HB 349** to the Health & Human Development Committee. Representatives Heffernan & Mitchell requested that they be marked present.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced and brought **HCR 50**, sponsored by on behalf of All Representatives & Senator Bunting on behalf of All Senators, before the House for consideration.

**HCR 50** - RECOGNIZING THE MONTH OF MAY 2012 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, hundreds of thousands 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 146th General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2012 be recognized as "Poppy Month" in the State of Delaware and that all citizens are asked to wear the Memorial Poppy in tribute to those who have made the ultimate sacrifice in the name of freedom.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be delivered to The American Legion Auxiliary Unit #28 in Millsboro, Delaware.

Representative Atkins made comments and introduced guests.

**HCR 50** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Jaques requested and was granted personal privilege of the floor to make comments. Representative Atkins made comments. Representative Schwartzkopf deferred to Representative Miro.

Representative Miro requested and was granted personal privilege of the floor to introduce guests.

Representative Miro requested and was granted privilege of the floor for Dr. Merv Daugherty, Superintendent, Red Clay Consolidated School District, who addressed the House. Representative Brady made comments. Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Briggs King. Representative Briggs King requested and was granted personal privilege of the floor to make an announcement and to introduce guests.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski introduced and brought **HCR 49**, jointly sponsored by Representative M. Smith & Representative Miro & Senator DeLuca & Senator Hall-Long & Representatives Brady, Carson, Heffernan, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Kenton, Kowalko, Lavelle, Mitchell,

Mulrooney, Outten, Peterman, Ramone, Scott, D. Short, Walker & Willis & Senators Bunting, Ennis, Peterson, Sokola, Sorenson & Venables & cosponsored by Representative Wilson, before the House for consideration.

**HCR 49 - COMMENDING THE FOOD BANK OF DELAWARE FOR ITS CONTRIBUTIONS TO THE STATE OF DELAWARE.**

Representative Osienski made comments.

**HCR 49** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Osienski requested and was granted privilege of the floor for Patricia Beebe, Chief Executive Officer, Food Bank of Delaware, who addressed the House. Representatives Kowalko, Osienski, Ramone & Miro made comments.

Representative Schwartzkopf deferred to Representative Manolakos.

Representative Manolakos introduced and brought **HR 34**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 34 - PROCLAIMING MAY, 2012 CYSTIC FIBROSIS AWARENESS MONTH IN DELAWARE.**

Representative Manolakos made comments.

**HR 34** was adopted by voice vote.

Representative Manolakos requested and was granted privilege of the floor for Katrina & Mallory Holloway, who addressed the House. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce Ms. Sheila O'Callaghan, Teacher, St. Ann's Catholic School, and to recognize her fifty-eight years of teaching. Students, including Oliver Conaty, sang "Happy Birthday" to Josephine Conaty, Minority Head Page and grandmother of Oliver. Representatives Brady & Lavelle made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:43 p.m.

The House reconvened at 3:48 p.m.

Representative Longhurst deferred to Representative Bolden. Representative Bolden requested and was granted privilege of the floor to present a House Tribute to the Delmarva Black Chamber of Commerce. Representative Bolden introduced guests. Annie Young, President, Alpha Kappa Alpha Sorority and Lorraine Dryden, Executive Assistant to the Director of Housing, City of Wilmington, addressed the House. Representative J. Johnson made comments.

Representative Longhurst brought **Consent Calendar #12** before the House, before the House for consideration.

**SCR 38 - CLOUTIER & SENATOR HALL-LONG & REPRESENTATIVE BRIGGS KING & SENATORS BONINI, BOOTH, CONNOR, ENNIS, HENRY, KATZ, LAWSON, MCBRIDE, SIMPSON, SOKOLA & SORENSON & REPRESENTATIVES BENNETT, BOLDEN, CARSON, HEFFERNAN, HOCKER, HUDSON, JAQUES, Q. JOHNSON, KENTON, KOWALKO, MANOLAKOS, MIRO, OSIENSKI, OUTTEN, PETERMAN, SCHWARTZKOPF, D. SHORT, VIOLA, WALKER & WILSON - Continuing to Raise Awareness that the Month of May is Melanoma and Skin Cancer Detection and Prevention Month in Delaware.**

**SCR 41 - CLOUTIER & SENATOR BONINI & REPRESENTATIVE B. SHORT & SENATORS BOOTH, BUNTING, CONNOR, ENNIS, HALL-LONG, KATZ, LAWSON, SIMPSON, SOKOLA & SORENSON & REPRESENTATIVES BOLDEN, BRADY, BRIGGS KING, HUDSON, J. JOHNSON, KOWALKO, MIRO, MITCHELL, OSIENSKI, OUTTEN, WALKER & WILSON - Recognizing the Fight of Baby Avery Canahuati and the Growing Need to Raise Awareness about Spinal Muscular Atrophy in Delaware.**

**Consent Calendar #12** was adopted by voice vote and **SCR 38 & SCR 41** were returned to the Senate.

Mr. Speaker Gilligan & Representative Schwartzkopf made comments regarding **SCR 38**.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 277 w/HA 3 & SA 2**, jointly sponsored by Representative D.E. Williams & Senator McDowell & Representatives Atkins, Bennett, Gilligan, Hudson, Jaques, Q. Johnson, Keeley, Lavelle, Longhurst, Miro, Mitchell, Osienski, Schooley, Schwartzkopf, B. Short, D. Short, Viola, Willis & Wilson & Senators Ennis & Sokola before the House for concurrence on **SA 2**.

**HB 277 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO HOME INVASION AND BURGLARY. (F/N)**

Representatives Heffernan & Blakey made comments.

The roll call on **HB 277 w/HA 3 & SA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, having received a constitutional majority, **HB 277 w/HA 3 & SA 2** was sent to the Governor.

Representatives Mulrooney, Schooley, M. Smith & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 343**, jointly sponsored by Senator Ennis & Senator Simpson & Representatives Gilligan, Hocker, Q. Johnson, Longhurst & Mitchell & Senator McBride & cosponsored by Representative Wilson, before the House for consideration.

**HB 343** - AN ACT TO AMEND TITLE 7 RELATING TO THE TRANSFER OF FINFISH, EEL FISHING AND SHELLFISH PERMITS AND LICENSES.

Representative Carson made comments.

The roll call on **HB 343** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, having received a constitutional majority, **HB 343** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan brought **HB 319**, jointly sponsored by Senator McDowell & Representatives Brady, Hocker, Hudson, Q. Johnson, Osienski, M. Smith & Walker & Senators Bunting, Ennis & Sokola, before the House for consideration.

**HB 319** - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO AN EMPLOYMENT FIRST PRIORITY POLICY FOR PERSONS WITH DISABILITIES.

Representative Heffernan brought **HA 1** to **HB 319** before the House for consideration.

Representative Heffernan made comments. **HA 1** was adopted by voice vote. Representative Heffernan made comments.

The roll call on **HB 319 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Bennett, Hudson, Keeley & Manolakos - 4.

Therefore, having received a constitutional majority, **HB 319 w/HA 1** was sent to the Senate for concurrence.

Representative Heffernan made comments regarding **HB 319 w/HA 1**.

Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HS 1** for **HB 227** before the House for consideration.

**HS 1** for **HB 227** - AN ACT TO AMEND TITLE 9, TITLE 22 AND TITLE 31 RELATING TO HOUSING.

Representative Q. Johnson made comments.

The roll call on **HS 1** for **HB 227** was taken and revealed:

YES: 28.

NO: Representative Kenton - 1.

NOT VOTING: Representatives Hocker, Lavelle, Miro, Outten, Peterman, Ramone & Wilson - 7.

ABSENT: Representatives Bennett, Blakey, Hudson, Keeley & Manolakos - 5.

Therefore, having received a constitutional majority, **HS 1** for **HB 227** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement. Representatives Longhurst & Q. Johnson made comments regarding **HS 1** for **HB 227**.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 230 w/HA 1 & SA 1**, jointly sponsored by Senator Katz, before the House for concurrence on **SA 1**.

**HB 230** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (2/3 bill)

Representative Jaques made a comment.

The roll call on **HB 230 w/HA 1 & SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Bennett, Hudson, Keeley & Manolakos - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 230 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 338**, jointly sponsored by Senator Blevins & Representatives Carson, Hudson, J. Johnson, Lee, Mitchell, Walker, D.P. Williams, Willis & Wilson & Senator DeLuca, Henry, McDowell, Simpson & Sorenson, before the House for consideration.

**HB 338** - 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.

Representative M. Smith made comments.

The roll call on **HB 338** was taken and revealed:

YES: 38.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, having received a constitutional majority, **HB 338** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **SB 185 w/SA 1**, jointly sponsored by Representative Gilligan & Senators Blevins, Bushweller, Cloutier, Ennis, Hall-Long, Henry, Sokola & Sorenson & Representatives Bennett, Blakey, Hudson, Keeley, Lavelle, Lee, Longhurst, Miro, Mitchell, Ramone, Schwartzkopf, B. Short, D. Short, Viola, Wilson & Kowalko, before the House for consideration.

**SB 185** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS.

Representative Lavelle brought **HA 1 to SB 185** before the House for consideration. Representative Lavelle introduced and brought **HA 1 to HA 1 to SB 185** before the House for consideration.

Representative Lavelle made comments.

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

NO: 16.

YES: Representatives Barbieri, Blakey, Briggs King, Hocker, J. Johnson, Q. Johnson, Kenton, Kowalko, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, Scott, D. Short, M. Smith, Willis & Wilson - 20.

NOT VOTING: Representatives Brady & B. Short - 2.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, not having received a constitutional majority, **HA 1 to HA 1 to SB 185** was declared defeated.

Representatives Lavelle, Schwartzkopf & D.E. Williams made comments.

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

NO: 23.

YES: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 14.

NOT VOTING: Representative Kowalko - 1.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, not having received a constitutional majority, **HA 1 to SB 185** was declared defeated.

Representative Kowalko brought **HA 2 to SB 185** before the House for consideration.

Representative Kowalko made comments. Representative Kowalko requested that **HA 2 to SB 185** be stricken. Representative Schwartzkopf made comments. Representative M. Smith requested and was granted privilege of the floor for Michael Barlow, Chief Legal Counsel, Office of the Governor. Representatives M. Smith, Kowalko, Willis, Ramone, D. Short made comments. Mr. Speaker Gilligan granted privilege of the floor for Russell Larson, Controller General. Representatives D. Short & Ramone made comments. Representative Blakey made comments. Mr. Speaker Gilligan granted privilege of the floor for Janet Wright, representing the Public Integrity Commission. Representatives Blakey & Lavelle made comments.

The roll call on **SB 185 w/SA 1** was taken and revealed:

YES: 26.

NO: Representatives Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 12.

ABSENT: Representatives Bennett, Hudson & Keeley - 3.

Therefore, having received a constitutional majority, **SB 185 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 339**, jointly sponsored by Senator Blevins & Representatives Carson, Hudson, J. Johnson, Lee, Mitchell, Walker, D.P. Williams, Willis & Wilson & Senators DeLuca, Henry, McDowell, Simpson & Sorenson, before the House for consideration.

**HB 339** - 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.

Representative M. Smith made comments.

The roll call on **HB 339** was taken and revealed:

YES: 37.

ABSENT: Representatives Bennett, Briggs King, Hudson & Keeley - 4.

Therefore, having received a constitutional majority, **HB 339** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 340**, jointly sponsored by Senator Blevins & Representatives Carson, Hudson, J. Johnson, Lee, Mitchell, Walker, D.P. Williams, Willis & Wilson & Senators DeLuca, Henry, McDowell, Simpson & Sorenson, before the House for consideration.

**HB 340** - 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.

Representative M. Smith made comments.

The roll call on **HB 340** was taken and revealed:

YES: 36.

ABSENT: Representatives Bennett, Briggs King, Hudson, Keeley & Manolakos - 5.

Therefore, having received a constitutional majority, **HB 340** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 342**, jointly sponsored by Senator Blevins & Representatives Carson, Hudson, J. Johnson, Lee, Mitchell, Walker, D.P. Williams, Willis & Wilson & Senators DeLuca, Henry, McDowell, Simpson & Sorenson, before the House for consideration.

**HB 342** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative M. Smith made comments.

The roll call on **HB 342** was taken and revealed:

YES: 36.

ABSENT: Representatives Bennett, Briggs King, Hudson, Keeley & Manolakos - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 342** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:36 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 5, 2012.

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

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 308** – 1F,3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 194 w/SA 2 & SB 190 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 259 w/HA 1, HCR 49 & HCR 50** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 209** and requests the concurrence of the House and the Senate has passed **HB 267** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 268 w/HA 1 & HJR 13 w/HA 1 aab HA 1 to HA 1** and is returning the same to the House.

May 22, 2012

#### LEGISLATIVE ADVISORY #26

Governor Jack A. Markell signed the following legislation on the date indicated: 5/21/2012 - **HB 193 aab HA 1; HS 1 for HB 253 aab HA 1; HB 256; HB 266; HB 280 aab HA 1 & SA 1 & SS 1 for SB 151 aab HA 1.**

May 31, 2012

#### LEGISLATIVE ADVISORY #27

Governor Jack A. Markell signed the following legislation on the date indicated: 5/22/2012 - **HB 170 aab HA 1 & HB 223.**

Representative Lee requested that **HS 1 for HB 212** be stricken. Representatives Hudson & Keeley requested that they be marked present for the current Legislative Day.

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 - 146th GENERAL ASSEMBLY - Second Session

June 5, 2012

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Harvey R. Kenton, Thirty-sixth Representative District.

Mr. Speaker Gilligan led those present in the 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 354** - WILLIS & SENATOR BUSHWELLER; REPRESENTATIVES BLAKEY, SCOTT; SENATOR ENNIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Profession of Nursing.

**HB 355** - HEFFERNAN & REPRESENTATIVE CARSON & REPRESENTATIVE MITCHELL & SENATOR MCDOWELL & SENATOR CLOUTIER & SENATOR CONNOR; REPRESENTATIVES J. JOHNSON, MIRO, MULROONEY, B. SHORT, D.E. WILLIAMS; SENATORS BUNTING, HALL-LONG, SOKOLA, VENABLES - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 19 of the Delaware Code Relating to the Volunteer Emergency Responders Job Protection Act. (3/5 bill)

**HB 356** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 28 of the Delaware Code Relating to Charitable Gaming. (3/5 bill)

**HB 357** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Massage and Bodywork.

**HB 359** - LAVELLE & SENATOR KATZ; REPRESENTATIVES HOCKER, BRIGGS KING, HUDSON, MIRO, OUTTEN, RAMONE, BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Pleadings and Practice.

**HB 360** - LONGHURST & REPRESENTATIVE HUDSON & SENATOR BLEVINS & SENATOR CONNOR; REPRESENTATIVES BOLDEN, JAQUES, B. SHORT - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to School Boards and School Board Elections.

**HB 361** - LEE; REPRESENTATIVES LAVELLE, HOCKER, HUDSON, MANOLAKOS, PETERMAN, RAMONE, D. SHORT, BOLDEN, CARSON, MITCHELL, MULROONEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Creating the Delaware Auction and Auctioneer Licensing Act and to Real Estate Services, Brokers, Associate Brokers, and Salespersons. (3/5 bill)

**HB 362** - BOLDEN & SENATOR HENRY; REPRESENTATIVES J. JOHNSON, KEELEY, MITCHELL; SENATORS MARSHALL, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Related to Reorganization of School Districts. (2/3 bill)

**HB 363** - KEELEY & SENATOR HENRY; HEFFERNAN, MITCHELL, D. SHORT, D.P. WILLIAMS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Bail Bond Agents.

**HB 364** - KEELEY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Audits by Pharmacy Benefit Managers.

**HB 365** - Q. JOHNSON & REPRESENTATIVE HEFFERNAN & REPRESENTATIVE SCHOOLEY & SENATOR MCDOWELL; REPRESENTATIVES JAQUES, KEELEY, KOWALKO, LAVELLE, LONGHURST, MITCHELL, OSIENSKI, B. SHORT, M. SMITH, WALKER; SENATORS CLOUTIER, SOKOLA, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education and Exceptional Children.

**HB 366** - MITCHELL & REPRESENTATIVE BRIGGS KING & SENATOR MARSHALL; REPRESENTATIVES ATKINS, CARSON, GILLIGAN, Q. JOHNSON, KEELEY, LEE, OUTTEN, WILSON; SENATORS BUSHWELLER, ENNIS, HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Police Chief Due Process.

**HB 367** - ATKINS & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, MITCHELL, LAVELLE, MULROONEY - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to the Prohibition on Sunday Hunting.

**HB 368** - WILLIS & REPRESENTATIVE JAQUES & REPRESENTATIVE CARSON & SENATOR BOOTH & SENATOR VENABLES; REPRESENTATIVES LAVELLE, HOCKER, BRIGGS KING, HUDSON, KENTON, RAMONE, D. SHORT, WILSON, KEELEY; SENATOR SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Parental or Guardian Consent Forms for School-Based Health Centers.

**HB 369** - LONGHURST & REPRESENTATIVE VIOLA & SENATOR ENNIS; REPRESENTATIVE BRADY; SENATOR CONNOR - REVENUE & FINANCE - An Act to Amend Chapter 29, Title 30 of the Delaware Code Pertaining to Wholesalers Gross Receipts Taxes.

**HB 370** - JAQUES & REPRESENTATIVE M. SMITH & REPRESENTATIVE BRADY & REPRESENTATIVE CARSON & SENATOR DELUCA & SENATOR BUNTING & SENATOR MCBRIDE; REPRESENTATIVES BENNETT, BRIGGS KING, HOCKER, HUDSON, Q. JOHNSON, KENTON, LAVELLE, MIRO, D. SHORT, WALKER, WILSON; SENATORS CLOUTIER, CONNOR, ENNIS, HALL-LONG, SOKOLA, SORENSON - VETERANS AFFAIRS - An Act to Amend Title 30 of the Delaware Code Relating to the Delaware National Guard and Reserve Emergency Assistance Fund.

**HB 371** - M. SMITH & SENATOR BLEVINS; REPRESENTATIVES BOLDEN, GILLIGAN, HEFFERNAN, JAQUES, KOWALKO, SCHOOLEY, B. SHORT, WALKER, WILLIS, WILSON; SENATORS ENNIS, HENRY, SOKOLA, VENABLES - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Investigating the Abuse of Children.

**HA 1 to HB 159** - LAVELLE - Placed with the Bill.

**HA 1 to HJR 15** - M. SMITH - Placed with the Bill.

**SB 190 w/SA 1 & 2** - PETERSON & SENATOR BLEVINS; SENATORS ENNIS, HENRY, SOKOLA, SORENSON; REPRESENTATIVES BRADY, HEFFERNAN, J. JOHNSON, KOWALKO, LONGHURST, SCHOOLEY - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Healthy Pregnancies for Incarcerated Women Act.

**SB 194 w/SA 2** - HENRY & REPRESENTATIVE WALKER; SENATORS BLEVINS, ENNIS, HALL-LONG, MARSHALL, CLOUTIER, CONNOR, SORENSON; REPRESENTATIVES BENNETT, BOLDEN, KEELEY, MITCHELL, MULROONEY, VIOLA, HUDSON, LAVELLE - HEALTH &



HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to PolySomnographers. (3/5 bill) (F/I)

**SB 209** - ENNIS & SENATOR LAWSON & REPRESENTATIVE MITCHELL & REPRESENTATIVE LEE; SENATORS BUSHWELLER, BUNTING, VENABLES, SIMPSON, SORENSON; REPRESENTATIVES M. SMITH, Q. JOHNSON, CARSON, BENNETT, HUDSON, OUTTEN, PETERMAN, BRIGGS KING, HOCKER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Obstruction of Justice.

The House observed a moment of silence in memory of Robert F. "Bob" Rider at the request of Representative D. Short. Representative M. Smith made an announcement and requested that **HB 262** be stricken. Representatives Viola, Kowalko & Schooley made announcements. The House observed a moment of silence in memory of James W. "Jimmy" Ford, Chief (Ret.), Wilmington Fire Department, at the request of Representative Brady. Representative Jaques made an announcement.

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

GAMING & PARI-MUTUELS: **HB 333** - 3F,4M.

Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton requested privilege of the floor for himself, Representative Peterman, Representative Wilson & former Representative Robert Walls to present a House Tribute to Richard Sames in recognition of his 70 Years of Service to the Boy Scouts of America. Representative Peterman made comments. Mr. Speaker Gilligan reassigned **HB 371** to the Judiciary Committee. Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett requested and was granted privilege of the floor to read a statement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:22 p.m.

The House reconvened at 4:58 p.m.

Representative Mulrooney requested that he be marked present.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SS 1 for SB 176**, jointly sponsored by Senator Connor & Senators Ennis, Henry & Sorenson & Representative Mulrooney, before the House for consideration.

**SS 1 FOR SB 176** - AN ACT TO AMEND THE CHARTER OF THE MUNICIPAL SERVICE COMMISSION OF THE CITY OF NEW CASTLE RELATING TO REDESIGNATING THE GOVERNING BODY OF THE MUNICIPAL SERVICES COMMISSION OF THE CITY OF NEW CASTLE FROM "BOARD" TO "COMMISSION", CLARIFYING THAT THE COMMISSION CAN OBTAIN PRIVATE PROPERTY WITHIN CITY LIMITS FOR SUPPLYING AND DISTRIBUTING ELECTRICITY, REMOVING THE POSITION OF SUPERINTENDENT AND REPLACING IT WITH ONE OR MORE SUPERVISORS, DELINEATING THE POWER OF THE COMMISSION TO BORROW MONEY THROUGH THE ISSUANCE OF REVENUE BONDS OR OTHER DEBT OBLIGATIONS WITH A RESOLUTION OF CITY COUNCIL AND TO HAVE CONTROL OVER SUCH MONEY, CHANGING THE DATE OF THE REQUIREMENT TO PUBLISH FINANCIAL REPORTS FROM JULY TO DECEMBER AND HANDING OVER POSSESSION OF MONEY TO BE USED FOR THE CITY'S WATER AND LIGHT SYSTEMS FROM THE CITY TREASURER TO THE TREASURER OF THE COMMISSION. (2/3 bill)

Representative J. Johnson made comments.

The roll call on **SS 1 for SB 176** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SS 1 for SB 176** was returned to the Senate.

Representatives Mitchell, Walker & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Kenton.

Representative Kenton brought **HB 322**, jointly sponsored by Representative Hocker & Representative Lee & Representative D. Short & Representative Wilson & Senator Booth & Representatives Blakey, Briggs King, Hudson, Manolakos, Outten, Peterman, Ramone, Atkins, Keeley & Mitchell & Senators Peterson, Simpson, Bunting & Venables, before the House for consideration.

**HB 322** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY.

Representative Kenton made comments.

The roll call on **HB 322** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority, **HB 322** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 171 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 171** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FRANKFORD RELATING TO ELECTIONS. (2/3 bill)

Representative Atkins made comments.

The roll call on **SB 171 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 171 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HB 145 w/HA 1 & 2 & SA 2**, jointly sponsored by Representative Barbieri & Representative Keeley & Representatives J. Johnson, Ramone & Scott & Senators Blevins, Bonini, Ennis, Henry, Sokola & Sorenson, before the House for concurrence on **SA 2**.

**HB 145** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO EXPUNGEMENTS.

Representative M. Smith made comments.

The roll call on **HB 145 w/HA 1, HA 2 & SA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Bolden, Peterman & Viola - 3.

Therefore, having received a constitutional majority, **HB 145 w/HA 1, HA 2 & SA 2** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 309**, jointly sponsored by Representative Carson & Senator Bushweller & cosponsored by Representatives Brady & Schooley & Senator Sokola, before the House for consideration.

**HB 309** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Representative Scott brought **HA 1 to HB 309** before the House for consideration. Representative Scott made comments. **HA 1** was adopted by voice vote. Representatives Scott & Lavelle made comments.

The roll call on **HB 309 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority, **HB 309 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 312**, jointly sponsored by Senator Cloutier, before the House for consideration.

**HB 312** - AN ACT TO AMEND VOLUME 60, CHAPTER 140, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF ARDENTOWN", RELATING TO CORPORATE LIMITS AND TOWN MEETINGS. (2/3 bill)

Representative B. Short made comments.

The roll call on **HB 312** was taken and revealed:

YES: 38.

ABSENT: Representatives Bolden, Keeley & Peterman - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 312** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 335**, jointly sponsored by Senator Bushweller & Representatives Hudson & Q. Johnson, before the House for consideration.

**HB 335** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PORTABLE ELECTRONIC LIMITED LINES PRODUCER AND ADJUSTER LICENSURE. (3/5 bill)

Representative B. Short brought **HA 1 to HB 335** before the House for consideration.

Representative B. Short made comments. **HA 1** was adopted by voice vote. Representatives B. Short & Lavelle made comments.

The roll call on **HB 335 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 335 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 243**, jointly sponsored by Representative Scott & Senator Sokola & Representatives Bolden, Heffernan, Hudson, Jaques, Longhurst, Osienski, Schooley, M. Smith & Walker & Senators Bunting & Ennis, before the House for consideration.

**HB 243** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REPORTING SCHOOL CRIMES.

Representative Briggs King brought **HA 1 to HB 243** before the House for consideration. Representatives Briggs King & Barbieri made comments. **HA 1** was adopted by voice vote. Representative Barbieri brought **HA 2 to HB 243** before the House for consideration. Representative Barbieri made comments. **HA 2** was adopted by voice vote. Representatives Barbieri, Lavelle & Manolakos made comments.

The roll call on **HB 243 w/HA 1 & 2** was taken and revealed:

YES: 34.

NO: Representatives Lee, Manolakos & Wilson - 3.

NOT VOTING: Representatives Lavelle & D. Short - 2.

ABSENT: Representatives Bolden & Peterman - 2.

Therefore, having received a constitutional majority, **HB 243 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives M. Smith, Mitchell & Barbieri made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:42 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 6, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 218** and requests the concurrence of the House and the Senate has passed **HB 87 w/HA 1 & SA1** and is returning the same to the House.

Representative Barbieri introduced **HS 1 for HB 311**, jointly sponsored by Senator Henry & Representatives Brady, Heffernan, Hudson, J. Johnson, Q. Johnson, Miro, Ramone & Walker & Senator Peterson & cosponsored by Representative Schwartzkopf.

**HS 1 for HB 311** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADMISSION, MAINTENANCE AND DISCHARGE OF PATIENTS WITH MENTAL CONDITIONS.

Mr. Speaker Gilligan assigned **HS 1 for HB 311** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

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.

### **35th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session June 6, 2012**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Lavelle, Manolakos, M. Smith & D.P. Williams - 4.

A prayer was offered by Representative Lincoln D. Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan led those present in the 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 358** - KOWALKO & SENATOR BUNTING; REPRESENTATIVES ATKINS, OSIENSKI, RAMONE, D. SHORT; SENATORS KATZ, LAWSON, MARSHALL, SORENSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

**HB 372** - WILSON & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, HUDSON, KENTON, PETERMAN, D. SHORT; SENATORS BUNTING, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 51, Chapter 237, Laws of Delaware, as Amended Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to Appointment and Removal of a Town Manager. (2/3 bill)

**HB 373** - WILSON & SENATOR BOOTH; REPRESENTATIVES HUDSON, D. SHORT; SENATORS BUNTING, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 51, Chapter 237, Laws of Delaware, as Amended Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to the Power to Borrow Up to \$2,500,000 for Municipal Purposes Without Referendum. (2/3 bill)

**HB 374** - WILSON & SENATOR BOOTH; REPRESENTATIVES BRIGGS KING, HUDSON, KENTON, D. SHORT; SENATORS BUNTING, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 51, Chapter 237, Laws of Delaware, as Amended Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to the Power to Borrow Money from the State or Federal Government Without Referendum.

**HB 375** - LEE & SENATOR SIMPSON & SENATOR CONNOR; REPRESENTATIVES HOCKER, KENTON, MANOLAKOS, D. SHORT, BOLDEN, CARSON, JACQUES, MITCHELL; SENATORS BUNTING, ENNIS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Free Access to State Parks, and Free Hunting and Fishing Licenses and Permits for Certain Volunteers.

**SB 218** - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE M. SMITH; SENATORS BLEVINS, HENRY, MCDOWELL, SIMPSON, SORENSON; REPRESENTATIVES WALKER, WILLIS - ECONOMIC DEVELOPMENT/ BANKING/INSURANCE & COMMERCE - An

Act to Amend Chapter 38, Title 12 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Statutory Trusts.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 111** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 109 w/HA 2 & SA 1** and is returning the same to the House.

June 6, 2012

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent for Legislative Session, today Wednesday June 6, 2012 due to personal family business.

Thank you for your understanding.

Sincerely,  
Gregory F. Lavelle  
State Representative  
11<sup>th</sup> District

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator George Bunting, do hereby request that my name be removed as Prime Sponsor of **HB 361**.

Date: 6/6/12

Signed: George H. Bunting

Mr. Speaker Gilligan introduced guests.

HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: June 6, 2012

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                                                              |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------|------|--------------------------------------------------------------------------|
| H146-1530 | Barbieri                                                                                                                                  | 4/27/2012 | T    | Betty Gooden - 80th Birthday                                             |
| H146-1531 | Carson                                                                                                                                    | 4/26/2012 | T    | Tyler Carney - All-American High School National Wrestling Tournament    |
| H146-1532 | Carson                                                                                                                                    | 4/26/2012 | T    | Brent Fleetwood - All-American High School National Wrestling Tournament |
| H146-1533 | Hudson; Brady                                                                                                                             | 4/28/2012 | T    | Priscilla Rakestraw - Republican National Committee Woman - 37 Years     |
|           | cosponsors: Reps. Blakey, Briggs King, Hocker, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson |           |      |                                                                          |
| H146-1534 | Peterman                                                                                                                                  | 4/29/2012 | M    | Raymond Thomas Stoops                                                    |
|           | cosponsors: Reps. Kenton, Wilson & Outten                                                                                                 |           |      |                                                                          |
| H146-1535 | D.E. Williams                                                                                                                             | 4/30/2012 | T    | Darley House - Grand Opening                                             |
|           | cosponsors: Reps. Heffernan, Lavelle & B. Short                                                                                           |           |      |                                                                          |
| H146-1536 | Peterman                                                                                                                                  | 4/28/2012 | M    | Alexander Aubrey                                                         |
|           | cosponsors: Reps. Kenton & Wilson                                                                                                         |           |      |                                                                          |
| H146-1537 | Brady                                                                                                                                     | 4/28/2012 | T    | Sadie Brunson - 65th Birthday                                            |
|           | cosponsors: Reps. Bolden & D.P. Williams                                                                                                  |           |      |                                                                          |
| H146-1538 | Bolden                                                                                                                                    | 5/1/2012  | M    | Annie Darby                                                              |
|           | cosponsor: Rep. D.P. Williams                                                                                                             |           |      |                                                                          |
| H146-1539 | Briggs King                                                                                                                               | 5/2/2012  | M    | Forney Jacob Ricker                                                      |
| H146-1540 | Schwartzkopf                                                                                                                              | 5/3/2012  | T    | Cpl. LeRoy LeKites - DSP - Public Service                                |
|           | cosponsors: Reps. Lee, Atkins, D. Short, Hocker Briggs King, Kenton & Wilson                                                              |           |      |                                                                          |
| H146-1541 | Gilligan                                                                                                                                  | 5/5/2012  | T    | Kristina Kreutzer - Vol. of the Year - Mill Creek Fire Co.               |
|           | cosponsors: Reps. Manolakos, Ramone, Miro & Hudson                                                                                        |           |      |                                                                          |
| H146-1542 | Lee                                                                                                                                       | 5/2/2012  | M    | Juanita Bounds Cathell                                                   |

HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: June 6, 2012

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                                                         |
|-----------|---------------------------|-----------|------|---------------------------------------------------------------------|
| H146-1543 | Kenton                    | 5/4/2012  | T    | Ellendale Vol. Fire Co. - Host - Delmarva Vol. Fireman's Convention |
|           | cosponsor: Rep. Wilson    |           |      |                                                                     |
| H146-1544 | Manolakos; Hudson; Walker | 5/12/2012 | T    | Paul Parets - Retirement - A. I. DuPont High School                 |
| H146-1545 | Outten                    | 5/2/2012  | M    | Albert Silbereisen Sr.                                              |

|           |                                                |            |   |                                                           |
|-----------|------------------------------------------------|------------|---|-----------------------------------------------------------|
| H146-1546 | Barbieri                                       | 4/28/2012  | T | Gene & Doris Olszewski - 50th Wedding Anniversary         |
| H146-1547 | Schwartzkopf                                   | 5/12/2012  | T | Joanne Cabry - 70th Birthday                              |
| H146-1548 | Viola                                          | 5/4/2012   | M | Daniel A. Nepi, Jr.                                       |
| H146-1549 | Atkins                                         | 5/3/2012   | M | Samuel E. Timmons                                         |
| H146-1550 | Wilson                                         | 5/7/2012   | M | Carolyn Sarah Breeding Cashwell                           |
|           | cosponsors: Reps. Outten & Kenton              |            |   |                                                           |
| H146-1551 | Wilson                                         | 5/7/2012   | M | Harvey Franklin Cashwell                                  |
|           | cosponsors: Reps. Outten & Kenton              |            |   |                                                           |
| H146-1552 | Bolden                                         | 5/5/2012   | T | Beautiful Gate Outreach Center - 11 Years                 |
| H146-1553 | D.E. Williams                                  | 5/10/2012  | T | Brandywine School District - Dedication -                 |
|           | cosponsor: Reps. Heffernan, Lavelle & B. Short |            |   |                                                           |
| H146-1554 | Bennett                                        | 5/18/2012  | T | Nan Weaver - Retirement - DelDOT                          |
| H146-1555 | Kenton                                         | 5/23/2012  | T | Jesse Millman - Retirement - DelDOT                       |
| H146-1556 | Briggs King                                    | 6/1/2012   | T | Dennis Dodd - Retirement - DelDOT                         |
| H146-1557 | Kenton                                         | 5/16/2012  | T | People's Place - 40 Years                                 |
|           | cosponsors: Reps. Peterman, Wilson & Outten    |            |   |                                                           |
| H146-1558 | B. Short                                       | 5/20/2012  | T | Jesse McDaniel - Eagle Scout                              |
| H146-1559 | Outten                                         | 5/22/2012  | T | Nancy Breeding - Retirement - Lake Forest School District |
| H146-1560 | Outten                                         | 5/22/2012  | T | Sheldon Butler - Retirement - Lake Forest School District |
| H146-1561 | Peterman                                       | 5/22/2012  | T | Debbie Jack - Retirement - Lake Forest School District    |
|           | cosponsor: Rep. Outten                         |            |   |                                                           |
| H146-1562 | Outten                                         | 05/22/2012 | T | Sue Killen - Retirement - Lake Forest School District     |
| H146-1563 | Outten                                         | 05/22/2012 | T | Phyllis Masten - Retirement - Lake Forest School District |

T- Tribute

M - Memoriam

Representative Heffernan requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short introduced guests.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative B. Short requested that he be marked present.

Representative Longhurst brought **HCR 44**, jointly sponsored by Senator Hall-Long & Representatives Brady, Briggs King, Mitchell, Osienski & Walker & Senator Bunting, before the House for consideration.

**HCR 44** - RECOGNIZING JULY 18, 2012, AS THE INAUGURAL DELAWARE CULTURE CHANGE COALITION'S ANNUAL CONFERENCE.

Representative Longhurst made comments.

**HCR 44** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Keeley requested that she be marked present. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced guests. Representative Schwartzkopf deferred to Representative Briggs King. Representative Briggs King requested that **HB 316** be stricken.

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 Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:20 p.m. on June 6, 2012: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 7, 2012.

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

VETERANS AFFAIRS: **HB 370** - 1F,12M; **HJR 16** - 13M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 189** - 5M; **HB 361** - 4M; **HB 357** - 2F,3M; **HB 356** - 5M.

MANUFACTURED HOUSING: **SB 205 w/SA 1**, SA 2 - 4F.

PUBLIC SAFETY & HOMELAND SECURITY: **HB 352** - 7M; **HB 366** - 4F,2M.

EDUCATION: **HB 198** - 8M; **SB 206 w/SA 2** - 8M; **HB 365** - 11M.

HOUSE ADMINISTRATION: **HB 351** - 3F; **HB 348** - 1F,2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **HB 363** - 10M; **HB 345** - 10F; **HB 346** - 10M.

REVENUE & FINANCE: **HB 350** - 5F,5M; **HB 341** - 3F,7M; **HB 369** - 1F,4M,2U.

HEALTH & HUMAN DEVELOPMENT: **HB 349** - 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 2** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 300 w/HA 2, HA 1 to HA 2 & HA 3, HB 310 w/HA 1 & HB 319 w/HA 1** and is returning the same to the House.

Representatives M. Smith & Manolakos requested that they 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.

**36th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
June 7, 2012**

The Chief Clerk called the roll:

Members Present: 40.

Members Absent: Representative D.P. Williams - 1.

A prayer was offered by Representative Michael Ramone, Twenty-first Representative District.

Mr. Speaker Gilligan led those present in the 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 376** - J. JOHNSON & SENATOR BLEVINS; REPRESENTATIVES GILLIGAN, ATKINS, LEE, WILSON; SENATORS BUSHWELLER, ENNIS - ECONOMICDEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Titles 18 & 29 of the Delaware Code Relating to Insurance Fees and Taxes and to Establish a Medical Insurance Component for Retired Delaware County and Municipal Police and Firefighters Pension Plan. (3/5 bill)

**HB 377** - SCHWARTZKOPF & REPRESENTATIVE HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Relating to the Charter of the Town of Dewey Beach. (2/3 bill)

**SB 211 w/SA 2** - BLEVINS & REPRESENTATIVE M. SMITH & REPRESENTATIVE JAQUES; SENATOR PETERSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Cruelty to Animals.

**HA 1 to SB 213** - KOWALKO - Placed with the Bill.

Representative Schwartzkopf welcomed Lieutenant Governor Matt Denn to the House Chamber. Mr. Speaker Gilligan invited Lieutenant Governor Denn to join him on the podium. Representative Schwartzkopf welcomed participants in the Law Enforcement Torch Run for the Special Olympics of Delaware. Representative Schwartzkopf made comments and introduced John Miller, Chairman, who addressed the House and introduced Police Chiefs representing various Delaware law enforcement agencies. Torch Runners announced their names and agencies for the record. Representative Lavelle made comments. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representatives Heffernan & Jaques made comments. Representative B. Short requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst made comments.

Representative Longhurst introduced and brought **HCR 48**, jointly sponsored by Senator Blevins & Senator Connor & Representatives Briggs King, Heffernan, Hudson, Jaques, Q. Johnson, Keeley, Kenton, Mitchell, Osienski, Outten, Schooley, Schwartzkopf, Walker & Willis & Senators Ennis, Hall-Long, Sokola & Sorenson, before the House for consideration.

**HCR 48** - RECOGNIZING JUNE 7, 2012 AS "NON-PROFIT AWARENESS DAY".

Representative Longhurst introduced guests and made comments.

**HCR 48** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins requested that he be marked present. Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce a guest and to make comments. Representative D.E. Williams requested and was granted personal privilege of the floor to introduce guests. Representative Mitchell requested that he be marked present. Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone requested and was granted privilege of the floor for himself and Representatives Miro, Hudson & Bolden to present a House Tribute to the American Turkish Friendship Association of Delaware. Emre Celik, President, addressed the House. Representative Manolakos requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Lavelle. Representative Lavelle made comments. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley made comments and an announcement. Mr. Speaker Gilligan made comments. Representatives Kowalko, Schwartzkopf, Miro, Keeley, Blakey, J. Johnson, Lavelle, Atkins, Barbieri, Longhurst, Hudson & M. Smith made comments.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:57 p.m.

The House reconvened at 5:10 p.m.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques introduced **HB 380**, jointly sponsored by Representative Osienski & Senator Bunting & Representatives Heffernan, J. Johnson, Keeley, Kenton, Kowalko, Mitchell, Mulrooney, Outten, Peterman, Scott, B. Short, D. Short, Viola & Wilson & Senators Blevins, DeLuca, Peterson & Venables.

**HB 380** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.

Mr. Speaker Gilligan assigned **HB 380** to the Education Committee.

Mr. Speaker Gilligan introduced Dr. Jack P. Varsalona, President, Wilmington University.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to suspend the rules which interfere with action on **HB 369**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst brought **HB 369**, jointly sponsored by Representative Viola & Senator Ennis & Representative Brady & Senator Connor, before the House for consideration.

**HB 369** - AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE PERTAINING TO WHOLESALERS GROSS RECEIPTS TAXES. (F/N)

Representative Longhurst made comments.

The roll call on **HB 369** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 369** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **HB 365**, jointly sponsored by Representative Heffernan & Representative Schooley & Senator McDowell & Representatives Jaques, Keeley, Kowalko, Lavelle, Longhurst, Mitchell, Osienski, B. Short, M. Smith & Walker & Senators Sokola & Sorenson & cosponsored by Senator Cloutier, before the House for consideration.

**HB 365** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL CHILDREN. (F/N)

Representatives Q. Johnson & Briggs King made comments.

The roll call on **HB 365** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 365** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 318**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 318** - AN ACT TO AMEND CHAPTER 176, VOLUME 74 LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF SMYRNA. (2/3 bill)

Representative Carson made comments.

The roll call on **HB 318** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 318** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 193**, jointly sponsored by Senator Sokola & Senator Cloutier & Senators Blevins, Katz, Hall-Long, Ennis & Bunting & Representatives Bolden, M. Smith, Heffernan, Q. Johnson, Walker, Hudson, Miro, Osienski, Bennett, Kenton, Briggs King & Wilson, before the House for consideration.

**SB 193** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF DELAWARE PUBLIC SCHOOL STUDENTS

Representative Schooley made comments.

The roll call on **SB 193** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **SB 193** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King brought **HB 323**, jointly sponsored by Senator Simpson & Representative Kenton, before the House for consideration.

**HB 323** - AN ACT TO AMEND VOLUME 57, CHAPTER 170 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE CITY OF LEWES, TO MAKE VOTER QUALIFICATIONS CONSISTENT WITH THE NEW SENATORIAL DISTRICT CREATED IN RESPONSE TO THE 2010 CENSUS, AND FURTHER TO AMEND THE PROCESS BY WHICH THE CITY AWARDS CERTAIN CONTRACTS FOR THE PURCHASE OF MATERIALS OR FOR THE FURNISHING OF SERVICES AUTHORIZED OR PERMITTED BY THE CHARTER FOR THE CITY OF LEWES. (2/3 bill)

Representative Briggs King made comments.

The roll call on **HB 323** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 323** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced **HB 378**, jointly sponsored by Representative Mitchell & Senator Blevins & cosponsored by Representative Wilson.

**HB 378** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE.

Mr. Speaker Gilligan assigned **HB 378** to the Public Safety & Homeland Security Committee.

Representative Keeley made comments. Representative Briggs King made comments and requested that **HB 316** be stricken.

Representative Schwartzkopf brought **HB 341**, jointly sponsored by Senator Bunting & Representatives Brady, Heffernan, Osienski & B. Short & Senators Ennis, Hall-Long & Sokola, before the House for consideration.

**HB 341** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE USE TAX ON LEASES OF TANGIBLE PERSONAL PROPERTY. (F/N)

Representative Schwartzkopf introduced and brought **HA 1 to HB 341** before the House for consideration. Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representatives Schwartzkopf & Lavelle made comments.

The roll call on **HB 341 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 341 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 370**, jointly sponsored by Representative M. Smith & Representative Brady & Representative Carson & Senator DeLuca & Senator Bunting & Senator McBride & Representatives Bennett, Briggs King, Hocker, Hudson, Q. Johnson, Kenton, Lavelle, Miro, D. Short, Walker & Wilson & Senators Cloutier, Connor, Ennis, Hall-Long, Sokola & Sorenson, before the House for consideration.

**HB 370** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD AND RESERVE EMERGENCY ASSISTANCE FUND.

Representative Jaques made comments.

The roll call on **HB 370** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Manolakos & D.P. Williams - 3.

Therefore, having received a constitutional majority, **HB 370** was sent to the Senate for concurrence.

Representative Jaques made comments regarding **HB 370**.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HJR 16**, jointly sponsored by Senator McDowell & Representatives Barbieri, J. Johnson, Kenton, Peterman, D. Short, Walker, Willis & Wilson & Senators Bunting, Sorenson & Venables & cosponsored by Representative Jaques, before the House for consideration.

**HJR 16** - SUPPORTING THE CREATION OF A NATIONAL POW/MIA TRAILWAY SYSTEM AND RECOMMENDING THAT THE SEGMENT OF THE ABANDONED PENNSYLVANIA RAILROAD RUNNING FROM SOUTH MARKET STREET IN WILMINGTON TO BATTERY PARK IN NEW CASTLE BE DESIGNATED AS THE FIRST SEGMENT THEREOF.

Representative Brady made comments.

The roll call on **HJR 16** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HJR 16** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 199 w/SA 1**, jointly sponsored by Senator Peterson & Senator Bunting & Representatives Bennett, Keeley, Hudson, Outten & D. Short, before the House for consideration.

**SB 199** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TAXICAB AND LIMOUSINE DRIVERS.

Representatives Mitchell & Lavelle made comments.

The roll call on **SB 199 w/SA 1** was taken and revealed:

YES: 39.



ABSENT: Representatives Manolakos & D.P. Williams - 2.

Therefore, having received a constitutional majority, **SB 199 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 162**, jointly sponsored by Senator Blevins & Senator Henry & Representative Schwartzkopf & Representative Barbieri & Senators Ennis, Hall-Long, Sokola & Sorenson & Representatives Bolden, Keeley, Mitchell, Osienski, Schooley, B. Short, & M. Smith, before the House for consideration.

**SB 162 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SEXUALLY TRANSMITTED DISEASES, INFORMED CONSENT, AND CONFIDENTIALITY.**

Representative Barbieri made comments.

The roll call on **SB 162** was taken and revealed:

YES: 36.

NOT VOTING: Representatives Lavelle & Peterman - 2.

ABSENT: Representatives Manolakos, Scott & D.P. Williams - 3.

Therefore, having received a constitutional majority, **SB 162** was returned to the Senate.

Representative Viola introduced a guest. Representative Barbieri made comments regarding **SB 162**.

The Majority Leader moved to recess to the call of the Chair at 5:56 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 12, 2012.

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 **HB 289 w/HA 1 & 2, HB 343 & HCR 48** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 227** and requests the concurrence of the House and the Senate has passed **HB 257 w/HA 1** and is returning the same to the House. The Senate wished to inform the House that it has passed **SB 233, HB 222 w/SA 1 & SB 22 w/SA 1 & 3** and requests the concurrence of the House.

June 7, 2012

#### LEGISLATIVE ADVISORY # 28

Governor Jack A. Markell signed the following legislation on the date indicated: 6/5/2012 – **HB 230 aab HA 1 & SA 1, HB 267, HB 259 aab HA 1, HJR 13 aab HA 1 aab HA 1 to HA 1, SB 180 aab SA 1**; 6/1/2012 – **HB 277 aab SA 2**; 5/28/2012 – **HB 238 aab HA 1**.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement.

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.

### 37th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session

June 12, 2012

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Harold J. Peterman, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the 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 381 - B. SHORT & SENATOR VENABLES; REPRESENTATIVES CARSON, Q. JOHNSON, KEELEY - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 25 of the Delaware Code Relating to Property and Commercial Real Estate Broker's Liens.**

**HB 382 - B. SHORT & REPRESENTATIVE M. SMITH & SENATOR BLEVINS & SENATOR CLOUTIER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Chapter 49A, Title 18 of the Delaware Code Relating to Delaware Insurance Company Mutual-To-Stock Conversion Act.**

**HB 383 - SCHOOLEY & SENATOR BLEVINS; REPRESENTATIVES HEFFERNAN, HOCKER, HUDSON, J. JOHNSON, KOWALCO, LAVELLE, LONGHURST, MIRO, MITCHELL, D. SHORT; SENATORS SIMPSON, SOKOLA, SORENSON, VENABLES - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Composition of the Criminal Justice Council.**

**HB 384 - Q. JOHNSON & SENATOR HALL-LONG; REPRESENTATIVES HUDSON, JAQUES, KEELEY, LONGHURST, MIRO, MITCHELL, OSIENSKI, M. SMITH, WALKER; SENATORS ENNIS, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Universal Hearing Screening, Tracking, and Intervention.**

**HB 385 - MITCHELL & SENATOR ENNIS; REPRESENTATIVES BENNETT, CARSON, HOCKER, HUDSON, Q. JOHNSON, KEELEY, KENTON, LEE, MIRO, WALKER, WILSON; SENATORS BUSHWELLER, HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 85, Title 11, of the Delaware Code Relating to Missing Persons.**

**HB 386** - Q. JOHNSON & REPRESENTATIVE D. SHORT; REPRESENTATIVES HEFFERNAN, LONGHURST, MITCHELL, B. SHORT, M. SMITH, WILLIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Economic Development.

**HA 1 to HB 242** - D. SHORT - Placed with the Bill.

**HA 1 to HB 333** - BRADY & REPRESENTATIVE LEE; REPRESENTATIVES Q. JOHNSON, D. SHORT - Placed with the Bill.

**HA 2 to HB 333** - VIOLA - Placed with the Bill.

**HA 3 to HB 333** - BARBIERI - Placed with the Bill.

**HA 1 to HB 349** - WALKER - Placed with the Bill.

**HA 1 to HB 351** - SCHOOLEY - Placed with the Bill.

**HA 1 to HB 366** - MITCHELL - Placed with the Bill.

**SB 22 w/SA 1 & 3** - SORENSON & REPRESENTATIVE Q. JOHNSON & SENATOR CLOUTIER; SENATORS BLEVINS, BUNTING, CONNOR, ENNIS, HALL-LONG, HENRY, PETERSON, SOKOLA, VENABLES, KATZ, MCDOWELL; REPRESENTATIVES BARBIERI, BENNETT, CARSON, GEORGE, HEFFERNAN, JACQUES, J. JOHNSON, KEELEY, KOWALKO, MITCHELL, OSIENSKI, RAMONE, SCHOOLEY, VIOLA, WALKER - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Autism Spectrum Disorders Coverage. (F/N)

**SB 214 w/SA 1** - BUNTING & REPRESENTATIVE RAMONE; SENATORS SOKOLA, SORENSON, BLEVINS, PETERSON, HENRY, HALL-LONG; REPRESENTATIVES WILLIS, BOLDEN, JACQUES, KOWALKO, OSIENSKI, HOCKER, WILSON, D. SHORT, KENTON, MIRO, M. SMITH, KEELEY, WALKER, BRADY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Physical Activity for Students in Delaware Public Elementary Schools.

**SB 222 w/SA 1** - ENNIS & REPRESENTATIVE SCOTT - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Heritage Commission and the Council on Archives.

**SB 227** - MCDOWELL & SENATOR SORENSON & REPRESENTATIVE BARBIERI & REPRESENTATIVE HUDSON & REPRESENTATIVE BRADY; SENATORS BLEVINS, BUSHWELLER, CLOUTIER, CONNOR, KATZ, LAWSON, MCBRIDE; REPRESENTATIVES BRIGGS KING, HEFFERNAN, HOCKER, KEELEY, KENTON, MANOLAKOS, MIRO, MULROONEY, RAMONE, SCHOOLEY, SCHWARTZKOPF, B. SHORT, D. SHORT, D.P. WILLIAMS, WILLIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend the Delaware Code by Creating a New Chapter 65 of Title 30 of the Delaware Code to Impose Quality Assessment Fees on Nursing Facilities and by Creating a New Chapter 105 of Title 16 Establishing the Nursing Facility Quality Assessment Fund. (3/5 bill) (F/I)

**SB 233** - SOKOLA & REPRESENTATIVE D.E. WILLIAMS; SENATORS SIMPSON, SORENSON, CLOUTIER; REPRESENTATIVES HEFFERNAN, B. SHORT, WALKER, MITCHELL, SCHOOLEY, MANOLAKOS, MIRO, BOLDEN - EDUCATION - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to Comprehensive School Safety Plans. (F/N)

**HA 1 to SB 129** - WILSON - Placed with the Bill.

**HA 1 to SB 206** - BARBIERI & REPRESENTATIVE HUDSON - Placed with the Bill.

Representative Longhurst made comments and invited Maria Cahill, Miss Delaware 2011, to the podium. Miss Cahill addressed the House and presented her official portrait. Miss Delaware 2012 contestants announced their names, schools and platforms for the record. Representative Longhurst made comments. Representative Atkins requested and was granted personal privilege of the floor to introduce guests and to make comments. Mr. Speaker Gilligan introduced Boys' State participants Darnell Jones and Danny Coburn who accompanied him on the podium. Representatives Heffernan, Manolakos, Hocker & Wilson requested that they be marked present.

Representative Jaques introduced **HJR 17**, jointly sponsored by Senator Henry & cosponsored by Representatives Bolden, Heffernan & Schwartzkopf.

**HJR 17** - ESTABLISHING A STUDY GROUP TO ASSESS DELAWARE'S CIVIL MENTAL HEALTH LAWS.

Mr. Speaker Gilligan assigned **HJR 17** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HCR 46**, jointly sponsored by Senator Hall-Long, before the House for consideration.

**HCR 46** - RECOGNIZING JUNE 15, 2012 AS "DELAWARE ELDER ABUSE AWARENESS DAY."

Representative Longhurst made comments.

**HCR 46** was adopted by voice vote and was sent to the Senate for concurrence.

Representative D.P. Williams made an announcement. Representative Brady requested and was granted personal privilege of the floor to introduce a guest. Representative Kenton requested and was

granted personal privilege of the floor to introduce guests. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests. Representative Longhurst requested and was granted personal privilege of the floor to make comments and an announcement. Representative Scott made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 42** and requests the concurrence of the House.

Representative Schwartzkopf deferred to Representative Kenton.

Representative Kenton introduced and brought **SCR 42**, jointly sponsored by Senator Sorenson & Senator DeLuca on behalf of All Senators & Representative Schwartzkopf on behalf of All Representatives, before the House for consideration.

**SCR 42** - COMMENDING THE CLASS OF 2011-2012 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA.

Representative Kenton made comments. The Eagle Scouts announced their names and described their Eagle Scout projects for the record.

**SCR 42** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:42 p.m.

The House reconvened at 4:40 p.m.

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

HOUSE ADMINISTRATION: **HB 164** - 1F,2M; **HB 360** - 4M; **HB 377** - 4M.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Rebecca Walker, do hereby request that my name be removed as a co-sponsor of **HB 360**.  
Date: 6/12/12

Signed: Rebecca Walker

The Senate wishes to inform the House that it has passed **HB 192 w/SA 1** and is returning the same to the House and the Senate has passed **SB 215 & SB 221** and requests the concurrence of the House.

Representatives Schooley, Viola, Mulrooney & Keeley requested that they be marked present.

Representative Briggs King requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of Dr. James Beebe, Jr. at the request of Representative Briggs King.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 366**, jointly sponsored by Representative Briggs King & Senator Marshall & Representatives Atkins, Carson, Gilligan, Q. Johnson, Keeley, Lee, Outten & Wilson & Senators Bushweller, Ennis & Henry, before the House for consideration.

**HB 366** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS.

Representative Mitchell brought **HA 1 to HB 366** before the House for consideration.

Representative Mitchell moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Mitchell moved to place **HB 366** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 204**, jointly sponsored by Senator Venables & Representatives Hocker & Keeley & Senator Ennis, before the House for consideration.

**HB 204** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE AUDITOR OF ACCOUNTS.

Representative Scott made comments.

The roll call on **HB 204** was taken and revealed:

YES: 38.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representatives Bolden & Ramone - 2.

Therefore, having received a constitutional majority, **HB 204** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to lift **HB 366** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **HB 366**, jointly sponsored by Representative Briggs King & Senator Marshall & Representatives Atkins, Carson, Gilligan, Q. Johnson, Keeley, Lee, Outten & Wilson & Senators Bushweller, Ennis & Henry, before the House for consideration.

**HB 366** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS.

Representative Mitchell moved to lift **HB 366** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Mitchell moved to lift **HA 1 to**

**HB 366** from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Walker introduced and brought **HA 1 to HA 1 to HB 366** before the House for consideration. Representative Walker made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **HB 366 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Ramone - 2.

Therefore, having received a constitutional majority, **HB 366 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley brought **HB 351**, jointly sponsored by Representative Kowalko & Representative Miro & Senator Hall-Long & Senator Sorenson, before the House for consideration.

**HB 351 - AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK RELATING TO THE ALDERMAN.** (2/3 bill)

Representative Schooley brought **HA 1 to HB 351** before the House for consideration.

Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 351 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 351 w/HA 1** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Willis.

Representative Willis brought **HB 352**, jointly sponsored by Senator Ennis & Representatives Kenton, D. Short, Q. Johnson & B. Short, before the House for consideration.

**HB 352 - AN ACT TO AMEND TITLE 21 AND TITLE 30 OF THE DELAWARE CODE RELATING TO RECREATIONAL VEHICLES.**

Representative Willis introduced and brought **HA 1 to HB 352** before the House for consideration. Representative Willis made comments. **HA 1** was adopted by voice vote. Representative Willis made comments.

The roll call on **HB 352 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Ramone - 1.

Therefore, having received a constitutional majority, **HB 352 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 333**, jointly sponsored by Senator Bushweller & Representatives Barbieri, Carson, J. Johnson, Kowalko, Mitchell, Mulrooney, Scott & D. Short & Senator DeLuca, before the House for consideration.

**HB 333 - AN ACT TO AMEND TITLES 4 AND 29 OF THE DELAWARE CODE RELATING TO THE STATE LOTTERY.** (3/5 bill)

Representative Brady brought **HA 1 to HB 333**, jointly sponsored by Representative Lee & Representatives Q. Johnson & D. Short, before the House for consideration. Representatives Brady, Hudson, Viola & Scott made comments. **HA 1** was defeated by voice vote. Representative Viola brought **HA 2 to HB 333** before the House for consideration. Representative Viola introduced and brought **HA 1 to HA 2 to HB 333** before the House for consideration. Representatives Viola, Blakey & Lavelle made comments. Representative Viola requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representative Lavelle made comments. **HA 1 to HA 2** was adopted by voice vote. Representatives Viola, Blakey & Kowalko made comments. **HA 2** was adopted by voice vote. Representative Barbieri brought **HA 3 to HB 333** before the House for consideration. Representatives Barbieri, Viola & Hudson made comments. Mr. Speaker Gilligan granted privilege of the floor for Thomas J. Cook, Secretary of Finance. Representatives Hudson & Schwartzkopf made comments. **HA 3** was defeated by voice vote. Representatives Viola & Hudson made comments. Representative Viola requested and was granted privilege of the floor for Michael Barlow, Chief Counsel, Office of the Governor. Representatives Hudson, Ramone, Viola & Blakey made comments. Representative Blakey requested and was granted privilege of the floor for Edward Sutor, Chairman, Video Lottery Council. Representatives Blakey & Willis made comments. Representatives Kenton, Wilson & Outten announced that they will not be voting on **HB 333 w/HA 2 & HA 1 to HA 2** because of possible conflicts of interest. Representative Lavelle made comments.

The roll call on **HB 333 w/HA 2 & HA 1 to HA 2** was taken and revealed:

YES: 29.

NO: Representatives Atkins, Briggs King, Hocker, Hudson, Keeley, Lavelle, Schwartzkopf & B. Short - 8.

NOT VOTING: Representatives Jaques, Kenton, Outten & Wilson - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 333 w/HA 2 & HA 1 to HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell introduced **HB 387**, jointly sponsored by Senator McDowell & Representatives Brady, J. Johnson & Keeley & Senator Marshall.

**HB 387** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SPECIAL FUNDS.

Mr. Speaker Gilligan assigned **HB 387** to the Public Safety & Homeland Security Committee.

Representative M. Smith introduced **HS 1 for HB 371**, jointly sponsored by Senator Blevins & Representatives Gilligan, Bolden, Heffernan, Jaques, Kowalko, Schooley, B. Short, Walker, Willis & Wilson & Senators Ennis, Henry, Sokola, Sorenson & Venables.

**HS 1 for HB 371** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INVESTIGATING THE ABUSE OF CHILDREN.

Mr. Speaker Gilligan assigned **HS 1 for HB 371** to the Judiciary Committee.

Representative M. Smith made an announcement and requested that **HB 262** be stricken.

Representative Bolden introduced **HS 1 for HB 379**.

**HS 1 for HB 379** - AN ACT TO AMEND TITLES 29 AND 31 OF THE DELAWARE CODE DESIGNATING SERVICES FOR RUNAWAY AND HOMELESS YOUTH.

Mr. Speaker Gilligan assigned **HS 1 for HB 379** to the Health & Human Development Committee.

Representative Barbieri & Mr. Speaker Gilligan made announcements.

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

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 13, 2012.

The Reading Clerk read the following corrected communications into the record:

The Senate wishes to inform the House that it has passed **SB 192 w/SA 1, SB 215 & SB 221** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 226 w/SA 1, SB 232 & SB 236** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 229 w/SA1** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Catherine L. Cloutier, do hereby request that my name be removed as co-sponsor of **HB 199**.

Date: 6/12/12

Signed: Catherine L. Cloutier

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Catherine L. Cloutier, do hereby request that my name be removed as co-sponsor of **HB 200**.

Date: 6/12/12

Signed: Catherine L. Cloutier

Representative Barbieri introduced **HJR 18**, jointly sponsored by Senator Henry.

**HJR 18** - DIRECTING THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES TO SUBMIT AN ANALYSIS AND RECOMMENDATIONS FOR CREATING A DEVELOPMENTALLY APPROPRIATE FOSTER CARE PROGRAM FOR YOUTH/YOUNG ADULTS UP TO AGE 21.

Mr. Speaker Gilligan assigned **HJR 18** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

Representative Barbieri introduced **HB 390**, jointly sponsored by Senator Henry.

**HB 390** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESTATES AND FIDUCIARY RELATIONS.

Mr. Speaker Gilligan assigned **HB 390** to the Health & Human Development Committee.

Representative Barbieri made an announcement.

Representative Scott introduced **HB 391**, jointly sponsored by Senator Henry & Representatives J. Johnson, Viola & Willis.

**HB 391** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT.

Mr. Speaker Gilligan assigned **HB 391** to the Public Safety & Homeland Security Committee.

Representative Mitchell made an announcement.

Representative Bolden introduced **HB 389**, jointly sponsored by Senator Ennis.

**HB 389** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO RUNAWAY AND HOMELESS YOUTH.

Mr. Speaker Gilligan assigned **HB 389** to the Health & Human Development Committee.

Representative Bolden requested that **HS 1 for HB 379** be stricken. Representative Barbieri made an announcement. Representative Kowalko requested that **HB 358** be stricken. Representative Lavelle made comments.

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.

### **38th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**

**June 13, 2012**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Heffernan & Longhurst - 2.

A prayer was offered by Representative William J. Carson, Twenty-eighth Representative District.  
Mr. Speaker Gilligan led those present in the 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 388** - KOWALKO & SENATOR BUSHWELLER; REPRESENTATIVES OSIENSKI, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

**HB 400** - GILLIGAN & SENATOR CLOUTIER & SENATOR HALL-LONG; REPRESENTATIVES SCHWARTZKOPF, LONGHURST, BARBIERI, JAQUES, M. SMITH, MIRO, SCHOOLEY, BENNETT, D.P. WILLIAMS, MITCHELL, HEFFERNAN, SCOTT; SENATORS SOKOLA, PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Tanning Facilities.

**HA 1 to HB 356** - KOWALKO - Placed with the Bill.

**SB 192 w/SA 1** - MARSHALL & REPRESENTATIVE MITCHELL; REPRESENTATIVES M. SMITH, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the County and Municipal Police/Firefighter Pension Plan.

**SB 215** - MARSHALL & REPRESENTATIVE MITCHELL & SENATOR MCDOWELL; REPRESENTATIVES M. SMITH, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to the County and Municipal Police/Firefighter Pension Plan.

**SB 221** - BLEVINS & REPRESENTATIVE M. SMITH - JUDICIARY - An Act Proposing an Amendment to Article IV, Section 11 of the Delaware Constitution of 1897, as Amended Relating to Certification of Questions of Law to the Supreme Court. (2/3 bill)

**SB 226 w/SA 1** - BLEVINS & SENATOR SORENSON & REPRESENTATIVE M. SMITH & REPRESENTATIVE LAVELLE; SENATORS BUSHWELLER, SOKOLA; REPRESENTATIVES BARBIERI, CARSON, HEFFERNAN, HUDSON, KEELEY, MIRO, B. SHORT, D. SHORT, WILLIS - JUDICIARY - An Act to Amend Title 11 Relating to Pre-Trial Release on Bail or Recognizance, Criminal Sentencing, Sentence Calculation, Rehabilitation, Probation Supervision and Data Collection.

**SB 229 w/SA 1** - VENABLES & REPRESENTATIVE MULROONEY & REPRESENTATIVE B. SHORT; SENATORS ENNIS, MCBRIDE, DELUCA, HENRY; REPRESENTATIVES BRADY, CARSON, HUDSON, D. SHORT, LAVELLE - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Motor Vehicle Franchising Practices.

**SB 232** - BLEVINS & REPRESENTATIVE M. SMITH; SENATORS BUNTING, SOKOLA; REPRESENTATIVES BARBIERI, CARSON, HUDSON, KEELEY, MIRO, MITCHELL, RAMONE, VIOLA, WALKER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Assignment of Retired Commissioners:

**SB 236** - PETERSON; REPRESENTATIVES KEELEY, BENNETT, KENTON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Rabies Vaccination.

Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest.

The Reading Clerk read the following communications into the record:

June 13, 2012

Dear Speaker Gilligan:

I regret to inform you that due to personal business I will not be present today, June 13<sup>th</sup>, 2012. Thank you for your understanding.

Sincerely,

Valerie J. Longhurst

House Majority Whip

Representative, 15<sup>th</sup> District

HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: June 13, 2012

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                                                     |
|-----------|------------------------|-----------|------|-----------------------------------------------------------------|
| H146-1564 | Outten                 | 5/22/2012 | T    | Herbert Mears - Retirement - Lake Forest School District        |
| H146-1565 | Outten                 | 5/22/2012 | T    | Frank Miller - Retirement - Lake Forest School District         |
| H146-1566 | Peterman               | 5/22/2012 | T    | Donna Walls - Retirement - Lake Forest School District          |
| H146-1567 | Wilson                 | 5/13/2012 | T    | Kenneth Baker - Inductee - Society of the Order of St. Barnabas |
|           | cosponsor: Rep. Outten |           |      |                                                                 |
|           | cosponsor: Rep. Kenton |           |      |                                                                 |

|           |                                        |           |   |                                                                     |
|-----------|----------------------------------------|-----------|---|---------------------------------------------------------------------|
| H146-1568 | Outten                                 | 5/8/2012  | M | Priscilla B. Coryell                                                |
| H146-1569 | Peterman                               | 5/9/2012  | M | Helen E. Strahle                                                    |
|           | cosponsors: Reps. Kenton & Wilson      |           |   |                                                                     |
| H146-1570 | Carson                                 | 5/10/2012 | M | Ronald H. Hoffecker                                                 |
|           | cosponsors: Reps. Wilson & Willis      |           |   |                                                                     |
| H146-1571 | Kenton                                 | 5/12/2012 | M | Elizabeth Hopkins                                                   |
|           | cosponsor: Reps. Briggs King & Wilson  |           |   |                                                                     |
| H146-1572 | Willis                                 | 6/30/2012 | T | Gary Madden, Jr. - Retirement - DelDOT                              |
| H146-1573 | Walker                                 | 5/31/2012 | T | Mario Tiberi - Retirement - DelDOT                                  |
| H146-1574 | Hudson                                 | 5/8/2012  | T | Pierre Hayward - Retirement - UD                                    |
| H146-1575 | Wilson                                 | 5/24/2012 | T | Truitt & Barbara Wagner - 50th Wedding Anniversary                  |
| H146-1576 | Outten                                 | 5/25/2012 | T | Carol Hansen - Retirement - DHSS                                    |
| H146-1577 | Peterman                               | 5/20/2012 | T | Barry Peterman - Master's Degree - DSU                              |
| H146-1578 | Bolden                                 | 5/11/2012 | M | Martha A. Adams                                                     |
| H146-1579 | Lavelle                                | 5/10/2012 | T | Josephine Conaty - 80th Birthday                                    |
|           | cosponsors: Reps. Brady & Schwartzkopf |           |   |                                                                     |
| H146-1580 | Briggs King                            | 5/12/2012 | T | Chief Harvey Gregg - Georgetown Police Dept. -<br>Dedicated Service |
| H146-1581 | Barbieri;<br>Jaques; Mitchell          | 5/15/2012 | T | Dr. Carl Wyche - Retirement - DelTech                               |
| H146-1582 | Outten                                 | 5/11/2012 | M | Linda J. Baker                                                      |
| H146-1583 | Outten                                 | 5/14/2012 | M | Mark T. Grambau                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: June 13, 2012

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>                                                                              |
|---------------|-----------------------------------|-------------|-------------|-------------------------------------------------------------------------------------------------|
| H146-1584     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Kiona Drayton - Graduation - Sterck School                                                      |
| H146-1585     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Robert LaCourt - Graduation - Sterck School                                                     |
| H146-1586     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Unique Ross - Graduation - Sterck School                                                        |
| H146-1587     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Rianna White - Graduation - Sterck School                                                       |
| H146-1588     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Christopher Wright-Queen - Graduation -<br>Sterck School                                        |
| H146-1589     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Johnny Wu - Graduation - Sterck School                                                          |
| H146-1590     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Brandon Casson - Graduation - Sterck School                                                     |
| H146-1591     | Osienski;<br>Q. Johnson           | 6/7/2012    | T           | Alexandra Domzalski - Graduation - Sterck School                                                |
| H146-1592     | Brady                             | 5/14/2012   | M           | Carol Hane Schofield                                                                            |
| H146-1593     | Bolden                            | 5/14/2012   | T           | United Baptist Convention of DE, Inc. - 80 Years                                                |
| H146-1594     | Bennett                           | 5/27/2012   | T           | Pastor Art Kringel - Retirement                                                                 |
| H146-1595     | Schooley                          | 5/22/2012   | T           | Jeffrey Raffel, PhD - Retirement - UD                                                           |
| H146-1596     | Q. Johnson                        | 5/24/2012   | T           | MOT Charter School - 10 Years                                                                   |
|               | cosponsors: Reps. Carson & Walker |             |             |                                                                                                 |
| H146-1597     | Briggs King                       | 5/15/2012   | M           | Grace E. Tonge                                                                                  |
| H146-1598     | Wilson                            | 5/15/2012   | M           | Ryan Andrew Russell                                                                             |
| H146-1599     | Blakey                            | 6/4/2012    | T           | Carrie Abrams - 90th Birthday                                                                   |
| H146-1600     | Kenton                            | 5/17/2012   | M           | Sarah Delores White                                                                             |
|               | cosponsor: Rep. Wilson            |             |             |                                                                                                 |
| H146-1601     | Atkins                            | 6/2/2012    | T           | Parker Thoroughgood - Eagle Scout                                                               |
| H146-1602     | Kowalko                           | 6/7/2012    | T           | Luke Szrama - Christ the Teacher Catholic School -<br>Blue Ribbon Excellence & Leadership Award |
| H146-1603     | D.E. Williams;<br>Hudson          | 5/21/2012   | M           | Frank W. Diver, Jr.                                                                             |
| H146-1604     | Kowalko;<br>Walker                | 5/20/2012   | T           | William Craven, Jr. - Retirement - Fort Delaware<br>Society Board of Directors                  |
| H146-1605     | Scott                             | 5/19/2012   | T           | Miss Mable Morrison - Honorary Doctorate - DSU                                                  |
| H146-1606     | Schwartzkopf                      | 5/16/2012   | M           | Joan Bennett Tease                                                                              |

H146-1607 Kowalko; 5/28/2012 T Marion & Agnes Cooper - 65th Wedding  
Osienski Anniversary

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor to address the House regarding the fifth anniversary of the Delaware Veterans Home and to present a picture of the Veterans Home.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:17 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:17 p.m. on June 13, 2012: Representatives Atkins, Miro & Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on June 14, 2012.

Representatives Heffernan & Longhurst requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **SCR 21 w/SA 2** - 8M; **HB 297** - 7M; **HB 383** - 7M; **HS 1 for HB 371** - 7M.

CORRECTIONS: **SB 190 w/SA 1 & 2** - 2F,3M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: **SB 22 w/SA 1 & 3** - 11M; **HB 381** - 10M; **SB 218** - 11M; **HB 382** - 1F,11M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 209** - 7M; **HB 385** - 7M; **HB 378** - 6M; **HB 391** - 7M.

HEALTH & HUMAN DEVELOPMENT: **SB 194 w/SA 2** - 8M; **HB 384** - 12M; **SB 227** - 12M; **HJR 17** - 1F,11M; **HB 389** - 12M; **HJR 18** - 11M; **HS 1 for HB 311** - 9M,1U.

APPROPRIATIONS: **HB 166** - 2F,3M; **HB 181** - 2F,3M.

EDUCATION: **HB 292** - 8M; **SB 207 w/SA 1** - 11M.

NATURAL RESOURCES: **HB 375** - 4F,6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 228 w/SA 2** and requests the concurrence of the House and the Senate has passed **HB 317 w/HA 1**, **HB 314** & **HB 304 w/HA 1 & 2** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 237** & **SB 212 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 282**, **HB 321** & **HB 248 w/HA 1** and is returning the same to the House.

#### MEMORANDUM

TO: Richard L. Puffer, Chief Clerk of the House

FROM: Senator David P. Sokola

DATE: June 13, 2012

SUBJECT: **HB 308**

I respectfully request that my name be added as a cosponsor to House Bill 308.

Thank you,

David P. Sokola

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.

### 39th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session June 14, 2012

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Keeley, Schooley & Viola - 3.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District. Representative Jaques read a commentary regarding the Pledge of Allegiance in recognition of Flag Day.

Mr. Speaker Gilligan invited the Boys' State participants to lead those present in the 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 392** - KOWALKO & REPRESENTATIVE JAQUES & REPRESENTATIVE OSIENSKI - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 31 of the Delaware Code Relating to Health Insurance.

**HA 1 to HB 327** - KOWALKO - Placed with the Bill.

**SB 212 w/SA 1** - DELUCA & REPRESENTATIVE ATKINS; SENATORS BUNTING, ENNIS, HENRY, SORENSON, VENABLES; REPRESENTATIVES BRADY, KEELEY, MITCHELL, OSIENSKI, D. SHORT, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Titles 9, 22, and 29 of the Delaware Code Relating to State and Local Governments and Legal Notices.



**SB 228 w/SA 2** - MCBRIDE; SENATORS BUNTING, CONNOR, LAWSON, PETERSON, SIMPSON, VENABLES; REPRESENTATIVES ATKINS, CARSON, KENTON, OUTTEN, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Prohibition Against the Use of Lights for Hunting.

**SB 237** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Bethany Beach Relating to Aldermen. (2/3 bill)

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement.

Representative Schwartzkopf introduced and brought **HR 35**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives, before the House for consideration.

**HR 35** - RECOGNIZING JUNE 14, 2012, AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES.

WHEREAS, it is well-known that without the dedicated, hard-working staff of the Delaware House of Representatives, Legislative Hall would not run smoothly or efficiently; and

WHEREAS, although often working late only to come in the next morning and do it all again, our dedicated legislative staff are always willing to go the extra mile for the House of Representatives and the citizens of Delaware; and

WHEREAS, our legislative staff often handle difficult behind-the-scenes work with skill, optimism and enthusiasm, providing necessary support without complaint; and

WHEREAS, whether it be bill-stampers, pages, secretaries, legal staff, or full-time staffers, our legislative employees each serve a unique role; and their teamwork is what makes this very fine institution run; and

WHEREAS, our 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 146th General Assembly of the State of Delaware that we hereby recognize the greatness of our legislative staff and extend from the bottom of our hearts, the deepest, most sincere gratitude for all of their hard work and dedication.

Representatives Lavelle, Schwartzkopf & Longhurst made comments.

**HR 35** was adopted by voice vote.

Representatives Peterman, Bennett & Atkins requested that they be marked present. Representative Atkins requested and was granted personal privilege of the floor to introduce a guest and to make comments. Representative Schwartzkopf deferred to Representative M. Smith. Representative M. Smith requested and was granted personal privilege of the floor to introduce guests and to make comments.

Representative Schwartzkopf introduced and brought **HCR 51**, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Lavelle & Representative Hocker on behalf of All Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 51** - HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2012 SESSION OF DELAWARE'S BOYS STATE.

Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Willis.

Representative Willis made comments and introduced a guest. Representative Schwartzkopf made comments.

**HCR 51** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kenton. Representative Kenton requested and was granted privilege of the floor to present a House Tribute to Terry Gorlich on the occasion of her retirement from DelDOT. Representative Kenton invited Representatives Wilson, Peterman, Outten & Schwartzkopf to join him at the podium to sing "Happy Retirement" to Ms. Gorlich. Representative Schwartzkopf made comments. Ms. Gorlich addressed the House. Representatives Carson, Miro & Wilson made comments. Representative Lavelle requested and was granted personal privilege of the floor to introduce former Representative Tim Boulden.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:35 p.m.

The House reconvened at 4:14 p.m.

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

LABOR: **HB 337** - 5F,3M

AGRICULTURE: **SB 188** - 6F.

Representatives Bolden, Manolakos & Hudson requested that they be marked present.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 206 w/SA 2**, jointly sponsored by Senator Sorenson & Senator Cloutier & Senator Blevins & Representative Hudson & Senators Connor, Ennis, Henry & Sokola & Representatives Bennett, Briggs King, Hocker, Jaques, Peterman, Walker & Manolakos, before the House for consideration.

**SB 206** - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL TEEN DATING VIOLENCE AND SEXUAL ASSAULT.

Representative Barbieri brought **HA 1 to SB 206**, jointly sponsored by Representative Hudson, before the House for consideration. Representatives Barbieri & Hudson made comments. **HA 1** was adopted by voice vote. Representatives Hudson made comments.

The roll call on **SB 206 w/SA 2 & HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **SB 206 w/SA 2 & HA 1** was returned to the Senate.

Representatives B. Short & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 109 w/HA 2 & SA 1**, jointly sponsored by Senator Blevins & Representatives Q. Johnson, Lavelle, Mitchell & Osienski & Senator Ennis & cosponsored by Representative Peterman, before the House for concurrence on **SA 1**.

**HB 109** - AN ACT TO AMEND TITLE 6 RELATING TO BUILDING CONSTRUCTION AND PAYMENT.

Representative B. Short made comments.

The roll call on **HB 109 w/HA 2 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **HB 109 w/HA 2 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 324**, jointly sponsored by Senator Venables & Representatives Hocker, Kowalko, Miro, Mitchell, Mulrooney, Osienski, B. Short & M. Smith & Senators Blevins, Cloutier, Connor, Peterson, Sokola & Sorenson, before the House for consideration.

**HB 324** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FINFISH. (2/3 bill)

Representative Jaques made comments.

The roll call on **HB 324** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 324** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement. Representative Briggs King requested and was granted personal privilege of the floor to make comments and an announcement.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **HB 350**, jointly sponsored by Senator Bunting & Senator Booth & Representatives Gilligan, Barbieri, Bennett, Blakey, Bolden, Brady, Briggs King, Carson, Heffernan, Hocker, Hudson, Jaques, Q. Johnson, Keeley, Kenton, Kowalko, Lee, Longhurst, Manolakos, Miro, Mitchell, Mulrooney, Osienski, Outten, Peterman, Ramone, Schooley, Schwartzkopf, Scott, B. Short, D. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams, Willis & Wilson & Senators Bushweller, Cloutier, Connor, Hall-Long, Simpson, Sokola & Sorenson, before the House for consideration.

**HB 350** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Representative Atkins made comments.

The roll call on **HB 350** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **HB 350** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 227**, jointly sponsored by Senator McDowell & Senator Sorenson & Representative Hudson & Representative Brady & Senators Blevins, Bushweller, Cloutier, Connor, Katz, Lawson & McBride & Representatives Briggs King, Heffernan, Hocker, Keeley, Kenton, Manolakos, Miro, Mulrooney, Ramone, Schooley, Schwartzkopf, B. Short, D. Short, D.P. Williams & Willis, before the House for consideration.

**SB 227** - AN ACT TO AMEND THE DELAWARE CODE BY CREATING A NEW CHAPTER 65 OF TITLE 30 OF THE DELAWARE CODE TO IMPOSE QUALITY ASSESSMENT FEES ON NURSING FACILITIES AND BY CREATING A NEW CHAPTER 105 OF TITLE 16 ESTABLISHING THE NURSING FACILITY QUALITY ASSESSMENT FUND. (3/5 bill) (F/N)

Representative Barbieri made comments.

The roll call on **SB 227** was taken and revealed:

YES: 36.

NO: Representative Wilson - 1.

NOT VOTING: Representative Peterman - 1.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 227** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 378**, jointly sponsored by Representative Keeley & Senator Blevins & Representative Wilson, before the House for consideration.

**HB 378** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE.

Representative Kowalko made comments. Representative Mitchell requested and was granted privilege of the floor for Sean P. Lugg, representing the Office of the Attorney General. Representative Kowalko made comments.

The roll call on **HB 378** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **HB 378** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 348**, jointly sponsored by Senator Katz & Representative B. Short & Senator Sorenson, before the House for consideration.

**HB 348** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments.

The roll call on **HB 348** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **HB 348** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 87 w/HA 1 & SA 1**, jointly sponsored by Senator McDowell, before the House for concurrence on **SA 1**.

**HB 87** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES AGAINST THE PERSON.

Representative Brady made comments.

The roll call on **HB 87 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Schooley & Viola - 3.

Therefore, having received a constitutional majority, **HB 87 w/HA 1 & SA 1** was sent to the Governor.

Mr. Speaker Gilligan & Representative D.P. Williams made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:57 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 19, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 230**, **SB 235** & **SJR 9** and requests the concurrence of the House and the Senate has passed **HB 293 w/HA 1**, **HB 275 w/SA 2**, **HB 303**, **HCR 46** & **HCR 44** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 241** and requests the concurrence of the House and the Senate has passed **HB 325 w/HA 1**, **HB 307** & **HCR 51** and is returning the same to the House.

June 14, 2012

Dear Speaker Gilligan:

Please be advised that due to personal business I will not be present today, June 14, 2012.

Thank you for your understanding.

Sincerely,

Helene M. Keeley

State Representative

Third District

June 14, 2012

The Honorable Robert F. Gilligan

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that I will be absent for Legislative Session on Thursday, June 14, 2012, due to personal family business.

Thank you for your understanding.

Sincerely,  
Teresa L. Schooley  
State Representative  
23<sup>rd</sup> District  
June 14, 2012

Dear Speaker Gilligan:

Please be advised that due to personal business I will not be present today, June 14, 2012.

Thank you for your understanding.

Sincerely,  
John J. Viola  
State Representative  
26<sup>th</sup> District

Representative Schwartzkopf made an announcement.

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.

**40th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session  
June 19, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 393** - MIRO & SENATOR SORENSON; REPRESENTATIVES BRIGGS KING, HUDSON, RAMONE, WILLIS, KOWALKO; SENATOR BUNTING - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 24 of the Delaware Code Relating to Pawnbrokers, Secondhand Dealers, and Scrap Metal Processors and Precious Metals, Pricing, and Weighing.

**HB 394** - D.E. WILLIAMS & SENATOR CLOUTIER & SENATOR CONNOR; REPRESENTATIVE SCHWARTZKOPF - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

**HB 395** - SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Electronic Communication Device and Geolocational Privacy.

**HB 396** - SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES HEFFERNAN, B. SHORT, WILSON - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - An Act to Amend Title 12 of the Delaware Code Relating to Administration of Decedent's Estates.

**HB 397** - B. SHORT - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

**HA 1 to HA 1 to HB 242** - D. SHORT - Placed with the Bill.

**HA 1 to HS 1 for HB 311** - Q. JOHNSON & REPRESENTATIVE KOWALKO & REPRESENTATIVE BLAKEY - Placed with the Bill.

**HA 2 to HS 1 for HB 311** - BRIGGS KING - Placed with the Bill.

**HA 1 to HB 361** - LEE - Placed with the Bill.

**HA 2 to HB 361** - LEE - Placed with the Bill.

**HA 3 to HB 361** - LEE - Placed with the Bill.

**HA 4 to HB 361** - D. SHORT - Placed with the Bill.

**HA 5 to HB 361** - D. SHORT - Placed with the Bill.

**HA 6 to HB 361** - D. SHORT - Placed with the Bill.

**SB 230** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Risk-Based Capital (RBC) for Insurers.

**SB 235** - BLEVINS & SENATOR SIMPSON & REPRESENTATIVE JAQUES & REPRESENTATIVE KOWALKO & REPRESENTATIVE HUDSON; SENATORS DELUCA, CONNOR, SOKOLA, VENABLES; REPRESENTATIVES BARBIERI, HOCKER, KEELEY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Redistricting of the General Assembly.

**SB 241** - KATZ & REPRESENTATIVE SCHWARTZKOPF; SENATORS BLEVINS, BUNTING, BUSHWELLER, CLOUTIER, DELUCA, ENNIS, HALL-LONG, HENRY, PETERSON, MCDOWELL, MARSHALL, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES BRADY, HEFFERNAN, HUDSON, JAQUES, KOWALKO, LAVELLE, MANOLAKOS, MIRO, RAMONE, B. SHORT, D.E. WILLIAMS - NATURAL RESOURCES - An Act to Amend Title 17 of the Delaware Code Relating to the Brandywine Valley National Scenic Byway.

**SJR 9 - BUSHWELLER & REPRESENTATIVE SCOTT; SENATORS SOKOLA, BUNTING, ENNIS, LAWSON, SIMPSON; REPRESENTATIVES Q. JOHNSON, WALKER, MITCHELL, KENTON, HOCKER, B. SHORT, PETERMAN, OSIENSKI, WILLIS, BRADY, RAMONE, OUTTEN, BRIGGS KING, JAQUES - HOUSE ADMINISTRATION - Urging All Delawareans to Honor the Memory and Momentous Achievements of the Honorable John Patten, Delaware Revolutionary War Hero and U.S. Congressman.**

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor for Danielle Cuoco who addressed the House and sang “The Star-Spangled Banner” and “Somewhere Over the Rainbow.” Representative Hudson made comments.

Representative Schwartzkopf requested and was granted privilege of the floor for Jerry Grant, Majority Deputy Chief of Staff and Pam Price, Minority Chief of Staff. Jerry Grant made comments regarding the 2012 University of Delaware Legislative Fellows and deferred to Representative Kowalko who presented a House Tribute to Stacie Mesuda and made comments. Representative Schwartzkopf presented a House Tribute to Abigail Stollar and made comments. Representative M. Smith presented a House Tribute to Kalyn McDonough. Representatives M. Smith, Mitchell & J. Johnson made comments. Representative Longhurst presented a House Tribute to Kathryn Evinger. Representatives Longhurst, Barbieri & Jaques made comments. Representative Carson presented a House Tribute to Wilson Gualpa. Representatives Carson, Viola & Atkins made comments. Representative B. Short presented a House Tribute to Samantha Holsey. Representatives B. Short & Brady made comments. Representative Schooley presented a House Tribute to JennaLee Bucsak. Representatives Schooley & Scott made comments. Pam Price addressed the House and deferred to Representative Lavelle. Representative Lavelle presented House Tributes to Rachel Giattino & Sara Wilson. Representative Ramone made comments.

Representative Kowalko requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf made an announcement. Representative Schwartzkopf deferred to Representatives Longhurst & Q. Johnson. Representative Longhurst introduced guests. Representative Q. Johnson made comments. Representative Longhurst requested and was granted privilege of the floor for Patricia Maichele, Director, Developmental Disabilities Council, who addressed the House. Tracy Wise, Coordinator, Partners in Policymaking, addressed the House. Debbie McCann, Student, Partners in Policymaking, addressed the House. Mr. Speaker Gilligan made an announcement. Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf made a comment.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:49 p.m.

The House reconvened at 5:06 p.m.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson introduced **HB 398**, jointly sponsored by Senator Booth & Representatives Hudson & D. Short & Senators Bunting & Venables.

**HB 398 - AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW FUNDS FOR MUNICIPAL PURPOSES WITHOUT REFERENDUM.**

Mr. Speaker Gilligan assigned **HB 398** to the House Administration Committee.

Representative Wilson requested that **HB 373** be stricken. Representative Viola requested that he be marked present. Representative Schwartzkopf made an announcement. Representatives Scott, Mulrooney & Atkins requested that they be marked present. Representatives Q. Johnson & B. Short made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 245** and requests the concurrence of the House and the Senate has passed **HB 140 w/HA1, 2, 3, HA 1 to HA 3 & 4, HB 338, HB 339 & HB 340** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 216 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 342** and is returning the same to the House.

Representative Keeley requested that she be marked present.

Representative M. Smith introduced **HS 1 for HB 353**, jointly sponsored by Senator Blevins & Representatives Bolden, Jaques, Keeley, Mitchell, Schooley, Viola & Walker & Senators Bunting, Bushweller & Henry.

**HS 1 for HB 353 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES.**

Mr. Speaker Gilligan assigned **HS 1 for HB 353** to the Judiciary Committee.

Representative M. Smith made an announcement.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **HB 349**, jointly sponsored by Senator Hall-Long & Representatives Briggs King, Hudson, Barbieri, Keeley & Mitchell & Senator Sorenson, before the House for consideration.

**HB 349 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND THE MEDICAL PRACTICE ACT.**

Representative Walker brought **HA 1 to HB 349** before the House for consideration. Representative Walker made comments. **HA 1** was adopted by voice vote. Representatives Walker, Hudson & Briggs King made comments.

The roll call on **HB 349 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 349 w/HA 1** was sent to the Senate for concurrence.

Representatives Manolakos & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HB 363**, jointly sponsored by Senator Henry & Representatives Heffernan, Mitchell, D. Short & D.P. Williams, before the House for consideration.

**HB 363 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO BAIL BOND AGENTS.**

Representative Keeley made comments.

The roll call on **HB 363** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 363** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 382**, jointly sponsored by Representative M. Smith & Senator Blevins & Senator Cloutier, before the House for consideration.

**HB 382 - AN ACT TO AMEND CHAPTER 49A, TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE COMPANY MUTUAL-TO-STOCK CONVERSION ACT.**

Representative B. Short made comments.

The roll call on **HB 382** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 382** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **SB 205 w/SA 1 & 2**, jointly sponsored by Senator Ennis & Senators Sokola, Bushweller & Bunting & Representatives Schwartzkopf, Kowalko & Carson, before the House for consideration.

**SB 205 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES.**

Representatives Longhurst, Schwartzkopf & Hocker made comments. Representative Schwartzkopf rose on a point of order. Representatives Hocker & Briggs King announced that they will not be voting on **SB 205 w/SA 1 & 2** because of possible conflicts of interest. Representatives Lavelle & Longhurst made comments.

The roll call on **SB 205 w/SA 1 & 2** was taken and revealed:

YES: Representatives Atkins, Barbieri, Blakey, Carson, Heffernan, Kowalko, Longhurst, Mitchell, Mulrooney, Osienski, Schooley, Schwartzkopf, D.E. Williams & D.P. Williams - 14.

NO: 22.

NOT VOTING: Representatives Bolden, Briggs King, Hocker, Jaques & M. Smith - 5.

Therefore, not having received a constitutional majority, **SB 205 w/SA 1 & 2** was declared defeated.

The Majority Leader moved to recess to the call of the Chair at 5:54 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 20, 2012.

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

PUBLIC SAFETY & HOMELAND SECURITY: **SB 192 w/SA 1 – 8M; SB 215 – 8M.**

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **SB 229 w/SA 1 – 3F,4M.**

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 234w/SA 2, SB 231 w/ SA 1, SB 243 w/SA 1, SB 181, SB 242 w/SA 1, SB 255, SCR 44 & SCR 43** and requests the concurrence of the House.

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.

#### **41st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session June 20, 2012**

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Manolakos - 1.

A prayer was offered by Representative Daniel B. Short, Thirty-ninth Representative District.

Mr. Speaker Gilligan led those present in the 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 399** - KOWALKO & SENATOR BUNTING - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Facilities.

**HA 2 to HB 181** - VIOLA & REPRESENTATIVE SCOTT - Placed with the Bill.

**HA 1 to HB 271** - BENNETT - Placed with the Bill.

**HA 3 to HS 1 for HB 311** - KOWALKO - Placed with the Bill.

**HA 1 to HB 374** - WILSON - Placed with the Bill.

**SB 181** - ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE CARSON; SENATOR LAWSON; REPRESENTATIVES WALKER, MITCHELL, BENNETT, OUTTEN - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Police Officers.

**SB 216 w/SA 1** - HENRY & REPRESENTATIVE BARBIERI; SENATOR MARSHALL; REPRESENTATIVES BENNETT, KEELEY, B. SHORT, WALKER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 and Title 16 of the Delaware Code by Establishing an Electronic Web-Based Background Check Center for Employment in Long Term Care or Community Settings.

**SB 231 w/SA 1** - PETERSON & REPRESENTATIVE GILLIGAN; SENATOR SOKOLA; REPRESENTATIVES BENNETT, J. JOHNSON, SCOTT, HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**SB 234 w/SA 2** - BLEVINS & REPRESENTATIVE WALKER; SENATORS BUNTING, CLOUTIER, CONNOR, HALL-LONG, HENRY, MARSHALL, SOKOLA, SORENSON; REPRESENTATIVES HEFFERNAN, JAQUES, Q. JOHNSON, KOWALKO, LAVELLE, B. SHORT, M. SMITH, WILLIS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Offenses Against Children.

**SB 242 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY - SENATORS ENNIS, HALL-LONG, SORENSON; REPRESENTATIVES Q. JOHNSON, KEELEY, M. SMITH, JAQUES, HEFFERNAN, WILSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Use of Seclusion and Restraint in Public Schools.

**SB 243 w/SA 1** - VENABLES & REPRESENTATIVE LEE - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Laurel Relating to Impact Fees and Liens. (2/3 bill)

**SB 245** - ENNIS & REPRESENTATIVE J. JOHNSON - CORRECTIONS - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the Department of Correction.

**SB 255** - MCBRIDE & REPRESENTATIVE Q. JOHNSON; SENATORS BOOTH, VENABLES, BUNTING, SIMPSON; REPRESENTATIVES HOCKER, CARSON, OUTTEN, KENTON, HEFFERNAN, MULROONEY, ATKINS, WILSON - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Regulations and Prohibitions Concerning Game and Fish.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: June 20, 2012

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                                                                                    |
|-----------|---------------------------------------------------|-----------|------|------------------------------------------------------------------------------------------------|
| H146-1608 | Briggs King; Schwartzkopf                         | 5/19/2012 | T    | Cape May - Lewes Ferry & U.S. Merchant Marine Academy Alumni Assoc. - National Maritime Day    |
| H146-1609 | Outten                                            | 6/30/2012 | T    | Bill Newnom - Retirement - DelDOT                                                              |
| H146-1610 | Peterman                                          | 6/29/2012 | T    | Michael McCann - Retirement - DelDOT                                                           |
| H146-1611 | Peterman; Kenton                                  | 6/5/2012  | T    | James Hicks - Outstanding Employee 1st Quarter - Kent-Sussex Industries, Inc.                  |
| H146-1612 | Peterman; Kenton                                  | 6/5/2012  | T    | Danita Williams - Outstanding Employee 3rd Quarter - Kent-Sussex Industries, Inc.              |
| H146-1613 | Peterman; Kenton                                  | 6/5/2012  | T    | John Henning - Outstanding Employee - 4th Quarter - 4th Quarter - Kent-Sussex Industries, Inc. |
| H146-1614 | Peterman; Kenton                                  | 6/5/2012  | T    | Julia Secrest - Outstanding Employee - 2nd Quarter - Kent-Sussex Industries, Inc.              |
| H146-1615 | Peterman; Kenton                                  | 6/5/2012  | T    | Dedra Norwood - Staff Employee of the Year - Kent-Sussex Industries, Inc.                      |
| H146-1616 | Bolden                                            | 5/17/2012 | T    | Delmarva Black Chamber of Commerce - 1st Annual Legislative Day                                |
| H146-1617 | Heffernan                                         | 5/17/2012 | T    | Barbara Brodoway - Weiner Fair Housing Excellence Award                                        |
| H146-1618 | Heffernan                                         | 5/17/2012 | T    | Mike Clark - Delaware Sports Museum & Hall of Fame - Inductee                                  |
| H146-1619 | D. Short<br>cosponsor: Rep. Kenton                | 6/2/2012  | T    | Edward Butler, Jr. - Mayor of Seaford - 2006-2012                                              |
| H146-1620 | Schwartzkopf<br>cosponsors: Reps. Kenton & Wilson | 5/20/2012 | M    | Edith M. Reedy                                                                                 |

|                                       |                                             |   |                                                      |
|---------------------------------------|---------------------------------------------|---|------------------------------------------------------|
| H146-1621                             | D.E. Williams;6/14/2012                     | T | Judith Curtis - Retirement - Brandywine School Dist. |
| H146-1622                             | Heffernan<br>Outten 5/22/2012               | M | Donald R. Minner                                     |
|                                       | cosponsor: Rep. Carson                      |   |                                                      |
| H146-1623                             | Outten 5/24/2012                            | M | Harvey H. Ivins II                                   |
| H146-1624                             | Hudson 6/8/2012                             | T | Mary Paris - Retirement - Brandywine School Dist.    |
| H146-1625                             | Lee 5/23/2012                               | M | Eleanor B. Pusey                                     |
| H146-1626                             | Scott 6/9/2012                              | T | Nathaniel Valenti - Eagle Scout                      |
| H146-1627                             | Outten 5/25/2012                            | T | Charlotte Stevenson                                  |
| H146-1628                             | Kenton 5/24/2012                            | M | Terry S. Pikus                                       |
|                                       | cosponsors: Reps. Outten, Peterman & Wilson |   |                                                      |
| H146-1629                             | Heffernan 6/3/2012                          | T | Daniel Sheehan - Eagle Scout                         |
| <u>HOUSE TRIBUTE ANNOUNCEMENT #80</u> |                                             |   |                                                      |

DATE: June 20, 2012

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                                                  |
|-----------|------------------------------------------------------------|-----------|------|--------------------------------------------------------------|
| H146-1630 | Outten                                                     | 5/23/2012 | T    | Lake Forest High School We the People Team - National Finals |
|           | cosponsors: Reps. Kenton & Peterman                        |           |      |                                                              |
| H146-1631 | Ramone                                                     | 6/1/2012  | T    | FMC BioPolymer's Newark Plant - 50 Years                     |
|           | cosponsors: Reps. Kowalko & Osienski                       |           |      |                                                              |
| H146-1632 | Outten                                                     | 5/26/2012 | M    | Roger Wayne Collison, Sr.                                    |
|           | cosponsors: Reps. Kenton & Wilson                          |           |      |                                                              |
| H146-1633 | Bolden; Jaques                                             | 5/26/2012 | M    | Hennie B. Park                                               |
| H146-1634 | Brady                                                      | 5/30/2012 | M    | James W. Ford, Jr.                                           |
|           | cosponsors: Rep. M. Smith on behalf of All Representatives |           |      |                                                              |
| H146-1635 | Gilligan; Schwartzkopf                                     | 5/31/2012 | M    | Robert H. Romspert                                           |
| H146-1636 | Keeley                                                     | 6/18/2012 | T    | Rafael Parra - Trainor Scholarship Award                     |
| H146-1637 | Keeley                                                     | 6/18/2012 | T    | Matthew Vasco - Trainor Scholarship Award                    |
| H146-1638 | Keeley                                                     | 6/18/2012 | T    | Trichelle Gatlin - Trainor Scholarship Award                 |
| H146-1639 | Keeley                                                     | 6/18/2012 | T    | Anthony Papa - Trainor Scholarship Award                     |
| H146-1640 | Gilligan                                                   | 6/19/2012 | T    | Stacie Mesuda - Legislative Fellow                           |
|           | cosponsors: Reps. Kowalko, Q. Johnson & D.P. Williams      |           |      |                                                              |
| H146-1641 | Gilligan                                                   | 6/19/2012 | T    | Abby Stollar - Legislative Fellow                            |
|           | cosponsors: Reps. Schwartzkopf, Viola & Kowalko            |           |      |                                                              |
| H146-1642 | Gilligan                                                   | 6/19/2012 | T    | Kalyn McDonough - Legislative Fellow                         |
|           | cosponsors: Reps. M. Smith, J. Johnson & Mitchell          |           |      |                                                              |
| H146-1643 | Gilligan                                                   | 6/19/2012 | T    | Kiki Evinger - Legislative Fellow                            |
|           | cosponsors: Reps. Barbieri, Longhurst & Jaques             |           |      |                                                              |
| H146-1644 | Gilligan                                                   | 6/19/2012 | T    | Wilson Gualpa - Legislative Fellow                           |
|           | cosponsors: Reps. Carson, Atkins & Viola                   |           |      |                                                              |
| H146-1645 | Gilligan                                                   | 6/19/2012 | T    | Samantha Holsey - Legislative Fellow                         |
|           | cosponsors: Reps. B. Short & Brady                         |           |      |                                                              |

HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: June 20, 2012

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                           |
|-----------|----------------------------------------------------------------------------------------------------------------------------------|-----------|------|---------------------------------------|
| H146-1646 | Gilligan                                                                                                                         | 6/19/2012 | T    | Jenna Bucsak - Legislative Fellow     |
|           | cosponsors: Reps. Schooley, Mulrooney & Scott                                                                                    |           |      |                                       |
| H146-1647 | Lavelle; Hocker                                                                                                                  | 6/19/2012 | T    | Sara Wilson - Legislative Fellow      |
|           | cosponsors: Reps. Hudson, Manolakos, Ramone, Miro, Willis, Outten, Peterman, Blakey, Wilson, Kenton, Briggs King, D. Short & Lee |           |      |                                       |
| H146-1648 | Lavelle; Hocker                                                                                                                  | 6/19/2012 | T    | Rachel Giattino - Legislative Fellow  |
|           | cosponsors: Reps. Hudson, Manolakos, Ramone, Miro, Willis, Outten, Peterman, Blakey, Wilson, Kenton, Briggs King, D. Short & Lee |           |      |                                       |
| H146-1649 | Peterman; Kenton; Wilson                                                                                                         | 6/5/2012  | T    | Richard Sames - 70 Years - Boy Scouts |
| H146-1650 | Kowalko                                                                                                                          | 5/30/2012 | M    | John W. Chittick                      |



|           |                     |           |   |                                                                                           |
|-----------|---------------------|-----------|---|-------------------------------------------------------------------------------------------|
| H146-1651 | Carson              | 6/2/2012  | T | 166th Airlift Wing - Air Force Outstanding Unit Award<br>cosponsors: Reps. Brady & Jaques |
| H146-1652 | B. Short            | 6/3/2012  | T | Chabad of DE - 25 Years                                                                   |
| H146-1653 | Hudson;<br>B. Short | 6/3/2012  | T | Henry Topel - Community Service                                                           |
| H146-1654 | Gilligan            | 5/30/2012 | T | Honorable Teresa L. Schooley - Outstanding Service -<br>Director of Kids Count            |
| H146-1655 | Kenton              | 7/1/2012  | T | Leonard Leyanna - Retirement - DelDOT                                                     |
| H146-1656 | Hocker              | 6/21/2012 | T | Karen Steedman - Retirement - DDSS                                                        |
| H146-1657 | Outten              | 6/4/2012  | T | Jack Stewart - Harrington City Council                                                    |
| H146-1658 | Wilson              | 6/3/2012  | M | John Robert Collins<br>cosponsors: Reps. Outten & Kenton                                  |
| H146-1659 | Carson; Willis      | 6/4/2012  | M | Jesse A. Willey, Jr.<br><u>HOUSE TRIBUTE ANNOUNCEMENT #82</u>                             |

DATE: June 20, 2012

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                                                                                             |
|-----------|------------------------|-----------|------|---------------------------------------------------------------------------------------------------------|
| H146-1660 | Kenton                 | 6/5/2012  | M    | Bob Willey<br>cosponsors: Reps. Briggs King, Schwartzkopf & Wilson                                      |
| H146-1661 | Walker                 | 6/3/2012  | T    | Jeffrey Foster - Eagle Scout                                                                            |
| H146-1662 | Walker                 | 6/3/2012  | T    | Joseph Graney - Eagle Scout                                                                             |
| H146-1663 | Walker                 | 6/3/2012  | T    | Eric Williamson - Eagle Scout                                                                           |
| H146-1664 | Wilson                 | 6/9/2012  | M    | Allen Ward Arthur<br>cosponsor: Rep. Outten                                                             |
| H146-1665 | Scott;<br>M. Smith     | 6/6/2012  | T    | James McGiggin, Jr. - 2011-2012<br>President - DE State Bar Association                                 |
| H146-1666 | Kowalko;<br>Longhurst  | 6/6/2012  | T    | John Armitage, Jr. - Retirement - UD                                                                    |
| H146-1667 | Atkins;<br>Briggs King | 6/8/2012  | T    | Dr. Susan Bunting - Superintendent - Indian River<br>School District<br>cosponsors: All Representatives |
| H146-1668 | Q. Johnson             | 6/9/2012  | T    | Town of Clayton - 125 Years<br>cosponsors: Reps. Carson & Willis                                        |
| H146-1669 | M. Smith               | 6/13/2012 | T    | Linda George - Retirement - Howard High School                                                          |
| H146-1670 | Lavelle                | 6/15/2012 | T    | Barbara Hanson - Retirement - DHSS                                                                      |
| H146-1671 | Blakey                 | 6/5/2012  | T    | Chaneta Harris - Retirement - DHSS                                                                      |
| H146-1672 | Hocker                 | 6/16/2012 | T    | Jacob Rickards - Eagle Scout                                                                            |
| H146-1673 | Briggs King            | 6/07/2012 | M    | Jean Passwaters<br>cosponsors: Reps. Peterman, Kenton & Wilson                                          |
| H146-1674 | Willis;<br>Wilson      | 6/12/2012 | T    | Janet Spencer - Retirement - DHSS                                                                       |
| H146-1675 | Barbieri               | 5/26/2012 | T    | Milton & Donna Draper - 50th Wedding Anniversary                                                        |
| H146-1676 | Gilligan               | 5/30/2012 | T    | Thomas & Ruth Bradley - 60th Wedding Anniversary                                                        |
| H146-1677 | Schwartzkopf           | 6/8/2012  | M    | Robert F. Rider<br>cosponsors: Reps. D. Short, Wilson & Kenton                                          |
| H146-1678 | Brady                  | 6/11/2012 | T    | Major Philip DeMichael & Major Connie DeMichael -<br>Retirement - Salvation Army                        |
| H146-1679 | M. Smith               | 6/11/2012 | T    | Faithful Friends Animal Society - National Day of No<br>Kill                                            |
| H146-1680 | Outten                 | 6/6/2012  | T    | Jeannette Holloway - 100th Birthday                                                                     |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short introduced and brought **HCR 52**, jointly sponsored by Representative Willis & Representative Carson & Representative Atkins & Representative Q. Johnson & Representative Walker on behalf of All Representatives & Senator Bunting & Senator Lawson on behalf of All Senators, before the House for consideration.

**HCR 52 - RECOGNIZING NOVEMBER 2012 AS NATIVE AMERICAN HERITAGE MONTH IN DELAWARE.**

Representative D. Short made comments.

**HCR 52** 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 Willis, Carson, Q. Johnson & Walker to present copies of the 2011 House Tribute to Jan

Durham and Bo Harris. Dennis J. Coker, Chief, Lenape Indian Tribe of Delaware addressed the House. William H. Daisey, Assistant Chief, Nanticoke Indian Tribe, addressed the House. Representative Briggs King requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of Joan Norwood at the request of Representative Briggs King. Bruce Little Drummer Morris, representing the Nanticoke-Lenni Lenape Tribe addressed the House. The House observed a moment of silence in memory of Yvonne Gourley at the request of Representative Willis. Members of the Native American Tribes led House Members and guests in a dance accompanied by Native American flute and drum music.

Representative J. Johnson made comments. Mr. Speaker Gilligan made an announcement. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Representative Lee requested that he be marked present. Representative M. Smith requested and was granted personal privilege of the floor to introduce a guest. Representatives Scott & Hudson requested that they be marked present. Representative Wilson requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:32 p.m.

The House reconvened at 4:38 p.m.

Mr. Speaker Gilligan reassigned **HB 386** to the Appropriations Committee.

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

HOUSE ADMINISTRATION: **SB 178** - 5M; **HB 372** - 5M; **HB 374** - 5M; **HB 331** - 3M; **SB 222 w/SA 1** - 5M; **SB 237** - 5M; **HB 386** - 3M; **HB 398** - 5M.

NATURAL RESOURCES: **SB 228 w/SA 2** - 7M.

JUDICIARY: **SB 221** - 7M; **226 w/SA 1** - 7M; **SB 232** - 7M; **HS 1 FOR HB 353** - 7M; **SB 211 w/SA 2** - 6M.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Bruce C. Ennis. Do hereby request that my name be removed as Co-sponsor of House Bill No. 386

Date: 6/20/12

Signature: Bruce C. Ennis

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Bruce C. Ennis. Do hereby request that my name be removed as Co-sponsor of House Bill No. 392

Date: 6/20/12

Signature: Bruce C. Ennis

MEMORANDUM

TO: Bernard J. Brady, Secretary of the Senate

FROM: Senator David P. Sokola

DATE: June 20, 2012

SUBJECT: HB 365

Please add Senator Catherine Cloutier as a co-sponsor to House Bill 365.

Thank you,

David P. Sokola

Representatives Mulrooney, D.P. Williams & Schooley requested that they be marked present.

Representative Schwartzkopf brought **Consent Agenda A**, which requires a three-fifths vote, before the House, which requires a vote.

**HB 313** - KOWALKO & SENATOR BUNTING - An Act to Amend Title 31 of the Delaware Code Relating to the Provider Advisory Board.

**HB 326** - KOWALKO & SENATOR BUNTING & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT & SENATORS KATZ, LAWSON, MARSHALL, SORENSON & VENABLES - An Act to Amend Title 16 of the Delaware Code Relating to Health Planning and Resources Management.

**HB 328** - KOWALKO & SENATOR BUNTING & REPRESENTATIVES ATKINS, BENNETT & D. SHORT & SENATORS CLOUTIER, KATZ, LAWSON, MARSHALL & SORENSON - An Act to Amend Title 16 of the Delaware Code Relating to Delaware Health Care Commission.

**HB 329** - KOWALKO & SENATOR BUNTING & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT & SENATORS KATZ, LAWSON, MARSHALL & SORENSON - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Insurance Appeal Board.

**HB 357** - KOWALKO & SENATOR BUNTING & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT & SENATORS KATZ, LAWSON, MARSHALL & SORENSON - An Act to Amend Title 24 of the Delaware Code Relating to Massage and Bodywork.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 39.

ABSENT: Representatives Bolden & Manolacos - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 313**, **HB 326**, **HB 328**, **HB 329** & **HB 357** were sent to the Senate for concurrence.

Representatives Atkins, Keeley & Viola requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 194 w/SA 2**, jointly sponsored by Senator Henry & Senators Blevins, Ennis, Hall-Long, Marshall, Cloutier, Connor & Sorenson & Representatives Bennett, Bolden, Keeley, Mitchell, Mulrooney, Viola, Hudson & Lavelle, before the House for consideration.

**SB 194 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO POLYSOMNOGRAPHERS. (3/5 bill) (F/N)**

Representative Walker made comments.

The roll call on **SB 194 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 194 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 209**, jointly sponsored by Senator Ennis & Senator Lawson & Representative Lee & Senators Bushweller, Bunting, Venables, Simpson & Sorenson & Representatives M. Smith, Q. Johnson, Carson, Bennett, Hudson, Outten, Peterman, Briggs King & Hocker, before the House for consideration.

**SB 209 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OBSTRUCTION OF JUSTICE.**

Representative Scott introduced and brought **HA 1 to SB 209** before the House for consideration. Representatives Scott, Mitchell, D.P. Williams & Schwartzkopf made comments. **HA 1** was defeated by voice vote.

The roll call on **SB 209** was taken and revealed:

YES: 39.

NOT VOTING: Representative Scott - 1.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 209** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson moved to suspend the rules which interfere with action on **HB 164**.

The roll call on the motion was taken and revealed:

YES: 29.

NO: Representatives Briggs King, Hocker, Hudson, Kenton, Lavelle, Miro, Outten, Peterman, Ramone & Wilson - 10.

NOT VOTING: Representative Blakey - 1.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, the motion was adopted and the rules were suspended.

Representative J. Johnson brought **HB 164**, jointly sponsored by Senator Henry, & Senator Ennis & Representatives Atkins, Bennett, Brady, Carson, Jaques, Keeley, Kowalko, Mitchell, D. Short & Wilson, before the House for consideration.

**HB 164 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (F/N)**

Representatives J. Johnson & Lavelle made comments. Representative J. Johnson requested and was granted privilege of the floor for Dave Craik, Director, Pension Office. Representatives Lavelle, Hocker & Briggs King made comments.

The roll call on **HB 164** was taken and revealed:

YES: 33.

NO: Representatives Briggs King, Hocker, Kenton, Lavelle & Wilson - 5.

NOT VOTING: Representatives Hudson & Peterman - 2.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 164** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **HB 181**, jointly sponsored by Senator McDowell & Senator DeLuca & Representatives Bennett, Carson, Hudson, Jaques, Lavelle, Longhurst, Schwartzkopf & Scott & Senators Simpson & Sorenson, before the House for consideration.

**HB 181 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES ON TELEGRAPH AND TELEPHONE COMPANIES. (F/N)**

Representative Viola requested that **HA 1 to HB 181** be stricken. Representative Viola brought **HA 2 to HB 181**, jointly sponsored by Representative Scott, before the House for consideration. Representative Viola made comments. **HA 2** was adopted by voice vote. Representative Viola made comments.

The roll call on **HB 181 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HB 181 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf brought **HB 377**, jointly sponsored by Representative Hocker & Senator Bunting, before the House for consideration.

**HB 377 - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE CHARTER OF THE TOWN OF DEWEY BEACH. (2/3 bill)**

Representative Schwartzkopf made comments.

The roll call on **HB 377** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 377** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HCR 43**, jointly sponsored by Representative Osienski & Senator Simpson & Senator Henry & Representatives Hocker, Briggs King, Hudson, Kenton, Manolakos, Outten, Willis, Wilson, Jaques, Q. Johnson, Keeley, Kowalko & B. Short & Senators Ennis, Peterson & Sorenson, before the House for consideration.

**HCR 43 - REQUESTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO EVALUATE THE FEASIBILITY OF APPLYING A CREDIT FOR MANUFACTURERS LOCATED IN DELAWARE IN DESIGNATING STATE CONTRACT VENDORS AND ELIMINATING CERTAIN CONTRACT REQUIREMENTS.**

Representatives D. Short & Schwartzkopf made comments.

**HCR 43** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 356**, jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Ramone & D. Short & Senators Katz, Lawson, Marshall & Sorenson, before the House for consideration.

**HB 356 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO CHARITABLE GAMING. (3/5 bill)**

Representative Kowalko brought **HA 1 to HB 356** before the House for consideration.

Representative Kowalko made comments. **HA 1** was adopted by voice vote. Representative Kowalko made comments.

The roll call on **HB 356 w/HA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative Jaques - 1.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 356 w/HA 1** was sent to the Senate for concurrence.

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

REVENUE & FINANCE: **HB 344** - 11M.

Representative Schwartzkopf deferred to Representative Osienski.

Representative Osienski brought **HB 347**, jointly sponsored by Senator Peterson & Representatives Carson, Kenton, Longhurst & Walker & Senators Blevins, Henry, Marshall & Sokola, before the House for consideration.

**HB 347 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATION OF ACTIONS.**

Representatives Osienski & Lavelle made comments. Representative Osienski requested and was granted privilege of the floor for Paul Pottrell of Tighe & Pottrell. Representatives Lavelle, Q. Johnson & Viola made comments. Representatives Willis, D. Short, Blakey, Briggs King & Ramone made comments.

Representative Osienski moved to place **HB 347** on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri brought **HS 1 for HB 311**, jointly sponsored by Senator Henry & Representatives Brady, Heffernan, Hudson, J. Johnson, Q. Johnson, Miro, Ramone & Walker & Senator Peterson & cosponsored by Representative Schwartzkopf, before the House for consideration.

**HS 1 for HB 311 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADMISSION, MAINTENANCE AND DISCHARGE OF PATIENTS WITH MENTAL CONDITIONS.**

Representative Q. Johnson brought **HA 1 to HS 1 for HB 311**, jointly sponsored by Representative Kowalko & Representative Blakey, before the House for consideration. Representatives Q. Johnson, Barbieri & Kowalko made comments. Representative Kowalko requested and was granted privilege of the floor for Shaku Bhaya, Legislative Chair, Delaware Trial Lawyers Association. Representatives Kowalko, Schwartzkopf, Hudson, Barbieri & Q. Johnson made comments.

The roll call on **HA 1 to HS 1 for HB 311** was taken and revealed:

YES: Representatives Blakey, Carson, Q. Johnson, Keeley, Kowalko, Lavelle, Osienski, Scott, Viola, Walker & D.P. Williams - 11.

NO: 28.

ABSENT: Representatives Bennett & Manolakos - 2.

Therefore, not having received a constitutional majority, **HA 1 to HS 1 for HB 311** was declared defeated.

Representative Briggs King brought **HA 2 to HS 1 for HB 311** before the House for consideration. Representatives Briggs King & Barbieri made comments. **HA 2** was adopted by voice vote. Representative Kowalko brought **HA 3 to HS 1 for HB 311** before the House for consideration. Representative Kowalko made comments.

The roll call on **HA 3 to HS 1 for HB 311** was taken and revealed:

YES: Representatives Keeley, Kowalko, Viola & D.P. Williams - 4.

NO: 36.

ABSENT: Representative Manolakos - 1.

Therefore, not having received a constitutional majority, **HA 3 to HS 1 for HB 311** was declared defeated.

Representatives Barbieri & Kowalko made comments.

The roll call on **HS 1 for HB 311 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 311 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HJR 17**, jointly sponsored by Senator Henry & cosponsored by Representatives Bolden, Heffernan & Schwartzkopf, before the House for consideration.

**HJR 17 - ESTABLISHING A STUDY GROUP TO ASSESS DELAWARE'S CIVIL MENTAL HEALTH LAWS.**

Representative Jaques made comments.

The roll call on **HJR 17** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **HJR 17** was sent to the Senate for concurrence.

Representative Jaques made comments regarding **HS 1 for HB 311**. Representative Barbieri introduced guests and made comments regarding **HS 1 for HB 311**. Representative Atkins made comments and an announcement. Representative D. Short made comments. The House observed a moment of silence in memory of Jean Norwood at the request of Representative Atkins. Representatives D. Short & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson introduced **HB 402**, jointly sponsored by Senator Lawson.

**HB 402 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH.**

Mr. Speaker Gilligan assigned **HB 402** to the Natural Resources Committee.

The Majority Leader moved to recess to the call of the Chair at 6:23 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 21, 2012.

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

TELECOMMUNICATIONS, INTERNET & TECHNOLOGY: **HB 396** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 248, SS 1 for SB 183 w/SA 1, SB 246, SB 197 & SB 210 w/SA 1 & 2** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 244, SB 177, SB 223, SB 247 & SB 202 w/SA 1** and requests the concurrence of the House and the Senate has passed **HS 1 for HB 227, HB 235 w/SA 1 & HB 335 w/HA 1** and is returning the same to the House.

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.

## **42nd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session June 21, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.

Mr. Speaker Gilligan led those present in the 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 401** - LEE & SENATOR SIMPSON & SENATOR CONNOR; REPRESENTATIVES HOCKER, KENTON, MANOLAKOS, D. SHORT, BOLDEN, CARSON, JAQUES, MITCHELL; SENATORS BUNTING, CLOUTIER, ENNIS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Free Surf Fishing Vehicle Permits for Certain Volunteers.

**HA 2 to HB 308** - SCOTT - Placed with the Bill.

**HA 1 to HB 344** - CARSON - Placed with the Bill.

**HA 7 to HB 361** - LEE - Placed with the Bill.

**HA 8 to HB 361** - LEE - Placed with the Bill.

**HA 1 to HB 372** - WILSON - Placed with the Bill.

**HA 1 to HB 394** - D.E. WILLIAMS - Placed with the Bill.

**HA 1 to HB 402** - WILSON - Placed with the Bill.

**SB 177** - HENRY & REPRESENTATIVE J. JOHNSON; SENATOR DELUCA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Chapter 4, Title 4 of the Delaware Code Relating to the Division of Alcohol and Tobacco Enforcement.

**SS 1 for SB 183 w/SA 1** - ENNIS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Department of Correction Educational Services.

**SB 197** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, LAWSON, MARSHALL, SORENSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Radiation Control.

**SB 202 w/SA 1** - BUSHWELLER & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Property Insurance Contracts (Declinations, Renewals and Cancellations of Property Insurance Contracts).

**SB 210 w/SA 1 & 2** - HENRY & REPRESENTATIVE BARBIERI; SENATORS SOKOLA, SORENSON; REPRESENTATIVES BOLDEN, HEFFERNAN, KEELEY, MITCHELL, BRIGGS KING - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical/Service Systems.

**SB 223** - BOOTH & REPRESENTATIVE BRIGGS KING & REPRESENTATIVE KENTON - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Georgetown. (2/3/bill)

**SB 244** - HENRY & REPRESENTATIVE BENNETT; SENATORS BUNTING, SOKOLA; REPRESENTATIVES BARBIERI, HEFFERNAN, Q. JOHNSON, KEELEY, MITCHELL, OSIENSKI, BRIGGS KING, HOCKER, WILLIS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**SB 246** - ENNIS & REPRESENTATIVE MITCHELL - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 29 of the Delaware Code Relating to the State Emergency Response Commission.

**SB 247** - DELUCA & REPRESENTATIVE B. SHORT - JUDICIARY - An Act to Amend Title 12, Chapter 49A of the Delaware Code Relating to Durable Personal Powers of Attorney.

**SB 248** - PETERSON & REPRESENTATIVE KENTON & REPRESENTATIVE BRADY & REPRESENTATIVE RAMONE; SENATORS CONNOR, ENNIS, HENRY, MCDOWELL, SOKOLA, SIMPSON; REPRESENTATIVES BENNETT, GILLIGAN, J. JOHNSON, KOWALKO, MANOLAKOS, MITCHELL, M. SMITH, HOCKER - TELECOMMUNICATIONS, INTERNET & TECHNOLOGY - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities and the Provision of Telecommunications Service for Persons Who Have Deafness, Hearing Loss or Speech Disabilities.

**HA 1 to SB 211** - JAQUES - Placed with the Bill.

**HA 2 to SB 213** - LONGHURST - Placed with the Bill.

Representative M. Smith requested that **HS 1 for HB 353** be stricken. The House observed a moment of silence in memory Maria Bennett at the request of Representative Schwartzkopf. Representative Longhurst requested and was granted personal privilege of the floor to make comments and an announcement. Representatives Mitchell & Kowalko made comments.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan who invited the members of House leadership to join him at the podium to honor Representative Gerald W. Hocker on the occasion of his retirement from the House of Representatives. Mr. Speaker Gilligan introduced the Hocker family and addressed the House. Representative Lavelle addressed the House and presented a House Tribute to Representative Hocker. Representatives Schwartzkopf & Longhurst addressed the House. Mr. Speaker Gilligan made an announcement. Representatives M. Smith & Miro made comments. Representative D.P. Williams requested that he be marked present and made comments. Representatives Blakey, Briggs King, Atkins, Kowalko, Kenton, J. Johnson & Ramone made comments. Representative Wilson requested that he be marked present and made comments. Representative Mulrooney requested that he be marked present and made comments. Mr. Speaker Gilligan presented a gift to Representative Hocker, who addressed the House and made an announcement. Representative Lavelle made comments. Representatives Hudson, Lee, Mulrooney, Barbieri, Manolakos, Mitchell, Viola & Schooley requested that they be marked

present. Representative D. Short requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:49 p.m.

The House reconvened at 4:54 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 261, SB 277 & SB 258 w/SA 1** and requests the concurrence of the House and the Senate has passed **HB 243 w/HA 1 & 2 & SA 1, HB 318, HB 196 w/SA 2 & 3 & HB 369** and is returning the same to the House.

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

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **SB 230 - 7M; HB 394 - 3F,4M; HB 393 - 7M.**

MANUFACTURED HOUSING: **SB 213 - 5M.**

Representative Hocker brought **SB 237**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 237 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH RELATING TO ALDERMEN. (2/3 bill)**

Representative Hocker made comments.

The roll call on **SB 237** was taken and revealed:

YES: 38.

ABSENT: Representatives Osienski, M. Smith & D.P. Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 237** was returned to the Senate.

Representative Keeley requested that she be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **HB 372**, jointly sponsored by Senator Booth & Representatives Briggs King, Hudson, Kenton, Peterman & D. Short & Senators Bunting & Venables, before the House for consideration.

**HB 372 - AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO APPOINTMENT AND REMOVAL OF A TOWN MANAGER. (2/3 bill)**

Representative Wilson brought **HA 1 to HB 372** before the House for consideration. Representative Wilson made comments. **HA 1** was adopted by voice vote. Representative Wilson made comments.

The roll call on **HB 372 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 372 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **HS 1 for HB 371**, jointly sponsored by Senator Blevins & Representatives Gilligan, Bolden, Heffernan, Jaques, Kowalko, Schooley, B. Short, Walker, Willis & Wilson & Senators Cloutier, Ennis, Henry, Sokola, Sorenson & Venables, before the House for consideration.

**HS 1 for HB 371 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INVESTIGATING THE ABUSE OF CHILDREN.**

Representatives M. Smith & Briggs King made comments. Representative M. Smith requested and was granted privilege of the floor for Tania Culley, representing the Office of the Child Advocate. Representative Briggs King made comments.

The roll call on **HS 1 for HB 371** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 371** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 385**, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Hocker, Hudson, Q. Johnson, Keeley, Kenton, Lee, Miro, Walker & Wilson & Senators Bushweller & Henry, before the House for consideration.

**HB 385 - AN ACT TO AMEND CHAPTER 85, TITLE 11, OF THE DELAWARE CODE RELATING TO MISSING PERSONS.**

Representative Mitchell made comments.

The roll call on **HB 385** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 385** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 218**, jointly sponsored by Senator DeLuca & Representative M. Smith & Senators Blevins, Henry, McDowell, Simpson & Sorenson & Representatives Walker & Willis, before the House for consideration.

**SB 218** - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC STATUTORY TRUSTS.

Representatives B. Short & M. Smith made comments.

The roll call on **SB 218** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SB 218** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 387**, jointly sponsored by Senator McDowell & Representatives Brady, J. Johnson & Keeley, before the House for consideration.

**HB 387** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SPECIAL FUNDS.

Representative Mitchell deferred to Representative Briggs King. Representative Briggs King introduced and brought **HA 1 to HB 387** before the House for consideration. Representatives Briggs King & Mitchell made comments. **HA 1** was adopted by voice vote. Representatives Mitchell, Lavelle & Briggs King made comments.

The roll call on **HB 387 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 387 w/HA 1** was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Kowalko.

Representative Kowalko brought **HB 327**, jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Ramone & D. Short & Senators Katz, Lawson, Marshall, Sorenson, before the House for consideration.

**HB 327** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES' PENSION PLAN.

Representative Kowalko brought **HA 1 to HB 327** before the House for consideration.

Representative Kowalko made comments. **HA 1** was adopted by voice vote. Representative Kowalko & Briggs King made comments.

The roll call on **HB 327 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 327 w/HA 1** was sent to the Senate for concurrence.

Representative Kowalko made comments. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **HB 374**, jointly sponsored by Senator Booth & Representatives Briggs King, Hudson, Kenton & D. Short & Senators Bunting & Venables, before the House for consideration.

**HB 374** - AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW MONEY FROM THE STATE OR FEDERAL GOVERNMENT WITHOUT REFERENDUM. (2/3 bill)

Representative Wilson brought **HA 1 to HB 374** before the House for consideration.

**HA 1** was adopted by voice vote. Representative Wilson made comments.

The roll call on **HB 374 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 374 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson brought **HB 398**, jointly sponsored by Senator Booth & Representatives Hudson & D. Short & Senators Bunting & Venables, before the House for consideration.

**HB 398** - AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW FUNDS FOR MUNICIPAL PURPOSES WITHOUT REFERENDUM. (2/3 bill)

Representative Wilson made comments.



The roll call on **HB 398** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 398** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **SB 226 w/SA 1**, jointly sponsored by Senator Blevins & Senator Sorenson & Representative Lavelle & Senators Bushweller & Sokola & Representatives Barbieri, Carson, Heffernan, Hudson, Keeley, Miro, B. Short, D. Short & Willis, before the House for consideration.

**SB 226 - AN ACT TO AMEND TITLE 11 RELATING TO PRE-TRIAL RELEASE ON BAIL OR RECOGNIZANCE, CRIMINAL SENTENCING, SENTENCE CALCULATION, REHABILITATION, PROBATION SUPERVISION AND DATA COLLECTION.**

Representatives M. Smith, Lavelle & Briggs King made comments. Representative M. Smith requested and was granted privilege of the floor for Carl C. Danberg, Commissioner, Department of Correction. Representatives Briggs King & Lee made comments.

The roll call on **SB 226 w/SA 1** was taken and revealed:

YES: 36.

NO: Representatives Atkins, Lee & Wilson - 3.

NOT VOTING: Representative Peterman - 1.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SB 226 w/SA 1** was returned to the Senate.

Representatives Keeley, Atkins, Q. Johnson, Barbieri, Carson & Schwartzkopf made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:49 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 26, 2012.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 45** and requests the concurrence of the House and the Senate has passed **HCR 43 & HCR 52** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 184 w/SA 1**, **SB 249 w/SA 1 & SB 201** and requests the concurrence of the House and the Senate has passed **HS 1 for HB 209 w/HA 1**, **HB 222 w/HA 1 & 2 & HB 294** and is returning the same to the House.

June 22, 2012

#### LEGISLATIVE ADVISORY # 29

Governor Jack A. Markell signed the following legislation on the date indicated: 5/15/12 - **SB 157 aab SA 2**; 6/15/12 - **HB 304 aab HA 1 & 2**, **HB 145 aab HA 1 & 2 & SA 2**, **HB 111**, **HB 321 & HB 248 aab HA 1**; 6/19/12 - **SB 171 aab SA 1**, **SS 1 for SB 176**, **HB 314**, **HB 343**, **HB 317 aab HA 1**, **HB 257 aab HA 1 & HB 325 aab HA 1**; 6/20/12 - **HB 307**.

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.

### 43rd LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session

June 26, 2012

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 403 - BARBIERI & SENATOR HENRY & SENATOR CONNOR; REPRESENTATIVE HUDSON; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Hospital Disclosure Act.**

**HB 404 - D.E. WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, BOLDEN, HEFFERNAN, JAQUES, J. JOHNSON, KEELEY, KOWALKO, MITCHELL, MULROONEY, OSIENSKI, RAMONE, VIOLA, D.P. WILLIAMS; SENATORS CLOUTIER, CONNOR, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Creating a Responsible Contractor Law.**

**HA 2 to HB 271 - BENNETT - Placed with the Bill.**

**HA 1 to HB 384 - Q. JOHNSON - Placed with the Bill.**

**SB 184 - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL, SIMPSON; REPRESENTATIVES ATKINS, BENNETT, RAMONE, D. SHORT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Athlete Agents.**

**SB 201 - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of South Bethany as Amended. (2/3 bill)**

**SB 249 w/SA 1** - BUNTING; SENATORS BLEVINS, BONINI, BOOTH, BUSHWELLER, CLOUTIER, CONNOR, ENNIS, HALL-LONG, HENRY, KATZ, LAWSON, MARSHALL, MCBRIDE, MCDOWELL, SIMPSON, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES BENNETT, HEFFERNAN, HOCKER, HUDSON, KEELEY, KENTON, MITCHELL, OUTTEN, PETERMAN, SCHWARTZKOPF, B. SHORT, D. SHORT, WILLIS, WILSON - AGRICULTURE - An Act to Rename the Main Administration Building of the Delaware Department of Agriculture in Honor of Former Delaware State Representative, State Senator and Secretary of Finance Richard S. Cordrey.

**SB 258 w/SA 1** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, SIMPSON; REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 12 of the Delaware Code Relating to Voluntary Disclosure of Abandoned or Unclaimed Property.

**SB 261** - ENNIS & REPRESENTATIVE CARSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Authorize and Approve the Transfer by the Smyrna School District to the Town of Smyrna of Certain Real Property Including Approximately 1.65 Acres Located at the Intersection of Rabbit Chase Lane and Sunnyside Road.

**SB 277** - DELUCA & REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend Title 4 and Title 29 of the Delaware Code Amending the Appeal Process From a Decision of the Delaware Alcoholic Beverage Control Commissioner.

**HA 1 to SB 222** - SCOTT - Placed with the Bill.

**HA 1 to SB 229** - B. SHORT - Placed with the Bill.

Representative Jaques requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan assigned **SB 201** to the House Administration Committee. Representative Schwartzkopf made an announcement.

Mr. Speaker Gilligan invited the members of House leadership to join him at the podium to honor Representative Gregory F. Lavelle on the occasion of his retirement from the House of Representatives. Mr. Speaker Gilligan introduced Mrs. Ruth Lavelle, wife of Representative Lavelle, and addressed the House. Representative Hocker made comments and presented a House Tribute to Representative Lavelle. Representatives Schwartzkopf & Longhurst addressed the House. Representative Keeley requested that she be marked present and made comments. Representative Q. Johnson requested that he be marked present and made comments. Representatives Schooley, Briggs King, Scott, Miro & Blakey made comments. Representative M. Smith requested that she be marked present and made comments. Representatives Manolakos, Brady & Ramone made comments. Representative J. Johnson requested that he be marked present and made comments. Representative Hudson requested that she be marked present and made comments. Representative B. Short requested that he be marked present and made comments. Representative Lavelle addressed the House. Mr. Speaker Gilligan presented a gift to Representative Lavelle. Representatives Mitchell, Viola, Walker, D.P. Williams, Willis & Wilson requested that they be marked present.

Representative Keeley introduced **HB 410**, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooley, Viola, Hudson & Lee & Senators Bunting, Hall-Long, Sokola, Bonini & Booth.

**HB 410** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND BOND PREMIUMS 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 STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE.

Mr. Speaker Gilligan assigned **HB 410** to the Capital Infrastructure Committee.

Representative Keeley made comments. Representative Mitchell made an announcement.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:52 p.m.

The House reconvened at 4:29 p.m.

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

REVENUE & FINANCE: **SB 244** - 9M.

HEALTH & HUMAN DEVELOPMENT: **SB 197** - 10M; **SB 216 w/SA 1** - 10M.; **HB 399** - 7M.

NATURAL RESOURCES: **SB 241** - 7M; **SB 255** - 7M; **HB 401** - 7M; **HB 402** - 3F,4M.

EDUCATION: **SB 233** - 8M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: **SB 248** - 6M.

Representative Schwartzkopf made an announcement. Representative Ramone requested and was granted personal privilege of the floor to make comments and an announcement. Representative Miro introduced a guest. Representative Mitchell made a comment. Representative Schwartzkopf made an announcement. Representative Lavelle made comments.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **HB 383**, jointly sponsored by Senator Blevins & Representatives Heffernan, Hocker, Hudson, J. Johnson, Kowalko, Lavelle, Longhurst, Miro, Mitchell & D. Short & Senators Simpson, Sokola, Sorenson & Venables, before the House for consideration.

**HB 383** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CRIMINAL JUSTICE COUNCIL.

Representative Schooley made comments.

The roll call on **HB 383** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 383** was sent to the Senate for concurrence.

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

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HJR 18**, jointly sponsored by Senator Henry, before the House for consideration.

**HJR 18** - DIRECTING THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES TO SUBMIT AN ANALYSIS AND RECOMMENDATIONS FOR CREATING A DEVELOPMENTALLY APPROPRIATE FOSTER CARE PROGRAM FOR YOUTH/YOUNG ADULTS UP TO AGE 21.

Representative Barbieri made comments.

The roll call on **HJR 18** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 18** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 228 w/SA 2**, sponsored by Senator McBride & Senators Bunting, Connor, Lawson, Peterson, Simpson & Venables & Representatives Atkins, Carson, Kenton, Outten & Wilson, before the House for consideration.

**SB 228** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITION AGAINST THE USE OF LIGHTS FOR HUNTING.

Representative Q. Johnson made comments.

The roll call on **SB 228 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 228 w/SA 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **SB 221**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 221** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (2/3 bill)

Representative M. Smith made comments.

The roll call on **SB 221** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 221** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **SB 211 w/SA 2**, jointly sponsored by Senator Blevins & Representative M. Smith & Senator Peterson, before the House for consideration.

**SB 211** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRUELTY TO ANIMALS.

Representative Jaques brought **HA 1 to SB 211** before the House for consideration. Representative Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments.

Representative Lee deferred to Representative Briggs King. Representative Briggs King made comments.

Representatives Jaques & Lee made comments.

The roll call on **SB 211 w/SA 2 & HA 1** was taken and revealed:

YES: 32.

NO: Representatives Atkins, Briggs King, Hocker, Kenton, Lee, Outten, Peterman & Wilson - 8.

NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority, **SB 211 w/SA 2 & HA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney brought **SB 229 w/SA 1**, jointly sponsored by Senator Venables & Representative B. Short & Senators Ennis, McBride, DeLuca & Henry & Representatives Brady, Carson, Hudson, D. Short & Lavelle, before the House for consideration.

**SB 229** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES.

Representative Willis announced that he will not be voting on **SB 229 w/SA 1** because of a possible conflict of interest. Representative B. Short requested that **HA 1 to SB 229** be stricken. Representative Mulrooney made comments.

The roll call on **SB 229 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Willis - 1.

Therefore, having received a constitutional majority, **SB 229 w/SA 1** was returned to the Senate.

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

Representative Bennett brought **HB 271**, jointly sponsored by Representative Brady & Senator Henry & Representatives Heffernan, Jaques, Lavelle, Longhurst, Mitchell, Osienski, Ramone, Schwartzkopf, Scott, B. Short, Viola & D.E. Williams & Senators Bonini, Lawson & McDowell, before the House for consideration.

**HB 271 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE SERVICES, BROKERS, ASSOCIATE BROKERS AND SALESPERSONS.**

Representative Bennett requested that **HA 1 to HB 271** & **HA 2 to HB 271** be stricken.

Representatives Bennett & Lee made comments. Representative Wilson announced that he will not be voting on **HB 271** because of a possible conflict of interest. Representatives Lee, Bennett, Ramone & D.P. Williams made comments.

The roll call on **HB 271** was taken and revealed:

YES: 30.

NO: Representatives Blakey, Hocker, Hudson, Kenton, Lee, Manolakos, Miro, Outten, Peterman & D. Short - 10.

NOT VOTING: Representative Wilson - 1.

Therefore, having received a constitutional majority, **HB 271** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **SB 188**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 188 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO MISCELLANEOUS PROVISIONS CONCERNING ANIMALS.**

Representative M. Smith made comments.

The roll call on **SB 188** was taken and revealed:

YES: 40.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SB 188** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought **HB 242**, jointly sponsored by Senator Venables & Representatives Hocker, Hudson, Kenton, Miro, Peterman, Ramone, Wilson, Bennett, Q. Johnson, Keeley & B. Short & Senator Ennis, before the House for consideration.

**HB 242 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTOMOBILE INSURANCE, VEHICLE DATA-REPORTING DEVICE, AND UNAUTHORIZED USE, RELEASE, OR DISCLOSURE OF DATA.**

Representative D. Short brought **HA 1 to HB 242** before the House for consideration.

Representative D. Short brought **HA 1 to HA 1 to HB 242** before the House for consideration.

Representative D. Short made comments. **HA 1 to HA 1** was adopted by voice vote. Representative

D. Short made comments. **HA 1** was adopted by voice vote. Representatives D. Short & Kowalko made comments.

The roll call on **HB 242 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

NO: Representative Kowalko - 1.

ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **HB 242 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SCR 34**, jointly sponsored by Senator Hall-Long & Senator Katz & Senators Blevins, Sokola, Sorenson, Bunting, Cloutier & Ennis & Representatives Keeley, M. Smith, Q. Johnson, Heffernan, Hudson, Hocker, Kowalko, Briggs King, Mitchell, Barbieri, Carson, Schooley, Lavelle, Miro, Ramone, D. Short & Wilson, before the House for consideration.

**SCR 34 - ESTABLISHING A STATE TRANSITION TASK FORCE FOR EMERGING ADULTS WITH DISABILITIES AND SPECIAL HEALTH CARE NEEDS.**

Representative Walker brought **HA 1 to SCR 34** before the House for consideration. Representative Walker made comments. **HA 1** was adopted by voice vote. Representative Walker made comments.

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

Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:31 p.m.  
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 27, 2012.  
The Chief Clerk read the following committee report into the record:  
JUDICIARY: **SB 234 w/SA 2** - 7M; **SB 247** - 7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated **HB 261 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 267 w/SA 1 & SB 225 w/SA 1 & 2** and requests the concurrence of the House and the Senate has passed **HB 365** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 254** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 271** and requests the concurrence of the House and the Senate has passed **HB 322, HB 351 w/HA 1 & HJR 16** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 252 & HB 269 w/HA 1** and is returning the same to the House.

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.

**44th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**June 27, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the 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 405** - MULROONEY & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend Title 30 Relating to the Personal Income Tax and Age 55+ Housing.

**HA 1 to HB 376** - J. JOHNSON - Placed with the Bill.

**HA 1 to HB 381** - B. SHORT - Placed with the Bill.

**HA 1 to HB 396** - SCOTT - Placed with the Bill.

**HA 2 to HB 396** - SCOTT - Placed with the Bill.

**SB 225 w/SA 1 & 2** - MCDOWELL & REPRESENTATIVE BRADY; SENATORS SIMPSON, VENABLES, ENNIS, BUNTING, CLOUTIER, CONNOR, SORENSON; REPRESENTATIVES BENNETT, HEFFERNAN, HUDSON, MITCHELL, BLAKEY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Helmets for Horseback Riders. (2/3 bill)

**SB 254** - BUNTING & REPRESENTATIVE ATKINS; SENATORS ENNIS, HALL-LONG; REPRESENTATIVES KENTON, WALKER - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 29 of the Delaware Code as It Relates to the Hazardous Materials Transportation Act and Title 21 of the Delaware Code as It Relates to Motor Carrier Safety.

**SB 267 w/SA 1** - HENRY & REPRESENTATIVE J. JOHNSON; REPRESENTATIVES BENNETT, BOLDEN, KEELEY, M. SMITH, OUTTEN - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Cemetery Registration and Distressed Cemetery Fund.

**SB 271** - KATZ & REPRESENTATIVE D.E. WILLIAMS; SENATORS BLEVINS, BUNTING, BUSHWELLER, DELUCA, ENNIS, HALL-LONG, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SIMPSON, SOKOLA, VENABLES; REPRESENTATIVES HEFFERNAN, JAQUES, J. JOHNSON, LAVELLE, SCHWARTZKOPF, SCOTT, B. SHORT, WILLIS, HUDSON - REVENUE & FINANCE - An Act to Amend Title Subchapter IX of Title 30 of the Delaware Code Relating to Tax Credits.

**HA 1 to SB 258** - LAVELLE - Placed with the Bill.

Representative Schwartzkopf deferred to Representative Ramone.

The House observed a moment of silence in memory of Kimberly C. Bogia at the request of Representative Ramone.

Representative B. Short requested that he be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #83**

DATE: June 27, 2012

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                                                                               |
|-----------|-------------|----------|------|-------------------------------------------------------------------------------------------|
| H146-1681 | Miro        | 6/7/2012 | T    | American Turkish Friendship Assoc. - DE cosponsors: Reps. Bolden, Hudson, Keeley & Ramone |
| H146-1682 | Briggs King | 6/6/2012 | T    | Mike & Hope Tyler - 50th Wedding Anniversary                                              |
| H146-1683 | Mitchell    | 6/8/2012 | T    | Phyllis Berggrun - Retirement - Pres. - Willow Run Civic Association                      |

|           |                                                            |           |   |                                                                   |
|-----------|------------------------------------------------------------|-----------|---|-------------------------------------------------------------------|
| H146-1684 | Wilson                                                     | 6/8/2012  | T | Kimberly Wharton - Dedicated Service - Wilson's Auction           |
| H146-1685 | J. Johnson                                                 | 6/11/2012 | M | William A. Alston                                                 |
| H146-1686 | Scott                                                      | 6/8/2012  | T | Ralph Fitch - Retirement - Capital School District                |
| H146-1687 | Carson                                                     | 6/10/2012 | M | Susan A. Durham                                                   |
| H146-1688 | Heffernan                                                  | 6/16/2012 | T | Elsie Baldwin - 80th Birthday                                     |
| H146-1689 | Gilligan                                                   | 6/12/2012 | T | Harvey Hanna & Associates, Inc. - Beautification Project          |
| H146-1690 | Q. Johnson                                                 | 6/29/2012 | T | Lonnie Embert - Retirement - DelDOT                               |
| H146-1691 | D.E. Williams; Hudson                                      | 6/16/2012 | T | Theodore & Kathleen Lewis - 50th Wedding Anniversary              |
| H146-1692 | Q. Johnson<br>cosponsors: Reps. Walker, Jaques & Longhurst | 6/19/2012 | T | Joanne Christian - Retirement - Appoquinimink School Board        |
| H146-1693 | Peterman                                                   | 6/14/2012 | T | Gerald Kobasa - Service - DE Interscholastic Athletic Association |
| H146-1694 | Peterman<br>cosponsors: Reps. Kenton, Outten & Wilson      | 6/11/2012 | M | William A. Ward                                                   |
| H146-1695 | Briggs King<br>cosponsor: Rep. Wilson                      | 6/12/2012 | M | John Albert Elliott                                               |
| H146-1696 | Briggs King                                                | 6/15/2012 | T | Douglas Myers - Eagle Scout                                       |
| H146-1697 | Lavelle;<br>J. Johnson                                     | 6/15/2012 | M | Lawrence Delmont Unthank                                          |
| H146-1698 | Peterman<br>cosponsors: Reps. Outten & Wilson              | 6/13/2012 | M | Anthony Gallo, Sr.                                                |
| H146-1699 | Schwartzkopf<br>cosponsor: Rep. Briggs King                | 6/13/2012 | M | Dr. James Beebe, Jr.                                              |
| H146-1700 | Willis                                                     | 6/28/2012 | T | Melvin Ford - Retirement - DelDOT                                 |
| H146-1701 | Brady;<br>Mulrooney                                        | 6/14/2012 | M | Robert E. Kirkwood                                                |
| H146-1702 | Keeley                                                     | 6/18/2012 | T | Jahaziel Velenzo - Trainor Scholarship Award                      |

T- Tribute

M - Memoriam

Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan invited the members of House leadership to join him at the podium to honor Representative D.P. Williams & Representative Teresa L. Schooley on the occasion of their retirement from the House of Representatives. Mr. Speaker Gilligan invited Representative D.P. Williams to the podium and addressed the House. Representatives Schwartzkopf, Longhurst, Lavelle & Hocker addressed the House. Mr. Speaker Gilligan presented a House Tribute to Representative D.P. Williams. Representative Keeley requested that she be marked present and made comments. Representatives Kowalko, Manolakos & Blakey made comments. Representative Mitchell requested that he be marked present and made comments. Representatives M. Smith, Briggs King, B. Short, J. Johnson, Miro, D.E. Williams, Scott, Jaques, Barbieri, Brady & Carson made comments. Mr. Speaker Gilligan presented a gift to Representative D.P. Williams, who introduced his family and addressed the House.

Mr. Speaker Gilligan invited Representative Teresa L. Schooley to the podium and addressed the House. Representatives Schwartzkopf, Longhurst, Lavelle & Hocker addressed the House. Representative Schwartzkopf presented a House Tribute to Representative Schooley. Representatives Jaques & Keeley made comments. Mr. Speaker Gilligan welcomed Senators Sokola, Blevins & Sorenson to the House Chamber. Representative M. Smith presented a gift from the Kids Caucus to Representative Schooley. Senators Sorenson, Blevins & Sokola addressed the House. Representatives Blakey, Manolakos, Mitchell, Kowalko, Miro, J. Johnson & Scott made comments. Representative Atkins requested that he be marked present and made comments. Representative D.E. Williams made comments. Representative Osienski requested that he be marked present and made comments. Representative Ramone made comments. Mr. Speaker Gilligan made comments and presented a gift to Representative Schooley, who addressed the House.

Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest and make comments. Representative Atkins introduced a guest and made comments. Representative Walker requested that she be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 3:30 p.m.

The House reconvened at 5:16 p.m.

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

HOUSE ADMINISTRATION: **SB 212 w/SA 1** - 3M; **SB 201** - 4M; **SJR 9** - 4M; **SB 243 w/SA 1** - 4M; **SB 258 w/SA 1** - 4M; **SB 277** - 3M.

PUBLIC SAFETY & HOMELAND SECURITY: **SB 177** - 6M; **SB 210 w/SA 1 & 2** - 6M; **SB 246** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 184** - 2F,3M.

AGRICULTURE: **SB 236** - 5M; **SB 249 w/SA 1** - 2F, 3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 260**, **SCR 11** & **SCR 12** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 333 aab HA2 aab HA 1** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Hocker. The House observed a moment of silence upon hearing that former Representative Pamela S. Maier and her family had been evacuated from their home due to the approaching wildfires in Colorado, at the request of Representative Hocker. Representatives Heffernan & Mulrooney requested that they be marked present. Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko made comments and requested that **HB 392** be stricken. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson moved to suspend the rules which interfere with action on **SB 22 w/SA 1 & 3**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Q. Johnson brought **SB 22 w/SA 1 & 3**, jointly sponsored by Senator Sorenson & Senator Cloutier & Senators Blevins, Bunting, Connor, Ennis, Hall-Long, Henry, Peterson, Sokola, Venables, Katz & McDowell & Representatives Barbieri, Bennett, Carson, George, Heffernan, Jaques, J. Johnson, Keeley, Kowalko, Mitchell, Osienski, Ramone, Schooley, Viola & Walker, before the House for consideration.

**SB 22 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTISM SPECTRUM DISORDERS COVERAGE.** (F/N)

Representative Q. Johnson & Jaques made comments.

The roll call on **SB 22 w/SA 1 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 22 w/SA 1 & 3** was returned to the Senate.

Representative M. Smith made comments regarding **SB 22 w/SA 1 & 3**.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady introduced and brought **HCR 54**, jointly sponsored on behalf of All Representatives & Senator McDowell on behalf of All Senators, before the House for consideration.

**HCR 54 - RECOGNIZING JULY 9, 2012, AS THE DAY OF THE WARRANT OFFICER CORPS.**

Representative Brady made comments.

**HCR 54** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Brady requested and was granted privilege of the floor for himself and members of the First State Chapter Warrant Officers Association. CW4 John M. Dill, President, addressed the House. Mr. Speaker Gilligan reassigned **SB 254** to the Agriculture Committee.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams moved to suspend the rules which interfere with action on **SB 233**. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative D.E. Williams brought **SB 233**, jointly sponsored by Senator Sokola & Representative D.E. Williams & Senators Simpson, Sorenson & Cloutier & Representatives Heffernan, B. Short, Walker, Mitchell, Schooley, Manolacos, Miro & Bolden, before the House for consideration.

**SB 233 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO COMPREHENSIVE SCHOOL SAFETY PLANS** (F/N)

Representatives D.E. Williams, Ramone, Heffernan & Hudson made comments.

The roll call on **SB 233** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 233** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson moved to suspend the rules which interfere with action on **HB 384**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Q. Johnson brought **HB 384**, jointly sponsored by Senator Hall-Long & Representatives Hudson, Jaques, Keeley, Longhurst, Miro, Mitchell & M. Smith & Senators Ennis & Sokola & cosponsored by Representatives Osienski & Walker, before the House for consideration.

**HB 384 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIVERSAL HEARING SCREENING, TRACKING, AND INTERVENTION.**

Representative Q. Johnson brought **HA 1 to HB 384** before the House for consideration.

Representative Q. Johnson made comments. **HA 1** was adopted by voice vote. Representatives Q. Johnson & Hudson made comments.

The roll call on **HB 384 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 384 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **SB 216 w/SA 1**, jointly sponsored by Senator Henry & Senator Marshall & Representatives Bennett, Keeley, B. Short & Walker, before the House for consideration.

**SB 216** - AN ACT TO AMEND TITLE 29 AND TITLE 16 OF THE DELAWARE CODE BY ESTABLISHING AN ELECTRONIC WEB-BASED BACKGROUND CHECK CENTER FOR EMPLOYMENT IN LONG TERM CARE OR COMMUNITY SETTINGS. (F/I)

Representatives Barbieri & Lavelle made comments. Representative Barbieri requested and was granted privilege of the floor for Susan DelPesco, Director, Division of Long Term Care Residents Protection, Department of Health & Social Services.

The roll call on **SB 216 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 216 w/SA 1** was returned to the Senate.

Representative Schwartzkopf welcomed Senator Joseph Booth to the House Chamber.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought **HB 332**, jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Ramone & D. Short & Senators Katz, Lawson, Marshall & Sorenson, before the House for consideration.

**HB 332** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURES OF OFFICERS AND EMPLOYEES OF THE STATE.

Representative Kowalko made comments.

The roll call on **HB 332** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 332** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 315**, jointly sponsored by Senator Henry & Representatives Bennett, Brady, Heffernan, Hudson, Jaques, Keeley, Kowalko, Mitchell, Schooley, Schwartzkopf, M. Smith, Viola & Walker & Senators Bushweller, Ennis & Sokola, before the House for consideration.

**HB 315** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EMERGENCY MEDICAL SERVICES SYSTEMS.

Representative Barbieri brought **HA 1 to HB 315** before the House for consideration. Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representative Barbieri made comments.

The roll call on **HB 315 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 315 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee brought **HB 401**, jointly sponsored by Senator Simpson & Senator Connor & Representatives Hocker, Kenton, Manolakos, D. Short, Bolden, Carson, Jaques & Mitchell & Senators Bunting, Cloutier & Ennis, before the House for consideration.

**HB 401** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FREE SURF FISHING VEHICLE PERMITS FOR CERTAIN VOLUNTEERS. (F/N)

Representative Lee introduced and brought **HA 1 to HB 401** before the House for consideration. Representatives Lee & Mitchell made comments. **HA 1** was adopted by voice vote. Representative Lee made comments.

The roll call on **HB 401 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 401 w/HA 1** was sent to the Senate for concurrence.

Representative Miro requested and was granted personal privilege of the floor to introduce a guest and make comments. Representative Lavelle made comments.

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

AGRICULTURE: **SB 254** - 5M.

Representative M. Smith introduced and brought **HCR 53**, jointly sponsored by Representative Willis & Senator Blevins, before the House for consideration.

**HCR 53** - PROCLAIMING THE WEEK OF OCTOBER 21-27, 2012 AS "DELAWARE'S PRO BONO CELEBRATION WEEK."

Representative M. Smith made comments.

**HCR 53** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bolden.

Representative Bolden brought **HB 389**, jointly sponsored by Senator Ennis, before the House for consideration.



**HB 389** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO RUNAWAY AND HOMELESS YOUTH.

Representative Bolden made comments.

The roll call on **HB 389** was taken and revealed:

YES: 40.

ABSENT: Representative B. Short - 1.

Therefore, having received a constitutional majority, **HB 389** was sent to the Senate for concurrence.

Representative Bolden made comments regarding **HB 389**. Representative Atkins made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 275 w/SA 2**, jointly sponsored by Senator Bunting & All Representatives & All Senators, before the House for concurrence on **SA 2**.

**HB 275** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAX CREDITS. (F/N)

Representative Jaques made comments.

The roll call on **HB 275 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 275 w/SA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Lee. Representative Lee requested that **HB 375 & HB 361** be stricken.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **SB 178**, jointly sponsored by Senator Booth & Senator Marshall & Senators Bonini, Cloutier, Connor, Lawson, Simpson, Sorenson & Venables & Representatives Briggs King, Hocker, Kenton, Lavelle & Willis, before the House for consideration.

**SB 178** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS.

Representative Carson made comments.

The roll call on **SB 178** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 178** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 337**, jointly sponsored by Representative Kowalko & Senator Marshall & Representatives Mitchell & Osienski, before the House for consideration.

**HB 337** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.

Representatives Brady & D. Short made comments. Representative D. Short requested and was granted privilege of the floor for Ronald Smith, Minority House Attorney. Representatives D. Short, Mitchell, Schwartzkopf & Lavelle made comments.

The roll call on **HB 337** was taken and revealed:

YES: 25.

NO: Representatives Atkins, Briggs King, Hocker, Hudson, Kenton, Lavelle, Lee, Manolakos, Miro, Outten, Peterman, Ramone, D. Short, Willis & Wilson - 15.

NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority, **HB 337** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HCR 55**, jointly sponsored by Senator Blevins, before the House for consideration.

**HCR 55** - CREATING THE DELAWARE HEALTH FUND WORKING GROUP.

Representatives Barbieri & Hudson made comments.

**HCR 55** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought **SB 207 w/SA 1**, jointly sponsored by Senator Sokola & Senators Hall-Long, Ennis, Bunting & Venables & Representatives Brady, Heffernan, Q. Johnson, Mitchell, Longhurst, Barbieri, Miro & Peterman, before the House for consideration.

**SB 207** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.

Representative Schooley made comments.

The roll call on **SB 207 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 207 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 278 w/SA 1 & SJR 10** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 266 w/SA 1** and requests the concurrence of the House and the Senate has passed **HS 1 for HB 311 w/HA 2, HB 185, HB 295, HB 181 w/HA 2 & HJR 17** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 257, SB 238, SB 269 w/SA 1 & SCR 47** and requests the concurrence of the House and the Senate has passed **HB 276** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought **SB 255**, jointly sponsored by Senator McBride & Senators Booth, Venables, Bunting & Simpson & Representatives Hocker, Carson, Outten, Kenton, Heffernan, Mulrooney, Atkins & Wilson, before the House for consideration.

**SB 255** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH.

Representative Q. Johnson made comments.

The roll call on **SB 255** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 255** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 190 w/SA 1 & 2**, jointly sponsored by Senator Peterson & Senator Blevins & Senators Ennis, Henry, Sokola & Sorenson & Representatives Brady, Heffernan, Kowalko, Longhurst & Schooley, before the House for consideration.

**SB 190** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE HEALTHY PREGNANCIES FOR INCARCERATED WOMEN ACT.

Representative J. Johnson made comments.

The roll call on **SB 190 w/SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Atkins - 1.

Therefore, having received a constitutional majority, **SB 190 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone made comments and an announcement. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:51 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 28, 2012.

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.

#### **45th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session June 28, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Harvey R. Kenton, Thirty-sixth Representative District.

Mr. Speaker Gilligan led those present in the 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 406** - B. SHORT & SENATOR BUNTING - MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Home Communities and the Lot Rental Assistance Program.

**SB 238** - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BUNTING, ENNIS, HENRY; REPRESENTATIVES HEFFERNAN, HUDSON, JAQUES, KEELEY, OSIENSKI - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers' Compensation and the Health Care Payment System.

**SB 257** - HALL-LONG & REPRESENTATIVE WALKER; SENATORS BLEVINS, ENNIS, HENRY, KATZ, SIMPSON, SOKOLA, SORENSON; REPRESENTATIVES BARBIERI, BRIGGS KING, CARSON, JAQUES, Q. JOHNSON, KEELEY, RAMONE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Assistance with Medications.

**SB 266 w/SA 1** - BOOTH & REPRESENTATIVES SCHWARTZKOPF & SENATOR BUNTING; SENATOR SIMPSON; REPRESENTATIVE BENNETT, BOLDEN, CARSON, KENTON - HOUSE ADMINISTRATION - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.

(3/5 bill)

**SB 269 w/SA 1** - BUNTING & REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Rehoboth Beach Relating to Indebtedness. (2/3 bill)

**SB 278 w/SA 1** - BUSHWELLER & REPRESENTATIVE MITCHELL; SENATORS HALL-LONG, HENRY, SIMPSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of the Manufacture, Distribution and Dispensing of Controlled Substances, and the Delaware Prescription Monitoring Program.

**HA 1 for SB 223** - BRIGGS KING - Placed with the Bill.

**SJR 10** - BLEVINS ON BEHALF OF ALL SENATORS & M. SMITH ON BEHALF OF ALL REPRESENTATIVES - JUDCIARY - Declaring the Week of October 14-20 as “Mediation Week” in Delaware.

Representatives D. Short, Outten, D.P. Williams & Schooley requested that they be marked present.

Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone presented a House Tribute to Major General Francis Vavala on the occasion of his sixty-fifth birthday.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan invited the members of House leadership to join him at the podium to honor Representative Clifford G. Lee & Representative E. Bradford Bennett on the occasion of their retirement from the House of Representatives. Mr. Speaker Gilligan invited Representative Lee to the podium, addressed the House and welcomed the Lee family and friends. Representatives Schwartzkopf, Longhurst & Lavelle addressed the House. Representative Lavelle presented a House Tribute to Representative Lee. Representative Hocker addressed the House. Representative Hudson requested that she be marked present and made comments. Representatives Blakey, Schooley & M. Smith made comments. Mr. Speaker Gilligan welcomed former Representative Wayne Smith, former Representative Pamela Thornburg Bakerian, former Representative Robert Walls, former Representative, Senator & Secretary of Finance Richard S. Cordrey & Senator Margaret Rose Henry to the House chamber. Representative Briggs King made comments. Mr. Speaker Gilligan welcomed former Senator Nancy Cook to the House chamber. Representative J. Johnson made comments. Representative Willis made comments and presented a gift to Representative Lee. Representatives D. Short, Kenton, Kowalko & Wilson made comments. Representative Miro requested that he be marked present and made comments. Representative Carson made comments. Representative Keeley requested that she be marked present and made comments. Representative Bennett made comments. Representative Atkins requested that he be marked present and made comments. Representatives Ramone & Viola made comments. Mr. Speaker Gilligan presented a gift to Representative Lee who addressed the House.

Mr. Speaker Gilligan invited Representative Bennett to the podium and addressed the House. Representatives Schwartzkopf, Longhurst, Lavelle & Hocker addressed the House. Representative Schwartzkopf presented a House Tribute to Representative Bennett. Representative Brady requested that he be marked present and made comments. Representatives D.P. Williams, Blakey, M. Smith, Q. Johnson, Carson, Jaques, Kowalko, Schooley, Kenton, Scott & J. Johnson made comments. Mr. Speaker Gilligan presented a gift to Representative Bennett who addressed the House. Mr. Speaker Gilligan thanked Jordan Seemans, Assistant to the Speaker, for making preparations for the recognitions.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 249 w/SA 1**, jointly sponsored by Senator Bunting & Senator DeLuca & Representative Atkins & Representative Gilligan & Senators Blevins, Bonini, Booth, Bushweller, Cloutier, Connor, Ennis, Hall-Long, Henry, Katz, Lawson, Marshall, McBride, McDowell, Simpson, Sokola, Sorenson & Venables & Representatives Bennett, Heffernan, Hocker, Hudson, Keeley, Kenton, Mitchell, Outten, Peterman, B. Short, D. Short, Willis & Wilson, before the House for consideration.

**SB 249** - AN ACT TO RENAME THE MAIN ADMINISTRATION BUILDING OF THE DELAWARE DEPARTMENT OF AGRICULTURE IN HONOR OF FORMER DELAWARE STATE REPRESENTATIVE, STATE SENATOR AND SECRETARY OF FINANCE RICHARD S. CORDREY. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

WHEREAS, the Honorable Richard S. Cordrey of Millsboro, Sussex County, served as a member of the Delaware State House of Representatives from 1970 to 1972, and as a member of the Delaware State Senate from 1972 to 1996; and

WHEREAS, Senator Cordrey served as Senate Majority Leader from 1974 to 1976, and as President Pro Tempore of the Senate from 1976 to 1996, becoming the longest-serving President Pro Tempore in Delaware history and one of the longest-serving in the nation; and

WHEREAS, as a member of the Senate, he served as chair of the Senate Banking and Ethics Committees and as co-chair of the Legislative Council, among other committee assignments; and

WHEREAS, among the many accomplishments for which Senator Cordrey is remembered are his important contributions to Delaware government’s fiscal stability and financial management, in the form of two amendments to the Delaware State Constitution, a process completed in 1980, establishing a spending cap of 98 per cent of anticipated general fund revenues and the establishment of a budget reserve account, known as a “Rainy Day Fund,” which could only be used for unanticipated deficits and other unexpected emergencies; and

WHEREAS, for posterity it should be noted that Senator Cordrey was ably assisted in conceiving of these measures by his fellow “Millsboro-ite,” close friend and mentor, former

U. S. Senator John J. Williams (1904-1988), who retired from a long and distinguished career in the U. S. Senate the same month Senator Cordrey began his duties as a Delaware State Senator, and that, as has so often been the case in Delaware history, Senator Cordrey, a lifelong Democrat, and Senator Williams, a lifelong Republican, put aside party differences in the interests of the state they both loved so well; and

WHEREAS, in the early 1980's, Senator Cordrey worked closely with Governor Pierre S. du Pont, IV, even though, again, they were of opposite political parties, to bring about enactment of the state's landmark "Financial Center Development Act," which has served to make Delaware a national banking center and has brought thousands of high-quality jobs to the state; and

WHEREAS, some years after his retirement from the Senate in 1996, he was named Delaware's Secretary of Finance by then-Governor Ruth Ann Minner, in which position he again served the state ably and well; and

WHEREAS, Senator Cordrey, younger of the two sons of John and Rachel Cordrey, was born and raised in the Sussex County town of Millsboro, where he still lives, and where he has, from his boyhood, been active in hands-on farming; and

WHEREAS, after graduating from Millsboro High School and Goldey-Beacom College, where he met and fell in love with an attractive young lady from Vineland, New Jersey, named Mary Jane Bowen, with whom he was subsequently joined in Holy Matrimony on the 5<sup>th</sup> Day of December, 1953, and with whom he was later blessed by the birth of two sons, Rick and Steve; and

WHEREAS, after completing his military service in the U. S. Army, Senator Cordrey returned to Millsboro with his wife, where they have made their home and raised their family; and

WHEREAS, for more than half a century, Senator Cordrey has owned and operated R. S. C. Farms, a successful farming and agribusiness enterprise in Millsboro and surrounding areas of Sussex County; and

WHEREAS, throughout his years in the Delaware General Assembly, Senator Cordrey was one of the few active farmers among the membership and was a strong and eloquent voice on behalf of Delaware's farmers and our state's tradition of family farming; and

WHEREAS, because of Senator Cordrey's exemplary service to the State of Delaware over many years in a number of important capacities, and because of his lifelong involvement in, and dedication to, Delaware farming, it is singularly appropriate that the Delaware Department of Agriculture's Main Administration Building south of Dover be named in honor of this distinguished Delaware farmer;

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. The Delaware Department of Agriculture Main Administration Building at 2320 South DuPont Highway, Dover, Delaware, is hereby renamed the "Richard S. Cordrey Building."

Representatives Atkins, Hocker, Schwartzkopf, Briggs King, Hudson & Atkins made comments. The roll call on **SB 249 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Longhurst & Manolakos - 3.

Therefore, having received a constitutional majority, **SB 249 w/SA 1** was returned to the Senate.

Representatives Barbieri, Mulrooney & D.E. Williams requested that they be marked present during the roll call.

The Majority Leader moved to recess for caucus at 3:57 p.m.

The House reconvened at 6:22 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 231, HB 329, HS 1 for HB 371, HB 387 w/HA 1, HB 309 w/HA 1 & SA 2; HB 349 w/HA 1, HB 103, HB 341 w/HA 1 & HB 312** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SB 274 & SB 273** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 164, HB 348 & HB 9**. The Senate wished to inform the House that it has passed **HB 261 w/ HA 1 & SA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SB 279 & SB 270** and requests the concurrence of the House and the Senate has passed **HB 350, HB 382 & HB 285** and is returning the same to the House.

MEMORANDUM

TO: Richard L. Puffer  
Chief Clerk of the House

FROM: The Honorable E. Bradford Bennett  
State Representative  
32<sup>nd</sup> District

DATE: June 21, 2012

RE: Request to Recall **House Substitute 1 for House Bill 258** from the State Senate

I request that **House Substitute 1 for House Bill 258** be recalled from the State Senate for the purpose of striking the bill.

Thank you for your attention to this request.

MEMORANDUM

TO: Bernard J. Brady

FROM: Secretary of the Senate  
Richard L. Puffer  
Chief Clerk of the House

DATE: June 28, 2012

RE: Request return of **HS 1 for HB 258** from the Senate

At the request of the Honorable E. Bradford Bennett, I hereby respectfully request the return from the Senate of **HS 1 for HB 258** for the purpose of striking the bill.

MEMORANDUM

TO: Richard L. Puffer

Chief Clerk of the House

FROM: Bernard J. Brady

Secretary of the Senate

DATE: June 28, 2012

RE: Request to Recall **House Substitute 1 for House Bill 258**

Per your request on behalf of Representative E. Bradford Bennett, I am returning **House Substitute 1 for House Bill 258** to the House of Representative for the purpose of striking the bill.

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

HEALTH & HUMAN DEVELOPMENT: **HB 403** - 8M.

HOUSE ADMINISTRATION: **SB 223** - 4M; **SB 266 w/SA 1** - 4M.

CORRECTIONS: **SB 245** - 1F,4M.

Mr. Speaker Gilligan made an announcement. Representative Manolakos requested that he be marked present. Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SJR 11**.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SJR 11**, jointly sponsored by Senator McDowell &

Representative D.P. Williams, Bushweller, Ennis, McBride, Cloutier, Connor, J. Johnson, Mitchell, M. Smith, Briggs King & Miro, before the House for consideration.

**SJR 11** - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012.

The roll call on **SJR 11** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 11** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SJR 12**.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SJR 12**, jointly sponsored by Senator McDowell & Rep.

D.P. Williams & Senators Bushweller, Ennis, McBride, Cloutier & Connor & Representatives J. Johnson, M. Smith, Mitchell, Briggs King & Miro, before the House for consideration.

**SJR 12** - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2013.

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 Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SB 260**.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SB 260**, jointly sponsored by Senator McDowell & Senators Bushweller, Ennis, McBride, Cloutier & Connor & Representatives J. Johnson, Mitchell, M. Smith, Briggs King & Miro, before the House for consideration.

**SB 260** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2013; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representatives D.P. Williams & Kowalko made comments. Representative

D.P. Williams requested and was granted privilege of the floor for Mike Morton, Deputy Controller General. Representatives Kowalko & Blakey made comments.

The roll call on **SB 260** was taken and revealed:

YES: 36.

NO: Representatives Briggs King, Hocker, Kenton, Willis & Wilson - 5.

Therefore, having received a constitutional majority, **SB 260** was returned to the Senate.

Representatives D.P. Williams, Schwartzkopf, Briggs King & Kowalko made comments regarding

**SB 260**. Representative Kowalko deferred to Representative Lavelle who made comments regarding **SB 260**.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 196 w/SA 2 & 3**, jointly sponsored by Senator Katz, before the House for concurrence on **SA 2 & 3**.

**HB 196 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF VOTERS AND TO POLLING PLACES.**

Representative Jaques made comments.

The roll call on **HB 196 w/SA 2 & 3** was taken and revealed:

YES: 35.

NO: Representatives Hudson, Manolakos, Outten, Peterman, D. Short & Wilson - 6.

Therefore, having received a constitutional majority, **HB 196 w/SA 2 & 3** was sent to the Governor.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **HB 235 w/SA 1**, jointly sponsored by Representative Carson & Senator Bunting & Representatives Atkins, Bolden, Brady, Briggs King, Heffernan, Hudson, Jaques, Keeley, Kenton, Kowalko, Longhurst, Miro, Mitchell, Peterman, Scott, B. Short, D. Short, M. Smith, Viola, Walker, Willis & Wilson & Senators Connor, Hall-Long, McBride & Sokola, before the House for concurrence on **SA 1**.

**HB 235 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS.**

Representative Bennett made comments.

The roll call on **HB 235 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 235 w/SA 1** was sent to the Governor.

Representative Schwartzkopf brought **SB 258 w/SA 1**, jointly sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins & Simpson, before the House for consideration.

**SB 258 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO VOLUNTARY DISCLOSURE OF ABANDONED OR UNCLAIMED PROPERTY.**

Representative Lavelle brought **HA 1 to SB 258** before the House for consideration. Representatives Lavelle & Schwartzkopf made comments. Representative Lavelle requested and was granted privilege of the floor for Thomas J. Cook, Secretary of Finance. Representatives Lavelle & Schwartzkopf made comments. **HA 1** was defeated by voice vote. Representative Schwartzkopf made comments.

The roll call on **SB 258 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 258 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 243 w/HA 1 & 2 & SA 1**, jointly sponsored by Representative Scott & Senator Sokola & Representatives Bolden, Heffernan, Hudson, Jaques, Longhurst, Osienski, Schooley, M. Smith & Walker & Senators Bunting & Ennis, before the House for concurrence on **SA 1**.

**HB 243 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REPORTING SCHOOL CRIMES.**

Representative Barbieri made comments.

The roll call on **HB 243 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 39.

NO: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 243 w/HA 1 & 2 & SA 1** was sent to the Governor.

Mr. Speaker Gilligan made an announcement.

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

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: **HB 376 - 7M.**

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **SB 232**, jointly sponsored by Senator Blevins & Representative M. Smith & Senators Bunting & Sokola & Representatives Barbieri, Carson, Hudson, Keeley, Miro, Mitchell, Ramone, Viola & Walker, before the House for consideration.

**SB 232 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ASSIGNMENT OF RETIRED COMMISSIONERS:**

Representative M. Smith made comments.

The roll call on **SB 232** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 232** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Wilson moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 402**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Wilson introduced and brought **HS 1 for HB 402**, jointly sponsored by Senator Venables, before the House for consideration.

**HS 1 for HB 402 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH.**

Representatives Wilson, Jaques & Keeley made comments. Representative Wilson requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control. Representative Keeley made comments.

The roll call on **HS 1 for HB 402** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 402** was sent to the Senate for concurrence.

Representative Wilson made comments regarding **HS 1 for HB 402**.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 345**, jointly sponsored by Senator Bushweller & Representatives Hocker, Hudson, Kowalko, Mitchell & Willis, before the House for consideration.

**HB 345** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS, INCLUDING CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICIES.

Representative B. Short made comments.

The roll call on **HB 345** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 345** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **HB 346**, jointly sponsored by Senator Bushweller, before the House for consideration.

**HB 346** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO REINSURANCE.

Representative B. Short made comments.

The roll call on **HB 346** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 346** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought **HB 393**, jointly sponsored by Senator Sorenson & Representatives Briggs King, Hudson, Ramone, Willis & Kowalko & Senator Bunting, before the House for consideration.

**HB 393** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS, AND SCRAP METAL PROCESSORS AND PRECIOUS METALS, PRICING, AND WEIGHING.

Representative Miro introduced and brought **HA 1 to HB 393** before the House for consideration. Representative Miro made comments. **HA 1** was adopted by voice vote. Representatives Miro & Carson made comments.

The roll call on **HB 393 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 393 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 196**, jointly sponsored by Senator Bushweller & Senator DeLuca & Representative Mitchell & Senator Cloutier, before the House for consideration.

**SB 196** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO 9-1-1 SERVICES.

Representative Scott made comments.

The roll call on **SB 196** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 196** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker brought **SB 234 w/SA 2**, jointly sponsored by Senator Blevins & Senators Bunting, Connor, Hall-Long, Henry, Marshall, Sokola & Sorenson & Representatives Heffernan, Jaques, Q. Johnson, Kowalko, Lavelle, B. Short, M. Smith & Willis, before the House for consideration.

**SB 234** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST CHILDREN.

Representative Walker made comments. Representative Lavelle requested and was granted privilege of the floor for Patricia Dailey, Deputy Attorney General. Representatives Lavelle, Miro, Keeley, Blakey, Jaques, Willis & Wilson made comments.

The roll call on **SB 234 w/SA 2** was taken and revealed:

YES: 34.

NO: Representatives Bolden, Carson, Jaques, J. Johnson, Miro, Peterman & D.P. Williams - 7.

Therefore, having received a constitutional majority, **SB 234 w/SA 2** was returned to the Senate.

Representative Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:54 p.m.  
Mr. Speaker Gilligan called the House to order at 4:02 p.m. on June 30, 2012.  
The Reading Clerk read the following communication into the record:

June 29, 2012

LEGISLATIVE ADVISORY #30

Governor Jack A. Markell signed the following legislation on the date indicated: 6/25/12 - **HB 282, HB 109 aab HA 2 & SA 1, HB 338, HB 339, HB 340 & HB 342**; 6/26/12 - **HB 293 aab HA 1, HB 369 & HB 303**; 6/27/12 - **SB 162 & HB 289 aab HA 1 & 2**; 6/28/12 - **HB 294, SB 218, SB 237, SB 188, SB 209, HS 1 for HB 209 aab HA 1, HB 333 aab HA 2 aab HA 1 to HA 2, SB 227 & SB 199 aab SA 1**.

The Majority Leader moved to adjourn at 4:04 p.m., thereby ending the current legislative day. The House reconvened at 4:05 p.m.

**46th LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - Second Session**  
**June 30, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Lincoln D. Willis, Twenty-ninth Representative District.

Mr. Speaker Gilligan invited Oliver Townsend, grandson of Representative Schwartzkopf, to lead those present in the pledge of allegiance to the American flag.

Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce guests.

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

Representatives Atkins, Scott & D.E. Williams requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought **HR 37**, jointly sponsored by Representative Lavelle, before the House for consideration.

**HR 37 - CREATING THE DELAWARE SCHOOL CONSTRUCTION WORKING GROUP**

Representatives Longhurst & Jaques made comments.

**HR 37** was adopted by voice vote.

Representatives Mitchell & Manolakos requested that they be marked present. Representative Bennett requested that **HS 1 for HB 258** be stricken. Representative Manolakos requested and was granted personal privilege of the floor to introduce guests. Representative M. Smith requested that she be marked present. Representative Kenton requested and was granted personal privilege of the floor to introduce guests. Representative Willis requested and was granted personal privilege of the floor to introduce guests. Representatives Atkins & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought **HB 198**, jointly sponsored by Senator Bunting & Representatives Briggs King, Kenton, Wilson & Atkins & Senator Venables & cosponsored by Representative Bolden, before the House for consideration.

**HB 198 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE INDIAN RIVER SCHOOL BOARD.**

Representative Hocker made comments.

The roll call on **HB 198** was taken and revealed:

YES: 40.

ABSENT: Representative Heffernan - 1.

Therefore, having received a constitutional majority, **HB 198** was sent to the Senate for concurrence.

Representative D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Kenton.

Representative Kenton brought **SB 248**, jointly sponsored by Senator Peterson & Representative Brady & Representative Ramone & Senators Ennis, Henry, McDowell, Sokola, Simpson & Connor & Representatives Bennett, Gilligan, J. Johnson, Kowalko, Mitchell, M. Smith, Hocker & Manolakos, before the House for consideration.

**SB 248 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND THE PROVISION OF TELECOMMUNICATIONS SERVICE FOR PERSONS WHO HAVE DEAFNESS, HEARING LOSS OR SPEECH DISABILITIES.**

Representatives Kenton & Brady made comments.

The roll call on **SB 248** was taken and revealed:

YES: 40.

ABSENT: Representative Heffernan - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 248** was returned to the Senate.

Mr. Speaker Gilligan requested that JoAnn Hedrick, Chief Clerk Emeritus, her husband and family join him at the podium. Mr. Speaker Gilligan presented a House Tribute and a gift to JoAnn & Ed Hedrick in recognition of their 50th Wedding Anniversary. JoAnn & Ed Hedrick addressed the House.



Representative Heffernan requested that she be marked present. Representative Briggs King made comments.

Representative Briggs King brought **SB 223**, jointly sponsored by Senator Booth & Representative Kenton, before the House for consideration.

**SB 223** - AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN. (2/3 bill)

Representative Briggs King brought **HA 1 to SB 223** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Briggs King, Jaques & Schwartzkopf made comments.

The roll call on **SB 223 w/HA 1** was taken and revealed:

YES: 40.

NO: Representative Jaques - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 223 w/HA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 410**.

The Reading Clerk read the following communication into the record:

**DEBT LIMIT STATEMENT TO FISCAL YEAR 2013**

This Debt Limit Statement is to be attached to the Fiscal Year 2013 Bond and Capital Improvement Act as required by 29 Del C. §7422.

|                                                                                                                                                                                                                                                                                             |                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| (1) <b>Estimated Net General Fund revenue</b> for the<br>Fiscal year ending June 30, 2013 as per the<br>joint resolution of the House and Senate which<br>will be signed by the Governor in connection<br>with the adoption of the annual Budget Appropriation<br>Bill for that fiscal year | \$ 3,689.7 million |
| (2) Multiply by 5%                                                                                                                                                                                                                                                                          | X .05              |
| (3) Maximum aggregate principal amount of tax-<br>supported obligations which may be authorized<br>by the State in the fiscal year ending June 30, 2013.                                                                                                                                    | \$ 184.485 million |
| (4) Less: Aggregate principal amount of previously<br>Authorized tax-supported obligations subject to debt limit.                                                                                                                                                                           | \$ 0 million       |
| (5) <b>AVAILABLE DEBT LLIMIT</b> prior to appended legislation<br>(Line 3 minus Line 4).                                                                                                                                                                                                    | \$ 184.485 million |
| (6) Less: Aggregate principal amount of new tax-<br>supported obligations subject to debt limit<br>to be authorized pursuant to appended legislation.                                                                                                                                       | \$ 0 million       |
| (7) <b>REMAINING DEBT LIMIT</b> (Line 5 minus Line 6).                                                                                                                                                                                                                                      | \$ 184.485 million |

Thomas J. Cook  
June 26, 2012

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley brought **HB 410**, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooley, Viola, Hudson & Lee & Senators Bunting, Hall-Long, Sokola, Bonini & Booth, before the House for consideration.

**HB 410** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND BOND PREMIUMS 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 STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representatives Keeley, Kowalko & B. Short made comments.

The roll call on **HB 410** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 410** was sent to the Senate for concurrence.

Representatives Keeley, Lavelle & Schwartzkopf made comments regarding **HB 410**.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought **HB 403**, jointly sponsored by Senator Henry & Senator Connor & Representative Hudson, before the House for consideration.

**HB 403** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HOSPITAL INFECTIONS DISCLOSURE ACT.

Representative Barbieri brought **HA 1 to HB 403** before the House for consideration. Representative Barbieri made comments. **HA 1** was adopted by voice vote. Representative Barbieri made comments.

The roll call on **HB 403 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 403 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 203**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 203 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE AND RISK RETENTION GROUPS.**

Representative B. Short made comments.

The roll call on **SB 203** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 203** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **SCR 43**, jointly sponsored by Senator Marshall, before the House for consideration.

**SCR 43 - ESTABLISHING A TASK FORCE TO WORK WITH THE DEPARTMENT OF EDUCATION TO ENSURE THAT THE STATE'S AMERICAN HISTORY CURRICULUM CONTAINS A BALANCED PRESENTATION OF THE HISTORY OF ORGANIZED LABOR AND COLLECTIVE BARGAINING AND THEIR IMPORTANCE IN THE DEVELOPMENT OF MODERN AMERICA.**

Representatives Brady, Miro, Lavelle, Kowalko, Blakey & Manolakos made comments.

The roll call on **SCR 43** was taken and revealed:

YES: 30.

NO: Representatives Atkins, Briggs King, Hocker, Kenton, Lavelle, Lee, Miro, Outten, Peterman, D. Short & Wilson - 11.

Therefore, having received a constitutional majority, **SCR 43** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **SB 222 w/SA 1**, jointly sponsored by Senator Ennis, before the House for consideration.

**SB 222 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE HERITAGE COMMISSION AND THE COUNCIL ON ARCHIVES.**

Representative Scott requested that **HA 1 to SB 222** be stricken and made comments.

The roll call on **SB 222 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 222 w/SA 1** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 5:10 p.m.

The House reconvened at 5:11 p.m.

Representative D.E. Williams introduced **HA 1 to HB 404**. **HA 1** was placed with the Bill.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced and brought **HCR 57**, jointly sponsored by Representative Willis & Representative M. Smith & Senator Hall-Long & Representative Q. Johnson & Senators Bushweller, Connor & Sorenson, before the House for consideration.

**HCR 57 - CREATING A TASK FORCE TO EXAMINE PROGRAMS FOR GIFTED AND TALENTED STUDENTS IN THE STATE OF DELAWARE.**

Representatives Scott, Miro, Willis & Kowalko made comments.

**HCR 57** was adopted by voice vote and was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:21 p.m.

The House reconvened at 8:06 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 265** and requests the concurrence of the House and Senate has passed **HB 410** and is returning the same to the House. The Senate wishes to inform the House that it has passed **SJR 13** and requests the concurrence of the House.

Mr. Speaker Gilligan requested that Doug & Linda VanSant & Representative Scott join him at the podium. Mr. Speaker Gilligan addressed the House and presented a gift to the VanSants on the occasion of their 50th Wedding Anniversary. Representative Scott presented a House Tribute to the VanSants.

Mr. Speaker Gilligan introduced the VanSants' son. Doug VanSant, Sr. addressed the House.

Mr. Speaker Gilligan announced that he will not seek re-election in November 2012.

Representatives D.P. Williams made comments. Mr. Speaker Gilligan addressed the House. Representatives Lavelle, Mitchell, D.P. Williams, Schwartzkopf & Mulrooney made comments. Mr. Speaker Gilligan invited Governor Jack A. Markell into the House chamber and to the podium. Governor Markell addressed the House. Mr. Speaker Gilligan addressed the House. Representatives Kowalko, Hocker, M. Smith, Miro, Blakey, Schooley, D.E. Williams & Longhurst made comments. Mr. Speaker Gilligan addressed the House.

Representatives Lee & Atkins made comments. Mr. Speaker Gilligan addressed the House. Representatives J. Johnson, Brady, Ramone & Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 8:57 p.m.

The House reconvened at 9:39 p.m.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced and brought **HCR 56**, jointly sponsored by Senator Bushweller, before the House for consideration.

**HCR 56** - DESIGNATING THE WEEK OF OCTOBER 15 THROUGH 21, 2012 AS “DELAWARE WINE & BEER WEEK.”

Representatives Scott & Lavelle made comments.

**HCR 56** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short introduced and brought **SCR 45** on behalf of All Representatives and jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**SCR 45** - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2012 SESSION OF DELAWARE GIRLS STATE.

Representative D. Short made comments.

**SCR 45** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker introduced and brought **HR 36**, jointly sponsored by Representative Longhurst & Representatives Bolden, Briggs King, Heffernan, Hudson, Keeley, Schooley & M. Smith, before the House for consideration.

**HR 36** - RECOGNIZING THE IMPORTANCE OF FOSTERING LEADERSHIP SKILLS AND THE SPIRIT OF PUBLIC SERVICE IN THE NEXT GENERATION OF DELAWARE WOMEN AND URGING THE EXPANSION OF THE GIRLS STATE PROGRAM.

Representative Walker made comments.

**HR 36** was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought **HB 309 w/HA 1 & SA 1**, jointly sponsored by Representative Carson & Senator Bushweller & Representative Brady & Senator Sokola & cosponsored by Representative Schooley, before the House for concurrence on **SA1**.

**HB 309** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Representative Scott introduced and brought **HA 2 to HB 309** before the House for consideration. Representative Scott made comments. **HA 2** was adopted by voice vote. Representative Scott made comments.

The roll call on **HB 309 w/HA 1, SA 2 & HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 309 w/HA 1, SA 2 & HA 2** was sent to the Senate.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 261 w/HA 1 & SA 1**, jointly sponsored by Senator Hall-Long & Representatives Briggs King, Hudson & D. Short & cosponsored by Representatives Carson, Jaques & Osienski, before the House for concurrence on **SA 1**.

**HB 261** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TERMINATION OF UTILITY SERVICE OR SALE.

Representatives Longhurst & Kowalko made comments.

The roll call on **HB 261 w/HA 1 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 261 w/HA 1 & SA 1** was sent to the Governor.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SB 279**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought **SB 279**, sponsored by Senator McDowell & Senators Cloutier, Ennis & McBride & Representatives Briggs King, J. Johnson, Mitchell & M. Smith, before the House for consideration.

**SB 279** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS AND PENSIONS. (F/N)

Representative D.P. Williams made comments.

The roll call on **SB 279** was taken and revealed:

YES: 40.

NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority, **SB 279** was returned to the Senate.

Representative Schwartzkopf brought **Consent Agenda B**, which requires a two-thirds vote, before the House for consideration.

**SB 184** - BUNTING & REPRESENTATIVE KOWALKO; SENATORS KATZ, MARSHALL & SIMPSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Athlete Agents.

**SB 197** - BUNTING & REPRESENTATIVE KOWALKO & SENATORS KATZ, LAWSON, MARSHALL & SORENSON & REPRESENTATIVES ATKINS, BENNETT, RAMONE & D. SHORT - An Act to Amend Title 16 of the Delaware Code Relating to Radiation Control.

**SB 200** - BLEVINS & REPRESENTATIVE BARBIERI & SENATOR SORENSON & REPRESENTATIVE HUDSON - An Act to Amend Title 13 of the Delaware Code Relating to the Fatal Incident Review Team.

**SB 201** - BUNTING & REPRESENTATIVE HOCKER - An Act to Amend the Charter of the Town of South Bethany as Amended.

**SB 210** - HENRY & REPRESENTATIVE BARBIERI & SENATORS SOKOLA & SORENSON & REPRESENTATIVES BOLDEN, HEFFERNAN, KEELEY, MITCHELL & BRIGGS KING - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic and Other Emergency Medical Service Systems

**SB 236** - PETERSON & REPRESENTATIVES KEELEY, BENNETT & KENTON - An Act to Amend Title 3 of the Delaware Code Relating to Rabies Vaccination.

**SB 241** - KATZ & REPRESENTATIVE SCHWARTZKOPF & SENATORS BLEVINS, BUNTING, BUSHWELLER, CLOUTIER, DELUCA, ENNIS, HALL-LONG, HENRY, PETERSON, MCDOWELL, MARSHALL, SOKOLA, SORENSON & VENABLES & REPRESENTATIVES BRADY, HEFFERNAN, HUDSON, JAQUES, KOWALKO, LAVELLE, MANOLAKOS, MIRO, RAMONE, B. SHORT & D.E. WILLIAMS - An Act to Amend Title 17 of the Delaware Code Relating to the Brandywine Valley National Scenic Byway.

**SB 243** - VENABLES & REPRESENTATIVE LEE - An Act to Amend the Charter of the Town of Laurel Relating to Impact Fees and Liens.

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

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 184, SB 197, SB 200, SB 201, SB 210, SB 236, SB 241 & SB 243** were returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **Consent Agenda A**. The motion was properly seconded and adopted by voice vote.

Representative Schwartzkopf brought **Consent Agenda A**, which requires a three-fourths vote, before the House for consideration.

**SB 202** - BUSHWELLER & REPRESENTATIVE B. SHORT - An Act to Amend Title 18 of the Delaware Code Relating to Property Insurance Contracts (Declinations, Renewals and Cancellations of Property Insurance Contracts).

**SB 246** - ENNIS & REPRESENTATIVE MITCHELL - An Act to Amend Title 29 of the Delaware Code Relating to the State Emergency Response Commission.

**SB 247** - DELUCA & REPRESENTATIVE B. SHORT - An Act to Amend Title 12, Chapter 49A of the Delaware Code Relating to Durable Personal Powers of Attorney.

**SB 261** - ENNIS & REPRESENTATIVE CARSON - An Act to Authorize and Approve the Transfer by the Smyrna School District to the Town of Smyrna of Certain Real Property Including Approximately 1.65 Acres Located at the Intersection of Rabbit Chase Lane and Sunnyside Road.

**SB 269** - BUNTING & REPRESENTATIVE SCHWARTZKOPF - An Act to Amend the Charter of the City of Rehoboth Beach Relating to Indebtedness.

**SB 270** - BUNTING & REPRESENTATIVE JAQUES & ALL SENATORS & ALL REPRESENTATIVES - An Act to Amend Title 29 of the Delaware Code Relating to Delaware Commission of Veteran's Affairs Member Appointments.

**SJR 9** - BUSHWELLER & REPRESENTATIVE SCOTT & SENATORS SOKOLA, BUNTING, ENNIS, LAWSON & SIMPSON & REPRESENTATIVES Q. JOHNSON, WALKER, MITCHELL, KENTON, HOCKER, B. SHORT, PETERMAN, OSIENSKI, WILLIS, BRADY, RAMONE, OUTTEN, BRIGGS KING & JAQUES - Urging All Delawareans to Honor the Memory and Momentous Achievements of the Honorable John Patten, Delaware Revolutionary War Hero and U. S. Congressman.

**SJR 10** - BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE M. SMITH ON BEHALF OF ALL REPRESENTATIVES - Declaring the Week Of October 14-20 as "Mediation Week" in Delaware.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 202, SB 246, SB 247, SB 261, SB 269, SB 270, SJR 9 & SJR 10** were returned to the Senate.

Representative Jaques requested and was granted personal privilege of the floor to make comments.  
Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **SB 254**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Atkins brought **SB 254**, jointly sponsored by Senator Bunting & Senators Ennis & Hall-Long & Representatives Kenton & Walker, before the House for consideration.

**SB 254** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AS IT RELATES TO THE HAZARDOUS MATERIALS TRANSPORTATION ACT AND TITLE 21 OF THE DELAWARE CODE AS IT RELATES TO MOTOR CARRIER SAFETY.

Representative Atkins made comments.

The roll call on **SB 254** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 254** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 212 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Bunting, Ennis, Henry, Sorenson & Venables & Representatives Brady, Keeley, Mitchell, Osienski, D. Short & Viola, before the House for consideration.

**SB 212** - AN ACT TO AMEND TITLES 9, 22, AND 29 OF THE DELAWARE CODE RELATING TO STATE AND LOCAL GOVERNMENTS AND LEGAL NOTICES.

Representative Atkins made comments.

The roll call on **SB 212 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 212 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought **SB 244**, jointly sponsored by Senator Henry & Senators Bunting & Sokola & Representatives Barbieri, Heffernan, Q. Johnson, Keeley, Mitchell, Osienski, Briggs King, Hocker & Willis, before the House for consideration.

**SB 244** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Representative Bennett made comments.

The roll call on **SB 244** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 244** was returned to the Senate.

Representative Schwartzkopf deferred to Representative M. Smith.

Representative M. Smith brought **SCR 44**, jointly sponsored by Senator Blevins & Senator Peterson & Representatives Jaques & Willis, before the House for consideration.

**SCR 44** - ESTABLISHING AN ANIMAL WELFARE TASK FORCE TO CONSIDER AND EVALUATE THE STATE OF ANIMAL WELFARE IN DELAWARE.

Representative M. Smith made comments.

**SCR 44** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 177**, sponsored by Senator Henry & Representative J. Johnson & Senator DeLuca, before the House for consideration.

**SB 177** - AN ACT TO AMEND CHAPTER 4, TITLE 4 OF THE DELAWARE CODE RELATING TO THE DIVISION OF ALCOHOL AND TOBACCO ENFORCEMENT.

Representative Mitchell made comments.

The roll call on **SB 177** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 177** was returned to the Senate.

Representative Scott made comments regarding **SB 177**.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representative Mulrooney moved to suspend the rules which interfere with action on **SB 238**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mulrooney brought **SB 238**, sponsored by Senator DeLuca & Representative Gilligan & Senators Bunting, Ennis & Henry & Representatives Heffernan, Hudson, Jaques, Keeley & Osienski, before the House for consideration.

**SB 238** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND THE HEALTH CARE PAYMENT SYSTEM.

Representative Mulrooney made comments.

The roll call on **SB 238** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 238** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **SB 245**, jointly sponsored by Senator Ennis, before the House for consideration.

**SB 245** - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION.

Representative J. Johnson made comments.

The roll call on **SB 245** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 245** was returned to the Senate.

Representative Schwartzkopf brought **SB 266 w/SA 1**, jointly sponsored by Senator Booth & Senator Bunting & Senator Simpson & Representatives Bennett, Bolden, Carson & Kenton, before the House for consideration.

**SB 266** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **SB 266 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 266 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 **HB 378, HB 377, HB 370, HB 383, HB 326, HB 328 & HB 315 w/HA 1** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 398, HB 372 w/HA 1, HB 374 w/HA 1, HB 401 w/HA 1, HCR 53, HCR 54, HCR 55 & HCR 57** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 273**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri brought **SB 273**, jointly sponsored by Senator Henry & Senator Bushweller & Representatives Bennett, Heffernan, Keeley & Kowalko, before the House for consideration.

**SB 273** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

Representative Barbieri made comments.

The roll call on **SB 273** was taken and revealed:

YES: 40.

NO: Representative M. Smith - 1.

Therefore, having received a constitutional majority, **SB 273** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri moved to suspend the rules which interfere with action on **SB 274**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri brought **SB 274**, jointly sponsored by Senator Henry & Senator Bushweller & Representative Bennett, before the House for consideration.

**SB 274** - AN ACT TO AMEND TITLE 13 AND TITLE 30 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT.

Representative Barbieri made comments.

The roll call on **SB 274** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 274** was returned to the Senate.

Representative Schwartzkopf brought **SB 277**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 277** - AN ACT TO AMEND TITLE 4 AND TITLE 29 OF THE DELAWARE CODE AMENDING THE APPEAL PROCESS FROM A DECISION OF THE DELAWARE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER.

Representative Schwartzkopf made comments.

The roll call on **SB 277** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 277** was returned to the Senate.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams moved to suspend the rules which interfere with action on **SB 271**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.E. Williams brought **SB 271**, jointly sponsored by Senator Katz & Senators Blevins, Bunting, Bushweller, DeLuca, Ennis, Hall-Long, Henry, Marshall, McBride, McDowell, Peterson,

Simpson, Sokola & Venables & Representatives Heffernan, Jaques, J. Johnson, Lavelle, Schwartzkopf, Scott, B. Short, Willis & Hudson, before the House for consideration.

**SB 271 - AN ACT TO AMEND TITLE SUBCHAPTER IX OF TITLE 30 OF THE DELAWARE CODE RELATING TO TAX CREDITS. (F/N)**

Representatives D.E. Williams, Kowalko, Keeley & Briggs King made comments. Representative D.E. Williams requested and was granted privilege of the floor for David Gregor, Deputy Secretary of Finance. Representatives Briggs King, Lavelle, Ramone, Kowalko, D. Short, D.E. Williams & Jaques made comments. Representatives D.E. Williams, Carson & Keeley made comments.

The roll call on **SB 271** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Blakey, Briggs King, Hocker, Jaques, Kenton, Kowalko, Lee, Outten & Wilson - 10.

Therefore, having received a constitutional majority, **SB 271** was returned to the Senate.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

Mr. Speaker Gilligan requested that Deborah Porter, Acting Director, Legislative Council, join him at the podium. Mr. Speaker Gilligan presented a House Tribute to Ms. Porter on the occasion of her retirement. Mr. Speaker Gilligan made an announcement. Representative Jaques requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko requested and was granted privilege of the floor for himself and Representative Longhurst to present a House Tribute to John R. Armitage, Jr., Director, Government Relations, University of Delaware, on the occasion of his retirement. Representatives Schwartzkopf & D.P. Williams made comments. Mr. Armitage addressed the House. Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 181**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Mitchell brought **SB 181**, jointly sponsored by Senator Ennis & Representative Lee & Representative Carson & Senator Lawson & Representatives Walker, Bennett, & Outten, before the House for consideration.

**SB 181 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS.**

Representative Mitchell made comments.

The roll call on **SB 181** was taken and revealed:

YES: 40.

ABSENT: Representative M. Smith - 1.

Therefore, having received a constitutional majority, **SB 181** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Heffernan.

Representative Heffernan moved to suspend the rules which interfere with action on **SB 225 w/SA 1 & 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Heffernan brought **SB 225 w/SA 1 & 2**, jointly sponsored by Senator McDowell & Representative Brady & Senators Simpson, Venables, Ennis, Bunting, Cloutier, Connor & Sorenson & Representatives Bennett, Hudson, Mitchell & Blakey, before the House for consideration.

**SB 225 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HELMETS FOR HORSEBACK RIDERS. (2/3 bill)**

Representatives Heffernan & Briggs King made comments. Representative Briggs King requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Carson, Keeley, Heffernan & Atkins made comments.

The roll call on **SB 225 w/SA 1 & 2** was taken and revealed:

YES: Representatives Barbieri, Bennett, Bolden, Brady, Heffernan, Hudson, Jaques, Q. Johnson, Keeley, Kowalko, Lavelle, Longhurst, Mitchell, Mulrooney, Osienski, Schooley, Scott, B. Short, M. Smith, Viola, Walker, D.E. Williams, D.P. Williams & Gilligan - 24.

NO: 16.

ABSENT: Representative Manolakos - 1.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **SB 225 w/SA 1 & 2** was declared defeated.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on **SB 230**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative B. Short brought **SB 230**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 230 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO RISK-BASED CAPITAL (RBC) FOR INSURERS.**

Representative B. Short made comments.

The roll call on **SB 230** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 230** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Walker.

Representative Walker moved to suspend the rules which interfere with action on **SB 257**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Walker brought **SB 257**, jointly sponsored by Senator Hall-Long & Senators Blevins, Ennis, Henry, Katz, Simpson, Sokola & Sorenson & Representatives Barbieri, Briggs King, Carson, Jaques, Q. Johnson, Keeley & Ramone, before the House for consideration.

**SB 257 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ASSISTANCE WITH MEDICATIONS.**

Representative Walker made comments.

The roll call on **SB 257** was taken and revealed:

YES: 40.

NOT VOTING: Representative Bolden - 1.

Therefore, having received a constitutional majority, **SB 257** was returned to the Senate.

Representative Hudson made comments regarding **SB 257**.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 240** and requests the concurrence of the House.

The Majority Leader moved to recess to the call of the Chair at 11:55 p.m.

The Majority Leader moved to adjourn the Second Session of the 146th General Assembly at 12:00 a.m. on July 1, 2012.

The Reading Clerk read the following communication into the record:

TO: The Members of the 146<sup>th</sup> General Assembly  
FROM: Matthew Denn, Lieutenant Governor of the State of Delaware  
Robert F. Gilligan, Speaker of the House of Representatives  
SUBJECT: Special Session  
DATE: July 01, 2012

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 146th General Assembly of the State of Delaware in Special Session.

Matthew Denn, Lieutenant Governor  
and President of the Senate  
Robert F. Gilligan  
Speaker of the House of Representatives

### **1st LEGISLATIVE DAY - 146th GENERAL ASSEMBLY - First Special Session July 1, 2012**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

Mr. Speaker Gilligan announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Mr. Speaker Gilligan appointed Representative Lee as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on **SB 231 w/SA 1**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought **SB 231 w/SA 1**, jointly sponsored by Senator Peterson & Senator Sokola & Representatives Bennett, J. Johnson, Scott & Hudson, before the House for consideration.

**SB 231 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.**

Representatives Gilligan, Lavelle & Schwartzkopf made comments.

The roll call on **SB 231 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Longhurst - 1.

Therefore, having received a constitutional majority, **SB 231 w/SA 1** was returned to the Senate.

Representative Bolden requested that she be marked present during the roll call. Mr. Speaker Gilligan resumed the Chair. Representative Kowalko made comments.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on **SB 265**. The motion was seconded by Representative J. Johnson and adopted by voice vote.



Representative D.P. Williams brought **SB 265**, jointly sponsored by Senator McDowell & Senators Bushweller, Ennis, McBride, Cloutier & Connor & Representatives J. Johnson, Mitchell, M. Smith, Briggs King & Miro, before the House for consideration.

**SB 265** - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2013; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2013 APPROPRIATIONS ACT. (3/4 bill)

The roll call on **SB 265** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 265** was returned to the Senate.

Representatives Longhurst requested that she be marked present during the roll call. Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone introduced a guest and made comments. Representative Miro introduced a guest.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott introduced and brought **HR 38** before the House for consideration.

**HR 38** - URGING THE PUBLIC AND PRIVATE SECTORS TO EXAMINE PROSPECTIVE ADVANCES IN TECHNOLOGIES AND DELAWAREANS' EXPECTATION OF PRIVACY IN SOCIAL MEDIA NETWORKING AND ELECTRONIC DEVICES.

**HR 38** was adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 12:20 a.m. The House reconvened at 12:41 a.m.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady moved to suspend the rules which interfere with action on **SJR 13**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought **SJR 13**, jointly sponsored by Senator McDowell & Representative D.P. Williams, before the House for consideration.

**SJR 13** - REQUIRING THE DEPARTMENT OF TRANSPORTATION TO REQUIRE THE INSPECTION OF THE RAILROAD TRESTLES OVER 18TH STREET AND CONCORD AVENUE IN WILMINGTON AND TO PURSUE ALL REMEDIES AVAILABLE THEREAFTER AS NECESSARY.

Representatives Brady, Lavelle & Keeley made comments.

The roll call on **SJR 13** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SJR 13** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 240**. The motion was seconded by Representative Viola and adopted by voice vote.

Representative Mitchell brought **SB 240**, jointly sponsored by Senator Ennis & Senators Bushweller, Hall-Long & Lawson & Representatives Carson & Lee, before the House for consideration.

**SB 240** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. (F/N)

Representative Mitchell made comments.

The roll call on **SB 240** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 240** was returned to the Senate.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 389, HB 385, HB 281 & HJR 18** and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 192 w/SA 1**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 192** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN.

Representative Mitchell made comments.

The roll call on **SB 192 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 192 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **SB 215**, jointly sponsored by Senator Marshall & Senator McDowell & Representatives M. Smith & Wilson, before the House for consideration.

**SB 215** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN.

Representative Mitchell made comments.

The roll call on **SB 215** was taken and revealed:

YES: 40.

ABSENT: Representative Peterman - 1.

Therefore, having received a constitutional majority, **SB 215** was returned to the Senate.

Mr. Speaker Gilligan made comments. Representative Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 12:55 a.m.

COMMUNICATIONS RECEIVED AFTER JULY 1, 2012

July 1, 2012

The Senate wishes to inform the House that it has passed **HB 309 w/HA 1 & SA 2 & HA 2; HS 1 for HB 402; HB 198; HB 403 w/HA 1; HB 384 w/HA 1 & HB 357** and is returning the same to the House.

July 1, 2012

The Senate wishes to inform the House that it has passed **HB 323; HB 345; HB 346 & HCR 56** and is returning the same to the House.

7-3-12

The Senate wishes to inform the House that it has defeated **HB 242 w/HA 1 aab HA 1 & HB 363** and is returning the same to the House.

July 3, 2012

LEGISLATIVE ADVISORY #31

Governor Jack A. Markell signed the following legislation on the date indicated: 7/1/12 - **SB 212 aab SA 1, SB 279, SJR 11, SJR 12, SB 260, SB 265, HB 410 & HB 383.**

July 10, 2012

LEGISLATIVE ADVISORY #32

Governor Jack A. Markell signed the following legislation on the date indicated: 7/5/12 - **HB 181 aab HA 2, HB 231, HB 328, HB 196 aab SA 2 & 3, HB 341 aab HA 1, HB 370, HB 235 aab SA 1, HJR 18, SB 196, HB 322, SB 216 aab SA 1, HB 348, SB 245, HB 351 aab HA 1, SB 273, SB 270, SB 200, SB 210 aab SA 1 & 2, SB 274, SB 246, HB 382, SB 243 aab SA 1 & SB 232.**

The following is a constitutional amendment and does not require the Governor's signature: **SB 221.**

July 17, 2012

LEGISLATIVE ADVISORY #33

Governor Jack A. Markell signed the following legislation on the date indicated: 7/11/12 - **SB 258 aab SA 1, HB 164 & SB 255; 7/12/12 - HB 222 aab HA 1 & 2, SB 203, SJR 10, SB 261, SB 236, SB 201, HB 87 aab HA 1 & SA 1, HB 315 aab HA 1, HB 385, SB 222 aab SA 1, SB 230 & SB 190 aab SA 1 & 2; 7/16/12 - HB 319 aab HA 1.**

The following is a constitutional amendment and does not require the Governor's signature: **HB 9.**

July 24, 2012

LEGISLATIVE ADVISORY #34

Governor Jack A. Markell signed the following legislation on the date indicated 7/18/12 - **HB 198, HB 103, HB 252, SB 197, HB 261 aab HA 1 & SA1, HB 281, HB 318, SB 257, HB 329, HB 372 aab HA 1, HB 285, HB 323, HB 374 aab HA 1, HB 377, HB 389, SB 177 & HB 378; 7/20/12 - HB 345, HB 403 aab HA 1, HS 1 for HB 402, HB 185, HB 309 aab HA 1, SA 2 & HA 2, HB 398, SB 178 & SB 206 aab SA2 & HA 1; 7/23/12 - SB 269 aab HA 1 & HB 335 aab HA 1.**

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/18/12 - **SB 223 aab HA 1.**

July 31, 2012

LEGISLATIVE ADVISORY #35

Governor Jack A. Markell signed the following legislation on the date indicated: 7/24/12 - **HS 1 for HB 311 aab HA 2 & HJR 17; 7/25/12 - HB 269 aab HA 1; 7/27/12 - HJR 16, HB 401 aab HA 1, HB 357, HB 346, HB 313, HB 312, HB 295, HS 1 for HB 227, SB 247, SB 244, SB 240, SB 229 aab SA 1, SB 228 aab SA 2, SB 215, SB 192 aab SA 1, SB 184, SB 181, HB 268 aab HA 1 & SB 193; 7/28/12 - HB 350.**

August 3, 2012

LEGISLATIVE ADVISORY #36

Governor Jack A. Markell signed the following legislation on the date indicated: 7/31/12 - **HB 275 aab SA 2; 8/1/12 - SB 231 aab SA 1, SB 254, SB 277 & SB 266 aab SA 1; 8/2/12 - SJR 9, SB 202 aab SA 1 & HB 349 aab HA 1.**

August 9, 2012

LEGISLATIVE ADVISORY #37

Governor Jack A. Markell signed the following legislation on the date indicated: 8/3/12 - **SB 248, HB 384 aab HA 1 & SB 211 aab SA 2 & HA 1; 8/7/12 - SB 238; 8/8/12 - SB 226 aab SA 1; 8/9/12 - HB 365.**

August 17, 2012

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE 146<sup>TH</sup> GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing House Bill No. 387 by returning it with my objections to the Delaware House of Representatives without my signature.

House Bill No. 387 would provide retirees in closed pension plans for the City of Wilmington Police and Fire Departments with biennial direct payments from the State. The payments, which will average more than \$5,000 at first, and could grow substantially beyond that, are not pension increases. Instead, they are direct payments from a fund created with state tax dollars that was originally intended to fund pension increases. Current law already allows these funds to be used to finance municipal and county police and fire pension increases if the local government is willing to pay 25% of the costs. House Bill No. 387 circumvents the City of Wilmington's role under this law and directs a portion of these funds directly to City of Wilmington police and fire pensioners. By doing so, the bill effectively eliminates the 25% cost-share for the City and creates a payment structure outside of the regular pension system. This bill would eventually result in direct payments of tens or hundreds of thousands of dollars each to a few Wilmington police and fire pensioners. For the following reasons, I do not think transferring state tax dollars directly to municipal pensioners in the manner proposed in House Bill No. 387 is a sensible policy for retirement benefits and I am vetoing the bill.

Let me begin by describing the current structure for state tax-financed pension increases for local police and fire department retirees. Since 1990, Delaware insurance customers have paid a supplemental 0.25% tax on premiums for most insurance. 18 *Del. C.* § 708(a); 67 *Del. Laws* c.327. Each year, this tax generates approximately \$8 million that is set aside in a special fund to benefit county and municipal police pension funds. Of that amount, approximately \$5 million is paid directly to the operators of county and municipal police pension funds, which assists New Castle County and several municipalities with ongoing pension commitments. 18 *Del. C.* § 708(b).

Another approximately \$3 million is deposited annually into a special fund, managed by the Board of Pension Trustees, to provide post-retirement increases, over and above the pension benefits originally promised, for certain retired county and municipal police and firefighters. *Id.* at § 708(c). This fund is known as the County & Municipal Police and Firefighters' COLA Fund (the "COLA Fund"), and is the subject of House Bill No. 387.

Only three county or municipal governments benefit from the COLA Fund. The City of Wilmington, New Castle County, and the City of Dover all meet the requirements of Section 708(c) because they operate their own local police and firefighter pension funds and elected to participate in the State-administered County and Municipal Police/Firefighter Pension Plan for employees hired after they joined the State-administered plan.<sup>1</sup> *Id.* That is, in each of these localities the more recently hired police or firefighters participate in the State-administered pension plan, but employees and retirees hired before the locality joined the state-administered plan still participate in a locally-administered pension plan that is "closed" to new members.<sup>2</sup> The COLA Fund exists to finance post-retirement pension increases in these closed pension plans. The funds are divided proportionately among these eligible pension plans based on the number of retirees, although the City of Wilmington's police and fire retirees represent about two-thirds of the total. To access the COLA Fund, each local government must propose a planned pension increase to the Board of Pension Trustees and commit local funds to cover 25% of the costs.<sup>3</sup> *Id.* at §708(c)(2). If the locality does not request a pension increase and finance it with matching funds, then funds sitting unused for more than five years will revert to the state General Fund. *Id.* at §708(c)(3). Those unused amounts that revert have contributed to the general obligations of state government to finance teachers, state parks, highway construction and other programs.

New Castle County and the City of Dover have used their portion of funds to provide cost-of-living adjustments guaranteed in their pension plans. Each has paid at least the 25% match required by the law. The City of Wilmington has used the funds to provide periodic increases, the last of which was requested by the City and approved by the Board of Pension Trustees in 2006. Because the City's portion of the COLA Fund has not been used to grant an increase since 2006, Wilmington's unused portion of the COLA Fund has grown over the years and been used to support the state General Fund.

House Bill No. 387 circumvents the City of Wilmington's decision not to use the COLA Fund to grant an increase in pensions. It proposes that rather than requiring the City to finance 25% of any increase, the COLA Fund instead be used to finance a biennial disbursement directly to eligible retirees. The Board of

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<sup>1</sup> The Town of New Castle and the Town of Elsmere both also qualify to benefit from the COLA Fund, but each has fewer than 10 retirees in its closed pension plan and neither has ever sought to grant a post-retirement pension increase from the COLA Fund.

<sup>2</sup> Dover joined the COLA Fund in 1991, with Wilmington in 1992, New Castle County in 1993, and the Town of New Castle in 1996. See Delaware Public Employees Retirement System 40<sup>th</sup> Comprehensive Annual Financial Report, at 111, available at <http://delawarepensions.com/financials/fy11cafr.pdf>. The Town of Elsmere joined at the beginning of the 2012 fiscal year.

<sup>3</sup> The original law required a 50% matching contribution from the local government. That was lowered to 25% in 1996. 70 *Del. Laws* c.464 § 1 (July 9, 1996).

Pension Trustees would determine the total amount to distribute, as long as \$500,000 remains in the fund after the biennial distribution. Practically, this \$500,000 requirement excludes Dover and New Castle County pensioners from benefitting from the bill in the near-term because neither government generally maintains balances in their portions of the COLA Fund in excess of that amount due to their smaller size and ongoing obligations to fund previously granted cost-of-living-adjustments.<sup>4</sup>

The Board of Pension Trustees is required to make disbursements under House Bill No. 387. The Board retains discretion over only the amount of the total disbursement. It met recently and decided that if House Bill No. 387 becomes law, it will allocate \$3.8 million for disbursement this September to participants in the City's closed police and fire pension plans. Although each retiree's payment will depend on his or her years since retirement, the average retiree payment is likely to be more than \$5,000. The bill requires that this process repeat itself in 2014 and every other year thereafter.

In short, the bill effectively provides biennial transfers to City of Wilmington police and fire pensioners that avoid any involvement by the City of Wilmington or any locally-funded matching contribution. While I appreciate the General Assembly's desire to see that this money benefits the persons for whom it was intended, the direct payment scheme in House Bill No. 387 has three significant flaws.

**First**, House Bill No. 387's elimination of the locally-funded matching contribution is unfair to those local governments that have made those payments up to now – New Castle County and the City of Dover. Each of those governments pays its 25% matching contribution for post-retirement pension increases from the COLA Fund. If this law passes, the City of Wilmington will basically become exempted from any similar requirement. If taxpayers in New Castle County and Dover have to bear one-quarter of these costs, the City of Wilmington should have a similar obligation.

**Second**, House Bill No. 387 eliminates local control over the amounts received by local police and fire pensioners. Until this bill, the local police and fire county and municipal pension plans were locally-administered by the local government that created them. The COLA Fund provided a source of supplemental funding, but the local government's matching obligation meant that the governments involved – the City of Wilmington, the City of Dover, and New Castle County – still controlled whether to increase payments to its police and fire pensioners. This bill fundamentally removes much of that local control by dictating that if an eligible local government fails to grant a pension increase, the General Assembly will require that the COLA Fund be used to provide a new stream of biennial payments directly to the pensioners. These are locally-administered pension plans and I do not think it is appropriate to remove local control of the amounts paid to a city or county government's pensioners.

**Third**, to avoid any involvement from the City, the bill redirects a significant revenue stream -- approximately \$2 million annually -- directly to a finite set of retirees in the City of Wilmington's closed police and fire pension plans. While there are approximately 700 pensioners in those plans currently, the number of participants in the closed pension plans will diminish over time. In contrast, the insurance premium revenue will likely increase with each passing year. As a result, over the next ten or twenty years the biennial payments to each remaining pensioner will grow and grow, until only a limited number of surviving pensioners will be dividing approximately \$4 million every two years.

This is not a sensible result. While the current year's payments to pensioners are certainly well-intended, a law that creates the chance for a handful of survivors to collect tens or hundreds of thousands of dollars biennially is not appropriate public policy.<sup>5</sup> It creates a situation in which the last remaining beneficiaries of the closed pension plan will be collecting more from this biennial payment than they do from their pensions. This is not a fair result for the other police and fire pensioners and other state and local employees who do not participate in such a fund. Nor is it easily justified to taxpayers.

I recognize that there are many pensioners of the City of Wilmington police who would like to see a pension increase of some kind and will be disappointed that House Bill No. 387 does not become law. But the City needs to pay only 25% of the actuarial costs of any post retirement increase to achieve a better result – a real pension increase seen in every pension check, not just a once-every-other-year payment that balloons for pensioners who outlive their colleagues. I recognize that public funds are limited, but financing a 2% pension increase from the COLA Fund would likely require the City to contribute less than \$100,000 a year over the amortization period. Whether to do that should be the City's decision, not the General Assembly's.

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<sup>4</sup> This may change in the future as the Dover and New Castle County pension obligations in the closed plans decrease, but the stream of insurance premium tax revenues supporting those obligations continues.

<sup>5</sup> For example, when the surviving retirees number approximately 100, the average biennial payment would be \$40,000. When the surviving retirees number 10, the average biennial payment would be \$400,000. Some have argued that this kind of windfall can be avoided if the Board of Pension Trustees just allocates less money to the pensioners. But there is nothing in the bill that suggests the Board should exercise discretion to decide how much payment would be excessive. Nor should that decision be made by appointed board members. The amount to be paid to pensioners should be decided by the elected officials of the local government that manages the pension plan.

For these reasons, I have concluded that it is necessary to veto House Bill No. 387 by returning it to the House of Representatives without my signature.

Sincerely,  
Jack A. Markell  
Governor

August 20, 2012

LEGISLATIVE ADVISORY #38

Governor Jack A. Markell signed the following legislation on the date indicated: 8/13/12 - **HB 326, HB 140 aab HA 1, HA 2, HA 3 aab HA 1 to HA 3 & HA 4, SB 271, SJR 13, SB 207 aab SA 1 & SB 22 aab SA 1 & SA 3**; 8/15/12 - **HB 310 aab HA 1, HB 300 aab HA 2 aab HA 1 to HA 2 & HA 3 & SB 185 aab SA 1**; 8/13/12 - **SB 241**; 8/16/12 - **HS 1 for HB 371, HB 243 aab HA 1, HA 2 & SA 1**.

Governor Jack A. Markell vetoed the following legislation on the date indicated: **HB 387 aab HA 1**.  
September 18, 2012

LEGISLATIVE ADVISORY #39

Governor Jack A. Markell signed the following legislation on the date indicated: 9/10/12 - **SB 233**; 9/12/12 - **SB 234 aab SA 2 & SB 194 aab SA 2**.

September 25 , 2012

LEGISLATIVE ADVISORY #40

Governor Jack A. Markell signed the following legislation on the date indicated: 9/20/12 - **HB 276**; 9/24/12 - **SB 249 aab SA 1**.

| <u>HOUSE TRIBUTE ANNOUNCEMENT #84</u>                                                                                                   |                                      |             |             |                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------|-------------|--------------------------------------------------------------------------|
| DATE: November 5, 2012                                                                                                                  |                                      |             |             |                                                                          |
| 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>                                                       |
| H146-1703                                                                                                                               | Bolden                               | 6/12/2012   | T           | Daniel Walsh - Retirement - President of Midtown Brandywine Civic Assoc. |
| H146-1704                                                                                                                               | Bolden;                              | 6/14/2012   | M           | David Eugene Clark, Sr.                                                  |
|                                                                                                                                         | D.E. Williams                        |             |             |                                                                          |
| H146-1705                                                                                                                               | Blakey;                              | 6/2/2012    | M           | William James Vanderbilt                                                 |
|                                                                                                                                         | Peterman                             |             |             |                                                                          |
| H146-1706                                                                                                                               | Blakey                               | 6/19/2012   | T           | Star Hill African American History Museum - Juneteenth Celebration       |
| H146-1707                                                                                                                               | Willis                               | 6/30/2012   | T           | Vivian Ford - Retirement - DelDOT                                        |
| H146-1708                                                                                                                               | Willis                               | 6/22/2012   | T           | Lt. Joseph E. Huttie - Retirement - DSP                                  |
|                                                                                                                                         | cosponsors: Reps. Schwartzkopf & Lee |             |             |                                                                          |
| H146-1709                                                                                                                               | Bolden                               | 6/21/2012   | T           | Dr. Marcia Lyles - Retirement - Christina School Dist.                   |
| H146-1710                                                                                                                               | Gilligan;                            | 6/20/2012   | T           | Russell Larson - Retirement - Controller General                         |
|                                                                                                                                         | Scott                                |             |             |                                                                          |
| H146-1711                                                                                                                               | Atkins                               | 6/24/2012   | T           | Jacob Townsend - Eagle Scout                                             |
| H146-1712                                                                                                                               | Blakey                               | 6/30/2012   | T           | James Collins - Retirement - POLYTECH Board of Education                 |
| H146-1713                                                                                                                               | Longhurst                            | 6/12/2012   | T           | James & Evelyn Casey - 50th Wedding Anniversary                          |
| H146-1714                                                                                                                               | Barbieri                             | 6/26/2012   | T           | Francis & Dorothy Dorsey - 50th Wedding Anniversary                      |
| H146-1715                                                                                                                               | M. Smith                             | 6/14/2012   | T           | Jai Yar McGhee - Graduation - Christiana High School                     |
| H146-1716                                                                                                                               | D.P. Williams                        | 6/16/2012   | T           | Sharon Temple Church - 101 Years                                         |
| H146-1717                                                                                                                               | Gilligan; Scott                      | 6/30/2012   | T           | Doug & Linda VanSant - 50th Wedding Anniversary                          |
|                                                                                                                                         | cosponsors: All Representatives      |             |             |                                                                          |
| H146-1718                                                                                                                               | Gilligan;                            | 6/30/2012   | T           | Ed & JoAnn Hedrick - 50th Wedding Anniversary                            |
|                                                                                                                                         | Ramone                               |             |             |                                                                          |
|                                                                                                                                         | cosponsors: All Representatives      |             |             |                                                                          |
| H146-1719                                                                                                                               | J. Johnson                           | 7/4/2012    | T           | Laura Middleton - 100th Birthday                                         |
| H146-1720                                                                                                                               | Outten                               | 6/20/2012   | T           | Hometown Drugs - Grand Opening                                           |
|                                                                                                                                         | cosponsor: Rep. Kenton               |             |             |                                                                          |
| H146-1721                                                                                                                               | D. Short                             | 6/18/2012   | T           | Joseph & Patricia Olekszyk - 35th Wedding Anniversary                    |
| H146-1722                                                                                                                               | Outten                               | 6/28/2012   | T           | Sally Dodenhoff - Retirement - DOE                                       |
| H146-1723                                                                                                                               | Kenton                               | 6/18/2012   | T           | Carolyn McNatt - Retirement - DelDOT                                     |
| H146-1724                                                                                                                               | Blakey                               | 6/25/2012   | T           | Eileen Simpson - Retirement - Dept. of State                             |
| H146-1725                                                                                                                               | Atkins                               | 6/16/2012   | M           | Joan Crawford Harmon Norwood                                             |
|                                                                                                                                         | cosponsor: Rep. D. Short             |             |             |                                                                          |

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: November 5, 2012

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                                                        |
|-----------|----------------------------------------------------|-----------|------|--------------------------------------------------------------------|
| H146-1726 | Blakey                                             | 6/29/2012 | T    | Tara Honold - Retirement - DelDOT                                  |
| H146-1727 | Lee                                                | 6/22/2012 | T    | Candace Jones - Retirement - Division of State Service Centers     |
| H146-1728 | Wilson                                             | 6/26/2012 | T    | Bonnie O'Day - Retirement - Division of State Service Centers      |
| H146-1729 | Hocker                                             | 6/28/2012 | T    | Maryann Hook - Retirement - Division of State Service Centers      |
| H146-1730 | Ramone                                             | 6/21/2012 | T    | Home Builders Assoc. of DE - 65 Years                              |
|           | cosponsors: Reps. B. Short & D. Short              |           |      |                                                                    |
| H146-1731 | Blakey                                             | 6/20/2012 | M    | Linda J. Smith                                                     |
| H146-1732 | Carson;                                            | 6/21/2012 | M    | Marian J. Arpino                                                   |
|           | Peterman                                           |           |      |                                                                    |
|           | cosponsor: Reps. Kenton & Wilson                   |           |      |                                                                    |
| H146-1733 | D. Short                                           | 6/27/2012 | T    | Adm. Bishop Ronald Martin - Dedication                             |
| H146-1734 | Wilson                                             | 6/20/2012 | T    | John Gaines - 80th Birthday                                        |
| H146-1735 | Kenton                                             | 6/21/2012 | M    | Myron C. Warren                                                    |
|           | cosponsors: Reps. Outten, Peterman & Wilson        |           |      |                                                                    |
| H146-1736 | Miro                                               | 6/22/2012 | T    | Chinese American Community Center - 20th Festival                  |
|           | cosponsor: Rep. Manolakos                          |           |      |                                                                    |
| H146-1737 | Manolakos                                          | 6/20/2012 | T    | Erin Sullivan - History Teacher of the Year                        |
| H146-1738 | Lavelle;                                           | 6/21/2012 | T    | Honorable Gerald W. Hocker - 10 Years - House of Representatives   |
|           | cosponsors: Rep. Briggs King & All Representatives |           |      |                                                                    |
| H146-1739 | Hocker;                                            | 6/26/2012 | T    | Honorable Gregory F. Lavelle - 12 Years - House of Representatives |
|           | Schwartzkopf                                       |           |      |                                                                    |
|           | cosponsors: All Representatives                    |           |      |                                                                    |
| H146-1740 | Lavelle;                                           | 6/28/2012 | T    | Honorable Clifford G. Lee - 22 Years - House of Representatives    |
|           | Schwartzkopf                                       |           |      |                                                                    |
|           | cosponsors: All Representatives                    |           |      |                                                                    |
| H146-1741 | Willis                                             | 6/22/2012 | T    | Cpl Rivers McCreary - Retirement - DE Capitol Police               |
| H146-1742 | Schwartzkopf;                                      | 6/28/2012 | T    | Honorable E. Bradford Bennett - 4 Years - House of Representatives |
|           | Lavelle                                            |           |      |                                                                    |
|           | cosponsors: All Representatives                    |           |      |                                                                    |

HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: November 5, 2012

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                                                                             |
|-----------|-----------------------------------------------------|-----------|------|-----------------------------------------------------------------------------------------|
| H146-1743 | Schwartzkopf;                                       | 6/27/2012 | T    | Honorable Teresa L. Schooley - 8 Years - House of Representatives                       |
|           | Lavelle                                             |           |      |                                                                                         |
|           | cosponsors: All Representatives                     |           |      |                                                                                         |
| H146-1744 | Schooley                                            | 7/7/2012  | M    | Miriam Eugenia Willis                                                                   |
| H146-1745 | Keeley;                                             | 6/29/2012 | T    | John & Nancy Green - 50th Wedding Anniversary                                           |
|           | Brady                                               |           |      |                                                                                         |
| H146-1746 | Blakey                                              | 6/28/2012 | T    | Gayle Trego - Retirement - Payroll/Human Resource Technology                            |
| H146-1747 | Mitchell;                                           | 6/26/2012 | T    | Mary A. Newcott - Retirement - DelTech                                                  |
|           | Ramone                                              |           |      |                                                                                         |
| H146-1748 | Schooley;                                           | 6/22/2012 | T    | Denise Schwartz - Retirement - Downes Elem. School                                      |
|           | Kowalko                                             |           |      |                                                                                         |
| H146-1749 | Outten                                              | 6/27/2012 | T    | Lake Forest Central Elem. School 5th Grade                                              |
|           | cosponsor: Rep. Peterman                            |           |      |                                                                                         |
| H146-1750 | Schwartzkopf;                                       | 6/27/2012 | T    | Odyssey of the Mind Team - 5th Place - Worlds                                           |
|           | Lavelle                                             |           |      |                                                                                         |
| H146-1751 | Willis                                              | 6/27/2012 | T    | Honorable Dennis P. Williams - Outstanding Public Service - DE House of Representatives |
| H146-1752 | Schwartzkopf                                        | 6/28/2012 | M    | Jerry Abel - Retirement - DelDOT                                                        |
| H146-1753 | Bolden                                              | 6/25/2012 | M    | Maria Barta Bennett                                                                     |
| H146-1754 | Atkins                                              | 6/29/2012 | M    | Mamie Armstead Fultz                                                                    |
|           | cosponsors: Reps. D. Short & Briggs King            |           |      |                                                                                         |
| H146-1755 | Brady                                               | 6/27/2012 | T    | Jean A. Norwood                                                                         |
|           | First State Chapter of Warrant Officers Assoc. - 40 |           |      |                                                                                         |

|           |                                             |           |   |                                                    |
|-----------|---------------------------------------------|-----------|---|----------------------------------------------------|
|           |                                             |           |   | Years                                              |
| H146-1756 | Peterman; Outten                            | 6/30/2012 | T | Deborah Porter - Retirement - Legislative Council  |
| H146-1757 | Manolakos; Ramone                           | 6/27/2012 | M | Kimberly Bogia                                     |
| H146-1758 | D.P. Williams                               | 7/1/2012  | M | Chris Dolley                                       |
|           | cosponsors: Reps. Keeley, Bolden & Brady    |           |   |                                                    |
| H146-1759 | B. Short                                    | 6/9/2012  | T | Dale & Theresa Langrehr - 50th Wedding Anniversary |
| H146-1760 | Barbieri                                    | 6/7/2012  | T | Antonio & Gemma Iezzi - 60th Wedding Anniversary   |
| H146-1761 | Outten                                      | 6/30/2012 | M | Ruth Ann Maloney                                   |
|           | cosponsors: Reps. Kenton, Peterman & Wilson |           |   |                                                    |
| H146-1762 | Kenton                                      | 6/25/2012 | M | Charles E. Gill                                    |
|           | cosponsors: Reps. Peterman & Wilson         |           |   |                                                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: November 5, 2012

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                                                    |
|-----------|----------------------------------------------|-----------|------|----------------------------------------------------------------|
| H146-1763 | Peterman                                     | 7/10/2012 | T    | Quirina Corpus - 100th Birthday                                |
|           | cosponsor: Reps. Kenton & Briggs King        |           |      |                                                                |
| H146-1764 | J. Johnson                                   | 6/30/2012 | M    | Estella Adams                                                  |
| H146-1765 | Ramone                                       | 6/28/2012 | T    | MG Francis Vavala - 65th Birthday                              |
|           | cosponsors: All Representatives              |           |      |                                                                |
| H146-1766 | D. Short; Lee                                | 7/10/2012 | T    | Boys & Girls Club of DE - Summer Food Service Program          |
| H146-1767 | Bolden; Keeley                               | 7/1/2012  | M    | Nathaniel L. Hurtt, Jr.                                        |
| H146-1768 | Kenton                                       | 6/30/2012 | T    | Carrie Drummond - 90th Birthday                                |
| H146-1769 | Kenton; Wilson                               | 7/3/2012  | T    | Beatrice Coverdale - 100th Birthday                            |
| H146-1770 | Lee                                          | 8/1/2012  | T    | Wardell Foreman - Retirement - DelDOT                          |
| H146-1771 | D. Short                                     | 7/7/2012  | M    | Charlotte Ann Wheatley                                         |
| H146-1772 | Peterman                                     | 7/5/2012  | M    | Charles W. Walls                                               |
|           | cosponsors: Reps. Outten, Kenton & Wilson    |           |      |                                                                |
| H146-1773 | D.P. Williams                                | 6/6/2012  | M    | Harry H. Young, Jr.                                            |
| H146-1774 | Wilson                                       | 7/4/2012  | M    | Howard C. Davenport                                            |
| H146-1775 | Ramone                                       | 7/6/2012  | M    | Elfrieda Alberer Berryhill                                     |
| H146-1776 | Hocker                                       | 7/15/2012 | T    | Thomas Hickman - Inductee - Ring of Honor - Cape Henlopen H.S. |
|           | cosponsors: Reps. Schwartzkopf & Briggs King |           |      |                                                                |
| H146-1777 | Bolden; D.P. Williams                        | 7/5/2012  | M    | Arcelia Beatrice Carter                                        |
| H146-1778 | Bolden                                       | 7/6/2012  | M    | Gloria A. Evans                                                |
| H146-1779 | Kenton; Wilson                               | 7/9/2012  | M    | William T. Banning                                             |
| H146-1780 | Kenton                                       | 7/10/2012 | M    | Ethel Phillips Link                                            |
|           | cosponsors: Reps. Outten, Peterman & Wilson  |           |      |                                                                |
| H146-1781 | Gilligan                                     | 7/29/2012 | T    | Audrey Reynolds - 100th Birthday                               |
| H146-1782 | Bolden                                       | 7/09/2012 | M    | Eugene D. DiSabatino                                           |
| H146-1783 | Kenton                                       | 7/28/2012 | T    | Essie Loper - 100th Birthday                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: November 5, 2012

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                                       |
|-----------|-------------------------------------|-----------|------|---------------------------------------------------|
| H146-1784 | Schwartzkopf                        | 6/29/2012 | T    | Leonard & Martha Henry - 50th Wedding Anniversary |
| H146-1785 | D.E. Williams                       | 6/23/2012 | T    | Charles & Jacklyn Hall - 50th Wedding Anniversary |
| H146-1786 | Outten                              | 7/15/2012 | T    | Katherine Dill - 90th Birthday                    |
| H146-1787 | Gilligan                            | 6/28/2012 | T    | James & Helen Chandler - 65th Wedding Anniversary |
| H146-1788 | Mitchell                            | 7/10/2012 | T    | Frank & Helen Yasack - 50th Wedding Anniversary   |
| H146-1789 | D. Short                            | 7/10/2012 | M    | Evelyn Dean Maser                                 |
| H146-1790 | Kenton                              | 6/13/2012 | T    | Rev. Michael Joseph McGee                         |
|           | cosponsors: Reps. Peterman & Wilson |           |      |                                                   |
| H146-1791 | Peterman                            | 7/12/2012 | M    | Marie Walls Webb                                  |

|           |                                                                   |           |   |                                                   |
|-----------|-------------------------------------------------------------------|-----------|---|---------------------------------------------------|
|           | cosponsors: Reps. Kenton & Wilson                                 |           |   |                                                   |
| H146-1792 | D. Short                                                          | 7/14/2012 | M | John Calvin Rawlins, M.D.                         |
| H146-1793 | Jaques;                                                           | 7/18/2012 | T | Chick-Fil-A of Bear, DE - Community Service       |
|           | Longhurst; M. Smith                                               |           |   |                                                   |
| H146-1794 | Peterman                                                          | 7/14/2012 | M | Janice L. Crouch                                  |
|           | cosponsors: Reps. Wilson, Kenton & Outten                         |           |   |                                                   |
| H146-1795 | Briggs King                                                       | 7/14/2012 | M | Ernest Edward Megee, Jr.                          |
|           | cosponsor: Rep. Kenton                                            |           |   |                                                   |
| H146-1796 | Hudson                                                            | 7/12/2012 | M | Richard Luckring                                  |
| H146-1797 | Osienski                                                          | 7/12/2012 | T | George & Ruth Flint - 50th Wedding Anniversary    |
| H146-1798 | Briggs King                                                       | 8/11/2012 | T | Avery Withers - Eagle Scout                       |
| H146-1799 | Jaques                                                            | 8/04/2012 | T | Phillip Thomas - Retirement - Dept. of Correction |
| H146-1800 | Kowalko                                                           | 8/05/2012 | T | MG Hugh Broomall - Retirement - DANG              |
|           | cosponsors: Reps. Brady & Jaques on behalf of All Representatives |           |   |                                                   |
| H146-1801 | Outten                                                            | 9/8/2012  | T | Roberta O'Neal - 90th Birthday                    |
| H146-1802 | Carson                                                            | 7/17/2012 | M | Emily Arthurs Deakyne                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: November 5, 2012

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>                                              |
|---------------|-----------------------------------|-------------|-------------|-----------------------------------------------------------------|
| H146-1803     | Schwartzkopf                      | 7/26/2012   | M           | Roger S. Pool                                                   |
| H146-1804     | Wilson                            | 7/19/2012   | M           | Joseph F. Lofland III                                           |
|               | cosponsor: Rep. Kenton            |             |             |                                                                 |
| H146-1805     | Peterman                          | 7/18/2012   | M           | Charles Van Nuis Wilkerson                                      |
|               | cosponsors: Reps. Kenton & Wilson |             |             |                                                                 |
| H146-1806     | Carson                            | 7/21/2012   | M           | Gordon R. Miller                                                |
| H146-1807     | J. Johnson                        | 7/20/2012   | M           | Roland L. Bell                                                  |
|               | cosponsor: Rep. Bolden            |             |             |                                                                 |
| H146-1808     | D. Short                          | 7/21/2012   | M           | Arline L. Phillips                                              |
| H146-1809     | Briggs King                       | 8/18/2012   | T           | Matthew Oldland - Eagle Scout                                   |
| H146-1810     | Carson                            | 7/23/2012   | T           | George Clark - 50 Years - Little Creek Vol. Fire Co.            |
| H146-1811     | Carson                            | 7/23/2012   | T           | Ferris Wright - 50 Years - Little Creek Vol. Fire Co.           |
| H146-1812     | Carson                            | 7/23/2012   | T           | Jack Mace - Lifesaving Award - Little Creek Vol. Fire Co.       |
| H146-1813     | Blakey                            | 8/11/2012   | T           | Jerry & Judy Lawrence - 50th Wedding Anniversary                |
| H146-1814     | B. Short                          | 8/14/2012   | T           | Ethel Clark - 102nd Birthday                                    |
| H146-1815     | Briggs King                       | 8/7/2012    | M           | Donald L. Murray                                                |
|               | cosponsor: Rep. Wilson            |             |             |                                                                 |
| H146-1816     | Peterman                          | 8/18/2012   | T           | Janet Smith - 20 Years - Frederica Senior Center                |
| H146-1817     | Wilson                            | 8/7/2012    | T           | Bruce Henry - DE Elec. Coop. - Solar Energy Farm                |
|               | cosponsors: Reps. Kenton & Outten |             |             |                                                                 |
| H146-1818     | Outten                            | 8/7/2012    | T           | William Wells - DE Elec. Coop. - Substation                     |
|               | cosponsors: Reps. Kenton & Wilson |             |             |                                                                 |
| H146-1819     | Carson;                           | 8/7/2012    | T           | Clarence Scuse, Jr. - DE Elec. Coop. - Substation               |
|               | Outten                            |             |             |                                                                 |
|               | cosponsors: Reps. Kenton & Wilson |             |             |                                                                 |
| H146-1820     | Longhurst;                        | 7/25/2012   | T           | Dwayne Hodges - Doctor of Education - Wilmington University     |
|               | M. Smith                          |             |             |                                                                 |
| H146-1821     | Brady;                            | 7/30/2012   | T           | James Lafferty - Commitment & Dedication - HB 311               |
|               | Barbieri                          |             |             |                                                                 |
| H146-1822     | Hudson                            | 7/24/2012   | M           | Rose Danzeisen                                                  |
| H146-1823     | Hudson                            | 7/25/2012   | M           | E. Arthur Trabant                                               |
| H146-1824     | Jaques                            | 7/22/2012   | T           | Olivia Keech - Gold Medal - Sheet Metal Competition - SkillsUSA |

#### HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: November 5, 2012

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>            |
|---------------|---------------------------------------------|-------------|-------------|-------------------------------|
| H146-1825     | Bolden                                      | 7/28/2012   | M           | Mary L. Sharp                 |
| H146-1826     | Bolden                                      | 7/28/2012   | M           | Peggy Strauss Griffiths, Esq. |
| H146-1827     | Wilson                                      | 7/30/2012   | M           | John W. Walls                 |
|               | cosponsors: Reps. Kenton, Outten & Peterman |             |             |                               |



|           |                                                              |           |   |                                                                |
|-----------|--------------------------------------------------------------|-----------|---|----------------------------------------------------------------|
| H146-1828 | Wilson                                                       | 7/30/2012 | M | George Anthony Hoyer                                           |
|           | cosponsors: Rep. Kenton                                      |           |   |                                                                |
| H146-1829 | D.E. Williams                                                | 7/30/2012 | T | WDEL 1150AM - 90 Years                                         |
| H146-1830 | Carson                                                       | 7/14/2012 | M | Kevin G. Conway                                                |
| H146-1831 | Hocker;                                                      | 8/1/2012  | M | Neil W. Murray                                                 |
|           | Schwartzkopf                                                 |           |   |                                                                |
|           | cosponsors: All Representatives                              |           |   |                                                                |
| H146-1832 | Brady                                                        | 9/4/2012  | M | Theresa Dawson Sheridan                                        |
|           | cosponsors: Reps. Bolden, J. Johnson, Keeley & D.P. Williams |           |   |                                                                |
| H146-1833 | Peterman                                                     | 8/5/2012  | T | Rev. Kenneth Huffman - 50 Years in Ministry                    |
| H146-1834 | Ramone                                                       | 8/16/2012 | T | Matthew Baker - Eagle Scout                                    |
| H146-1835 | Schwartzkopf;                                                | 7/30/2012 | M | Charles Conroy                                                 |
|           | Hudson                                                       |           |   |                                                                |
| H146-1836 | Peterman                                                     | 8/2/2012  | M | Alice Marie Black                                              |
|           | cosponsors: Reps. Kenton & Wilson                            |           |   |                                                                |
| H146-1837 | Heffernan                                                    | 8/12/2012 | T | Rev. John Gayton - 25 Years - Ordination                       |
|           | B. Short                                                     |           |   |                                                                |
| H146-1838 | Carson                                                       | 8/3/2012  | T | Dave Jacobs - Induction - DE Baseball Hall of Fame             |
| H146-1839 | Osienski;                                                    | 8/29/2012 | T | Mike Corey - Voice of the UD Blue Hens - Football & Basketball |
|           | Carson                                                       |           |   |                                                                |
|           | cosponsors: All Representatives                              |           |   |                                                                |
| H146-1840 | Gilligan                                                     | 8/15/2012 | T | George Fishbach - 80th Birthday                                |
| H146-1841 | Blakey;                                                      | 8/9/2012  | M | David Michael Diffenderfer                                     |
|           | Peterman                                                     |           |   |                                                                |
| H146-1842 | Longhurst                                                    | 8/25/2012 | T | Daniel Hall - Eagle Scout                                      |
| H146-1843 | Scott                                                        | 7/31/2012 | M | Marjorie S. Martin                                             |
| H146-1844 | Wilson;                                                      | 8/6/2012  | M | L. Emerson Isaacs                                              |
|           | Kenton                                                       |           |   |                                                                |
| H146-1845 | Peterman                                                     | 8/12/2012 | T | Jay & Kay Roosa - 40th Wedding Anniversary                     |
|           | cosponsors: Reps. Kenton & Wilson                            |           |   |                                                                |

#### HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: November 5, 2012

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>                                    |
|---------------|---------------------------------------------|-------------|-------------|-------------------------------------------------------|
| H146-1846     | D.P. Williams                               | 8/11/2012   | T           | Lorraine Thomas - Community Service                   |
| H146-1847     | D.P. Williams                               | 8/11/2012   | T           | Abdulla Muhammad - Community Service                  |
| H146-1848     | Kenton                                      | 8/16/2012   | T           | Tom Cahall - Outstanding Heroism                      |
|               | cosponsors: Reps. Outten, Peterman & Wilson |             |             |                                                       |
| H146-1849     | Kenton                                      | 08/16/2012  | T           | Shane Casper - Outstanding Heroism                    |
|               | cosponsors: Reps. Outten, Peterman & Wilson |             |             |                                                       |
| H146-1850     | Outten                                      | 8/16/2012   | T           | Michael Edwards - Outstanding Heroism                 |
|               | cosponsors: Reps. Kenton, Peterman & Wilson |             |             |                                                       |
| H146-1851     | Kenton                                      | 8/16/2012   | T           | Larry Jarrell - Outstanding Heroism                   |
|               | cosponsors: Reps. Outten, Peterman & Wilson |             |             |                                                       |
| H146-1852     | Kenton                                      | 8/16/2012   | T           | Casey Sharp - Outstanding Heroism                     |
|               | cosponsors: Reps. Outten, Peterman & Wilson |             |             |                                                       |
| H146-1853     | Outten                                      | 8/16/2012   | T           | Samantha Wright - Outstanding Heroism                 |
|               | cosponsors: Reps. Kenton, Peterman & Wilson |             |             |                                                       |
| H146-1854     | Outten                                      | 8/9/2012    | M           | Grace Starkey                                         |
|               | cosponsor: Rep. Kenton                      |             |             |                                                       |
| H146-1855     | D.P. Williams                               | 8/11/2012   | T           | Francis & Patricia Joyce - 50th Wedding Anniversary   |
| H146-1856     | Heffernan                                   | 7/28/2012   | T           | John & Arlene Keenan - 50th Wedding Anniversary       |
| H146-1857     | Heffernan                                   | 8/11/2012   | T           | William McDaniel, Jr. - 91st Birthday                 |
| H146-1858     | Carson                                      | 8/10/2012   | M           | Maola Bailey Pressley                                 |
|               | cosponsor: Rep. Willis                      |             |             |                                                       |
| H146-1859     | Q. Johnson;                                 | 8/10/2012   | M           | Nancy R. Hitch                                        |
|               | Carson                                      |             |             |                                                       |
| H146-1860     | Outten                                      | 8/10/2012   | M           | John E. Poggi                                         |
| H146-1861     | Schwartzkopf                                | 8/26/2012   | T           | Dr. Lucille Gambardella - Retirement - Wesley College |
|               | cosponsors: Reps. Walker & Scott            |             |             |                                                       |
| H146-1862     | Briggs King;                                | 8/6/2012    | M           | Kathleen P. King                                      |
|               | Wilson                                      |             |             |                                                       |

H146-1863 Carson 8/6/2012 M Ann-Catrine Littlehales  
H146-1864 Bolden 8/13/2012 M Lillian Hope Butler Spencer

HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: November 5, 2012

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                                                                   |
|-----------|------------------------------|------------|------|-------------------------------------------------------------------------------|
| H146-1865 | Carson                       | 8/14/2012  | M    | George E. Scuse, Sr.<br>cosponsors: Reps. Kenton, Outten & Wilson             |
| H146-1866 | Wilson                       | 8/15/2012  | T    | Louise B. Webb<br>cosponsor: Rep. Kenton                                      |
| H146-1867 | Keeley;<br>Bolden            | 8/14/2012  | T    | Delaware Team Royalty/East Coast Elite - AAV<br>Champs                        |
| H146-1868 | Lee                          | 8/19/2012  | T    | Mildred West - 100th Birthday                                                 |
| H146-1869 | Mitchell                     | 9/30/2012  | T    | Charles Balback III - Eagle Scout                                             |
| H146-1870 | Lavelle                      | 8/26/2012  | T    | Joel Rice - Eagle Scout                                                       |
| H146-1871 | Keeley                       | 8/18/2012  | M    | Freddy G. Dividu                                                              |
| H146-1872 | Heffernan                    | 8/18/2012  | M    | Karin Griffith Weiner                                                         |
| H146-1873 | Schwartzkopf                 | 9/15/2012  | T    | Christopher Beagle & Eric Engelhart - Civil Union<br>cosponsor: Rep. M. Smith |
| H146-1874 | Hudson;<br>M. Smith          | 9/14/2012  | T    | Ann Krystopolski - Ladies Auxiliary President - DE<br>Firefighter's Assoc.    |
| H146-1875 | Lee                          | 8/17/2012  | T    | Robert & Carolyn Horsey - 60th Wedding Anniversary                            |
| H146-1876 | Jaques                       | 8/17/2012  | T    | Chaplain Will Barnes - Retirement - DNG<br>cosponsors: Reps. Ramone & Brady   |
| H146-1877 | Bolden                       | 8/18/2012  | T    | Christian Love Worship Cathedral - Dedication - New<br>Building               |
| H146-1878 | Schwartzkopf;<br>Briggs King | 8/22/2012  | M    | Thomas Robert Savage                                                          |
| H146-1879 | Outten                       | 8/20/2012  | M    | G. Dale Sullivan                                                              |
| H146-1880 | M. Smith;<br>Bennett         | 8/29/2012  | T    | Carlyse Giddins - Retirement - DDSCYF                                         |
| H146-1881 | Miro; Keeley                 | 9/7/2012   | T    | Latin American Community Center - Hispanic Heritage<br>Month                  |
| H146-1882 | Wilson                       | 8/22/2012  | M    | Reba May Wells                                                                |
| H146-1883 | Q. Johnson                   | 9/16/2012  | T    | Mitchell Gauge - Retirement - DANG<br>cosponsors: Reps. Jaques & Brady        |
| H146-1884 | Heffernan                    | 8/9/2012   | T    | Betty Russo - 90th Birthday                                                   |
| H146-1885 | Schwartzkopf;<br>Atkins; Lee | 10/13/2012 | T    | Sgt. Antonio Williams - Retirement - DSP                                      |

HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: November 5, 2012

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                                                           |
|-----------|---------------|-----------|------|-----------------------------------------------------------------------|
| H146-1886 | Outten        | 8/22/2012 | M    | Beverly Ann Dill                                                      |
| H146-1887 | Peterman      | 8/24/2012 | M    | Michael J. Fry<br>cosponsors: Reps. Kenton, Outten & Wilson           |
| H146-1888 | Outten        | 8/24/2012 | M    | Albert C. Price<br>cosponsors: Reps. Kenton & Peterman                |
| H146-1889 | Atkins        | 8/18/2012 | M    | Lillie Roma Davis                                                     |
| H146-1890 | Carson        | 8/24/2012 | T    | Walter Forrest Seeney                                                 |
| H146-1891 | Hudson        | 8/24/2012 | M    | Helen Czerniakowski Thurrell                                          |
| H146-1892 | Peterman      | 8/27/2012 | M    | Thomas E. Warnock<br>cosponsors: Reps. Kenton & Wilson                |
| H146-1893 | Blakey        | 8/24/2012 | T    | Dr. Kevin Fitzgerald - Superintendent of the Year                     |
| H146-1894 | D.P. Williams | 8/25/2012 | T    | John Weaver - Eagle Scout                                             |
| H146-1895 | Peterman      | 9/11/2012 | T    | Frank Ingram - POLYTECH Board of Education<br>Member                  |
| H146-1896 | Peterman      | 11/1/2012 | T    | John Legates, Jr. - Retirement - DelDOT                               |
| H146-1897 | Blakey        | 8/1/2012  | T    | Wm. Henry Comprehensive High School Alumni -<br>Keeping History Alive |
| H146-1898 | Schwartzkopf  | 8/28/2012 | M    | William Kramedas                                                      |
| H146-1899 | Outten        | 9/3/2012  | T    | Kenneth McKnatt - 95th Birthday                                       |

|           |                                 |           |   |                                                     |
|-----------|---------------------------------|-----------|---|-----------------------------------------------------|
| H146-1900 | Willis                          | 8/31/2012 | T | Lisa Burris - Retirement - DHSS                     |
| H146-1901 | Hudson;<br>Wilson               | 9/4/2012  | T | Honorable Philip J. Corrozi                         |
|           | cosponsors: All Representatives |           |   |                                                     |
| H146-1902 | D. Short                        | 8/31/2012 | T | Rana Derrickson - 88th Birthday                     |
| H146-1903 | Outten                          | 9/7/2012  | T | Edward Sard - Retirement - DelDOT                   |
| H146-1904 | Gilligan                        | 9/21/2012 | T | William Bowman - Retirement - DelDOT                |
| H146-1905 | Hocker                          | 8/29/2012 | T | Ocean View Leisure & Resource Center - 25 Years     |
| H146-1906 | Carson                          | 8/30/2012 | T | Lawrence H. Voss                                    |
| H146-1907 | D.P. Williams                   | 8/31/2012 | M | Donald J. Bowman, Sr.                               |
| H146-1908 | Outten                          | 9/5/2012  | T | Gordon Seeley                                       |
| H146-1909 | Viola                           | 8/25/2012 | T | Jeffery & Sylvia Thaxton - 50th Wedding Anniversary |

HOUSE TRIBUTE ANNOUNCEMENT #94

DATE: November 5, 2012

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                                                                           |
|-----------|-------------------------------------------|------------|------|---------------------------------------------------------------------------------------|
| H146-1910 | Bolden                                    | 8/28/2012  | T    | Bernie & Joyce Barczak - 50th Wedding Anniversary                                     |
| H146-1911 | Briggs King                               | 9/5/2012   | M    | Joseph Anthony Bateman                                                                |
| H146-1912 | Outten                                    | 9/6/2012   | M    | Mary Touchstone Green                                                                 |
| H146-1913 | Kenton                                    | 9/7/2012   | T    | Josh Marvel - 12th Man Gridiron Club Induction - Milford H.S.                         |
| H146-1914 | Kenton                                    | 9/7/2012   | T    | Vern Walch - 12th Man Gridiron Club Induction - Milford H.S.                          |
| H146-1915 | Kenton                                    | 9/7/2012   | T    | Darrald Gibson - 12th Man Gridiron Club Induction - Milford H.S.                      |
| H146-1916 | Kenton                                    | 9/7/2012   | T    | Lonnie Akins - 12th Man Gridiron Club Induction - Milford H.S.                        |
| H146-1917 | Willis                                    | 9/13/2012  | T    | Margaret Gardley - Retirement - Ken-Crest                                             |
| H146-1918 | J. Johnson                                | 9/5/2012   | M    | Robert J. Thompson, Sr.                                                               |
| H146-1919 | Jaques                                    | 9/15/2012  | T    | Lt. Col. Richard O'Leary - Retirement - DANG                                          |
| H146-1920 | Blakey                                    | 9/15/2012  | T    | Marian Harris - Smith Spirit Award                                                    |
|           | cosponsors: Reps. Scott & Willis          |            |      |                                                                                       |
| H146-1921 | Peterman                                  | 9/22/2012  | T    | Milford Housing Development Corp. - 35 Years                                          |
|           | cosponsors: Reps. Kenton, Outten & Wilson |            |      |                                                                                       |
| H146-1922 | Blakey                                    | 9/27/2012  | T    | Susan Hoffman, RN, MSN, NCSN - DE School Nurse of the Year                            |
| H146-1923 | D.E. Williams                             | 9/8/2012   | T    | Wm. & Mary Ann McLaughlin - 50th Wedding Anniversary                                  |
| H146-1924 | Gilligan                                  | 9/1/2012   | T    | Thomas & Sandra Cox - 50th Wedding Anniversary                                        |
| H146-1925 | Walker                                    | 8/12/2012  | M    | Heather Lynette Massey                                                                |
|           | cosponsors: Reps. Q. Johnson & Lavelle    |            |      |                                                                                       |
| H146-1926 | Outten                                    | 10/31/2012 | T    | John Moore, Jr. - Retirement - DelDOT                                                 |
| H146-1927 | Scott; Bennett                            | 10/6/2012  | T    | Gwendolyn Smith - 100th Birthday                                                      |
| H146-1928 | Kenton;<br>Outten; Wilson                 | 10/24/2012 | T    | Jimmy Messick, Sr. - Kent Co Farm Bureau - Distinguished Service to Agriculture Award |
| H146-1929 | Peterman                                  | 10/7/2012  | T    | Drew Fox - Eagle Scout                                                                |
|           | cosponsors: Reps. Kenton, Willis & Wilson |            |      |                                                                                       |
| H146-1930 | Peterman                                  | 10/7/2012  | T    | Stephen Fox - Eagle Scout                                                             |
|           | cosponsors: Reps. Kenton, Willis & Wilson |            |      |                                                                                       |
| H146-1931 | Hocker                                    | 9/13/2012  | M    | Milton W. Cooper                                                                      |

HOUSE TRIBUTE ANNOUNCEMENT #95

DATE: November 5, 2012

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                                     |
|-----------|--------------------------|-----------|------|-------------------------------------------------|
| H146-1932 | Atkins                   | 9/16/2012 | T    | Mae Burton - 100th Birthday                     |
| H146-1933 | Outten                   | 9/18/2012 | M    | Aleatha Moore                                   |
|           | cosponsor: Rep. Peterman |           |      |                                                 |
| H146-1934 | Wilson                   | 9/13/2012 | T    | Oscar Bailey - 104th Birthday                   |
| H146-1935 | Brady                    | 9/15/2012 | T    | James Begley - Promotion - Brigadier General    |
|           | cosponsor: Rep. Jaques   |           |      |                                                 |
| H146-1936 | Jaques                   | 9/15/2012 | T    | Brigadier General Bruce Thompson - Retirement - |

|           |                     |            |   |                                                                                                                                                                                                       |
|-----------|---------------------|------------|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-1937 | Lee; Outten; Carson | 9/14/2012  | T | DANG<br>Ladies Auxiliary - DE Volunteer Firefighter's Assoc. - 75 Years                                                                                                                               |
| H146-1938 | Miro                | 10/22/2012 | T | Indo-American Assoc. - IndiaFest                                                                                                                                                                      |
| H146-1939 | Brady               | 9/17/2012  | M | cosponsors: Reps. Hudson & Ramone<br>CW4 Curtis E. Stephens -                                                                                                                                         |
| H146-1940 | Mulrooney           | 9/8/2012   | T | cosponsor: Rep. Jaques<br>Robert & Mary Lou Short - 50th Wedding Anniversary                                                                                                                          |
| H146-1941 | Willis              | 9/20/2012  | M | Walter Coker                                                                                                                                                                                          |
| H146-1942 | Carson              | 9/20/2012  | M | Richard R. Marino                                                                                                                                                                                     |
| H146-1943 | Bolden              | 9/20/2012  | M | Marylee Saunders                                                                                                                                                                                      |
| H146-1944 | D. Short            | 9/22/2012  | M | Wayne Allan Adams                                                                                                                                                                                     |
| H146-1945 | Mulrooney           | 9/16/2012  | M | cosponsor: Rep. Outten<br>James Michael Piazza                                                                                                                                                        |
| H146-1946 | Kenton              | 10/1/2012  | T | Emory West, Jr. - Retirement - DelDOT                                                                                                                                                                 |
| H146-1947 | Gilligan            | 10/7/2012  | T | Jeanne Gilligan - 70th Birthday                                                                                                                                                                       |
| H146-1948 | Outten              | 10/20/2012 | M | cosponsor: All Representatives<br>Anna Elizabeth Havelow Irons                                                                                                                                        |
| H146-1949 | Gilligan            | 10/6/2012  | T | The Honorable Clifford G. "Biff" Lee - Sussex Co.<br>cosponsors: Reps. Atkins, D. Short, Farm Bureau Distinguished Service to Agriculture Award<br>Hocker, Briggs King, Kenton, Wilson & Schwartzkopf |
| H146-1950 | Blakey              | 9/26/2012  | T | Star Hill Elem. School - National Blue Ribbon School                                                                                                                                                  |
| H146-1951 | Kenton              | 9/29/2012  | M | Jack L. Dilts, DO                                                                                                                                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #96

DATE: November 5, 2012

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                                                                             |
|-----------|----------------------|------------|------|-----------------------------------------------------------------------------------------|
| H146-1952 | Bennett              | 9/27/2012  | M    | Dennis Gene Deakins                                                                     |
| H146-1953 | Hudson; Keeley; Miro | 10/3/2012  | T    | National Celebration Day & 101st Anniversary of the Republic of China (Taiwan)          |
| H146-1954 | Carson               | 9/28/2012  | M    | Philip Kosek                                                                            |
| H146-1955 | Wilson; Heffernan    | 9/18/2012  | M    | William H. McDaniel                                                                     |
| H146-1956 | Briggs King; Outten  | 10/11/2012 | T    | Richard Brogan - National Assoc. of Realtors Region 3 Vice President                    |
| H146-1957 | Lavelle              | 9/30/2012  | T    | Mt. Lebanon United Methodist Church - 200 Years                                         |
| H146-1958 | Q. Johnson           | 10/8/2012  | T    | Benjamin Walters Family - NCC Farm Bureau Farm Family of the Year                       |
| H146-1959 | Gilligan             | 9/26/2012  | T    | cosponsors: Reps. Carson & Walker<br>Robert & Mary Ciritella - 50th Wedding Anniversary |
| H146-1960 | Mitchell             | 9/15/2012  | T    | Charles & Frances McKewen - 50th Wedding Anniversary                                    |
| H146-1961 | D.E. Williams        | 9/20/2012  | T    | Benjamin & Dolores Miller - 60th Wedding Anniversary                                    |
| H146-1962 | Heffernan            | 9/15/2012  | T    | Charles & Irene Parker - 50th Wedding Anniversary                                       |
| H146-1963 | J. Johnson           | 10/12/2012 | T    | The Honorable Helene M. Keeley - Hilltop Lutheran Neighborhood Center Honoree           |
| H146-1964 | J. Johnson; M. Smith | 10/12/2012 | T    | Curtis Clack - Hilltop Lutheran Neighborhood Center Honoree                             |
| H146-1965 | Briggs King; Miro    | 10/11/2012 | T    | Gina McCollum-Crowder - NCC Realtor of the Year                                         |
| H146-1966 | Keeley; Brady        | 10/1/2012  | T    | Wilmington Area Rotary Clubs District 7630 - Pennies for Polio Month                    |
| H146-1967 | B. Short             | 9/27/2012  | M    | Roe Calvin Blume, Ph. D.                                                                |
| H146-1968 | Carson               | 9/21/2012  | T    | Bruce F. Ballard - 70th Birthday                                                        |
| H146-1969 | Carson               | 9/14/2012  | T    | Gerald Mood - Fireman of the Year - Vol. Firefighter's Assoc.                           |
| H146-1970 | Briggs King          | 9/29/2012  | M    | Virginia Lodge Brittingham                                                              |
| H146-1971 | Miro                 | 9/29/2012  | T    | Chinese American Community Center - Folk Dance Troupe                                   |
| H146-1972 | Miro                 | 9/29/2012  | T    | The Honorable Roger Bramble, Deputy Lord Lieutenant for Great London                    |

|                                  |          |           |   |                               |
|----------------------------------|----------|-----------|---|-------------------------------|
| H146-1973                        | Outten   | 10/2/2012 | M | Joann Wyatt                   |
| H146-1974                        | Outten   | 10/1/2012 | M | Donna Lynn Bernhard           |
| H146-1975                        | Schooley | 10/3/2012 | M | MG Oscar Eugene Trivits, Ret. |
| cosponsors: Reps. Jaques & Brady |          |           |   |                               |

HOUSE TRIBUTE ANNOUNCEMENT #97

DATE: November 5, 2012  
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                                                                                            |
|-------------------------------------|---------------------|------------|------|--------------------------------------------------------------------------------------------------------|
| H146-1976                           | M. Smith; Willis    | 10/24/2012 | T    | Delaware State Bar Assoc - Pro Bono Week                                                               |
| H146-1977                           | M. Smith            | 10/2/2012  | M    | Carol Snyder                                                                                           |
| H146-1978                           | Carson              | 9/25/2012  | M    | Colonel Michael David Pyott                                                                            |
| H146-1979                           | Outten; Scott       | 10/4/2012  | T    | Ernest Harding - 100th Birthday                                                                        |
| H146-1980                           | Peterman            | 9/28/2012  | T    | Paul Welsh - Retirement - DelDOT                                                                       |
| H146-1981                           | Peterman            | 10/3/2012  | M    | Marguerite King Reed                                                                                   |
| cosponsors: Reps. Kenton & Wilson   |                     |            |      |                                                                                                        |
| H146-1982                           | Atkins; Hocker      | 10/5/2012  | M    | Justin E. Townsend                                                                                     |
| H146-1983                           | Scott               | 10/3/2012  | M    | Natalina Josephine Tringali Mozingo                                                                    |
| H146-1984                           | Lavelle             | 10/4/2012  | T    | Springer Middle School - Preston's 5K Challenge                                                        |
| H146-1985                           | Blakey; Willis      | 10/3/2012  | T    | Les States - Fire Police Officer of the Year                                                           |
| H146-1986                           | Atkins              | 10/14/2012 | T    | Jason Hickman - Eagle Scout                                                                            |
| H146-1987                           | Gilligan; Miro      | 10/8/2012  | T    | The Honorable Pamela Thornburg-Bakerian - NCC Farm Bureau - Distinguished Service to Agriculture Award |
| H146-1988                           | Lee                 | 10/12/2012 | T    | Shawn Phillips - DSU Sports Hall of Fame - Induction                                                   |
| H146-1989                           | Outten              | 10/8/2012  | M    | Marian A. Vincent                                                                                      |
| H146-1990                           | Kenton              | 10/9/2012  | M    | Heinz A. Retzlaff                                                                                      |
| cosponsors: Reps. Peterman & Wilson |                     |            |      |                                                                                                        |
| H146-1991                           | Jaques              | 10/10/2012 | M    | Edward F. Peterson                                                                                     |
| cosponsors: Reps. Mulrooney & Brady |                     |            |      |                                                                                                        |
| H146-1992                           | Carson              | 10/11/2012 | M    | Nancy R. Vodvarka                                                                                      |
| H146-1993                           | Outten              | 10/10/2012 | M    | Robert H. McCullough                                                                                   |
| H146-1994                           | Outten              | 10/12/2012 | T    | James Henderson, Sr. - Supreme Governor - Loyal Order of Moose - Official Visit                        |
| H146-1995                           | Outten              | 10/12/2012 | M    | Dennis E. Dean, Sr.                                                                                    |
| H146-1996                           | Carson              | 10/13/2012 | M    | William Anthony Morgan                                                                                 |
| H146-1997                           | Outten              | 10/10/2012 | M    | Louise Marie Burgess                                                                                   |
| H146-1998                           | Briggs King; Kenton | 10/12/2012 | T    | Zaida Guajardo - Honoree - Hispanic Heritage Month - DelTech                                           |
| H146-1999                           | Wilson              | 10/12/2012 | T    | Woodbridge Senor League All-Stars - District 3 Champs & 2nd Place Senior World Series                  |

HOUSE TRIBUTE ANNOUNCEMENT #98

DATE: November 5, 2012  
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                                                    |
|----------------------------------------------------------------------------|------------------|------------|------|----------------------------------------------------------------|
| H146-2000                                                                  | Lee              | 10/18/2012 | T    | Dale Dukes - Laurel Business Person of the Year                |
| H146-2001                                                                  | Lee              | 10/18/2012 | T    | Maxine Lynch - Laurel Citizen of the Year                      |
| H146-2002                                                                  | Wilson           | 11/01/2012 | T    | Derrocl Aliff - Retirement - DelDOT                            |
| H146-2003                                                                  | Outten           | 10/15/2012 | M    | Richard F. Adams                                               |
| cosponsors: Reps. Kenton & Wilson                                          |                  |            |      |                                                                |
| H146-2004                                                                  | Briggs King      | 10/24/2012 | T    | Sussex County Republican Women's Club - 60 Years               |
| cosponsors: Reps. Hocker, Kenton, Lee, Outten, Peterman, D. Short & Wilson |                  |            |      |                                                                |
| H146-2005                                                                  | Briggs King      | 10/20/2012 | T    | Ramona Anderson - United Methodist Women - 40 Years            |
| H146-2006                                                                  | Scott            | 10/12/2012 | M    | Sophia R. Russell                                              |
| H146-2007                                                                  | Wilson; D. Short | 10/18/2012 | T    | T.S. Smith & Sons, Inc. - Seaford Business Persons of the Year |
| H146-2008                                                                  | D. Short; Wilson | 10/18/2012 | T    | Barton's - Seaford Business Persons of the Year                |
| H146-2009                                                                  | D. Short;        | 10/18/2012 | T    | Linda Gunson - Volunteer of the Year - Seaford                 |

|           |                       |            |   |                                                                                                          |
|-----------|-----------------------|------------|---|----------------------------------------------------------------------------------------------------------|
| H146-2010 | Wilson<br>D. Short;   | 10/18/2012 | T | Chamber of Commerce<br>Dr. Marie Wolfgang - Community Involvement Award<br>- Seaford Chamber of Commerce |
| H146-2011 | Miro                  | 10/20/2012 | T | Christine Cannon, R.N., PhD - Contributions to Latinos                                                   |
| H146-2012 | Outten                | 10/16/2012 | M | D. Robert Salmons                                                                                        |
| H146-2013 | Lee; D. Short         | 10/25/2012 | T | Joseph Elliott, M.D. - Nanticoke Health Services<br>Physicians Hall of Fame                              |
| H146-2014 | Outten                | 10/19/2012 | M | Brenda Sue Welch Morris                                                                                  |
| H146-2015 | Heffernan             | 10/13/2012 | T | Forrest & Verna Berger                                                                                   |
| H146-2016 | Lavelle;<br>Heffernan | 10/17/2012 | T | Sarah Preston - iEducate Honoree                                                                         |
| H146-2017 | Outten;<br>Peterman   | 10/22/2012 | M | Everett B. Warrington                                                                                    |
| H146-2018 | J. Johnson            | 10/22/2012 | T | Henrietta Johnson Medical Center - Community Care                                                        |
| H146-2019 | Miro                  | 10/21/2012 | T | Newark National Little League - 8 Year Old All Stars -<br>District 2 Champs                              |
| H146-2020 | Miro                  | 10/21/2012 | T | Newark National Little League - 12 Year Old All Stars<br>- Delaware Champs                               |
| H146-2021 | D.P. Williams         | 10/24/2012 | T | Daito-ryu Goshinkan Renmei - 1st International<br>Schochu Geiko Training                                 |
| H146-2022 | Carson                | 10/20/2012 | T | Gerald Mood - 75th Birthday                                                                              |

#### HOUSE TRIBUTE ANNOUNCEMENT #99

DATE: November 5, 2012

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                                                                                                                                     |
|-----------|---------------------|------------|------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| H146-2023 | Peterman            | 10/23/2012 | M    | Michael Daniel Herholdt<br>cosponsors: Reps. Kenton, Outten & Wilson                                                                            |
| H146-2024 | Outten              | 10/24/2012 | M    | Jesse T. Woodall<br>cosponsor: Rep. Kenton                                                                                                      |
| H146-2025 | Schooley;<br>Hudson | 10/23/2012 | M    | Paul I. Lehman                                                                                                                                  |
| H146-2026 | Bolden              | 10/23/2012 | M    | Arnold G. Butler                                                                                                                                |
| H146-2027 | Hocker              | 11/3/2012  | T    | Dorothy Barber - Bethany Beach Vol. Fire Co. Ladies<br>Auxiliary - 30 Years                                                                     |
| H146-2028 | Hocker              | 11/3/2012  | T    | Rose Snider - Bethany Beach Vol. Fire Co. Ladies<br>Auxiliary - 30 Years                                                                        |
| H146-2029 | J. Johnson          | 10/27/2012 | M    | Bernice W. Barnard                                                                                                                              |
| H146-2030 | Miro                | 10/20/2012 | T    | Adrienne Arsht - Community Service                                                                                                              |
| H146-2031 | Q. Johnson          | 10/26/2012 | M    | Charles Edwin Schreppler<br>cosponsor: Rep. Walker                                                                                              |
| H146-2032 | Bolden              | 10/20/2012 | T    | Ron & Joanne Gawinski - 50th Wedding Anniversary                                                                                                |
| H146-2033 | J. Johnson          | 10/25/2012 | T    | David L. May, Sr.                                                                                                                               |
| H146-2034 | Blakey              | 10/30/2012 | T    | Harry Rhodes III - Retirement - Division of Revenue                                                                                             |
| H146-2035 | Outten              | 10/28/2012 | M    | William H. Wilson, Jr.                                                                                                                          |
| H146-2036 | Gilligan            | 10/26/2012 | T    | Claire Purdy - 85th Birthday                                                                                                                    |
| H146-2037 | Schwartzkopf        | 10/25/2012 | M    | Ann Draper Tikiob                                                                                                                               |
| H146-2038 | Gilligan            | 11/1/2012  | T    | Wilson's Acres - Century Farm Award<br>cosponsors: Reps. Kenton, Outten, Atkins, Peterman, Schwartzkopf, Hocker, D. Short, Lee<br>& Briggs King |
| H146-2039 | Kenton              | 11/1/2012  | T    | Wilson Farm - Century Farm Award                                                                                                                |
| H146-2040 | Kenton              | 11/1/2012  | T    | Pepper Farm - Century Farm Award                                                                                                                |
| H146-2041 | Outten              | 11/1/2012  | T    | Walls Farm - Century Farm Award                                                                                                                 |
| H146-2042 | Outten              | 11/1/2012  | T    | Breeding Farm - Century Farm Award                                                                                                              |
| H146-2043 | Bolden              | 10/28/2012 | T    | Wilmington Diocese Gospel Choir - 20 Years                                                                                                      |
| H146-2044 | Outten              | 11/1/2012  | M    | Ezekiel K. Dill<br>cosponsor: Rep. Wilson                                                                                                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #100

DATE: November 5, 2012

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              |
|-----------|------------|-----------|------|--------------------------|
| H146-2045 | Q. Johnson | 11/5/2012 | M    | Douglas Alan Harris, Sr. |

|              |                        |            |   |                                                                                                                                      |
|--------------|------------------------|------------|---|--------------------------------------------------------------------------------------------------------------------------------------|
| H146-2046    | Willis                 | 11/1/2012  | M | Dale "Mark" King                                                                                                                     |
| H146-2047    | D. Short               | 11/3/2012  | T | A.C.E. Center, Society of St. Vincent dePaul,<br>Fellowship Health Services, Inc. - National Hunger &<br>Homelessness Awareness Week |
| H146-2048    | Bolden                 | 11/1/2012  | T | DE Mentor Program (For Incarcerated Women) Inc. -<br>20 Years                                                                        |
| H146-2049    | Carson                 | 11/4/2012  | T | Esther Downes - 60th Birthday                                                                                                        |
| H146-2050    | Schwartzkopf           | 11/1/2012  | M | Hettie A. Hill                                                                                                                       |
| H146-2051    | Outten                 | 11/3/2012  | M | Dorothy Reynolds Abbott                                                                                                              |
|              | cosponsor: Rep. Kenton |            |   |                                                                                                                                      |
| H146-2052    | Carson                 | 11/4/2012  | M | Francis Austin Hawke                                                                                                                 |
| H146-2053    | Mitchell;              | 11/4/2012  | M | J. Leslie Angelini                                                                                                                   |
|              | Ramone                 |            |   |                                                                                                                                      |
| H146-2054    | D.P. Williams          | 11/5/2012  | T | Professor Amin Hassan - Good Works & Community<br>Outreach                                                                           |
| H146-2055    | Kenton;                | 11/3/2012  | M | Richard Reese Bailey                                                                                                                 |
|              | Wilson                 |            |   |                                                                                                                                      |
| H146-2056    | J. Johnson             | 10/28/2012 | M | Margaret J. Surratte                                                                                                                 |
| H146-2057    | Q. Johnson             | 11/4/2012  | M | Roger Philip Foraker                                                                                                                 |
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HB 74 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 7/27/11) p. 39, 49, 54-55, 139, 165.

HB 75 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE GENERAL ASSEMBLY. (House Ready List) p. 39, 92, 98, 118.

HB 76 w/ HA 1 & 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS AND GROUP AND BLANKET HEALTH INSURANCE. (Signed by the Governor 8/15/11) p. 40, 55, 92, 93, 100, 110, 170.

HB 77 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF GARAGE OWNERS, LIVERY AND STABLE KEEPERS, AND ACTIONS IN REPLEVIN OR DETINUE BY OWNER. (Signed by the Governor 6/28/11) p. 43, 64, 75, 108, 145.

HB 78 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGE CONTROL LICENSES AND TAXES, AND DIRECT PURCHASING AND SHIPMENT OF WINE. (House Economic Development/Banking/Insurance & Commerce Committee) p. 43, 49, 55, 101.

HB 79 AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY DUTIES OF THE ATTORNEY GENERAL. (House Administration Committee) p. 43.

HB 80 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PARENTAL CONSENT FOR ABORTION. ( House Health & Human Development Committee) p. 43.

HB 81 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES HEALTH CARE INSURANCE PROGRAM AND STATE EMPLOYEES PENSION PLAN. (Signed by the Governor 5/2/11) p. 42, 49, 50-51, 60, 73.

HB 82 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO PROVIDE A PROCESS FOR THE TOWN COMMISSIONERS TO BORROW MONEY FOR THE 2011 BAYARD AVENUE CONSTRUCTION PROJECT. (Signed by the Governor 6/10/11) p. 44, 86, 89, 92, 97.

HB 83 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Signed by the Governor 6/7/11) p. 43, 56, 73-74, 83, 97.

HB 84 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO MICROBREWERIES TRANSPORTING, DISTRIBUTING, AND DELIVERING THEIR PRODUCT. (House Economic Development/Banking/Insurance & Commerce Committee) p. 45, 91.

HB 85 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER. (Signed by the Governor 7/25/11) p. 45, 50, 56, 79, 128, 165.

HB 86 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO TERMINATING THE REGIONAL GREENHOUSE GAS INITIATIVE AND CO2 EMISSION TRADING PROGRAM. (House Energy Committee) p. 45.

HB 87 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES AGAINST THE PERSON. (Signed by the Governor 7/12/12) p. 53, 80, 81, 90, 259, 275, 314.

HS 1/HB 88 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE REGULATION OF SECURITIES. (Signed by the Governor 8/16/11) p. 86, 92, 99, 140, 170.

HB 89 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE DOCTRINE OF EMPLOYMENT AT WILL AND PROTECTION FROM WRONGFUL TERMINATION. (House Labor Committee) p. 55.

HB 90 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NONRENEWAL OF CONTRACTS AND DISMISSAL OF DEPARTMENT OF EDUCATION EMPLOYEES. (Signed by the Governor 6/28/11) p. 55, 64, 69, 96, 108, 145.

HB 91 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE USE OF RESPECTFUL LANGUAGE WHEN REFERRING TO PERSONS WITH DISABILITIES. (Signed by the Governor 8/17/11) p. 55, 64, 69, 108, 170.

HB 92 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (Signed by the Governor 7/8/11) p. 57, 92, 119, 144, 146.

HB 93 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH. (Signed by the Governor 6/22/11) p. 57, 64, 74, 82, 118.

HB 94 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH. (Signed by the Governor 6/22/11) p. 57, 64, 73, 74, 82, 118.

HB 95 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES. (Vetoed 7/14/11) p. 57, 64, 79, 123, 136, 164-165.

HB 96 w/ HA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO HIGHWAYS AND FINES FOR VIOLATIONS OF CLEAR ZONES WITHIN RIGHTS-OF-WAY. (House Ready List) p. 61, 72.

HB 97 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. (House Appropriations Committee) p. 53, 102, 110.

HB 98 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE CHARTER OF THE TOWN OF VIOLA. (Signed by the Governor 6/27/11) p. 61, 72, 74, 102, 145.

HB 99 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL CERTIFICATION REQUIREMENTS AS PART OF THE COMMERCIAL DRIVER LICENSE. (Signed by the Governor 7/5/11) p. 63, 72, 74, 128, 146.

HB 100 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BACKGROUND CHECKS FOR PERSONS WITH ACCESS TO PUBLIC SCHOOLS. (Defeated in the Senate 6/23/11) p. 63, 72, 81, 83, 123.

HS 1/HB 101 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO AGREEMENTS THE DEPARTMENT OF TRANSPORTATION MAKES WITH LOCAL JURISDICTIONS FOR TRAFFIC STUDIES RELATED TO DEVELOPMENT. (House Transportation, Land Use & Infrastructure Committee) p. 72.

HB 102 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REGULATION OF TRAFFIC. (Stricken 5/31/11) p. 72, 78.

HB 103 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY BUILDING CODE. (Signed by the Governor 7/18/12) p. 72, 92, 111, 300, 314.

HB 104 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE UNIFORM RECOGNITION OF FOREIGN-COUNTRY MONEY JUDGMENTS. (Signed by the Governor 6/28/11) p. 64, 72, 79, 98, 107-108, 145.

HB 105 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC BEVERAGES AND GATHERING LICENSES. (Signed by the Governor 6/28/11) p. 64, 72, 79, 109, 145.

HB 106 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed by the Governor 6/28/11) p. 67, 80, 90, 117, 145.

HB 107 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN EXAMINATION OF BASIC SKILLS AND CLARIFYING ALTERNATIVES TO STUDENT TEACHING REQUIREMENTS FOR SPECIALISTS. (House Ready List) p. 67, 80.

HB 108 AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE OFFENSES EXEMPTED FROM VOLUNTARY ASSESSMENT AND THE AVAILABILITY OF PROBATION BEFORE JUDGMENT. (Signed by the Governor 4/19/12) p. 67, 80, 94, 220, 225.

HB 109 w/HA 2 & SA 1 AN ACT TO AMEND TITLE 6 RELATING TO BUILDING CONSTRUCTION AND PAYMENT. (Signed by the Governor 6/25/12) p. 67, 81, 87, 113, 116, 260, 274, 304.

HB 110 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Administration Committee) p. 76.

HB 111 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO ANTITRUST ACTIONS. (Signed by the Governor 6/15/12) p. 67, 219, 220-221, 260, 289.

HB 112 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GENERAL ASSEMBLY AND DETERMINING DISTRICT BOUNDARIES FOR INCARCERATED INDIVIDUALS. (Signed by the Governor 5/13/11) p. 66, 70, 75.

HB 113 w/HA 1 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO IRRIGATION PRESERVATION. (Passed in the House 6/22/11) p. 70, 92, 101, 115.

HB 114 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE COURT OF COMMON PLEAS. (Signed by the Governor 7/13/11) p. 71, 92, 107, 140, 164.

HB 115 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO STATUTORY TRUSTS. (Signed by the Governor 7/13/11) p. 71, 92, 94, 143, 164.

HB 116 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Passed in the House 6/9/11) p. 72, 81, 95.

HB 117 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE POWER OF THE FAMILY COURT. (Passed in the House 6/7/11) p. 72, 80, 90.

HB 118 AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO OPEN MEETINGS AND PUBLIC RECORDS OF THE GENERAL ASSEMBLY. (House Administration Committee) p. 72.

HB 119 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE ECONOMIC AND FINANCIAL ADVISORY COUNCIL. (House Administration Committee) p. 72.

HB 120 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 72.

HB 121 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE SCHEDULES AND RATE CLASSIFICATIONS. (Signed by the Governor 8/16/11) p. 72, 92, 106-107, 140, 170.

HB 122 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO SELF-SUFFICIENT WATER SUPPLY. (Signed by the Governor 7/1/11) p. 72-73, 80, 94, 99, 117, 145.

HB 123 w/HA 1 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO SPECIAL DAYS AND SPECIAL MONTHS. (Signed by the Governor 8/17/11) p. 73, 80, 85, 117, 170.

HB 124 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Administration Committee) p. 76.

HB 125 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE MUNICIPAL USER TAX. (Stricken 6/22/11) p. 73, 114.

HB 126 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 75.

HB 127 w/HA 1 AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (Signed by the Governor 7/1/11) p. 76, 81, 84, 130, 145, 146.

HB 128 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 77, VOLUME 77 OF THE LAWS OF DELAWARE RELATING TO TAXES ON PERSONAL INCOME. (Signed by the Governor 7/1/11) p. 76, 81, 83, 84, 139, 145, 146.

HB 129 AN ACT TO AMEND TITLES 29 AND 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAX RATES AND THE USE OF THE PROCEEDS THEREOF. (Signed by the Governor 7/1/11) p. 76, 77, 81, 83, 85, 139, 145, 146.

HB 130 AN ACT TO REINCORPORATE THE CHARTER OF THE CITY OF HARRINGTON, CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF HARRINGTON". (Signed by the Governor 7/1/11) p. 76, 92, 94, 112, 145.

HB 131 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES. (Signed by the Governor 8/16/11) p. 76, 92, 105-106, 143, 170.

HB 132 w/ HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT. (Signed by the Governor 7/5/11) p. 76, 80, 87, 89, 123, 146.

HB 133 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEAT. (Signed by the Governor 7/5/11) p. 76, 80, 95, 128, 146.

HB 134 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN MOTOR VEHICLE OFFENSES. (Signed by the Governor 1/30/12) p. 77, 80, 89, 134, 191.

HB 135 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE COURTS. (Signed by the Governor 1/30/12) p. 77, 80, 89, 134, 191.

HB 136 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO VETERAN PREFERENCE IN STATE EMPLOYMENT. (Signed by the Governor 3/28/12) p. 77, 78, 92, 93, 95, 191, 198, 217.

HB 137 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES. (House Ready List) p. 77, 80, 106.

HB 138 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MEMBERSHIP ON THE ACUPUNCTURE ADVISORY COUNCIL AND GENETIC COUNSELOR ADVISORY COUNCIL. (Signed by the Governor 7/25/11) p. 77, 102, 105, 143, 165.

HB 139 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 7/25/11) p. 77, 102, 105, 140, 165.

HB 140 w/HA 1, 2, 3, HA 1 to HA 3 & HA 4 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 8/13/12) p. 77, 92, 101, 123, 128, 244, 247, 277, 317.

HB 141 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE COUNCIL FOR PERSONS WITH DISABILITIES. (Signed by the Governor 6/28/11) p. 77, 80, 85, 117, 145.

HB 142 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MANUFACTURERS AND WHOLESALERS. (Signed by the Governor 7/7/11) p. 77, 92, 94, 128, 146.

HS 1/HB 143 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE FUND TO COMBAT VIOLENT CRIME, FUNDED BY AN ADDITIONAL PENALTY IMPOSED BY COURTS FOR VARIOUS OFFENSES. (Signed by the Governor 8/2/11) p. 77, 92, 97, 108, 144, 165.

HB 144 AN ACT TO AMEND TITLE 16 AND 24 OF THE DELAWARE CODE RELATING TO FACILITIES WHERE INVASIVE MEDICAL PROCEDURES ARE PERFORMED. (Signed by the Governor 7/5/11) p. 77, 80, 88, 101, 146.

HB 145 w/HA 1 & 2 & SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO EXPUNGEMENTS. (Signed by the Governor 6/15/12) p. 77, 80, 96, 102, 107, 242, 258, 289.

HB 146 AN ACT TO AMEND TITLES 3 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSING OF VIDEO LOTTERY CASINOS AND HARNESS RACING DAYS. (House Gaming & Pari-Mutuels Committee) p. 77.

HB 147 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (House Revenue & Finance Committee) p. 78.

HB 148 w/HA 1 AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAX. (House Revenue & Finance Committee) p. 78.

HB 149 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TRAINING AND EMERGENCY USE OF EPINEPHRINE. (House Health & Human Development Committee) p. 80.

HB 150 w/HA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VARIABLE MESSAGE SIGNS ON STATE TOLL HIGHWAYS. (Signed by the Governor 7/13/11) p. 80, 92, 117, 144, 164.

HB 151 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO DISTRIBUTION OF THE DELAWARE CODE AND SUPPLEMENTS. (Signed by the Governor 7/13/11) p. 80, 92, 111, 143, 164.

HB 152 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (House Policy Analysis & Government Accountability Committee) p. 81.

HB 153 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. (Signed by the Governor 10/18/11) p. 81, 92, 105, 143, 183.

HB 154 AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE, CHAPTER 217, VOLUME 24, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLVILLE" TO AMEND PARAGRAPH (a)(30) OF SECTION 31, ENUMERATION OF POWERS. (Stricken 6/16/11) p. 81, 92, 105.

HB 155 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING. (Signed by the Governor 7/13/11) p. 81, 92, 95, 143, 164.

HB 156 AN ACT TO AMEND TITLE 6, TITLE 8, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES CHARGED BY THE SECRETARY OF STATE. (House Revenue & Finance Committee) p. 81.

HB 157 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 7/5/11) p. 81, 90, 92, 96, 128, 146.

HS 1/HB 158 AN ACT TO AMEND TITLES 3 AND 7 OF THE DELAWARE CODE RELATING TO WATER ALLOCATION PERMITS AND LICENSES, OR PERMITS TO CONSTRUCT, EXTEND, OR OPERATE AN IRRIGATION WELL OR SURFACE WATER INTAKE. (Signed by the Governor 8/17/11) p. 100, 102, 107, 140, 170.

HB 159 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION AND CHANGING IT TO AN ADVISORY COMMISSION KNOWN AS THE DELAWARE SALARY SURVEY COMMISSION. (House Ready List) p. 86, 176, 256.

HB 160 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL COVERAGE FOR CHILDREN OF INSURED. (Signed by the Governor 7/29/11) p. 86, 102, 113, 121, 143, 165.

HB 161 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE PROHIBITION OF THE DENIAL OF COVERAGE FOR PRE-EXISTING CONDITIONS IN CHILDREN UNDER THE AGE OF NINETEEN. (Signed by the Governor 7/25/11) p. 86, 102, 121, 142, 143, 165.

HB 162 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DOMESTIC SURPLUS LINES INSURERS. (Stricken 3/20/12) p. 87, 201.

HB 163 AN ACT TO AMEND CHAPTER 326, VOLUME 67 AND CHAPTER 353, VOLUME 72 OF THE LAWS OF DELAWARE AND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE HAZARDOUS SUBSTANCE CLEANUP ACT. (Signed by the Governor 7/7/11) p. 87, 102, 115, 134, 146.

HB 164 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (Signed by the Governor 7/11/12) p. 87, 267, 283, 300, 314.

HB 165 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT AND THE BOARD OF MEDICAL LICENSURE AND DISCIPLINE. (Signed by the Governor 7/8/11) p. 87, 102, 122, 134, 146.

HB 166 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX. (House Ready List) p. 87-88, 92, 110. 272.

HB 167 w/HA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND THE DELAWARE MANUFACTURED HOME RELOCATION TRUST FUND. (Signed by the Governor 5/10/12) p. 91, 98, 101, 113, 115, 234, 247.

HB 168 w/HA 1 & 2, HA 1 to HA 2 & HA 3 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE. (Signed by the Governor 8/3/11) p. 91, 102, 110, 123, 128, 131, 139, 168.



HB 169 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY. (Signed by the Governor 7/25/11) p. 91, 102, 106, 139, 165.

HB 170 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO GROUP AND BLANKET HEALTH INSURANCE REQUIRING INSURERS TO OFFER TO OTHERWISE-ELIGIBLE EMPLOYEES MINI-COBRA COVERAGE IN SMALL-EMPLOYER PLANS. (Signed by the Governor 5/22/12) p. 91, 165, 167, 250, 255.

HB 171 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO A SEMI-MONTHLY METHOD OF PAYMENT OF STATE OFFICIALS AND EMPLOYEES. (House Administration Committee) p. 92.

HB 172 AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE, CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLVILLE" TO AMEND PARAGRAPH (a)(30) OF SECTION 31, ENUMERATION OF POWERS. (Signed by the Governor 8/3/11) p. 92, 102, 105, 133, 168.

HB 173 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND SEWER SYSTEMS. (Signed by the Governor 8/17/11) p. 93, 102, 109, 123, 127, 144, 170.

HB 174 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VEHICULAR ASSAULT AND VEHICULAR HOMICIDE. (Signed by the Governor 8/3/11) p. 93, 102, 110, 112, 144, 168.

HB 175 AN ACT TO AMEND CHAPTER 462, VOLUME 77, OF THE LAWS OF DELAWARE RELATING TO THE BOARD OF CHIROPRACTIC. (Signed by the Governor 8/3/11) p. 93, 102, 105, 143, 168.

HB 176 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 93.

HB 177 w/HA 1 & 3 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT. (Signed by the Governor 8/22/11) p. 93, 102, 110, 112, 140, 170.

HB 178 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COMMODITY TAXES. (House Revenue & Finance Committee) p. 93, 102.

HB 179 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CONSTRUCTION OF WATER AND IRRIGATION WELLS. (Stricken 6/16/11) p. 93, 106.

HB 180 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICIANS AND ELECTRICAL CONTRACTORS. (Signed by the Governor 8/26/11) p. 93, 102, 105, 140, 170.

HB 181 w/HA 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES ON TELEGRAPH AND TELEPHONE COMPANIES. (Signed by the Governor 7/5/12) p. 94, 102, 110, 118, 272, 279, 283-284, 298, 314.

HB 182 w/HA 1 AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF HOME INSPECTORS. (Signed by the Governor 8/6/11) p. 96, 102, 112, 140, 168.

HB 183 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CONTRACT BIDDING AND FREE PUBLIC SCHOOLS. (House Education Committee) p. 96.

HB 184 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE GOVERNMENT OF KENT COUNTY. (Stricken 6/14/11) p. 96, 98.

HB 185 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN PROPERTY CRIMES. (Signed by the Governor 7/20/12) p. 96, 102, 106, 222, 298, 314.

HB 186 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 7/13/11) p. 96, 102, 115, 143, 164.

HB 187 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO ROADSIDE STANDS. (Signed by the Governor 7/25/11) p. 96, 98, 102, 106, 134, 137, 165.

HB 188 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES. (Signed by the Governor 7/27/11) p. 96, 98, 102, 106, 143, 165.

HB 189 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO A CERTAIN USE OF A HANDGUN. (Passed in the House 1/24/12) p. 97-98, 117, 184-185.

HB 190 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/11) p. 98-99, 120, 130, 145.

HB 191 w/HA 2, 3 & 4 AN ACT TO AMEND TITLE 21 RELATING TO COMMERCIAL VEHICLES. (Defeated in the House 5/1/12) p. 101, 209, 219, 220, 222, 230.

HB 192 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS. (House Administration Committee) p. 101.



HB 193 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 5/21/12) p. 101, 117, 121, 250, 255.

HB 194 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE AND THE SAFE DESTRUCTION OF DOCUMENTS CONTAINING PERSONAL IDENTIFYING INFORMATION. (House Economic Development/Banking/Insurance & Commerce Committee) p. 102.

HB 195 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2012; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2012 APPROPRIATIONS ACT. (Signed by the Governor 7/1/11) p. 124, 133, 140, 145.

HB 196 w/SA 2 & 3 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF VOTERS AND TO POLLING PLACES. (Signed by the Governor 7/5/12) p. 102, 129, 132, 287, 302, 314.

HB 197 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE COMMUNITY ENVIRONMENTAL PROJECT FUND. (Signed by the Governor 9/14/11) p. 102, 117, 121, 144, 183.

HB 198 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE INDIAN RIVER SCHOOL BOARD. (Signed by the Governor 7/18/12) p. 109, 261, 304, 314.

HB 199 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO ELECTIONS AND IDENTIFICATION. (House Administration Committee) p. 109, 269.

HB 200 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS AND IDENTIFICATION. (House Administration Committee) p. 109, 269.

HB 201 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATORY FLEXIBILITY ACT TO PROVIDE FOR LEGISLATIVE OVERSIGHT AND TRANSPARENCY REGARDING THE ADOPTION OF RULES AND REGULATIONS BY STATE AGENCIES. (House Ready List) p. 109, 128, 219.

HB 202 w/SA 2 AN ACT TO AMEND TITLE 21 RELATING TO RULES OF THE ROAD. (Signed by the Governor 4/5/12) p. 109, 117, 125, 208, 213-214, 221.

HB 203 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR INFORMATION TECHNOLOGY RELATED EMPLOYMENT. (House Ready List) p. 109, 117.

HB 204 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE AUDITOR OF ACCOUNTS. (Passed in the House 6/12/12) p. 109, 188, 267.

HB 205 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. (Signed by the Governor 8/19/11) p. 109, 117, 120-121, 134, 170.

HB 206 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PHARMACY. (House Ready List) p. 113, 118, 124.

HB 207 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING IN THE STATE SERVICE. (House Ready List) p. 113, 118.

HB 208 AN ACT TO RENAME THE WOMEN'S TREATMENT CENTER IN HONOR OF HAZEL D. PLANT. (Signed by the Governor 11/1/11) p. 113, 128, 136, 144, 183.

HS 1/HB 209 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE ADMINISTRATION OF SCHOOL PROPERTY TAX CREDITS. (Signed by the Governor 6/28/12) p. 214, 220, 225, 230, 289, 304.

HS 1/HB 210 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE PROVIDING FOR REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. (Signed by the Governor 7/8/11) p. 123, 125, 139, 146.

HB 211 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOLS (House Education Committee) p. 113.

HS1/HB 212 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE CREATING THE DELAWARE AUCTION AND AUCTIONEER LICENSING ACT. (Stricken 6/5/12) p. 134, 241, 243, 244, 255.

HB 213 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATIONAL DATA GOVERNANCE. (Signed by the Governor 7/13/11) p. 117, 119, 124, 143, 164.

HB 214 w/HA 1 & SA 1 AN ACT TO AMEND TITLES 1, 4, 6, 7, 10, 11, 12, 14, 16, 19, 20, 21, 25, 29, 30 AND 31 OF THE DELAWARE CODE RELATING TO THE REMOVAL OF INSENSITIVE AND OFFENSIVE LANGUAGE. (Signed by the Governor 8/17/11) p. 117, 128, 129, 138, 139, 170.

HB 215 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INVESTIGATIVE USE OF MOBILE TRACKING DEVICES. (House Judiciary Committee) p. 123.

HB 216 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR PRACTICES IN THE BUSINESS OF INSURANCE. (House Economic Development/Banking/Insurance & Commerce Committee) p. 128.

HB 217 AN ACT TO AMEND TITLE 11 AND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS AND CHANGE ACTUARIAL ASSUMPTIONS IN THE JUDICIAL, STATE POLICE AND STATE EMPLOYEE PENSION PLANS. (Signed by the Governor 7/13/11) p. 128, 132, 140, 164.

HB 218 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. (House Revenue & Finance Committee) p. 128.

HB 219 AN ACT TO AMEND TITLES 17 AND 21 OF THE DELAWARE CODE RELATING TO FEES CHARGED FOR MOTOR VEHICLE AND HIGHWAY-RELATED ADMINISTRATION. (House Transportation, Land Use & Infrastructure Committee) p. 128.

HB 220 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO TRAFFIC STUDIES IN COUNTIES WITH A POPULATION GREATER THAN 500,000. (House Transportation, Land Use & Infrastructure Committee) p. 128.

HB 221 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE WORKPLACE FRAUD ACT. (House Administration Committee) p. 128, 135, 267.

HB 222 w/HA 1 & HA 2 AN ACT TO AMEND TITLE 19 RELATING TO THE WORKPLACE FRAUD ACT. (Signed by the Governor 7/12/12) p. 128, 135, 176, 184, 189, 190, 265, 289, 314.

HB 223 AN ACT TO AMEND TITLES 18 AND 21 OF THE DELAWARE CODE TO ALLOW THE TRANSMISSION OF ELECTRONIC NOTICES OR DOCUMENTS RELATED TO INSURANCE AND INSURANCE POLICIES UNDER CERTAIN CIRCUMSTANCES. (Signed by the Governor 5/22/12) p. 134, 196, 216, 246, 255.

HB 224 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE OFFICE OF CHILD CARE LICENSING. (House Policy Analysis & Government Accountability Committee) p. 134.

HB 225 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE FACILITIES. (House Policy Analysis & Government Accountability Committee) p. 134.

HS 1/HB 226 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE FACILITIES. (House Ready List) p. 225, 235.

HS 1/HB 227 AN ACT TO AMEND TITLE 9, TITLE 22 AND TITLE 31 RELATING TO HOUSING. (Signed by the Governor 7/27/12) p. 222, 234, 253, 285, 314.

HB 228 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE STANDARD USED FOR COST RECOVERY FOR PUBLIC UTILITIES IN PROCEEDINGS INVOLVING A CHANGE IN RATES. (House Natural Resources Committee) p. 136, 197.

HB 229 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ABANDONED OR UNCLAIMED PROPERTY. (House Judiciary Committee) p. 142.

HB 230 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 6/5/12) p. 145, 176, 182, 250, 253, 265.

HB 231 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL MORTGAGE FORECLOSURE MEDIATION PROGRAM. (Signed by the Governor 7/5/12) p. 145, 165, 167, 300, 314.

HB 232 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LAWS REGULATING THE CONDUCT OF OFFICERS AND EMPLOYEES OF THE STATE. (House Administration Committee) p. 145.

HB 233 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS. (House Administration Committee) p. 145.

HB 234 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION. (Signed by the Governor 3/30/12) p. 145, 165, 170, 201, 217.

HB 235 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS. (Signed by the Governor 7/5/12) p. 145, 188, 193, 285, 302, 314.

HB 236 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Signed by the Governor 3/30/12) p. 145, 176, 183, 204, 217.

HB 237 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REPORTING SCHOOL CRIMES. (Stricken 1/17/12) p. 145, 169.

HB 238 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND TO LICENSES AND PERMITS FOR MILITARY SPOUSES. (Signed by the Governor 5/28/12) p. 145, 188, 189, 190, 234, 265.

HB 239 w/HA 1 AN ACT TO AMEND CHAPTER 15, VOLUME 77 OF THE LAWS OF DELAWARE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION. (Signed by the Governor 3/22/12) p. 166, 176, 183, 184, 201, 217.

HB 240 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (Signed by the Governor 5/10/12) p. 166, 176, 184, 204, 208, 247.

HB 241 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF MUNICIPAL ZONING BOARDS OF ADJUSTMENT. (Signed by the Governor 2/6/12) p. 166, 182, 191.

HB 242 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTOMOBILE INSURANCE, VEHICLE DATA-REPORTING DEVICE, AND UNAUTHORIZED USE, RELEASE, OR DISCLOSURE OF DATA. (Defeated in the Senate 6/30/12) p. 168, 188, 266, 276, 292, 314.

HB 243 w/HA 1 & 2 & SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REPORTING SCHOOL CRIMES. (Signed by the Governor 8/16/12) p. 168, 184, 188, 258-259, 287, 302, 317.

HB 244 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL ATTENDANCE. (House Education Committee) p. 168.

HB 245 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ADOPTION OF PEOPLE FIRST LANGUAGE IN AND THE REMOVAL OF INSENSITIVE AND OFFENSIVE LANGUAGE FROM THE CRIMINAL CODE. (Signed by the Governor 4/19/12) p. 168, 188, 192, 193, 217, 225.

HB 246 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHING A YELLOW DOT MEDICAL INFORMATION ALERT PROGRAM. (Laid on the Table in the House 3/13/12) p. 168, 176, 189, 193.

HB 247 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS. (House Energy Committee) p. 176, 208.

HB 248 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION. (Signed by the Governor 6/15/12) p. 183, 222, 225, 230, 272, 289.

HB 249 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSURE OF REAL ESTATE SERVICE PROVIDERS. (House Housing & Community Affairs Committee) p. 183, 208.

HB 250 w/HA 1 & 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REAPPORTIONMENT OF THE STATE LEGISLATIVE DISTRICTS. (Signed by the Governor 2/3/12) p. 176, 182, 184, 185, 191.

HB 251 AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (Signed by the Governor 3/29/12) p. 183, 196, 198, 214, 217.

HB 252 AN ACT TO AMEND VOLUME 77, CHAPTER 375, LAWS OF DELAWARE, RELATING TO DISPOSITION OF CHILDREN PENDING ADJUDICATION AND PAYMENT FOR CARE. (Signed by the Governor 7/18/12) p. 183, 196, 205, 293, 314.

HS 1 for HB 253 w/HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUVENILE COMPETENCY. (Signed by the Governor 5/21/12) p. 203, 213, 215, 216, 242, 255.

HB 254 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (House Public Safety & Homeland Security Committee) p. 186.

HB 255 AN ACT TO AMEND TITLE 29, CHAPTER 104 OF THE DELAWARE CODE RELATING TO THE REGULATORY FEASIBILITY ACT. (House Administration Committee) p. 184.

HB 256 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 5/21/12) p. 188, 196, 200, 242, 255.

HB 257 w/HA 1 AN ACT TO AMEND TITLE 29 AND TITLE 30 OF THE DELAWARE CODE RELATING TO DENIAL OR SUSPENSION OF PROFESSIONAL AND OCCUPATIONAL LICENSES. (Signed by the Governor 6/19/12) p. 188, 203, 206, 207, 265, 289.

HS 1/HB 258 w/HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS. (Stricken 6/30/12) p. 201, 203, 207, 300, 301, 304.

HB 259 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OFF-HIGHWAY VEHICLES. (Signed by the Governor 6/5/12) p. 191, 214, 217, 255, 265.

HB 260 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; 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. (House Capital Infrastructure Committee) p. 189.

HB 261 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO TERMINATION OF UTILITY SERVICE OR SALE. (Signed by the Governor 7/18/12) p. 191, 225, 226, 236, 237, 293, 300, 307, 314.

HB 262 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HAZARDOUS DUTY PAY. (Stricken 6/12/12) p. 191, 196, 197, 257, 269.

HS 1/HB 263 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Signed by the Governor 4/28/12) p. 199, 203, 205, 227, 237.

HB 264 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS. (Signed by the Governor 4/19/12) p. 192, 196, 201, 220, 264, 225.

HB 265 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE COVERAGE FOR ORAL AND INTRAVENOUS ANTICANCER MEDICATIONS. (Signed by the Governor 5/1/12) p. 186, 196, 200, 217, 237.

HB 266 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REFUND OF FINES UPON REVERSAL OF CONVICTION. (Signed by the Governor 5/21/12) p. 192, 196, 200-201, 250, 255.

HB 267 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TRAVEL EXPENSES FOR ELECTED COUNTY OFFICIALS. (Signed by the Governor 6/5/12) p. 192, 196, 201, 255, 265.

HB 268 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BULLYING. (Signed by the Governor 7/27/12) p. 192, 225, 235, 236, 255, 314.

HB 269 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Signed by the Governor 7/25/12) p. 192, 196, 204, 205-206, 293, 314.

HB 270 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Passed in the House 4/5/12) p. 192, 196, 220.

HB 271 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE SERVICES, BROKERS, ASSOCIATE BROKERS AND SALESPERSONS. (Passed in the House 6/26/12) p. 214, 219, 279, 289, 292.

HB 272 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INVESTIGATIVE SERVICES OFFICERS. (Signed by the Governor 4/19/12) p. 192, 196, 198, 217, 225.

HB 273 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A FINANCIAL LITERACY PROGRAM FOR HIGH SCHOOL SENIORS. (House Education Committee) p. 194, 235.

HB 274 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS. (House Ready List) p. 197, 203, 208.

HB 275 w/SA 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAX CREDITS. (Signed by the Governor 7/31/12) p. 197, 203, 207-208, 275, 297, 314.

HB 276 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISPLAY OF THE POW/MIA FLAG. (Signed by the Governor 9/20/12) p. 197, 212, 216, 298, 317.

HB 277 w/HA 3 & SA 2 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO HOME INVASION AND BURGLARY. (Signed by the Governor 6/1/12) p. 197, 201, 203, 223, 246, 252, 265.

HB 278 w/HA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (Passed in the House 4/5/12) p. 199, 219, 221.

HB 279 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LOW EMISSION VEHICLE PROGRAM. (House Natural Resources Committee) p. 201.

HB 280 w/HA 1 & SA 1 AN ACT TO AMEND CHAPTER 214, VOLUME 65 OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF NEWPORT. (Signed by the Governor 5/21/12) p. 199, 212, 213, 236, 240, 255.

HB 281 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO CAPITATION TAX. (Signed by the Governor 7/18/12) p. 204, 219, 223, 313, 314.

HB 282 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE NUTRIENT MANAGEMENT COMMISSION. (Signed by the Governor 6/25/12) p. 204, 225, 237, 272, 304.

HB 283 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY GOVERNMENT (Passed in the House 4/5/12) p. 204, 219, 221.

HB 284 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS. (House Administration Committee) p. 204.

HB 285 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT. (Signed by the Governor 7/18/12) p. 206, 220, 223, 300, 314.

HB 286 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT. (House Ready List) p. 209, 219.

HB 287 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE DELAWARE SUSTAINABLE ENERGY UTILITY. (House Energy Committee) p. 212.

HB 288 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION. (Passed in the House 5/3/12) p. 212, 234, 235, 236.

HB 289 w/HA 1 & HA 2 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO LOANS. (Signed by the Governor 6/27/12) p. 212, 219, 231, 265, 304.

HB 290 AN ACT TO AMEND TITLES 3, 5, 6, 7, 9 10, 11, 16, 23, 29 AND 30 OF THE DELAWARE CODE RELATING TO SHERIFFS AND SHERIFF DEPUTIES. (Stricken 4/25/12) p. 204, 208, 213, 225.

HB 291 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FORFEITURE OF RETIREMENT BENEFITS FOR PUBLIC EMPLOYEES CONVICTED OF CERTAIN CRIMES. (House Administration Committee) p. 214.

HB 292 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOLS. (House Ready List) p. 214, 220, 224, 272.

HB 293 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 6/26/12) p. 214-215, 225, 226, 239, 275, 304.

HB 294 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 6/28/12) p. 215, 225, 227, 289, 304.

HB 295 AN ACT TO AMEND TITLE 11 RELATING TO THE REGISTRATION OF SEX OFFENDERS. (Signed by the Governor 7/27/12) p. 215, 220, 223-224, 298, 314.

HB 296 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SERVICES FOR RUNAWAY AND HOMELESS YOUTH. (House Health & Human Development Committee) p. 215.

HB 297 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HABITUAL CRIMINAL OFFENDERS. (House Ready List) p. 217, 250, 272.

HB 298 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (Stricken 5/10/12) p. 217, 244.

HB 299 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CARDIOPULMONARY RESUSCITATION. (House Health & Human Development Committee) p. 217, 227, 243.

HB 300 w/HA 2, HA 1 to HA 2 & HA 3 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ENHANCED DISCLOSURE, REPORTING AND DISCLAIMER REQUIREMENTS IN DELAWARE'S CAMPAIGN FINANCE LAWS. (Signed by the Governor 8/15/12) p. 222, 234, 238, 240, 262, 317.

HB 301 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ELECTRICIANS AND ELECTRICAL CONTRACTORS. (House Policy Analysis & Government Accountability Committee) p. 219.

HB 302 AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF THERMAL SYSTEM INSULATION MECHANICS. (House Policy Analysis & Government Accountability Committee) p. 222, 238.

HB 303 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCHOOL BASED HEALTH CENTERS AND INSURANCE. (Signed by the Governor 6/26/12) p. 222, 224, 234, 235, 238, 247, 275, 304.

HB 304 w/HA 1 & HA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 6/15/12) p. 222, 234, 235, 238, 239, 272, 289.

HB 305 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE ENERGY ACT. (House Ready List) p. 224, 234.

HB 306 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATORY FLEXIBILITY ACT. (House Administration Committee) p. 225.

HB 307 AN ACT TO REINCORPORATE THE CHARTER OF THE CITY OF NEW CASTLE, CHAPTER 216, VOLUME 27, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF NEW CASTLE". (Signed by the Governor 6/20/12) p. 225, 234, 238, 275, 289.

HB 308 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR. (House Ready List) p. 227, 250, 255, 272, 286.

HB 309 w/HA 1 & SA 2 & HA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Signed by the Governor 7/20/12) p. 227-228, 236, 250, 258, 300, 307, 314.

HB 310 w/HA 1 AN ACT TO AMEND CHAPTER 80, TITLE 15 OF THE DELAWARE CODE RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAWS. (Signed by the Governor 8/15/12) p. 225, 234, 240-241, 242, 262, 317.

HS 1/HB 311 w/HA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADMISSION, MAINTENANCE AND DISCHARGE OF PATIENTS WITH MENTAL CONDITIONS. (Signed by the Governor 7/24/12) p. 259, 272, 276, 279, 284-285, 298, 314, 320.

HB 312 AN ACT TO AMEND VOLUME 60, CHAPTER 140, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF ARDENTOWN", RELATING TO CORPORATE LIMITS AND TOWN MEETINGS. (Signed by the Governor 7/27/12) p. 228, 250, 258, 300, 314.

HB 313 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE PROVIDER ADVISORY BOARD. (Signed by the Governor 7/27/12) p. 228, 235, 282, 314.

HB 314 AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATEWIDE PROGRAMS FOR THE DEAF, HARD OF HEARING AND DEAF-BLIND INCLUDING THE DELAWARE SCHOOL FOR THE DEAF. (Signed by the Governor 6/19/12) p. 228, 242, 246, 272, 289.

HB 315 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO EMERGENCY MEDICAL SERVICES SYSTEMS. (Signed by the Governor 7/12/12) p. 228, 245, 250, 296, 310, 314.

HB 316 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX CREDITS FOR BROADBAND SERVICES TO UNDERSERVED AND RURAL AREAS. (Stricken 6/6/12) p. 228, 261.

HB 317 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO KINDERGARTEN READINESS. (Signed by the Governor 6/19/12) p. 228, 242, 243, 244-245, 272, 289.

HB 318 AN ACT TO AMEND CHAPTER 176, VOLUME 74 LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF SMYRNA. (Signed by the Governor 7/18/12) p. 228, 250, 261, 264.

HB 319 w/HA 1 AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO AN EMPLOYMENT FIRST PRIORITY POLICY FOR PERSONS WITH DISABILITIES. (Signed by the Governor 7/16/12) p. 228, 242, 245, 253, 262, 314.

HB 320 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO HORSE RACING. (House Gaming & Pari-Mutuels Committee) p. 228.

HB 321 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATION OF SALE AND USE OF PESTICIDES AND DEVICES. (Signed by the Governor 6/15/12) p. 231, 242, 245, 272, 289.

HB 322 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF PROPERTY. (Signed by the Governor 7/5/12) p. 231, 242, 257, 293, 314.

HB 323 AN ACT TO AMEND VOLUME 57, CHAPTER 170 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE CITY OF LEWES, TO MAKE VOTER QUALIFICATIONS CONSISTENT WITH THE NEW SENATORIAL DISTRICT CREATED IN RESPONSE TO THE 2010 CENSUS, AND FURTHER TO AMEND THE PROCESS BY WHICH THE CITY AWARDS CERTAIN CONTRACTS FOR THE PURCHASE OF MATERIALS OR FOR THE FURNISHING OF SERVICES AUTHORIZED OR PERMITTED BY THE CHARTER FOR THE CITY OF LEWES. (Signed by the Governor 7/18/12) p. 235, 250, 363-364, 314.

HB 324 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FINFISH. (Passed in the House 6/14/12) p. 237, 250, 274.

HB 325 w/HA 1 AN ACT TO AMEND TITLES 3, 5, 6, 7, 9, 10, 11, 16, 23, 29 AND 30 OF THE DELAWARE CODE RELATING TO SHERIFFS AND SHERIFF DEPUTIES. (Signed by the Governor 6/19/12) p. 237, 242, 243, 244, 275, 289.

HB 326 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH PLANNING AND RESOURCES MANAGEMENT. (Signed by the Governor 8/13/12) p. 237, 244, 282, 310, 317.

HB 327 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES' PENSION PLAN. (Passed in the House 6/21/12) p. 237, 244, 272, 288.

HB 328 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DELAWARE HEALTH CARE COMMISSION. (Signed by the Governor 7/5/12) p. 238, 244, 282, 310, 314.

HB 329 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT INSURANCE APPEAL BOARD. (Signed by the Governor 7/18/12) p. 238, 244, 282, 300, 314.

HB 330 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES SPEED AND VIDEO MONITORING SYSTEMS. (House Ready List) p. 238, 242.

HB 331 AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. (House Ready List) p. 241, 282.

HB 332 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURES OF OFFICERS AND EMPLOYEES OF THE STATE. (Passed in the House 6/27/12) p. 241, 250, 296.

HB 333 w/HA 2 & HA 1 to HA 2 AN ACT TO AMEND TITLES 2 AND 29 OF THE DELAWARE CODE RELATING TO THE STATE LOTTERY. (Signed by the Governor 6/28/12) p. 241, 242, 257, 266, 268-269, 295, 304.

HB 334 AN ACT TO AMEND TITLE 29 RELATING TO THE ADOPTION OF REGULATIONS. (House Administration Committee) p. 242.

HB 335 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PORTABLE ELECTRONIC LIMITED LINES PRODUCER AND ADJUSTER LICENSURE. (Signed by the Governor 7/23/12) p. 242, 250, 258, 285, 314.

HB 336 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (House Policy Analysis & Government Accountability Committee) p. 242.

HB 337 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT. (Passed in the House 6/27/12) p. 242, 273, 297.

HB 338 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 6/25/12) p. 242, 250, 253-254, 277, 304.

HB 339 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 6/25/12) p. 242, 250, 254, 277, 304.

HB 340 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 6/25/12) p. 243, 250, 254-255, 277, 304.

HB 341 w/HA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE USE TAX ON LEASES OF TANGIBLE PERSONAL PROPERTY. (Signed by the Governor 7/5/12) p. 243, 261, 264, 300, 314.

HB 342 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 6/29/12) p. 243, 250, 255, 277, 304.

HB 343 AN ACT TO AMEND TITLE 7 RELATING TO THE TRANSFER OF FINFISH, EEL FISHING AND SHELLFISH PERMITS AND LICENSES. (Signed by the Governor 6/19/12) p. 243, 250, 253, 265, 289.

HB 344 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (House Ready List) p. 243, 284, 286.

HB 345 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CASUALTY INSURANCE CONTRACTS, INCLUDING CANCELLATION OR NONRENEWAL OF AUTOMOBILE POLICIES. (Signed by the Governor 7/20/12) p. 245, 261, 303, 314.

HB 346 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO REINSURANCE. (Signed by the Governor 7/27/12) p. 245, 161, 303, 314.

HB 347 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATION OF ACTIONS. (Laid on the Table in the House 6/20/12) p. 245, 250, 284.

HB 348 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 7/5/12) p. 245, 261, 275, 300, 314.

HB 349 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND THE MEDICAL PRACTICE ACT. (Signed by the Governor 8/2/12) p. 245, 251, 261, 266, 277-278, 300, 314.

HB 350 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 7/27/12) p. 246, 261, 274, 300, 314.

HB 351 w/HA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF NEWARK RELATING TO THE ALDERMAN. (Signed by the Governor 7/5/12) p. 250, 261, 266, 268, 293, 314.

HB 352 w/HA 1 AN ACT TO AMEND TITLE 21 AND TITLE 30 OF THE DELAWARE CODE RELATING TO RECREATIONAL VEHICLES. (Passed in the House 6/12/12) p. 250, 261, 268.

HS 1/HB 353 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENSES. (Stricken 6/21/12) p. 277, 282, 286.

HB 354 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PROFESSION OF NURSING. (House Health & Human Development Committee) p. 255.

HB 355 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE VOLUNTEER EMERGENCY RESPONDERS JOB PROTECTION ACT. (House Public Safety & Homeland Security Committee) p. 255.

HB 356 w/HA 1 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO CHARITABLE GAMING. (Passed in the House 6/20/12) p. 255, 261, 270, 284.

HB 357 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK. (Signed by the Governor 7/27/12) p. 256, 261, 282, 314.

HB 358 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (Stricken 6/13/12) p. 259, 269.



HB 359 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PLEADINGS AND PRACTICE. (House Judiciary Committee) p. 256.

HB 360 AN ACT TO AMEND TITLE 14 AND TITLE 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS. (House Ready List) p. 256, 267.

HB 361 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE CREATING THE DELAWARE AUCTION AND AUCTIONEER LICENSING ACT AND TO REAL ESTATE SERVICES, BROKERS, ASSOCIATE BROKERS, AND SALESPERSONS. (Stricken 6/27/12) p. 256, 260, 261, 276, 286, 297.

HB 362 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATED TO REORGANIZATION OF SCHOOL DISTRICTS. (House Education Committee) p. 256.

HB 363 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO BAIL BOND AGENTS. (Defeated in the Senate 6/30/12) p. 256, 261, 278, 314.

HB 364 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUDITS BY PHARMACY BENEFIT MANAGERS. (House Economic Development/Banking/Insurance & Commerce Committee) p. 256.

HB 365 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL CHILDREN. (Signed by the Governor 8/9/12) p. 256, 261, 263, 282, 293, 314.

HB 366 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS. (Passed in the House 6/12/12) p. 256, 261, 266, 267-268.

HB 367 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PROHIBITION ON SUNDAY HUNTING. (House Natural Resources Committee) p. 256.

HB 368 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PARENTAL OR GUARDIAN CONSENT FORMS FOR SCHOOL-BASED HEALTH CENTERS. (House Education Committee) p. 256.

HB 369 AN ACT TO AMEND CHAPTER 29, TITLE 30 OF THE DELAWARE CODE PERTAINING TO WHOLESALERS GROSS RECEIPTS TAXES. (Signed by the Governor 6/26/12) p. 256, 261, 263, 287, 304.

HB 370 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD AND RESERVE EMERGENCY ASSISTANCE FUND. (Signed by the Governor 7/5/12) p. 256, 261, 264, 310, 314.

HS 1/HB 371 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INVESTIGATING THE ABUSE OF CHILDREN. (Signed by the Governor 8/16/12) p. 269, 272, 287, 300, 317.

HB 372 w/HA 1 AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO APPOINTMENT AND REMOVAL OF A TOWN MANAGER. (Signed by the Governor 7/18/12) p. 259, 282, 286, 287, 310, 314.

HB 373 AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW UP TO \$2,500,000 FOR MUNICIPAL PURPOSES WITHOUT REFERENDUM. (Stricken 6/19/12) p. 259, 277.

HB 374 w/HA 1 AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW MONEY FROM THE STATE OR FEDERAL GOVERNMENT WITHOUT REFERENDUM. (Signed by the Governor 7/18/12) p. 259, 279, 282, 288, 310, 314.

HB 375 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FREE ACCESS TO STATE PARKS, AND FREE HUNTING AND FISHING LICENSES AND PERMITS FOR CERTAIN VOLUNTEERS. (Stricken 6/27/12) p. 259, 272, 297.

HB 376 AN ACT TO AMEND TITLES 18 & 29 OF THE DELAWARE CODE RELATING TO INSURANCE FEES AND TAXES AND TO ESTABLISH A MEDICAL INSURANCE COMPONENT FOR RETIRED DELAWARE COUNTY AND MUNICIPAL POLICE AND FIREFIGHTERS PENSION PLAN. (House Ready List) p. 262, 293, 302.

HB 377 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE CHARTER OF THE TOWN OF DEWEY BEACH. (Signed by the Governor 7/18/12) p. 262, 267, 284, 310, 314.

HB 378 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING A VEHICLE WHILE UNDER THE INFLUENCE. (Signed by the Governor 7/18/12) p. 264, 272, 275, 310, 314.

HS 1/HB 379 AN ACT TO AMEND TITLES 29 AND 31 OF THE DELAWARE CODE DESIGNATING SERVICES FOR RUNAWAY AND HOMELESS YOUTH. (Stricken 6/13/12) p. 269.



HB 380 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. (House Education Committee) p. 263.

HB 381 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY AND COMMERCIAL REAL ESTATE BROKER'S LIENS. (House Ready List) p. 265, 272, 293.

HB 382 AN ACT TO AMEND CHAPTER 49A, TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE INSURANCE COMPANY MUTUAL-TO-STOCK CONVERSION ACT. (Signed by the Governor 7/5/12) p. 265, 272, 278, 300, 314.

HB 383 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE CRIMINAL JUSTICE COUNCIL. (Signed by the Governor 7/1/12) p. 265, 272, 291, 310, 314.

HB 384 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIVERSAL HEARING SCREENING, TRACKING, AND INTERVENTION. (Signed by the Governor 8/3/12) p. 265, 272, 289, 295-296, 314.

HB 385 AN ACT TO AMEND CHAPTER 85, TITLE 11, OF THE DELAWARE CODE RELATING TO MISSING PERSONS. (Signed by the Governor 7/12/12) p. 265, 272, 287, 313, 314.

HB 386 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE ECONOMIC DEVELOPMENT. (House Appropriations Committee) p. 266, 282.

HB 387 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SPECIAL FUNDS. (Vetoed 8/17/12) p. 269, 288, 300, 315, 316, 317.

HB 388 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE. (House Policy Analysis & Government Accountability Committee) p. 270.

HB 389 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO RUNAWAY AND HOMELESS YOUTH. (Signed by the Governor 7/18/12) p. 269, 272, 296-297, 313, 314.

HB 390 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESTATES AND FIDUCIARY RELATIONS. (House Health & Human Development Committee) p. 269.

HB 391 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. (House Ready List) p. 269, 272.

HB 392 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Stricken 6/27/12) p. 272, 282, 295.

HB 393 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS, AND SCRAP METAL PROCESSORS AND PRECIOUS METALS, PRICING, AND WEIGHING. (Passed in the House 6/28/12) p. 276, 287, 303.

HB 394 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (House Ready List) p. 276, 286, 287.

HB 395 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ELECTRONIC COMMUNICATION DEVICE AND GEOLOCATIONAL PRIVACY. (House Judiciary Committee) p. 276.

HB 396 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ADMINISTRATION OF DECEDENTS' ESTATES. (House Ready List) p. 276, 285, 293.

HB 397 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION. (House Transportation/Land Use & Infrastructure Committee) p. 276.

HB 398 AN ACT TO AMEND VOLUME 51, CHAPTER 237, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE POWER TO BORROW FUNDS FOR MUNICIPAL PURPOSES WITHOUT REFERENDUM. (Signed by the Governor 7/20/12) p. 277, 282, 288-289, 310, 314.

HB 399 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE FACILITIES. (House Ready List) p. 279, 290.

HB 400 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TANNING FACILITIES. (House Health & Human Development Committee) p. 270.

HB 401 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FREE SURF FISHING VEHICLE PERMITS FOR CERTAIN VOLUNTEERS. (Signed by the Governor 7/27/12) p. 286, 290, 296, 310, 314.

HS 1/HB 402 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH. (Signed by the Governor 7/20/12) p. 302-303, 314.

HB 403 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HOSPITAL INFECTIONS DISCLOSURE ACT. (Signed by the Governor 7/20/12) p. 289, 301, 305-306, 314.

HB 404 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING A RESPONSIBLE CONTRACTOR LAW. (House Administration Committee) p. 289, 306.

HB 405 AN ACT TO AMEND TITLE 30 RELATING TO THE PERSONAL INCOME TAX AND AGE 55+ HOUSING. (House Revenue & Finance Committee) p. 293.

HB 406 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND THE LOT RENTAL ASSISTANCE PROGRAM. (House Manufactured Housing Committee) P. 298.

HB 407 A Bill with this number was not introduced.

HB 408 A Bill with this number was not introduced.

HB 409 A Bill with this number was not introduced.

HB 410 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATIONS TRUST FUND; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND BOND PREMIUMS 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 STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/12) p. 290, 305, 306, 314.

## HOUSE RESOLUTIONS

HR 1 RELATING TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 3.

HR 2 RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 146TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE. (Passed) p. 3.

HR 3 RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 3.

HR 4 RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 146TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS. (Passed) p. 3

HR 5 RECOGNIZING THE 30TH ANNIVERSARY OF THE CAI/EASTER SEALS VOLLEYBALL CHALLENGE. (Passed) p. 26.

HR 6 ESTABLISHING APRIL 12, 2011 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE. (Passed) p. 53.

HR 7 DECLARING APRIL, 2011 AS "AUTISM AWARENESS MONTH" IN DELAWARE. (Passed) p. 40.

HR 8 A RESOLUTION REQUESTING ALL DELAWARE HIGH SCHOOLS TO PROVIDE THE HOUSE OF REPRESENTATIVES WITH INFORMATION ABOUT GRADUATING SENIORS. (Passed) p. 41.

HR 9 URGING AN OPEN AND TRANSPARENT REDISTRICTING PROCESS WITH PUBLIC PARTICIPATION. (Stricken 6/28/11) p. 43, 127.

HR 10 RELATING TO THE HOUSE OF REPRESENTATIVES REDISTRICTING PROCESS. (Passed) p. 44.

HR 11 DECLARING APRIL 12, 2011 AS EARLY DEVELOPMENTAL SCREENING DAY. (Passed) p. 48.

HR 12 RECOGNIZING APRIL 28, 2011 AS "WORKERS MEMORIAL DAY." (Passed) p. 56.

HR 13 RECOGNIZING MAY 12, 2011 AS FIBROMYALGIA AWARENESS DAY IN DELAWARE. (Passed) p. 71-72.

HR 14 RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 8, 2011, MOTHER'S DAY. (Passed) p. 66.

HR 15 RECOGNIZING THE CAI/EASTER SEALS VOLLEYBALL CHALLENGE. (Passed) p. 146.

HR 16 PROCLAIMING MAY 18, 2011 AS "LEWES-REHOBOTH ASSOCIATION OF CHURCHES DAY." (Passed) p. 82

HR 17 PROCLAIMING JUNE 6-12, 2011 AS AUTOMOTIVE SERVICE PROFESSIONALS WEEK IN DELAWARE. (Passed) p. 87.

HR 18 IN HONOR OF CHANCELLOR WILLIAM B. CHANDLER III ON HIS RETIREMENT FROM THE COURT OF CHANCERY. (Passed) p. 81-82.

HR 19 RECOGNIZING THE 125TH ANNIVERSARY OF GOLDEY-BEACOM COLLEGE. (Passed) p. 91.

HR 20 RECOGNIZING THURSDAY, JUNE 16, 2011 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES. (Passed) p. 104-105.

HR 21 RECOGNIZING SUNDAY, JUNE 19, 2011 AS FATHER'S DAY IN DELAWARE AND COMMENDING ALL FATHERS FOR THEIR SUPPORT IN THEIR CHILDREN'S LIVES. (Passed) p. 109.

HR 22 PROCLAIMING AND RECOGNIZING JUNE 19, 2011 AS JUNETEENTH INDEPENDENCE DAY. (Passed) p. 104.

HR 23 RECOGNIZING JUNE 23, 2011, AS "AKA DAY AT THE CAPITAL" IN DELAWARE. (Passed) p. 118.

HR 24 AN ACT PROCLAIMING OCTOBER 16-22, 2011 AS "MEDIATION WEEK". (Passed) p. 135.

HR 25 ESTABLISHING A TASK FORCE TO EXAMINE THE ISSUE OF MANUFACTURED HOUSING DELINQUENT TAXES. (Passed) p. 142.

HR 26 CELEBRATING THE WEEK OF JANUARY 29TH THROUGH FEBRUARY 5TH AS CATHOLIC SCHOOLS WEEK IN DELAWARE. (Passed) p. 191.

HR 27 JOINING YWCA DELAWARE IN TAKING A "STAND AGAINST RACISM" ON THE 27TH DAY OF APRIL 2012. (Passed) p. 226.

HR 28 RECOGNIZING APRIL 28, 2012 AS "WORKERS' MEMORIAL DAY". (Passed) p. 226.

HR 29 RECOGNIZING BRANDYWINE SCHOOL DISTRICT'S HANBY ELEMENTARY SCHOOL AND BUSH EARLY EDUCATION CENTER AS THE FIRST SCHOOL IN DELAWARE TO BE LEED-CERTIFIED. (Passed) p. 241-242.

HR 30 DESIGNATING THE MONTH OF MAY 2012 AS "OLDER AMERICANS MONTH". (Passed) p. 238.

HR 31 PROCLAIMING THE MONTH OF MAY AS COMMUNITY ACTION MONTH. (Passed) p. 246.

HR 32 RESPECTING AND HONORING ALL DELAWARE MOTHERS ON MAY 13, 2012, MOTHER'S DAY. (Passed) p. 243-244.

HR 33 COMMENDING THE EFFORTS OF DELAWARE'S PUBLIC CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS. (Passed) p. 243.

HR 34 PROCLAIMING MAY, 2012 CYSTIC FIBROSIS AWARENESS MONTH IN DELAWARE. (Passed) p. 252.

HR 35 RECOGNIZING JUNE 14, 2012, AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES. (Passed) p. 273.

HR 36 RECOGNIZING THE IMPORTANCE OF FOSTERING LEADERSHIP SKILLS AND THE SPIRIT OF PUBLIC SERVICE IN THE NEXT GENERATION OF DELAWARE WOMEN AND URGING THE EXPANSION OF THE GIRLS STATE PROGRAM. (Passed) p. 307.

HR 37 CREATING THE DELAWARE SCHOOL CONSTRUCTION WORKING GROUP (Passed) p. 304.

HR 38 URGING THE PUBLIC AND PRIVATE SECTORS TO EXAMINE PROSPECTIVE ADVANCES IN TECHNOLOGIES AND DELAWAREANS' EXPECTATION OF PRIVACY IN SOCIAL MEDIA NETWORKING AND ELECTRONIC DEVICES. (Passed) p. 313.

#### HOUSE CONCURRENT RESOLUTIONS

HCR 1 PROCLAIMING THE MONTH OF FEBRUARY 2011 AS AFRICAN AMERICAN HISTORY MONTH AND REQUESTING THE GOVERNOR ISSUE A PROCLAMATION FOR AFRICAN AMERICAN HISTORY MONTH. (Passed) p. 14, 17.

HCR 2 RECOGNIZING THE WEEK OF JANUARY 23-29, 2011 AS "NATIONAL SCHOOL CHOICE WEEK." (Passed) p. 14, 17.

HCR 3 PROCLAIMING THE WEEK OF FEBRUARY 13-19, 2011 AS "CHILDREN OF ALCOHOLICS WEEK" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION FOR "CHILDREN OF ALCOHOLICS WEEK." (Passed) p. 26, 40.

HCR 4 RECOGNIZING THAT THE MEMBERS OF THE DELAWARE FEDERATION OF REPUBLICAN WOMEN ARE URGING THE PASSAGE OF LEGISLATION THAT REQUIRES VOTERS TO SHOW GOVERNMENT-ISSUED PHOTO IDENTIFICATION BEFORE VOTING. (House Administration Committee) p. 20.

HCR 5 RECOGNIZING THAT THE MEMBERS OF THE DELAWARE FEDERATION OF REPUBLICAN WOMEN ARE URGING THE PASSAGE OF LEGISLATION THAT MOVES THE DELAWARE ELECTION PRIMARIES TO AN EARLIER DATE TO ENSURE THE TIMELY ISSUANCE AND RECEIPT OF MILITARY ABSENTEE BALLOTS. (House Administration Committee) p. 20.

HCR 6 DECLARING MARCH 16, 2011 AS "COMMUNITIES IN SCHOOLS OF DELAWARE DAY." (Passed) p. 26.

HCR 7 COMMENDING JOSEPH P. MASIELLO FOR HIS SELECTION AS DELAWARE'S STATE TEACHER OF THE YEAR FOR 2011 AND COMMENDING EACH SCHOOL DISTRICT'S SELECTED TEACHER OF THE YEAR. (Passed) p. 35, 37.

HCR 8 DESIGNATING THE MONTH OF APRIL 2011 AS DELAWARE'S SEXUAL ASSAULT AWARENESS MONTH. (Passed) p. 43, 45.

HCR 9 PROCLAIMING APRIL 13, 2011, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 56.

HCR 10 COMMENDING THE NOMINEES FOR THE 2011 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 62, 63.

HCR 11 RECOGNIZING THE MONTH OF MAY 2011 AS "POPPY MONTH" IN THE STATE OF DELAWARE. (Passed) p. 61-62, 63.

HCR 12 COMMENDING THE EFFORTS OF DELAWARE'S PUBLIC CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS. (Passed) p. 62, 63.

HCR 13 PROCLAIMING THE MONTH OF MAY AS "BIKE MONTH." (Passed) p. 63, 64.

HCR 14 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. 67-68, 70.

HCR 15 RECOGNIZING AND COMMENDING THE WAY HOME, INC. FOR ITS CONTRIBUTIONS TO THE STATE. (Passed) p. 71-72.

HCR 16 RECOGNIZING THE MONTH OF MAY 2011 AS OLDER AMERICANS MONTH AND DRIVER SAFETY MONTH AND ACKNOWLEDGING THE EFFORTS OF THE DELAWARE SENIOR DRIVER TASK FORCE. (Passed) p. 71, 72.

HCR 17 CELEBRATING THE 100TH ANNIVERSARY OF THE DELAWARE NURSES ASSOCIATION AND RECOGNIZING ITS 100 YEARS OF COMMITMENT AND SERVICE TO PROFESSIONAL NURSES IN THE STATE OF DELAWARE. (Passed) p. 82, 86.

HCR 18 RECOGNIZING JUNE 15, 2011, AS DELAWARE ELDER ABUSE AWARENESS DAY. (Passed) p. 97, 100.

HCR 19 RECOGNIZING THE CAREER, ACCOMPLISHMENTS, AND LIFE OF CHARLES T. ARMBRUSTER, JR. (Passed) p. 103-104, 108.

HCR 20 HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2011 SESSION OF DELAWARE'S BOYS' STATE. (Passed) p. 103, 108.

HCR 21 RECOGNIZING AND CELEBRATING NATIONAL LONG-TERM CARE RESIDENTS' RIGHTS MONTH AND RESIDENTS' RIGHTS RALLY IN DELAWARE. (Passed) p. 122, 143.

HCR 22 PROCLAIMING THE WEEK OF OCTOBER 23 - 29, 2011 AS "DELAWARE'S PRO BONO CELEBRATION WEEK." (Passed) p. 122, 143.

HCR 23 RECOGNIZING THE COMCAST FOUNDATION'S LEADERS AND ACHIEVERS SCHOLARSHIP PROGRAM AND ITS DELAWARE RECIPIENTS FOR 2011. (Passed) p. 118, 123.

HCR 24 RECOGNIZING AND PROCLAIMING JUNE 2011 AS "NEW HOMES MONTH." (Passed) p. 124, 143.

HCR 25 RECOGNIZING NOVEMBER 2011 AS NATIVE AMERICAN HERITAGE MONTH IN DELAWARE. (Passed) p. 129, 130.

HCR 26 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 JACK A. MARKELL, GOVERNOR OF THE STATE OF DELAWARE. (Passed) p. 169.

HCR 27 PROCLAIMING THE MONTH OF FEBRUARY 2012 AS AFRICAN AMERICAN HISTORY MONTH AND REQUESTING THE GOVERNOR ISSUE A PROCLAMATION FOR AFRICAN AMERICAN HISTORY MONTH. (Passed) p. 175, 182.

HCR 28 PROCLAIMING JANUARY 22-28, 2012 AS SCHOOL CHOICE WEEK IN DELAWARE. (Passed) p. 183, 191.

HCR 29 PROMOTING EQUAL EMPLOYMENT OPPORTUNITY IN HIRING BY THE STATE OF DELAWARE FOR BLIND AND VISUALLY IMPAIRED INDIVIDUALS. (Passed) p. 185, 191.

HCR 30 RECOGNIZING THE WEEK OF JANUARY 22ND TO JANUARY 28TH AS NATIONAL NURSE ANESTHETISTS WEEK. (Passed) p. 188.

HCR 31 PROCLAIMING FEBRUARY AS CHILDREN'S DENTAL HEALTH MONTH. (Passed) p. 189, 191.

HCR 32 PROCLAIMING THE WEEK OF FEBRUARY 12-18, 2012 AS "CHILDREN OF ALCOHOLICS WEEK" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION FOR "CHILDREN OF ALCOHOLICS WEEK." (Passed) p. 189, 191.

HCR 33 RECOGNIZING THE STRONG TIES BETWEEN CANADA AND DELAWARE AND CELEBRATING CANADA DAY IN DELAWARE. (Passed) p. 199, 201.

HCR 34 COMMENDING AMBER AUGUSTUS FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2012 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 204.

HCR 35 CELEBRATING THE 100TH ANNIVERSARY OF THE GIRL SCOUTS OF THE USA, THE 50TH ANNIVERSARY OF THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL, AND PROCLAIMING 2012 AS THE "YEAR OF THE GIRL" IN THE STATE OF DELAWARE. (Passed) p. 203, 204.

HCR 36 RECOGNIZING WEDNESDAY, MARCH 21, 2012 IS "KICK BUTTS DAY." (Passed) p. 203, 204.

HCR 37 RECOGNIZING APRIL 2012 AS CHILD ABUSE PREVENTION MONTH IN DELAWARE. (Passed) p. 206, 214.

HCR 38 ENCOURAGING CONFORMANCE WITH THE PROHIBITION ON THE USE OF ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING A MOTOR VEHICLE ON THE HIGHWAYS OF THE STATE OF DELAWARE. (Passed) p. 211-212, 214.

HCR 39 PROCLAIMING APRIL 25, 2012 AS "EARLY CHILDHOOD ADVOCACY DAY." (Passed) p. 224, 225.

HCR 40 RECOGNIZING THE WEEK OF APRIL 8-14, 2012 AS "NATIONAL LIBRARY WEEK". (Passed) p. 215, 217.

HCR 41 RECOGNIZING THE UNIVERSITY OF DELAWARE WOMEN'S BASKETBALL TEAM AND COMMENDING THEM ON AN EXTRAORDINARY 2011-2012 SEASON. (Passed) p. 220, 231, 235-236.

HCR 42 REQUESTING AN OPINION FROM THE JUSTICES OF THE DELAWARE SUPREME COURT REGARDING SHERIFFS' POWER OF ARREST. (House Administration Committee) p. 228.

HCR 43 REQUESTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO EVALUATE THE FEASIBILITY OF APPLYING A CREDIT FOR MANUFACTURERS LOCATED IN DELAWARE IN DESIGNATING STATE CONTRACT VENDORS AND ELIMINATING CERTAIN CONTRACT REQUIREMENTS. (Passed) p. 229, 242, 284, 289.

HCR 44 RECOGNIZING JULY 18, 2012, AS THE INAUGURAL DELAWARE CULTURE CHANGE COALITION'S ANNUAL CONFERENCE. (Passed) p. 261, 275.

HCR 45 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. 245-246.

HCR 46 RECOGNIZING JUNE 15, 2012 AS "DELAWARE ELDER ABUSE AWARENESS DAY." (Passed) p. 266, 275.

HCR 47 PROCLAIMING THE WEEK OF MAY 20 TO MAY 26, 2012 AS "TEEN FINANCIAL AWARENESS WEEK" IN DELAWARE. (Passed) p. 249, 250.

HCR 48 RECOGNIZING JUNE 7, 2012 AS "NON-PROFIT AWARENESS DAY". (Passed) p. 262, 265.

HCR 49 COMMENDING THE FOOD BANK OF DELAWARE FOR ITS CONTRIBUTIONS TO THE STATE OF DELAWARE. (Passed) p. 251-252, 255.

HCR 50 RECOGNIZING THE MONTH OF MAY 2012 AS "POPPY MONTH" IN THE STATE OF DELAWARE. (Passed) p. 251, 255.

HCR 51 HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2012 SESSION OF DELAWARE'S BOYS STATE. (Passed) p. 273, 275.

HCR 52 RECOGNIZING NOVEMBER 2012 AS NATIVE AMERICAN HERITAGE MONTH IN DELAWARE. (Passed) p. 281, 289.

HCR 53 PROCLAIMING THE WEEK OF OCTOBER 21-27, 2012 AS "DELAWARE'S PRO BONO CELEBRATION WEEK." (Passed) p. 296, 310.

HCR 54 RECOGNIZING JULY 9, 2012, AS THE DAY OF THE WARRANT OFFICER CORPS. (Passed) p. 295, 310.

HCR 55 CREATING THE DELAWARE HEALTH FUND WORKING GROUP. (Passed) p. 297, 310.

HCR 56 DESIGNATING THE WEEK OF OCTOBER 15 THROUGH 21, 2012 AS "DELAWARE WINE & BEER WEEK." (Passed) p. 307, 314.

HCR 57 CREATING A TASK FORCE TO EXAMINE PROGRAMS FOR GIFTED AND TALENTED STUDENTS IN THE STATE OF DELAWARE. (Passed) p. 306, 310.

#### HOUSE JOINT RESOLUTIONS

HJR 1 RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES. (Signed by the Governor 2/11/11) p. 4, 6, 17.

HJR 2 RECOGNIZING THE LATE DELAWARE STATE POLICE CORPORAL ROBERT H. BELL FOR HIS COURAGEOUS ACTIONS IN THE LINE-OF-DUTY. (Signed by the Governor 4/15/11) p. 49-50, 52, 60.

HJR 3 ESTABLISHING A COMMUNICATIONS TAX REVIEW GROUP TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S TAX LAWS APPLICABLE TO COMMUNICATIONS PROVIDERS. (Signed by the Governor 7/5/11) p. 97, 102, 111, 128, 146.

HJR 4 w/HA 1 ESTABLISHING A STUDY COMMISSION ON LOBBYIST ETHICS. (Passed in the House 6/23/11) p. 102, 117, 118, 121.

HJR 5 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2011 (Signed by the Governor 7/1/11) p. 119, 130, 145.

HJR 6 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012 (Vetoed 7/5/11) p. 119, 130, 145-146.

HJR 7 w/SA 1 ESTABLISHING A STUDY GROUP TO ASSESS CHILD MENTAL HEALTH NEEDS IN KENT AND SUSSEX COUNTIES. (Signed by the Governor 7/25/11) p. 132-133, 143, 165.

HJR 8 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2012 (Signed by the Governor 7/1/11) p. 140-141, 143, 144, 145.

HJR 9 URGING THE CONTINUED OPERATION OF THE HARES CORNER U.S. MAIL PROCESSING AND DISTRIBUTION CENTER. (Signed by the Governor 1/19/12) p. 169, 191.

HJR 10 RECOGNIZING MAJOR GENERAL FRANCIS D. VAVAL FOR HIS LEADING ROLE IN RESHAPING THE MILITARY OF THE UNITED STATES OF AMERICA. (Signed by the Governor 1/26/12) p. 169, 191.

HJR 11 PROCLAIMING MARCH 2012 NATIONAL NUTRITION MONTH. (Signed by the Governor 4/5/12) p. 192, 196, 200, 214, 221.

HJR 12 RECOGNIZING APRIL 2012 AS AUTISM AWARENESS MONTH. (Signed by the Governor 4/5/12) p. 212, 221.

HJR 13 w/HA 1 & HA 1 to HA 1 ESTABLISHING NEW REPORTING DATES FOR THE COMMUNICATIONS TAX REVIEW GROUP. (Signed by the Governor 6/5/12) p. 226, 228, 230, 255, 265.

HJR 14 ESTABLISHING AN ALTERNATIVE DISPUTER RESOLUTION ("ADR") STUDY GROUP TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S ADR PROCESSES. (Stricken 5/15/12) p. 243, 247.

HJR 15 ESTABLISHING AN ALTERNATIVE DISPUTE RESOLUTION ("ADR") STUDY GROUP TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE'S ADR PROCESSES. (House Ready List) p. 245, 250, 256.

HJR 16 SUPPORTING THE CREATION OF A NATIONAL POW/MIA TRAILWAY SYSTEM AND RECOMMENDING THAT THE SEGMENT OF THE ABANDONED PENNSYLVANIA RAILROAD RUNNING FROM SOUTH MARKET STREET IN WILMINGTON TO BATTERY PARK IN NEW CASTLE BE DESIGNATED AS THE FIRST SEGMENT THEREOF. (Signed by the Governor 7/27/12) p. 248, 261, 264, 293, 314.

HJR 17 ESTABLISHING A STUDY GROUP TO ASSESS DELAWARE'S CIVIL MENTAL HEALTH LAWS. (Signed by the Governor 7/24/12) p. 266, 272, 285, 298, 314.

HJR 18 DIRECTING THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES TO SUBMIT AN ANALYSIS AND RECOMMENDATIONS FOR CREATING A DEVELOPMENTALLY APPROPRIATE FOSTER CARE PROGRAM FOR YOUTH/YOUNG ADULTS UP TO AGE 21. (Signed by the Governor 7/5/12) p. 269, 272, 313, 314.

## SENATE BILLS

SB 4 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MEMBERS OF THE GENERAL ASSEMBLY AND STATEWIDE ELECTED OFFICIALS. (House Administration Committee) p. 117, 118.

SB 6 AN ACT TO AMEND THE CHARTER OF THE CITY OF MILFORD RELATING TO ELECTIONS. (Signed by the Governor 2/15/11) p. 7, 16, 17.

SB 7 AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 2/15/11) p. 7, 16-17.

SB 8 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATING TO COUNCIL AND THE MAYOR. (Signed by the Governor 2/22/11) p. 7, 17.

SB 9 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO ROADS WITHIN COMMUNITIES RESTRICTED TO RESIDENTS WHO ARE 55 YEARS OF AGE OR OLDER. (Signed by the Governor 5/19/11) p. 29, 49, 55, 68, 75.

SB 10 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TAXATION OF KENT COUNTY SWIMMING POOLS WHICH ARE OWNED BY CIVIC ORGANIZATIONS. (Signed by the Governor 7/13/11) p. 58, 61, 72, 126, 164.

SB 12 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE FOOD STAMP PROGRAM. (Signed by the Governor 6/22/11) p. 49, 64, 98, 118.

SB 13 w/SA 4 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STERILE NEEDLE AND SYRINGE EXCHANGE. (Signed by the Governor 7/5/11) p. 49, 64, 88, 146.

SB 15 w/SA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN EMPLOYMENT AND PUBLIC BENEFITS ELIGIBILITY. (House Administration Committee) p. 100, 101.

SB 16 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION. (Signed by the Governor 4/13/11) p. 26, 27, 34, 38, 39, 60.

SB 17 w/SA 3 & 4 & HA 6 & 7 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING THE DELAWARE MEDICAL MARIJUANA ACT. (Signed by the Governor 5/13/11) p. 42, 43, 45, 56, 57, 63, 64, 65-66, 75.

SB 18 AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (Enacted without signature) p. 112, 113, 129, 136, 138-139, 170.

SB 22 w/SA 1 & 3 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTISM SPECTRUM DISORDERS COVERAGE. (Signed by the Governor 8/13/12) p. 265, 266, 272, 295, 317.

SB 23 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE TOWN OF FRANKFORD'S CHARTER. (Signed by the Governor 5/4/11) p. 38, 39, 49, 53, 73.

SB 24 w/SA 2 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE OFFICE OF THE PUBLIC GUARDIAN AND TO ESTABLISH THE DELAWARE GUARDIANSHIP COMMISSION. (Signed by the Governor 6/8/11) p. 67, 72, 84, 97.

SB 25 w/SA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO GUN SAFETY. (Signed by the Governor 7/13/11) p. 96, 97, 128, 143.

SB 26 w/SA 1 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO NUTRIENT MANAGEMENT. (Signed by the Governor 6/3/11) p. 62, 63, 73, 74-75, 97.

SB 28 AN ACT TO AMEND TITLES 11 AND 15 OF THE DELAWARE CODE RELATING TO ADDRESS CONFIDENTIALITY FOR CERTAIN PERSONS. (Signed by the Governor 5/19/11) p. 56, 57, 64, 70, 75.

SS 1/SB 29 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS BY PERSONS PROHIBITED. (Signed by the Governor 7/13/11) p. 128, 130, 133, 137, 164.

SB 30 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CIVIL UNIONS. (Signed by the Governor 5/11/11) p. 52, 53, 55-56, 57, 58-59, 73.

SB 31 w/SA 1 AN ACT TO AMEND TITLE 24, CHAPTER 11 OF THE DELAWARE CODE RELATING TO LICENSURE OF DENTISTS AND DENTAL HYGIENISTS. (Signed by the Governor 7/25/11) p. 89, 91, 102, 122, 165.

SB 32 w/SA 2 AN ACT TO AMEND TITLE 24, CHAPTER 35 OF THE DELAWARE CODE RELATING TO LICENSURE OF PSYCHOLOGISTS. (Signed by the Governor 7/25/11) p. 89, 91, 102, 122, 165.

SB 33 w/SA 2 AN ACT TO AMEND THE MEDICAL PRACTICE ACT, TITLE 24, CHAPTER 17 OF THE DELAWARE CODE RELATING TO LICENSURE OF PHYSICIAN ASSISTANTS. (Signed by the Governor 7/25/11) p. 89, 91, 102, 122, 165.

SB 34 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFIT COMMITTEE. (House Administration Committee) p. 199, 201, 220.

SB 35 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEPENDENT HEALTH COVERAGE. (Signed by the Governor 5/4/11) p. 53, 55, 62, 73.

SB 36 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION. (Signed by the Governor 4/19/11) p. 37, 38, 56, 60.

SB 37 AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 29 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO JUSTICES OF THE PEACE. (Enacted without signature) p. 78, 80, 102, 122, 170.

SB 38 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE AND MOTOR VEHICLE SAFETY. (Signed by the Governor 7/25/11) p. 63, 73, 125, 165.

SB 40 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PERTAINING TO BUSINESS TAX CREDITS AND DEDUCTIONS AND CLEAN ENERGY TECHNOLOGY DEVICE MANUFACTURING. (Signed by the Governor 6/22/11) p. 75, 77, 81, 89-90, 118.

SB 41 w/SA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE NEW CASTLE COUNTY BOARD OF ASSESSMENT REVIEW. (Signed by the Governor 5/20/11) p. 56, 57, 64, 70, 97.

SB 42 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO FORECLOSURE CONSULTANTS AND MORTGAGE MODIFICATION SERVICE PROVIDERS. (Signed by the Governor 9/21/11) p. 82, 87, 102, 124, 183.

SB 43 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REMOVAL OF ABANDONED VEHICLES (Signed by the Governor 7/13/11) p. 81, 102, 126, 165.

SB 46 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO QUALIFIED FINANCIAL CONTRACTS, DERIVATIVE INSTRUMENTS AND REHABILITATION AND LIQUIDATION. (Signed by the Governor 5/19/11) p. 56, 57, 64, 69, 75.

SB 47 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Signed by the Governor 7/5/11) p. 78, 80, 102, 126, 146.

SB 48 w/SA 2 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DECEPTIVE FORECLOSURE PRACTICES (Signed by the Governor 9/21/11) p. 130, 134, 137-138, 183.

SB 49 AN ACT TO AMEND TITLE 29 RELATING TO THE DELAWARE COMMISSION ON ITALIAN HERITAGE AND CULTURE. (Signed by the Governor 6/8/11) p. 66, 67, 80, 83, 97.

SB 50 w/SA 2 & 4 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 55.

SB 52 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ISSUANCE OF SMALL ESTATE AFFIDAVITS. (Signed by the Governor 7/25/11) p. 75, 77, 117, 126, 165.

SB 53 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND TO THE INVESTMENT FLEXIBILITY FOR WELL-CAPITALIZED INSURANCE COMPANIES. (Signed by the Governor 6/23/11) p. 66, 67, 81, 94-95, 145.

SB 54 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION. (Signed by the Governor 6/23/11) p. 66, 67, 81, 95, 145.

SB 55 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC CONTROL SIGNAL PREEMPTION DEVICES. (Signed by the Governor 7/5/11) p. 91, 102, 127, 146.

SS1/SB 56 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH SERVICE CORPORATIONS. (Signed by the Governor 6/27/11) p. 70, 71, 92, 97, 100, 145.

SB 57 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH. (Signed by the Governor 6/8/11) p. 70, 71, 81, 83, 97.

SB 58 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO SHELLFISH. (Signed by the Governor 6/8/11) p. 70, 71, 81, 84, 97.

SB 59 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO WAIVER OF CRIMES AND ESTABLISHMENT OF CRIMINAL BACKGROUND REQUIREMENTS RELATED TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 6/8/11) p. 67, 70, 81, 85, 97.

SB 63 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO BILL AND AMENDMENT DRAFTING. (Signed by the Governor 7/5/11) p. 75, 77, 102, 116, 146.

SB 64 w/SA 2 & HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FLOODPLAIN AND DRAINAGE STANDARDS, WETLANDS AND SUBAQUEOUS LANDS. (Signed by the Governor 8/17/11) p. 108, 110, 117, 123, 127, 170.

SB 65 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO NUISANCE ABATEMENT. (Signed by the Governor 8/3/11) p. 130, 134, 143, 168.

SB 67 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE TO AUTHORIZE THE PLACEMENT OF MEMORIAL SIGNAGE FOR CERTAIN EMERGENCY PERSONNEL KILLED IN THE LINE OF DUTY. (Signed by the Governor 6/29/11) p. 89, 91, 102, 110-111, 145.

SB 68 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH TO EXPAND THE DISTANCE FROM THE TOWN LIMITS WITHIN WHICH THE ALDERMAN AND ASSISTANT ALDERMAN MUST RESIDE. (Signed by the Governor 7/5/11) p. 100, 101, 129, 131, 146.

SB 69 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSED ATHLETIC TRAINERS. (Signed by the Governor 6/22/11) p. 75, 78, 92, 99, 118.

SB 70 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROTECTING THE HEALTH OF CHILDREN BY PROHIBITING BISPHENOL-A IN PRODUCTS FOR YOUNG CHILDREN. (Signed by the Governor 6/30/11) p. 92, 93, 102, 114, 145.

SB 74 AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (Signed by the Governor 7/7/11) p. 82, 87, 102, 123, 146.

SB 76 AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES. (Signed by the Governor 7/7/11) p. 82, 87, 102, 123, 146.

SB 77 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 7/7/11) p. 82, 87, 102, 123, 146.

SB 78 w/SA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE ASSESSMENT SYSTEM. (Signed by the Governor 6/22/11) p. 81, 92, 95, 118.



SB 79 w/SA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENT AND COUNTY ADMINISTRATORS. (Signed by the Governor 6/22/11) p. 75, 78, 92, 94, 107, 118.

SB 80 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE FUNDING OF THE DELAWARE INSURANCE FRAUD PREVENTION BUREAU. (Signed by the Governor 1/26/12) p. 91, 165, 167, 191.

SB 81 w/SA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE SALE OF DISABLED PERSON'S REAL ESTATE. (Signed by the Governor 7/13/11) p. 110, 113, 128, 144, 164.

SB 82 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM THE BOARD OF ASSESSMENT REVIEW FOR NEW CASTLE COUNTY. (House Administration Committee) p. 108, 110, 118, 120.

SB 83 AN ACT TO AMEND TITLES 10, 12, 18 AND 25 OF THE DELAWARE CODE RELATING TO JUDICIAL PROCEDURE, FIDUCIARY RELATIONS, INSURANCE AND PROPERTY. (Signed by the Governor 7/13/11) p. 102, 103, 117, 131, 164.

SB 85 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE LEGAL RATE OF INTEREST AND JUDGMENTS. (Signed by the Governor 4/5/12) p. 102, 103, 176, 208, 221.

SB 86 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFTS FROM CEMETERIES. (Signed by the Governor 7/13/11) p. 100, 101, 117, 125, 164.

SB 87 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Signed by the Governor 10/20/11) p. 100, 101, 129, 136, 183.

SB 88 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DEFERRED COMPENSATION. (House Administration Committee) p. 112, 113.

SB 89 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE PRESIDENTIAL PRIMARY ELECTION. (Signed by the Governor 7/27/11) p. 108, 110, 129, 131, 165.

SB 91 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. (Signed by the Governor 7/1/11) p. 110, 113, 128, 140, 145.

SB 92 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CHRONIC VIOLATOR STATUS. (Signed by the Governor 8/16/11) p. 96, 97, 102, 120, 170.

SB 93 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO AUTOMOBILE CLUBS. (Signed by the Governor 8/6/11) p. 98, 101, 102, 126, 168.

SB 95 AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS. (Signed by the Governor 7/7/11) p. 82, 87, 102, 123, 146.

SB 96 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PARKS AND RECREATION COUNCIL. (Signed by the Governor 2/3/12) p. 130, 134, 136, 188, 190, 191.

SB 98 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND THE REQUIREMENT OF COVERAGE FOR CERTAIN IMMUNIZATIONS AND PREVENTIVE SERVICES. (Signed by the Governor 9/23/11) p. 102, 103, 117, 132, 183.

SB 101 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH, AN ACT TO RE-INCORPORATE THE TOWN OF BETHANY BEACH, RELATING TO ELECTION NOTICES AND RECORDS AND CANDIDATE QUALIFICATIONS. (Signed by the Governor 7/13/11) p. 100, 129, 131, 164.

SB 102 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE LONG-TERM CARE OMBUDSMAN. (Signed by the Governor 7/13/11) p. 117, 118, 129, 135, 142, 164.

SB 103 AN ACT TO AMEND TITLES 7 AND 29 OF THE DELAWARE CODE RELATING TO PROGRAMS OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Signed by the Governor 7/13/11) p. 110, 113, 129, 136, 164.

SB 104 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SELLER FINANCING FOR CONSUMER PURPOSE PROPERTIES. (Signed by the Governor 7/13/11) p. 112, 113, 128, 135, 136, 164.

SB 108 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND PAYMENTS FOR INJURIES OR DEATH AND INCIDENTAL BENEFITS. (Signed by the Governor 8/17/11) p. 96, 97, 135-136, 170.

SB 109 w/SA 1 AN ACT TO AMEND CHAPTER 19 OF TITLE 18 OF THE DELAWARE CODE RELATING TO REGULATION OF SURPLUS LINES INSURANCE. (Signed by the Governor 8/16/11) p. 96, 97, 117, 132, 170.

SB 110 AN ACT TO AMEND THE CHARTER OF THE TOWN OF GEORGETOWN RELATING TO THE POWER TO BORROW MONEY AND ISSUE BONDS AND OTHER OBLIGATIONS. (Signed by the Governor 7/25/11) p. 109, 110, 129, 131, 165.

SB 111 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE INTERSCHOLASTIC ATHLETICS ASSOCIATION. (Signed by the Governor 8/30/11) p. 110, 113, 128, 135, 170.

SB 112 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SUPPORTIVE INSTRUCTION. (Signed by the Governor 7/13/11) p. 100, 101, 114, 117, 135, 164.

SB 113 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGULATION OF VEHICLE SPEEDS IN SCHOOL ZONES. (Signed by the Governor 7/8/11) p. 119, 123, 133, 138, 146.

SB 114 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, DIVORCES, ANNULMENTS AND ADOPTIONS. (Signed by the Governor 7/13/11) p. 110, 113, 129, 137, 164.

SB 116 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO BAILIFFS AND JUDICIAL ASSISTANTS. (Signed by the Governor 7/5/11) p. 108, 110, 117, 125, 146.

SB 117 AN ACT TO FACILITATE THE ACQUISITION AND PRESERVATION OF AGRICULTURAL LANDS BY YOUNG FARMERS. (Signed by the Governor 7/28/11) p. 109, 110, 114, 126, 165.

SB 118 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING THE PRESIDENTIAL PRIMARY AND FOR OTHER ASSOCIATED PURPOSES. (Signed by the Governor 7/28/11) p. 109, 110, 129, 131, 165.

SB 119 w/SA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING A SPECIAL ELECTION FOR REPRESENTATIVE IN CONGRESS. (Signed by the Governor 7/29/11) p. 109, 110, 129, 131, 165.

SB 120 AN ACT TO AMEND TITLE 21, CHAPTER 41 OF THE DELAWARE CODE RELATING TO BICYCLES. (Signed by the Governor 1/26/12) p. 119, 123, 165, 170, 191.

SB 121 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE LOCATION AT WHICH SHERIFF SALES MAY BE CONDUCTED IN KENT COUNTY. (Signed by the Governor 7/1/11) p. 112, 114, 119, 125-126, 145.

SB 122 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION. (Signed by the Governor 7/5/11) p. 112, 114, 118, 127, 146.

SB 123 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL ENGINEERS. (Signed by the Governor 8/3/11) p. 117, 118, 138, 168.

SB 124 w/SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO DELAWARE'S RENEWABLE ENERGY PORTFOLIO STANDARDS AND DELAWARE-MANUFACTURED FUEL CELLS. (Signed by the Governor 7/7/11) p. 108, 117, 120, 146.

SB 125 AN ACT TO AMEND CHAPTER 80, TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF INTEREST ON BONDS AND NOTES ISSUED BY THE SUSTAINABLE ENERGY UTILITY. (Signed by the Governor 7/5/11) p. 108, 110, 116, 146.

SB 126 w/SA 1 AN ACT TO AMEND TITLES 9, 22, AND 29 OF THE DELAWARE CODE RELATING TO THE REVIEW AND CERTIFICATION OF COMPREHENSIVE PLANS AND THE ROLE OF THE CABINET COMMITTEE ON STATE PLANNING ISSUES AND THE OFFICE OF STATE PLANNING COORDINATION. (Signed by the Governor 7/5/11) p. 117, 118, 128, 130, 146.

SB 127 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT. (Signed by the Governor 7/8/11) p. 112, 114, 118, 127, 164.

SB 129 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COYOTES. (House Natural Resources Committee) p. 119, 123, 266.

SB 130 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2012; 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 7/1/11) p. 140, 141, 145.

SB 131 w/SA 1 AN ACT TO AMEND TITLE 28 , CHAPTERS 11, 15 AND 18 OF THE DELAWARE CODE RELATING TO CHARITABLE GAMING. (Signed by the Governor 7/8/11) p. 112, 114, 118, 127, 146.

SB 132 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE CHILD CARE ACT. (Signed by the Governor 7/25/11) p. 112, 114, 118, 127, 165.

SB 133 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIMES. (Signed by the Governor 7/8/11) p. 112, 114, 118, 130, 146.

SB 134 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Signed by the Governor 7/13/11) p. 130, 134, 139, 164.

SB 135 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SCHOOL BASED HEALTH CENTERS AND INSURANCE. (Placed on the Speaker's Table in the House 6/30/11) p. 128, 129, 135, 139-140.

SB 136 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 7/8/11) p. 129, 130, 137, 146.

SB 137 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO COST-SHARING, DEDUCTIBLE OR CO-INSURANCE FOR TIER IV OR SPECIALTY TIER PRESCRIPTION DRUGS. (Signed by the Governor 9/14/11) p. 128, 129, 143-144, 183.

SB 138 w/SA 1 AN ACT TO AMEND TITLE 9 RELATING TO COMPREHENSIVE LAND PLANS. (Signed by the Governor 7/13/11) p. 130, 134, 139, 164.

SB 139 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS. (Signed by the Governor 8/16/11) p. 119, 123, 128, 132, 133, 170.

SB 140 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEES PENSION PLAN AND WAIVER OF BENEFITS. (Signed by the Governor 7/13/11) p. 128, 129, 142, 164.

SB 142 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO CIVIL ADMINISTRATIVE PROCEDURES. (Signed by the Governor 7/13/11) p. 128, 129, 137, 164.

SB 143 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTING. (House Administration Committee) p. 250.

SB 144 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS. (Signed by the Governor 8/17/11) p. 130, 134, 139, 170.

SB 146 w/SA 1 AN ACT TO AMEND TITLES 18 AND 29 RELATING TO NOT FOR PROFIT HEALTH CARE CONVERSIONS. (Signed by the Governor 7/12/11) p. 128, 133, 164.

SB 148 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY INTERESTS IN THE TOWN OF MIDDLETOWN, NEW CASTLE COUNTY, TO THE TOWN OF MIDDLETOWN. (Signed by the Governor 8/3/11) p. 130, 134, 137, 168.

SB 150 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF MOTOR VEHICLE RECORDS. (Signed by the Governor 7/13/11) p. 130, 134, 142, 164.

SS 1 for SB 151 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERY FACILITIES AND DELINQUENT CHILD SUPPORTERS. (Signed by the Governor 5/21/12) p. 208, 213, 231, 234, 239, 255.

SB 152 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSES. (Signed by the Governor 2/6/12) p. 130, 134, 176, 190, 191.

SB 153 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INDEPENDENT HEALTH CARE APPEALS PROGRAMS. (Signed by the Governor 4/19/12) p. 191, 199, 212, 216, 225.

SB 154 w/SA 1 & 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REAL ESTATE BROKERS AND REAL ESTATE SALESPERSONS. (Signed by the Governor 8/3/11) p. 130, 135, 136, 138, 168.

SB 155 AN ACT TO AMEND TITLES 11, 16, 18 AND 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF NARCOTICS AND DANGEROUS DRUGS AND THE DELAWARE STATE POLICE DRUG DIVERSION UNIT. (Signed by the Governor 7/27/11) p. 130, 135, 141, 165.

SB 157 w/SA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC OFFICERS AND EMPLOYEES HEALTHCARE INSURANCE PROGRAM. (Signed by the Governor 5/15/11) p. 212, 213, 225, 227, 289.

SB 158 AN ACT TO REPEAL CERTAIN LAWS RELATING TO VARIOUS BOARDS, COUNCILS, COMMITTEES AND CORPORATIONS. (Signed by the Governor 4/19/12) p. 186, 196, 216, 225.

SB 160 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Signed by the Governor 1/25/12) p. 167, 168, 176, 182, 191.

SB 161 w/SA 3 & 4 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HOME INVASION. (House Judiciary Committee) p. 246, 248.

SB 162 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SEXUALLY TRANSMITTED DISEASES, INFORMED CONSENT, AND CONFIDENTIALITY. (Signed by the Governor 6/27/12) p. 208, 209, 234, 265, 304.

SB 163 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. (House Economic Development/Banking/Insurance & Commerce Committee) p. 191, 199.

SB 164 w/SA 1 AN ACT TO AMEND CHAPTER 7, VOLUME 78, LAWS OF DELAWARE RELATING TO PUBLIC EDUCATION. (Signed by the Governor 3/22/12) p. 191, 192, 196, 198, 217.

SB 165 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATED TO THE MAYOR AND CITY COUNCIL. (Signed by the Governor 2/6/12) p. 186, 190-191.

SB 166 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER REGARDING FINANCIAL AFFAIRS - GENERAL ASSESSMENT; LEVY ON UTILITY PROPERTY (Signed by the Governor 3/29/12) p. 186, 196, 198, 217.

SB 168 AN ACT TO AMEND THE TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Signed by the Governor 5/10/12) p. 214, 215, 225, 227, 247.

SB 170 w/SA 1 & HA 1 & HA 2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF DEWEY BEACH RELATING TO ALDERMANS. (Signed by the Governor 5/1/12) p. 214, 215, 219, 220, 221, 237.

SB 171 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FRANKFORD RELATING TO ELECTIONS. (Signed by the Governor 6/19/12) p. 242, 243, 250, 257-258, 289.

SB 172 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO P-20 COUNCIL (Signed by the Governor 5/3/12) p. 214, 215, 225, 227, 237.

SB 173 AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER RELATED TO FINANCIAL AFFAIRS - DEBT LIMIT. (Signed by the Governor 4/19/12) p. 204, 206, 212, 214, 225.

SB 174 w/SA 1 & HA 2 AN ACT TO AMEND TITLE 10, CHAPTER 43 OF THE DELAWARE CODE AS IT RELATES TO EVIDENCE AND WITNESSES. (Signed by the Governor 5/10/12) p. 214, 215, 219, 226, 229, 247.

SB 176 AN ACT TO AMEND THE CHARTER OF THE MUNICIPAL SERVICE COMMISSION OF THE CITY OF NEW CASTLE RELATING TO REDESIGNATING THE GOVERNING BODY OF THE MUNICIPAL SERVICES COMMISSION OF THE CITY OF NEW CASTLE FROM "BOARD" TO "COMMISSION", CLARIFYING THAT THE COMMISSION CAN OBTAIN PRIVATE PROPERTY WITHIN CITY LIMITS FOR SUPPLYING AND DISTRIBUTING ELECTRICITY, REMOVING THE POSITION OF SUPERINTENDENT AND REPLACING IT WITH ONE OR MORE SUPERVISORS, DELINEATING THE POWER OF THE COMMISSION TO BORROW MONEY THROUGH THE ISSUANCE OF REVENUE BONDS OR OTHER DEBT OBLIGATIONS WITH A RESOLUTION OF CITY COUNCIL AND TO HAVE CONTROL OVER SUCH MONEY, CHANGING THE DATE OF THE REQUIREMENT TO PUBLISH FINANCIAL REPORTS FROM JULY TO DECEMBER AND HANDING OVER POSSESSION OF MONEY TO BE USED FOR THE CITY'S WATER AND LIGHT SYSTEMS FROM THE CITY TREASURER TO THE TREASURER OF THE COMMISSION. (Signed by the Governor 6/19/12) p. 236, 238, 250, 257, 289.

SB 177 AN ACT TO AMEND CHAPTER 4, TITLE 4 OF THE DELAWARE CODE RELATING TO THE DIVISION OF ALCOHOL AND TOBACCO ENFORCEMENT. (Signed by the Governor 7/18/12) p. 285, 286, 295, 309, 314.

SB 178 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC HEARINGS. (Signed by the Governor 7/20/12) p. 250, 282, 297, 314.

SB 180 w/SA 1 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Signed by the Governor 6/5/12) p. 220, 225, 226-227, 265.

SB 181 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS. (Signed by the Governor 7/27/12) p. 278, 279, 311, 314.

SS 1/SB 183 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DEPARTMENT OF CORRECTION EDUCATIONAL SERVICES (House Education Committee) p. 285, 286.

SB 184 AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO ATHLETE AGENTS. (Signed by the Governor 7/27/12) p. 289, 295, 308, 314.

SB 185 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS. (Signed by the Governor 8/15/12) p. 234, 235, 242, 245, 254, 317.

SB 186 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PARKING IN RESIDENCE DISTRICTS. (Signed by the Governor 5/10/12) p. 220, 222, 234, 236, 247.

SB 187 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ACCIDENT REPORTS AND STATISTICS. (Public Safety & Homeland Security Committee) p. 241, 243.

SB 188 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO MISCELLANEOUS PROVISIONS CONCERNING ANIMALS. (Signed by the Governor 6/28/12) p. 229, 235, 273, 292, 304.

SB 189 AN ACT TO AMEND CHAPTER 18, TITLE 24 OF THE DELAWARE CODE RELATING TO PLUMBING, HEATING, VENTILATION, AIR CONDITIONING AND REFRIGERATION. (House Ready List) p. 236, 238, 261.

SB 190 w/SA 1 & 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE HEALTHY PREGNANCIES FOR INCARCERATED WOMEN ACT. (Signed by the Governor 7/12/12) p. 255, 256, 272, 298, 314.

SB 192 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Signed by the Governor 7/27/12) p. 269, 270, 278, 313, 314.

SB 193 AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO THE CONDUCT OF DELAWARE PUBLIC SCHOOL STUDENTS (Signed by the Governor 7/27/12) p. 227, 229, 242, 263, 314.

SB 194 w/ SA 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO POLYSOMNOGRAPHERS. (Signed by the Governor 9/12/12) p. 255, 256, 272, 283, 317.

SB 196 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO 9-1-1 SERVICES. (Signed by the Governor 7/5/12) p. 239, 243, 250, 303, 314.

SB 197 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RADIATION CONTROL. (Signed by the Governor 7/18/12) p. 285, 286, 290, 308, 314.

SB 199 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TAXICAB AND LIMOUSINE DRIVERS. (Signed by the Governor 6/28/12) p. 231, 235, 250, 264-265, 304.

SB 200 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM. (Signed by the Governor 7/5/12) p. 229, 235, 242, 308, 314.

SB 201 AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY AS AMENDED. (Signed by the Governor 7/12/12) p. 289, 290, 294, 308, 314.

SB 202 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO PROPERTY INSURANCE CONTRACTS (DECLINATIONS, RENEWALS AND CANCELLATIONS OF PROPERTY INSURANCE CONTRACTS). (Signed by the Governor 8/2/12) p. 285, 286, 308, 314.

SB 203 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE AND RISK RETENTION GROUPS. (Signed by the Governor 7/12/12) p. 237, 238, 250, 306, 314.

SB 205 w/SA 1 & 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES. (Defeated in the House 6/19/12) p. 246, 248, 261, 278.

SB 206 w/SA 2 & HA 1 AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL TEEN DATING VIOLENCE AND SEXUAL ASSAULT. (Signed by the Governor 7/20/12) p. 250, 261, 266, 273-274, 314.

SB 207 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS. (Signed by the Governor 8/13/12) p. 237, 238.

SB 209 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OBSTRUCTION OF JUSTICE. (Signed by the Governor 6/28/12) p. 237, 238, 272, 297, 317.

SB 210 w/SA 1 & SA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC AND OTHER EMERGENCY MEDICAL SERVICE SYSTEMS (Signed by the Governor 7/5/12) p. 285, 286, 295, 308, 314.

SB 211 w/SA 2 & HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRUELTY TO ANIMALS. (Signed by the Governor 8/3/12) p. 262, 282, 286, 291, 314.

SB 212 AN ACT TO AMEND TITLES 9, 22, AND 29 OF THE DELAWARE CODE RELATING TO STATE AND LOCAL GOVERNMENTS AND LEGAL NOTICES. (Signed by the Governor 7/1/12) p. 272, 294, 309, 314.

SB 213 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES. (House Ready List) p. 250, 251, 262, 286, 287.

SB 214 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICAL ACTIVITY FOR STUDENTS IN DELAWARE PUBLIC ELEMENTARY SCHOOLS. (House Education Committee) p. 265, 266.

SB 215 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Signed by the Governor 7/27/12) p. 267, 269, 270, 278, 313-314.

SB 216 w/SA 1 AN ACT TO AMEND TITLE 29 AND TITLE 16 OF THE DELAWARE CODE BY ESTABLISHING AN ELECTRONIC WEB-BASED BACKGROUND CHECK CENTER FOR EMPLOYMENT IN LONG TERM CARE OR COMMUNITY SETTINGS. (Signed by the Governor 7/5/12) p. 277, 279, 290, 296, 314.

SB 218 AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC STATUTORY TRUSTS. (Signed by the Governor 6/28/12) p. 259, 272, 288, 304.

SB 221 AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (First Leg - Passed in the Senate and the House) p.267, 269, 270, 282, 291, 314.

SB 222 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE HERITAGE COMMISSION AND THE COUNCIL ON ARCHIVES. (Signed by the Governor 7/12/12) p. 266, 282, 290, 306, 314.

SB 223 w/HA 1 AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN. (Vetoed 7/18/12) p. 285, 286, 299, 301, 305, 314.

SB 225 w/SA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HELMETS FOR HORSEBACK RIDERS. (Defeated in the House 6/30/12) p. 293, 311.

SB 226 w/SA 1 AN ACT TO AMEND TITLE 11 RELATING TO PRE-TRIAL RELEASE ON BAIL OR RECOGNIZANCE, CRIMINAL SENTENCING, SENTENCE CALCULATION, REHABILITATION, PROBATION SUPERVISION AND DATA COLLECTION. (Signed by the Governor 8/8/12) p. 269, 270, 289, 314.

SB 227 AN ACT TO AMEND THE DELAWARE CODE BY CREATING A NEW CHAPTER 65 OF TITLE 30 OF THE DELAWARE CODE TO IMPOSE QUALITY ASSESSMENT FEES ON NURSING FACILITIES AND BY CREATING A NEW CHAPTER 105 OF TITLE 16 ESTABLISHING THE NURSING FACILITY QUALITY ASSESSMENT FUND. (Signed by the Governor 6/28/12) p. 265, 266, 272, 274-275, 304.

SB 228 w/SA 2 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITION AGAINST THE USE OF LIGHTS FOR HUNTING. (Signed by the Governor 7/27/12) p. 272, 273, 282, 291, 314.

SB 229 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES. (Signed by the Governor 7/27/12) p. 269, 270, 278, 290, 291-292, 314.

SB 230 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO RISK-BASED CAPITAL (RBC) FOR INSURERS. (Signed by the Governor 7/12/12) p. 275, 276, 287, 311-312, 314.

SB 231 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Signed by the Governor 8/1/12) p. 278, 279, 312, 314.

SB 232 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ASSIGNMENT OF RETIRED COMMISSIONERS: (Signed by the Governor 7/5/12) p. 269, 270, 282, 302, 314.

SB 233 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO COMPREHENSIVE SCHOOL SAFETY PLANS (Signed by the Governor 9/10/12) p. 265, 266, 290, 295, 317.

SB 234 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST CHILDREN. (Signed by the Governor 9/12/12) p. 278, 279, 293, 303, 317.

SB 235 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REDISTRICTING OF THE GENERAL ASSEMBLY. (House Administration Committee) p. 275, 276.

SB 236 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO RABIES VACCINATION. (Signed by the Governor 7/12/12) p. 269, 270, 295, 308, 314.

SB 237 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH RELATING TO ALDERMEN. (Signed by the Governor 6/28/12) p. 272, 273, 282, 287, 304.

SB 238 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION AND THE HEALTH CARE PAYMENT SYSTEM. (Signed by the Governor 8/7/12) p. 298, 309, 314.

SB 240 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE-OF-DUTY DEATH BENEFITS. (Signed by the Governor 7/27/12) p. 312, 313, 314.

SB 241 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE BRANDYWINE VALLEY NATIONAL SCENIC BYWAY. (Signed by the Governor 8/13/12) p. 275, 276, 290, 308, 317.

SB 242 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO USE OF SECLUSION AND RESTRAINT IN PUBLIC SCHOOLS. (House Education Committee) p. 278, 279.

SB 243 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF LAUREL RELATING TO IMPACT FEES AND LIENS. (Signed by the Governor 7/5/12) p. 278, 279, 294, 308, 314.

SB 244 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 7/27/12) p. 285, 286, 290, 309, 314.

SB 245 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION. (Signed by the Governor 7/5/12) p. 277, 279, 301, 310, 314.

SB 246 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMERGENCY RESPONSE COMMISSION. (Signed by the Governor 7/5/12) p. 285, 286, 295, 308, 314.

SB 247 AN ACT TO AMEND TITLE 12, CHAPTER 49A OF THE DELAWARE CODE RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY. (Signed by the Governor 7/27/12) p. 285, 286, 293, 308, 314.

SB 248 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES AND THE PROVISION OF TELECOMMUNICATIONS SERVICE FOR PERSONS WHO HAVE DEAFNESS, HEARING LOSS OR SPEECH DISABILITIES. (Signed by the Governor 8/3/12) p. 285, 286, 290, 304, 314.

SB 249 w/SA 1 AN ACT TO RENAME THE MAIN ADMINISTRATION BUILDING OF THE DELAWARE DEPARTMENT OF AGRICULTURE IN HONOR OF FORMER DELAWARE STATE REPRESENTATIVE, STATE SENATOR AND SECRETARY OF FINANCE RICHARD S. CORDREY. (Signed by the Governor 9/24/12) p. 289, 290, 295, 299-300, 317.

SB 254 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AS IT RELATES TO THE HAZARDOUS MATERIALS TRANSPORTATION ACT AND TITLE 21 OF THE DELAWARE CODE AS IT RELATES TO MOTOR CARRIER SAFETY. (Signed by the Governor 8/1/12) p. 293, 295, 296, 309, 314.

SB 255 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO REGULATIONS AND PROHIBITIONS CONCERNING GAME AND FISH. (Signed by the Governor 7/11/12) p. 278, 279, 290, 298, 314.

SB 257 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ASSISTANCE WITH MEDICATIONS. (Signed by the Governor 7/18/12) p. 298, 312, 314.

SB 258 w/SA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO VOLUNTARY DISCLOSURE OF ABANDONED OR UNCLAIMED PROPERTY (Passed in the House 6/28/12) (Signed by the Governor 7/11/12) p. 287, 290, 293, 294, 302, 314.

SB 260 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2013; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/12) p. 295, 301, 314.

SB 261 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE SMYRNA SCHOOL DISTRICT TO THE TOWN OF SMYRNA OF CERTAIN REAL PROPERTY INCLUDING APPROXIMATELY 1.65 ACRES LOCATED AT THE INTERSECTION OF RABBIT CHASE LANE AND SUNNYSIDE ROAD. (Signed by the Governor 7/12/12) p. 287, 290, 308, 314.

SB 265 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2013; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2013 APPROPRIATIONS ACT. (Signed by the Governor 7/1/12) p. 306, 313, 314.

SB 266 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Signed by the Governor 8/1/12) p. 298, 301, 310, 314.

SB 267 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CEMETERY REGISTRATION AND DISTRESSED CEMETERY FUND: (House Administration Committee) p. 293.

SB 269 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF REHOBOTH BEACH RELATING TO INDEBTEDNESS. (Signed by the Governor 7/23/12) p. 298, 308, 314.

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SCR 2 DESIGNATING FEBRUARY 6, 2011 AS "RONALD REAGAN DAY" IN THE STATE OF DELAWARE. (Passed) p. 12, 16.

SCR 3 REORGANIZING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE. (Passed) p. 17, 26.

SCR 4 DESIGNATING FEBRUARY 2011 AS "TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH IN THE STATE OF DELAWARE". (Passed) p. 17, 26.

SCR 6 COMMENDING THE DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS EIGHTH ANNUAL GIVE KIDS A SMILE PROGRAM, AND RECOGNIZING ITS CONTINUING EFFORTS. (Passed) p. 40.

SCR 7 RECOGNIZING APRIL 2011 AS CHILD ABUSE PREVENTION MONTH IN DELAWARE (Passed) p. 40.

SCR 8 DESIGNATING APRIL 21, 2011 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE. (Passed) p. 53, 56.

SCR 9 PROCLAIMING THE WEEK OF APRIL 24 THROUGH APRIL 30, 2011 AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 58.

SCR 10 RECOGNIZING THE MONTH OF MAY 2011 AS AMERICAN STROKE MONTH. (Passed) p. 62, 63.

SCR 11 IN RECOGNITION OF THE 2011 ALL STAR AWARD RECIPIENTS OF THE DELAWARE HEALTH CARE FACILITIES ASSOCIATION DURING NATIONAL NURSING HOME WEEK. (Passed) p. 64, 295.

SCR 12 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2011. (Passed) p. 65, 295.

SCR 13 REQUESTING THE DELAWARE DEPARTMENT OF TRANSPORTATION STUDY THE BUILDING AND MAINTAINING OF NON-MOTORIZED TRAVEL CONNECTIONS WITHIN AND BETWEEN CITIES AND TOWNS IN DELAWARE AND TO LINK THESE CONNECTIONS TO FORM UNINTERRUPTED NETWORKS FOR WALKING AND BICYCLING. (Passed) p. 70, 71, 75.

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SCR 15 RECOGNIZING JUNE 16, 2011 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. 86, 92.

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SCR 19 CREATING A CITIZENS ADVISORY COUNCIL FOR WHITE CLAY CREEK STATE PARK. (Passed) p. 102, 122.

SCR 20 EXPRESSING SUPPORT FOR THE WORK OF DELAWARE'S NO CHILD LEFT INSIDE. (Passed) p. 123, 130.

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SCR 28 ESTABLISHING FEBRUARY 2012 AS TEEN DATING VIOLENCE PREVENTION AND AWARENESS MONTH IN THE STATE OF DELAWARE. (Passed) p. 182, 185-186.

SCR 29 COMMENDING THE WORK OF COMMUNITIES IN SCHOOLS AND CONNECTING GENERATIONS AND DESIGNATING MARCH 28, 2012 AS COMMUNITIES IN SCHOOLS OF DELAWARE AND CONNECTING GENERATIONS DAY. (Passed) p. 212, 213.

SCR 30 HONORING SALESIANUM SCHOOL FRESHMAN BEN HYLAK FOR HIS HARD WORK AND CREATIVITY IN DESIGNING AND BUILDING AN INNOVATIVE TELEPRESENCE ROBOT KNOWN AS "MAYA," AND EXTENDING A WARM WELCOME TO HIM AND HIS FAMILY UPON THEIR VISIT TO LEGISLATIVE HALL. (Passed) p. 204.

SCR 31 COMMEMORATING THE OUTSTANDING ACHIEVEMENTS AND CONTRIBUTIONS MADE BY SCOTTISH-AMERICANS TO THE UNITED STATES BY PROCLAIMING APRIL 6, 2012 AS NATIONAL TARTAN DAY. (Passed) p. 220, 221.

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SCR 34 ESTABLISHING A STATE TRANSITION TASK FORCE FOR EMERGING ADULTS WITH DISABILITIES AND SPECIAL HEALTH CARE NEEDS. (Passed) p. 220, 244, 292.

SCR 35 PROCLAIMING THE WEEK OF APRIL 22 THROUGH APRIL 28, 2012 AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 220, 224.

SCR 36 THANKING THE PARENT TEACHER ASSOCIATION (THE "PTA") FOR ITS 115 YEARS OF SERVICE AND DEDICATION TO OUR CHILDREN, OUR SCHOOLS AND OUR COMMUNITIES. (Passed) p. 224.

SCR 37 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2012. (Passed) p. 225, 226.

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SCR 44 ESTABLISHING AN ANIMAL WELFARE TASK FORCE TO CONSIDER AND EVALUATE THE STATE OF ANIMAL WELFARE IN DELAWARE. (Passed) p. 278, 309.

SCR 45 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2012 SESSION OF DELAWARE GIRLS STATE. (Passed) p. 289, 307.

#### SENATE JOINT RESOLUTIONS

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SJR 3 MOURNING THOSE LOST IN THE RECENT EARTHQUAKE AND RELATED DISASTERS THAT HAVE BEFALLEN JAPAN, AND EXPRESSING THE THOUGHTS AND PRAYERS OF ALL DELAWAREANS FOR THE CITIZENS OF OUR SISTER STATE OF MIYAGI PREFECTURE DURING THESE DIFFICULT TIMES. (Signed by the Governor 3/23/11) p. 30, 60.

SJR 7 URGING ALL DELAWAREANS TO HONOR THE MEMORY AND MOMENTIOUS ACHIEVEMENTS OF MAJOR ALLEN MCLANE, AN OFTEN OVERLOOKED DELAWARE REVOLUTIONARY WAR HERO, WITH AN APPROPRIATE MEMORIAL. (Signed by the Governor 8/15/11) p. 130, 135, 137, 170.

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|--------------------------------------------------------------------|-----------|----|-----|
| Distribution                                                       | Hudson    | HB | 151 |
| People First Language/Replace Offensive Words                      | Heffernan | HB | 214 |
| Removes Margaret S. Sterck School for the Deaf/<br>Renames         | Osienski  | HB | 314 |
| Domestic Violence Coordinating Council/Medical<br>Examiners Report | Barbieri  | HB | 106 |

## **E**

### **EDUCATION** - also see “Schools”

|                                                          |             |    |     |
|----------------------------------------------------------|-------------|----|-----|
| Ada Leigh Soles Memorial Librarian Program/<br>Establish | Schooley    | HB | 153 |
| Background Check/New Public School Hires                 | Bennett     | HB | 292 |
| Charter Schools/Improvements                             | Schooley    | HB | 205 |
| Contract Non-Renewal Procedures/Amend                    | Schooley    | HB | 90  |
| CPR/Graduation Requirement                               | Ramone      | HB | 299 |
| Department of Education/Audits and Evaluations           | Schooley    | HB | 213 |
| Educator Licensure/Knowledge Exam                        | Schooley    | HB | 107 |
| Financial Literacy Program/Mandatory                     | Briggs King | HB | 273 |
| Freedom of Information/Higher Education<br>Institutions  | J. Johnson  | HB | 126 |
| Higher Education Privacy Act                             | Scott       | HB | 309 |
| IEP/Driver Education/Up to 21                            | Barbieri    | HB | 264 |
| Indian River/School Board Terms                          | Hocker      | HB | 198 |
| Kindergarten Readiness                                   | Schooley    | HB | 317 |
| Needs Based System/Unit Funding                          | Schooley    | HB | 1   |
| School Discipline/Regulations                            | Scott       | HB | 42  |
| Special Needs Students/Denial of Services                | Q. Johnson  | HB | 365 |
| State Board/Digitally Record                             | Willis      | HB | 26  |
| Vo-Tech Schools/Admissions Lottery                       | Scott       | HB | 211 |

### **ELECTIONS**

|                                   |               |    |     |
|-----------------------------------|---------------|----|-----|
| Absentee Ballots/Affidavit        | Jaques        | HB | 196 |
| Absentee Voting/All Voters        | D.E. Williams | HB | 331 |
| Candidate Disclosure Statement    | Hudson        | HB | 14  |
| Delaware Elections Disclosure Act | Gilligan      | HB | 300 |
| Disclosure Reports/Late           | Longhurst     | HB | 310 |
| Fusion Candidates/Prohibit        | Jaques        | HB | 11  |
| Municipal Elections/Changes       | Jaques        | HB | 230 |
| National Popular Vote             | D.E. Williams | HB | 55  |
| Presidential Primaries/Update     | Jaques        | HB | 348 |
| Primary/Move to August            | Hudson        | HB | 192 |

|                                                                        |               |         |     |
|------------------------------------------------------------------------|---------------|---------|-----|
| School Boards/Add Wilmington Member                                    | Bolden        | HB      | 362 |
| School Boards/Move to General Election Date                            | Longhurst     | HB      | 360 |
| State Elections Commissioner/Declare Vacancy/<br>Municipal Office      | Jaques        | HB      | 33  |
| Voter Identification/Amend Constitution                                | Hudson        | HB      | 199 |
| Voter Identification/Requirement                                       | Hudson        | HB      | 200 |
| Voting/Felon/Eliminate Waiting Period                                  | Keeley        | HB      | 9   |
| <b><u>ENERGY</u></b>                                                   |               |         |     |
| Freeze Minimum Percentage/Renewable Energy                             | Lavelle       | HB      | 247 |
| Municipal and Rural Electric/Implement<br>Renewable Portfolio Standard | Scott         | HB      | 27  |
| Sustainable Energy Utility/Deemed Agency                               | Lavelle       | HB      | 305 |
| <b><u>ESCHEAT</u></b>                                                  |               |         |     |
| Escheatable Property                                                   | George        | HB      | 133 |
| <b><u>ESTATES</u></b>                                                  |               |         |     |
| Digital Assets and Accounts/Probate                                    | Scott         | HB      | 396 |
| Presentation of Claims/Extend Time                                     | Barbieri      | HB      | 390 |
| Statutory Trust Laws/Updates                                           | B. Short      | HB      | 115 |
| <b><u>F</u></b>                                                        |               |         |     |
| <b><u>FIREARMS</u></b>                                                 |               |         |     |
| Instant Background Check/Mentally Ill                                  | Longhurst     | HB      | 48  |
| PFA/Law Enforcement/Disposal                                           | D.P. Williams | HB      | 46  |
| <b><u>FORECLOSURE</u></b>                                              |               |         |     |
| Affidavit of Loss Mitigation/Required                                  | Kowalko       | HB      | 57  |
| Foreclosure Mediation Program/Establish                                | Keeley        | HS 1/HB | 58  |
| Mediation/Non-Profit Legal Service Providers                           | Kowalko       | HB      | 231 |
| Office of Foreclosure Prevention & Financial<br>Education/Establish    | Keeley        | HB      | 59  |
| <b><u>FREEDOM OF INFORMATION</u></b>                                   |               |         |     |
| Deadline                                                               | Bennett       | HB      | 5   |
| Elected Official/Hours Worked                                          | Lavelle       | HB      | 176 |
| Non-Security Reports                                                   | Lavelle       | HB      | 120 |
| Public Body/Higher Education Institutions                              | J. Johnson    | HB      | 126 |
| <b><u>G</u></b>                                                        |               |         |     |
| <b><u>GAMING</u></b> - Also see "Video Lottery"                        |               |         |     |
| Add Two Additional Video Lottery Venues                                | D.E. Williams | HB      | 146 |
| Charitable Gaming/Updates                                              | Kowalko       | HB      | 356 |
| Internet Gaming/Allow                                                  | Viola         | HB      | 333 |
| Video Lottery Agents/Two Additional                                    | Schwartzkopf  | HB      | 40  |
| <b><u>GENERAL ASSEMBLY</u></b>                                         |               |         |     |
| Constitution, Amend/Open Meeting & Records                             | Lavelle       | HB      | 118 |
| Fiscal Notes/Incoming Revenue                                          | D. Short      | HB      | 69  |
| Former Legislator/Lobbyist/One Year                                    | Kowalko       | HS 1/HB | 4   |
| Former Legislator/Lobbyist/One Year                                    | Hudson        | HB      | 24  |
| Freedom of Information/Deadline                                        | Bennett       | HB      | 5   |
| Freedom of Information Act/Elected Official/Hours<br>Worked            | Lavelle       | HB      | 176 |
| Members/State Employment/Prohibit                                      | Hocker        | HB      | 65  |
| Members/State Employment/Prohibit                                      | Schwartzkopf  | HB      | 75  |
| Per Diem Employees/Pension                                             | J. Johnson    | HB      | 284 |
| Public Officer/Disclosure of Family Members                            | Keeley        | HB      | 232 |
| Reapportionment                                                        | Schwartzkopf  | HS 1/HB | 210 |
| Reapportionment/Final                                                  | Schwartzkopf  | HB      | 250 |
| Redistricting/Incarcerated Individuals/Postpone to<br>2020 Census      | Schwartzkopf  | HB      | 112 |
| Revenue Estimates/Due Date                                             | Lavelle       | HB      | 119 |
| Grants-in-Aid/FY '12                                                   | D.P. Williams | HB      | 195 |



## **H** **HEALTH**

|                                                                     |          |    |     |
|---------------------------------------------------------------------|----------|----|-----|
| Brain Injury Council/State Council for Persons<br>with Disabilities | Osienski | HB | 141 |
| Tanning Beds/Minors/Prohibit                                        | Gilligan | HB | 400 |

## **HEALTH & SOCIAL SERVICES, DEPT. OF**

|                                                                     |             |         |     |
|---------------------------------------------------------------------|-------------|---------|-----|
| CHIP/300% of Poverty Level                                          | Schooley    | HB      | 2   |
| Dean Ammon's Recommendations/Earl Bradley<br>Case                   | M. Smith    | HS 1/HB | 371 |
| Emergency Medical Services Program/Establish                        | Barbieri    | HB      | 315 |
| Epinephrine/Adopt Standards                                         | Hudson      | HB      | 149 |
| Hospital Acquired Infections Advisory Committee/<br>Broaden Purpose | Barbieri    | HB      | 403 |
| Invasive Medical Procedures Facilities/Authority<br>to Investigate  | B. Short    | HB      | 47  |
| Invasive Medical Procedures Facilities/Spousal<br>Complaint         | B. Short    | HB      | 144 |
| Mental Health Evaluation/Involuntary Hold                           | Barbieri    | HS 1/HB | 311 |
| Newborn and Infant Screening/Updates                                | Q. Johnson  | HB      | 384 |
| Runaway and Homeless Youth/Services                                 | Bolden      | HB      | 296 |
|                                                                     | Bolden      | HS 1/HB | 379 |
| Sexual Abuse of Patients/Safeguards                                 | Barbieri    | HB      | 63  |
| Synthetic Cannabinoids/Schedule I Controlled<br>Substance           | Briggs King | HB      | 30  |
| "Yellow Dot" Medical Alert/Establish Program                        | Miro        | HB      | 246 |

## **HOUSING**

|                                                           |            |    |     |
|-----------------------------------------------------------|------------|----|-----|
| Universal Design Standards/Public Financial<br>Assistance | Q. Johnson | HB | 227 |
|-----------------------------------------------------------|------------|----|-----|

## **I** **INSURANCE**

|                                                                 |            |    |     |
|-----------------------------------------------------------------|------------|----|-----|
| Auto/Eliminate Fee/Appeal                                       | B. Short   | HB | 345 |
| Bail Bond Agents/Regulation                                     | Keeley     | HB | 363 |
| Credit for Reinsurance Model Act/Changes                        | B. Short   | HB | 346 |
| Delaware Cancer Treatment Access Act                            | Hudson     | HB | 265 |
| Delaware Health Security Act/Single Payer                       | Kowalko    | HB | 392 |
| Electronic Notices and Documents/Allows Use                     | B. Short   | HB | 223 |
| Health Insurance                                                |            |    |     |
| Coverage Up to 26                                               | B. Short   | HB | 160 |
| Pre-Existing Conditions/Prohibit Denial/Children                | B. Short   | HB | 161 |
| Increase Insurance Premium Tax/Fund Police and<br>Fire Pensions | J. Johnson | HB | 376 |
| Mini-COBRA/Continue Coverage                                    | B. Short   | HB | 170 |
| Motor Vehicles/Data-Reporting Devices/<br>Regulations           | D. Short   | HB | 242 |
| Mutual-to-Stock Conversion Act/Amend                            | B. Short   | HB | 382 |
| Pharmacy Benefit Managers/Audits                                | Keeley     | HB | 364 |
| Police and Fire Pensions/Distributions                          | Mitchell   | HB | 387 |
| Portable Electronics Insurance/Licensing Structure              | B. Short   | HB | 335 |
| Prosthetic Parity                                               | Brady      | HB | 76  |
| School Based Health Centers/Insurance                           | B. Short   | HB | 303 |
| Small Employer/"Stop-Loss" Coverage                             | D. Short   | HB | 28  |
| Surplus Lines/Changes                                           | B. Short   | HB | 162 |
| Treatment/Out-of-Pocket Expenses                                | D. Short   | HB | 216 |

## **J** **JUSTICE, DEPT. OF**

|                                                                     |          |    |     |
|---------------------------------------------------------------------|----------|----|-----|
| Antitrust/Statute of Limitations/Extend                             | B. Short | HB | 111 |
| Delaware Healthcare Freedom Act/Attorney<br>General Duties          | Hudson   | HB | 79  |
| Office of Foreclosure Prevention & Financial<br>Education/Establish | Keeley   | HB | 59  |

## **L** **LABOR**

|                                                |             |    |     |
|------------------------------------------------|-------------|----|-----|
| Collective Bargaining/Exclusive Representative | Mulrooney   | HB | 207 |
| Employment First Act/Disabilities/Establish    | Heffernan   | HB | 319 |
| “Good Cause” Protections/Employment            | J. Johnson  | HB | 89  |
| Passwords/Social Networking Sites              | Scott       | HB | 308 |
| Police Officers’ and Firefighters’ Employment  |             |    |     |
| Relations/Employees                            | Brady       | HB | 337 |
| Prevailing Wage/ Mechanics & Laborers          | Briggs King | HB | 124 |
| Prevailing Wage/Raise Thresholds               | Briggs King | HB | 110 |
| Unemployment Compensation/Law Clerks           | George      | HB | 56  |
| Unemployment Compensation/Law Clerks           | George      | HB | 8   |
| Volunteer Emergency Responders Job Protection  |             |    |     |
| Act/Establish                                  | Heffernan   | HB | 355 |
| Workplace Fraud Act/Publish Violators          | Jaques      | HB | 222 |
| Workplace Fraud Act/Technical Corrections      | J. Johnson  | HB | 221 |

## **LAW ENFORCEMENT**

|                                    |          |    |     |
|------------------------------------|----------|----|-----|
| Employment Relations Act/Employees | Brady    | HB | 337 |
| Gold Alert Program                 | Bennett  | HB | 51  |
| Police Chief/Due Process/Updates   | Mitchell | HB | 366 |

## **LOBBYISTS**

|                                        |        |    |     |
|----------------------------------------|--------|----|-----|
| Disclosure/Council or Board Membership | Keeley | HB | 233 |
|----------------------------------------|--------|----|-----|

## **M** **MANUFACTURED HOMES**

|                                       |         |    |    |
|---------------------------------------|---------|----|----|
| Trust Fund/Recovery of Costs and Fees | Kowalko | HB | 32 |
|---------------------------------------|---------|----|----|

## **MANUFACTURED HOUSING**

|                                                 |           |    |     |
|-------------------------------------------------|-----------|----|-----|
| Landlord/Required Documents to Tenants          | Longhurst | HB | 43  |
| Lot Rent Assistance Program/Qualifications      | B. Short  | HB | 406 |
| Relocation Authority/Decrease Membership        | Longhurst | HB | 62  |
| Relocation Trust Authority/Recover Costs & Fees | Kowalko   | HB | 167 |

## **MEDICAL PRACTICE ACT**

|                                         |        |    |     |
|-----------------------------------------|--------|----|-----|
| Change in Hospital Privileges/Reporting | Keeley | HB | 165 |
| Physician Assistant Updates             | Walker | HB | 349 |

## **MILITARY** - Also see “Veterans” & “National Guard”

|                                            |        |    |     |
|--------------------------------------------|--------|----|-----|
| Absentee Ballots                           | Hudson | HB | 192 |
| Income Tax/Active Military Pay/DE Resident | Hudson | HB | 13  |
| Spouses/Professional License Reinstatement | Scott  | HB | 238 |

## **MOTOR VEHICLES**

|                                                 |            |    |     |
|-------------------------------------------------|------------|----|-----|
| Certain Offenses/Removes Incarceration          | George     | HB | 134 |
| CDL/Federal Regulations                         | Mitchell   | HB | 294 |
| CDL/Medical Certification                       | Mitchell   | HB | 99  |
| Commercial Vehicles/Audible Reverse Signal      | J. Johnson | HB | 191 |
| Commercial Vehicles/Cell Phone Violations       | Mitchell   | HB | 294 |
| Conditional License/Education Classes           | Miro       | HB | 254 |
| Crime/Vehicular Assault - 3rd Degree/Establish  | Keeley     | HB | 174 |
| Data-Reporting Devices/Regulations              | D. Short   | HB | 242 |
| Driver’s License                                |            |    |     |
| Increase Issuance Period                        | Mitchell   | HB | 36  |
| DUI Court/ Specialized Sentencing               | Keeley     | HB | 378 |
| DUI/Off-Highway Vehicle                         | Keeley     | HB | 259 |
| DUI/Strengthen Penalties                        | Keeley     | HB | 168 |
| Farm Vehicles/Exempt Seizure                    | Q. Johnson | HB | 188 |
| Handicapped Plate Placard/Use by Another Person | Q. Johnson | HB | 202 |
| Left Lane/Prohibit Slower Vehicles              | Carson     | HB | 140 |
| Motorcycles                                     |            |    |     |
| Helmet Requirements                             | Mulrooney  | HB | 95  |
| Motorcycles/Temporary Tag                       | Mitchell   | HB | 37  |
| New Vehicle Dealers/Safety and Inspections      | Bennett    | HB | 157 |
| Probation Before Judgment/Exemptions            | Mitchell   | HB | 108 |
| RV Manufacturer-Dealer Agreements               | Willis     | HB | 352 |
| Seat Belt Law/Strengthen                        | Scott      | HB | 391 |
| School Bus Driver/Criminal Background Check     | Mitchell   | HB | 39  |

|                                               |              |         |     |
|-----------------------------------------------|--------------|---------|-----|
| Special Plates                                |              |         |     |
| Civil Air Patrol/Delaware Wing                | Carson       | HB      | 304 |
| Law Enforcement Memorial                      | Schwartzkopf | HB      | 74  |
| Marine Ed., Research and Rehabilitation Inst. | Schwartzkopf | HB      | 193 |
| Operation Enduring Freedom                    | Q. Johnson   | HB      | 263 |
| Safe Haven No Kill Animal Sanctuary           | Schwartzkopf | HB      | 73  |
| Speed Monitoring/Pilot Program                | Brady        | HS 1/HB | 66  |
|                                               | Mitchell     | HB      | 330 |
| Title/Beneficiary/Transfer-on-Death           | Schwartzkopf | HB      | 293 |
| Vehicle Leases/Licensing Fees                 | B. Short     | HB      | 288 |

#### **MUNICIPALTIES**

|                                               |        |    |     |
|-----------------------------------------------|--------|----|-----|
| City of Wilmington/Income Tax/Law Enforcement | Atkins | HB | 125 |
| Zoning Board of Adjustments/Delegate Duties   | Keeley | HB | 241 |

#### **N**

#### **NATIONAL GUARD**

|                                 |        |    |     |
|---------------------------------|--------|----|-----|
| Active Military Pay/DE Resident | Hudson | HB | 13  |
| Emergency Assistance Fund       | Jaques | HB | 370 |
| Fishing License/Reduced Fee     | Jaques | HB | 61  |

#### **NATURAL RESOURCES & ENVIRONMENTAL CONTROL, DEPT. OF**

|                                                               |             |         |     |
|---------------------------------------------------------------|-------------|---------|-----|
| Clean Air Act Title V/Reauthorize                             | Q. Johnson  | HB      | 186 |
| Commercial Game Preserve/Operate on Sundays                   | Atkins      | HB      | 71  |
| Community Environmental Project Fund/<br>Community Benefit    | Longhurst   | HB      | 197 |
| Crude Oil Lightering Fee/Eliminate                            | Longhurst   | HB      | 251 |
| Deer Depredation/Firearms Use                                 | Outten      | HB      | 189 |
| Fisheries/Permits and Licenses/Transfer                       | Carson      | HB      | 343 |
| Fishing Harvest Surveys/License Information                   | Q. Johnson  | HB      | 83  |
| Fishing License/National Guard Members                        | Jaques      | HB      | 61  |
| Free Surf Fishing Permits/Firefighters/EMTs                   | Lee         | HB      | 401 |
| Hazardous Substance Cleanup Act/Eliminate<br>Sunset           | Heffernan   | HB      | 163 |
| Hunting                                                       |             |         |     |
| Nonresident Farm Owner                                        | Outten      | HB      | 116 |
| Sundays/Private Property                                      | Atkins      | HB      | 367 |
| Irrigation Systems/Transfer Permitting                        | Hocker      | HB      | 113 |
| Low Emission Vehicle Program/General Assembly<br>Approval     | Briggs King | HB      | 279 |
| Oyster Harvesting/Transfer License                            | Carson      | HB      | 94  |
| Non-Native Wildlife/Designate and Regulate                    | Wilson      | HS 1/HB | 402 |
| Recycling/Delineation of the Cost                             | D. Short    | HB      | 29  |
| Regional Greenhouse Gas Initiative/Terminate<br>Participation | Peterman    | HB      | 86  |
| Shark Fins/Ban                                                | Jaques      | HB      | 324 |
| Shellfish Licenses/Transfer                                   | Carson      | HB      | 93  |
| State Parks/Firefighters/EMTs/Free Pass                       | Lee         | HB      | 375 |
| Veterans/State Parks/Fee Discount                             | Bennett     | HB      | 235 |
| Water Wells/Newspaper Advertising                             | Hocker      | HS 1/HB | 158 |
|                                                               | Atkins      | HB      | 179 |

#### **P**

|                            |        |    |     |
|----------------------------|--------|----|-----|
| Pay Day Loans/Limit Number | Keeley | HB | 289 |
|----------------------------|--------|----|-----|

#### **PROPERTY, REAL**

|                                                    |          |    |     |
|----------------------------------------------------|----------|----|-----|
| Commercial Real Estate Broker Lien Act             | B. Short | HB | 381 |
| Lienholder/Justice of the Peace Court Jurisdiction | George   | HB | 77  |

#### **PUBLIC UTILITIES**

|                                                                        |              |    |     |
|------------------------------------------------------------------------|--------------|----|-----|
| Medical Certification Program/Certification                            | Longhurst    | HB | 261 |
| Municipal and Rural Electric/Implement<br>Renewable Portfolio Standard | Scott        | HB | 27  |
| PSC/Cable Television/Employees                                         | B. Short     | HB | 397 |
| PSC/Cost Recovery for Utilities                                        | Schwartzkopf | HB | 228 |
| Sustainable Energy Utility/Procurement Laws                            | Lavelle      | HB | 287 |
| Telecommunication Services/Rate Parity                                 | Scott        | HB | 121 |
| Water Supply Coordinating Council/Review<br>Conservation Plans         | Carson       | HB | 122 |

**REDISTRICTING**

|                                                  |              |    |     |
|--------------------------------------------------|--------------|----|-----|
| Incarcerated Individuals/Postpone to 2020 Census | Schwartzkopf | HB | 112 |
|--------------------------------------------------|--------------|----|-----|

**S****SCHOOLS** - Also see "Education"

|                                                  |               |         |     |
|--------------------------------------------------|---------------|---------|-----|
| Background Check/All Contractors                 | Osienski      | HB      | 100 |
| Background Check/New Public School Hire          | Bennett       | HB      | 292 |
| Board Elections/Move to General Election Date    | Longhurst     | HB      | 360 |
| Boards/Add Wilmington Member                     | Bolden        | HB      | 362 |
| Bullying/Reporting to Department of Education    | Schooley      | HB      | 268 |
| Charter Schools                                  |               |         |     |
| Improvements                                     | Schooley      | HB      | 205 |
| Local Board Approval                             | Jaques        | HB      | 380 |
| CPR/Graduation Requirement                       | Ramone        | HB      | 299 |
| Delaware Code/Removes Margaret S. Sterck         |               |         |     |
| School for the Deaf/Renames                      | Osienski      | HB      | 314 |
| Food Served/Limit Trans Fat                      | Kowalko       | HB      | 3   |
| Kindergarten Readiness                           | Schooley      | HB      | 317 |
| Needs Based System/Unit Funding                  | Schooley      | HB      | 1   |
| Offenses/Mandatory Reporting/School Discretion   | Barbieri      | HB      | 237 |
| Offenses/Mandatory Reporting/School Discretion   | Barbieri      | HB      | 243 |
| POW/MIA Flag, Display of                         | Carson        | HB      | 276 |
| Public School Contracts/Competitive Bidding      | D.P. Williams | HB      | 183 |
| School Attendance/Increase/16 to 18 Years of Age | Heffernan     | HB      | 244 |
| School Based Health Center/Consent Forms         | Willis        | HB      | 368 |
| School Based Health Centers/Insurance            | B. Short      | HB      | 303 |
| School Bus Driver/Criminal Background Check      | Mitchell      | HB      | 39  |
| School Discipline/Regulations                    | Scott         | HB      | 42  |
| Senior Property Tax Credit/Residency Requirement | Scott         | HS 1/HB | 209 |
| Special Needs Students/Denial of Services        | Q. Johnson    | HB      | 365 |
| Teach for America                                |               |         |     |
| Efficacy Report                                  | Schooley      | HB      | 248 |
| Repeal Sunset Provision                          | Schooley      | HB      | 239 |
| Truancy/JP Court Jurisdiction                    | George        | HB      | 23  |
| Vo-Tech Schools/Admissions Lottery               | Scott         | HB      | 211 |

**SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES, DEPT. OF**

|                                                      |        |    |     |
|------------------------------------------------------|--------|----|-----|
| Credit Check/Children in DSCYF Care                  | Bolden | HB | 269 |
| Runaway and Homeless Youth/Assessments and Reporting | Bolden | HB | 389 |

**SHERIFFS**

|                  |              |    |     |
|------------------|--------------|----|-----|
| No Arrest Powers | D. Short     | HB | 290 |
|                  | Schwartzkopf | HB | 325 |

**STATE**

|                                                                  |               |    |     |
|------------------------------------------------------------------|---------------|----|-----|
| Actions/Childhood Sexual Assaults/Public Sector                  |               |    |     |
| Employees                                                        | Lavelle       | HB | 12  |
| Administrative Procedures Act/Public Hearings                    | Hudson        | HB | 286 |
| Board of Parole/Dissolve                                         | B. Short      | HB | 35  |
| Brain Injury Council/State Council for Persons with Disabilities | Osienski      | HB | 141 |
| Compensation Commission/Name Change                              | Lavelle       | HB | 159 |
| DEFAC Projections/Move Date                                      | Lavelle       | HB | 119 |
| Employee                                                         |               |    |     |
| Correctional Officer/Retire After 25 Years                       | J. Johnson    | HB | 164 |
| Forfeit Pension/Certain Crimes                                   | Hudson        | HB | 291 |
| Hiring/Spouse/POW, MIA or Disabled                               | Jaques        | HB | 136 |
| Hours Worked/FOIA                                                | Lavelle       | HB | 176 |
| Pension                                                          |               |    |     |
| Per Diem Employees                                               | J. Johnson    | HB | 284 |
| Retired Employees/Increase                                       | D.P. Williams | HB | 217 |
| Employees                                                        |               |    |     |
| Courts/Hazardous Duty Pay                                        | M. Smith      | HB | 262 |
| Health Care and Pension Changes                                  | Longhurst     | HB | 81  |
| Employee/Restore Semi-Monthly/Pay System                         | Briggs King   | HB | 171 |
| Employment First Act/Disabilities/Establish                      | Heffernan     | HB | 319 |

|                                                                       |               |    |     |
|-----------------------------------------------------------------------|---------------|----|-----|
| First State Angel Investment Tax Credit Program/<br>Create            | Q. Johnson    | HB | 386 |
| Freedom of Information/Deadline                                       | Bennett       | HB | 5   |
| Freedom of Information Act Non-Security Reports                       | Lavelle       | HB | 120 |
| Holidays                                                              |               |    |     |
| Disability History and Awareness Month                                | Q. Johnson    | HB | 123 |
| Information Technology/Background Checks                              | Scott         | HB | 203 |
| OMB/Disclose Consultants & Contractors                                | Hudson        | HB | 16  |
| Pension Board and Commission Members/No<br>Longer “Regular Part-Time” | Kowalko       | HB | 327 |
| People First Language/Criminal Code                                   | Heffernan     | HB | 245 |
| People First Language/New Laws and Publications                       | Heffernan     | HB | 91  |
| People First Language/Replace Offensive Words                         | Heffernan     | HB | 214 |
| Prevailing Wage/Mechanics & Laborers                                  | Briggs King   | HB | 124 |
| Prevailing Wage/Raise Thresholds                                      | Briggs King   | HB | 110 |
| POW/MIA Flag, Display of                                              | Carson        | HB | 276 |
| Procurement                                                           |               |    |     |
| Veteran-Owned Small Business                                          | Jaques        | HB | 17  |
| Public Libraries/Fund Distribution                                    | George        | HB | 131 |
| Public Officer/Family Members Disclosure                              | Keeley        | HB | 232 |
| Public Works/Complete in Timely Manner                                | D.E. Williams | HB | 404 |
| Regulations/Five Year Review                                          | Lavelle       | HB | 255 |
| Regulatory Accountability Act/Establish                               | Peterman      | HB | 334 |
| Regulatory Flexibility Act                                            | B. Short      | HB | 34  |
|                                                                       | B. Short      | HB | 54  |
| Regulatory Flexibility Act/Legislative Oversight                      | Hocker        | HB | 201 |
| Regulatory Flexibility Act/Register of Regulations                    | Hocker        | HB | 306 |
| Secretary of State/Decrease Rates & Fees                              | Hudson        | HB | 156 |
| Sexual Abuse/Sovereign Immunity/Waive                                 | Lavelle       | HB | 359 |
| Sustainable Energy Utility/Deemed Agency                              | Lavelle       | HB | 305 |

## **T**

### **TAXES**

|                                                            |              |    |     |
|------------------------------------------------------------|--------------|----|-----|
| Academy of the Dance, Inc./Tax Exemption                   | Brady        | HB | 41  |
| Capitation Tax/Sussex County                               | Lee          | HB | 281 |
| Credits                                                    |              |    |     |
| Certified Delaware Investment Funds                        | B. Short     | HB | 218 |
| Crude Oil Lightering Fee/Eliminate                         | Longhurst    | HB | 251 |
| Delaware Age 55+ Volunteer Program Act                     | Mulrooney    | HB | 405 |
| Direct Care Workers/Occupational License Tax               | Hudson       | HB | 92  |
| Estate/Repeal                                              | Ramone       | HB | 18  |
| First State Angel Investment Tax Credit Program/<br>Create | Q. Johnson   | HB | 386 |
| Gross Receipts/Decrease Rates                              | Hudson       | HB | 148 |
| Gross Receipts/Decrease Rates                              | Longhurst    | HB | 127 |
| Gross Receipts/Delaware City Refinery                      | Longhurst    | HB | 369 |
| Gross Receipts/Petroleum Refineries                        | Longhurst    | HB | 10  |
| Gross Receipts/Petroleum Refiners                          | Longhurst    | HB | 142 |
| Income                                                     |              |    |     |
| Active Military Pay/DE Resident                            | Hudson       | HB | 13  |
| Aglands Preservation                                       | Carson       | HB | 344 |
| Film Festivals/Exempt Motion Picture Films                 | Schwartzkopf | HB | 341 |
| Home of the Brave Checkoff                                 | Atkins       | HB | 350 |
| Pension Exclusion/\$37,500                                 | Hocker       | HB | 97  |
| Reduce Rate/Over \$60,000                                  | Schwartzkopf | HB | 128 |
| Roll Back Tax Increases                                    | Hudson       | HB | 147 |
| White Clay Creek Check Off                                 | Schooley     | HB | 44  |
| Moist Snuff/Eliminate Tax Disparity                        | Barbieri     | HB | 178 |
| Professional and Occupational Licenses/Back<br>Taxes       | Gilligan     | HB | 257 |
| Public Utility Tax Rate/Decrease                           | Gilligan     | HB | 129 |
| Realty Transfer/Exempt Half of State Portion               | Brady        | HB | 166 |
| School/Taxes and Property Taxes/Tax Intercept              | D. Short     | HB | 278 |

|                                                          |              |         |     |
|----------------------------------------------------------|--------------|---------|-----|
| Secretary of State/Decrease Fees & Rates                 | Hudson       | HB      | 156 |
| Senior Property Tax Credit/Residency Requirement         | Scott        | HS 1/HB | 209 |
| Sussex County/Change Due Date                            | Schwartzkopf | HB      | 31  |
| Tax Credit/Telephone Lines & Transmitters                | Viola        | HB      | 181 |
| Tax Credits                                              |              |         |     |
| Broadband Services                                       | Briggs King  | HB      | 316 |
| Telephone Lines & Transmitters/Tax Credit                | Viola        | HB      | 181 |
| Veterans' Opportunity Credit                             | Jaques       | HB      | 275 |
| <b><u>TOBACCO</u></b>                                    |              |         |     |
| Moist Snuff/Eliminate Tax Disparity                      | Barbieri     | HB      | 178 |
| <b><u>TRANSPORTATION</u></b>                             |              |         |     |
| Charter Bus Activities/School Buses                      | Mitchell     | HB      | 38  |
| <b><u>TRANSPORTATION, DEPT. OF</u></b>                   |              |         |     |
| Fees/Increase                                            | Keeley       | HB      | 219 |
| Gold Alert Program                                       | Bennett      | HB      | 51  |
| Highways                                                 |              |         |     |
| Variable Message Signs/Prohibit/Portions<br>of Route One | Hudson       | HB      | 150 |
| Highways/Clear Zone/Increase Civil Fine                  | Miro         | HB      | 96  |
| Memorandums of Understanding/Safety Factors              | Hudson       | HS 1/HB | 101 |
| Traffic Studies/Development or Redevelopment             | Hudson       | HB      | 102 |
| Traffic Studies/New Castle County                        | Hudson       | HB      | 220 |
| <b><u>U</u></b>                                          |              |         |     |
| <b><u>UNCLAIMED PROPERTY</u></b>                         |              |         |     |
| Statute of Limitations                                   | George       | HB      | 229 |
| <b><u>UNEMPLOYMENT</u></b>                               |              |         |     |
| Seasonal Employer/Fund Contributions                     | Cathcart     | HB      | 130 |
| <b><u>V</u></b>                                          |              |         |     |
| <b><u>VETERANS</u></b>                                   |              |         |     |
| Hiring/Spouse/POW, MIA or Disabled                       | Jaques       | HB      | 136 |
| Operation Enduring Freedom                               |              |         |     |
| Special Plates                                           | Q. Johnson   | HB      | 263 |
| State Parks/Fee Discount                                 | Bennett      | HB      | 235 |
| State Procurement/Veteran-Owned Small Business           | Jaques       | HB      | 17  |
| Veterans' Opportunity Credit                             | Jaques       | HB      | 275 |
| <b><u>VIDEO LOTTERY</u></b>                              |              |         |     |
| Video Lottery Agents/Two Additional                      | Schwartzkopf | HB      | 40  |

**HOUSE SESSION DATES**  
**2011**

**JANUARY**

|         |      |
|---------|------|
| 1st Day | 11th |
| 2nd Day | 12th |
| 3rd Day | 13th |
| 4th Day | 18th |
| 5th Day | 19th |
| 6th Day | 20th |
| 7th Day | 25th |
| 8th Day | 26th |

**MARCH**

|          |      |
|----------|------|
| 9th Day  | 15th |
| 10th Day | 16th |
| 11th Day | 17th |
| 12th Day | 22nd |
| 13th Day | 23rd |
| 14th Day | 24th |
| 15th Day | 29th |
| 16th Day | 30th |
| 17th Day | 31st |

**APRIL**

|          |      |
|----------|------|
| 18th Day | 5th  |
| 19th Day | 6th  |
| 20th Day | 7th  |
| 21st Day | 12th |
| 22nd Day | 13th |
| 23rd Day | 14th |

**MAY**

|          |      |
|----------|------|
| 24th Day | 3rd  |
| 25th Day | 4th  |
| 26th Day | 5th  |
| 27th Day | 10th |
| 28th Day | 11th |
| 29th Day | 12th |
| 30th Day | 31st |

**JUNE**

|          |      |
|----------|------|
| 31st Day | 1st  |
| 32nd Day | 2nd  |
| 33rd Day | 7th  |
| 34th Day | 8th  |
| 35th Day | 9th  |
| 36th Day | 14th |
| 37th Day | 15th |
| 38th Day | 16th |
| 39th Day | 21st |
| 40th Day | 22nd |
| 41st Day | 23rd |
| 42nd Day | 28th |
| 43rd Day | 29th |
| 44th Day | 30th |

**1st SPECIAL SESSION**

**JULY**

|         |     |
|---------|-----|
| 1st Day | 1st |
|---------|-----|

**HOUSE SESSION DATES**  
**2012**

**JANUARY**

|         |      |
|---------|------|
| 1st Day | 10th |
| 2nd Day | 11th |
| 3rd Day | 12th |
| 4th Day | 17th |
| 5th Day | 18th |
| 6th Day | 19th |
| 7th Day | 24th |
| 8th Day | 25th |
| 9th Day | 26th |

**MARCH**

|          |      |
|----------|------|
| 10th Day | 13th |
| 11th Day | 14th |
| 12th Day | 15th |
| 13th Day | 20th |
| 14th Day | 21st |
| 15th Day | 22nd |
| 16th Day | 27th |
| 17th Day | 28th |
| 18th Day | 29th |

**APRIL**

|          |      |
|----------|------|
| 19th Day | 3rd  |
| 20th Day | 4th  |
| 21st Day | 5th  |
| 22nd Day | 24th |
| 23rd Day | 25th |
| 24th Day | 26th |

**MAY**

|          |      |
|----------|------|
| 25th Day | 1st  |
| 26th Day | 2nd  |
| 27th Day | 3rd  |
| 28th Day | 8th  |
| 29th Day | 9th  |
| 30th Day | 10th |
| 31st Day | 15th |
| 32nd Day | 16th |
| 33rd Day | 17th |

**JUNE**

|          |      |
|----------|------|
| 34th Day | 5th  |
| 35th Day | 6th  |
| 36th Day | 7th  |
| 37th Day | 12th |
| 38th Day | 13th |
| 39th Day | 14th |
| 40th Day | 19th |
| 41st Day | 20th |
| 42nd Day | 21st |
| 43rd Day | 26th |
| 44th Day | 27th |
| 45th Day | 28th |
| 46th Day | 30th |

**1st SPECIAL SESSION**

**JULY**

|         |     |
|---------|-----|
| 1st Day | 1st |
|---------|-----|